

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

Sixty-ninth meeting of the Standing Committee
Geneva (Switzerland), 27 November -1 December 2017

Species specific matters

Elephants (Elephantidae spp.)

IMPLEMENTING THE COP17 DECISIONS ON IVORY STOCKS AND STOCKPILES

1. This document has been submitted by Burkina Faso, Congo, Kenya and Niger.*
2. Summary: This document requests that the Standing Committee help facilitate the implementation of Decisions 17.171-172 regarding ivory stockpiles and in particular the preparation of practical CITES guidance for the management of stockpiles, including their disposal. It should be noted that this guidance is not designed to be prescriptive to any Party, but rather to highlight options and best practice.

Background

3. As highlighted by the latest data from the CITES programme for Monitoring Illegal Killing of Elephants (MIKE) released in March 2017,¹ the levels of poaching of African elephants, most of which are listed in CITES Appendix I,² remains high. According to MIKE data for 2016, "Africa-wide elephant populations are still in decline, with serious threats to populations in Central and West Africa, and some improvements in parts of Eastern Africa." The poaching of elephants and flow of ivory out of Africa is a continuing crisis. 124 large-scale seizures of elephant ivory representing approximately 229 tonnes³ were reported between 2000 and 2016. In July 2017, Hong Kong SAR Customs authorities reported one of the largest ever seizures of elephant ivory tusks, consisting of 7.2 tonnes and accounting for the poaching of an estimated 700 elephants.⁴ In the same month, Vietnamese police seized 2.7 tonnes of ivory hidden in a fruit lorry and believed to originate from South Africa.⁵
4. The CITES Parties have adopted Resolution 17.8 on confiscated specimens which recommends that "... Parties dispose of confiscated and accumulated dead specimens of Appendix-I species, including parts and derivatives, only for *bona fide* scientific, educational, enforcement or identification purposes, and save in storage or destroy specimens whose disposal for these purposes is not practicable."⁶

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

¹ CITES Press Release Geneva/New York/Nairobi, 3 March 2017: African elephants still in decline due to high levels of poaching. https://cites.org/eng/news/pr/2016_trends_in_African_elephant_poaching_released_%E2%80%93_CITES_MIKE_programme_03_032017

² The populations of Botswana, Namibia, South Africa and Zimbabwe are listed in Appendix II, subject to conditions detailed in an annotation adopted by the Conference of the Parties: <https://cites.org/eng/app/appendices.php>.

³ https://eia-international.org/wp-content/uploads/EIA_Large-scale-ivory-seizures_V3-January-2000-to-December-2016.pdf

⁴ On 4 July 2017 Hong Kong Customs seized about 7.2 tonnes of ivory tusks, in a container of fish from Malaysia. See: <http://www.info.gov.hk/gia/general/201707/06/P2017070600499.htm>

⁵ https://phys.org/news/2017-07-tonnes-ivory-seized-vietnam_1.html

⁶ Resolution Conf. 17.8, at <https://cites.org/sites/default/files/document/E-Res-17-08.pdf>

5. While a small proportion of seized ivory is destroyed by Government authorities after seizure, in most cases, especially in countries on the main global ivory smuggling routes, seized ivory is added to official stockpiles, presenting Governments with a continuing logistical and resource allocation challenge of storing or destroying it safely. In many cases, seized ivory becomes part of Government stockpiles while criminal cases are investigated and prosecuted, but the storage or disposal of these stockpiles of seized ivory remains a significant issue after legal cases are closed.
6. Although CITES Parties have been requested to report their government and privately held stockpiles of ivory to the CITES Secretariat since 1997,⁷ the response rate on these vital reports is very low, and as such comprehensive, recent data on the size of global or country-specific stockpiles is lacking. In 2014, an attempt was made to estimate global Government-held ivory stocks for the Standing Committee at its 65th meeting. It was estimated that: “a minimum of 816 tonnes of African elephant ivory has been stockpiled or seized from 1989 through October 2013. Some of these stockpiles are very large, in the range of 50-100 tonnes. Even this is likely to be a significant underestimate of global ivory stocks.”⁸
7. Decisions on stockpiles agreed at CoP17 (2016) and the 65th and 66th meetings of the Standing Committee (2014 and 2016) recognized that the security burden and cost for Parties in managing or disposing of large and growing ivory stockpiles could be lightened through the wide dissemination of best practices and the development of comprehensive guidance for their management, including disposal.
8. At CoP17, Parties adopted the following two Decisions, directed to the CITES Secretariat and Standing Committee respectively:

Decision 17.171 directed to the Secretariat

Where appropriate, the Secretariat shall, in collaboration with Parties and subject to external funding:

- a) *develop practical guidance for the management of ivory stockpiles, including their disposal, based on an analysis of best practices and in accordance with provisions in Resolutions Conf. 17.8 on Disposal of illegally traded and confiscated specimens of CITES-listed species and Conf. 10.10 (Rev. CoP17) on Trade in elephant specimens;*
- b) *disseminate the guidance to the Parties and make it available on the CITES website; and*
- c) *report on the implementation of this Decision as part of its regular reporting to the Standing Committee on the implementation of Resolution Conf. 10.10 (Rev. CoP17), prior to the 18th meeting of the Conference of the Parties.*

Decision 17.172 directed to the Standing Committee:

The Standing Committee shall make recommendations for consideration at the 18th meeting of the Conference of the Parties as appropriate.

This decision directing the Secretariat to develop practical guidance on the management of ivory stockpiles, including their disposal, is essentially an adoption of the Standing Committee’s agreement, at its 66th meeting in January 2016, “to propose a decision for consideration at CoP17 to request the Secretariat, subject to available resources, to provide guidance in accordance with the provisions of Resolutions Conf. 9.10 (Rev. CoP15) and Conf. 10.10 (Rev. CoP16) on “best practices” for the management of legal and illegal ivory stockpiles.”⁹

This recommendation reiterates a previous request by the Standing Committee at its 65th meeting in July 2014, that the Secretariat “provide guidance, in accordance with the provisions of Resolutions Conf. 9.10 (Rev. CoP15) and Conf. 10.10 (Rev. CoP16) on “best practices” for management of legal and illegal ivory

⁷ Resolution Conf. 10.10 (Rev CoP17) paragraph 6(e) <https://cites.org/sites/default/files/document/E-Res-10-10-R17.pdf>. This provision updates a long-standing recommendation dating back to 1997 that Parties maintain an inventory of their raw ivory stocks and inform the Secretariat annually of its level, and the source of the ivory. It appears that inadequate data from these returns is the main reason why comprehensive, updated CITES data on raw ivory stockpiles is unavailable to Parties. The CITES Secretariat issued notifications in December 2013, January 2015 and January 2017 reminding CITES Parties of the revised reporting provision but, as yet, no data on country-specific ivory stockpiles has been published.

⁸ SC65 (2014) Doc. 42.7, Disposal of Ivory Stocks, available at: <https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-42-07.pdf>

⁹ SC66 Sum. 3 (Rev. 1) (12/01/16), available at: <https://cites.org/sites/default/files/eng/com/sc/66/ExSum/E-SC66-Sum-03.pdf>

stockpiles and make it available to Parties” and report on progress made to the 66th Standing Committee meeting.¹⁰

Current situation and conclusions

9. More than three years have now passed since the initial recommendation by the Standing Committee to prepare CITES technical guidance on management or disposal of ivory stockpiles. However, this guidance has yet to be issued. The absence of external funding to carry out the necessary research and analysis is the main reason given. Prior to CoP17, the Secretariat estimated that the preparation of these guidelines could cost “up to 150, 000 USD.”¹¹
10. Although lack of external funding has been cited as the reason this remit has not been carried out, much of the material needed to compile the guidance proposed is already available, covering, for example, ivory inventories, sampling and management. It is noted that, these materials were offered to the Secretariat in September 2016 at no cost by the organization Stop Ivory (SI) and the Government-led Elephant Protection Initiative (EPI); notably, manuals and other guidance developed and tested in the field, linked to a software application, which can be used on computers or smartphones and an Inventory Protocol developed in cooperation with the CITES Secretariat, Ernst & Young (EY) and the University of Washington.¹² The Secretariat is therefore already familiar with these materials, which have been used by a number of Parties to inventory and manage their stockpiles, and in some cases destroy them.¹³ A former senior officer in the Secretariat was closely involved in the development of this material both as an officer and subsequently as a consultant whose technical competence was endorsed by the Secretary-General. Key documents can be accessed at <http://stopivory.org/resources/> and include:
 - a 30-page Protocol for Planning and Conducting Ivory Inventories (available in English, French and Portuguese)
 - a training presentation on stockpile management using a case study from East Africa
 - a briefing note on the Stockpile Management App
 - 3 user manuals for the Stockpile Management System covering: a) use of the App; b) use of the server; and c) administration (available from SI)
 - a briefing note on destruction via the most common method (burning), also available from SI.
11. Given the availability of this and other existing material, the funding requirements necessary to compile CITES guidance should not be substantial. It is considered that, the original estimate given by the Secretariat prior to CoP17 that this task would cost “up to 150,000 USD” did not take into account that extensive material is already available. In our view, there is no need to “reinvent the wheel”. The proponents(s) are informed that, there has been informal communications between NGOs and the Secretariat earlier this year and there is indications that, the costs are likely to be substantially lower than the initial estimate. Current estimates range from US\$20,000 to a maximum of US\$50,000. This should allow the Secretariat to check existing material and to compile information from Parties and experts on best practice derived from the various examples of stockpile disposal in recent years.

Recommendations

12. The Standing Committee is requested to:

¹⁰ It was further specified that guidance could include: “*inter alia* security, inventory procedures, transparency in tracking, reporting costs of storage/security, destruction options, DNA sampling and analysis, pre-and post-destruction monitoring, and the use of residual material.” SC 65 Com 69 paragraph b) and d) <https://cites.org/sites/default/files/eng/com/sc/65/com/E-SC65-Com-09.pdf>

¹¹ CoP17 Doc. 57.1 Annex 6, available at: <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-57-01.pdf>

¹² See: <http://stopivory.org/> and <https://www.elephantprotectioninitiative.org/>

¹³ Countries that have used the SI protocols to inventory ivory are Angola, Chad, Ethiopia, Gabon, Kenya, Malawi, Mozambique, Republic of Congo, South Sudan and Uganda. Countries that have destroyed ivory stocks following an inventory are Angola, Chad, Ethiopia, Gabon, Kenya, Republic of Congo and South Sudan.

- a) Seek a timeframe and detailed cost estimate from the Secretariat for completing the work detailed in Decision 17.171, taking into account and making use of the available existing material, and further information to be obtained from Parties and experts;
- b) Renew the call for further external contributions to ensure that the Decisions adopted by CoP17 can be fully and swiftly implemented; and
- c) Acknowledge the contributions in kind already made as well as any subsequent financial or other contributions made prior to, or during SC 69.