

14 August 2017

Subject: Report on Further Actions Taken by Japan to Combat Illegal Trade in Ivory

Further to the letter dated 29 May 2017 from Secretary-General Mr. John E. Scanlon, addressed to Japan's Management Authority in which the Secretariat invited Japan to consider providing it with a report on any further measures taken to combat illegal trade in ivory, the Government of Japan hopes to once again emphasize its determination to continue implementing a thorough and strict control over trade in ivory and hereby submits the following information on additional activities undertaken by Japan as well as on the state of enforcement against illegal trade in ivory, to follow up on the previous information which the Government submitted on 19 January 2017.

(1) Revision of a Relevant Law

The amended *Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES)*, which includes stricter regulations for business operators involved in domestic ivory trade, was enacted on 2 June 2017. It will enter into force by 1 June 2018 at the latest (precise date is to be determined).

The outline of the amendment mentioned above related to ivory is as follows:

- a) The regulation of manufacturing and sales of ivory products, which is currently based on a notification system whereby a business operator is to report to the authorities its intention to be engaged in domestic commercial trade, will be changed so as to require a registration of business. Specifically, business applicants interested in manufacturing and sales of ivory products will be screened through the registration process. Once registered, the registration will be valid for five years, and will then be subject to renewal every five years. If registration is revoked due to the violation of LCES and the regulations based on that Law, re-registration will not be permitted for the next five years.
- b) Mandatory registration of whole ivory tusks owned by business operators will be introduced.
- c) Business operators' obligation to keep records on inventory (kanrihyou) of whole ivory tusks from which cut pieces, etc., were sourced will be introduced.
- d) Display of information such as business operators' registration numbers at the time of sales and advertising of ivory products will become mandatory.
- e) Registered business operators list will be publicized.
- f) Stricter penalties for business operators involved in domestic ivory trade in violation of the law will be introduced (introduction of imprisonment with labor and a significant increase in fines, from ¥500,000 to a maximum of ¥100,000,000).

In conjunction with promulgating the amended Law, the Ministry of the Environment (MOE) is aiming to identify the situation of the whole tusks stock owned by the individuals in Japan to the maximum extent possible, through its awareness-raising outreach towards the public.

(2) Activities Undertaken by the “Public-Private Council for the Promotion of Appropriate Ivory Trade Measures”

As explained in the information document CoP17 Inf.57, the Public-Private Council was established in May 2016 and its constituent members have conducted or have been conducting the followings activities.

- a) MOE and the Ministry of Economy, Trade and Industry (METI) have been conducting on-site inspections periodically to business operators (manufacturers, wholesalers and retailers) related to the trade in ivory and ivory products as set forth in LCES. In case violations of LCES by the business operators are found as a result of the on-site inspections, strict responses will be taken by these Ministries, including administrative punishments. In this context, since Japan’s previous submission of information in January 2017 to the Secretariat, one manufacturer was punished under LCES following an on-site inspection and the case was made public.
- b) Ministry in charge of control of export and import (METI) has thoroughly informed customs brokers, international logistics operators, retailers and travelers both at home and abroad to make sure that they fully understand the in-general ban on ivory and ivory-product exports by putting up posters and notifications at airports and harbors in Japan, the Chinese Embassy in Tokyo, the Japanese Embassy in Beijing and Consulate-Generals in China.
- c) Japan Federation of Ivory Arts and Crafts Associations, consisting of manufacturers of ivory products, held a lecture in January 2017 for its members and non-member manufacturers of such products, inviting staff from MOE, METI and NGO as lecturers, in order to increase the nation-wide awareness on legal ivory trade system among these manufacturers.
- d) The providers of online market place including ivory and ivory products are continuously taking measures such as conduct of voluntary online patrols, deletion of illegally placed items for sale, and prohibition of placement of ivory and ivory products that advertise overseas shipping in their websites.
- e) An interim report will be compiled for publication to introduce the outline of the amendment of LCES as well as further efforts made and measures taken by the Public-Private Council members as a follow-up.

(3) Situation on Exposed Illegal Import-Export Cases/ Measures Implemented to Prevent and Detect Illegal Shipments of Ivory from Japan

Recently, only a few cases of suspension on the import of ivory and ivory products have been witnessed by the Japan Customs each year. The situation was similar in 2016.

Japan submitted four ETIS reports on seizure of elephant ivory by the Japan Customs after COP17 to date. The items that have been seized in the above-mentioned four cases were those sent by international mails or brought as personal effects of air flight passengers, and were mainly small-sized ivory products.

As such, no large-scale smuggling of ivory and ivory products into and from Japan has been found.

(4) Situation on Exposed Domestic Cases of Trade in Ivory

Six cases of ivory trade in violation of LCES were detected in Japan in 2016. There was no evidence of the case being related to smuggling.

(5) Measures Implemented and Activities Conducted to Share Information with the Chinese Customs Authorities and Chinese CITES Management Authorities to Combat Illegal Trade in Ivory

In April 2017, Japan Customs conducted discussion with China Customs on prevention of smuggling ivory and other possible cooperation between the customs authorities of the two countries. The both sides confirmed the importance of cooperation between the two authorities and agreed to enhance their cooperation.

On 9 May 2017, METI, the CITES Management Authority of Japan, with the presence of relevant Ministries and Agencies, held a bilateral meeting in Tokyo with the CITES Management Authority of China, to discuss CITES-related issues including trade in ivory. At the meeting, Japan and China exchanged views on CITES-related bilateral issues including trade in ivory and confirmed the importance of cooperation between the two major countries in Asia. Furthermore, both countries agreed to continue to discuss issues of mutual interest and strengthen efforts to eradicate illegal trade in endangered species of wild fauna and flora including ivory.

(6) Awareness Raising Activities to Combat Illegal Trade in Ivory

Since November 2016, METI and MOE held meetings with 13 commercial or industrial organizations (excluding organizations that are members of the Public-Private Council) that may potentially trade ivory and ivory product, to inform the domestic regulations on trade in ivory set out in LCES.

Succinct overview of the amended LCES relating to regulations on ivory trade in Japan (as explained in above section (1)) is posted on the MOE website both in Japanese and in English to announce the strengthening of management of domestic ivory trade.

<https://www.env.go.jp/en/nature/biodiv/zougetorihiki.html>

(7) Supporting African Elephants Range State to Fight Against Poaching and Illegal Trade in Ivory Thereof

In order to fight against poaching of African elephants and illegal trade in ivory thereof, Japan supported a project under the Monitoring of Illegal Killing of Elephants (MIKE) Programme and made a voluntary contribution in the amount of USD \$60,000 via CITES Secretariat in 2016 for the establishment of a strategic anti-poaching operations centre in Zimbabwe. The centre is expected to be handed over to Zimbabwe authorities in 2017.