

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



Seventy-eighth meeting of the Standing Committee
Geneva (Switzerland), 3-8 February 2025

Species conservation and trade

Fauna

Elephants (Elephantidae spp.)

DOMESTIC IVORY MARKETS

1. This document has been prepared by the Secretariat.
2. At its 19th meeting (CoP19; Panama City, 2022), the Conference adopted the following Decisions on domestic ivory markets:

- a) Decisions 19.99 to 19.101 on *Ivory seizures and domestic ivory markets*

Directed to the Secretariat

19.99 *Subject to external funding, the Secretariat shall engage the MIKE and ETIS Technical Advisory Group and TRAFFIC to advise whether an analysis of ivory seizures connected to each Party with a legal domestic market for commercial trade in ivory could be undertaken and, if feasible, carry out the analysis and include the results in the ETIS report to the Standing Committee at its 78th meetings, and to the 20th meeting of the Conference of the Parties.*

19.100 *The Secretariat shall report on progress made with respect to the analysis in Decision 19.99 to the 77th meeting of the Standing Committee.*

Directed to the Standing Committee

19.101 *The Standing Committee shall consider the Secretariat's report under Decision 19.100 and request the Secretariat to take appropriate measures, if any.*

- b) Decisions 18.117 (Rev. CoP19), 18.118 and 18.119 (Rev. CoP19) on *Closure of domestic ivory markets*

Directed to Parties

18.117 (Rev. CoP19) *Parties that have not closed their domestic markets for commercial trade in raw and worked ivory are requested to report to the Secretariat for consideration by the Standing Committee at its 77th and 78th meetings on what measures they are taking to ensure that their domestic ivory markets are not contributing to poaching or illegal trade.*

Directed to the Secretariat

18.118 *The Secretariat shall compile the reports and make them available to Parties in advance of the Standing Committee meetings.*

Directed to the Standing Committee

18.119 (Rev. CoP19) *The Standing Committee shall:*

- a) *consider the reports under Decision 18.118; and*
- b) *report on this matter and make recommendations, as appropriate and consistent with the scope and mandate of the Convention, to the 20th meeting of Conference of the Parties.*

3. The Secretariat reported on the implementation of these Decisions to the 77th meeting of the Standing Committee (SC77; Geneva, November 2023) in Parts 3 and 4 of document [SC77 Doc. 63.1 \(Rev. 2\)](#). The initial assessment of the feasibility of an analysis of ivory seizures connected to each Party with a legal domestic market for commercial trade in ivory was made possible with funding from the European Union. The Secretariat appreciates the support provided in this regard.

Decisions 19.99 to 19.101 on Ivory seizures and domestic ivory markets

4. The Secretariat informed SC77 about the concerns raised by the MIKE-ETIS Technical Advisory Group (TAG) regarding the feasibility of an analysis of ETIS data connected to each Party with a legal domestic ivory market for commercial trade. The MIKE-ETIS TAG indicated that some form of comparison or contrast would be needed to study the impact of legal domestic markets on the illegal ivory trade. However, the TAG was not able to clarify which markets to focus on and what data could be used, given that relevant data submitted to ETIS (e.g. trade routes) may be incomplete due to a low response rate on the domestic ivory market surveys conducted by the CITES Secretariat (see paragraphs 21 – 25 below). The difference in how Parties interpret the meaning of a legal domestic market also seemed to contribute to the lack of clarity of the instruction in Decision 19.99, as some Parties may not consider that they have a legal domestic market for elephant ivory, although they still allow exemptions to otherwise prohibited trade. Furthermore, it was not clear whether such an analysis could provide real added value in addition to the existing ETIS analyses that are done for consideration by the Standing Committee and the Conference of Parties.
5. Given the large variability in the understanding of what constitutes legal domestic ivory markets and the questions on the purpose of the requested analyses of ETIS data, the MIKE-ETIS TAG determined that clarification would be needed on the criteria to be used to identify countries with a legal domestic ivory market, and that clearer guidance would be needed on the research questions to be addressed using ETIS or other more detailed domestic ivory market data. The Standing Committee invited the Secretariat to issue a Notification to the Parties seeking input on the criteria to be used to identify Parties with a legal domestic ivory market to be included in the analysis called for in Decision 19.99 (see summary record [SC77 SR](#)).
6. The CITES Secretariat issued Notification to the Parties [No. 2024/082](#) on 12 July 2024 seeking inputs from Parties on the criteria to be used to identify Parties with a legal domestic ivory market. The [Annex](#) to the Notification contained a questionnaire used to obtain the inputs from the Parties (an online form option was also available). Responses were received from 13 Parties: Australia, Burkina Faso, Cambodia, China, European Union (EU-coordinated reply), Japan, Liberia, Niger, Senegal, Thailand, Tunisia, United Kingdom of Great Britain and Northern Ireland and the United States of America.
7. A summary of the responses to the Notification to the Parties are contained in Annex 1 to the present document. The Secretariat notes that the Parties' understanding of the purpose of the analysis requested in Decision 19.99 vary and covers a broad scope, such as:
 - a) addressing concerns that legal domestic ivory markets may be contributing to poaching or to illegal ivory trade;
 - b) improving the understanding of the relationship between legal domestic trade and illegal international trade in ivory for Parties with a regulated domestic market; and
 - c) comparing seizures and illegal trade between Parties with legal domestic markets and Parties without such markets;
 - d) using the analysis to provide information and technical advice to the Parties with legal domestic ivory markets;

- e) supporting the Parties' decision-making related to closure of domestic markets or strengthening the measures already taken to close domestic markets; and
 - f) determining if certain types of exemptions pose lower/higher risk than other exemptions, which may inform greater consistency in regulation across Parties.
8. With regards to the criteria to be considered to identify Parties with legal domestic markets, all Parties responding to the Notification to the Parties indicated that:
- a) *Parties with total prohibition on domestic trade in ivory with no exemptions* should be excluded from the analysis (but could be used as a baseline); and
 - b) *Parties with regulated domestic markets (domestic trade regulated through permitting and / or registration systems)* should be included in the analysis.
9. With regards to the criterion *Parties with prohibitions on domestic trade in ivory but with exemptions (irrespective of the type of exemption)*, three Parties expressed partial support with following proposals:
- a) If the exemptions are narrow, it should not be included in the analysis; but if the exemptions are wide, especially when commercial trade are allowed, it should be included in the analysis;
 - b) When doing the analysis for the first time, Parties with exemptions should be considered, but in the subsequent analyses, a more refined choice could be made, based on the results;
 - c) Compare Parties which have an open domestic market for ivory and high numbers of illegal ivory seizures vs. Parties which have prohibitions on domestic trade in ivory, but with exemptions, and which have high numbers of illegal ivory seizures.
10. Some Parties indicated that existing information such as responses to Notifications and documents considered by CITES Parties at previous meetings on similar topics should be considered to identify the Parties with total prohibitions, Parties with regulated domestic ivory markets, and Parties with exemptions from prohibitions. It was also suggested that the Secretariat should request Parties to declare whether they have domestic ivory market and to provide further information on the scope of domestic ivory markets. The Secretariat would like to note that responses to the Notifications to the Parties relating to this topic have consistently returned low response rates (also see paragraphs 21 – 25 below), which may limit the relevance of any analysis that may be drawn from them.

Resolution Conf. 10.10 and Decisions – current sources of information and analysis

11. Resolution Conf. 10.10 (Rev. CoP19) sets out the scope of data to be collected and submitted by Parties on the illegal killing of elephants (Annex 2) and the illegal trade in elephant specimens (Annex 1). The information on stockpile management [paragraph 7 e)] must also be reported on. In addition, paragraph 9 of the Resolution requests Parties to “inform the Secretariat of the status of the legality of their domestic ivory markets and efforts to implement the provisions of this Resolution, including efforts to close those markets that contribute to poaching or illegal trade”. The reporting deadline or requirement for paragraph 9 is not specified in the Resolution. Based on Decisions adopted by the Conference of the Parties, the Secretariat has requested Parties to report on these measures (see documents [SC74 Doc. 39](#) and [SC77 Doc. 63.1 \(Rev. 2\)](#) which is summarised in paragraphs 21 – 25 of the present document].
12. The Resolution furthermore directs the Secretariat to, within available resources, identify those Parties that have unregulated internal markets for ivory, where ivory is found to be illegally traded, and where ivory stockpiles are not well secured or that have significant levels of illegal trade in ivory. The Secretariat is directed to seek from each identified Party information concerning its implementation of this provision and, where appropriate and in consultation with the Party, undertake *in situ* verification missions. The Secretariat must report its findings and recommendations to the Standing Committee, which in turn makes recommendations in accordance with the Resolution, including requests to identified Parties to develop and implement National Ivory Action Plans (NIAPs) (see Annex 3 of Resolution Conf. 10.10 (Rev. CoP19) on the NIAPs process).
13. Parties who responded to the Notification to the Parties No. 2024/082 proposed the use of an extremely detailed scope of information to be used in an analysis on domestic ivory markets. This detailed scope of

information is not available. Resolution Conf. 10.10 (Rev. CoP19) does not require Parties to provide regular reports on the status and scale of their legal, regulated domestic ivory markets.

14. Information was obtained from responses to the Notifications to Parties that had been issued in the past, under Decision 17.87 on *Domestic markets for frequently illegally traded specimens* and Decisions 18.117 – 18.119 on *Closure of domestic ivory markets* (as well as their subsequent revisions), but the number of responses received to any of these Notifications is limited. For example, eight Parties responded to Notification to the Parties No. 2020/026 of 23 March 2020¹ (see document [SC74 Doc. 39](#)); seven reports were received in response to Notification to the Parties No. 2023/077 of 10 July 2023² [see document [SC77 Doc. 63.1 \(Rev. 2\)](#)] and seven Parties responded to the Notification to the Parties [No. 2024/095](#) of 3 September 2024³ (further information in paragraphs 21 to 25 below). Four Parties responded to all the Notifications.
15. Additional information relating to domestic ivory markets can be obtained through dedicated studies. In accordance with Decision 17.87, the Secretariat has carried out a study in 2018 funded by the United States of America and in kind support from the Environmental Law Institute on the domestic controls of consumer markets focused on nine markets (China and Hong Kong Special Administrative Region of China, European Union, Japan, Lao People's Democratic Republic, Malaysia, Philippines, Thailand, United States of America and Viet Nam) and the following aspects were covered (see document [SC70 Doc. 28](#) and information document [SC70 Inf. 18](#)):
 - a) Trade in elephant ivory: Factual / contextual questions (description of who uses ivory and for which purposes; information on demand reduction strategies deployed; trends in market (price, volume traded as well as number of registered shops)
 - b) Applicable Laws, Regulations and other legally binding instruments
 - c) Analysis
 - i) Legal status (questions relating to whether domestic trade legal, completely banned or partially banned; penalties and deterrence; trade in ivory without permission penalized)
 - ii) Treatment based on traded product (raw/unprocessed/semi-processed and fully processed and exemptions; possible differences in treatment of species, e.g. non-indigenous species)
 - iii) Treatment based on transactions (differences in domestic controls based on the use or the actor involved (residents / non-residents); type of trade (business-to-business, business-to-consumer; consumer-to-consumer) and regulation of online trade)
 - iv) Registration (systems/mechanisms for registration of possession)
 - v) Interpretation by courts (tried in court cases / administrative tribunals)
16. With regards to ETIS data and the current analysis undertaken for consideration by the Standing Committee and the Conference of the Parties in terms of paragraph 12 a) of Resolution Conf. 10.10 (Rev. CoP19), the analysis is based on ivory seizure data submitted to TRAFFIC (as ETIS data) on an annual basis. Bias-adjustments are made based on seizure rate, rate of reporting and law enforcement ratios. TRAFFIC also maintains subsidiary databases on the following: National legislation score (based on National Legislation Project information), Law Enforcement Ratio; Corruption Perception Index, Human Development Index, Per Capita GDP, Voice and Accountability, Political stability, Government effectiveness, Regulatory Effectiveness, Regulatory Quality, Rule of Law, Control of Corruption and Gini Coefficient. ETIS reports submitted for consideration by the Standing Committee and the Conference of Parties includes a trend analysis (raw and worked ivory in different weight classes) and a cluster analysis that uses both raw and contextual data, including the subsidiary data and published literature.

¹ *European Union (EU coordinated reply); Israel; Japan; New Zealand; South Africa; Thailand; United Kingdom of Great Britain and Northern Ireland; and Zimbabwe*

² *European Union (EU coordinated reply), Japan, South Africa, Thailand, United Kingdom of Great Britain and Northern Ireland, the United States of America and Zimbabwe*

³ *India, Japan, New Zealand, South Africa, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America*

Challenges identified by the Secretariat

17. In light of the above, the Secretariat highlights the following challenges that would hinder the feasibility of analysing ivory seizures connected to each Party with a legal domestic market for commercial trade in ivory:
- a) difficulties in identifying Parties to be included in the analysis, given the different understanding of their legal status, scope of prohibitions and exemptions and the purpose of domestic trade (± 30 Parties in previous TRAFFIC assessment – legal markets that are “open” or closed with exemptions);
 - b) the lack of detailed level of information required for identified Parties to be included in the analysis (including information relating to the scale of domestic ivory markets; detailed information relating to the type and scope of exemptions); and
 - c) the differing expectations of the Parties on the purpose and scope of the proposed analysis based on the responses to Notification to the Parties No. 2024/082.

Advice of the MIKE-ETIS Technical Advisory Group (TAG)

18. The Secretariat shared the responses to the Notification to the Parties [No. 2024/082](#) with the MIKE-ETIS TAG for its consideration and advice at its 20th meeting (Nairobi, November 2024). The TAG concluded that there are widely varying interpretations of the definition of what constitutes a legal domestic ivory market for commercial trade and advised that it is not possible to set clear criteria to identify Parties with a legal domestic market for commercial trade that can be applied in a consistent manner. The TAG encouraged the MIKE-ETIS Subgroup or the Standing Committee to advise on the selection of Parties to be included in an analysis, noting the data and information currently available.

Advice of the MIKE-ETIS Subgroup

19. At SC77, the Standing Committee invited the MIKE-ETIS Subgroup to consider the responses to Notification to the Parties [No. 2024/082](#) and to propose criteria for identifying the Parties to be included in the analysis and prepare research questions and report back to SC78 (see summary record [SC77 SR](#)). The Chair of the MIKE-ETIS Subgroup shared the responses received, the summary compiled by the Secretariat and the advice provided by the MIKE-ETIS TAG with the MIKE-ETIS Subgroup and invited the Subgroup members to share their views. The Chair of the Subgroup also shared her views, i.e., that taking into consideration the responses to the Notification and the advice from the MIKE-ETIS TAG as well as the concerns of the Secretariat and the current scope of data available, it was not possible to propose criteria for identifying the Parties to be included in the analysis and therefore it was also not possible to prepare research questions for the analysis.
20. A member of the Subgroup proposed that the Standing Committee consider excluding Parties with total bans on domestic ivory trade from the analysis, but if the criteria to narrow the initial scope of analysis cannot be agreed to, the Standing Committee may also wish to discuss alternatives, such as including all Parties in a preliminary analysis that seeks to identify the correlation between the presence of ivory in domestic markets at any level and the presence of illegal ivory trade to better reveal the relationship between the two activities, and help inform any priority areas for appropriate action.

Decisions 18.117 (Rev. CoP19), 18.118 and 18.119 (Rev. CoP19) on *Closure of domestic ivory markets*

21. The Secretariat issued Notification to the Parties [No. 2023/077](#) on 10 July 2023 to gather information required in Decision 18.117 (Rev CoP19) from Parties. Parties were encouraged to take into consideration all relevant provisions contained in Resolution Conf. 10.10 (Rev. CoP19) and in other relevant Resolutions. This resulted in submissions from seven Parties: the European Union (EU- coordinated reply), Japan, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zimbabwe. The Secretariat shared the responses and summaries with the Standing Committee in document [SC77 Doc. 63.1 \(Rev. 2\)](#).
22. The Secretariat issued another Notification to the Parties [No. 2024/095](#) on 3 September 2024 to gather information, also encouraging Parties who had responded to the previous Notifications to give an update on their status. The responses received are contained in Annex 2 to the present document.
23. The table below shows the summary of the submissions made to the Notifications to Parties that were issued in relation to Decision 18.117 (Rev CoP19). Four Parties responded to all the Notifications to the Parties for

the last two intersessional periods (2020-2022): Japan, South Africa, Thailand and the United Kingdom of Great Britain and Northern Ireland. Five Parties responded to the two Notifications to the Parties issued in the current intersessional period (2023-2024): Japan, South Africa, Thailand, United Kingdom of Great Britain and Northern Ireland, and United States of America.

Notification No.	Publication date	Number of responses	Parties that responded to the Notification
2024/095	3 September 2024	8	India, Japan, New Zealand, South Africa, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America
2023/077	10 July 2023	7	EU (coordinated reply), Japan, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Zimbabwe
2021/005	18 January 2021	4	Australia, Hong Kong Special Administrative Region (SAR) of China, Japan, South Africa
2020/026	23 March 2020	8	EU (coordinated reply), Israel, Japan, New Zealand, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland, Zimbabwe

24. India and New Zealand did not respond to Notification to the Parties No. [2023/077](#) but provided responses to Notification to the Parties No. [2024/095](#). India reported legal, enforcement, and awareness measures, as well as efforts in data collection and monitoring, to protect the Asian elephant. The species receives the highest level of legal protection under Schedule I of India's Wild Life (Protection) Act, 1972 (WLPA), which prohibits the trade and possession of ivory or any elephant body parts within the country. Anti-smuggling efforts have been bolstered through enhanced coordination among law enforcement agencies. In its response to Notification to the Parties No. [2020/026](#) (see document [SC74 Doc. 39](#)), New Zealand indicated that it does not regulate the sale of elephant ivory on the domestic market and was investigating the need for further regulation and provided an update in its response to Notification to the Parties No. [2024/095](#) on progress made with the revisions to its CITES implementing legislation (Trade in Endangered Species Act 1989) to include provisions to enable regulation of domestic sales of CITES-listed species, including elephant ivory.
25. Japan, South Africa, Thailand, United Kingdom of Great Britain and Northern Ireland and the United States of America confirmed that the information provided in response to Notification to the Parties No. [2023/077](#) remained valid. However, South Africa reported an increase in elephants illegally killed in 2023 compared to 2022, attributing this rise primarily to poaching for bushmeat. Thailand reported enhanced monitoring capacities with an increase in the 2024 budget for regional offices and initiatives to improve law enforcement and public awareness. The United Kingdom reported that its primary legislation for a strict domestic ivory sales ban, with limited exemptions, has come into force. In May 2024, the government published The Ivory Act 2018 (Meaning of "Ivory" and Miscellaneous Amendments) Regulations 2024, proposing to extend the ivory trade ban to include four additional species: hippopotamus, killer whale, narwhal, and sperm whale. This amendment awaits parliamentary approval before implementation. The United States of America reported the regulations in place to ensure a near-total ban on domestic ivory trade, with limited exceptions. The recent updates to the U.S. Endangered Species Act regulations for the African elephant (effective May 2024) did not change requirements regarding ivory.

Conclusions

26. The Secretariat recalls that, according to Decision 19.99, it was tasked to determine whether an analysis of ivory seizures connected to each Party with a legal domestic market for commercial trade in ivory was feasible. After consultation with the MIKE-ETIS Technical Advisory Group and the MIKE-ETIS Subgroup and eight Parties, the Secretariat has not been able to clearly identify Parties to be included in the analysis or to narrow down the purpose and scope of the analysis.
27. The Secretariat further recalls that paragraph 27 of Resolution Conf. 10.10 (Rev. CoP19) establishes the objectives for ETIS that includes measuring and recording levels and trends, and changes in levels and trends, illegal trade in ivory and other elephant specimens in elephant range States, ivory consumer States and ivory transit States. Reports relating to the aforementioned are submitted for consideration at the meetings of the Standing Committee and the Conference of the Parties. The ETIS report to the CoP identifies the Parties requiring attention in terms of illegal trade in ivory and the Secretariat therefore considers that

the ETIS analysis is adequate, and no additional analysis is needed. The prioritization of key analysis to be done to inform decision making is essential especially considering the reduced funding available to undertake core tasks already mandated in Resolution Conf. 10.10 (Rev. CoP19).

Recommendations

28. The Standing Committee is invited to:

- a) consider and agree with the advice provided by the MIKE-ETIS Technical Advisory Group and the MIKE-ETIS Subgroup relating to the feasibility of the analysis proposed in Decision 19.99; and
- b) agree that Decisions 19.99 to 19.101 on *Ivory seizures and domestic ivory markets* and Decisions 18.117 (Rev. CoP19), 18.118 and 18.119 (Rev. CoP19) on *Closure of domestic ivory markets* have been implemented and can be deleted.

SUMMARY OF RESPONSES TO THE QUESTIONNAIRE IN
NOTIFICATION TO THE PARTIES NO 2024/082 ON
IVORY SEIZURES AND DOMESTIC IVORY MARKETS

Seeking input on the criteria to be used to identify Parties with legal domestic ivory markets

Perceived purpose of the proposed analysis

1. The following information was provided by Parties relating to the perceived purpose of the proposed analysis:
 - a) To address concerns that legal open domestic ivory markets may be contributing to poaching or illegal ivory trade.
 - b) To understand the relationship between legal domestic trade and illegal international trade in ivory of Parties with a regulated domestic market.
 - c) To compare seizures/illegal trade data of Parties having a legal domestic market to Parties without such market.
 - d) To provide information and technical advice to the Parties with legal domestic ivory markets to support their decision-making on closing their markets or strengthening the measures already taken to close domestic markets. The analysis of seizures can support the assessment of whether or not a legal domestic ivory market in the jurisdiction of specific Parties is “contributing to poaching or illegal trade” and support decision-making regarding strengthening measures already taken or closing legal domestic markets.
 - e) To determine if and where any type of legal commercial market/trade in ivory is associated with illegal trade, the extent and type of both the domestic market and where possible any illegal trade and any correlation between the domestic legal markets and illegal trade. Ivory seizure data for each Party identified should be analysed, looking at the number and size of seizures (imports, exports and domestic), the type of specimens seized and the source of the seized specimens, to assess the scale and nature of illegal trade, to the extent possible taking into account the extent, quality and completeness of available data. This information can then be used in conjunction with an analysis of the size and nature of the legal domestic market to see if there is any correlation between legal domestic trade and illegal trade. The analysis should be sufficient to underpin the development of targeted advice and recommendations directed to Parties to support them in addressing these issues, including identifying and closing markets that are contributing to poaching or illegal trade. This will support implementation of Resolution Conf 10.10 (Rev. CoP19) which urges Parties that have not closed their domestic ivory markets which are contributing to poaching or illegal trade to implement the closure as a matter of urgency (paragraph 5).
 - f) The proposed analysis will help inform discussions regarding any linkages between the existence of domestic markets and poaching and illegal trade in elephant ivory. The analysis may also help determine if certain types of exemptions pose lower/higher risk than other exemptions, which may inform greater consistency in regulation across Parties.

Most pertinent questions expected to be addressed

2. The most pertinent questions expected to be addressed through the proposed analysis are as follows:
 - a) Is there is a connection between open/partly open domestic markets for ivory and the illegal trade in ivory? (the hypothesis is that open markets, despite current efforts of Parties, may be driving poaching and illegal trade).
 - b) To what extent does the level of domestic trade relate to that of illegal international trade in ivory of Parties with a regulated domestic market?
 - c) To what extent are ivory items exempted from the closure in each Party?

- d) What is the size or activity of each Party's legal domestic market for ivory trade? What is the size of the stocks, especially those from legal acquisition, if available? Details on ivory traders, legally licensed or registered traders? Details on imported ivory tusks (number, weight, etc.) that were purchased at the two single CITES-approved sales?
- e) Whether the occurrence of ivory seizures connected to each Party with a legal domestic ivory market is of negligible extent or not?
- f) Whether seizure/illegal trade numbers (quantity and types of illegally traded products seized along with the number of seizures) of Parties without a legal domestic market are lower than those of Parties with a legal domestic market?
- f) What are the main types of actors who are apprehended during seizures, in other words, what types of actors are involved in ivory trafficking?
- g) The traceability of items traded on these legal ivory markets.
- h) What are the annual quantities, origins and methods of acquisition of ivory for Parties whose national markets are regulated or which provide for derogations.
- i) Questions for Parties with legal domestic markets included in the analysis:
- What are the numbers/size and nature of ivory seizures connected to Parties included in the analysis and what is the projected overall size and nature of that illegal market?
 - What is the extent and nature of the market and trade, both legal and illegal, for Parties included in the analysis, including domestic bans, exemptions, enforcement and compliance?
 - The differences and their significance of ivory seizures between those countries included in the analysis with fully open markets and those with essentially closed markets with limited exemptions.
 - The limitations of the analysis, for example data limitations resulting from differences in enforcement approach and efforts.
- j) Information relating to specific domestic laws pertaining to domestic ivory trade should be obtained. This information should be analysed to determine potential gaps in surveys of ivory traders and holders. Several countries may have limited trade for the benefit of specific audiences, such as traveling orchestras with instruments that have pre-Convention ivory, specific laws regarding pre-Convention or antique ivory, or museum exchanges with time-limited exhibitions or purchases under certain circumstances. Trade between non-commercial entities (e.g., museums, universities, etc.) and other institutions that hold stockpiles may still engage in commercial trade, and guidelines should be developed to adequately manage these stockpiles as that information may otherwise be omitted from data concerning domestically held ivory stockpiles.
- k) Following additional questions proposed by Parties:
- What supporting information have been provided by Parties who have determined that they do not have legal domestic ivory markets (information to support that conclusion)?
 - For Parties who have determined that their legal domestic markets are not contributing to poaching or illegal trade, what information have they provided to support that claim?
 - What steps are Parties taking to implement necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory as a matter of urgency?
 - What explanations have Parties provided that assert that a narrow exemption to this closure for some items is warranted and how they have determined any exemptions do not contribute to poaching or illegal trade?

Expectations not already addressed in ETIS analysis and other reports

3. The following expectations in terms of outputs of the proposed analysis that are not already addressed through the ETIS analysis and report to the Standing Committee and the Conference of the Parties, were indicated by the Parties in their responses:
 - a) It would be useful to know if the seizures by Parties with legal domestic markets are large and commercial scale seizures, or whether the high number of seizures are in smaller personal-scale seizures. The results of the study would primarily benefit Parties in addressing the sources of illegal trade (whether, for example, organised illegal activity on a commercial scale or lack of awareness in the community on trade laws for personal items).
 - b) Whether the occurrence of ivory seizures connected to each Party with a legal domestic ivory market is negligible extent or not.
 - c) The expected outputs would be more fulsome in describing the current state of domestic markets for ivory and regulation thereof worldwide, as it would be informed and focused by the information, purposes, and questions described in responses to the questions in the form. The outputs could result in recommended best practices or other guidance for more consistent and effective appropriate action to assist Parties in following the recommendations of Resolution Conf. 10.10 (Rev. CoP19) to eliminate the illegal trade in ivory and domestic ivory markets that contribute to illegal trade, and to help evaluate the conservation outcomes for elephants.

Criteria to identify Parties with legal domestic markets

4. With regards to the criteria to be considered to identify Parties with legal domestic markets, all Parties responding to the Notification to the Parties indicated that:
 - a) *Parties with total prohibition on domestic trade in ivory with no exemptions* should be excluded from the analysis; and
 - b) *Parties with regulated domestic markets – Domestic trade regulated through permitting and / or registration systems* should be included in the analysis.
5. With regards to the criterion *Parties with prohibitions on domestic trade in ivory but with exemptions (irrespective of the type of exemption)*, two Parties expressed partial support with following proposals:
 - a) If the exemptions are narrow, it shall not be included in the analysis; but if the exemptions are wide, especially when commercial trade are allowed, it shall be included in the analysis; and
 - b) Compare Parties which have an open domestic market for ivory and high numbers of illegal ivory seizures vs. Parties which have prohibitions on domestic trade in ivory, but with exemptions, and which have high numbers of illegal ivory seizures.
6. In terms of **other criteria**, the following were proposed by some Parties that responded to the Notification to the Parties:
 - a) The focus of the analysis should be to identify Parties which have a domestic open market in ivory and high numbers of illegal ivory seizures. Parties with unregulated domestic markets in ivory should also be included in the analysis.
 - b) Consider including Parties with significant stockpiles of ivory (noting that there would be a need to determine what constitutes a significant stockpile) by requesting what specific management tools are currently in place along with inventory records for several years to confirm that stockpiles are being appropriately managed. Such action may appear to question a Party that has a total ban on domestic ivory trade, but it could prove useful in obtaining data from those Parties with limited or regulated domestic trade.
 - c) Parties that are source, transit, and/or destination countries for illegal ivory trade should all be invited to provide information to the analysis. It is important to understand how legal domestic markets may impact illegal trade across the illegal trade chain.

- d) Other criteria to consider in the analysis include extent of legal/regulatory framework; enforcement and compliance measures; market dynamics; regional/international cooperation; socio-economic factors; public awareness and education.

Type of information to be used

7. Based on responses from Parties, the following type of information can be used to inform an analysis and respond to the questions above:

- total number of all seizures made by, or involving, each country/territory during the period 2008 – 2023;
- total estimated weight of ivory represented by all seizures made by, or involving, each country/territory during the period 2008 – 2023;
- apparent trade route(s) of the illegal ivory trade with which each Party is associated;
- transparency International's Corruption Perceptions Index for each country over the period 2021 – 2023;
- total number of seizures in the country (in-country seizures) divided by the total number of seizures made by, or involving, each country/territory over the period 2021 – 2023;
- proportion of the total weight of reported seizures that represent large-scale seizures [greater than or equal to 500 kg of ivory (RIE)] made by, or involving, a particular country/territory during the period 2008 – 2023;
- information relating to specific domestic laws pertaining to domestic ivory trade, monitoring and compliance and enforcement measures;
- type and extent/scope of exemptions (ivory items exempted from the closure / prohibition in each Party);
- information relating to scale and activities of legal domestic ivory markets, including annual quantities, origins and methods of acquisition of ivory, registration systems, licensing, weight and number of ivory traded / sold
- number of people involved in illegal trade
- type of stakeholders involved in the illegal trade
- the proportion of seizures in relation to the total quantity sold / traded on the country's legal markets
- stockpile information (including management tools in place along with inventory records for several years)
- information used to substantiate decisions by Parties relating to scope and type of exemptions and regulatory measures adopted;
- details on ivory traders (wholesalers and retailers, legally licensed/registered traders
- details on the imported ivory tusks that were purchased in the two CITES-approved one-off sales.

Sources of information

8. Possible sources of information based on responses to the Notification to the Parties:

- a) The 21 CITES documents published between 2016 and 2022 that have already been assessed by TRAFFIC [see document SC77 Doc. 63.1 (Rev. 2)] as well as the relevant documents published in 2023 and 2024 (SC76 documents).

- b) In relation to the analysis as a whole (i.e. not just the question of whether or not there is a domestic market), in addition to ETIS data, other sources of information that could be used are:
- CITES Annual Illegal Trade reports
 - Operation Thunder reports
 - World Wildlife Crime report
 - Reports of the International Consortium on Combating Wildlife Crime
- c) The Secretariat could use information about seizures of ivory that originated in, transited through, or are destined for countries with legal domestic markets. Even if the origin, transit, or destination country is a Party with a total prohibition on domestic trade in ivory with no exemptions, that Party may have useful information to contribute to the analysis. One source of information could be, for example, court cases or other criminal or civil enforcement actions in which the origin, transit, or destination of seized ivory linked to Parties with legal domestic markets. This could be expressed as e.g. the number of seizures of ivory linked to legal markets as a percentage of total ivory seizures. The Secretariat could also use official government reports, public non-governmental organizations and research publications; market surveys; seizure records; media reports.

INDIA

CITES Notification No. 2024/095 - Request for information: Closure of domestic ivory markets

India has taken several steps to ban and curb the elephant ivory trade. These efforts demonstrate India's strong stance against the illegal ivory trade to protect its elephant population and conserve biodiversity.

Some of the key measures include:

- i. **Complete Ban on Ivory Trade:** In India, Asian elephant is provided with the highest degree of legal protection by listing it in Schedule I of India's Wild Life (Protection) Act, 1972 (WLPA). This also prohibits the trade of ivory or other body part of elephant within India, extending protections to domesticated and wild elephants, making it illegal to trade, possess, or sell ivory.
- ii. **Penalties and Punishments:** The WLPA, 1972 prescribes strict penalties, including imprisonment and heavy fines, for the illegal possession or trade of ivory.
- iii. **International Commitments:** India is a signatory to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and follows its guidelines to ban the international trade of ivory.

The Government of India's proposal to include Asian Elephant in Appendix I of CMS was accepted at the 13th CMS-CoP in 2020.

- iv. **Strengthening Enforcement:** Anti-smuggling operations have been strengthened through coordinated efforts between agencies like the Wildlife Crime Control Bureau (WCCB), Customs, and State Forest Departments.
- v. **Public Awareness and Monitoring:** The Government of India and the State Forest Departments also raises public awareness about the illegality and environmental harm of ivory trade, and has set up monitoring mechanisms to track and prevent poaching and trafficking.
- vi. **The Project Elephant** has been designated as 'Focal Point' under the CITES Management Authority, India for dealing the issues related to elephant protection, conservation and dissemination including of illegal trade, crime and coordination with Monitoring of Illegal Killing of Elephant (MIKE) and Elephant Trade Information System (ETIS) for this purpose. The parties to CITES are required to report every seizure of illegal elephant ivory and other elephant specimens made within their territories to the ETIS. Accordingly, the Project Elephant is

reporting data / information on seizure of illegal elephant ivory and other elephant specimens to CITES secretariat on yearly basis.

JAPAN

Japan's report pursuant to Decision 18.117 (rev.CoP19)

Japan has been implementing stringent measures to ensure that its domestic ivory market does not contribute to poaching and illegal trade. The ongoing measures are mainly summarized as follows. Japan is determined to continue making its utmost efforts to implement the CITES at home in a sincere manner.

Ongoing Measures

1. Legislation on ivory control (outline of the amended ACES)

- (1) The amended Act on the Conservation of Endangered Species of Wild Fauna and Flora (ACES), including tighter regulations on ivory transactions within its own borders, came into effect in June 2018. Major revisions are as follows. Details of the amended law are available in the Japan's report submitted as [Doc. 27.4 A11](#) at SC70.
 - a) Raw and worked ivory business operators must be registered to the Government. Business operators must fulfil all requirements for registration, which should be renewed every five years.
 - b) Business operators must register all tusks of their possession.
 - c) Business operators must prepare and keep inventory data including transaction records and traceability information records for cut pieces.
 - d) Business operators must indicate information including their business registration number and business operator's name, at the time of display or advertisement.
 - e) The Japanese government publishes a list of registered business operators.
 - f) Heavier penalties are to be imposed on business operators' offense. i.e. introduction of imprisonment, increased fines

- (2) Intense scrutiny for the registration of a whole tusk
Since July 2019, registration of a whole tusk requires the submission of the result of scientific radiocarbon dating or other equivalent proof that shows the tusk was imported before the adoption of the CITES trade ban for Japan, unless an applicant submits a customs document or an import permit. A third-party affidavit becomes no longer sufficient enough to prove the legitimacy of a tusk without additional official evidence.

2. Strengthened management measures on domestic ivory transactions

- 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 has digitalized the reporting format for the volume of transactions and inventories of domestic ivory products for the proper management of the domestic ivory market and to improve convenience for business operators.
- 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. [Website](#) about CITES, ACES, and conservation and sustainable use of wildlife renewed in April 2021 (in Japanese and English).
- Competent authorities reiterate to widely announce the 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 being taken out of Japan without permissions.

- Notice on ivory trade regulations are announced at major tourist attractions in Japan in cooperation with local governments of several big cities. The Japan National Tourism Organization has posted related information on its website and app for foreign visitors.
- Capacity building training programs are consecutively implemented for officials in charge of monitoring and control on transactions of ivory.

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

- Japan contributes to Range States’ anti-poaching endeavor through the CITES Monitoring the Illegal Killing of Elephants (MIKE) Programme.
- In cooperation with China, Japan continues to seek an opportunity to organize a bilateral meeting between Management Authorities, which has been postponed due to Covid-19 pandemics. Through such dialogues, Japan

fortifies collaboration with China as a neighboring country, which put in place bans on domestic trade, in order to prevent illegal trade in ivory products effectively.

4. Privately-held stocks of elephant ivory

(1) Whole tusks

In order to trade whole tusks domestically, each tusk must be registered under the Act on the Conservation of Endangered Species of Wild Fauna and Flora (ACES). The number and quantity of the registered whole tusks as of the end of December 2023 are shown below.

Type of specimen	Number of tusks	Total weight (kg)
Whole tusks		
a) African elephant	16,540	174,845
b) Asian elephant	144	794
Total	16,684	175,639

(2) Cut pieces, tips and ivory products

Ivories not in the form of whole tusk (i.e. cut pieces, tips or ivory products) are controlled through a registration system whereby business operators have to report to the authorities to be able to engage in domestic commercial trade. All of these operators, such as manufacturers, wholesalers or retailers, must register a certain amount of information such as their names, addresses and stockpiles to the authorities. Furthermore, they are obliged to submit to the authorities a report on the balance of stockpiles and an inventory describing the contents of transactions.

The quantity of cut pieces, tips and ivory products reported by the business operators as of the end of March 2022 are shown below. The most recent data as of March 2023 is currently being compiled.

(Cut pieces, tips)

Description	Total weight (kg)
Cut pieces, Tips	75,949

(Products)

Description	Total quantity
Sign seals	829,025
Accessories	545,029
Parts of accessories	2,950,201
Furnishing goods including parts	39,029
Stationeries including parts	496
Smoking supplies including parts	5,806
Buddhist altar articles including parts	42,707
Musical instruments including parts	62,161
Tableware including parts	16,239
Tea utensils including parts	23,328
Indoor recreational equipment including parts	2,270
Convenience goods including parts	52,309
Others	42,921

Note:

Throughout this document, “legally imported” means:

-Whole ivory tusks, cut pieces of ivory and worked ivory products that had pre-existed in Japan ahead of the adoption of CITES trade ban (in 1980* for Asian elephants and 1990 for African elephant). *Japan joined CITES in 1980.

-Whole ivory tusks, cut pieces of ivory and worked ivory products which were imported to Japan with pre-convention certificates issued by exporting countries under CITES.

-Whole ivory tusks which were imported to Japan in 1999 and 2009, as exceptions approved under CITES.

NEW ZEALAND

“Notification No. 2024/095: Request for information: Closure of domestic ivory markets”

New Zealand response

Request for information

2. Parties that have not closed their domestic markets for commercial trade in raw and worked ivory are hereby requested to report to the Secretariat on the measures taken to ensure that their domestic ivory markets are not contributing to poaching or illegal trade. Parties that have previously responded to Notification No. 2020/026, No. 2021/005 and No. 2023/077 are also encouraged to inform the Secretariat if the measures are still in place, or if they have changed.

3. Parties are encouraged to take into consideration relevant provisions contained in Resolution Conf. 10.10 (Rev. Cop19) on Trade in elephant specimens, particularly in paragraphs 3 to 9, 13, and 15 to 16 on Regarding trade in elephant specimens; and in paragraphs 22 to 25 on Regarding

New Zealand Response

The New Zealand government has reviewed its CITES implementing legislation (the Trade in Endangered Species Act 1989) and the proposed changes include provisions to enable the regulation of domestic sale of CITES listed species, such as elephant ivory. The draft Bill is now awaiting a place on a very busy legislative agenda.

Contact details

Sarah Bagnall; New Zealand CITES Management Authority
Department of Conservation, 18-32 Manners Street, Wellington 6011, New Zealand
Email: sbagnall@doc.govt.nz



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

Ref: Notification 2024/059
Enquiries: Sonja Meintjes
Tel: 012 399 9597 Email: smeintjes@environment.gov.za

The Secretary General
CITES Secretariat
International Environment House
11 Chemin des Anémones
CH-1219 Châtelaine,
GENEVA
Switzerland

Email: gabriel.ndjassindjeunda@un.org; info@cites.org

NOTIFICATION NO. 2024/095: REQUEST FOR INFORMATION: CLOSURE OF DOMESTIC IVORY MARKETS

I refer to Notification 2024/059 dated 03 September 2024 regarding the above.

Further to the response from South Africa to Notification 2020/026 (see attached report), 2021/05 and 2023/077, we would like to inform the Secretariat that 52 elephants were killed in 2023 which is more than in 2022. We believe that this is most likely more opportunistic poaching relating to demand for bush meat, rather than the targeting of these animals for ivory.

The legislation has not changed but the elephant population in South Africa has increased to approximately 43 681 of which 33 972 occur on state-owned land, and 9 709 on privately or communal owned land. Most of these areas are fenced. The Kruger National Park has the largest population of approximately 28 000 elephants.

South Africa did not have a significant number of ivory seizures during 2023 from what we can see in the illegal trade reports received from provincial conservation authorities and the South African Police Service thus far. The final figures will be available at the end of October 2024 when the final CITES Illegal Trade Report will be available.

Yours sincerely

Ms Nomfundo Tshabalala
Director-General
Department of Forestry, Fisheries & the Environment
Letter signed by: Frances Craigie
Designation: Chief-Director: Sector Enforcement
Date: 2024-09-30



Batho pele- putting people first



The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

SOUTH AFRICA: FEEDBACK ON NOTIFICATION 2020/026 ON CLOSURE OF DOMESTIC IVORY MARKETS

Regarding trade in elephant specimens

The Department of Environment, Forestry and Fisheries (DEFF) believes that the limited, regulated domestic ivory market in South Africa do not contribute to poaching or illegal trade and we thus do not intent to close our domestic ivory trade market.

South Africa does not have a major ivory carving industry. We do have knife makers and a limited number of jewellers who use ivory in the jewellery they make.

We are continuing our awareness training on wildlife trafficking at all our border posts and also do awareness sessions at various South African Defence Force Training facilities as the Defence Force is responsible for protecting our borderline and are thus the first responders for illegal activities on the borderline. We do collaborate with neighbouring countries through joint cross border operations. The National Biodiversity Investigators Forum where investigators from the conservation authorities as well as the South African Police Service involved in the illegal wildlife trade meet bi-annually, share best practises and information and review trends to ensure that measures are taken to immediately and effectively address illegal trade wildlife.

Legislative, regulatory and other measures to:

South Africa has comprehensive internal legislative, regulatory, enforcement and other measures to:

Loxodonta africana (African elephant) is listed as a protected species in terms of National Environmental Management: Biodiversity Act (NEMBA) and restricted activities involving specimens of the species must be authorized through permits issued in terms of NEMBA and the Threatened or Protected Species (TOPS) Regulations.

The definition of “restricted activity” is as follows:

- (a) in relation to a specimen of a listed threatened or protected species, means-
 - (i) hunting, catching, capturing or killing any living specimen of a listed threatened or protected species by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, luring, alluring, discharging a missile or injuring with intent to hunt, catch, capture or kill any such specimen;
 - (ii) gathering, collecting or plucking any specimen of a listed threatened or protected species;

- (iii) picking parts of, or cutting, chopping off, uprooting, damaging or destroying, any specimen of a listed threatened or protected species;
- (iv) importing into the Republic, including introducing from the sea, any specimen of a listed threatened or protected species;
- (v) **exporting from the Republic, including re-exporting from the Republic, any specimen of a listed threatened or protected species;**
- (vi) **having in possession or exercising physical control over any specimen of a listed threatened or protected species;**
- (vii) growing, breeding or in any other way propagating any specimen of a listed threatened or protected species, or causing it to multiply;
- (viii) **conveying, moving or otherwise translocating any specimen of a listed threatened or protected species;**
- (ix) **selling or otherwise trading in, buying, receiving, giving, donating or accepting as a gift, or in any way acquiring or disposing of any specimen of a listed threatened or protected species; or**
- (x) **any other prescribed activity which involves a specimen of a listed threatened or protected species.**

The terms “specimen” is defined in NEMBA as follows:

- (a) any living or dead animal, plant or other organism;
- (b) a seed, egg, gamete or propagule or part of an animal, plant or other organism capable of propagation or reproduction or in any way transferring genetic traits;
- (c) any derivative of any animal, plant or other organism; or
- (d) any goods which-
 - (i) contain a derivative of an animal, plant or other organism; or
 - (ii) from an accompanying document, from the packaging or mark or label, or from any other indications, appear to be or to contain a derivative of an animal, plant or other organism.

In addition to the aforementioned, permits are also required in terms of the National CITES Regulations, promulgated in terms of NEMBA, for the import, export and re-export of specimens of species listed in the CITES Appendices. The nine Provincial Conservation Authorities in South Africa also regulate elephant specimens in terms of provincial legislation. The management of African elephant is further regulated through the National Norms and Standards for the management of elephants in South Africa. These norms and standards were developed and published in terms of NEMBA.

Furthermore, the TOPS Regulations include a compulsory registration requirement for wildlife traders, which means that a person is not allowed to trade in any specimens of TOPS listed species (African elephant is a TOPS listed species) without being registered as a wildlife trader. All persons / companies that trade in ivory and ivory products within South Africa must be registered in terms of these provisions.

Non-compliance with a provision in NEMBA (carrying out a restricted activity without a permit, e.g. possess or sell ivory without a permit); the TOPS Regulations (e.g. ivory not marked as prescribed in the regulations or a trader is not registered as prescribed) and the CITES Regulations, constitutes an offence and the penalties upon conviction are specified below:

- Penalties specified in NEMBA: A person convicted of an offence is liable to a fine not exceeding R10 million, or an imprisonment for a period not exceeding ten years, or to both such a fine and such imprisonment. In addition, a person convicted of an offence involving a specimen of a listed threatened or protected species, a fine may be determined, either in terms of the aforementioned provision or equal to three times the commercial value of the specimen in respect of which the offence was committed, whichever is the greater.
- Penalties specified in TOPS Regulations: A person convicted of an offence in terms of the TOPS regulations is liable to-
 - (a) imprisonment for a period not exceeding five years;
 - (b) a fine not exceeding R5 million, and in the case of a second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years or in both instances to both a fine and such imprisonment; or
 - (c) both a fine and such imprisonment.
- Penalties specified in the CITES Regulations: A person convicted of an offence in terms of the CITES Regulations is liable to-

- (a) a fine not exceeding five million rand or imprisonment for a period not exceeding five years, and in the case of a second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years;
- (b) both such fine and imprisonment; or
- (c) in case of repeated offenders, a fine or imprisonment or both a fine and imprisonment and being banned from ever applying for a permit to trade in CITES listed species again.

The Department of Environmental Affairs and the nine provincial conservation authorities implement the above-mentioned legislation. Compliance monitoring and enforcement are also the responsibility of the Environmental Management Inspectors (EMIs) in these departments, but other enforcement departments and agencies, including among others, the South African Police Service (SAPS), the Directorate for Priority Crime Investigation (DPCI) (Hawks), the South African Revenue Services (SARS – Customs) and the National Prosecuting Authority are also actively involved in assisting to detect, investigate and prosecute non-compliance with the legal provisions.

With regard to stockpile management, the marking of ivory is prescribed in the TOPS Regulations and the National CITES Management Authority maintains an inventory of government-held stockpiles and the provincial CITES Management Authorities maintain inventory of both provincial and privately owned stockpiles. South Africa informs the CITES Secretariat of the ivory stocks on an annual basis.

Illegal killing of elephants in South Africa does not contribute to a decline in our elephant population

It should be noted that 99% of elephants killed illegally in South Africa occur in KNP. The loss of the animals in Kruger National Park have not contributed to a decline in South Africa's elephant population. The national elephant population in South Africa is increasing and estimated at approximately 30 000 individuals of which an estimated 24 000 individuals occur within national and provincial reserves in seven of the nine provinces of South Africa. The Kruger National Park elephant population is estimated at 20 000 individuals and is the largest elephant population in South Africa growing at approximately 3.5% per annum.

Since the launched of Project Ivory in the northern part of the Kruger National Park in January 2019 to ensure technical and ranger support for operations in the area, illegal killing of elephants in Kruger National Park (KNP) has declined from 71 animals in 2018 to 29 animals in 2019.

Seizures of raw and worked ivory

South Africa reported 29 ivory seizures in its CITES illegal trade report for 2018 consisting of raw and worked ivory. South Africa is willing to supply samples of seized ivory and have supplied samples from legally acquired ivory in South Africa to Germany for research purposes before. We do have laboratories where ivory can be identified for forensic purposes.

THAILAND



No. 0902.3/ ๒๓๐๙๙

Division of Wild Fauna and Flora Protection
Department of National Parks,
Wildlife and Plant Conservation
61 Paholyothin Rd., Chatuchak,
Bangkok 10900, THAILAND

๓๐ September B.E. 2567 (2024)

Dear Madam,

Subject: Notification 2024/095: Closure of domestic ivory markets

Reference is made to Notification to the Parties no. 2024/0095, dated 3 September 2024, requesting Parties that have not closed their domestic markets for commercial trade in raw and worked ivory report on measures taken to ensure that their domestic ivory markets are not contributing to poaching or illegal trade.

Thailand would like to inform the Secretariat that the information submitted on 4 August 2023, in response to the Notification No.2023/077 remains valid, particularly regarding legislations and measures for controlling the domestic ivory trade and curbing illegal trade. Kindly refer to the submitted document in conjunction with this update.

In 2024, the Department of National Parks, Wildlife and Plant Conservation (DNP) has additionally allocated a dedicated budget to regional offices with ivory entrepreneurs in their respective areas to enhance their monitoring capacity in monitoring the ivory trade. This funding supports various activities such as supporting field inspections, strengthening law enforcement operations, and raising public awareness about the illegal ivory trade. By empowering regional offices, the department aims to ensure a more comprehensive effort in combating the illegal trade of ivory, contributing to the protection of endangered species and compliance with national law and CITES provisions.

Looking ahead to next couple years, DNP anticipates increasing the frequency of trade inspections in 2025, contingent upon available budget allocations. This increase in inspection activities aims to strengthen the monitoring of the ivory trade, which became particularly challenging during the pandemic and was further constrained by budget limitations.

This increase...

This increase in inspection activities is aimed at strengthening the monitoring the ivory trade, which became particularly challenging during the pandemic and were further limited by budget constraints. DNP is preparing a budget proposal for fiscal year 2026 requesting additional funding for workshops to build the capacity of its officers and ivory entrepreneurs. These workshops will cover relevant legislation, updates on the ivory trade, and offer opportunities to reflect on challenges in law enforcement. By investing in capacity building, DNP aims to equip its personnel to combat illegal ivory trade effectively, while also helping stakeholders better understand and comply with regulations and engage in conservation effort.

In addition to trade monitoring and law enforcement, Thailand has continued its efforts to reinforce understanding among Thai citizens and foreign travelers on ivory-related legislations and impact of illegal ivory trade. Wildlife checkpoint officers regularly conduct public education efforts, particularly through the distribution of printed materials, participation in local events, and school visits. In collaboration with WWF-Thailand, the 2nd phase of the "Travel Ivory Free" campaign has continually conducted for period of 2023-2025. The campaign has been supported through key partnerships in the travel, tourism, and logistics sectors i.e. Department of Tourism, Tourism Authority of Thailand, Thai Hotels Association, Association of Thai Travel Agents (ATTA), GRABTAXI (Thailand) Company Limited. The campaign focuses on raising awareness of target foreign visitors for not being purchasing ivory from Thailand. Demand reduction messages have been communicated through influencers on social media platforms, as well as through digital and traditional signage at international airports and key tourist destinations.

Your continued cooperation is, as always, highly appreciated.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'P. Sorn', with a long horizontal stroke extending to the right.

(Mr. Prasert Sornsathapornkul)

Director of CITES Management Authority of Thailand

Department of National Parks, Wildlife and Plant Conservation

Secretary - General

CITES Secretariat

International Environment House

11 Chemin des Anémones

CH-1219 Châtelaine, Geneva, Switzerland

Email: info@cites.org

No. 0902.3/ ๑๑๗๐



Division of Wild Fauna and Flora Protection
Department of National Parks,
Wildlife and Plant Conservation
61 Paholyothin Rd., Chatuchak,
Bangkok 10900, THAILAND

๕ August B.E. 2566 (2023)

Dear Madam,

Subject: Request for information: Closure of domestic ivory markets

Reference is made to Notification to the Parties no. 2023/077 dated 10th July 2023, regarding the report to the Secretariat on what measures we are taking to ensure that our domestic ivory markets are not contributing to poaching or illegal trade. Please find the attachment for the relevant information. We hope that you would find the provided information useful.

Your continued cooperation is, as always, highly appreciated.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'P.' followed by a long horizontal line.

(Mr. Prasert Sornsathapornkul)

Director of CITES Management Authority of Thailand
Department of National Parks, Wildlife and Plant Conservation

Secretary - General
CITES Secretariat
International Environment House
11 Chemin des Anémones
CH-1219 Châtelaine, Geneva, Switzerland
Tel: +41 (22) 917 81 39/40 Fax: +41 (22) 797 34

Thailand's response to Notification 2023/077- Closure of domestic ivory markets

In Notification No. 2023/077, the CITES Secretariat requests Parties that have not closed their domestic markets for commercial trade in raw and worked ivory to report on measures taken to ensure that their domestic ivory markets are not contributing to poaching or illegal trade.

1. Legislations for control of domestic ivory trade in Thailand

The Elephant Ivory Act B.E.2558 enacted in 2015 is still in place for regulating trade in ivory sourced from privately owned elephants (*Elephas maximus*) or captive elephants. The Act requires ivory to be registered. Registration of newly cut elephant ivory must be accompanied by a certificate of origin for elephant ivory issued by registrars of the Draught Animal Act. The certificate provides information around sourced elephant and photo, size and weight of the obtained ivory, to ensure legality of the domesticated ivory. Further, a written notification of change(s) related to the registered ivory is required, including transfer of ownership and modification of the ivory. Permit is required for domestic trade of the ivory. Ivory traders are obligated to keep accounts and submit copies to the officials at the specified timeframe. Upon selling ivory, the ivory traders are required to issue sale certificate(s) to customers for further registration. Any ivory trader that violates the Act shall be liable to imprisonment of not exceeding three years or a fine not exceeding six million baht (\approx USD 173,000) or both.

In 2019, the Wild Animal Reservation and Protection Act (WARPA) has been amended. The amended WARPA includes increase of penalty for violation. African elephant (*Loxodonta africana*) and wild Asian elephant (*Elephas maximus*) are still under protection of WARPA as protected species. As such, import, export, and domestic trade of its ivory without permission shall be punishable by a maximum term of imprisonment of 10 years or a maximum fine of one million baht (\approx USD 29,000) or both.

2. Monitoring and other supportive efforts

After easing from the COVID-19 restrictions, officers resume physical inspections of ivory shops countrywide to ensure domestic ivory trade not contribute to poaching of elephants or illegal trade of ivory. Surin in the Northeast and provinces of Nakhonsawan and Uthai Thani are ivory manufacturing areas and been comprehensively monitored to prevent entry of illegal ivory into the domestic markets. In addition, illegal trade has been monitored by the Wild Hawk and the Tiger King, specialized task forces, to address illegal wildlife trade, including those occurred on the internet.

Ivory stockpiles held by government has been annually inspected and reported to the CITES Secretariat within the timeframe. This inspection enables checks of the ivory

stocks confiscated both by Thai Customs and Department of National Parks, Wildlife and Plant Conservation (DNP) and prevents leaking of confiscated ivory into markets.

Identification of the provenance of the ivory is a challenging task for enforcement authorities, Thailand applied Near Infrared Spectroscopy (NIRS) technique to differentiate ivory sourced from African, wild Asian, and domesticated Asian elephants. NIRS technique is a non-destructive method used to investigate composition of ivory which is mainly influenced by geochemical factors of habitat, food and water consumed by elephants. This study established the potential of NIRS to discriminate the ivory. Larger sample of ivory is needed to enable effective identification to facilitate future in-field investigations and trade monitoring to prevent the laundering of illegal ivory by enforcement officers.

To better understand domestic trade in the country, Thailand conducted a study of ivory supply chain. There are five key actor groups in the legal, domestic supply chain in Thailand: elephant owners, intermediaries, manufacturers, retailers, and ivory consumers. Tusks cutting is a non-lethal, long-established and necessary practice in domestic elephant keeping. Selling of tusks is increasing due to the rising living costs of Thai elephant owners. The legal ivory trade provides extra income for Thai elephant owners, but market access is not equal among them. Elephant keeping networks facilitate the flow of raw ivory to buyers. This finding emphasizes potential in these networks for further communication and engagement. Each year, Thai domesticated elephants supply, at least, ≈375 kg of legal raw ivory. About 65% of this is possessed privately; the remaining 35% supplies the commercial manufacturing of ivory products. Newly-obtained ivory became the major source of the supply entering the commercial trade. Further monitoring of the supply chain, based on the study, include the trade volume and the market price of the raw ivory that will provide useful information about market interactions and the potential entry of illegal stock. With stable demand, the increased availability of illegal stock should decrease the price of Thai ivory and result in the lowering of the legal supply volume used in manufacturing. Trade monitoring will also highlight the proportional change between newly obtained and pre-legislation stocks in manufacturing.

3. Public educations and demand reductions

Thailand has continually reinforced understanding among public on ivory-related legislations and impact of illegal ivory trade, as well as informing foreign visitors not to buy and take ivory product out of Thailand. Public education campaigns largely conducted in key locations such as airports, shopping centers, tourist attractions, and flea markets, where a large number of foreign tourists visit. These campaigns also aim to educate local children and students about wildlife conservation to create a collective effort in curbing unlawful trade of ivory, and foster a culture of protection for elephant species.

In addition to activities carried out by DNP, there are comprehensive campaigns of demand reductions campaigns conducted in the past couple of years by NGOs, including USAID, TRAFFIC, WWF and WildAid, with close collaborations with DNP. These include the following activities.

The "Travel Ivory Free" campaign, organized by WWF has been launched to raise awareness and promote responsible tourism in Thailand, aligning with the Tourism Authority of Thailand (TAT) policy. This collective initiative sought to empower travellers and Thai citizens to make conscientious choices by refraining from purchasing ivory and embracing sustainable souvenirs and gifts. By encouraging mindful consumption during travels in Thailand, the campaign aspired to make a positive impact on elephant conservation efforts, aligned with the vision of preserving Thailand's wildlife for future generations. With support of education sector, WWF's also conducted trainings to educate Thai tourist guides around impacts of illegal ivory trade to wildlife conservation.

The Ivory Free campaign, launched in Thailand by WildAid, highlights the devastating impact of ivory poaching on African elephant populations. Through mass communications such as billboards, video public service announcements, social media efforts, and a web app, the campaign encourages people not to buy ivory and supports stronger enforcement against illegal ivory shipments. With a focus on key countries, including Thailand, the campaign seeks to challenge misconceptions about ivory and rally public support to end demand for ivory products. In Thailand, where elephants hold cultural significance, the campaign aligns with the nation's pride in protecting this majestic creature, and emphasizes the Thai public's vital role in saving elephants from the poaching crisis.

Based on findings obtained by the USAID Wildlife Asia's study around beliefs driving ivory consumption in Thailand, WildAid, with collaboration with the International Network of Engaged Buddhists (INEB), conducted a two-day practical training for Buddhist monks and nuns to provide information on illegal wildlife trafficking, laws, and strategies to reduce the demand for wildlife products. This involved producing printing media for Buddhist monks and nuns to use in disseminating information to their followers, with content related to laws and related penalties, aiming to communicate with the general public.

The United States Agency for International Development (USAID) collaborated with DNP and WildAid to launch the "Beautiful without Ivory" campaign. It aimed to reduce the usage and purchase of elephant ivory jewelry and accessories among women. Prominent figures, such as a Thai supermodel and a renowned astrology, have joined these demand reduction champions. Based on the achievements of the 2020 "Beautiful without Ivory" campaign, which effectively targeted individuals drawn to ivory jewelry due to its perceived beauty, survey results revealed a significant 50% decrease in the demand and social acceptability of ivory consumption among potential Thai consumers. Building on this success, the campaign further endeavored to

dissuade women from seeking ivory products, promoting ethical alternatives and fostering a transformative shift in consumer behavior to safeguard elephants and their natural habitats.



Notification No. 2024/095: Request for information: Closure of domestic ivory markets

From SM-Defra-CITES UKMA (GW) <CITES.UKMA@defra.gov.uk>

Date Mon 30/09/2024 18:18

To UNOG-UNEP-CITES Info <cites.info-cites@un.org>

Cc Constant Ndjassi <gabriel.ndjassindjeunda@un.org>; Biott, Elizabeth <Elizabeth.Biott@defra.gov.uk>; Rugg, Dornford <dornford.rugg@defra.gov.uk>; Blake, Kristopher <Kristopher.Blake@defra.gov.uk>; Daisley, Caroline <Caroline.Daisley@defra.gov.uk>; Hughes, Stacey <Stacey.Hughes@defra.gov.uk>; Riley, Melanie <melanie.riley@defra.gov.uk>; Osborn, Graeme <Graeme.Osborn@defra.gov.uk>; Mensing, Michele <Michele.Mensing@defra.gov.uk>; Adeyemo, Dayo <Dayo.Adeyemo@defra.gov.uk>

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Dear Secretariat

Further to [Notification 2024/095](#) on the closure of domestic ivory markets, please see the UK response below, which provides an update to the UK's response to [Notification 2023/077](#).

The UK Ivory Act 2018 came into force on 6 June 2022. The Act bans dealing in items containing or made of elephant ivory, unless they are registered as exempt or certified as exempt, under the Ivory Act 2018. Dealing in ivory means: to buy, sell or hire it; offer or arrange to buy, sell or hire it; keep it for sale or hire; export it from the UK for sale or hire; or import it into the UK for sale or hire.

There are five exemptions from the ban for:

- musical instruments made before 1975 with less than 20% ivory by volume
- items made before 3 March 1947 with less than 10% ivory by volume
- portrait miniatures made before 1918 with a total surface area of no more than 320 square centimetres
- items a qualifying museum intends to buy or hire
- items made before 1918 that are of outstandingly high artistic, cultural or historical value.

On 21 May 2024 the UK Government laid The Ivory Act 2018 (Meaning of “Ivory” and Miscellaneous Amendments) Regulations 2024, which would extend the ban on dealing ivory to four other species: hippopotamus, killer whale, narwhal and sperm whale. This is draft legislation that has not yet been made as a UK Statutory Instrument and requires approval by parliament before it can come into force.

Best regards

Elizabeth Biott
UK CITES Management Authority

Elizabeth Biott | Senior Policy Advisor | International Species Conservation | International Biodiversity and Climate | **Department for Environment, Food and Rural Affairs**

Tel no: 020 8026 4676 | Mobile no: 07900 654216 | Email: elizabeth.biott@defra.gov.uk | Address: Horizon House, 1 Deanery Road, Bristol, BS1 5AH

[Website](#) [Twitter](#) [Facebook](#) [LinkedIn](#) [Instagram](#)

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United States Department of the Interior



FISH AND WILDLIFE SERVICE

International Affairs
5275 Leesburg Pike, MS: IA
Falls Church, VA 22041-3803

September 19, 2024

Secretary General
CITES Secretariat
11, Chemin des Anémones
CH-1219 Châtelaine-Geneva
Switzerland

via email: info@cites.org and gabriel.ndjassindjeunda@un.org

Dear Secretary General:

This letter is in response to Notification to the Parties No. 2024/095, *Request for information: Closure of domestic ivory markets* (September 3, 2024). Notification to the Parties No. 2024/095 invites Parties that have not closed their domestic markets for commercial trade in raw and worked ivory are hereby requested to report to the Secretariat on the measures taken to ensure that their domestic ivory markets are not contributing to poaching or illegal trade.

As we reported in 2023 in response to Notification to the Parties No. 2023/077, *Request for information: Closure of domestic ivory markets* (July 10, 2023), and in 2018, in response to Notification to the Parties No. 2017/077, *Closure of domestic ivory markets that are contributing to poaching or illegal trade* (December 19, 2017), the United States has taken steps in recent years to ensure that its domestic ivory market is not contributing to poaching or illegal trade. U.S. trade in elephant ivory is regulated under a suite of Federal and State laws. Relevant Federal laws include the U.S. Endangered Species Act (ESA), ESA-implementing regulations (50 CFR part 17), the African Elephant Conservation Act, and U.S. CITES-implementing regulations (50 CFR part 23). In 2015, in response to the unparalleled poaching crisis in Africa, we began a rulemaking process and ultimately put in place (effective July 6, 2016) a near-total ban on trade in elephant ivory in the United States. Under the current rules, commercial import and most non-commercial import of African elephant ivory is prohibited, and there has been no change to these rules. However, as we noted previously, we continue to allow certain activities that are not contributing to the poaching of elephants, including movement of ivory for law enforcement and *bona fide* scientific purposes, and the noncommercial movement of certain items containing pre-Convention ivory, such as museum specimens and musical instruments. Within the United States, interstate commerce (e.g., trade across U.S. State lines) is prohibited, with certain limited exceptions, including for antiques and items that contain only small amounts of ivory. Some U.S. States also restrict or prohibit trade in ivory. Our revised ESA regulations for the African elephant, adopted in 2016, are available at <https://www.fws.gov/policy/library/2016/2016-13173.pdf> and additional information is also available at

<https://www.fws.gov/guidance/sites/guidance/files/documents/What%20Can%20I%20Do%20With%20My%20Ivory.pdf>.

More recent updates to our ESA regulations for the African elephant (effective May 2024) did not change U.S. requirements regarding ivory, available at <https://www.federalregister.gov/documents/2024/04/01/2024-06417/endangered-and-threatened-wildlife-and-plants-revision-to-the-section-4d-rule-for-the-african>.

We appreciate the opportunity provide information on the status of the U.S. domestic ivory market and to confirm that the United States has taken steps to put in place a near total ban on trade in elephant ivory to ensure that its domestic ivory market is not contributing to poaching or illegal trade. Thank you for your efforts to compile information on this important topic.

Sincerely,

Naimah Aziz, Head
Division of Management Authority