

IMPLEMENTATION OF PROVISIONS RELATING TO DOMESTIC IVORY MARKETS CONTAINED IN  
RESOLUTION CONF. 10.10 (REV. COP17)

RESPONSES PROVIDED BY PARTIES TO NOTIFICATION 2017/077

**Australia**

Australia is committed to combatting elephant poaching and illegal trade in elephant ivory and supports strongly the closure of domestic ivory markets that are driving poaching and illegal trade.

There is no evidence that Australia's small domestic market is contributing to poaching and trafficking of ivory and wildlife trade laws are strong.

**Current regulatory regime:** Australia implements strict rules limiting the import and export of elephant ivory. These rules have been implemented since 1990 and are stricter than CITES requirements. Under Australia's national environment legislation (the Environment Protection and Biodiversity Conservation Act 1999), imports and exports of elephant ivory can only occur:

- if the ivory is pre-Convention (this also applies to the import and export of hunting trophies);
- as part of a non-commercial exchange of scientific specimens between registered institutions; or
- for research, education or exhibition purposes.

Possession of illegally imported ivory is an offence under Australia's national environment legislation. Contravention of Australia's wildlife laws is punishable by fines up to AUD210,000 for an individual and up to 10 years imprisonment.

**Côte d'Ivoire**

There is no legal domestic ivory market in Côte d'Ivoire. The country has banned national ivory trade and has closed all its domestic ivory markets following the adoption of Decree No. 97-130 of 7 March 1997 regulating the possession of ivory on the national territory.

**European Union**

The EU and its Member States are firmly committed to combating elephant poaching and ivory trafficking. Addressing this problem is a cornerstone of the EU Action Plan against wildlife trafficking and many initiatives have been taken in the last years to reinforce the actions by the EU and its Member States against elephant poaching and ivory trafficking. As part of their approach against illegal ivory trade, the EU and its Member States:

1. have developed a comprehensive set of rules governing trade in ivory specimens within the EU;
2. have suspended the re-export of raw ivory since July 1st, 2017;
3. have ranked the implementation of these rules as a top priority for enforcement agencies in the EU Member States;
4. are examining whether additional restrictions on ivory trade in the EU are warranted to ensure that the EU domestic market does not contribute to elephant poaching or illegal ivory trade;
5. have provided considerable support to other Parties with capacity building initiatives and to CITES and other international organizations (notably ICCWC members) for their actions against elephant poaching and ivory trafficking.

**Status of the legality of the ivory domestic market in the EU**

The CITES Convention is implemented in the EU through Regulation (EC) No 338/972 and associated Commission Regulations (EU Wildlife Trade Regulations). In the case of elephant ivory, the EU has in addition adopted measures which are stricter than CITES provisions. As a result, trade in ivory is strictly regulated in the EU through the EU Wildlife Trade Regulations and trade to, within and from the EU of ivory for commercial purposes is generally not permitted. Intra-EU trade and the re-export of ivory for commercial purposes are only permitted under the following conditions:

- intra-EU trade is authorised for ivory items only when it can be demonstrated that the related specimens were imported into the EU before the elephant species was listed in Appendix I of CITES (18 January 1990 for African elephant and 1 July 1975 for Asian elephant). Intra-EU trade can only occur if a certificate has been issued to this effect by the relevant EU Member State (except for 'worked specimens'<sup>1</sup> proven to be acquired before 3 March 1947, which can be traded in the EU without a certificate). Such certificates are issued on a case by case basis, meaning that each potential sale is thoroughly scrutinized before being authorised. These rules apply to commercial transactions of ivory items all across the EU, including for commercial transactions occurring within a Member State;
- re-export from the EU is authorised for ivory worked specimens acquired before the date on which CITES became applicable to them, i.e. 26 February 1976 for African elephants and 1 July 1975 for Asian elephants. A stricter regime is in place for the re-export of raw ivory from the EU to 3rd countries, which is not possible any longer, pursuant to the recommendations by the European Commission in its guidance document on ivory trade that EU Member States should stop issuing re-export certificates for raw ivory from 1st July 2017<sup>2</sup>.

These rules go beyond the requirements set out in CITES and are more stringent than the rules governing domestic ivory trade in many other Parties.

### **Implementation of the CITES and EU rules on ivory trade**

The above-mentioned guidance document on ivory trade by the European Commission contains detailed and strict recommendations on the implementation of the EU rules on ivory trade. This includes provisions on the conditions under which evidence to demonstrate legal acquisition can be accepted by the Member States Management Authorities before they may issue certificates, as well as on the marking, registration and other means aimed to identify ivory items.

In addition, the EU and its Member States have considerably reinforced their enforcement response against illegal ivory trade into, within or from the EU. Addressing ivory trafficking is one of the top priorities defined at EU level for the enforcement of CITES. The issue is systematically discussed with the EU wildlife trade enforcement group, which gathers twice a year all enforcement agencies from the EU Member States, the European Commission, as well as EU and international agencies (Europol, Eurojust, Interpol, CITES, UNODC, WCO). A dedicated working group was created within the Enforcement group to focus more particularly on ivory trafficking. As a result of these enhanced enforcement efforts, more than 2 tonnes of ivory were seized in the EU in 2016<sup>3</sup>.

A large majority of these seizures related to ivory items which were not destined to the EU market and which consisted of:

- ivory items in transit through European airports or mail centres from Africa to Asia;
- ivory items about to be re-exported without the required documentation from Europe to Asia (mostly pre-Convention ivory items).

In some cases, ivory items were seized in the territories of EU Member States; while investigations are ongoing to determine the origin and final destination of some of these commodities, ivory items seized within the EU are generally pre-Convention items. A joint operation was carried out under the umbrella of the Western Europe Regional Intelligence Liaison Office (RILO) of the World Customs Organisation and Europol at the end of 2017, targeting especially export of ivory through postal and courier parcels.

The cooperation with third countries, notably destination countries such as China and Vietnam, on enforcement of CITES rules on ivory has also been increased in the last years. EU Member States are also actively working on international enforcement cooperation against ivory trafficking through Interpol and its dedicated working group on wildlife trafficking.

### **Links between the EU domestic ivory market and elephant poaching or illegal ivory trade**

In line with paragraph 3 of CITES Resolution 10.10, the possible links between the EU domestic ivory market and elephant poaching or illegal ivory trade are being investigated thoroughly by the EU and its Member States. To this end, the data relating to illegal and legal ivory trade affecting the EU is being scrutinised, as well as information from relevant stakeholders (sectors involved in legal ivory trade in the EU; NGOs; researchers...). The European Commission organised between 15 September and 8 December 2017 a wide public

<sup>1</sup> For a definition of « worked specimens », see <http://eur-lex.europa.eu/legalcontent/EN/TXT/PDF/?uri=CELEX:52017XC0517i02t&from=EN>

<sup>2</sup> [http://ec.europa.eu/environment/cites/pdf/guidance\\_ivory.pdf](http://ec.europa.eu/environment/cites/pdf/guidance_ivory.pdf)

<sup>3</sup> More information on important seizures carried out by EU Member States can be found here: [http://ec.europa.eu/environment/cites/pdf/reports/2016\\_overview\\_significant\\_seizures.pdf](http://ec.europa.eu/environment/cites/pdf/reports/2016_overview_significant_seizures.pdf)

consultation on ivory trade in the EU. Its purpose was to gather data on legal and illegal ivory in the EU, as well as to collect views on future EU priorities against ivory trafficking, including on the need to further tighten the current EU rules on ivory trade. This consultation attracted considerable attention as about 90 000 responses were received. More information on this consultation and its outcomes is available online<sup>4</sup>.

A dedicated meeting with many interest groups (NGOs, antique sector, music sector, ivory carving/production, hunting organisations, online trade, museums...) took place in Brussels on 8 December 2017 for the closure of the consultation.

The information available so far shows that important quantities of old ivory items are present in the EU, which were imported into EU Member States before elephant species were included in CITES Appendix I. In addition, the overall demand for ivory items in the EU seems to have decreased over the last decades, in contrast to the demand from other countries. This, as well as seizure and investigation data, seems to indicate that the EU market is not attracting ivory items of illegal origin from recently poached elephants.

It is however important to assess if the current rules and enforcement efforts in the EU are sufficient to make sure that legal trade of ivory items within and from the EU do not contribute to elephant poaching or illegal trade in ivory. An issue of particular relevance in that context for the EU and its Member States is to avoid the risk that ivory items acquired in the EU and then exported to third countries<sup>5</sup> could fuel the demand for illegal ivory items and undermine enforcement and demand reduction activities. For this reason, the EU and its Member States will consider carefully the findings of the recent EU public consultation on ivory and all other relevant information and data and determine the next steps including possible adoption of additional EU measures regarding ivory trade. The EU and its Member States will provide additional information to the CITES Secretariat on the issues subject to Notification 2017/77 in due time before the 70th Standing Committee.

### **Greece**

- No ivory or any other elephant produce has been seized by any Greek CITES Authority during the past years
- There is no information or data available on ivory or any other elephant product seizures occurred since 1989 by any Greek CITES Management Authority that not been reported to ETIS.

### **Hong Kong SAR, China**

The Government of Hong Kong Special Administrative Region of China wishes to inform CITES Parties that it is going to implement a three-step plan to phase out the trade in elephant ivory by the end of 2021, and to impose heavier penalties to enhance deterrent against illicit trade in endangered species.

The details of the three-step plan are as follows:

**Step 1:** The import and re-export of all elephant hunting trophies and those non pre-Convention ivory items<sup>1</sup> will be banned from 1 May 2018. The relevant penalties will be increased significantly to a maximum fine of HK\$ 10,000,000 and imprisonment for 10 years. The new penalties will apply to all CITES-listed species including elephants.

**Step 2:** The import and re-export of pre-Convention ivory (except for antique ivory<sup>1</sup>) will be banned from 1 August 2018. Import of antique ivory will require an import permit in addition to an export permit.

**Step 3:** The local trade in all elephant ivory (except antique ivory) will be banned from 31 December 2021.

### **Japan**

The enforcement of the amended Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES) which came into effect on 1 June 2018, and other related initiatives launched in line with that enforcement, have further tightened Japan's regulations on ivory transactions within its own borders, which are already on par with those of other major countries. The Government of Japan emphasizes its firm

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<sup>4</sup> [https://ec.europa.eu/info/consultations/public-consultation-ivory-trade-eu\\_en](https://ec.europa.eu/info/consultations/public-consultation-ivory-trade-eu_en)

<sup>5</sup> Such as China and Hong Kong SAR that recently announced the closure of their domestic markets

determination to further contribute to the conservation of elephants by strictly implementing regulations for the import and export of ivory under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) through below mentioned measures and initiatives, and also by continuing to ensure that Japan is not contributing to poaching and illegal ivory trade.

- As stipulated by the law from before the recent amendment, the ivory items that can be sold legally in Japan are limited to the following, all of which had been brought legally into Japan in the past. This means that ivory transactions within Japan's own borders are not contributing to the current poaching of elephants.
- Whole ivory tusks, cut pieces of ivory and worked ivory products that had pre-existed in Japan ahead of the adoption of CITES trade ban (in 1980<sup>6</sup> for Asian elephants and 1990 for African elephant).
- Whole ivory tusks, cut pieces of ivory and worked ivory products which were imported to Japan with pre-convention certificates issued by exporting countries under CITES.
- Whole ivory tusks which were imported to Japan in 1999 and 2009, as exceptions approved under CITES.

#### 1. Tightening Regulations under the Law

The enforcement of the amended LCES on 1 June 2018 tightened Japan's control over ivory transactions within its own borders. Specifically, business operators handling ivory products are now subject to registration requirements with the government, in order to engage in the business (the registration must be renewed every five years). This represents a change from just having to file a notification previously in entering the business. The registration of business operators involves rigorous examination of each application, which put them under more thorough control.

Furthermore, the following obligations are imposed upon the registered business operators.

- Every single whole ivory tusk is subject to registration requirements. A registration card must be attached on every tusk that is put up for sale.
- A traceability information form must be prepared for every cut piece and every worked product of ivory that weighs over 1 kg and exceeds 20cm. The form must be attached on every cut piece and every worked product of ivory that is put up for sale. Business operators must keep a copy of the form for 5 years after the transaction.
- A record must be prepared for every transaction of cut piece and worked products of ivory, indicating its source, buyer, weight, characteristics, and other specifics, and must be kept for five years.
- Relevant information including a registration number and the name of a business operator, its address and the expiration date of the registration must be indicated for cut piece and worked products of ivory that are put on display for sale as well as on their advertisements.

The amended LCES has significantly stiffened its penalties. An operator in breach of the obligations of the law is liable to a maximum fine of up to JPY 100 million (about USD 910,000) (in case of a corporation) and/or a maximum prison sentence of up to five years, while the registration for business operations of such an operator will be nullified (such an operator cannot be registered for five years after the nullification of its registration). Moreover, based on the amended LCES, the registry of business operators has been made public from 1 June 2018, and thereby transparency for consumers has been secured.

#### 2. Control over Ivory Business Operators and Dissemination of information on Relevant Legislation

##### a) Strengthening of Surveillance System for Domestic Ivory Transactions

In order to strengthen the surveillance over domestic ivory transactions including online transactions, the number of officials of the Ministry of the Environment (MOE) responsible for monitoring domestic ivory transactions has been increased from April 2018. Domestic market surveillance has been jointly carried out with officials of the Ministry of Economy, Trade and Industry (METI) in charge of overseeing ivory products. Additionally, police authorities across Japan have also been exercising control over ivory transactions.

##### b) Taking Strict Actions Against Violations of the Law by Business Operators

On-site inspections were conducted against 44 business operators in fiscal year (FY) 2015, 50 operators in FY 2016 and 53 operators in FY 2017. During the above period, three business operators were sanctioned with administrative punishments due to their violation of the LCES obligations, which were made public. One

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<sup>6</sup> Japan joined CITES in 1980

of the aforementioned violators was prosecuted later, and was proven guilty for illegal transactions of non-registered whole ivory tusks. However, all of those illegally sold tusks were lawfully imported, and none of the above three cases was related to smuggling.

c) Awareness Raising on Regulatory Compliance to Secondhand Dealers

In December 2017, MOE and METI jointly requested via the National Police Agency each prefectural police department to remain vigilant vis-a-vis business operators and related business operators' organizations handling antiques listed below to raise their awareness on regulatory compliance.

- The Antique Dealers Crime Prevention Associations Federation of Tokyo
- The Japan Reuse Affairs Association
- The Nationwide Pawnshop Union Alliance Society

In addition, round patrol in flea markets was conducted in light of some antique dealers, non-compliance with the LCES being pointed out, to give necessary instructions to tenants and organizers of the flea markets to ensure that they comply with the law.

d) Publicity Efforts on Certified Ivory Product Labels

The organization of stamp material wholesalers and seal retailers requested their respective members to cooperate on further use of the voluntary labelling system. (Under this system, a business operator can receive labels to put on accessories, ornaments, stamps, and other items, made of ivory that the operator obtained with a registration card or a traceability information form.)

e) Further Dissemination of Information Concerning the Amended LCES

In September 2017 and May 2018, a document outlining the amended LCES was sent to more than 12,000 business operators that handle ivory and filed notifications to the competent Ministers, aiming to raise awareness on compliance with the amended LCES. In March 2018, workshops focused on the amended LCES for business operators, co-organized by MOE and METI, were held in 10 cities throughout Japan.

Continuous efforts are being made to disseminate information concerning relevant regulations including through workshops organized by business associations.

On 1 June 2018, the date of which the amended LCES came into effect, the Minister of the Environment made public at a press conference the contents of the amended LCES and measures to further ensure appropriate ivory transactions. In addition, the contents of the amended LCES were posted on the website of MOE.

In order to promote understanding by the international community, the contents of the amended LCES and measures to further ensure appropriate ivory transactions were disseminated to foreign media outlets on the same day. Also, upon a request from the Government of Japan, the CITES Secretariat disseminated the same information through its SNS, and shared it among parties to CITES through the Notification to the Parties. Furthermore, the contents of amended LCES have been posted on the websites of MOE and the Ministry of Foreign Affairs (MOFA) in English.

### 3. Actions taken by Business Operators

a) Eliminating Illegal E-Commerce

Given the tightened voluntary regulations such as introduction of stricter exhibition rules and intensified online patrols by major providers of online marketplaces, unnotified business operators on major online shopping malls have almost disappeared. In addition, the providers are taking further voluntary regulatory measures including stopping handling ivory in their online marketplaces.

\*From June 2018, the amended LCES obligates registered business operators to post their registration numbers at the time of display or advertisement of ivory products even on the online marketplaces. An operator in breach of the relevant laws and regulations will be subject to strict sanctions.

b) Workshop by Ivory Manufacturers Associations

In May 2018, a workshop on the regulatory system intended for ivory manufacturers was held with the cooperation of MOE and METI.

### 4. Import and Export Control

a) Publicity Efforts Towards Industries and Travelers

Along with an awareness raising effort by sending out a notification letter regarding the ban on ivory import/export to related industries, the Government of Japan is disseminating the information to travelers through displaying posters and digital signage at major airports and harbors, and also conducting a joint

campaign by TRAFFIC and the Customs to inform travelers of necessary procedures for exporting and importing CITES-listed species including ivory.

b) Sharing Information and Tightening Control in Collaboration with the Customs and Import/Export Management Authorities of Other Countries

With a view to preventing illegal trade in ivory, the discussion is ongoing with the Chinese Government (Customs Authority and CITES Management Authority) on cooperation between Japan and China, which is the alleged major destination of illegally exported ivory from Japan.

c) Tighter Control on Import/Export Under the Amended Foreign Exchange and Foreign Trade Act

Aiming to ensure the effectiveness of import/export control, the amended Foreign Exchange and Foreign Trade Act came into effect in October 2017, and a fine for imported/exported ivory without approval of METI has remarkably increased. A fine for an individual has increased to not exceeding 10,000,000 Japanese yen (approximately USD 91,000) from 5,000,000 Japanese yen (approximately USD 45,000), fine for a corporation has increased to not exceeding 500,000,000 Japanese yen (approximately USD 4,500,000) from 5,000,000 Japanese yen (approximately USD 45,000).

d) Measures against Buyers including Foreign Visitors by Administrative Bodies and Business Operators

In response to some reported cases of foreign visitors and other buyers illegally taking out ivory products from Japan, in March 2018, METI requested business operators handling ivory to explain to buyers including foreign visitors legal procedures needed to export those products. Moreover, a "Warning Card" indicating ban on taking out ivory products from Japan was distributed to the business operators.

The responses related to the above-mentioned measures by business operators are as follows.

The Japanese Seal Engravers Association: Posting attention-grabbing flyers that describe ban on taking out ivory products from Japan at their shops (available in English, Chinese, Korean and French).

Japan Federation of Ivory Arts and Crafts Associations: Considering its own measures to obtain informed consent from their customers, including foreign visitors, at the time of the sale after explaining the ban in principle on taking out ivory products from Japan.

The cases where purchased ivory products such as antiques in Japan were taken out from Japan without going through formal procedures have been pointed out. However, it is not appropriate to conclude as if the domestic ivory market and import/export control system as a whole in Japan has a flaw simply because some cases of violations exist, since this is not an issue of the market or system itself. In order to enforce the legal system properly, the Government of Japan has been promoting measures to tighten control over its domestic ivory market and import/export of ivory as outlined above in b) and d), respectively.

In addition, according to the latest ETIS report (2016), there is no evidence to show that Japan is a destination of a large-scale illegal ivory flow, and thus, there is no causal link between exposed cases of the above-mentioned violations and the current poaching of elephants.

5. Public-Private Council Meeting

In January 2018, the fifth meeting of Public-Private Council for the Promotion of Appropriate Ivory Trade was held. Six government organizations, 10 public institutions, one nongovernmental organization and two experts, including new members to the Council such as the Agency for Cultural Affairs attended the meeting, and had a lively discussion on the control over domestic ivory market and border control including the exchange of updated information.

6. Strengthening Identification of Domestic Stocks of Ivory

In order to further tighten control over the domestic ivory market, efforts to identify whole ivory tusk stocks in Japan including individually owned ivory tusks have been made from August 2017 ending June 2019. After June 2019, registration examination is expected to be made stricter for internationally endangered species of wild fauna and flora including ivory.

7. Awareness Raising

Taking advantage of the "World Wildlife Day," MOE and METI cooperate every year from February to March to display panels concerning restrictions on wildlife transactions in zoos and botanical gardens with a view to promoting public awareness raising.

8. Support to Counter Poaching in African Elephant Range States

a) Monitoring the Illegal Killing of Elephants (MIKE) Programme under CITES

In October 2016, MOFA contributed USD 60,000 via the CITES Secretariat for the establishment of an anti-poaching operation center in Zimbabwe, and USD 55, 000 in February 2018 for the establishment of a similar center in Uganda.

The Government of Japan is deeply committed to the cause of protecting elephants from atrocious acts of poaching by international criminal organizations among others, and attaches great importance to supporting range states in the fight against poaching of elephants. The Government of Japan will continue to make utmost efforts in assisting range states in their fight against poaching of elephants.

b) Initiatives by Private Sector to Support the Namibian Government to Counter Poaching

In March 2017, Yahoo Japan Corporation contributed 5,000,000 Japanese yen (approximately USD 45,000) to the United Nations Development Programme (UNDP) in Namibia for the construction of a counter-poaching patrol camp.

9. Trend in Domestic Ivory Market

The market size of the domestic ivory market has been shrinking over the past twenty-five years.

It is assumed that the stock of legally imported ivory (approximately 2,090 tons between 1981 and 1989 according to CITES database) exists in Japan.

The increasing number of registration of whole ivory tusks is considered to be attributed to growing concerns through the media over illegal non-registered ivory transactions and to the increasing number of disposal of assets including inheritance due to the aging of owners of ivory obtained legally before 1989.

10. Future Actions and Conclusion

Thus, the enforcement of the amended law and other related initiatives has further tightened Japan's regulations on ivory transactions within its own borders, which are already on par with those of other major countries. Especially, the control of domestic ivory market will be more thorough by tightened control over business operators handling ivory.

According to the latest ETIS report (2016), Japan is not assessed to be a destination of poached and illegally traded ivory, and also large-scale illegal imports of ivory have not been detected thereafter. Therefore, it can be concluded that the ivory transactions in Japan have no causal link with poaching of African elephants and ivory smuggling.

In addition, as stated previously, the control over domestic ivory transactions has been tightened and the penalties for violators have become substantially stricter under the amended LECS. In order to further ensure appropriate 'domestic ivory transactions, business operators have started making voluntary and proactive actions for appropriate ivory transactions, including, needless to say, complying with the amended LECS. The Government of Japan will continue to carefully examine the situation of ivory transactions and tackle together with the private sector so as to thoroughly eliminate those business operators that cannot manage their transactions appropriately from the domestic markets.

In order to further achieve the goal of CITES, the conservation of endangered species including elephants, Japan will actively make its best contribution through all-out efforts by both public and private sectors.

**New Zealand**

New Zealand is strongly supportive of both global and domestic efforts to reduce elephant poaching and trafficking. New Zealand has regulation relating to international ivory trade but not domestic ivory trade.

New Zealand has a small volume of international trade in elephant ivory, primarily consisting of personal and household effects. The NZ CITES database reports 33 incidents of illegal seizures or surrenders, 176 legal import permits, and 158 legal re-export permits between 2013 and 2017. legislation imposing a domestic ban on the ivory trade in New Zealand would have very high resourcing implications, particularly in relation to implementation and enforcement, and because of the low level of trade would deliver minimal conservation benefits.

New Zealand will continue to monitor the scale of the issue domestically and will watch developments relating to the regulation of domestic ivory markets by other Parties, particularly around implementation and enforcement, with a view to informing future policy analysis.

## **Singapore**

### **Singapore is not a Consumer of Elephant Ivory**

Since 1990, Singapore has banned the commercial import and export of ivory. Any import, export or re-export of ivory, which Singapore permits for non-commercial purposes only, would, under the Endangered Species (Import and Export) Act, require proper CITES permits from Singapore's CITES Management Authority, the Agri-Food and Veterinary Authority (AVA). For imports, Singapore also requires a permit from the CITES authority of the exporting country to be obtained, which is in accordance with the Convention.

There is little domestic demand for ivory in Singapore, and domestic trade in ivory only comprises a few shops selling pre-Convention ivory. AVA conducts regular surveillance of these shops and educates dealers about CITES regulations. Shops and dealers must declare their ivory inventory to AVA, keep proper records, and produce relevant documentation when required. In this context, Singapore's domestic ivory market is insignificant and does not contribute to poaching or illegal trade.

### **Combatting the Illegal Ivory Trade**

Singapore has put in place a Whole-of-Government approach to combat the illegal trade of wildlife, including ivory. Under this approach, Singapore's comprehensive measures aimed at supply and demand reduction, are anchored by a robust domestic framework and strong international cooperation. During their mission to Singapore from 28-29 April 2017, the CITES Secretariat observed first-hand Singapore's Whole of Government approach and comprehensive measures to combat the illegal wildlife trade, including in ivory (see document SC69 Doc. 29.3 Annex 4).

### **Reducing Demand for Ivory by Increasing Public Awareness**

Singapore's efforts against the illegal ivory trade also include public awareness campaigns to encourage people not to buy ivory products. Some of these campaigns have been conducted in partnership with nongovernment organisations. Singapore also publicises all significant seizures and subsequent prosecutions via our mainstream media and social media platforms.

### **Conclusion**

Singapore remains firmly committed to combating the illegal ivory trade, in line with the provisions of Resolution Conf. 10.10 (Rev. CoP17). A comprehensive and robust approach has been adopted by Singapore to combat the illegal trade in wildlife, including ivory. Regular reviews of measures and laws will continue to be undertaken to enhance the effectiveness of our overall regime.

The Singapore Government is also looking into legislating a domestic ban on the sale of ivory. This is part of Singapore's broader commitment to tackle the illegal ivory trade and to support elephant conservation. The implementation details, including the engagement process with relevant stakeholders still in possession of pre-Convention ivory, are currently being worked out.

## **South Africa**

The National Environmental Management: Biodiversity Act (10 of 2004) and the Threatened or Protected Species (ToPS) Regulations include a compulsory registration requirement for wildlife traders. Which means that a person is not allowed to trade in any specimens of ToPS listed species (African elephant is a ToPS listed species) without being registered as a wildlife trader. All persons/companies that trade in ivory and ivory products within South Africa must be registered in terms of these provisions. People buying ivory and traders selling the ivory also need permits to buy and sell elephant products, including ivory.

There is no information or evidence that the legal domestic trade in ivory contributes to poaching of elephants in South Africa or that it contributes to illegal trade. There are only a few registered vendors who mainly sell a limited amount of knives with ivory handles and trinkets. South Africa thus comply with Resolution Conf. 10.10 (Rev. CoP17 through paragraph 6 a) to e) in the regulation of our domestic trade and there is thus no need to stop vendors trading in ivory in South Africa.

South Africa remains committed to elephant conservation and to ensure that the trade in ivory in South Africa does not contribute to illegal killing of elephants or to any illegal markets. South Africa will report in more detail to the Standing Committee on measures taken by South Africa to combat illegal trade in ivory.

## **Thailand**

### **1. The status of the legality of Thailand domestic ivory markets**

Before enacting the Elephant Ivory Act B.E.2558 (2015), there were 339 ivory shops (as of November 2014)



regulated by the Commercial Registration Act B.E.2499 (1956) and the Accounting Act B.E. 2543 (2000). To control and monitor domestic ivory trade, the ivory traders shall register their businesses and provide related details including lists of all ivory items in their possession to either the Department of Business Development or the Provincial Business Development Office. The ivory traders have the duty to keep accounts prescribed under the Accounting Act B.E. 2543 (2000). Since the Elephant Ivory Act B.E.2558 (2015) entered into force, the registered ivory shops in Thailand have been gradually declining from 215 in January 2016 to 117 in March 2018, especially for small shops and shops that do not sell ivory as a main product such as Jewelry shops and antique shops. Those shops terminated their ivory shop permits issued by the DNP when the ivory products in their stock were sold out or had only a few items left, as there was too much burden for the ivory traders with regard to the implementation required by the relevant laws and regulations.

## **2. Efforts to implement the provisions of the Resolution Conf. 10.10 (Rev. CoP17)**

Thailand has put in place comprehensive internal legislative, regulatory, enforcement and relevant measures to regulate the domestic trade in ivory. The Ivory Act was enacted and entered into force in January 2015, in order to control the domestic trade in and possession of domesticated elephants' ivory in Thailand.

The Elephant Ivory Act B.E.2558 (2015) stipulates that any person, who possesses ivory, shall notify the possession in order to receive the document for the ivory possession. Any person who wishes to trade domesticated elephant ivory shall submit an application form to the Director General for permission. Ivory traders are obligated to keep accounts and submit those copies to the officials at the specified time. In case of ivory traders who wish to change the location of their ivory shops, to transform or change the shape of the elephant ivory, the ivory traders shall notify in writing to the officials both before and after doing so. The ivory traders are also obligated to issue the certificates for every single ivory product sold to customers. Any ivory trader that violates the Act shall be liable to imprisonment for a term of not exceeding three years or to a fine not exceeding six million baht or to both.

Raw elephant tusks entering into the manufacturing process or to ivory shops shall only be derived from domesticated elephants under the Beast of Burden Act. Such tusks also require the certificate of origin and/or movement permits from appointed agencies in order to prove the legal acquisition of those tusks. The DNP has received report from the Department of Provincial Administration regarding the number of elephant tusks' certificates of origin during January 2015 -March 2018 and found that they are consistent with the number of raw ivory entering the ivory market in Thailand. Another measure Thailand has implemented to prevent the laundering of wild-caught elephants into the domesticated population to support ivory trade is by having better control for identifying and tracing the origin of suspicious ivory. Thailand enacted a regulation under the Beast of Burden Act so as to revise the form of domesticated elephants' identification certificates for the benefit of traceability. All necessary information of domesticated elephants is recorded in the new identification certificates. This includes sex, DNA, mark, height, microchip number, size of tusks, etc. This would help in supporting monitoring and law enforcement.

Thailand has conducted the inventory of ivory stockpiles and the level of stockpiles has been reported to CITES Secretariat each year on 28 February. Thailand has also raised public awareness aiming to reinforce understanding on ivory legislation and impact of illegal ivory trade, to reduce demand of ivory consumption in the country, as well as to inform foreign visitors not to buy and take ivory product out of Thailand. Public education campaigns at international airports, the border checkpoints, tourist attractions in Thailand have been done continually via signs and boards, and distributing leaflets regarding prohibition on import and export of ivory and ivory products.

## **3. Efforts to close the ivory markets that contribute to poaching or illegal trade**

Thailand has put comprehensive efforts to close ivory shops that might contribute to poaching or illegal trade by strengthening law enforcement. The registered ivory shops have been inspected and their businesses have been monitored monthly by 22 ivory shop inspection patrol teams nationwide. The officials of Department of National Parks, Wildlife, and Plant Conservation (DNP) in cooperation with Police have inspected the ivory stock, records of ivory acquisition, manufacturing and trade in accordance with the provisions under relevant laws and regulations.

This effort also includes DNA analysis of ivory products taken from 13 ivory shops where it was found that 5 of the shops were selling African ivory. The 5 shop owners were charged in court with illegal trade of products of protected animal (African elephant) under the Wild Animal Reservation and Protection Act. By now 3 of the 5 cases had finished the trials, and their permits for selling ivory were repealed. All ivory items were seized, with the owners facing 6 months imprisonment and 10,000 Thai Bath fine. The imprisonment sentence has been suspended.

### **United Kingdom of Great Britain and Northern Ireland**

The UK does not authorise the sale of, or other commercial trade in, raw elephant ivory of any age. On 23 May the UK government introduced the Ivory Bill into Parliament. The Bill will enact a ban in commercial dealing in ivory in the UK, subject to narrow and limited exemptions for items that are not directly or indirectly linked to the poaching of elephants. The Bill has now progressed through the House of Commons and will have its second reading in the House of Lords on 17 July. This ban will prohibit commercial dealing in items made of, or containing ivory; within the UK, to and from other Parties, and their import to, or re-export from the UK. This ban demonstrates that the UK does not consider commercial trade in any ivory that could fuel poaching to be acceptable. More detail about the UK's Ivory Bill can be found here: <https://services.parliament.uk/bills/2017-19/ivory.html>

### **United States of America**

The United States has taken steps in recent years to ensure that its domestic ivory market is not contributing to poaching or illegal trade. U.S. trade in elephant ivory is regulated under a suite of Federal and State laws. Relevant Federal laws include the U.S. Endangered Species Act (ESA), the African Elephant Conservation Act, and U.S. CITES-implementing regulations (50 CFR part 23). In 2015, in response to the unparalleled poaching crisis in Africa, we began a rulemaking process and ultimately put in place (effective June 2016) a near-total ban on trade in elephant ivory in the United States. Under the current rules, commercial import and most noncommercial import of African elephant ivory is prohibited. However, we continue to allow certain activities that are not contributing to the poaching of elephants, including movement of ivory for law enforcement and bona fide scientific purposes, and the noncommercial movement of certain items containing pre-Convention ivory, such as museum specimens and musical instruments. Within the United States, interstate commerce (trade across U.S. State lines) is prohibited, with certain limited exceptions, including for antiques and items that contain only small amounts of ivory. Some U.S. States also restrict or prohibit trade in ivory. Information on U.S. trade in elephant ivory is available at <https://www.fws.gov/international/travel-and-trade/ivory-ban-questions-and-answers.html>. Our revised ESA regulations for the African elephant, adopted in 2016, are available at <https://www.fws.gov/policy/library/2016/2016-13173.pdf>