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DE FAUNE ET DE FLORE SAUVAGES MENACÉES D'EXTINCTION



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INFORMATIONS SUPPLEMENTAIRES SUR LA FERMETURE DES MARCHES INTERIEURS DE L'IVOIRE

1. Ce document a été soumis par le Burkina Faso en relation avec le document CoP19 Doc. 66.3.*

Résumé

Ce document fournit des informations supplémentaires sur la fermeture des marchés intérieurs de l'ivoire en relation avec le point 66.3 de l'ordre du jour : MISE EN ŒUVRE DE CERTAINS ASPECTS DE LA RESOLUTION CONF. 10.10 (REV. COP18) SUR LA FERMETURE DES MARCHES INTERIEURS DE L'IVOIRE. Elle rappelle les recommandations de l'annexe 1 au CoP19 Doc. 66.3, note et répond aux commentaires du Secrétariat sur ces recommandations (à ce jour uniquement disponibles en anglais), et fournit des informations complémentaires relatives au commerce illégal de l'ivoire lié à une Partie spécifique ayant un marché de l'ivoire ouvert. Ce document aidera la Conférence des Parties à examiner la nécessité d'exhorter les Parties ayant des marchés intérieurs légaux ouverts et manifestement liés au commerce international illégal d'ivoire à fermer ces marchés.

Recommandations figurant à l'annexe 1 du CoP19 Doc. 66.3

Les recommandations figurant dans le CoP19 Doc. 66.3, qui visent à assurer la mise en œuvre des aspects de la résolution Conf. 10.10 (Rev. CoP18) sur la fermeture des marchés intérieurs de l'ivoire, sont les suivantes.

Prier instamment les Parties ayant encore des marchés intérieurs légaux, ouverts, en particulier dans les pays destinataires de l'ivoire, au commerce de l'ivoire, qui sont manifestement liés au commerce international illégal de l'ivoire, de procéder à la fermeture de leurs marchés, conformément à la résolution Conf. 10.10 (Rev. CoP18), paragraphe 3.

Adopter les projets de décisions suivants afin de remplacer les décisions 18.117 et 18.119

À l'adresse des Parties :

19.AA Les Parties qui n'ont pas fermé leurs marchés intérieurs au commerce d'ivoire brut et travaillé sont priées de faire rapport au Secrétariat pour examen par le Comité permanent à ses 77e et 78e sessions sur les mesures qu'elles prennent pour s'assurer que leurs marchés intérieurs d'ivoire ne contribuent pas au braconnage ou au commerce illégal.

À l'adresse du Secrétariat :

19.BB Le Secrétariat compile les rapports, ainsi que toutes les informations disponibles pertinentes pour les Parties, et les met à leur disposition avant les sessions du Comité permanent.

À l'adresse du Comité permanent :

* Les appellations géographiques employées dans ce document n'impliquent de la part du Secrétariat CITES (ou du Programme des Nations Unies pour l'environnement) aucune prise de position quant au statut juridique des pays, territoires ou zones ni quant à leurs frontières ou limites. La responsabilité du contenu du document incombe exclusivement à son auteur.

19.CC Le Comité permanent doit :

- a) examiner les rapports et toutes les informations fournies par le Secrétariat conformément à la décision 19.XXX, ainsi que toutes les autres informations pertinentes disponibles ; et
- b) faire rapport sur cette question et élaborer des recommandations, le cas échéant, et compatibles avec la portée et le mandat de la Convention à la 20e session de la Conférence des Parties.

Adopter les projets de décisions suivants afin d'assister les Parties et le Comité permanent dans leur examen des progrès réalisés par les Parties ayant soumis des rapports conformément à la décision 19.XXX

À l'adresse du Secrétariat :

19.DD Le Secrétariat doit impliquer le groupe consultatif technique de MIKE et ETIS, ainsi que TRAFFIC, dans une analyse des saisies d'ivoire associées à chaque Partie ayant un marché intérieur légal pour le commerce de l'ivoire, et inclure cette analyse dans le rapport au Comité permanent à ses 77e et 78e sessions, ainsi qu'à la 20e session de la Conférence des Parties.

Commentaires du Secrétariat (à ce jour, seule la version anglaise du CoP19 Doc. 66.3 est disponible)

Les commentaires du Secrétariat sur les recommandations ci-dessus sont les suivants.

A. Le Secrétariat recommande à la Conférence des Parties de ne pas adopter les amendements aux projets de décisions 19.BB et 19.CC tels que suggérés par les auteurs. Le Secrétariat est préoccupé par l'inclusion de « toutes les autres informations pertinentes disponibles » dans les projets de décisions. Il n'est pas clair ce que le Secrétariat devrait considérer comme une information "pertinente" ; quel sera le processus pour obtenir d'autres informations pertinentes ; ou pour vérifier ces informations. Le Secrétariat recommande donc que les projets de décisions tels qu'ils figurent à l'annexe 1 du document CoP19 Doc. 66.1 soient adoptés.

B. Le Secrétariat recommande l'adoption du projet de décision 19.DD avec des amendements pour s'aligner sur le rapport du SC74 (compte rendu résumé de la SC74), ainsi que des modifications au calendrier proposé pour faire rapport au Comité permanent, et un texte supplémentaire relatif au financement. Selon le Secrétariat, il ne serait pas possible d'inclure l'analyse proposée dans le rapport à la 77e réunion du Comité permanent, car plusieurs recommandations relatives au programme ETIS doivent d'abord être mises en œuvre en consultation avec le Groupe consultatif technique MIKE-ETIS comme indiqué dans le document CoP19 Doc. 21 sur l'examen du programme ETIS.

Le nouveau texte proposé est souligné, les suppressions proposées sont indiquées en ~~barré~~.

À l'adresse du Secrétariat :

19.DD Sous réserve d'un financement externe, le Secrétariat doit impliquer le groupe consultatif technique de MIKE et ETIS, ainsi que TRAFFIC, à indiquer s'il est possible d'entreprendre dans une analyse des saisies d'ivoire associées à chaque Partie ayant un marché intérieur légal pour le commerce de l'ivoire, et, si possible, à effectuer l'analyse et inclure les résultats cette analyse dans le rapport au Comité permanent à ~~ses 77e et sa~~ 78e sessions, ainsi qu'à la 20e session de la Conférence des Parties.

Réponse des promoteurs aux commentaires du Secrétariat

Concernant le paragraphe A des commentaires du Secrétariat :

Le Secrétariat indique qu'il « n'est pas clair ce que le Secrétariat devrait considérer comme une information "pertinente" ; quel sera le processus pour obtenir d'autres informations pertinentes ; ou pour vérifier ces informations » et, en somme, que « toutes les autres informations pertinentes disponibles » ne devraient pas être prises en compte. Cependant, étant donné le texte du projet de décision 19.AA et son contexte (c'est-à-dire le paragraphe 3 de la résolution Conf.10.10 (Rev. CoP18)¹), le terme « pertinent », dans ce contexte, signifie des preuves qui aideront à déterminer si les marchés intérieurs de l'ivoire des Parties qui n'ont pas fermé leurs marchés intérieurs pour le commerce de l'ivoire brut et travaillé, contribuent ou non au braconnage ou au commerce illégal.

¹ Le paragraphe 3 de la résolution Conf.10.10 (Rev. CoP18) « RECOMMANDE que toutes les Parties et les non-Parties sous la juridiction desquelles existe un marché intérieur légal d'ivoire contribuant au braconnage ou au commerce illégal, prennent toutes les mesures nécessaires, législatives, réglementaires et de lutte contre la fraude pour fermer, de toute urgence, ce marché intérieur au commerce de l'ivoire brut et travaillé »

En ce qui concerne la manière dont d'autres informations pertinentes seront obtenues, une analyse des données de saisie ETIS relatives à chaque Partie ayant un marché de l'ivoire ouvert serait utile pour évaluer le rôle du marché légal. Ces données sont certainement « pertinentes », mais les données de saisie ne sont pas la seule option de preuve pour déterminer si un marché intérieur d'ivoire est ou non « un marché intérieur légal d'ivoire contribuant au braconnage ou au commerce illégal » (résolution Conf.10.10 (Rev. CoP18) paragraphe 3). Suite à une saisie d'ivoire illégalement exporté/importé, le pays importateur prendra des mesures pour évaluer chaque cas, et dans certains cas, il y aura des poursuites et condamnations pénales. Les informations sur ces processus, liés à la contrebande d'ivoire dans les pays concernés, qui comprennent souvent plus de détails sur les incidents que les données sur les saisies, peuvent contribuer de manière significative à l'évaluation du rôle d'un marché. Par conséquent, ces informations sur les poursuites et condamnations pénales sont également « pertinentes ». En outre, les informations d'enquête relatives au commerce illégal de l'ivoire lié à des Parties spécifiques ayant des marchés de l'ivoire ouverts, recueillies par les Parties, les OIG ou les ONG, sont « pertinentes » si elles sont fondées sur des preuves. De telles informations devraient être considérées comme « disponibles » pour les membres du Secrétariat/Comité permanent, et utilisées, lorsque les informations leur sont fournies par les Parties, les OIG ou les ONG ayant le statut d'observateur, officiellement ou non.

Un exemple d'informations « pertinentes » supplémentaires relatives à la contrebande d'ivoire figure à l'annexe A du présent document. L'analyse, entreprise par une ONG ayant le statut d'observateur, le Japan Tiger and Elephant Fund (JTEF), porte sur une sélection de décisions de tribunaux pénaux chinois impliquant de l'ivoire illégal exporté du Japon vers la Chine, qui ont été publiées par le gouvernement chinois.

L'évaluation de toutes les informations « pertinentes » disponibles, fondées sur des preuves, est essentielle pour garantir que les marchés de l'ivoire ouverts ne contribuent pas au braconnage ou au commerce illégal. Ainsi, les projets de décisions 19.BB et 19.CC tels que présentés par les auteurs de l'annexe 1, Doc. 66.3, devraient être adoptés.

Concernant le paragraphe B des commentaires du Secrétariat :

Lors de la réunion du Comité permanent (SC74) en mars 2022, une grande majorité des Parties a soulevé des préoccupations concernant les marchés de l'ivoire encore ouverts et la mise en œuvre de la recommandation de la résolution Conf.10.10 (Rev.CoP18) selon laquelle les marchés nationaux de l'ivoire « contribuant au braconnage ou au commerce illégal » devraient être fermés « de toute urgence ». Cette recommandation a été adoptée il y a six ans et, bien que des progrès aient été réalisés, il existe encore des marchés légaux ouverts qui contribuent au commerce illégal de l'ivoire, notamment en Asie. Cette question doit être traitée « de toute urgence » et ne doit pas être considérée comme moins prioritaire que d'autres recommandations relatives au programme ETIS. Une analyse des saisies d'ivoire liées à chaque Partie disposant d'un marché intérieur légal pour le commerce de l'ivoire doit être réalisable puisque, à la suite de la SC74, le Groupe consultatif technique MIKE et ETIS « a étudié cette proposition lors de sa 18e réunion (en ligne, avril 2022) : le consensus est que l'analyse suggérée aiderait à mieux comprendre l'impact de certains changements ». ² Des délais supplémentaires ne sont donc pas justifiés. L'analyse proposée devrait être menée comme l'avaient initialement proposé les promoteurs et incluse dans le rapport ETIS lors de la 77e réunion du Comité permanent (SC77).

Informations relatives au commerce illégal de l'ivoire lié à une Partie spécifique ayant un marché de l'ivoire ouvert

Les informations pertinentes contenues dans l'annexe A fournissent des preuves à l'appui de l'identification du Japon en tant que Partie ayant un marché intérieur de l'ivoire ouvert et légal qui est manifestement lié au commerce international illicite, et qui, par conséquent, y contribue.

Résumé de l'annexe A

Au total, 49 décisions de justice concernant 45 affaires différentes survenues entre 2010 et 2019 et publiées par le gouvernement chinois, ont été identifiées et analysées. Quinze de ces 45 affaires ont eu lieu entre 2018 et 2019, après l'entrée en vigueur de la fermeture du marché intérieur de l'ivoire en Chine. En plus de résumer les informations de base sur chaque cas, les informations relatives au rôle du marché légal du Japon dans

² CoP19 Doc. 66.6 paragraphe 11 https://cites.org/sites/default/files/documents/F-CoP19-66-06_0.pdf

l'exportation illégale d'ivoire et les informations concernant les caractéristiques de criminalité transnationale organisée, ont été évaluées.

L'analyse des décisions de justice a révélé que des ressortissants japonais étaient activement impliqués dans la contrebande d'ivoire dans 10 cas sur 45 (23 %), et que des négociants en ivoire enregistrés auprès du gouvernement japonais étaient impliqués dans au moins quatre cas (8 %). **Dans un cas, un négociant en ivoire enregistré au Japon était responsable de la contrebande de 3,26 tonnes d'ivoire vers la Chine sur une période de 1 an et 5 mois.** Ce négociant vend encore de l'ivoire, principalement des morceaux coupés, sur son propre site web. Un autre négociant en ivoire enregistré a été impliqué dans deux affaires différentes : le négociant a convenu qu'il vendrait des morceaux d'ivoire coupés à un prix fixe par mois, quel que soit le poids, à un acheteur d'ivoire chinois. Au cours des trois mois suivants, il a vendu un total de plus de 120 kg de morceaux d'ivoire coupés, qui ont tous été envoyés en Chine. Ce marchand d'ivoire enregistré vend également des morceaux d'ivoire taillés en tant qu'articles de « style ivoire » sur Yahoo ! Japon. En novembre 2019, Yahoo ! Japon a volontairement interdit la vente d'ivoire sur sa plateforme. Cependant, selon une enquête de la JTEF, ce marchand d'ivoire japonais vend actuellement des quantités d'ivoire encore plus importantes via Yahoo ! Japon qu'avant novembre 2019. **Il est évident que le marché intérieur légal de l'ivoire du Japon facilite la contrebande d'ivoire vers la Chine via les revendeurs d'ivoire légalisés du Japon, ce qui compromet l'application stricte de la décision de la Chine de fermer son marché intérieur de l'ivoire.**

Dans les deux pays, les exportations illégales d'ivoire du Japon vers la Chine tombent sous le coup de la loi sur les « crimes graves » définie dans la Convention des Nations Unies contre la criminalité transnationale organisée (UNTOC), qui est passible d'une peine d'emprisonnement minimale de quatre ans. Près de la moitié (47%) des affaires évaluées ont été menées par trois personnes ou plus, ce qui constitue le principal facteur de désignation d'un « groupe criminel organisé », tel que défini dans la Convention UNTOC. En outre, les rôles au sein des groupes criminels étaient divisés en différentes parties, avec des responsabilités réparties identifiées dans près de 70 % des cas. Dans de nombreux cas où trois personnes ou plus étaient impliquées, un *modus operandi* bien organisé utilisant les services d'agences d'achat intermédiaires et le courrier international était employé. La moitié des cas impliquaient soit des personnes travaillant dans le commerce de l'ivoire ou dans l'industrie du transport maritime, soit des personnes ayant un casier judiciaire de criminalité liée aux espèces sauvages. Près des deux tiers des cas (65 %) étaient motivés par des raisons commerciales. Toutes ces circonstances suggèrent un niveau significatif de crime organisé dans les exportations illégales d'ivoire du Japon vers la Chine.

Conclusion

Les informations pertinentes contenues dans l'annexe A du présent document, ainsi que les informations fournies dans le document SC74 Inf.18,³ appuient l'identification du Japon comme une Partie ayant un marché intérieur de l'ivoire ouvert et légal qui est manifestement connecté au commerce international illégal et qui, par conséquent, y contribue. Le Japon devrait être exhorté à fermer son marché de l'ivoire conformément à la résolution Conf. 10.10 (Rev. CoP18).

Cette conclusion est fondée sur des informations qui devraient être considérées comme pertinentes pour déterminer si le marché intérieur de l'ivoire d'une Partie qui n'a pas fermé son marché intérieur pour le commerce de l'ivoire brut et travaillé contribue ou non au braconnage ou au commerce illégal.

³ Version anglaise: <https://cites.org/sites/default/files/eng/com/sc/74/Inf/E-SC74-Inf-18.pdf>
Version française: <https://cites.org/sites/default/files/eng/com/sc/74/Inf/F-SC74-Inf-18.pdf>

Smugglers' Source: Japan's Legal Ivory Market

An Analysis of Chinese Court Decisions of Ivory Illegally Exported from Japan

Contents

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Japan Tiger and Elephant Fund (JTEF)

JTEF, a non-profit and nongovernment organization, contributes to protecting the world of wildlife by representing their voice and interests, so that global biodiversity and the natural environment of human beings will be conserved.

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Executive Summary	3
Introduction and Background	5
Methodology	6
1. Overview of Case Details	7
1.1 Number of cases	7
1.2 Year of occurrence	7
1.3 Place of occurrence	7
1.4 Weight	7
1.5 Means of transport	8
1.6 Sentenced penalty	8
2. Implications of Japan's domestic legal market identified in the offences	9
2.1 Means for procuring ivory	9
Box.1: Has Yahoo! Japan's voluntary sales ban eliminated ivory from its auction site?	9
2.2 Role of Japan's market players in ivory smuggling cases	11
Box.2: Daigo Ivory Shop, the source of the smuggled ivory for two court cases, continues to sell ivory in Yahoo! Japan Auctions.....	12
2.3 Procurement of ivory in a legal market was considered as grounds for extenuating circumstances	14
3. Aspects of transnational organized crime identified in the offences	15
3.1 Characterizing an "organized criminal group"	15
3.2 Number of people involved	15
3.3 Division of roles	15
3.4 Well-organized modus operandi	16
3.5 Profession related to trade and/or a criminal record of illegal wildlife trade	17
3.6 Motive of the offences	17
3.7 Sales network inside China	18
3.8 Significant aspects of transnational organized crime identified in illegal export from China to Japan	18
Discussion and Conclusions	19
Japan's domestic ivory market is contributing to the illegal international ivory trade	19
Organized criminals are trafficking ivory from Japan to China	19
Japan is complacent regarding its role in the international ivory trade	20
Legitimacy of CITES resolutions and the credibility of its compliance system	20
Recommendations	21
References	22
Notes	22
Annex	24

Executive Summary

Africa's elephants continue to be poached for their ivory tusks. To combat the poaching crisis, and to support the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)'s 1990 ban on international commercial ivory trade, nations and jurisdictions around the world have taken steps to close their domestic markets for ivory. By closing the market for ivory, governments send a strong signal that the trade in ivory and killing of elephants is unacceptable, streamline enforcement efforts by eliminating legal cover for illegal ivory, and support ivory demand reduction efforts.

Nevertheless, one major consumer market remains open – Japan. With an ivory stockpile of 244 tonnes, Japan's domestic market is the world's largest and most significant legalized ivory market. Evidence indicates its ivory trade controls are porous, enabling the trade in illegal ivory and illegal ivory exports. At least 76 seizures of ivory from Japan were made between 2018 and 2020, mostly in China by Chinese authorities. To further examine illegal ivory export from Japan to China, the Japan Tiger and Elephant Fund (JTEF) turned to court cases in China, which could include more details than seizure data. JTEF identified court cases on illegal export of ivory from Japan into China, and analyzed them in order to contribute to evidence-based decision-making, constructive dialogue, and decisive outcomes from the Parties at the 19th Conference of the Parties (CoP19) to CITES.

In all, 49 public court decisions on 45 different cases between 2010 and 2019, published by the Government of China, were identified and analyzed. Fifteen out of 45 cases occurred in 2018 and 2019, after China's domestic ivory market closure went into effect. In addition to summarizing basic information about each case,

any information pertaining to the role of Japan's legal market in illegal ivory export and information regarding the defining characteristics of transnational organized crime was assessed.

It is evident that Japan's legal domestic ivory market is facilitating ivory smuggling to China via Japan's legalized ivory dealers, undermining the strict enforcement of China's ivory market closure.

The ivory exported from Japan is sourced from stockpiled ivory, and sold legally within Japan, except in any instances in which Japan is used as a transit point. Furthermore, it was revealed in the court decisions that Japanese nationals were actively involved in the smuggling in ten cases out of 45 (23%), and in at least four cases (8%), ivory dealers registered with the government were involved.

In one case, the supplier of 3.26 tonnes of smuggled ivory, exported over 1 year and 5 months, was a Japanese registered ivory dealer. This trader is still selling ivory, mostly cut pieces, on its own purchasing website at present.

Another registered ivory dealer was involved in two different cases: the trader agreed that he would sell ivory cut pieces at a fixed price per month, regardless of the weight, to a Chinese ivory buyer. Over the next three months, he sold a total of more than 120kg of ivory cut pieces, all of which were mailed to China. This registered ivory dealer, according to an original investigation by JTEF, continues to sell ivory cut pieces as "ivory-style" items on Yahoo! Japan Auctions currently, on an even larger scale than before Yahoo! Japan voluntarily banned ivory sales on its platform in November 2019.

Additionally, it was found out that if seized

illegally imported ivory was legally procured in Japan, the court can consider a reduced penalty for the offender, potentially undermining the enforcement of China's strict market closure.

In one case, the procurer purchased the ivory not only from Japan but also from Ethiopia. It suggests that Japan's persistent legal market is possibly boosting demand for ivory including from illegal sources in Africa and undermining the demand reduction activities by China.

It is evident that organized criminals are targeting Japan's open market as a source of ivory, with no barriers for export.

Illegal ivory export from Japan to China falls under the "serious crime" statute that is defined in the United Nations Convention against Transnational Organized Crime (UNTOC) in both Japan and China, which is punishable by a minimum imprisonment of four years, or a more serious penalty. Nearly half (47%) of the assessed cases were carried out by three or more people, the prime factor in designating an "organized criminal group", as defined in UNTOC. Moreover, roles inside the criminal groups were divided into different parts, with distributed responsibilities identified in almost 70% of the cases, which supports expanding the scale of any offences and hiding them. In many cases with three or more people involved, a well-organized modus operandi using intermediate purchasing agency services and international mail was employed. Half of the cases involved either individuals working in the ivory trade or shipping industries, or individuals with a wildlife crime criminal record. Almost two-thirds of the cases (65%) were prompted by commercial motives. All of these circumstances suggest a significant level of organized crime in most illegal ivory exports from Japan to China, which were carried out by three or more people.

CITES Parties must hold Japan accountable for its unwillingness to close its problematic open domestic ivory market despite the recommendation framed in Res. Conf. 10.10 (Rev. CoP18).

Available evidence indicates that Japan's domestic ivory market is not only contributing to illegal international trade, but is actively promoting it by providing easy opportunities for procuring ivory for illegal export, virtually permitting legally registered ivory dealers to be actively involved the illegal export, thus fulfilling the international demand for illegal ivory and undermining enforcement and demand reduction efforts by other countries that comply with the CITES resolution; Japan's domestic ivory market is not only contributing to illegal international ivory trade, but also possibly promoting it. Additionally, the aspect of organized crime identified in nearly half of assessed court cases related to illegal ivory exports from Japan to China is significant and worrisome, especially considering that the Government of Japan is complacent about taking legal action regarding registered ivory dealers with a history of illegal ivory export.

CITES CoP17 adopted the recommendation to urge nations to close domestic ivory markets that are contributing poaching or illegal trade by consensus. However, Japan has continued to be complacent regarding its role in the international ivory trade, denying that its legal ivory market contributes to illegal trade and could fuel the demand for illegal ivory and undermine enforcement and demand reduction efforts by other Parties. CITES Parties should hold Japan accountable for its unwillingness to close its domestic ivory market.

Introduction and Background

Elephant populations across Africa continue to be threatened by poaching for their ivory tusks. Where has been a ban on international commercial ivory trade since 1990 and some ivory consuming nations have taken further steps to close their domestic markets for ivory, some legal domestic ivory markets remain open. In October 2016, the 17th meeting of Conference of the Parties (CoP17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) adopted an amendment to Resolution Conf. 10.10 "Trade in elephant specimens", to recommend all countries "in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade, take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory as the matter of urgency".¹

The international community supported the game-changing recommendation on the closure of domestic ivory markets to help combat the devastating ivory poaching crisis in Africa. Africa's elephants range states, including Angola, Burkina Faso, Central African Republic, Chad, Côte d'Ivoire, Ethiopia, Gabon, Kenya, Niger and Senegal, and the United States, emphasized in their CoP17 proposals on the closure of domestic ivory markets that legal sales of ivory in domestic markets are likely to increase the risk to elephant populations as they create a significant opportunity for the laundering of illegal ivory under the guise of legality².

While many countries took steps to close their domestic ivory markets in accordance with the recommendation, some countries with major ivory markets, like Japan and the European Union (EU), continued to maintain open markets. At CoP18, held in August 2019, Parties adopted a decision to address these open markets: Parties that have not closed their domestic ivory markets were requested to report for consideration by the Standing Committee to CITES on what measures they are

taking to ensure that their domestic ivory markets are not contributing to poaching or illegal trade³.

In response, the EU implemented an ivory trade ban with narrow exemptions within the jurisdiction of the EU in January 2022⁴, preceding the 74th meeting of the Standing Committee (SC74) in March 2022. However, Japan, with an ivory stockpile of 244 tonnes⁵ and the world's largest and most significant⁶ legal market, made its stance clear in its report⁷ to SC74 that it intends to maintain its legal ivory market despite unsubstantiated measures to prevent its market from contributing to poaching or illegal trade⁸. At SC74, while many Parties expressed concern that some nations, including Japan, have not yet closed their domestic ivory markets, Japan stood by its assertion again that its domestic ivory market is well regulated and has a number of procedures in place to ensure legal trade does not contribute to poaching or illegal trade⁹.

SC74 noted a suggestion by the EU to invite the Secretariat and TRAFFIC to engage the Monitoring the Illegal Killing of Elephants (MIKE) and Elephant Trade Information System (ETIS) Technical Advisory Group in preparing the ETIS report to CoP19 to advise whether an analysis of ivory seizures connected to Parties with legal domestic markets for commercial trade in ivory could be undertaken and to include such an analysis in the report, if feasible¹⁰. However, the CITES Secretariat concluded four months later in CoP19 Doc.66.6: "Report on the elephant trade information system (ETIS)", "although there was general agreement that the suggested analysis would be helpful to better understand the impact of changes, it requires further consideration and discussion, and it will therefore not be possible to include such an analysis in the report to the 19th meeting of the Conference of the Parties"¹¹.

While such an analysis of ETIS seizure data related to each Party with an open ivory market, like Japan, would be beneficial in assessing the legal market's

role and lend towards a more fruitful discussion at CoP19, seizure data are not the only option for official and objective information on illegal international trade in ivory. Following a seizure of illegally exported/imported ivory, the importing country will take action to assess the case, and in some cases, there will be prosecution and criminal charges. The information on the criminal court decisions in the relevant countries, related to such ivory smuggling, which often include more incident details than seizure data, can significantly contribute to evaluating a market's role. A non-governmental organization, the Environmental

Investigation Agency, found that at least 76 ivory shipments procured and sent from Japan were seized in other jurisdictions, mainly China, based on open-source information including press articles, between January 2018 and December 2020¹². Building on these findings of seizures made in China, JTEF analyzed China's criminal court decisions involving ivory exported illegally from Japan to China, which are published by the Government of China, in order to contribute to evidence-based decision-making, constructive dialogue, and decisive outcomes from the Parties at CoP19.

Methodology

Court decisions were searched on "China Judgments Online"¹³ published by the Government of China, using two keyword combinations (in Chinese): "precious animal¹⁴ + Japan + smuggling" and "ivory + Japan + smuggling". After the general search, relevant decisions with regard to ivory smuggling from Japan to China were extracted and analyzed¹⁵.

When identical or interrelated facts in different decisions were identified, they were analyzed together as one and the same case.

For each case, the following points were assessed:

1. A summary of each case's details, including the date, place of occurrence, amount of smuggled ivory, modes of transportation, sentence penalty, etc.;
2. Any information related to Japan's domestic legal market, including the means of procuring ivory, nationality of the people involved, involvement of Japan's market players in ivory smuggling, etc.; and,

3. Any information on aspects of transnational organized crime, including the number of people involved, division of roles, the modus operandi, their trade-related professions and/or any criminal record of wildlife trade, motives of the offences, etc. Ivory smuggling is a "serious crime¹⁶" in both China¹⁷ and Japan¹⁸, which is defined by the United Nations Convention against Transnational Organized Crime (UNTOC) as being handled by an "organized criminal group".

1. Overview of Case Details

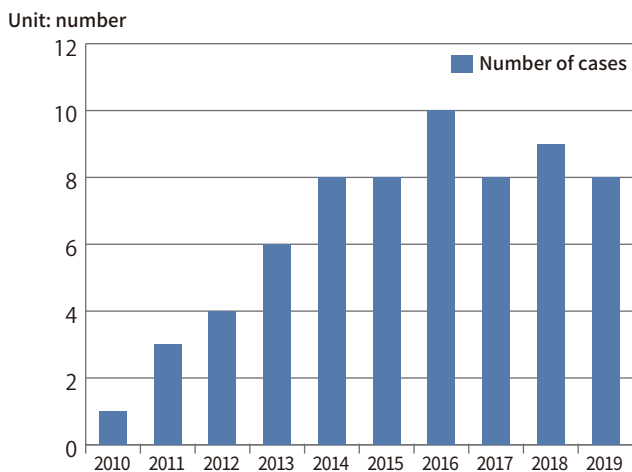
1.1 Number of cases

In total, 49 court decisions, totaling 45 cases, were identified and analyzed (See the Annex: Summary of the China's criminal court decisions regarding illegal ivory export from Japan to China). The case numbers identified in this report refer to the cases designated in the Annex list. The date of sentencing occurred between December 20, 2012 and January 24, 2022. In four decisions, the sentences were made against illegal domestic trade in ivory as well as smuggling from Japan to China.

1.2 Year of occurrence

The distribution of the years of offence occurrence is shown in Figure 1. When the offences occurred over more than one year, each year is counted (n=65).

Figure 1: Year of which the offences occurred



Between 2010 and 2019, 45 cases occurred. Between 2014 and 2019, the number of cases stayed at approximately the same level, between 8 and 10. The number of cases that occurred after China closed its domestic ivory market, effective January 2018¹⁹(in 2018 and 2019), totals 15 cases (2/17 cases occurred over 2018 and 2019).

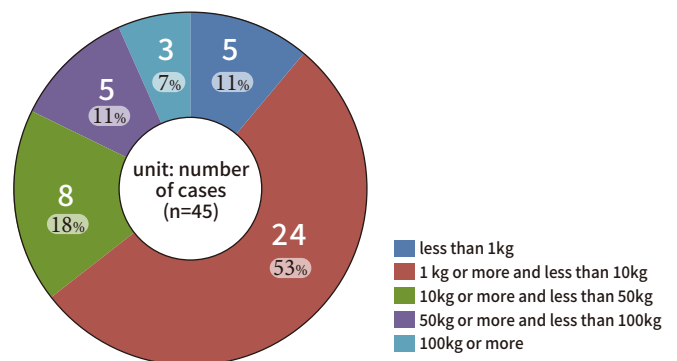
1.3 Place of occurrence

Sixteen provinces or municipalities were identified as either the port of import or the place of seizure/arrest (in some cases, the items or offenders were found after the time of import). Most cases were in the following areas: Shanghai (10 cases), Liaoning Province (8 cases in Dalian, Shenyang, etc.), Jiangsu Province (5 cases in Nanjing, etc.) and Guangdong Province (5 case in Shenzhen, Guangzhou, etc.). In contrast, the specific port of export in Japan was identified mostly when the illegal export was via air travel, including from: Tokyo (7 cases including one made through international mail); Osaka (3 cases including one made through international mail); Nagoya (3 cases), Fukuoka (1 case); and, Shizuoka (1 case)²⁰.

1.4 Weight

The distribution of the weight of the smuggled ivory in each case is shown in Figure 2²¹.

Figure 2: Weight of smuggled ivory



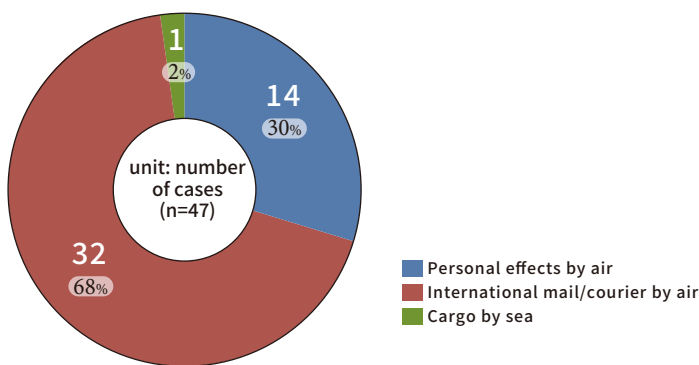
In total, the majority of cases (29 cases, 64%) were under less than 10kg (“less than 1kg”, and “1 kg or more and less than 10kg”). In contrast, only one case was of more than 1 tonne of ivory smuggled from Japan to China. In most of the cases, ivory was smuggled via two routes, either via international air mail or as personal effects by air travel (see Section 1.5), for both of which maximum

weight is considerably limited. Most of the prosecutions were made based on contraband identified through customs inspection at the time of import. However, in some instances when evidence of past smuggling was obtained, shops or residences of the involved parties were searched and more ivory identified so the documented weight for the case increased. Some cases with “10kg or more and less than 50kg,” and all cases with “50kg or more” fall under these circumstances. In one case, 3.26 tonnes of ivory were identified to have been exported over one year and 5 months (Case 6).

1.5 Means of transport

The means of transport used to smuggle ivory from Japan includes air travel (personal effects), international mail (Express Mail Service (EMS))/International Courier Service (ICS)²² (hereinafter collectively referred to “international mail” or “mail”) by air and cargo by sea. The breakdown of the means of transport for the analyzed cases is shown in Figure 3.

Figure 3: Means of transport

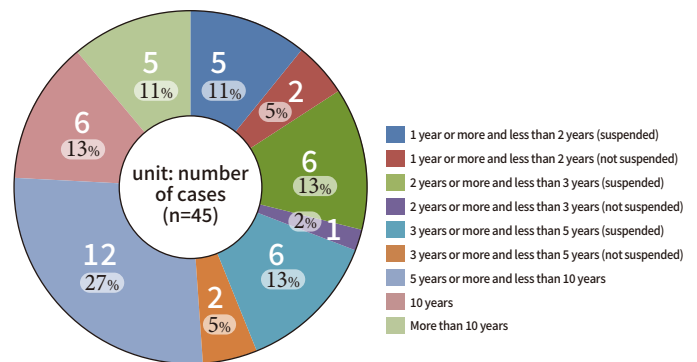


Nearly 70% (68%) of transport was via international mail while air travel (personal effects) accounts for 30% of the total.

1.6 Sentenced penalty

All defendants in the 49 decisions, for the 45 cases, were sentenced guilty. The sentenced penalties include imprisonment, a fine/confiscation of private property²³, and confiscation of the ivory in question. The distribution of jail terms imposed on the defendants who were most heavily punished in each case is shown in Figure 4.

Figure 4: Sentenced penalty (jail terms imposed to the defendants who were most heavily punished in each case)



The cases with 5 years or more imprisonment account for more than half of the total (51%). Cases with terms of 10 years or more totaled 24% of all cases. As mentioned, illegal ivory smuggling is considered a “serious crime” as defined by UNTOC in China, and it is clear that it is being treated in practice as such.

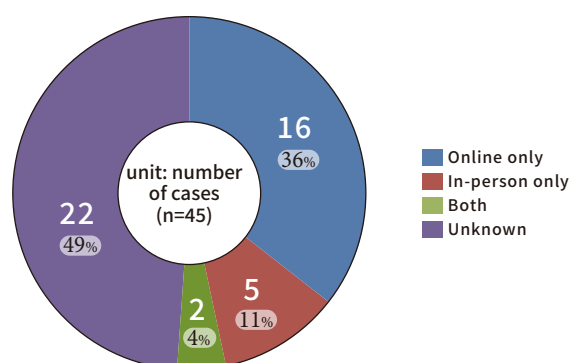
2. Implications of Japan's domestic legal market identified in the offences

2.1 Means for procuring ivory

The means of procurement for the smuggled ivory found in each case is shown in Figure 5.

In total, 23 cases included specific information regarding the means of procuring ivory in Japan. While ivory was procured in Japan through both online purchasing and in-person purchasing, the former is more common than the latter. In the case of in-person purchasing, an antique fair (Case 4) and an in-person auction of arts and crafts (Case 18) were specifically identified. The only online platform that the court decisions specifically identified was “Yahoo! Japan” website²⁴ (12 cases: Case 3, 5, 13, 14, 23, 32, 34, 37, 38, 40, 41, 42).

Figure 5: Type of procurement of the smuggled ivory



Box.1

Has Yahoo! Japan's voluntary sales ban eliminated ivory from its auction site?

Yahoo! Japan voluntarily banned ivory sales on its platform on November 1, 2019²⁵. The 12 identified court cases with ivory sourced from Yahoo! Japan's website occurred between 2011 and June 2019. To assess whether the voluntary ban has had any practical effect in reducing ivory sales on the platform since its implementation in November 2019, JTEF assessed sales data before and after the ban.

JTEF compared actual product sales²⁶ on Yahoo! Japan Auctions for two years, the single year just before the ban (November 1, 2018 – October 31, 2019) and the most recent single year (July 1, 2021 – June 30, 2022). In this assessment, it is apparent that sales of similar-to-ivory items (expressed as “ivory-style”, “ivory-looking”, “similar-to-ivory” items, etc.)²⁷ were significant after the ban went into effect. The sales and the average amount per single sale of “real ivory” items and similar-to-ivory items are shown in Figure I (re: cut pieces) and Figure II (re: worked products).²⁸

Figure I : Actual sales of “real ivory” items, and similar-to-ivory items expressed as “ivory-style”, “ivory-looking”, “similar-to-ivory” items, etc. on Yahoo! Japan Auction in a single year just before the ban (November 1, 2018 – October 31, 2019) and the latest one year (July 1, 2021 – June 30, 2022):Cut pieces

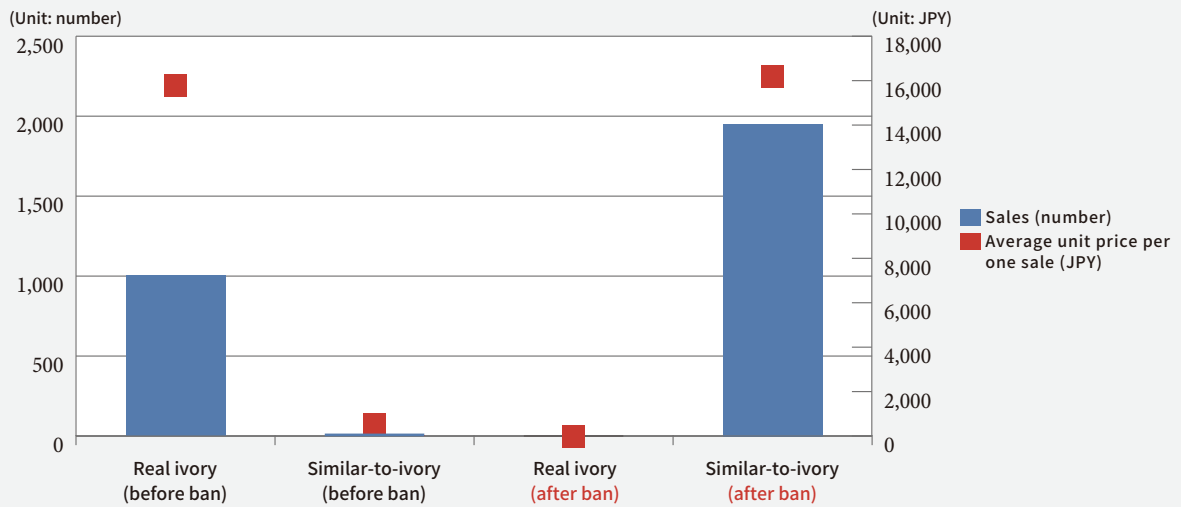


Figure II : Actual sales of “real ivory” items, and similar-to-ivory items expressed as “ivory-style”, “ivory-looking”, “similar-to-ivory” items, etc. on Yahoo! Japan Auction in a single year just before the ban (November 1, 2018 – October 31, 2019) and the latest one year (July 1, 2021 – June 30, 2022): Products



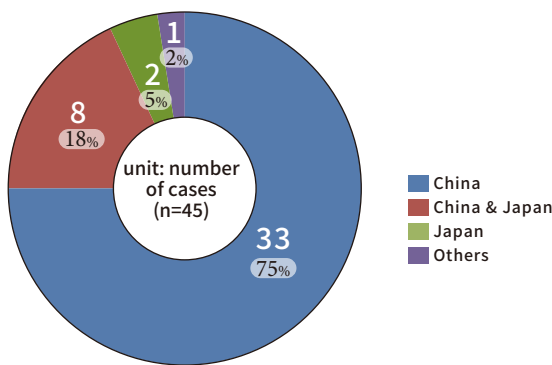
In terms of cut pieces (Figure I), sales of “similar-to-ivory” items before the ban were negligible (2 sales) with an extremely low average amount per one sale (501 JPY) while 1,004 sales for “real ivory” items were recorded with an average amount of 15,772 JPY per one sale. After the ban, while sales of “real ivory” disappeared, sales of “similar-to-ivory” items dramatically increased to 1,951 cases, and the average amount per one sale surged to 16,189 JPY as well. Both figures surpassed even the sales figures for “real ivory” before the ban. This trend strongly suggests that the sellers on Yahoo! Japan Auction went against the policy and continued to sell ivory cut pieces after the ban by advertising them as “ivory-style”, etc. In terms of products (Figure II), sales of “similar-to-ivory” products before the ban were scarce with very low prices compared with the sales of “real ivory”, but increased by five times in sales number and three times in average amount per one sale after the ban. This trend is not as stark as the one of cut pieces; however, it also implies that a considerable amount of ivory products were fraudulently sold as “similar-to-ivory” items.

As illustrated, even after Yahoo’s voluntary ban, it is still possible to sell ivory items at high prices on Yahoo! Japan’s auction site by skirting the algorithm and listing the advertised items’ material covertly as “ivory-style”, etc.²⁹ Relying entirely on Yahoo’s oversight and enforcement to effectively implement its voluntary ivory sales ban while ivory trade remains legal in Japan is incredibly challenging.

2.2 Role of Japan's market players in ivory smuggling cases

The ivory exported from Japan is sourced from stockpiled ivory, and sold legally within Japan, except in any instances in which Japan is used as a transit point. Since only the registered ivory dealers, based on Japanese law,³⁰ are allowed to engage in ivory trade, the exported ivory should be purchased from these registered traders. However, whether those sellers in Japan are actively engaged in illegal ivory export or not should be separately examined³¹. The stated nationalities of the people involved the offences are shown in Figure 6.

Figure 6: Nationality of the persons involved



Given the destination of the ivory in these cases, it is logical that Chinese nationals are involved in the majority of cases (41 cases, 93%). Japanese nationals were involved in 10 cases, which includes 8 cases in collaboration with Chinese nationals (a Korean national was also involved in one of those cases: Case 6) and 2 cases without others' collaboration. Thus, Japanese nationals were actively involved in 23% of cases of illegal ivory export from Japan to China.

The most remarkable example is the case in which ivory dealers, legally registered in accordance with Japanese law, or the employees of them, were involved (Case 1, 3, 5 and 6).

The supplier of the smuggled ivory, which recorded the heaviest weight, 3.26 tonnes of ivory exported over 1 year and 5 months (see 1.4), was also a registered ivory dealer: AsianLink (Osaka Prefecture). AsianLink is still selling ivory, mostly cut pieces, on its own purchasing website.



Ivory cut pieces sold by AsianLink on Yahoo! Japan Auctions in 2017

For 2 other cases (Case 3 and 5), the source of the smuggled ivory was identified as Daigo Ivory Shop (Saitama Prefecture), one of the registered ivory dealers and a member of an ivory association in Tokyo that is affiliated with the Japan Federation of Ivory Arts and Crafts Associations³². Daigo engages in production and sales of *hanko* (name seals) and accessories. In one of the cases, a Chinese national, who was in charge of procurement, export, and import of ivory in the case, met a representative from Daigo through purchasing an ivory carving, and then agreed that he would buy ivory cut pieces from Daigo at a price of 100,000 JPY per month, regardless of the weight. Over the next three months, the Chinese national purchased a total of more than 120kg of ivory cut pieces from Daigo Ivory Shop. All the ivory was mailed to China (Case 3).

Daigo Ivory Shop, the source of the smuggled ivory for two court cases, continues to sell ivory in Yahoo! Japan Auctions

Daigo Ivory Shop was identified as the top ivory seller on Yahoo! Japan Auctions between 2010 and 2015, and mainly sold cut pieces³³. It continued to sell ivory in 2016 and the early half of 2017; however, Yahoo! Japan individually suspended some ivory sellers, including Daigo, from its auction website on August 1, 2017³⁴. Afterwards, Daigo tried to continue ivory trade by changing its seller ID on Yahoo! Japan Auctions but ended up selling a few ivory cut pieces and products in 2018. However, Daigo suddenly started to sell “ivory-style” cut pieces in

2022 and sold 646.414kg in 832 sales in just half a year. The amount of sales soared to five times the average amount per one sale (Figure III) and 3-6 times the average amount per kg (Figure IV), compared to the sales of “real ivory” in 2016 and 2017.

It is apparent that Daigo continues to sell ivory cut pieces under the “ivory-style” in Yahoo! Japan Auctions now, on an even larger scale than before.

Figure III : Actual sales number and average unit price per sales number of “real ivory” and similar-to-ivory items expressed as “ivory-style” made by Daigo Ivory Shop on Yahoo! Japan Auction in 2016, 2017 and 2018 (before the ban by Yahoo), and 2022 (after the ban): Cut pieces

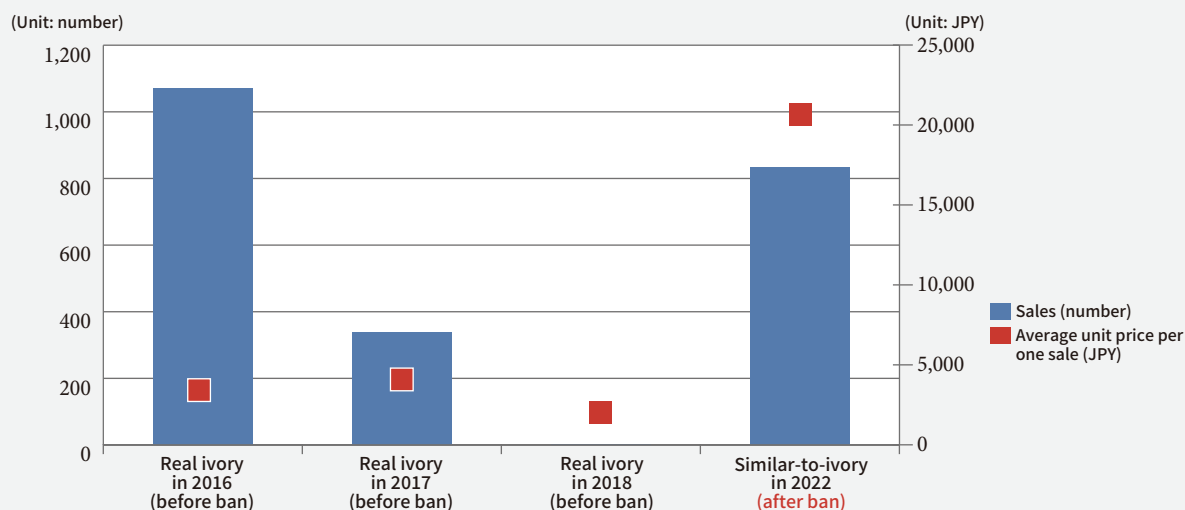
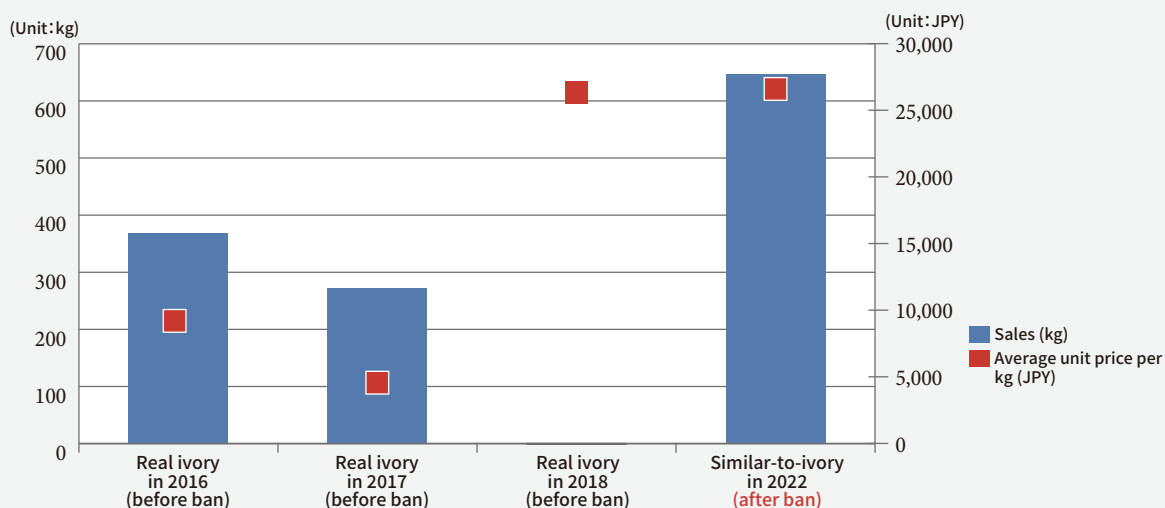


Figure IV : Actual sales weight and average unit price per kg of “real ivory” and similar-to-ivory items expressed as “ivory-style” made by Daigo Ivory Shop on Yahoo! Japan Auction in 2016, 2017 and 2018 (before the ban by Yahoo), and 2022 (after the ban): Cut pieces



“Ivory-style” cut pieces “for craft material or as ornament” sold at Yahoo! Japan Auction by Daigo Ivory Shop in 2022

Example 1



現在 **54,000円** (税0円)

19件 終了

ヤフオク!初めての方は**ログイン**すると
 (RP) 価格2,000円 + **クーポン** **1,000円** **利用**で
 (送料別) で落札のチャンス!
 いくらで落札できるか確認しよう!

ログインする



Example 2



現在 **51,000円** (税0円)

送料 東京都は740円 (運賃も別く) 詳細
 出品地域: 埼玉県

13件 落札 終了詳細

ヤフオク!初めての方は**ログイン**すると
 (RP) 価格2,000円 + **クーポン** **1,000円** **利用**で
 (送料別) で落札のチャンス!
 いくらで落札できるか確認しよう!

ログインする



Example 3



現在 **46,722円** (税0円)

送料 東京都は740円 (運賃も別く) 詳細
 出品地域: 埼玉県

21件 落札 終了詳細

ヤフオク!初めての方は**ログイン**すると
 (RP) 価格2,000円 + **クーポン** **1,000円** **利用**で
 (送料別) で落札のチャンス!
 いくらで落札できるか確認しよう!

ログインする



Example 4



現在 **53,000円** (税0円)

送料 東京都は740円 (運賃も別く) 詳細
 出品地域: 埼玉県

33件 落札 終了詳細

ヤフオク!初めての方は**ログイン**すると
 (RP) 価格2,000円 + **クーポン** **1,000円** **利用**で
 (送料別) で落札のチャンス!
 いくらで落札できるか確認しよう!

ログインする



Example 5



現在 **23,500円** (税0円)

19件 終了

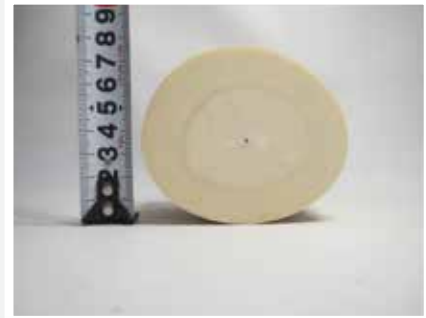
ヤフオク!初めての方は**ログイン**すると
 (RP) 価格2,000円 + **クーポン** **1,000円** **利用**で
 (送料別) で落札のチャンス!
 いくらで落札できるか確認しよう!

ログインする

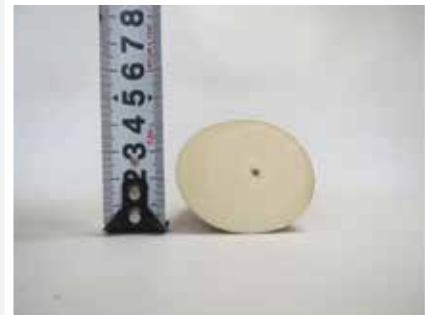
出品者情報 [こちらを見る](#)



Example 6



Example 7



Example 8



Example 9



Evidence indicates that Japan’s legal domestic ivory market is facilitating ivory smuggling to China via Japan’s legalized ivory dealers.

2.3 Procurement of ivory in a legal market was considered as grounds for extenuating circumstances

The defense councils of three cases (Case 1, 4 and 18) insisted that procurement of ivory in a legal market must be considered as grounds for extenuating circumstances when identifying appropriate penalties. In one of those cases, the court explicitly accepted the defense’s opinion

including that point; as such, the defendant was sentenced to one year in prison, suspended for one year, and issued a fine of RMB 60,000³⁵. As a general principle in identifying fair sentencing, judgments consider extenuating circumstances in determining the extent of the sentence, including how contraband is procured. If the ivory was not illegally procured, but legally in Japan, it can give room for a reduced penalty for the offender. Thus, Japan’s legal ivory market can undermine the strict enforcement of China’s ivory market closure.

3. Aspects of transnational organized crime identified in the offences

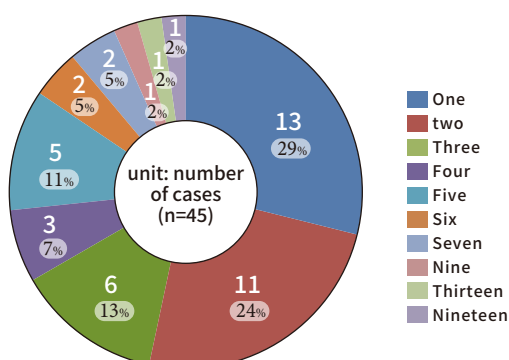
3.1 Characterizing an “organized criminal group”

An “organized criminal group”³⁶ is a structured group of three or more people, existing for a period of time, and acting together with the aim of committing one or more “serious crimes”. Ivory smuggling is a “serious crime”³⁷ in both China and Japan, which is defined as an offence punishable by a maximum deprivation of liberty of at least four years. To determine whether the identified cases meet the criteria to be designated an “organized criminal group” and evaluate the level of transnational organized crime, the number of people involved, any division of roles, the modus operandi, their trade-related professions and/or any criminal record of wildlife trade, motives of the offences, etc. were examined.

3.2 Number of people involved

According to UNTOC, one of the prime qualifications of an “organized criminal group” is that a structured group is comprised of three or more persons³⁸. In the examined 45 cases, three or more people were involved in almost half of the cases identified (47%). Among them, 5 or more people were involved in 12 cases (27%). In two separate incidents, 13 and 19 people were involved. The number of people involved in each case³⁹ is shown in Figure 7. Results suggest that the level of organized crime identified in illegal ivory export from Japan to China is potentially significant.

Figure 7: Number of persons involved



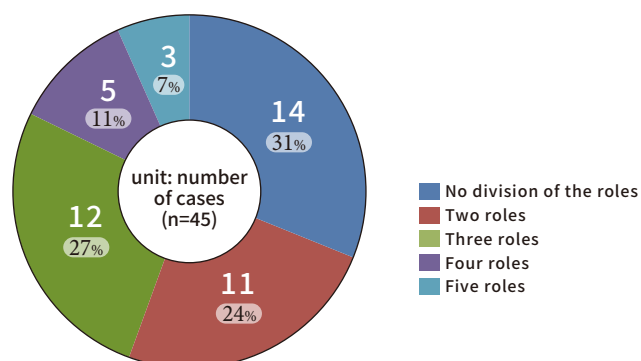
3.3 Division of roles

According to UNOTC, “formally defined roles for its members” is not necessarily required for defining “organized crime”⁴⁰; however, establishing definitive roles highlights the characteristics of organized crime more clearly.

The most basic roles for carrying out ivory smuggling are those of procurer, exporter, and importer. In highly organized cases, name-lender (for export/import), custodian (for ivory assumed to be exported or already imported), domestic buyer (with an intention to resale the ivory), re-exporter (from a transit country that the ivory entered from Japan), etc. may additionally be added and assigned to each member of the group. Segmentation of roles and the complexity in the division of roles helps to expand the scale of offences and hide them.

Figure 8 shows the number⁴¹ of roles⁴² divided among the participants in each identified case, as an indication of significance of this aspect of organized crime.

Figure 8: Division of the roles



In almost 70% of the cases, a division of two to five roles is identified. Among them, the roles were segmented into five roles in 3 cases (7% of the total). In one of these cases, the roles included: a procurer and exporter in Japan; an importer in Hong Kong SAR (HK) of the ivory exported from Japan, who also re-exported the ivory from HK to Zhuhai; a custodian in Zhuhai; an importer on mainland China, of the ivory exported from HK, who also transferred the ivory domestically; and, an overall manager of the export of the ivory from Japan to import to China via HK (Case 28). In many cases of illegal ivory export from Japan to China, the division of roles, an aspect of organized crime, is notable.

3.4 Well-organized modus operandi

Another characteristic of organized crime is that methods used, or the modus operandi, are usually well-organized. Such is the case with organized illegal ivory export from Japan to China. In the assessed cases, the most significant modus operandi identified follows a basic structure: The smuggled ivory was procured by someone/companies in Japan or China, which provide a purchasing agency service via someone staying/living in Japan, for a following sale to clients in China. Legally purchased ivory is intentionally disguised for export by using international mail and some additional steps to cover evidence.

Purchasing agency service

Using a purchasing agency service is quite popular in China as a way to purchase various items sold by foreign companies, especially via the internet⁴³. In some cases, a purchasing agency service was provided either by someone already staying in Japan⁴⁴ (in 14 cases⁴⁵), a member of a criminal group in charge of procurement who visited Japan⁴⁶ (in 7 cases)⁴⁷, or someone in China who used a website service managed by a business that deploys personnel in Japan and a logistics service for exporting the purchased items to China (in 6 cases⁴⁸).

Transport by international mail

The advantage of using international mail to smuggle ivory is that concealed ivory cannot be found easily because of the overall quantity of mail. On the other hand, a considerable amount of ivory destined for China need to be packaged in small portions since the package allowance of Express Mail Service (EMS) is set at 30kg. Offenders are taking a risk that EMS packages could be opened by customs officials, especially when the senders/addressees are the same for several shipments. To get around this, senders sometimes designate many different addresses in the cases assessed (Case 3, 6, 12, 15, 19, 22, 28, 35, 41 and 43 as far as the cases that three or more people involved).

When a real address is used with permission as an intermediary, the mail will be delivered there and then transferred to the true destination. In an example where extra care was taken regarding disguising delivery, ivory was sent from Japan to Hong Kong SAR at first, brought into Shenzhen, and then transferred to a final destination in mainland China via domestic mail (Case 9, 12 and 37). In another case, ivory was exported from Japan to Laos initially, then brought into Kunming via international express bus, and then transferred via domestic bus to Guizhou Province, where the principal culprit stayed (Case 14).

On the other hand, exporters/senders often designate a false address that is either non-existent or unauthorized for use. In one case, even an address from a stolen ID card was used (Case 6). In such cases, perpetrators need a partner working for a logistics company or the post office, who can arrange to deliver the package to a pre-designated actual destination rather than the listed false address. Of the assessed court decisions, there are three cases in which someone inside a logistics company was involved (Case 12, 41 and 44) while post office personnel were involved in two cases (Case 22 and 41). In one example, a member of the organized group applied for a job in a post office in China and

his partners sent EMS packages containing ivory from Japan to several false addresses in China. They informed the person inside the post office with the package waybill numbers and the person working for the post office identified the EMS packages based on the waybill numbers and delivered them to the actual designated destination rather than the false addresses (Case 22).

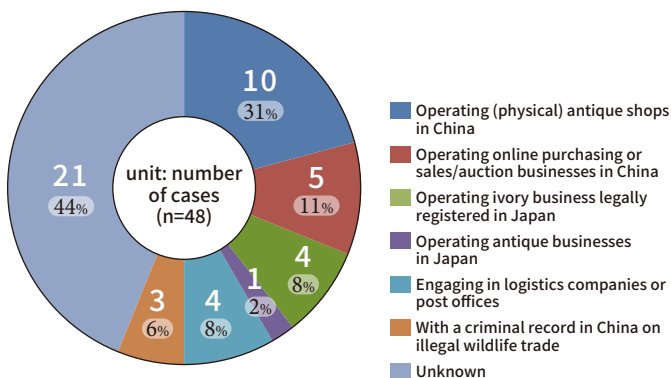
In the assessed court cases, the level of modus operandi from procurement through arrival at the final destination is well-organized and suggests that this aspect of organized crime identified in illegal ivory export from Japan to China is potentially significant.

3.5 Profession related to trade and/or a criminal record of illegal wildlife trade

Often, organized-crime perpetrators have previous experience with illegal wildlife trade, as indicated by a previous criminal record, or have a profession related to a commodity trading business. For the assessed court cases, the offenders' professions or experience related to the commodity trade business and criminal records in illegal wildlife trade are shown in Figure 9.

In half the total cases (24), the offender's profession was related to the commodity trade business and/or the offender had a criminal record of illegal wildlife trade.

Figure 9: Profession and/or criminal record of illegal wildlife trade of the persons involved



In particular, it is notable that ivory dealers registered in accordance with the Japanese law, or their employees, were involved in 4 cases (8%). In the other one case, someone part of Japan's antique business was also involved (it is unknown whether he was legally registered as an ivory dealer or not) (2%). These facts demonstrate not only that Japan's persistent legal market is facilitating illegal ivory export from Japan to China via Japan's market players (as mentioned in Section 2.2), but also indicate a significant level of the aspect of organized crime because of professional's involvement.

As shown in Section 3.4, there were 4 cases in which people working inside a logistics company or the post office in China were involved (8%). In three identified cases (6%), people with a criminal record in illegal wildlife trade in China were involved⁴⁹.

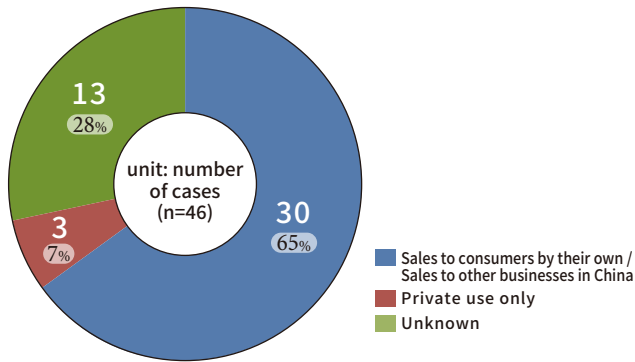
These facts also suggest a significant level of the aspect of organized crime.

3.6 Motive of the offences

UNTOC defines "organized criminal group" acts as those that act "in order to obtain, directly or indirectly, a financial or other material benefit"⁵⁰. The motives in the offences were analyzed to confirm whether the perpetrators acted to obtain financial benefits.

Almost two-thirds of the assessed cases (65%) were linked to commercial motives including direct sales to consumers or sales to other businesses in China. While crimes motivated by the intention of private use still fall under crimes to obtain a "material benefit" defined by UNTOC, commercial activity to obtain an additional financial benefit from the material value of ivory makes the aspect of organized crime more significant. The breakdown of motives for identified offences is shown in Figure 10.

Figure 10: Motives of the offences



3.7 Sales network inside China

Securing a sales network before smuggling ivory demonstrates the perpetrators’ clear aim of financial benefit. The existence of a utilized sales network inside China for smuggled ivory, and the type of network, if any, are shown in Figures 11 and 12, respectively. Some level of sales network was identified in almost half of the cases (49%) (Figure 11). Among them, varying resale routes to other dealers were secured inside China in 5 cases (Figure 12). The existence of broadly secured resale channels for smuggled items suggests that the black market for the smuggled items in question is well-organized.

Figure 11: Existence of sales network

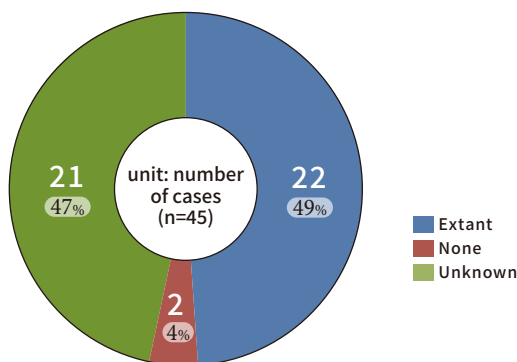
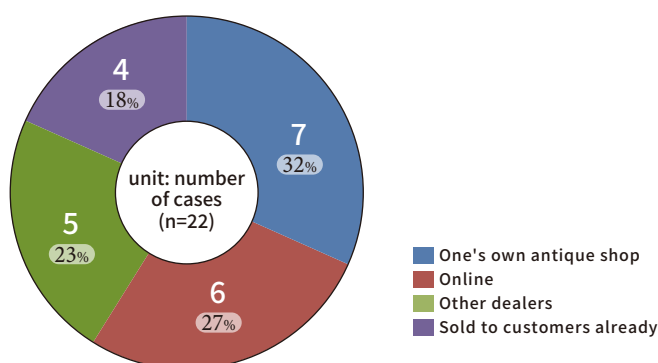


Figure 12: Types of sales network



In many identified cases of illegal ivory export from Japan to China, a clear aim of financial gain is demonstrated, suggesting a significant level of the aspect of organized crime.

3.8 Significant aspects of transnational organized crime identified in illegal export from China to Japan

Nearly half (47%) of the assessed cases were carried out by three or more people, the prime factor in designating an “organized criminal group”, as defined in UNTOC. Moreover, roles inside the criminal groups were distributed into various roles, with distributed responsibilities identified in almost 70% of the cases, which supports expanding the scale of any offences and hiding them. In many cases with three or more people involved, a well-organized modus operandi using intermediate purchasing agency services and international mail was employed. Half of the cases involved either individuals working in the commodity trade or shipping industries, or individuals with a wildlife crime criminal record. Almost two-thirds of the cases (65%) were prompted by commercial motives. All of these circumstances suggest a significant level of organized crime in most illegal ivory exports from Japan to China, which were carried out by three or more people.

Discussion and Conclusions

Japan's domestic ivory market is contributing to the illegal international ivory trade

In the context of the Government of Japan continuing to insist that its legal domestic ivory market is not contributing to poaching or illegal trade, JTEF analyzed criminal court decisions in China pertaining to illegal imports of ivory illegally exported from Japan as official and objective information on illegal international trade in ivory connected to Japan.

In total, 45 separate cases were identified in 49 Chinese court case decisions related to illegal ivory export from Japan to China; the offences all occurring between 2010 and 2019. In more than half of the cases, at least one defendant was sentenced to jail for 5 years or more. Fifteen out of 45 cases occurred in 2018 and 2019, after China's domestic ivory market was closed. Illegal ivory export from Japan to China is an ongoing problem.

The smuggled ivory was procured from Japan's legal domestic market via online and in-person dealers. Some ivory dealers registered in accordance with Japanese law, or their employees, played important roles in 4 cases while Japanese nationals were involved in 10 cases total. However, the Government of Japan has not taken any legal measures against those legally registered ivory dealers including Daigo Ivory Shop and Asianlink, from which the smuggled ivory was sourced, according to the court decisions.

Frequent illegal exports from Japan's market, facilitated by Japanese-side actors including legally registered ivory dealers, have clearly put a considerable burden on law enforcement agencies of China, undermining China's enforcement efforts. Additionally, the availability and procurement of legal ivory in Japan can undermine China's strict market closure policy, by giving room for reduced penalties against trafficking offenders who obtained ivory legally in Japan. Furthermore, in one case, the procurer purchased the ivory not only from Japan but also from Ethiopia (Case 22). It suggests that Japan's persistent legal market is possibly boosting demand for ivory including from illegal sources in Africa and undermining the demand reduction activities by China.

Japan's domestic ivory market is not only contributing to illegal international ivory trade, but also possibly promoting it.

Organized criminals are trafficking ivory from Japan to China

Illegal ivory export from Japan to China falls under the "serious crime" statute that is defined in UNTOC in both Japan and China, which is punishable by a minimum imprisonment of at least four years, or a more serious penalty. Nearly half (47%) of the assessed 45 cases were carried out by three or more people, the prime aspect for "organized criminal groups", as defined in UNTOC.

Furthermore, the segmentation of roles and complexity in the division of roles was identified; a well-organized modus operandi was used for cover-ups in many cases; the offender's professions related to trade and/or a criminal record of illegal wildlife trade were identified in a half of the cases; the offences in almost two-thirds of the cases were linked to commercial motives; and resale channels were secured in almost half of the cases. In summary, results indicate that the aspects of organized crime identified in nearly half of the cases, which three or more people involved in, are significant.

It is evident that organized criminals are targeting Japan's open market as a source of ivory, with no barriers for export.

Japan is complacent regarding its role in the international ivory trade

Despite the circumstances outlined, the Government of Japan insists "the Government does not recognize the 'amount of seizures made by the Chinese government'" and stands by the assertion that "its border control is well functioning while its domestic ivory market is strictly regulated and that Japan's domestic ivory market does not fall under the domestic ivory markets that are contributing to illegal trade"⁵¹.

Japan's perspective on its legal market sharply contrasts with other Parties/regions, an example being the European Union which recently took steps to close its domestic ivory market. While the EU evaluated that its domestic legal ivory market is not attracting

ivory items of illegal origin from recently poached elephants based on seizure and investigation data, it still decided to close its market with narrow exemptions⁵² because "it remains important to ensure that rules and enforcement efforts in the EU effectively prevent that legal trade of ivory items within and from the EU contribute to elephant poaching or illegal trade in ivory", so it should "reduce the risk that ivory items acquired in the EU and then exported to third countries could fuel the demand for illegal ivory items, and thus undermine enforcement and demand reduction activities."⁵³

Unfortunately, the Government of Japan denies that its legal ivory market could fuel the demand for illegal ivory and undermine enforcement and demand reduction efforts, and thus lacks the political will to reduce the risk.

Legitimacy of CITES resolutions and the credibility of its compliance system

CITES CoP17 adopted the recommendation by consensus, including Japan, to urge for the closure of domestic legal ivory markets that are contributing poaching or illegal trade.

Available evidence indicates that Japan's domestic ivory market is not only contributing to illegal international trade, but is actively promoting it by providing easy opportunities for procuring ivory for illegal export, virtually permitting legally registered ivory dealers to be actively involved in the illegal export, thus fulfilling the international demand for illegal

ivory and undermining enforcement and demand reduction efforts by other countries that comply with the CITES resolution. Additionally, the aspect of organized crime identified in nearly half of assessed court cases related to illegal ivory exports from Japan to China is significant and worrisome, especially considering that the Government of Japan is complacent about taking legal action regarding registered ivory dealers with a history of illegal ivory export.

CITES Parties must hold Japan accountable for its unwillingness to close its problematic open domestic ivory market despite the recommendation framed in Res. Conf. 10.10 (Rev. CoP18). Without action from Japan to close its market, the legitimacy of resolutions adopted by consensus and the credibility of the CITES compliance system are in question.

Recommendations

Based on available evidence, it is clear that the legal domestic ivory market in Japan's jurisdiction is contributing to illegal trade. Therefore, Japan should implement closure of the domestic ivory market in accordance with Resolution Conf. 10.10 (Rev. CoP18) paragraph 3. In order to realize the closure above as the matter of urgency, JTEF makes the following recommendations:

To Japan:

Take all necessary legislative, regulatory, and enforcement measures to close the domestic market for commercial trade in raw and worked ivory as the matter of urgency.

To all CITES Parties:

Support the draft decisions included in CoP19 Doc. 66.3 Annex 1 proposed by Benin, Burkina Faso, Equatorial Guinea, Ethiopia, Gabon, Liberia, Niger, Senegal and Togo⁵⁴, including urging Japan, as a Party that still has an open, legal domestic market for commercial trade in ivory that is demonstrably connected to illegal international trade in ivory, to implement closure of the domestic ivory market in accordance with Resolution Conf.10.10 (Rev. CoP18) paragraph 3.

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Notes

- ¹CoP17 Com.II Rec.11
https://cites.org/sites/default/files/eng/cop/17/Com_II/SR/E-CoP17-Com-II-Rec-11.pdf
- CoP17 Com.II.6
https://cites.org/sites/default/files/eng/cop/17/Com_II/E-CoP17-Com-II-06.pdf
- The Resolution Conf.10.10 was further amended at CoP18, but the paragraph concerned has not been changed.
<https://cites.org/sites/default/files/document/E-Res-10-10-R18.pdf>
- ²CoP17 Doc. 27 Paragraph 9
<https://cites.org/sites/default/files/eng/cop/17/Working-Docs/E-CoP17-27.pdf>
- CoP17 Doc. 57.2 Paragraph 6
<https://cites.org/sites/default/files/eng/cop/17/Working-Docs/E-CoP17-57-02.pdf>
- ³Decision 18.117 Closure of domestic ivory markets
<https://cites.org/eng/dec/valid17/82164>
- ⁴CITES SC74 Inf.10 <https://cites.org/sites/default/files/eng/com/sc/74/Inf/E-SC74-Inf-10.pdf>
- ⁵SC74 Doc.39 Annex 5
<https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-39.pdf>
- ⁶CITES website https://cites.org/eng/program/terrestrial_fauna/elephants
- ⁷CITES SC74 Doc. 39 Annex 5
- ⁸Sakamoto. 2022 https://www.jtef.jp/en/wp-content/uploads/2022/02/IvoryReport2022_E_m.pdf
- ⁹Summary record of SC74
<https://cites.org/sites/default/files/eng/com/sc/74/summary/E-SC74-SR.pdf>
- ¹⁰Summary record of SC74
- ¹¹CoP19 Doc.66.6 paragraph 11 <https://cites.org/sites/default/files/documents/COP/19/agenda/E-CoP19-66-06.pdf>
- ¹²EIA. Japan's Illegal Ivory Exports. <https://eia-global.org/japansil-legalivoryexports>
- ¹³<https://wenshu.court.gov.cn/>
- ¹⁴According to Chinese law, smuggling of ivory falls under smuggling of precious animals and their products prohibited from importing or exporting by the state (Criminal Law of the People's Republic of China Article 151).
- ¹⁵The searched court decisions included judgments in the first and second instance. However, the judgement in the first instance was not searched in the case that the judgement in the second instance of the case existed.
- ¹⁶"Serious crime" handled by "organized criminal group" is defined as an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty (UNTOC Article 2 Paragraph (b)).
<https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>
- ¹⁷Criminal Law of the People's Republic of China Article 151
- ¹⁸Foreign Exchange and Foreign Trade Act Article 67-7 Paragraph 1 Section 4 and 5, and Customs Law Article 111 Paragraph 1 Section 1
- ¹⁹"Notification by the General Office of the State Council on the orderly cessation of commercial processing and sales activities of ivory and its products" dated on December 29, 2016 (State Council Office (2016) No. 103)
- ²⁰Addresses of senders are not usually specified in the court decisions in the case international mail was used.
- ²¹In the case the weight is not clearly specified, it was estimated based on the value of the smuggled ivory by using "State Forestry Administration Notice on Issuing Value Standards of Smuggled Ivory and Its Products in Criminal Cases of Wildlife Resources" (Lin Bian Fa (2001) No. 234), which has been used in judicial practice (see Zhejiang Higher People's Court, Criminal Judgement (2013) Zhe Xing Er Zhong Zi No. 9 and other decisions.)
- ²²In general, Express Mail Service (EMS) via public distribution companies or International Courier Service (ICS) via private distribution companies would be used for sending a package abroad. In the court decisions, EMS was frequently referred to but ICA was not specifically identified. This may be because customs declaration is broadly exempted in the case of mail in Japan (Customs Law Article 76). However, it is possible that ICS was used in a specific case in which someone inside a private logistics company was involved in the offences.
- ²³Confiscation of private property is generally sentenced in the case of particularly serious crimes deserving 10 years or more imprisonment (Criminal Law of the People's Republic of China Article 151).

- ²⁴Considered to be “Yahoo! Japan Auctions” site under the circumstances.
- ²⁵Yahoo! Japan press release: “Yahoo will ban the trade in all ivory products through its e-commerce services from November 1, 2019” <https://about.yahoo.co.jp/pr/release/2019/08/28a/>
- ²⁶In order to understand the actual sales of targeted items on Yahoo! Japan Auction, all the sales data linked to some specific keywords were downloaded by using the download service function provided by “Aucfan” which is a multidisciplinary Internet site that allows for researching price comparisons and market rates in Japan. <https://aucfan.com/> The key words were selected as “real ivory” for ivory materials, and “ivory-style”, “ivory-looking”, “similar-to-ivory” for similar-to-ivory items. Then the data were screened for selecting items made of tusk and avoiding overlap, compiled and categorized.
- ²⁷The sales are included here, which were searched through the keyword of “real ivory” and include the word of “replica” or “ivory?” in the advertisements.
- ²⁸Apart from cut pieces and products, some whole tusks were also sold on Yahoo! Japan Auction, however, whole tusks were exempted from the analysis because the sales of them are not appropriate for analyzing the changes in sales number and amount before and after the voluntary ivory ban. The specific reasons are as follows. The purpose of advertising similar-to-ivory products like “ivory-style” is to earn as much as before the ban by fueling purchasers’ expectations that the material of the advertised items will actually be ivory. This tactic would succeed in the case of cut pieces and products. On the other hand, it won’t be the case of whole tusks because they should be individually registered and display the registration matters in the advertisement. But, the sellers cannot display the registration matters because they are not allowed to sell ivory officially due to the contract with Yahoo. In consequence, the only way for the sellers to sell ivory whole tusks on Yahoo! Japan Auction website is to advertise them without registration matters (illegal) and put much lower price tag than ever on them. Thus, it is of little worth to sell registered ivory whole tusks on Yahoo! Japan Auction.
- ²⁹It is impossible to identify advertised items on the website as “actually elephant ivory” in most cases (Nishino & Kitade. 2020). However, Yahoo! Japan may hesitate to take stricter action against such trade than the present one, which deemed legal by Japanese law.
- ³⁰Law for (Act on) Conservation of Endangered Species of Wild Fauna and Flora (Law No.75, June 5, 1992)
- ³¹EIA investigated hanko (name seals) shops in 2018 and 2020, found many shops attempted to sell ivory hanko knowing the customer intended to export it (EIA. 2018, EIA&JTEF. 2020). The ivory dealers have easily established a cunning business, and take it as given that many customers will export the ivory they bought while the dealer can formally stay within the regulations over domestic ivory trade with little difficulty (WildAid&JTEF. 2021).
- ³²<https://www.tokyo-ivory.or.jp/en/index.html#yakuin>
- ³³Sakamoto. 2017 https://www.jtef.jp/en/wp-content/uploads/2022/08/Ivory_E.pdf
- ³⁴Yahoo! Japan press release dated on August 8, 2017: “Actions taken by Yahoo! Japan to eliminate illegal ivory trade”
- ³⁵In that case, the defense council submitted the text of Japanese “Law for Conservation of Endangered Species” and proved that the ivory retailer in Japan, who sold the ivory to the defendant, had fulfilled legal requirements to sell ivory.
- ³⁶UNTOC Article 2 Paragraph (a) <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>
- ³⁷UNOTC Article 2 (b)
- ³⁸UNOTC Article 2 (a)
- ³⁹The counted people involved in the cases include people who are not included in the defendants of the case and are not known on whether to have been prosecuted or not. Such persons include someone who stayed in Japan and did not try to enter China, someone who had not been searched inside China or someone who were suspended with prosecution thanks to some cooperation with law enforcement authorities or minor involvement in the offences. Those people who only purchase the smuggled ivory inside China without involving smuggling itself are not counted here unless they were included in the defendants of the cases on illegal domestic trade.
- ⁴⁰UNOTC Article 2 (c)
- ⁴¹The role of purchasing ivory inside China without direct involvement in smuggling is not counted here.
- ⁴²One person often plays a role for several functions; More than one person sometimes plays the same role. For example, in the case that one person is in charge of procurement (e.g. selection of the ivory to be purchased via Japanese auction site) and import (e.g. receiving the ivory in China, which was purchased in and exported from Japan by another member) and the other two members are in charge of procurement (e.g. purchasing the ivory in Japan) and export (e.g. packaging and sending out the ivory to China via EMS), the number of roles comes to two (“procurement & import”, and “procurement & export”). And therefore, the number of the involved people does not necessarily correspond to the number of roles.
- ⁴³Takizawa. 2021
- ⁴⁴Some Chinese people who stay in Japan as student, worker, spouse of a Japanese, etc. would deal with purchasing agency business for extra money or as main job (Takizawa. 2021). At the end of June 2021, there were 745,411 Chinese mid- to long-term residents and special permanent residents (Press release dated on October 15, 2021 by Japan Immigration Services Agency).
- ⁴⁵Case 2, 3, 7, 8, 9, 10, 12, 14, 15, 19, 28, 35, 41 and 43 as far as the cases that three or more people involved
- ⁴⁶Chinese group tourists to Japan, who are employed by major malls and retailers for “just engaging in purchasing” had increased since around 2018 (Takizawa. 2021).
- ⁴⁷Case 2, 3, 6, 8, 10, 18 and 22 as far as the cases that three or more people involved.
- ⁴⁸Case 3, 14, 28, 32, 41 and 44 as far as the cases that three or more people involved.
- ⁴⁹In one case, two defendants have a criminal record each (Case 14). In another case, one defendant has two criminal records (Case 43).
- ⁵⁰UNTOC Article 2 (a)
- ⁵¹A written answer from the Cabinet to the additional questions on illegal ivory export submitted by Ms. Yuki Waseda, Member of the House of Representatives (Naikaku-Shu-Shitsu-198 No.254)
- ⁵²CITES SC74 Inf.10 <https://cites.org/sites/default/files/eng/com/sc/74/Inf/E-SC74-Inf-10.pdf>
- ⁵³CITES SC74 Doc.39 Annex 2 <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-39.pdf>
- ⁵⁴<https://cites.org/sites/default/files/documents/COP/19/agenda/E-CoP19-66-03.pdf>

ANNEX: Summary of the China's criminal court decisions regarding illegal ivory export from Japan to China

	1	2	3
1 Subject			
1.1 A brief description of the offense	From 2011 to 2012, Yoshitsuru Kenji, who lived in Japan, conspired with Li Ming and Tian XXX in China to smuggle ivory products from Japan to China by mail, and engaged in Shao XXX, Ma XXX, Yu XXX, and Lin XXX, who received the parcels containing ivory products inside China and transferred them domestically.	(1) Between February and July 2012, Su Hailiang flew to Japan six times, purchased ivory products, and returned China with them. On July 31, 2012, a Japanese supplier, according to the order from Su Hailiang, mailed ivory products from Japan to Wang XXX, who is Su Hailiang's wife in China. (2) On a separate occasion on August 5, 2012, Su Hailiang took a flight from Tokyo to Qingdao and entered China with ivory in his luggage.	In April 2011, Chen Yunyun bought a dragon-shaped ivory sculpture from a Japanese ivory hanko (name seal) shop in Japan, "Daigo Ivory Shop," through Yahoo Japan's auction website. Following this purchase, Chen found that the shop had many scraps of ivory, hippo teeth, etc., and he negotiated with Daigo Ivory Shop's owner to trade in ivory scraps at a price of 100,000 yen per month regardless of the weight. Over the next three months, Chen purchased a total of more than 120,000 grams of ivory and hippo teeth from Daigo Ivory Shop. All the ivory was mailed to China. In August 2011, Chen separately bought an ivory sculpture in the shape of sailboat on Yahoo Japan's auction website and mailed it to China. From April to September 2011, Chen Yunyun purchased ivory in Japan via Taobao's platform, and mailed it to Chen XXX, his father-in-law. Chen XXX received the parcels containing the ivory in China, weighed the ivory scraps and forwarded them to domestic purchasers.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Wuxi (Jiangsu Province)	(1) Yantai (Shandong Province) (2) Qingdao Liuting Airport (Shandong Province)	Jinhua (Zhejiang Province), Hangzhou (Zhejiang Province), Shanghai, etc.
2.2 Date on the offense occurred	On October 13, 2011 (re. 1 parcel) From March to July 2012 (re. 4 parcels) On May 18, 2012 (re. 1 parcel) On July 1, 2012 (re. 1 parcel)	(1) From February to July 2012 and on July 31, 2012 (2) August 5, 2012	From April to September 2011
2.3 Port of export in Japan	Unknown	(2) Tokyo (Narita)	Unknown

	4	5	6
1 Subject			
1.1 A brief description of the offense	On March 25, 2013, Wu XXX purchased ivory products in Japan and mailed them to China.	In March 2012, Yan Hui and Chen XXX conspired to purchase ivory via online auction sites in Japan and mail them to China. On May 11 and 21, 2012, Chen mailed the purchased ivory from Tokyo to Wuhan.	At the end of 2010, Gong Sheng conspired with Kim Kwang Hyun and Xu Guiyu, and instructed them to purchase the ivory selected by Gong on Yahoo Japan' s auction website and agreed on the bidding price. They arranged for the staff to mail them from Japan to the delivery address in China, using a stolen ID card to disguise the recipient of the ivory. Tao Liping, knowing that Gong was smuggling ivory, helped Gong to pick up the parcels containing the ivory at the post office. Between November 2010 and April 2012, Gong and Tao received the ivory sent from Kim and Xu. Since the end of 2010, Gong sold ivory to Wu Ruiwen, Yang Gang, and Zhang Tianfeng via internet, who knew that the ivory items sold by Gong were smuggled. Ji Bin purchased the ivory products from Gong Sheng and Zhang, and resold them to others.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products (all defendents / appellants, except for Ji Bin) Illegally purchasing, transporting and selling precious animal products (Ji Bin only)
2 Place and date of occurrence			
2.1 Place where the offense occurred	Suzhou (Jiangsu Province)	Wuhan (Hubei Province)	Ma'anshan (Anhui province)
2.2 Date on the offense occurred	On March 25, 2013	May 11 and 21, 2012	From November 2010 to April 2012
2.3 Port of export in Japan	Unknown	One EMS parcel was sent from 2-7-21-406, Mita, Minato District, Tokyo. Another EMS parcel was sent from 1-26-1-503, Shinkawa, Chuo-ku, Tokyo.	Unknown

	7	8	9
1 Subject			
1.1 A brief description of the offense	In September 2013, Xie Zhenguo conspired with He XXX to smuggle ivory purchased in Japan into China, arranging for a truck to deliver the ivory to a Japanese agent warehouse and prepare for customs declaration in Japan. On October 28, 2013, He XXX, using another person's Japanese passport and providing a false list of goods, declared the ivory to customs under self-use items.	On March 24, 2014, Li Yun flew from Nagoya, Japan to Qingdao and enter China with ivory products.	In March 2013, Peng XXX-hua entrusted Liu XXX-xin to carry ivory from Hong Kong SAR (HK) to Shenzhen, which was originally mailed from Japan to HK by another individual, Yingchuan. On May 23, 2013, Liu XXX-xin packed the ivory in a jar and entered China through the Futian Port of Shenzhen.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Dalian Dayao Bay Harbor (Liaoning Province)	Qingdao Liuting Airport (Shandong Province)	Futian Port in Shenzhen (Guangdong Province)
2.2 Date on the offense occurred	October 28, 2013	On March 24, 2014	May 23, 2013
2.3 Port of export in Japan	Unknown	Nagoya (Flight MU744 (China Eastern Airlines) from Nagoya to Qingdao)	Unknown

	10	11	12
1 Subject			
1.1 A brief description of the offense	In September 2014, Tai Dongming entrusted Yi XXX to go to Japan to procure ivory according to Tai' s instructions. At the request of Yi, Umino XXX and Shikoh XXX, collected ivory and mailed it to China. The ivory pieces were seized by China Customs on October 4 and 9, 2014.	Between March and May 2013, Wu Sheping mailed three parcels containing ivory products from Japan to Liu XXX in Shanghai twice in a row, asking Liu to forward them to (the address directed by) Wu.	In the first half of 2014, Ye Shanman conspired with Yin Dan, who lived in Japan, and others, to purchase ivory via Japanese websites and mail them to China. Yin Dan purchased ivory in Japan, and then another individual, Wang Shun, cut the ivory into small pieces. Ye conspired with Wen XXX and others receive the ivory mailed from Japan to Shanghai, Beijing, Shenzhen and other places. The ivory was first sent from Japan to Hong Kong. Beginning in early 2015, Ye commissioned Wang Shun and Lv Haiwen, a staff member of Shenzhen Shencai International Freight Forwarding Co., Ltd. that based in Shenzhen, to forward the ivory from Hong Kong to Shenzhen and then to the designated domestic addresses.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Qingdao (Shandong Province)	Shanghai	Nanjing (Jiangsu Province), Shenzhen (Guangdong Province) and Beijing
2.2 Date on the offense occurred	October 4 and 9, 2014	From March to May 2013	From the second half of 2014 to March 2015
2.3 Port of export in Japan	Tokyo	Unknown	Unknown

	13	14
1 Subject		
1.1 A brief description of the offense	<p>On November 20, 2014, Ming Yongliang, who lived in Japan, took a flight from Osaka, Japan to China and entered the country with ivory in her luggage.</p>	<p>In May 2014, Nie Donghua and Qi Feng conspired to smuggle ivory products from Japan to China, with Laos as a transit point. Wang Hui, who lived in Japan, bid for ivory products via Yahoo Japan' s website according to Nie Donghua's instructions (later, Nie Donghua himself purchased himself on the website), received the parcels containing the ivory products purchased in Japan, and mailed them to Laos. In February 2014, based on an agreement with Nie Donghua, Zhang Qiongdan, who lived in Laos, received the parcels containing ivory products in Laos and disassembled the parcels into small packages in order to better hide the ivory. Then, Zhang Qiongdan handed the packages to Ma Hongkui, Xu Junfeng, and Yang Yanhui, who were the drivers of the international bus travelling from Vientiane, Laos to Kunming, Yunnan. The bus drivers hid the ivory in the secret compartment of a bus specially modified to evade customs supervision and brought the contraband into Kunming. Chen XXX, according to Zhang Qiongdan's instructions, handed over the contraband ivory to the drivers of a domestic bus in China bound for Bijie City, Guizhou Province, where Nie Donghua and Qi Feng lived. In June 2014 and December 2016, Zhao Bize, knowing that the ivory products sold by Nie Donghua and Qi Feng were smuggled in from abroad, bought and resold them for profit. From October to November 2014, Zhen Jin, who was also aware of the ivory' s origin, bought and resold the products for profit. From September to December 2014, Cai Junbin, who also knew that the ivory products sold by Nie Donghua and Qi Feng were smuggled in from abroad, bought them, and also commissioned Nie Donghua to purchase and import more ivory products via Yahoo Japan' s website, and resold them in China for profit.</p> <p>In early 2015, Cai Junbin and Zhao Bize agreed to smuggle ivory products from Japan into the country on their own. Cai Junbin bids for ivory products on Yahoo Japan's website through the purchase network, which provides domestic false addresses, false recipients, and false contact numbers, and receives ivory products sent from abroad.</p>
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products (all defendants) Illegally purchasing, transporting and selling precious animal products (Cai Junbin only)
2 Place and date of occurrence		
2.1 Place where the offense occurred	Shenyang Taoxian Airport (Liaoning Province)	Hangzhou (Zhejiang Province) and Nanjing (Jiangsu Province)
2.2 Date on the offense occurred	November 20, 2014	March 31, 2015: the day when Nie Donghua and Qi Feng were arrested
2.3 Port of export in Japan	Osaka Kansai (Flight CZ612 (China Southern Airlines) from Kansai to Shenyang)	Unknown

	15	16	17
1 Subject			
1.1 A brief description of the offense	Chen Gang conspired with Xie XXX to purchase ivory abroad and mail it to Chen in China. In February and March 2016, Qu XXX in Huludao, entrusted by Chen, received six parcels containing the ivory, which were mailed in one package by Xie from Hong Kong, Japan and other places. Qu transferred the parcels to Chen in Tianjin.	On September 8, 2015, Huang Aimin took a flight from Nagoya, Japan to Shanghai and entered China with ivory products.	On September 8, 2015, Zhao Tian took a flight from Nagoya, Japan to Shanghai, and entered China with ivory products.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Jinzhou (Liaoning Province)	Shanghai Pudong International Airport	Shanghai Pudong International Airport
2.2 Date on the offense occurred	In February and March 2016	September 8, 2015	September 8, 2015
2.3 Port of export in Japan	Unknown	Nagoya (MU720 (China Eastern Airlines) from Nagoya to Shanghai)	Nagoya (MU720 (China Eastern Airlines) from Nagoya to Shanghai)

	18	19	20
1 Subject			
1.1 A brief description of the offense	Li Weitao and Xu XXX, his wife, bought a pair of ivory statues of the emperor and queen at the Yokohama International Auction in Japan. Li entrusted Qiu Jianping to bring the ivory statues into China. Qiu requested Sun XXX, his friend who lived in Japan, to transport the ivory to China. On January 13, 2016, Sun' s mother, Ouyang XXX, at the request of Sun, flew from Japan to Shenyang and entered China with the ivory statues.	Between October and November 2015, Zuo Qiuyu conspired with Luo Weikang to purchase ivory products in Japan and mail them to China. Luo purchased ivory products through a channel his father had and mailed the ivory products from Japan to China in December 2015.	(1) On October 27, 2015, Lan Riliang purchased ivory products in Japan and mailed them to the recipient, Takagi Boshin, in China. (2) On January 28, 2016, Lan Riliang took a flight from Tokyo to Dalian and entered China with ivory products in his suitcase.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Shenyang Taoxian Airport (Liaoning Province)	Tianjin Airport and Chongqing Jiangbei Airport	(1) Dalian (Liaoning Province) (2) Dalian Zhoushuizi International Airport (Liaoning Province)
2.2 Date on the offense occurred	January 13, 2016	From October to December, 2015	(1) October 27, 2015 (2) January 28, 2016
2.3 Port of export in Japan	Unknown	Unknown	(2) Tokyo (Narita) (Flight CA952 (Air China) from Narita to Dalian)

	21	22	23
1 Subject			
1.1 A brief description of the offense	On March 29, 2017, Luo Tongxun mailed ivory products from Japan to China, which he purchased via a Japanese auction website in early March 2017.	At the end of 2013, Yin Zhen conspired with Sun Wei and Wang Jun to purchase ivory items internationally and bring them to China for resale. Sun Wei joined a branch office of an office of China Post in April 2014 and collaborated with Wang Jun who shipped parcels containing ivory through EMS from foreign countries. Wang Jun purchased ivory in Japan, Ethiopia, and other countries many times, and mailed them through EMS to fabricated recipients in China, where Sun Wei was responsible for delivery, and informed Sun Wei of the parcel waybill number. After the packages arrived at the post office, Sun took the packages containing the ivory and handed them over to Yin Zhen, who then sold the ivory domestically to Tian Yanzhong, Chen Jilei, Zhang Wen, Zhang Jian, Lan Xiang, and others, through two Taobao shops from June to July 2014.	From July 16 to 25, 2016, Sun Guiyu purchased ivory products from Japanese dealers via internet several times, and mailed them to China through a logistics company. From May to July 2016, Wang Zuoren, a brother-in-law of Sun, also purchased and mailed ivory to China repeatedly in the same way.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Beijing	Hefei (Anhui Province)	Langfang (Hebei Province)
2.2 Date on the offense occurred	March 29, 2017	From April 2014 to July 2014	On July 27 and August 10, 2016
2.3 Port of export in Japan	Unknown	Unknown	Unknown

	24	25	26
1 Subject			
1.1 A brief description of the offense	On January 24, 2016, Lu XXX 2 mailed ivory products from Japan to his son, Lu XXX 1 in China.	On January 3, 2017, Fumihiro Muraoka flew from Tokyo to Shanghai and enter China with ivory products in his suitcases.	On October 13, 2016, Ni XXX took a flight from Fukuoka, Japan to Shanghai and entered China with ivory products in his suitcase, intending to transfer to a flight to Shenyang.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Shanghai	Shanghai Pudong International Airport	Shanghai Pudong International Airport
2.2 Date on the offense occurred	January 24, 2016	January 3, 2017	October 13, 2016
2.3 Port of export in Japan	Unknown	Tokyo (Narita) (NH921 (Japan Airlines) from Narita to Shanghai)	Fukuoka (Flight MU532 (China Eastern Airlines) from Fukuoka, Japan to Shanghai)

	27	28	29
1 Subject			
1.1 A brief description of the offense	In January 2017, Cong Yina was asked by her husband, Wang XXX, to bring ivory products purchased in Japan to China. On February 9, 2017, they wrapped the ivory items with aluminum foil, and packed them in her suitcase. Afterwards, Cong Yina flew from Tokyo to Shenyang and entered China with the ivory items.	(1) In July 2014, Xie Yanping and Chen XXX 2, conspired to purchase ivory products and mail them from Japan to China. Chen 2 mailed two parcels containing ivory purchased in Japan to Xie in China. The ivory was seized by Chinese Customs on July 25th and on July 29th. (2) In April 2016, Xie, who lived in Hong Kong, and Chen XXX 1 conspired to purchase ivory products and mail them from Japan to China. In April 2016, Xie successively mailed six parcels containing ivory purchased in Japan from Hong Kong to Qu XXX in mainland China. Chen 1 received the ivory from Qu and processed it into various small ornaments and accessories, sold part of them, and stored the rest at his antique shops.	On June 23, August 5, and December 7, 2017, Li XXX, mailed ivory products from Japan, all purchased via Ohayo Japan Haitao.com, to China.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	ShenyangTaoxian International Airport (Liaoning Province)	(1) Zhuhai (Guangdong Province) (2) Jinzhou (Liaoning Province)	Jinzhou (Liaoning Province)
2.2 Date on the offense occurred	February 9, 2017	(1) July 25 and 29, 2014 (2) July 12, 2016	On June 23, August 5 and December 7, 2017
2.3 Port of export in Japan	Tokyo (Narita) (CZ628 (China Southern Airlines) from Narita to Shenyang)	Unknown	Unknown

	30	31	32
1 Subject			
1.1 A brief description of the offense	On March 24, 2018, Miyashita Hoshiko took a flight from Tokyo to Shanghai, intending to transfer to Harbin, and entered China with an ivory product wrapped in aluminum foil in her suitcase.	(1) On January 16, 2019, Xu Rongguo took a flight from Osaka to Beijing and entered China with ivory products in his suitcases and duty-free shopping bags. (2) Xu stocked ivory products for sale together with red coral products at two shops in China.	From July 2018 to January 2019, Lu Minghua purchased ivory products that were sold on Yahoo Japan's website in Japan via "Ding's Japan purchasing agency". After purchasing, she entrusted a Taobao shop, operated by Sun XXX, to mail the ivory products from Japan to China. The ivory products were sent by Sun to Huang XXX in Guangzhou, and then transferred to Lu Minghua through domestic express delivery.
1.2 Legal description of the offense	Smuggling precious animal products	(1) Smuggling precious animal products (2) Illegally selling precious and endangered wildlife products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Shanghai Pudong International Airport	(1) Beijing Capital International Airport (2) Beijing	Guangzhou (Guangdong Province)
2.2 Date on the offense occurred	March 24, 2018	(1) January 16, 2019	From July 2018 to January 2019
2.3 Port of export in Japan	Tokyo (Haneda) Airport (FM836 (Shanghai Airlines) from Haneda, Japan to Shanghai)	(1) Osaka	Unknown

	33	34	35
1 Subject			
1.1 A brief description of the offense	On July 1, 2018, Yu XXX took a flight from Shizuoka, Japan to Shanghai, en route to Chengdu, and entered China with ivory products in a suitcase and the backpack he carried.	From June to August 2018, Zhang Jun, who was engaged in the antique business in Tianjin, and Zhang Qiang, who was the owner of a Taobao shop, conspired to purchase ivory products in Japan and mail them to China.	In June 2018, Liu Xudong was persuaded by Sun Masataka, a Japanese student, to purchase ivory from him. On July 13, 2018, Sun mailed a piece of ivory to Bai Jubin, Liu's wife. On July 20, 2018, Sun mailed one ivory necklace to Jia Hui, Liu's brother-in-law.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggled precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Shanghai Pudong International Airport	Tianjin	Changchun (Jilin Province)
2.2 Date on the offense occurred	July 1, 2018	From June to August 2018	July 19 and 26, 2018
2.3 Port of export in Japan	Shizuoka Airport (MU2020 (China Eastern Airlines) from Shizuoka, Japan to Shanghai)	Unknown	Unknown

	36	37	38
1 Subject			
1.1 A brief description of the offense	On January 10, 2019, Cheng Lei went to Japan to purchase ivory to sell on her online shops, and returned to China with the ivory products.	(1) From June to July 2018, Zou Jiamian purchased ivory products from Japan via an online platform "Drop Rice Grains Japan Purchasing Agency" , and mailed them to contacts in Hong Kong. The contacts then smuggled the ivory, hidden in their carry luggage, into China through the Shenzhen port. In the second half of 2017, Zou purchased other ivory products from Japan via an online platform "Ohayo Purchasing Agency" and smuggled them into China similarly through contacts in Hong Kong. (2) Zou illegally purchased ivory products from domestic antique markets and antique stalls, and sold some part of the ivory products inside China.	From 2016 to 2017, Lin Dingsheng purchased ivory products in Japan via Rigou.com and mailed them to China.
1.2 Legal description of the offense	Smuggling precious animal products	(1) Smuggling precious animal products (2) Illegally selling precious and endangered wildlife products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Xi' an Xianyang Airport (Shaanxi Province)	(1)(2) Changsha (Hunan Province)	Guangzhou Baiyun Airport (Guangdong Province)
2.2 Date on the offense occurred	January 10, 2019	(1) In the second half of 2017 and between June and July 2018	Feburary 28, 2019
2.3 Port of export in Japan	Unknown	Unknown	Unknown

	39	40	41
1 Subject			
1.1 A brief description of the offense	From February to April 2019, Wang Yu and her elder brother Wang Lei repeatedly mailed ivory products from Japan to China, hiding them with iron pots and other items. From April to December 2019, Cui XXX, entrusted by Wang Yu, received the parcels containing ivory at the post office and forwarded the packages to Liu XXX and Zhong XXX, the domestic recipients designated by Wang Yu.	From October 2016 to July 2017, Du Jili, purchased ivory products in Japan and mailed them to China via Rigou.com.	In early 2018, Sheng Jianfeng entrusted Cai Yong to purchase ivory in Japan and mail it to China. From 2018 to June 2019, Cai purchased ivory selected by Sheng on Yahoo Japan's auction website. After they were delivered to Cai in Japan, he handed them over to Wu XXX at a Japanese customs clearance company. Wu conspired with Wang XXX, who served in China Post, to smuggle the ivory from Japan to China through international express delivery under false names. After receiving the international parcels containing ivory at the post office, Wang transferred them domestically to Zhu XXX, Cai Yong's mother, or Sheng Jianfeng.
1.2 Legal description of the offense	Smuggled precious animal products	Smuggling precious animal products	Smuggled precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Hefei (Anhui Province)	Jinan (Shandong Province)	Nantong (Jiangsu Province) and Wenzhou (Zhejiang Province)
2.2 Date on the offense occurred	From February to December 2019	From October 2016 to July 2017	From early 2018 to June 2019
2.3 Port of export in Japan	Unknown	Unknown	Unknown

	42	43	44
1 Subject			
1.1 A brief description of the offense	From 2013 to 2018, Zou Hongbin purchased ivory products in Japan and mailed them to China via Rigou.com which provided bidding, paying and transportation services to Chinese users of foreign internet auction sites.	From August to September 2019, Lu Weimin and Fu Yujun each purchased ivory products in Japan and mailed them to China. On their behalf, Hu Jingjing purchased ivory products in Japan and mailed them to China. Following these shipments, entrusted by Hu, Lu Lingyun, Huang Weiqian, Cheng Meiling and Chen Suyun cleared the customs paperwork for the ivory in China and transferred the shipment to some domestic address directed by Lu and Fu.	From 2013 to 2018, Ji Chengmin, Tian Yu, and Sang Xiaoguang purchased ivory via the Taobao Shop and the transliteration company that were operated by Ji and Tian, and mailed them from Japan to China, entrusted by Zhang Lei and other 14 Chinese domestic customers.
1.2 Legal description of the offense	Smuggling precious animal products	Smuggling precious animal products	Smuggling precious animal products
2 Place and date of occurrence			
2.1 Place where the offense occurred	Nanchang (Jiangxi Province)	Wenzhou (Zhejiang Province)	Urumqi (Xinjiang Uygur Autonomous Region)
2.2 Date on the offense occurred	From 2013 to 2018	From August to September 2019	From 2013 to 2018
2.3 Port of export in Japan	Unknown	Unknown	Sang Xiaoguang is the head of warehouse of Lisheng Network in Osaka, Japan. Therefore, the ivory products are considered to be sent from Osaka by mail.

1 Subject	
1.1 A brief description of the offense	In December 2019, Cai XXX, asked someone in Japan to procure ivory products and mail them from Japan to Shanghai.
1.2 Legal description of the offense	Smuggling precious animal products
2 Place and date of occurrence	
2.1 Place where the offense occurred	Shanghai
2.2 Date on the offense occurred	December 2019
2.3 Port of export in Japan	Unknown

	1	2	3
3 Contraband ivory			
3.1 Total number	Unknown	Unknown	Unknown
3.2 Total weight			
3.2.1 Details	13.723 kilograms	25.234 kilograms	125.78682 kilograms
3.2.2 Category of weight	10kg or more and less than 50kg	10kg or more and less than 50kg	100kg or more
3.3 Total estimated value	RMB 571,796.24	RMB 1,051,425	RMB 66,667 for two ivory carvings and unknown value for ivory scraps
3.4 A brief description of the ivory	-	Bracelets, necklaces, ivory pieces, etc.	125,196.82 grams of ivory scraps and 590 grams of sailboat-shaped ivory carving.
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail (EMS)	(1) Mail (2) Personal effects	Mail
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	In-person	Online / in-person
5.2 Specific information	-	The Tokyo Antique Market in Japan	Yahoo Japan website was used for online trade. The ivory scraps, which were purchased from a Japanese company, Daigo Ivory for 300,000 yen (equivalent to about RMB 18,000), following the online trade of one ivory product.
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to consumers by their own / Sales to other businesses in China	Sales to consumers by their own	Sales to consumers by their own / Sales to other businesses in China for ivory scraps
7 Sales network inside China			
	Unknown	Su's anique shop	From April to September 2011, Chen Yunyun found domestic customers through the Internet, negotiated the price and quantity of ivory scraps, and conducted transactions through the Taobao platform.

	4	5	6
3 Contraband ivory			
3.1 Total number	2	Unknown	Unknown
3.2 Total weight			
3.2.1 Details	2.79 kilograms (estimated from the value)	4.728 kilograms	3,257.204 kilograms (smuggled ivory only)
3.2.2 Category of weight	1kg or more and less than 10kg	1kg or more and less than 10kg	100kg or more
3.3 Total estimated value	RMB 116,251	RMB 197,002	RMB 135,717,919.068 (smuggled ivory only)
3.4 A brief description of the ivory	Two ivory handicrafts	One parcel contained two hollow cylindrical objects, one with a polished surface and one with its original shape, weighing 1.052 kg. Another parcel contained two packets of ivory particles (beads), weighing 3.676 kg.	Ivory cylinder, cylinder pen holder, large bead necklace, small bead necklace, lump, ring, scraps, etc.
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail (EMS)	Mail (EMS)	Mail (EMS)
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	in-person	Online	Online
5.2 Specific information	At an antiques fair in Japan	Yahoo Japan website; Yan Hui saw pile of ivory strips and pieces sold at two online shops: "Hon-zouge (real ivory) Department Stores" and "Hon-zouge (real ivory) Specialty Shop" in the "Yahoo Japan Auction site".	Japanese ivory seller was "asianlink-cydis", which is an online platform for "cyber distributor of seal", established by Japanese company: "AsianLink, Co., Ltd." http://www.asian-link.jp/index.htm The name of the contact person at "asianlink-cydis" was "Kitamura Yuki" as for this case.
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Private use	Sales to other businesses in China	Sales to other businesses in China
7 Sales network inside China			
	None	Unknown	Wu Ruiwen, Yang Gang and Zhang Tianfeng actually purchased the smuggled ivory. Furthermore, Ji Bin purchased and resold them inside China.

	7	8	9
3 Contraband ivory			
3.1 Total number	77	12	Unknown
3.2 Total weight			
3.2.1 Details	More than 51.32kg	23.2 kilograms	9.15 kilograms
3.2.2 Category of weight	50kg or more and less than 100kg	10kg or more and less than 50kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 2,138,334	RMB 966,744	RMB 381,253
3.4 A brief description of the ivory	8 whole tusks (more than 6kg each and valued RMB 2 million) and 69 ivory products weighing 3,320 grams (RMB 138,334)	-	4.49 kg of ivory strips (polished) and 4.66 kg of ivory blocks (unpolished)
4 Means of transport			
4.1 Sea/Air/Land	Sea	Air	Air (from Japan to HK) Land (from HK to Mainland)
4.2 Personal effects / Mail (couriers) / Cargo	Cargo	Personal effect	Mail (from Japan to HK) Personal effects (from HK to Shenzhen)
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Unknown	Unknown
5.2 Specific information	-	-	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to consumers by their own / Sales to other businesses in China	Sales to consumers by their own	Sales to consumers by their own / Sales to other businesses in China
7 Sales network inside China			
	Xie's shop (Juyaxuan handicraft store in Tianjian Kunshun Antique City, Dalian City)	“Zhu Ge” insisted that he had a tight grip on ivory .	Unknown

	10	11	12
3 Contraband ivory			
3.1 Total number	18	Unknown	Unknown
3.2 Total weight			
3.2.1 Details	92.8kg (estimated from the value)	7.726 kilograms	100.989 kilograms
3.2.2 Category of weight	50kg or more and less than 100kg	1kg or more and less than 10kg	100kg or more
3.3 Total estimated value	RMB 3,867,507	RMB 321,900	RMB 4.2 million
3.4 A brief description of the ivory	Yi XXX weighed 11 ivory tusks, wrote a label, stick it on the ivory. Therefore, 11 of 18 "tusks" are considered to be genuine whole tusks.	Ivory scrap	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail (EMS)	Mail (EMS)	Mail
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	In-person	Unknown	Online
5.2 Specific information	Tokyo	-	Relevant Japanese websites
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to consumers by their own / Sales to other businesses in China	Sales to consumers by their own	Sales to consumers by their own / Sales to other businesses in China
7 Sales network inside China			
	The defendant had been entrusted by Yu XXX and Gao XXX to provide the ivory.	Online	The buyers include Chen (who purchased ivory from Ye about 8 times, and the traded ivory weighed about 10 kilograms) , Song (who purchased ivory from Ye more than ten times, and the traded ivory weighed about 30-40 kilograms) and others.

	13	14
3 Contraband ivory		
3.1 Total number	385	Unknown
3.2 Total weight		
3.2.1 Details	14.465 kilograms	78.82kg (As for the ivory smuggled from Japan)
3.2.2 Category of weight	10kg or more and less than 50kg	50kg or more and less than 100kg
3.3 Total estimated value	RMB 602,713	More than RMB 6,605,130.6 (RMB 4,668,967.42 for the smuggled by Nie Donghua and Qi Feng, and RMB 1,936,163.22 for the smuggled independelty of Nie and Qi by Cai Junbin)
3.4 A brief description of the ivory	-	38.4kg (estimated from the value) of the ivory products that Wang Hui purchased in Japan, 10.84kg (estimated from the value) of the ivory products that Cai Junbin purchased via. Nie Donghua and 29.58kg (estimated from the value) of the ivory products that Cai Junbin purchased by himself and smuggled together with Zhao Bize
4 Means of transport		
4.1 Sea/Air/Land	Air	Air (from Japan to Laos) Land (from Laos to China)
4.2 Personal effects / Mail (couriers) / Cargo	Personal effects	Mail (from Japan to Laos) Cargo (from Laos to China)
5 Source of supply in Japan		
5.1 Type of procuremen (online/in-person)	Online	Online
5.2 Specific information	Yahoo Japan website	Yahoo Japan website
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)		
	Private use	Sales to consumers by their own / Sales to other businesses in China
7 Sales network inside China		
	None	A devastating trade network existed as shown in the signiicant customer & resellers involved this case.

	15	16	17
3 Contraband ivory			
3.1 Total number	117	202	519
3.2 Total weight			
3.2.1 Details	0.905 kilograms	9.09 kilograms	6.465 kilograms
3.2.2 Category of weight	Less than 1kg	1kg or more and less than 10kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 37,700	RMB 378,753.03	RMB 269,377.16
3.4 A brief description of the ivory	Beads, pieces and pen holder.	-	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail (EMS)	Personal effects	Personal effects
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Unknown	Unknown
5.2 Specific information	The items were mailed from Hong Kong, Japan and other places to Huludao City, Liaoning Province.	-	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Unknown	Unknown	Unknown
7 Sales network inside China			
	Unknown	Unknown	Unknown

	18	19	20
3 Contraband ivory			
3.1 Total number	2	205	6
3.2 Total weight			
3.2.1 Details	6.4 kilograms	3.91875 kilograms	2.595 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	1kg or more and less than 10kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 266,666.8	RMB 163,209	RMB 108,125.86,
3.4 A brief description of the ivory	Statues of the emperor and queen	Barrel beads, monkeys, Buddha heads, kitty cats, robot cat, money bags, little monks, landlords, etc.	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Personal effects	Mail	(1) Mail (2) Personal effects
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	In-person	Unknown	Unknown
5.2 Specific information	The ivory statues were purchased at the Yokohama International Auction on January 20, 2015 held by Yokohama Kokusai Auction Co., Ltd., which is managed by Chinese antiquary in Japan to help buy back the Chinese arts and crafts by Chinese, which once flowed out of China. https://www.ykauction.com/greeting_jp.html	-	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Unknown	Sales to consumers by their own / Sales to other businesses in China	Unknown
7 Sales network inside China			
	Unknown	Unknown	Unknown

	21	22	23
3 Contraband ivory			
3.1 Total number	Unknown	Unknown	291
3.2 Total weight			
3.2.1 Details	2.675 kilograms	50.088 kilograms or more (as for the ivory smuggled from Japan)	69.2545 kilograms or more
3.2.2 Category of weight	1kg or more and less than 10kg	50kg or more and less than 100kg	50kg or more and less than 100kg
3.3 Total estimated value	RMB 111,459.23	RMB 3,308,359	RMB 2,885,619
3.4 A brief description of the ivory	-	A total of 27 parcels were sent from Japan Post to Ma'anshan. According to Yin Zhen's notebook records, one parcel with a clear weight recorded contained 49.664 kilograms of ivory. There were also 212 ivory beads, each weighing about 2 grams.	285 pieces of ivory products weighing 44.5985 kilograms and 4 whole ivory pieces weighing over 6 kilograms each
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail (EMS)	Mail (EMS)	Mail (EMS)
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Online	Unknown	Online
5.2 Specific information	Japanese auction website	-	Sun Guiyu purchased ivory through Yahoo Japan via Rigou.com. He used Jpshuntong.com as well, which can be used to buy products through Mercari, but he insisted not to use it to buy ivory.
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Unknown	Sales to consumers by their own	Sales to consumers by their own / Sales to other businesses in China
7 Sales network inside China			
	Unknown	Yin Zhen found the customers mainly in "Ivory Bar", a WeChat group, and sold the ivory to them via his two accounts on Taobao, "African boy" and "Second-hand goods 55555".	There would be a total of 11 recipients of the ivory.

	24	25	26
3 Contraband ivory			
3.1 Total number	4	10	3
3.2 Total weight			
3.2.1 Details	4.760 kilograms	0.010835 kilograms	4.472 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	Less than 1kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 198,334.92	RMB 451,461.95	RMB 186,334.82
3.4 A brief description of the ivory	-	Two out of 10 ivory pieces can be splices into one complete whole tusk.	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail (EMS)	Personal effects	Personal effects
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Unknown	Unknown
5.2 Specific information	-	-	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to consumers by their own / Sales to other businesses in China	Sales to consumers by their own / Sales to other businesses in China	Unknown
7 Sales network inside China			
	Lu XXX 2 provided important clues to the Shanghai Public Security Bureau a clue for detecting other suspects of illegally selling precious and endangered wildlife products.	Unknown	Unknown

	27	28	29
3 Contraband ivory			
3.1 Total number	3	156	24
3.2 Total weight			
3.2.1 Details	4.337 kilograms	3.891 kilograms including (1) 3.076 kilograms and (2) 0.815 kilograms	0.96407 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	1kg or more and less than 10kg	Less than 1kg
3.3 Total estimated value	Unknown	RMB 162,125.297 includes (1) RMB 128,167.692 and (2) RMB 33,958.605	RMB 40,169.93
3.4 A brief description of the ivory	One ivory product weighed 4.26 kilograms.	(1) 24 sliced items, with a net weight of 1.058 kilograms in total, and 32 sliced items with a net weight of 2.018 kilograms (2) 70 beads, 14 lotus pedestals, 1 jar, 4 lids and spoons, 7 ring products, 11 flakes, and 1 Buddha statue and 1 ivory inlaid wooden box	One ivory bracelet weighs 22.88 grams and is worth 953.34 yuan. One ivory bead string weighs 45.05 grams and is worth 1877.09 yuan. The 22 ivory products including ivory chopsticks weighed 896.14 grams in total and are worth RMB 37,339.5.
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Personal effects	Mail (EMS)	Mai
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Online	Online
5.2 Specific information	-	An auction site	Ohayo Japan Haitao.com
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Unknown	Sales to consumers by their own	Unknown
7 Sales network inside China			
	Unknown	Xie Yanping developed a sales network for selling smuggled ivory through Chen XXX 1.	Unknown

	30	31	32
3 Contraband ivory			
3.1 Total number	1	440 includes (1) 214 and (2) 226	Unknown
3.2 Total weight			
3.2.1 Details	3.12 kilograms	14.83404 kilograms including (1) 3.70339 kilograms and (2) 11.13065 kilograms	7.542 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	10kg or more and less than 50kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 130,001	RMB 617.088 includes (1) RMB 154,308 and (2) RMB 463,780	RMB 314,252.516
3.4 A brief description of the ivory	-	-	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Personal effects	Personal effects	Mai
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Unknown	Online
5.2 Specific information	-	-	Lu Minghua used a Taobao shop, "Ding' s Japan purchasing agency" to buy ivory sold at Yahoo Japan website and mail them to China, and paid the expenses for shipping and trading value via her Taobao account.
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Unknown	Sales to consumers by their own	Private use / Sales to consumers by their own
7 Sales network inside China			
	Unknown	Xu Rongguo's antique shops	Lu Minghua's shop

	33	34	35
3 Contraband ivory			
3.1 Total number	5	115	2
3.2 Total weight			
3.2.1 Details	3.71 kilograms	2.654 kilograms	3.1536 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	1kg or more and less than 10kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 154,585	RMB 103,742.47	RMB 131,405
3.4 A brief description of the ivory	-	Two ivory shafts weigh 272.6 grams in total.	A piece of ivory weighed 3,129.1g; an ivory necklace weighed 24.5g.
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Personal effects	Mail	Mail (EMS)
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Online	In-person
5.2 Specific information	-	Zhang Qiang is the owner of a Taobao shop and is mainly engaged in the business of auctioning, dispatching, and customs clearance and transportation of various auction products in Japan. Zhang Qiang, after taking pictures of the ivory products to be purchased on Yahoo Japan website and giving them to Zhang Jun, logged in to the account again, paid the payment for the goods and arranged the delivery, and charged Zhang Jun a commission at the rate of 0.003 % of the total price and customs clearance fee of RMB 130 kilogram per clearance.	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Unknown	Sales to consumers by their own	Sales to consumers by their own
7 Sales network inside China			
	Unknown	Zhang Jun's antique shop	Bai Jubin's antique shop

	36	37	38
3 Contraband ivory			
3.1 Total number	214	(1) 4	5
3.2 Total weight			
3.2.1 Details	2.87 kilograms (estimated from the value)	(1) 1.4043 kilograms (as for the ivory imported from Japan via the two online platforms)	0.295 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	1kg or more and less than 10kg	Less than 1kg
3.3 Total estimated value	RMB 119,584.29	More than RMB 44,200.3536	RMB 12,291.77
3.4 A brief description of the ivory	-	-	5 ivory incense burners
4 Means of transport			
4.1 Sea/Air/Land	Air	(1) Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Personal effects	(1) Mail	Mail
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	(1) Online (1) In-person and online	Online
5.2 Specific information	-	Shanghai Ohayo Network Technology Co., Ltd that was established in Japan on September 9, 2016, is mainly engaged in Yahoo Japan auction and purchasing, providing payment, collection and delivery services.	Yahoo Japan website via. Rigou.com
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to consumers by their own	Sales to consumers by their own	Sales to consumers by their own
7 Sales network inside China			
	Two online shops operated by Cheng	"Prodigal Antiques Auction", a WeChat account operated by Zou	Unknown

	39	40	41
3 Contraband ivory			
3.1 Total number	Unknown	Unknown	126
3.2 Total weight			
3.2.1 Details	34.016498 kilograms	0.08021 kilograms	6.32949 kilograms (ivory only)
3.2.2 Category of weight	10kg or more and less than 50kg	Less than 1kg	1kg or more and less than 10kg
3.3 Total estimated value	RMB 1,417,339	RMB 3,342.11	RMB 263,730.26 (ivory only)
3.4 A brief description of the ivory	-	-	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail	Mail	Mail
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Unknown	Online	Online
5.2 Specific information	-	Yahoo Japan website via Rigou.com	Yahoo Japan website
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to consumers by their own	Unknown	Sales to consumers by their own / Sales to other businesses in China
7 Sales network inside China			
	Wang's online shop	Unknown	Unknown

	42	43	44
3 Contraband ivory			
3.1 Total number	176	Unknown	Unknown
3.2 Total weight			
3.2.1 Details	2.4814406 kilograms (estimated from the value)	14.1327 kilograms	20.572 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg	10kg or more and less than 50kg	10kg or more and less than 50kg
3.3 Total estimated value	RMB 103,419	RMB 588,867	RMB 857,379.24 (estimated from the weight)
3.4 A brief description of the ivory	Tips,bracelets, necklaces, handles of tableware (knives, forks), seals, scrolls, sculptures, uncarved nameplates, etc.	-	-
4 Means of transport			
4.1 Sea/Air/Land	Air	Air	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail	Mail	Mail
5 Source of supply in Japan			
5.1 Type of procurement (online/in-person)	Online	Unknown	Online
5.2 Specific information	Yahoo Japan website via Rigou.com	-	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)			
	Sales to other businesses in China	Sales to consumers by their own	Sales to consumers by their own
7 Sales network inside China			
	The ivory were supposed to be sold in the " Bronze Art Pavilion" collectables shop in Donghu District, Nanchang City.	Unknown	16 customers were actually specified.

3 Contraband ivory	
3.1 Total number	Unknown
3.2 Total weight	
3.2.1 Details	3.91143 kilograms
3.2.2 Category of weight	1kg or more and less than 10kg
3.3 Total estimated value	RMB 162,977.55
3.4 A brief description of the ivory	-
4 Means of transport	
4.1 Sea/Air/Land	Air
4.2 Personal effects / Mail (couriers) / Cargo	Mail
5 Source of supply in Japan	
5.1 Type of procurement (online/in-person)	Unknown
5.2 Specific information	-
6 Motives of the offences (Private use / Sales to consumers by their own / Sales to other businesses in China)	
	Unknown
7 Sales network inside China	
	Unknown

	1	2	3
8 Offenders involved			
8.1 Number of people involved	7	3	5
8.2 Name (Alia)	Yoshitsuru Kenji (the defendant of criminal judgement (2017) Su 02 Xing Chu No. 21), Li Ming, Shao XXX and Ma XXX (the defendant of criminal judgement of 2012 Xihuan Xing Chu Zi No. 0001), Tian XXX (the defendant of some criminal judgement), Yu XXX and Lin XXX	Su Hailiang (the appellant and the defendant in the original trial), Wang XXX and XXX	Chen Yunyun (the appellant (the defendant in the first trial)), Owner of Daigo Ivory Shop, Chen XXX, Lin Yu (the wife of Chen Yunyun) amd Lin XXX (the father-in-law of Chen Yunyun)
8.3 Function in the offence			
8.3.1 Details	Procurer and exporter (Yoshitsuru Kenji) Importer (Li Ming and Tian XXX) Name lender for import and domestic transporter (Shao XXX, Ma XXX, Yu XXX and Lin XXX)	Procurer, exporter and importer (Su Hailiang) Procurer and exporter (XXX) Importer (Wang XXX)	Procurer and exporter (Owner of Daigo Ivory Shop) Procurer, exporter and importer (Chen Yunyun) Importer and domestic transporter (Chen XXX) Exporter, importer and domestic transporter (Lin Yu) Custodian (Lin XXX)
8.3.2 Number of different role / combination of roles	3	3	5
8.4 Involvement of a company	Kenuomo Co., Ltd. owned and managed by Yoshitsuru Kenji	None	Daigo Ivory Co., Ltd. in Saitama, Japan
8.5 Profession related to trade	Yoshitsuru Kenji owns and manages an ivory products wholesaling company: Kenuomo Co., Ltd. that was registered as ivory dealer based on Japan's domestic law at the time of the illegal conduct and the judgement.	Su Hailiang operated the "Shenlujiu Antique Store" in Xinzhuang Street Antique City in Yantai City	Daigo Ivory Shop is a leading ivory manufacturer/wholesaler/retailer, which is registered as ivory dealer based on Japan's domestic law.
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	Unknown
8.7 Nationality	Japan (Yoshitsuru Kenji) China (except for Yoshitsuru)	China	Japan (Owner of Daigo Ivory) China (Except for Daigo)

	4	5	6
8 Offenders involved			
8.1 Number of people involved	1	2	9
8.2 Name (Alia)	Wu XXX	Yan Hui (the defendant) and Chen XXX	Kim Kwang Hyun (the appellant (the defendant in the original trial)), Zhang Tianfeng (the appellant (the defendant in the original trial)), Ji Bin (the appellant (the defendant in the original trial)), Yang Gang (the appellant (the defendant in the original trial)), Gong Sheng (the defendant), Wu Ruiwen (the defendant), Tao Liping (the defendant in the first trial), Xu Guiyu (the defendant in the first trial), wife of Kim Kwang Hyun, and Kitamura Yuki at AsianLink, Co., Ltd.
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer	Importer (Yan Hui) Procurer and exporter (Chen XXX)	Procurer, exporter and importer (Gong Sheng and Tao Liping) Procurer and exporter (Kim Kwang Hyun, Xu Guiyu and AsianLink, Co., Ltd.) Importer (purchaser, knowing that the ivory was smuggled) and domestic seller (Wu Ruiwen, Yang Gang and Zhang Tianfeng) Purchaser and domestic seller (Ji Bin)
8.3.2 Number of different role / combination of roles	1	2	3
8.4 Involvement of a company	None	None	AsianLink, Co., Ltd. in Japan
8.5 Profession related to trade	Unknown	Unknown	Kitamura Yuki is a staff of AsianLink, Co., Ltd. that is a registered ivory dealers based on Japanese law.
8.6 Previous criminal records (on illegal trade in precious animal products)	None	Unknown	Unknown
8.7 Nationality	China	China	Japan (Kitamura Yuki at AsianLink, Co., Ltd.) Korea (Kim Kwang Hyun and Xu Guiyu) China (the others)

	7	8	9
8 Offenders involved			
8.1 Number of people involved	3	3 or more	3
8.2 Name (Alia)	Xie Zhenguo (formerly known as Zhang Xuguo) (the defendant of criminal judgement (2019) Liao 02 Xingchu No. 59), He XXX (the defendant of criminal judgement (2014) Da Xing Er Chu Zi No. 29 and (2021) Liao 02 Xing Zai No. 4) and Toshinori Nagaoka (in Japan)	Li Yun (the defendant), "Zhu Ge" and "Aoki", both of them are WeChat name.	"Yingchuan" (Alia), Peng XXX-hua (the defendant of criminal judgement of 2014 Shen Zhong Fa Xing Er Chu Zi No. 67) and Liu XXX-xin (the defendant of 2014 Shen Zhong Fa Xing Er Chu Zi No. 26)
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Xie Zhenguo) Name-lender for export/import (Toshinori Nagaoka) Importer and domestic transporter (He XXX)	Procurer ("Aoki") Procurer, exporter and importer (Li Yun) Domestic seller ("Zhu Ge")	Procurer and exporter ("Yingchuan") Importer and exporter (Peng XXX-hua) Exporter (from HK to Shenzhen) and domestic transporter (Liu XXX-xin)
8.3.2 Number of different role / combination of roles	3	3	3
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Xie Zhenguo and He's wife each operated a handicraft shop at Dalian Tianjin Street Antique City.	Unknown	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	Unknown
8.7 Nationality	Japan (Toshinori Nagaoka) China (except for Nagaoka)	Japan ("Aoki") China (except for "Aoki")	China

	10	11	12
8 Offenders involved			
8.1 Number of people involved	6	2	5
8.2 Name (Alia)	Tai Dongming (formerly known as Tai Yunqi, the alia is "Littled Tai") (the appellant (defendant in the original trial)) , Yi Tao, Umino XXX, Shikoh XXX, Yu XXX and Gao XXX	Wu Sheping (the defendant) and Liu XXX	Ye Shanman (the defendant), Wen XXX (the defendant), Yin Dan (also known as Itan Xue), Wang Shun and Lv Haiwen, a staff member of Shenzhen Shencai International Freight Forwarding Co., Ltd.
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Tai Dongming) Procurer and exporter (Yi Tao) Procurer and exporter (Umino XXX, Shikoh XXX) (Potential) Domestic purchaser (Yu XXX and Gao XXX)	Procurer and exporter (Wu Sheping) Name lender for import and domestic transporter (Liu XXX)	Procurer, exporter and importer (Ye Shanman) Procurer (Yin Dan and Wang Shun) Importer (Wen XXX) Re-exporter (from HK to Shenzhen) and domestic transporter (Lv Haiwen)
8.3.2 Number of different role / combination of roles	3	2	4
8.4 Involvement of a company	None	None	Shenzhen Shencai International Freight Forwarding Co., Ltd.
8.5 Profession related to trade	Tai Dongming is the owner of "You Xin Ju" in Wanguang Antique City, Yantai City.	Wu was an employee of the Dream Merchant Co., Ltd. in Japan, which is registered as ivory dealer based on Japan's domestic law (the business registration is still valid at the time of July 2022).	Wang Shun and Lv Haiwen were a staff member of a international logistics company in Shenzhen (Shencai International Freight Forwarding).
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	Unknown
8.7 Nationality	Japan (Umino XXX and Shikoh XXX) China (Tai Dongming: the defendant, Yi Tao, Yu XXX and Gao XXX)	China	China

	13	14
8 Offenders involved		
8.1 Number of people involved	1	13
8.2 Name (Alia)	Ming Yongliang	Nie Donghua (the appellant (the defendant in the original trial)), Zhang Qiongdan (the appellant (the defendant in the original trial)), Cai Junbin (the appellant (the defendant in the original trial)) Qi Feng (the appellant (the defendant in the original trial)), Zhao Bize (the appellant (the defendant in the original trial)), Wang Hui (the defendant in the original trial), Zhen Jin (the defendant in the original trial), Ma Hongkui (the defendant in the original trial), Xu Junfeng (the defendant in the original trial), Yang Yanhui (the defendant in the original trial), Chen XXX, XXX Rui and Wu XXX
8.3 Function in the offence		
8.3.1 Details	Procurer, exporter and importer	Procurer, exporter and importer (Nie Donghua, Cai Junbin, Qi Feng, Zhao Bize) Procurer and exporter (Wang Hui) Exporter (Zhang Qiongdan) Courier (Ma Hongkui, Xu Junfeng, Yang Yanhui and Chen XXX) Customer & reseller (Zhen Jin, XXX Rui and Wu XXX)
8.3.2 Number of different role / combination of roles	1	4
8.4 Involvement of a company	None	None
8.5 Profession related to trade	Unknown	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Cai Junbin and Zhao Bize was convicted on December 24, 2015 for the crime of smuggling precious animal products. None for anyone else.
8.7 Nationality	China	China

	15	16	17
8 Offenders involved			
8.1 Number of people involved	4	1	2
8.2 Name (Alia)	Chen Gang (the defendant), Xie XXX, Li XXX, a friend of Xie in Japan and Qu XXX	Huang Aimin (the defendant)	Zhao Tian (the defendant) and Huang Aimin
8.3 Function in the offence			
8.3.1 Details	Importer (Chen Gang) Procurement and exporter (Xie XXX and Li XXX) Domestic transporter (Qu XXX)	Procurement, exporter and importer	Procurement and exporter (Luo Weikang) Name lender for export (Luo XXX) Importer (Zuo Qiuyu) Name lender for import (Gong XXX)
8.3.2 Number of different role / combination of roles	3	1	2
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Chen Gang operated an antique shop.	Unknown	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	None	Unknown	Unknown
8.7 Nationality	China	China	China

	18	19	20
8 Offenders involved			
8.1 Number of people involved	5	4	1
8.2 Name (Alia)	Li Weitao (the defendant), Xu XXX, Qiu Jianping (the defendant), Sun XXX and Ouyang XXX	Luo Weikang (the defendant), Luo XXX, father of Luo Weikang, Zuo Qiuyu (the defendant) and Gong XXX, mother of Zuo Qiuyu	Lan Riliang (the appellant and the defendant in the original trial)
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Li Weitao) Procurer (and Xu XXX) Exporter (Qiu Jianping and Sun XXX) Courier (Ouyang XXX)	Procurer and exporter (Luo Weikang) Name lender for export (Luo XXX) Importer (Zuo Qiuyu) Name lender for import (Gong XXX)	Procurer, exporter and importer
8.3.2 Number of different role / combination of roles	4	4	1
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Qiu Jianping was the manager of the International Business Department of the Yantai Branch of China XXX Express Logistics Co., Ltd.	Unknown	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	Unknown
8.7 Nationality	China	China	China

	21	22	23
8 Offenders involved			
8.1 Number of people involved	1	3 (except for domestic purchasers)	2
8.2 Name (Alia)	Luo Tongxun	Yin Zhen (the defendant), Wang Jun (the defendant), Sun Wei (the defendant), Tian Yanzhong (the defendant), Chen Jilei (the defendant), Zhang Wen (the defendant), Zhang Jian (the defendant), Lan Xiang (the defendant)	Sun Guiyu (the defendant) and Wang Zuoren (formerly known as Wang Di) (the defendant)
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer	Procurer, exporter, importer, domestic transporter and domestic seller (Yin Zhen) Procurer and exporter (Wang Jun) Importer and domestic transporter (Sun Wei) Domestic purchaser (Tian Yanzhong, Chen Jilei, Zhang Wen, Zhang Jian and Lan Xiang)	Procurer and exporter (Sun Guiyu and Wang Zuoren) Importers were the costumers because the parcels were to be directly mailed to them from Japan through a logistics company.
8.3.2 Number of different role / combination of roles	1	3	2
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Unknown	Unknown	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	None	None	None
8.7 Nationality	China	China	China

	24	25	26
8 Offenders involved			
8.1 Number of people involved	2	1	1
8.2 Name (Alia)	Lu XXX 2 (the defendant) and Lu XXX 1, the son of Lu 2	Muraoka Fumihiro	Ni XXX
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Lu 2) Name lender for import (Lu 1)	Procurer, exporter and importer	Procurer, exporter and importer
8.3.2 Number of different role / combination of roles	2	1	1
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Unknown	Unknown	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Lu 2 had been sentenced for the crime of illegally selling precious and endangered wildlife products at the People's Court of Hongkou District, Shanghai.	None	Unknown
8.7 Nationality	China	Japan	Mongolia

	27	28	29
8 Offenders involved			
8.1 Number of people involved	2	5	2
8.2 Name (Alia)	Cong Yina (the defendant) and Wang XXX	Chen XXX 2, Xie Yanping (the defendant), Huang XXX, Chen XXX 1 and Qu XXX 1	Li XXX (the defendant) and Suzuki Hikaru
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Wang) Exporter and importer (Cong)	Procurer and exporter (Chen XXX 2) Importer from Japan to HK and exporter from HK to Zhuhai (Xie Yanping) Custodian in Zhuhai (Huang XXX) Procurer, exporter and importer (Chen XXX 1) Importer from HK to mainland China and domestic transporter (Qu XXX 1)	Procurer and importer (Li XXX) Exporter (Suzuki Hikaru)
8.3.2 Number of different role / combination of roles	2	5	2
8.4 Involvement of a company	Unknown	None	None
8.5 Profession related to trade	Unknown	Chen XXX 2 was engaged in the antique business at an antique auction in Tokyo, Japan. Chen XXX 1 operated an antique shop at the Antique Plaza in Tianjin	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	Unknown
8.7 Nationality	China	China (Xie Yanping is a resident of the Hong Kong Special Administrative Region.)	Japan (Suzuki) China (Li)

	30	31	32
8 Offenders involved			
8.1 Number of people involved	1	1	3
8.2 Name (Alia)	Miyashita Hoshiko	Xu Rongguo (the defendant)	Lu Minghua (the defendant), Sun XXX (the shop name is "baby-japan") and Huang XXX
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer	Procurer, exporter and importer	Procurer, exporter and importer (Lu Minghua) Procurer and exporter (Sun XXX) Importer and domestic transporter (Huang XXX)
8.3.2 Number of different role / combination of roles	1	1	3
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Unknown	Xu Rongguo operated two antique shops in Beijing Chengtianjiajia Antique Market and Beijing Antique City each.	Lu Minghua has her own shop for selling ivory.
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	None
8.7 Nationality	Japan	China	China

	33	34	35
8 Offenders involved			
8.1 Number of people involved	1	2	4
8.2 Name (Alia)	Yu XXX	Zhang Jun (formerly known as Zhang Kunjun) and Zhang Qiang (the defendant)	Liu Xudong (the defendant), Sun Masataka, Bai Jubin, wife of Liu Xudong and Jia Hui, brother-in-law of Liu Xudong
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer	Procurer and exporter (Zhang Qiang) Importer (Zhang Jun)	Importer (Liu Xudong) Procurer and exporter (Sun Masataka) Name lender for import (Bai Jubin and Jia Hui)
8.3.2 Number of different role / combination of roles	1	2	3
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Unknown	Zhang Jun operated an antique shop in Tianjin. Zhang Qiang was a Taobao store operator	Bai Jubin operated an antique shop named Yucuiquan in Huinan County, Tonghua City.
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	Unknown
8.7 Nationality	China	China	Japan (Sun) China (except for Sun)

	36	37	38
8 Offenders involved			
8.1 Number of people involved	2	2	1
8.2 Name (Alia)	Cheng Lei (the defendant) Sun XXX	Zou Jiamian (the defendant) and Gao XXX	Lin Dingsheng (the defendant)
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Cheng Lei and Sun XXX)	Procurer, exporter and importer (Zou Jiamian) Importer (Gao XXX)	Procurer, importer and exporter
8.3.2 Number of different role / combination of roles	1	2	1
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Cheng Lei operated two online shops on the "Weipaitang" software platform. Sun XXX was the owner of one of them, and the sponsor of another. Those online shops sold a variety of stamps, bracelets and other items marked as "old Japanese Mammoth ivory".	Operation of a WeChat account of "Prodigal Antiques Auction" for selling ivory online.	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Unknown	None
8.7 Nationality	China	China	China

	39	40	41
8 Offenders involved			
8.1 Number of people involved	6	1	5
8.2 Name (Alia)	Wang Yu (the defendant) Wang Lei, Wang Yu's brother Cui XXX Dong Hanping Fang XXX Liu XXX Zhong XXX	Du Jili (the defendant)	Sheng Jianfeng (the defendant), Cai Yong (the defendant), Wu XXX, an employee of a Japanese customs clearance company, Wang XXX, an employee of a branch of China Post and Zhu Mou, mother of Cai Yong
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer (Wang Yu and Wang Lei (Defendnt's brother)) Importer (Cui XXX and Fang XXX) Name lender for import (Dong Hanping) Custodian and domestic transporter (Fang XXX, Liu XXX and Zhong XXX)	Procurer, exporter and importer	Procurer, exporter and importer (Sheng Jianfeng) Procurer and exporter (Cai Yon) Exporter (Wu XXX) Importer and domestic transporter (Wang XXX) Domestic transporter (Zhu Mou)
8.3.2 Number of different role / combination of roles	4	1	5
8.4 Involvement of a company	None	None	None
8.5 Profession related to trade	Wang Yu and Wang Lei operated an online shop, "Lei Gongtang" for selling ivory and other items.	Unknown	Wu XXX served in a Japanese customs clearance company. Wang XXX served in a branch of China Post.
8.6 Previous criminal records (on illegal trade in precious animal products)	None (the defendant)	Unknown	None (both of the defendants)
8.7 Nationality	China	China	China

	42	43	44
8 Offenders involved			
8.1 Number of people involved	1	7	19
8.2 Name (Alia)	Zou Hongbin (the defendant)	Lu Weimin (the defendant), Fu Yujun (the defendant), Fu Jingjing, Lu Lingyun, Huang Weiqian, Cheng Meiling, and Chen Suyun	Ji Chengmin (the appellant; the defendant in the original trial), Tian Yu (the appellant; the defendant in the original trial), Sang Xiaoguang (the appellant; the defendant in the original trial), Zhang Lei (the appellant; the defendant in the original trial), Chen Chao (the defendant in the first trial) and other 14 Chinese
8.3 Function in the offence			
8.3.1 Details	Procurer, exporter and importer	Procurer, exporter and importer (Lu Weimin and Fu Yujun) Procurer and exporter (Fu Jingjing) Importer and domestic transporter (Lu Lingyun, Huang Weiqian, Cheng Meiling and Chen Suyun)	Procurer, exporter and importer (Ji Chengmin, Tian Yu and Sang Xiaoguang) Importer (buyer in conspiracy with Ji and Tian of smuggling) (Zhang Lei, Chen Chao and other 14 Chinese)
8.3.2 Number of different role / combination of roles	1	3	2
8.4 Involvement of a company	None	None	"Lisheng Network"; "Wisques Sonic (transliteration), Co., Ltd." (Japanese company) and "Drop Rice Grains Japan Purchasing Agency" (a Taobao shop)
8.5 Profession related to trade	Zou operated "220 store" in Tengwang Pavilion Antique City, Xihu District, Nanchang City	Unknown	Ji Chengmin was the general manager of a logistics company, the legal representative and general manager of Japanese transliteration company, and the registrant of a Taobao shop and an website, "Drop Rice Grains Japan Purchasing Agency", which provided bidding service for Chinese users of Japanese internet auction sites. Tian Yu was the deputy manager of the logistics company and one of the founders and executive officer of the Taobao shop. Sang Xiaoguang was the head of the logistics company' s warehouse in Osaka.
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown	Lu Weimin (the defendant) was sentenced guilty on September 23, 2013 for the crime of illegally selling precious and endangered wildlife products, and on February 14, 2017 for the crime of smuggling precious animal products.	None (Zhang Lei)
8.7 Nationality	China	China	China

8 Offenders involved	
8.1 Number of people involved	2 or more
8.2 Name (Alia)	Cai XXX (the defendant) and XXX (in Japan)
8.3 Function in the offence	
8.3.1 Details	Procurer, exporter and importer (Cai XXX) Procurer and exporter (XXX)
8.3.2 Number of different role / combination of roles	2
8.4 Involvement of a company	None
8.5 Profession related to trade	Unknown
8.6 Previous criminal records (on illegal trade in precious animal products)	Unknown
8.7 Nationality	Taiwan, Province of China (with Chinese Taiwan Resident Travel Permit)

	1	2	3
9 Sentence			
9.1 Date of sentence	December 20, 2012 (Li Ming, Shao XXX and Ma XXX) August 9, 2017 (Yoshitsuru Kenji)	December 17, 2013 (the appeal trial)	June 20, 2013 (the appeal trial)
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	April 24, 2013 (the original trial: Yantai Intermediate People's Court, Shandong Province, Criminal Judgment (2013) Yantai Erchu Zi No. 6)	December 10, 2012 (the original trial: Jinhua Intermediate People's Court, Zhejiang Province, Criminal Judgment (2012) Zhejiang Jin Xing Er Chu Zi No. 22)
9.3 Verdict (sentenced penalty)	Six years in prison and a fine of RMB 50,000 (Yoshitsuru Kenji) Ten years in prison and confiscation of personal property of RMB 40,000 (Li Ming) Four years of probation, and a fine of RMB 15,000 (Shao XXX) Three years in prison, suspended for three years, and a fine of RMB 10,000 (Ma XXX) Unknown (Tian XXX) The smuggled ivory seized in this case were confiscated.	Ten years in prison and confiscation of personal property of RMB 200,000 The smuggled ivory seized in this case were confiscated.	Eight years in prison and a fine of RMB 300,000 (Chen Yunyun) Three years in prison, suspended for five years, and a fine of RMB 200,000 (Chen XXX) The smuggled ivory seized in this case were confiscated.
10 Additional information			
	Defendant Yoshitsuru Kenji argued that his penalty should be reduced because the ivory trade in Japan is legal. The judgement responded nothing about this question. Yoshitsuru Kenji' s confession records prove that, he was engaged in the ivory carving business in Japan in 2011.	-	They also smuggled hippo teeth.
11 Case number issued for each court decision			
	Wuxi Intermediate People's Court of Jiangsu Province, Criminal Judgement (2012) Xihuan Xing-Chu-Zi No. 0001; and Wuxi Intermediate People's Court of Jiangsu Province, Criminal Judgement (2017) Su 02 Xing-Chu No. 21	Shandong Higher People's Court, Criminal Judgement (2013) Lu Xing Er Zhong Zi No. 103	Zhejiang Higher People's Court, Criminal Judgement (2013) Zhe Xing Er Zhong Zi No. 9

	4	5	6
9 Sentence			
9.1 Date of sentence	August 16, 2013	December 6, 2013	July 7, 2014 (the appeal court)
9.2 Date of sentence at the original trial for the case that was appealed / retrialed	-	-	October 12, 2013 (the original trial: Hefei Intermediate People's Court of Anhui Province, Criminal Judgment (2013) He Xing Chu Zi No. 00024)
9.3 Verdict (sentenced penalty)	One year in prison, suspended for one year, and a fine of RMB 60,000	Eight years in prison and a fine of RMB 5,000 The smuggled ivory seized in this case were confiscated.	15 years in prison and confiscation of personal property of RMB 3 million (Gong Sheng) 13 years in prison and confiscation of personal property of RMB 2 million (Kim Kwang Hyun) Ten years in prison and confiscation of personal property of RMB 500,000 (Wu Ruiwen) Six years in prison and a fine of RMB 50,000 (Zhang Tianfeng) Five years and six months in prison and a fine of RMB 30,000 (Ji Bin) Five years in prison and a fine of RMB 20,000 (Yang Gang) Three years in prison, suspended for five years, and a fine of RMB 1 million (Tao Liping) Three years in prison, suspended for four years, and a fine of RMB 800,000 (Xu Guiyu) The smuggled ivory seized in this case were confiscated.
10 Additional information			
	The defendant insisted that ivory products could be legally purchased in Japan. Then, the defender submitted the text of Japanese "Law for Conservation of Endangered Species" and proved that the ivory retailer in Japan, who sold the ivory to the defendant, had fulfilled legal requirements to sell ivory. The court accepted the fact that the ivory involved in the case was obtained through legal transactions at the place of purchase, and considered these circumstances in sentencing.	-	-
11 Case number issued for each court decision			
	Suzhou Intermediate People's Court of Jiangsu Province, Criminal Judgment (2013) Su Zhong Xing Er Chu Zi No. 0010	Wuhan Intermediate People's Court of Hubei Province, Criminal Judgment (2013) E-Wuhan Zhong Xing Chu Zi No. 00088	Anhui Higher People's Court, Criminal Judgment (2014) Wan Xing Zhong Zi No. 00105

	7	8	9
9 Sentence			
9.1 Date of sentence	September 11, 2019 (Xie Zhenguo)	January 30, 2015	May 14, 2014 (Peng XXX-hua) March 10, 2014 (Liu XXX-xin)
9.2 Date of sentence at the original trial for the case that was appealed / retrialed	September 26, 2021 (Retrial decision against "He")	-	-
9.3 Verdict (sentenced penalty)	Ten years in prison and confiscation of personal property of RMB 400,000 (Xie Zhenguo) Seven years in prison and a fine of RMB 300,000 (Retrial decision against He XXX) The smuggled ivory seized in this case were confiscated.	Six years in prison and a fine of RMB 100,000 The smuggled ivory seized in this case were confiscated.	Five years in prison and a fine of RMB 100,000 (Peng XXX-hua) Five years in prison and a fine of RMB 100,000 (Liu XXX-xin) The smuggled ivory seized in this case were confiscated.
10 Additional information			
	On May 20, 2021, the Japanese court took compulsory measures to release him on bail pending trial. (The reason for detaining him by Japan's authority is unknown.)	-	-
11 Case number issued for each court decision			
	Dalian Intermediate People's Court of Liaoning Province, Criminal Judgement (2021) Liao 02 Xing-Zai No. 4 Dalian Intermediate People's Court of Liaoning Province, Criminal Judgment (2019) Liao 02 Xing-Chu No. 59 Dalian Intermediate People's Court of Liaoning Province, Criminal Judgement (2014) Da-Xing-Er-Chu-Zi No. 29	Qingdao Intermediate People's Court of Shandong Province, Criminal Judgement (2014) Qing Xing-Er-Chu-Zi No. 34	Shenzhen Intermediate People's Court of Guangdong Province, Criminal Judgement (2014) Shen Zhong Fa Xing-Er-Chu-Zi No. 67 (Peng XXX-hua); and Shenzhen Intermediate People's Court of Guangdong Province, Criminal Judgement (2014) Shen Zhong Fa Xing-Er-Chu-Zi No. 26 (Liu XXX-xin)

	10	11	12
9 Sentence			
9.1 Date of sentence	November 9, 2015 (the appeal trial)	April 3, 2015 (the original trial: Shanghai The First Intermediate People's Court, Criminal Judgment (2015) Hu Yi-Zhong-Xing-Chu-Zi No. 32)	March 11, 2016
9.2 Date of sentence at the original trial for the case that was appealed / retrialed	August 24, 2015 (the original trial: Qingdao Intermediate People's Court of Shandong Province, Criminal judgment (2015) Qing Xing Er Chu Zi No. 30)	May 22, 2015 (the appeal trial)	-
9.3 Verdict (sentenced penalty)	15 years in prison, and confiscated of personal property of RMB 200,000 The smuggled ivory seized in this case were confiscated.	Five years in prison, a fine of RMB 50,000 The smuggled ivory seized in this case were confiscated.	Ten years and six months in prison, and confiscation of personal property of RMB800,000 (Ye Shanman) Three years in prison, suspended for four years and a fine of RMB 100,000 (Wen XXX) The smuggled ivory seized in this case were confiscated.
10 Additional information			
	-	-	-
11 Case number issued for each court decision			
	Shandong Higher People's Court, Criminal Judgement (2015) Lu Xing Er Zhong Zi No. 96	Shanghai Higher People's Court, Criminal Judgement (2015) Hu Gao-Xing-Zhong-Zi No. 43	Nanjing Intermediate People's Court of Jiangsu Province, Criminal Judgment (2015) Ning Xing Er Chu Zi No. 36

	13	14
9 Sentence		
9.1 Date of sentence	August 11, 2015	March 3, 2017 (the appeal trial)
9.2 Date of sentence at the original trial for the case that was appealed / retrialed	-	October 25, 2016 (the original trial: Hangzhou Intermediate People's Court of Zhejiang Province, Criminal Judgment (2016) Zhe 01 Xing Chu No. 80)
9.3 Verdict (sentenced penalty)	<p>Five years and six months in prison and a fine of RMB 100,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>14 years in prison and a fine of RMB 500,000 (Nie Donghua)</p> <p>12 years in prison and a fine of RMB 300,000 (Zhang Qiongdan)</p> <p>12 years and a fine of RMB 300,000 (Cai Junbin) (ten years and six months in prison and a fine of RMB 200,000 for smuggling, and ten years in prison and a fine of RMB 100,000 for the crime of illegally purchasing, transporting, and selling)</p> <p>Seven years in prison and a fine of RMB 150,000 (Qi Feng)</p> <p>Five years in prison and a fine of RMB 150,000 (Wang Hui)</p> <p>Five years in prison and a fine of RMB 150,000 (Zhen Jin)</p> <p>Four years in prison and fined RMB 30,000 (Zhao Bize)</p> <p>One year and six months in prison, suspended for two years, and fined RMB 20,000 (Ma Hongkui)</p> <p>One year and six months in prison, suspended for two years, and fined RMB 20,000 (Xu Junfeng)</p> <p>One year and six months in prison, suspended for two years, and fined RMB 20,000 (Yang Yanhui)</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information		
	-	<p>Nie Donghua, Qi Feng and Wang Hui purchased ivory through internet from European sellers, "European Return Direct" and "Napoleon" and smuggled them in the same way, however, the ivory smuggled from the latter is considered quite minor (only 424 grams, 458 grams and 5,556.3 grams were recorded as being purchased through three European sellers) and ivory sourced in Japan should constitute the vast majority.</p> <p>Cai Junbin purchased, smuggled and sold not only ivory products but also rhino horns, helmeted hornbill skulls and other precious and endangered wildlife products to XXX Rui, Wu XXX and others in China."</p>
11 Case number issued for each court decision		
	Shenyang Intermediate People's Court of Liaoning Province, Criminal Judgment (2015) Shen Zhong Xing-San-Chu-Zi No. 15	Zhejiang Higher People's Court, Criminal Judgment (2016) Zhe Xing Zhong No. 504

	15	16	17
9 Sentence			
9.1 Date of sentence	December 22, 2016	March 24, 2017	April 19, 2016
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	Two years in prison, suspended for three years, and a fine of RMB 30,000 The smuggled ivory seized in this case were confiscated.	Three years in prison, suspended for five years, and a fine of RMB 40,000 The smuggled ivory seized in this case were confiscated.	Three years in prison, suspended for five years, and a fine of RMB 30,000 The smuggled ivory seized in this case were confiscated.
10 Additional information			
	-	-	-
11 Case number issued for each court decision			
	Jinzhou Intermediate People's Court of Liaoning Province, Criminal Judgement (2016) Liao 07 Xing Chu No. 61	Shanghai Third Intermediate People's Court, Criminal Judgement (2016) Hu 03 Xing Chu No. 104	Shanghai Third Intermediate People's Court, Criminal Judgement (2016) Hu 03 Xing Chu No. 14

	18	19	20
9 Sentence			
9.1 Date of sentence	January 13, 2017	October 29, 2018 (the appeal trial)	May 15, 2017 (the appeal trial)
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	March 20, 2017 (the original trial: Tianjin No. 2 Intermediate People's Court, Criminal Judgement (2016) Jin 02 Xing Chu No. 112)	December 27, 2016 (the original trial: Dalian Intermediate People's Court, Liaoning Province, Criminal Judgment (2016) Liao 02 Xing Chu Zi No. 189)
9.3 Verdict (sentenced penalty)	<p>Five years and six months in prison and a fine of RMB 50,000 (Li Weitao)</p> <p>Five years in prison and a fine of RMB 50,000 (Qiu Jianping)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Three years in prison, suspended for three years, and a fine of RMB 50,000 (Luo Weikang)</p> <p>Two years in prison, suspended for two years, and a fine of RMB 30,000 (Zuo Qiuyu)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Six years in prison and a fine of RMB 200,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	Li Weitao and his defender argued that he legally purchased the ivory products from an auction in Japan. The judgement responded nothing about this question.	-	Lan also smuggled 1 piece of tiger skin from Japan to China.
11 Case number issued for each court decision			
	Shenyang Intermediate People's Court of Liaoning Province, Criminal Judgement (2016) Liao 01 Xing-Chu No. 102	Tianjin Higher People's Court, Criminal Judgement (2017) Jin Xing-Zhong No. 50	Liaoning Higher People's Court, Criminal Judgement (2017) Liao Xing Zhong No. 104

	21	22	23
9 Sentence			
9.1 Date of sentence	November 20, 2017	August 7, 2017	September 12, 2017
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>One year and three months, and a fine of RMB 10,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Ten years in prison and confiscation of personal property of RMB 20,000 (Yin Zhen)</p> <p>Eleven years in prison and RMB 500,000 of property confiscated (Sun Wei)</p> <p>Three years in prison suspended for five years and a fine of RMB 60,000 (Tian Yanzhong)</p> <p>Three years in prison suspended for three years and a fine of RMB 50,000 (Zhang Wen)</p> <p>Three years in prison suspended for three years and a fine of RMB 30,000 (Chen Jilei)</p> <p>One year in prison suspended for one year and a fine of RMB 10,000 (Lan Xiang)</p> <p>Ten months in prison suspended for one year and a fine of RMB 10,000 (Zhang Jian)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Ten years in prison and confiscation of personal property of RMB 20,000 (Sun)</p> <p>Three years in prison, suspended for five years and a fine of RMB 10,000 (Wang)</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	-	<p>Wang Jun purchased ivory from Japan, Ethiopia and other countries for many times.</p> <p>The results of the entry and exit record query confirmed that Wang Jun went to Macau four times, once to Hong Kong, once in Japan, once in the United Arab Emirates, once in Guinea-Bissau in 2014.</p> <p>He also purchased and exported 4 leopard skins worth RMB 240,000 from Ethiopia.</p>	-
11 Case number issued for each court decision			
	Beijing Fourth Intermediate People's Court, Criminal Judgement (2017) Jing 04 Xing-Chu No. 26	Hefei Intermediate People's Court of Anhui Province, Criminal Judgement (2017) Wan 01 No. 27	Langfang Intermediate People's Court of Hebei Province, Criminal Judgement (2017) Ji 10 Xing-Chu No. 33

	24	25	26
9 Sentence			
9.1 Date of sentence	February 28, 2017	September 4, 2017	April 26, 2017
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>Two years in prison, suspended for two years and a fine of RMB 20,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Five years and six months in prison and a fine of RMB 60,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Three years in prison, suspended for three years and a fine of RMB 30,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	-	-	-
11 Case number issued for each court decision			
	Shanghai The Third Intermediate People's Court, Criminal Judgement (2017) Hu 03 Xing-Chu No. 4	Shanghai The Third Intermediate People's Court, Criminal Judgement (2017) Hu 03 Xing-Chu No. 61	Shanghai The Third Intermediate People's Court, Criminal Judgement (2017) Hu 03 Xing-Chu No. 26

	27	28	29
9 Sentence			
9.1 Date of sentence	November 20, 2017	May 6, 2017	June 25, 2018
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>One year and six months in prison and a fine of RMB 30,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Three years and six months in prison and a fine of RMB 200,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>One year in prison, suspended for one year, and a fine of RMB 50,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	Cong Yuna also smuggled whale teeth.	Xie recognized that they have to cut whole tusks into pieces to bring them into China. Xie advised "Chen Mou 2" to buy a machine to process round beads.	-
11 Case number issued for each court decision			
	Shenyang Intermediate People's Court of Liaoning Province, Criminal Judgement (2017) Liao 01 Xing-Chu No. 97	Zhuhai Intermediate People's Court of Guangdong Province, Criminal Judgement (2017) Yue 04 Xing Chu No. 19	Jinzhou Intermediate People's Court of Liaoning Province, Criminal Judgement (2018) Liao 07 Xing-Chu No. 26

	30	31	32
9 Sentence			
9.1 Date of sentence	November 13, 2018	December 6, 2019	October 29, 2019
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>One year in prison, suspended for one year, and a fine of RMB 50,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Eight years in prison and a fine of RMB 80,000 (six years in prison and a fine of RMB 60,000 for the crime of smuggling precious animal products; six years in prison and a fine of RMB 20,000 for the crime of illegally selling precious and endangered wildlife products)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Five years in prison and a fine of RMB 10,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	-	He also smuggled red coral and Tridacina products.	-
11 Case number issued for each court decision			
	Shanghai Third Intermediate People's Court, Criminal Judgement (2018) Hu 03 Xing Chu No. 98	Beijing Fourth Intermediate People's Court, Criminal Judgement (2019) Jing 04 Xing Chu No. 43	Guangzhou Intermediate People's Court of Guangdong Province, Criminal Judgement (2019) No. 428, Xingchu, Yue 01

	33	34	35
9 Sentence			
9.1 Date of sentence	April 23, 2019	May 22, 2020	July 19, 2019
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>Two years in prison, suspended for two years, and a fine of RMB 100,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Two years in prison, suspended for two years, and a fine of RMB 100,000 (Zhang Jun)</p> <p>One year and six months in prison, suspended for two years, and a fine of RMB 80,000 (Zhang Qiang)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Three years in prison, suspended for three years, and a fine of RMB 20,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	-	-	-
11 Case number issued for each court decision			
	Shanghai Third Intermediate People's Court, Criminal Judgement (2019) Hu 03 Xing Chu No. 42	Tianjin Second Intermediate People's Court, Criminal Judgement (2019) Jin 02 No. 200	Tonghua Intermediate People's Court of Jilin Province, Criminal Judgement (2019) Ji 05 Xing Chu No. 24

	36	37	38
9 Sentence			
9.1 Date of sentence	October 21, 2019	November 17, 2020	August 14, 2020
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>Three years in prison, suspended four years and a fine of RMB 50,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Two years in prison, suspended for three years, and a fine of RMB 40,000 (one year and six months in prison and a fine of RMB 20,000 for the crime of smuggling precious animal products, and one year in prison and a fine of RMB 20,000 for the crime of illegally selling precious wildlife products)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>One year in prison, suspended for one year, and a fine of RMB 230,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	-	From July 2018 to September 2018, Zou Jiamian (the defendant) used the "Ebay" website to buy 2 ivory products from Europe, weighing 47.1 grams, through false declaration of the name of the ivory.	-
11 Case number issued for each court decision			
	Xi'an Intermediate People's Court of Shaanxi Province, Criminal Judgment (2019) Shaanxi 01 Xingchu No. 150	Changsha Intermediate People's Court of Hunan Province, Criminal Judgement (2020) Xiang 01 Xing Chu No. 39	Guangzhou Intermediate People's Court of Guangdong Province, Criminal verdict (2020) Guangdong 01 Xing-Chu No. 228

	39	40	41
9 Sentence			
9.1 Date of sentence	March 15, 2021	July 16, 2020	April 3, 2020
9.2 Date of sentence at the original trial for the case that was appealed / retried	-	-	-
9.3 Verdict (sentenced penalty)	<p>10 years in prison and confiscation of personal property of RMB 500,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Two years in prison, suspended for three years, and a fine of RMB 20,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Three years in prison and a fine of RMB 100,000 (Sheng Jianfeng) Three years in prison, suspended for five years, and a fine of RMB 200,000 (Cai Yong)</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	<p>Wang Lei said that the reason for using so many people's names is because using only one person's name may cause stricter surveillance by the customs. Wang Yu and Wang Lei sold smuggled ivory to their customers, uniformly describing ivory products as mammoth material.</p>	<p>Du also smuggled 8.125kg of narwhal tusk from Japan to China in the same way.</p>	<p>They also smuggled whale teeth products.</p>
11 Case number issued for each court decision			
	<p>Hefei Intermediate People's Court of Anhui Province, Criminal Judgement (2020) Wan 01 Xing Chu No. 59</p>	<p>Jinan Intermediate People's Court of Shandong Province, Criminal Judgement (2020) Lu 01 Xing Chu No. 31</p>	<p>Mianyang Intermediate People's Court of Sichuan Province, Criminal Judgement (2020) Chuan 07 Xingchu No. 3</p>

	42	43	44
9 Sentence			
9.1 Date of sentence	May 28, 2020	July 12, 2020	March 19, 2021 (the appeal trial)
9.2 Date of sentence at the original trial for the case that was appealed / retrialed	-	-	December 8, 2020 (the original trial: Intermediate People's Court of Urumqi City, Xinjiang Uygur Autonomous Region, Criminal Judgment (2019) New 01 Xingchu No. 279)
9.3 Verdict (sentenced penalty)	<p>One year and six months in prison, suspended for two years, and a fine of RMB 40,000</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>Six years in prison and a fine of RMB 250,000 (Lu Weimin)</p> <p>One year in prison, suspended for one year, and a fine of RMB 190,000 (Fu Yujun)</p> <p>The smuggled ivory seized in this case were confiscated.</p>	<p>10 years in prison and confiscation of personal property of RMB 100,000 (Ji Chengmin)</p> <p>10 years in prison and confiscation of personal property of RMB 100,000 (Tian Yu)</p> <p>Five years in prison and a fine of RMB 50,000 (Sang Xiaoguang)</p> <p>Three years in prison and a fine of RMB 10,000 (Zhang Lei)</p> <p>Immunity from criminal penalties (Chen Chao)</p> <p>The smuggled ivory seized in this case were confiscated.</p>
10 Additional information			
	-	They also smuggled 62 grams of Tridacna products and 3 grams of tortoiseshell products, the value of which could not be identified, and 34.5 grams of red coral products worth RMB 13,800.	They also smuggled red coral products.
11 Case number issued for each court decision			
	Nanchang Intermediate People's Court of Jiangxi Province, Criminal Judgement (2020) No. 21, Xingchu, Gan 01	Wenzhou Intermediate People's Court of Zhejiang Province, Criminal Judgement (2020) Zhejiang 03 Xingchu No. 67	Xinjiang Uygur Autonomous Region Higher People's Court, Criminal Judgment (2021) Xin Xing Zhong No. 45

9 Sentence	
9.1 Date of sentence	January 24, 2022
9.2 Date of sentence at the original trial for the case that was appealed / retried	-
9.3 Verdict (sentenced penalty)	Two years and six months, and a fine of RMB 170,000 The smuggled ivory seized in this case were confiscated.
10 Additional information	
	-
11 Case number issued for each court decision	
	Shanghai Third Intermediate People's Court, Criminal Judgement (2021) Hu 03 Xing Chu No. 140

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