

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



Fifty-fifth meeting of the Standing Committee
The Hague (Netherlands), 2 June 2007

Interpretation and implementation of the Convention

Species trade and conservation issues

Elephants

CONTROL OF TRADE IN AFRICAN ELEPHANT IVORY

1. This document has been prepared by the Secretariat.

Introduction

2. At its 54th meeting (SC54, Geneva, October 2006), the Standing Committee considered document SC54 Doc. 26.1 (Rev. 1) relating to the control of trade in African elephant ivory. In particular, it considered the Annex to the document, which described activities undertaken by the Secretariat to verify Japan's domestic ivory trade controls.
3. The Committee designated Japan as an ivory 'trading partner' in terms of the annotation to *Loxodonta africana* in Appendix II adopted at the 12th meeting of the Conference of the Parties (Santiago, 2002), i.e. that it could be an importing country for the stocks of ivory that could potentially be exported from Botswana, Namibia and South Africa. However, the Standing Committee requested that the Secretariat provide an update on the situation at the present meeting of the Committee.

Activities since SC54

4. During SC54, the Secretariat learned of a significant seizure of ivory that had occurred in Japan shortly before the Committee's meeting. It has stayed in close contact with the authorities of Japan in relation to this matter and welcomed the news that two persons had been arrested in connection with the attempt to smuggle approximately 2.8 tonnes of raw and worked ivory into Japan. The Secretariat has received confidential enforcement-related information regarding this incident and is aware that the authorities in Japan are communicating with the police in another country to identify the persons responsible for the illicit trade. The Secretariat is aware that the shipment was moved by sea in a container that was transhipped in Malaysia but it is not clear, at the time of writing, where it originated. Details of the seizure have been provided by Japan for entry into the ETIS database.
5. During discussions at SC54 in relation to Japan's ivory trade controls, a number of delegates expressed concern regarding certain elements of the system, namely the number of registered traders, ivory in personal ownership and the database that had been created to monitor the flow of ivory. The Secretariat has received further information from Japan regarding these issues, as follows.

6. The authorities in Japan have continued their efforts to promote widely its internal ivory control system. Over 2,000 posters have been distributed that explain the system in a manner relevant to both traders and customers. The posters emphasize that ivory cannot be re-exported from Japan. 20,000 leaflets, explaining the system in greater detail, have been printed and 14,000 of these had been distributed at relevant locations by the end of March 2007.
7. Efforts continue to promote new registrations, particularly among second-hand and antique dealers who might previously not have regarded themselves as being 'ivory traders'. Thus, by the end of March 2007, a further 910 dealers had been registered, bringing the total to 11,971.
8. Efforts continue to be made to encourage the registration of tusks in 'private' or 'personal' ownership, whether the holder intends to use the ivory for commercial purposes or not. The Law for the Conservation of Endangered Species of Wild Fauna and Flora regulates the transfer of ownership and/or the rights of possession of specimens of CITES Appendix-I species. The law regulates all transfers, even gifts. Between July 2006 and February 2007, a further 283 tusks were added to the tusk registration database. This figure includes 222 tusks owned by individuals. Consequently, by the end of February 2007, there were 6,200 tusks registered.
9. During one of its verification missions, an ivory trader advised the Secretariat that he believed banks and loan companies were holding ivory as security against loans and mortgages. The Secretariat had no reason to question this information and it was recorded in the mission report. However, the accuracy of this statement has since been questioned and the Secretariat asked for comments on this issue from the authorities in Japan. The following response was received. "It is unlikely that there are banks which accept ivory as security against loans and mortgages. It is also doubted and unrealistic that there are bank employees who can evaluate the value of ivory. In addition, with respect to the Law for the Conservation of Endangered Species of Wild Fauna and Flora, it is necessary to register ivory to the Ministry of the Environment (the Japan Wildlife Research Center) before depositing it in banks. The bank receiving the deposit also has to report it to the Ministry of the Environment (the Japan Wildlife Research Center). Since the introduction of the registration system of ivory in 1995, no report has been submitted by banks regarding this issue."
10. During discussions relating to an improved database that Japan had introduced to register traders and monitor the flow of ivory, a non-governmental organization questioned whether the database was operational, even though its working had been demonstrated to the Secretariat at the time of its 2006 mission. The Secretariat sought further information from the authorities in Japan on this matter and has been advised that, at the time of writing (April 2007), 83,000 items of data had been entered and the database was being used, as intended, to record details of stocks and trading. This information is collated from the periodic reports that dealers are required to submit.
11. During its mission to Japan in 2006, the Secretariat learned of a standard procedure that was being developed to provide guidance for inspection staff on how to respond to non-compliance with trade regulations or how to detect suspicious circumstances. The Secretariat recommended that the National Police Agency be invited to comment on the guidance before it was finalized. This has taken place and the guidance has now been distributed to regional offices of government departments whose work will bring them into contact with the trade in ivory.

Conclusion

12. The Secretariat's report at SC55 was requested to be comprehensive and it has attempted to provide as much information as is available at this time. The Secretariat intends to provide orally any further information that it might receive so that the Committee may have the most up-to-date information. The only additional activity that the Secretariat might have undertaken before the present meeting would have been to visit Japan for a third time but it has not resources to do so.
13. The Secretariat was asked to refer to ETIS in reporting at the present meeting but is unable to do so at this time, as the analysis of ETIS data has yet to be completed.

14. At the time of writing, the Secretariat has no reason to alter its opinion that the national legislation and domestic trade controls of Japan are adequate to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP12) concerning domestic manufacturing and trade. Neither has it any reason to recommend that the Committee review its decision to designate Japan as a trading partner.
15. Some additional information relating to trade in ivory in China is included in the Secretariat's mission report that has been published as an Annex to document CoP14 Doc. 52 and the Secretariat encourages Parties to review this.