

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

Sixth Meeting of the Conference of the Parties

Ottawa (Canada), 12 to 24 July 1987

Interpretation and Implementation of the Convention

Trade in Ivory from African Elephants

TRADE IN WORKED IVORY FROM AFRICAN ELEPHANTS

This document has been prepared and is submitted by the Secretariat. The draft resolution has been modified to reflect changes suggested at the second meeting of the Technical Committee at Lausanne in June 1986.

1. In adopting Resolution Conf. 5.12, Trade in Ivory from African Elephants, the Parties provided that all trade in worked ivory continue to be subject to the provisions of the Convention until guidelines for its control are produced by the Technical Committee.
2. Worked ivory is defined in Resolution Conf. 3.12 as covering "all items made of ivory for jewelry, adornment, art, utility or musical instruments (but not including whole tusks in any form, except where the whole surface has been carved), provided that such items are clearly recognizable as such and in forms requiring no further carving, crafting or manufacture to effect their purposes." Raw ivory tusks and pieces are to be marked, but this is not required for worked ivory, regardless of size.
3. It is generally agreed that the problem of trade in illegal ivory can best be dealt with before leaving the country of origin, and once in international trade, when it is still unworked. Trade statistics on unworked ivory are useful for purposes of population monitoring. Just as with any other species traded as both "raw" and manufactured products, the requirement of permits/certificates and reporting of trade data, including those for worked ivory, serve as a verification system. Some Parties see current controls on small items of ivory as an unnecessary burden and others consider any relaxation as a potential "loophole" for illegal trade. Suggestions that controls be removed for ivory items below a certain weight such as 1/2 kilo, have received some strong objections, since a high percentage of the ivory trade for certain countries could be excluded.
4. For now, and until the effects of Resolution Conf. 5.12 and the new ivory procedures can be assessed, continuation of existing controls appears to be appropriate. However, a practical approach that will not impede legitimate trade is suggested for application of the exemption for personal and household goods available under Article VII, and in determining the acceptability of re-export certificates for ivory from stocks registered under Resolution Conf. 5.12 where the original permit number/country of origin is not given (see the draft resolution in the Annex).

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

Trade in Worked Ivory from African Elephants

WHEREAS Resolution Conf. 3.12 adopted at the third meeting of the Conference of the Parties (New Delhi, 1981) defines the terms "raw" and "worked" ivory;

NOTING that Resolution Conf. 4.14 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) directed the Technical Committee to draw up guidelines for controlling the trade in worked ivory as quickly as possible;

NOTING further that Resolution Conf. 4.12 adopted at the fourth meeting of the Conference of the Parties (Gaborone, 1983) urges that Parties which regulate the export or import of Appendix II souvenir specimens communicate to the Parties through the Secretariat which species are so regulated;

RECOGNIZING the need for continued control and monitoring of trade in worked ivory for the purposes of verification of shipments to prevent illegal trade;

RECOGNIZING further that worked ivory qualifying as personal or household effects under Article VII, paragraph 3, of the Convention, is exempt from the requirements of Article IV;

ACKNOWLEDGING the need for a practical and reasonable approach to control of trade in worked ivory that will not impede legitimate trade, not burden government authorities with non-essential documentation, and will minimize the inconvenience to travellers;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS

- a) that all trade in worked ivory from African elephants that does not qualify for exemption under Article VII of the Convention continue to be subject to the provisions of Article IV;
- b) that Parties note the exemption provided for by Article VII, paragraph 3, in regulating their export/re-export and import of worked ivory as personal or household effects, and interpret that exemption as requiring an export permit only upon import into the owner's state of usual residence and when such is required by the state where removal from the wild occurred and not upon re-export;
- c) that in applying the provisions of Article VII, paragraph 3, a practical approach be taken in determining what quantity of items qualifies for the exemption; and
- d) that importing Parties accept re-export certificates for worked ivory where the original permit number/country of origin are not given when the justification given for this omission in relation to the recommendations of Resolution Conf. 3.6 is that the ivory comes from stocks registered under Resolution Conf. 5.12, and the certificate bears a statement to this effect;

SUGGESTS that countries, and particularly range states, producing worked ivory adopt internal controls to inhibit illegal practices, such as licensing ivory workers, industries and wholesale and retail outlets, and requiring them to keep records adequate for documenting the flow of ivory; and

DIRECTS the Secretariat to notify the Parties when it has been informed that a Party intends to regulate the export or import of worked ivory as personal or household effects.