CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

Other Proposals

A. Proposal

Transfer of the Zimbabwe population of *Loxodonta africana* from Appendix I to Appendix II for the exclusive purposes of allowing:-

a)Direct export of registered stocks of whole raw tusks of ivory to one trading partner (Japan), subject to the following quotas:-

1998	1999
10 tonnes	10 tonnes

b) International trade in hunting trophies.

c) International trade in live animals to appropriate and acceptable destinations.

d) International trade in non-commercial shipments of leather articles and ivory carvings.

e) Export of hides

B. Proponents

This proposal was submitted by Botswana, Malawi, Namibia and Zimbabwe pursuant to Resolution Conf. 7.9 with precautionary measures in accordance with Resolution Conf. 9.4.

C. Supporting Statement (6th January 1997)

SUMMARY OF THE SUPPORTING STATEMENT

This proposal is designed to enhance sustainable conservation practices for elephant populations in Zimbabwe. Trade in ivory and other elephant products is not an end in itself, but a mechanism for ensuring that there are revenues and incentives for the conservation of elephant habitats, particularly for impoverished rural communities who live with elephants and who ultimately will decide if they survive or not.

The Zimbabwe population of the African elephant (*Loxodonta africana*) does not meet the biological criteria for listing on Appendix I as outlined in Resolution Conf. 9.24. Specifically, the wild population is large (over 60,000 animals) and steadily increasing. The majority of the animals are not found in small sub-populations, nor are they concentrated in one sub-population. The wild population does not have a restricted area of distribution nor is this area subject to fluctuation or fragmentation. The species is not vulnerable in Zimbabwe as past experience has shown.

The biggest threat to the survival of this species in Zimbabwe is not international trade, but loss of habitat and conflict with legitimate human interests. This is a situation which can only be alleviated by adding value to the animal, not taking it away. This supporting statement will show that it is important to transfer the elephant population of Zimbabwe to Appendix II to allow controlled trade in products because:-

- It is in the best interests of elephant conservation.
- It assists impoverished rural communities.
- It will support biodiversity conservation and wildlife management.
- There are strong political and economic imperatives for transfer.
- Transfer is necessary for enforcement and control.

These arguments are presented in full in the next section.

When the species was listed on Appendix I at C.O.P 7 it was noted that some southern African populations did not meet the criteria for inclusion in Appendix I. However, it is recognised that many other populations of *Loxodonta africana* did meet the criteria and still do and it is therefore appropriate to seek a transfer to Appendix II on the basis of a split listing.

This proposal is for the transfer of the Zimbabwe population of African elephant in order to clear stocks of ivory while at the same time allowing the continued export of trophies from recreational hunters, export of hide from management operations and the export of tourist curios. It is considered particularly notable that about 26% of the ivory stock held

by the Zimbabwe government(as of 31/10/96) belongs to rural communities managing their own wildlife under the [1]CAMPFIRE programme.

It must be noted that Zimbabwe has the legislation and capacity to manage a legal, well regulated trade in elephant products. Zimbabwe closely adheres to CITES and follows the recommendations of Resolution Conf. 9.16, including those on the registration of merchants, carvers and, additionally, retailers.

A range of relevant precautionary measures are included in this proposal to accompany the transfer of the Zimbabwe population to Appendix II.

These include:-

- Downlisting of the Zimbabwe population only .
- A pledge that Zimbabwe will withdraw its reservation within 90 days of acceptance of this proposal.
- An export quota is established for registered stocks of raw ivory only.
- Ivory will be marked with a standard durable system.
- Exports will not include confiscated ivory of unknown origin or which is known to be non-Zimbabwean.
- The transfer includes safeguards against abuse including a mechanism for rapid re-transfer to Appendix I.
- Sales and shipment will take place from one secure locality within Zimbabwe and will be open to full independent inspection.
- The number of shipments will be limited to one in each year.
- Shipments will be direct to the end using country.
- Japan has new internal legal controls for ivory trade and agrees not to re-export any of the ivory imported.
- All funds from ivory will be used for conservation purposes (they will be returned directly to the management Authority or to CAMPFIRE communities, depending on its origin).

Should the Standing Committee be made aware of abuses of the downlisting, or a failure of the Zimbabwe Management Authority or the importing Party to adhere to the terms of the proposal as agreed by the COP, the Depository (Swiss) Government has agreed to prepare a proposal for re-transfer to Appendix I to put before the Parties under the postal procedure of Article XV paragraph 2.

Rationale for the Zimbabwean Proposal

It is important to transfer the elephant population to Appendix II to allow controlled trade in products because:-

- **It is in the best interests of elephant conservation;**
- **It assists impoverished rural communities;**
- **It supports biodiversity conservation and general wildlife management;**
- **There are strong political and economic imperatives for transfer; and**
- **Transfer is necessary for enforcement and control;**

a) Transfer for elephant conservation

African elephants are in competition with man throughout southern Africa and, especially in arid and semi-arid areas where they range widely, protected areas are inadequate to ensure the survival of elephants.

[1] Communal Area Management Programme for Indigenous Resources

There is therefore a need to ensure they can roam across huge areas of natural, wild habitat on private and communal land. However, it is on precisely this land that the competition for space between man and elephants is greatest and conflict most severe and growing. To compete successfully with other forms of land use, such as cattle and crops, elephants must be able to compete in the value they can return to the landholder.

Outside protected areas, successful conservation of natural ecosystems relies on commercial consumptive use and the economic value of wild species. Elephants have the highest value of all the components of natural African ecosystems. Therefore, to make it possible for elephant to range in natural habitats outside protected areas in order to ensure their survival, the elephant must have a strong commercial value.

This can be achieved through eco-tourism in some instances, but opportunities are limited and trade in ivory and other products is imperative.

b) Transfer to assist rural communities

Not only is trade in elephant products essential to conservation of both the elephant, its habitat and myriad other species, it is important for satisfying basic human needs in many areas of southern Africa.

Human/elephant conflicts are increasing and people are, in increasing numbers, defending their property and crops. In this process elephants are the losers. The future of the species depends on the goodwill and tolerance of the rural poor for whom they are neighbours. Attitudes will change and tolerance will increase if communities release economic returns from marketing elephants products.
It is fortunate then that programmes of Conservation-based Community Development, such as CAMPFIRE, are mushrooming in Africa's rural areas and offer the best hope for livelihoods in arid and semi-arid areas.

With only the export of sport hunted ivory allowed under CITES, communities earn from elephants enough to survive or supplement their meagre incomes. But about 26 % of the ivory in stock in Zimbabwe belongs to the CAMPFIRE communities. If they could realise the value of this it would be of enormous benefit - both to the people and to the elephants!

The use of elephant products is entirely acceptable to Zimbabwe even on ethical grounds. The costs of elephant conservation are largely being borne by Africa's rural poor. Many in Zimbabwe believe that the international community is putting the welfare of the elephant above that of people. This is neither acceptable nor necessary. Man and the elephant can live together and share the landscape, but the elephant must pay its way.

The human costs of elephant conservation must be given higher ethical consideration than the loss of animal life or freedoms. Western acceptance of this is self-evident from their life-styles.

c) The political imperative for transfer

i) *Whose elephants?*

In making the transfer to Appendix II, the Parties to CITES were treating the African elephants as a global resource and heritage. The Parties have taken the authority for elephants but they are not accountable for this decision and nor do they take the responsibility for its results. Elephants interact with people at community level and far away from most Parties to CITES.

Responsibility and accountability are left with the range states such as Zimbabwe for whom the promised alternative funding or compensation has not been forthcoming. Since all the costs of conservation are incurred by Zimbabweans, it is evident that the African elephant is ***not*** a global resource.

While Zimbabwe is left entirely responsible for the conservation of its elephants, in a developing country the conservation of wildlife cannot be a national priority for funding. Zimbabwe already invests a bigger percentage of its Gross Domestic Product in its national parks and wildlife conservation than does the USA.

In the absence of other funding mechanisms, the international community must adhere to the principle of sovereignty and sustainable use inherent in Agenda 21 and the Biodiversity Convention and allow Zimbabwe to manage its elephants as its sees fit.

Every country has the right to use their natural resources to their best advantage. It is especially iniquitous to prohibit a country from trading in one of the few resources in which it has a competitive advantage. Africa has few such advantages. Ivory is one of them.

ii) ***Political pressures***

There are now national political pressures for elephants to pay their way and contribute to the rural economy, which they are well able to do. Before the ban revenues from elephant products were equivalent to 28% of the wildlife department's budget.

Ivory revenues can now accrue directly to the wildlife department and also to CAMPFIRE communities who own about 26 % of the approximately 29 tonnes of ivory that the government holds for them in trust.

The majority of Zimbabwe's 11 million people live in the rural areas where natural resources are the basis of their economy. They also bear the direct costs of elephants. Not surprisingly, there are enormous political pressures for the re-establishment of a legal ivory trade from this important voting lobby.

Income generation from elephants is essential to secure political and economic support for conservation at both the local and national levels. At the level of the national conservation agency, money generated from the sale of elephant and other wildlife products will go a long way in financing conservation and management of wildlife resources.

iii) ***The integrity of CITES***

The controversy over the listing of the African elephant threatens to dominate CITES, but as much as many would like it to, the issue is too fundamental to go away. Many southern African nations continue to argue that the original transfer to, and the maintenance of their populations on, Appendix I was unjustified and punished their elephant conservation successes.

The transfer took place in 1989 with full recognition that the populations of southern Africa were well managed and did not merit the listing. This was formally recognised by the fact that a simple transfer was rejected and the elephant only transferred to Appendix I through the revised Somali proposal which established a Panel of Experts to assess the technical case for transfer of any populations back to Appendix II. Unfortunately, it appears that the international community in CITES has shown little respect for southern Africa in the elephant debate. Successful conservation has been punished and the region’s conservationists have the impression that the goal-posts are continually moved when the reopening of a legal ivory trade is discussed.

Zimbabwe has a legitimate point of view, that a controlled legal ivory trade from southern Africa will not result in increased poaching in other countries or regions, and this deserves a fair test.

Breaking the elephant impasse is essential to the future of CITES.

The time is right to re-introduce a legal trade in ivory. The ban has been in place for six years and is beginning to come apart at the seams. The elephant problem is escalating and the future is bleak. At the same time the trade controls are in place and the option of legal trade demands investigation and an experimental trial. If it works the impasse will be ended and everyone will benefit.

CITES should not be looked upon and viewed as a body that is insensitive to legitimate calls. CITES will have an improved image by tackling the elephant issue in a positive way. Parties must acknowledge the effective conservation measures in Zimbabwe and other southern African countries and accept that these countries have viable populations of elephants. The debate should focus on how to open up legitimate trade and how CITES can best monitor and control this.

iv) *African consensus*

There was no African consensus for the listing of the elephant on Appendix I - at least 9 African Parties voted against such a listing. Since there was not consensus at the time of the transfer to Appendix I it is not clear why an African consensus should be needed before Parties outside Africa feel they can support a transfer to Appendix II. Africa is a huge, heterogeneous continent with respect to culture, climate, economy, politics and, not least, conservation philosophy and achievement.

African consensus is unrealistic and the call for consensus is an unwritten pre-requisite for transfer raised as a barrier by outsiders.

d) Transfer in the interests for biodiversity conservation and management

As a result of nothing more than natural mortality, ivory is produced at a high rate from Zimbabwe's well-managed elephant herd. However, most of Zimbabwe's ivory, and virtually all the elephant hide, is a product of management in which elephant populations are reduced to keep habitat change within acceptable limits.

Elephant are a keystone species which have a great impact on Savanna ecosystems. At low densities they are beneficial to biodiversity but at high densities they have habitat impacts which threaten rare and endangered species. As a result of human pressures, but also because of well managed and growing populations, elephants in southern Africa are increasingly "compressed" at high densities in protected areas. When elephant densities rise above about one animal in every 4 sq km in semi-arid areas woodland habitats are severely damaged and biodiversity is lost.

Elephants are overstocked in most of Zimbabwe's parks, vegetation is suffering enormous damage and other species are being lost. Elephant populations recover much faster than trees and on the basis of the precautionary principle, most southern African ecologists consider it better to cull elephants than lose mature trees because this is the option of least risk.

Most, if not all parks with elephants are in areas of marginal rainfall and in addition, southern Africa is suffering recurring drought with rainfall severely below average in five of the last six years. Under these conditions, the capacity of the Savanna to support elephants has been reduced, enormous environmental damage is taking place and the rate of loss of biodiversity is increased. A massive die-off of elephants is likely to occur as happened in Gonarezhou National Park during the 1992 drought. This massive die-off

occurred despite the pre-emptive culling of about 350 elephants and translocation of about 1,600. Gonarezhou was the area most affected during the 1992 drought.

It is theoretically possible to leave the over-populated elephants to die to die of starvation as happened in Tsavo National Park in Kenya in 1971, and there are those who would favour this approach on the grounds that it is natural. However, this ignores the artificial nature of the situation where elephants have been compressed into protected areas. It is also a morally and politically unacceptable option to allow such a waste of meat in protein deficient areas when people are existing on less than a minimum diet. The people around protected areas are struggling to survive. Many have suffered severe starvation, most survive only through food aid and the proceeds of programmes like CAMPFIRE.

Such an option could also promote illegal traffic of ivory as the Management Authorities cannot recover all the ivory from natural mortality. The finding rates of ivory are extremely low (less than 6 %) even in heavily patrolled National Parks.

Well planned and efficient culling is less cruel than death by starvation. It is non-selective and as such it leaves the genetic structure of the population in place. In any case, alternatives to culling are not always available or desirable. One option, the relocation of whole elephant herds, has been pioneered in Zimbabwe and is often preferred to culling but is seldom practical and affordable - and it is hard to find places to take the animals.

Management such as culling and hunting are not incompatible with tourism. Elephants that are managed need not become more shy of man and tourists prefer to see them in well preserved and intact habitats.

This management is expensive and cannot be afforded without the return from products. Trade in elephant products is essential to support the management of elephant herds so that they are a benefit to the environment, not a burden on it. In addition, where management through culling provides the opportunity to benefit from elephant products, it is immoral for these not to be sold to maximum benefit. There must be controlled, legal trade.

Wildlife conservation in countries like Zimbabwe, which practise intensive and high investment elephant management such as hunting, culling and trade in ivory, have out-performed those with a "hands-off" policy.

Zimbabwe removed 46,000 elephants by culling and hunting between 1960 and 1991. Despite these removals the elephant population doubled within the same period. It now stands at about 66,000 animals. In Kenya, which neither culled nor traded ivory, elephant numbers plummeted during the same period from some 120,000 in 1970 to about 24,000 in 1990. Kenya is now introducing a policy of sustainable use.

Southern Africa is strongly unified on this issue of elephant management and has strong support programmes. Many countries have conducted outstanding research into elephant biology and conservation, and the survey methodology used in the region is amongst the most professional in wildlife management world-wide.

e) Transfer for control and enforcement

The ivory ban will not prevent the ongoing overall decline of elephant populations in Africa. In fact a controlled, legal ivory trade could be a major contributing factor to the survival of the species.

With the exception of a few case studies, there has been no monitoring of the effects of the Appendix I listing and it is not known whether this is responsible for any reported declines in poaching. It is undeniable that after the ban, some countries enjoyed a respite from poaching but many dispute the role of the Appendix I listing in this. The effects of the listing are confounded by the fact that many of the worst affected countries introduced effective law enforcement for the first time and the two biggest markets disappeared before the ban due to effective anti-ivory campaigns in Europe and the USA.

Even if the listing had an effect, this could be predicted and will not be a long term benefit. A down-turn in poaching was expected as the illegal traders adjusted to the new situation. Illegal trading still takes place and there is firm evidence to show that elephant poaching has increased in some areas of Zimbabwe since the ban.

There remains a demand for ivory and the Appendix I listing only stops legal trade not illegal trade. In fact, the ban actually entrenches the monopoly of the illegal trade. In addition, the illegality of trade fuels corruption.

The control of illegal trade requires expensive enforcement. The "Lusaka Agreement" for law enforcement in southern Africa would cost each member nations US$ 100,000 per year while resources for anti-poaching have dramatically declined in almost every range state since the Appendix I listing of the elephant.

The introduction of a tightly controlled, legal trade would provide the funding for enforcement. It would put the responsibility on the range state, where it should be, and also increase local incentives for conservation, making poaching more difficult and reducing the need for enforcement.

Ivory marketing controls, including the CITES quota system, used to work in southern Africa, this is not in dispute, and Zimbabwe can readily implement an even tighter system of control and enforcement. Zimbabwe has already met the approval of the 1992 CITES Panel of Experts and the Zimbabwe elephant population meets all the biological and technical requirement of the new criteria for transfer to Appendix II.

The proposal to transfer Zimbabwe's elephant population to Appendix II is annotated to include stringent controls in trade to take into account the concerns of other range states. For example, to prevent illegal ivory from other countries entering the trade, Zimbabwe will not sell ivory to any country which does not have stringent monitoring and control systems for the internal ivory trade.

f) Economic imperative for transfer

It is an economic imperative that controlled legal trade in elephant products must be reintroduced otherwise the elephant will surely disappear from the African landscape.

All resources, even wild animals with low population levels, can benefit from trade if it provides the incentives for investment in the long term future of the resource. This was the situation for elephants in Zimbabwe before the Appendix I listing brought about an effective ban on the trade in ivory.
Economic theory shows that very high value resources with low harvest costs and high discount rates, may be harvested to extinction. This was the situation with ivory in many countries which did not invest in elephant conservation as Zimbabwe did, and it was this problem which ultimately led the international community to ban the ivory trade.

In Zimbabwe, high discount rates were avoided because access to the elephant resource was assured to the "owners" (the wildlife department and CAMPFIRE communities) over a long period and the benefits of the ivory trade outweighed the costs of protection.

In simple terms, the elephant poaching problem in Africa was largely due to the fact that elephants were valuable - but not valuable enough to people on the land. In Zimbabwe rural communities were beginning to capture significant portions of the rising ivory and hide value. The Appendix I listing has impeded this process without any compensation to those affected.

Ivory obeys normal market forces. If higher prices for wheat, beef or chickens stimulates production then why should elephants be different? The answer lies in ownership and the ability to capture this value. In most of Africa, elephants belong to the state and are treated by rural people as an open access resource. Elephants come with high costs but as a result of the Appendix I listing give few benefits.

The direct costs of living with elephants include crop damage and injury to humans. The indirect costs include the opportunity costs of alternative land uses and the damage that elephants inflict on their environment. While the species is on Appendix I, the lost earnings from ivory and other products can be added to this. Benefits from elephants can be realised from tourism as well as consumptive uses, but tourism is not universally applicable and is often ecologically or socially damaging in itself. Consumptive uses and the sale of products are often preferred for a variety of reasons.

The Appendix I listing and ivory ban has therefore put Zimbabwe in the same position as those nations which failed to invest in conservation in the past. Low economic benefits from elephants results in low investment in habitat provision and management. As the incentives to maintain habitat for elephants is reduced, so too is the habitat for all wildlife. Thus elephant and *all* wildlife populations will ultimately be reduced by the Appendix I listing.

The prohibition of trade in any product for which there is demand results in the emergence of underground, illegal markets and corruption. The re-opening of a controlled legal trade is essential.

1. Taxonomy

1.1. Class Mammal
1.2. Order Proboscidea
1.3. Family Elephantidae
1.4. Species *Loxodonta africana* (Blumenbach, 1797)
1.5. English African elephant
French Elephant d'Afrique
Spanish Elefante africano
German Afrikanischer elephant
Portuguese Elefante africana
Shona Nzou
Ndebele Ndhlovu

1.6. Code number CITES A-115.001. 002. 001
ISIS 5301415001002001001

2. Biological Parameters

2.1 Distribution

Historical It is widely agreed that elephant were distributed throughout southern Africa prior to the arrival of the first colonial settlers in the 17th century. From the early part of the 18th century, exploitation for ivory, expansion of human settlements and protection of agricultural crops combined to reduce populations throughout the region(1). Consequently, elephants in South Africa had largely been eliminated by the beginning of the 20th century except for a few remnant populations, the largest of which was in the (then) north-eastern Transvaal numbering at most a few hundred animals (2). Populations were similarly depleted in Zimbabwe (3,4), Botswana (5,6), Namibia (7), Zambia (8) and Malawi(9), and were extinct through most of their former range.

Current The range of the elephant in Zimbabwe can be considered in four major sub-regions: locally known as Matebeleland north-west, Zambezi Valley, Sebungwe and Gonarezhou (Table 1& Figure 1) each of which is greater than 500 km^2 (thus non of them is fragmented according to the biological criteria of annex 5 of Resolution Conf. 9.24) Another important point to note is that these sub-ranges cover all different land categories in Zimbabwe which include national parks estate, privately-owned large-scale commercial farming areas, communal lands, and the indigenous forest areas managed by the Forestry Commission of Zimbabwe. With the exception of Sebungwe region, all areas of major distribution are contiguous with the elephant ranges in neighbouring countries (Figure 2).

In addition to the main part of its range, within the four sub-regions identified above, the elephant in Zimbabwe is also found on privately-owned game farms and conservancies, isolated protected areas of the national parks estate and in some isolated Communal lands. By way of an example is the population centred on the Tuli Circle which abuts into Botswana (Figure 1).

Table 1. Approximate range (km^2)of elephant in Zimbabwe.

Regions	**National Parks**	**Communal Land**	**Forest Areas**	**Private Land**	**Total**
Matebeleland North	19,400	3,100	2,300	1,200	26,000
Sebungwe	6,200	8,400	400	-	15,000
Zambezi Valley	12,000	500	-	-	17,000
Gona-re-Zhou	5,250		-	-	5,250
Subtotal	**42,850**	**12,000**	**2,700**	**1,200**	**63,250**
Other Areas (minor range)	800	8,200	-	6,300	11,500
Approximate Total Range	**43,650**	**20,200**	**2,700**	**7,500**	**78,750**

Price Waterhouse (10) and Department of National Parks and Wildlife Management Records

Data on the habitat types occupied over the elephant range can be deduced from the broad vegetation classification maps (11). The vegetation types in areas occupied by the majority of elephant are shown in Table 2 below as compiled by Child and Heath (12).

Table 2. Vegetation types in the major elephant range.

Region	Broad Vegetation Type	Vegetation Communities
Matebeleland North	Woodland	*Baikiaea*
	Savanna woodland	*B. Boehmii-J. globiflora*
		C. mopane
	Tree Savanna	*Baikiaea-Burkea-C. mopane*
		Acacia-L. nelsii
	Thicket	*Commiphora - C. combretum*
	Shrub	*C.mopane*
	Grassland	*Lodetia*
Zambezi Valley	Thicket	*Commiphora-C. combretum*
	Savanna woodland	*B. spiciformis-J. globiflora*
		B. Boehmii-J. globiflora
		J. globiflora
		C.mopane
	Tree Savanna	*Parinari*
Sebungwe	Woodland	*Baikiaea*
	Savanna woodland	*B. Boehmii-J. globiflora*
		J. globiflora
		C.mopane
	Tree Savanna	*Adansonia-sterculia-kirkia*
		Terminalia sericea
		Acacia spp-Albizia-Bolusanthus
	Thicket	*Commiphora-C. combretum*
Gona-re-Zhou	Savanna Woodland	*B. Boehmii-J. globiflora*
	Tree Savanna	*Terminalia sericea*
		Commiphora-C. combretum
		Adansonia-sterculia-kirkia
	Shrub	*C. mopane*

2.2 Habitat Availability

Most elephant occur on land that is marginal for agriculture in agro-ecological region IV and V (Table 3). These regions are characterised by low, and erratic rainfall, limited surface water, and inherent low soil fertility. Under these conditions herbivore carrying capacity of the ecosystem is limited. Because humans and elephant compete for the same resources (13), the increase in human population in the last twenty years has lead to compression of elephant populations within protected areas in these marginally productive lands. The ultimate conclusion of this trend can be seen in Malawi, the country with the highest human population density in the southern region (Table 4). The range of the elephant has become fragmented and with small sub-populations. Craig (14) has shown how the barriers to dispersal reduce the overall carrying capacity for elephant populations in protected areas and can lead to local extinction.

Table 3. Protected areas and their agro-ecological regions in Zimbabwe.

Natural Region	Annual Rainfall	Parks and Wildlife Estate km^2	Total Area in Zimbabwe km^2	% of the Total Area
I	above 1 000 mm reliable	500	7,050	7.1
II	750 to 1 000 mm reliable	250	58,750	0.4
III	650 to 750 mm erratic	5,450	72,900	7.5
IV	450 to 650 mm v.erratic	25,100	147,700	17.0
V	below 450 mm unreliable	18,400	104,500	17.6
Total	-	49,700	390,900	12.7

Source: Graham (15).

Table 4. Human population data in the states which are members of the Southern African Convention for Wildlife Management (SACWM).

Country	**Area km^2 x 1000**	**Present Population millions**	**Population Density per km^2**	**Population Growth Rate. % per annum**	**Population in 2000 AD millions**
Botswana	585	1.30	2.22	3.51	1.77
Malawi	94	7.90	83.97	3.31	10.59
Namibia	824	1.16	1.41	2.66	1.47
Zimbabwe	387	10.10	26.12	3.15	13.35

Source (16,17)

Elephant population compression, as a result of growing human population has been cited as the principal factor in the modification of habitats of the protected areas of Zimbabwe including: Hwange National Park (18, 19), Chizarira National Park (20), Zambezi escarpment Parks areas (21), and Sengwa Wildlife Research Area (22, 23, 24). Similar impacts on vegetation have been demonstrated in protected areas of other southern African range states, including: Chobe National Park, Botswana (25), Etosha National Park, Namibia (26), Luangwa Valley, Zambia (27, 28). There is also particular concern about the threat to *Colophospermum mopane* from elephants in the protected areas of southern Africa. This has led to a research project by the Department of Biology and Wildlife of University Alaska-Fairbanks, to evaluate the elephant browsing and the patch dynamics in the *Colophospermum mopane* habitats of the Zambezi region in Zimbabwe.

The relations between elephant densities and woodland persistence are sufficiently defined (29) to be able to predict that whenever elephant densities exceed 1/km^2 almost the entire cover of mature canopy trees will disappear. Some degree of canopy cover can be maintained in the long term at lower elephant densities but to preserve a semblance of climax woodlands requires elephant densities not exceeding 0.25/km^2 (30).

2.3 Population Status

The status of elephant population in the major range is determined by systematic aerial sample counts (See section 4.2.1 for details). The population estimate from the 1995 national aerial survey over the approximately 61 000 km^2 of the major elephant range is 64,478 $\pm$ 10.1 % (Table 5). It is estimated that an additional 2,200 elephants exists in the unsurveyed minor ranges, giving a total of approximately 66,600 animals. There was no national aerial survey in 1996.

Points to draw attention to in these population figures are:

(a) some of the sub-populations within Zimbabwe are contiguous with populations in neighbouring countries (Figure 1). There are as yet no areas in the region totally separated from others by barriers. There are still corridors of natural habitat permitting the movement of animals which helps maintain genetic interchange and diversity.

(b) Using the Mace-Lande (31) criteria for threatened taxa neither the Zimbabwe national population nor the major sub-populations should be considered vulnerable or endangered.

(c) Some 18% of the total population occurs outside protected areas of which 16% occur in the communal lands. Survival of these sub-populations is essential to link populations in protected areas and to avoid the formation of "ecological islands" of elephant. The future of these elephants, however, is closely linked to their economic value (see Rationale above).

Table 5. Summary of numbers of elephants in Zimbabwe from 1995 surveys

Region	Census zone	Area km^2	Numbers Estimated	% Confidence Limits
Matebeleland north-west	National Parks Estate	19,618	27,191	16.4
	Forests	2,344	937	123.7
	Communal Lands	3,110	2,859	127.1
	Subtotal	**25,072**	**30,987**	**18.6**
Zambezi Valley	National Parks Estate	10,359	14,998	15.6
	Communal Lands	5,105	2,445	23.4
	Subtotal	**15,464**	**17,443**	**13.8**
Sebungwe	National Parks Estate	5,715	6,367	18.1
	Forests	609	124	163.1
	Communal Lands	8,858	5,306	29.6
	Subtotal	**15,182**	**11,798**	**17.4**
Gonarezhou	Gonarezhou National Park	4,972	4,251	35.9
	Communal Lands	405	0	-
	Total	**5,377**	**4,251**	**35.9**
Total for Major Elephant Range		**61,095**	**64,478**	**10.1**
Minor elephant range (unsurveyed Areas)	Parks Estate	**860**	**360**	**-**
	Communal Lands	**8,200**	**110**	**-**
	Private	**7,500**	**1683**	**-**
	Grand Total	**77,655**	**66,631**	**-**

Source: DNPWLM (32)

2.4 Population Trends

Although elephant numbers have been surveyed over much of their range since 1980 (10) comparisons of national estimates between years are difficult because the precise area surveyed has differed from year to year. However, direct comparisons are available for 1980, 1983, 1989, 1993 and 1995 (Table 6). The area surveyed during these years was at least 80 % of the total range. The 1995 estimate for the population was the highest to-date showing that the population continues to grow despite large take-offs of elephants in populations control exercises between 1980 and 1989.

In 1992, the Panel of Experts found no reason to doubt the estimates obtained and the credibility of the methods employed by the Department of National Parks and Wild Life Management (DNPWLM)[2]. In addition, a highly respected international firm of Chartered Accountants, Price Waterhouse, undertook an independent audit of the surveys and methods used and concluded that the results from surveys during the period 1980 until 1995 were valid and appropriate, and there is no reason to doubt the population estimates (10). The data reviewed suggest that the population in the core 80% of the range increased from approximately 46,000 in 1980 to approximately 64,000 in 1995.

[2] In 1992, according to Resolution Conf. 7.9, the CITES Standing Committee appointed the Panel of Experts to evaluate the proposal to transfer the populations of the African elephant of Botswana, Malawi, Namibia, Zambia, and Zimbabwe from Appendix I to II.

Table 6. Elephant population trends in the major elephant range:

Region	Census Zone	1980	1983	1989	1993	1995
Matebeleland N-W	National Parks Estate	20,444	25,888	27,411	26,796	27,191
	Forest Areas	N.S	N.S	N.S	815	937
	Communal Lands	N.S	N.S	N.S	230	2,859
	Population Estimated	20,444	25,888	27,411	27,841	30,987
	95 % C.L	±34%	±27%	±33%	±28%	±19%
	Area Surveyed km^2	18,709	19,153	18,933	24,935	25,072
Zambezi Valley	National Parks Estates	10,152	9,907	12,744	13,904	14,998
	Communal Lands	N.S	N.S	1,334	2,685	2,445
	Population Estimated	10,152	9,907	13,029	14,361	17,443
	95 % C.L	±19%	±17%	±19%	±16%	±14%
	Area Surveyed km^2	13,986	10,882	11,304	10,917	15,464
Sebungwe	National Parks Estates	8,302	6,088	9,508	7,253	6,367
	Forest Areas	89	0	319	70	124
	Communal Lands	2,735	3,214	3,463	3,419	5,306
	Population Estimated	11,126	9,302	12,946	10,742	11,797
	95 % C.L	±20%	±16%	±23%	±21%	±17%
	Area Surveyed km^2	14,129	13,601	12,568	15,118	15,182
Gona-re-Zhou	Population Estimated	4,604	3,985	5,286	5,241	4,251
	95 % C.L	±29%	±25%	±27%	±59%	±36%
	Area Surveyed km^2	4,855	5,208	4,900	5,171	5,377
Grand Total	Grand Total Population Estimate	46,426	49,082	58,672	58,185	64,478
	95 % C.L	±19%	±15%	±17%	±15%	±10%
Grand Total	Grand Total Area Surveyed km^2	51,679	48,844	47,705	56,141	61,095

N.S-Not Surveyed Source: Price Waterhouse (10) and DNPWLM records

2.5 Geographical Trends

The geographic range available to elephants and the number of sub-populations is constant within protected areas. There has been a steady increase in elephant range in the recent years in the privately-owned large scale commercial farming areas and the decline in some communal areas has been arrested as a result of land use policies which allow land owners to manage and benefit directly from their elephant populations. Many farmers in the semi-arid rangelands have joined their ranches together to form wildlife conservancies. As of October 1996 there were four conservancies or private game reserves with an approximate extent of 6,000 km^2 and an estimated elephant population of 930 (Table 7). The seed population was obtained from translocation programmes from Gonarezhou national park during the 1992 drought, and from the purchase of elephant calves from population reduction exercises.

Table 7. Elephant range and numbers in the conservancies of Zimbabwe

Conservancy	**Area km^2**	**Numbers of elephant**	**Target Population**
Bubiana	1275	70	100
Chiredzi River	895	27	50-60
Marirangwe Conservation Trust	300	128	240-300
Midlands	613	6	Small
Save	3213	700	1,000-1,500
Total	**6,296**	**931**	

There has been a long term decline in the range available to elephant in the communal lands together with an on-going increase in the number of both elephant and livestock in the CAMPFIRE areas. The expansion of human settlement and its associated crop and livestock production in areas formerly infested with tsetse fly has been the major reason for the decline in wildlife habitat in communal lands. A comprehensive programme to monitor animal populations and distribution in the CAMPFIRE areas was introduced in 1989 under the WWF and DNPWLM collaborative project.

The introduction of CAMPFIRE has helped stabilise, and in some places has reversed, the rate of conversion of wild habitat as rural communities in these areas have adopted wildlife production as a land use option and have designated land exclusively for wildlife while it remains economically profitable for them to do so. For example in 1989, the Kanyurira community (under the auspices of its wildlife committee) of Dande communal land, with the assistance of WWF and the Centre for Applied Social Sciences (CASS) of the University of Zimbabwe began a land use plan to integrate their agriculture and wildlife production systems and to make provisions for livestock which would be acquired once the threat from tsetse fly had been eliminated. The agricultural activities and human settlement were confined to an electric fenced area of 20 km^2 and the rest of the 400 km^2 of the ward was set aside for wildlife production. Similar projects have been undertaken in Gokwe north, Binga and Omay communal lands.

It is therefore important that these rural communities receive the full economic return from their animals if land is to remain available to elephant outside protected areas. This has to be achieved while the competitive edge is tilted against wildlife in favour of agricultural activities through donor subsidies of less ecologically and economically efficient agricultural production systems, and the loss of wildlife values due to the listing of the elephant on CITES Appendix I.

A high value for the elephant in the communal lands is critical if wild land is to remain to provide essential links between isolated protected areas. It is also important in determining the maximum number of elephants that can be accommodated in Zimbabwe.

2.6 Role of the Species in its Ecosystem

Elephant, because of their large body size, substantial food requirements, their ability to change vegetation structure and species composition, and their importance in nutrient cycling and seed dispersal, have been described as keystone species for both forest and Savanna ecosystems. Elephant have a large impact on vegetation because they are generalist feeders, eating a wide range of plant species and plant parts at all heights. They are also wasteful feeders.

At low densities elephant impacts promote species richness and biodiversity. In wooded areas, at low densities, elephants open up thickets creating pathways for other species and promoting the growth of grasses. At higher densities thickets are destroyed and trees are knocked down, encouraging the growth of grasses and changing the species composition of the ecosystem. Changes in vegetation composition involving a reduction in woody cover, and even changes to open grassland, can result from the high elephant density (See section 2.2)
Increasing human pressures and well managed and growing elephant populations in southern Africa are leading to increased 'compression' of the species in many protected areas. As outlined in section 2.2, when elephant densities rise above about one animal in every 3-4 sq km in the semi-arid areas, woodland habitats are likely to be damaged and biodiversity is lost and this becomes severe with rapid loss of biodiversity at greater densities of this ecologically dominant animal.

2.7 Threats

The Panel of Experts concluded in 1992 that there were no threats to the survival of Zimbabwe's elephant population in the short or medium terms. In spite of illegal harvesting which took place in the 1980s in the Zambezi Valley and in Gonarezhou National Park, Zimbabwe's elephant populations continued to increase as confirmed by an independent audit of the elephant survey figures.

However, the illegal traffic in ivory remains a low-level (and possibly growing) problem which is difficult to control. In previous sections, it has been argued that as the central government tightens its expenditure under the economic structural adjustment programme introduced in 1990, the reintroduction of a controlled, legal ivory trade is the only way to fund anti-poaching and other conservation activities.

As already stressed, the most serious threat to the survival of viable populations of elephants is the expansion of human settlement and agriculture in the semi-arid areas where most elephant survive. Ultimately, it leads to the eradication of elephants outside protected areas and to their overcrowding inside them.

If the expansion of human population cannot be arrested and without a significant value for wildlife, especially for the elephant, there will be severe fragmentation of habitats resulting in the isolation of elephant populations. The protected areas in the Sebungwe region, for example, are relatively small (less than 10,000 km^2) and surrounded by communal lands. The existence of a hard edge between such protected areas and communal lands leads to serious human/elephant conflicts. Healthy, viable elephant populations inside the government's protected areas are dependent on the survival of suitable habitats in the communal areas. In 1992, the Panel of Experts noted that elephant populations on privately-owned farms and in communal lands could increase significantly if it was in the economic interest of the farmers.

3. Utilisation

3.1 National Utilisation

Zimbabwe does not exploit elephant directly for their products either for commercial trade or domestic consumption. Indeed, it is recognised that the direct harvest of elephants for their products is often the lowest valued use for the species - recreational hunting and photo-tourism can add a great deal of value to elephant populations. However, large numbers of elephants have been removed to achieve specifically targeted population reductions for conservation purposes. This information is included in Section 4.2.3.

a) Recreational Hunting

The principle form of utilisation of elephant in Zimbabwe at the moment is recreational, or 'sport hunting'. Elephant are hunted on safari with an annual quota of approximately 200 animals (100 in the state safari areas and 100 in the communal lands) (Table 8). In addition to hunting on these major areas, recreational hunting is also conducted on private and indigenous forest areas with an annual quota of approximately 70 animals.

The annual CITES export quota is 300 pairs of tusks. The DNPWLM has introduced a tag system to facilitate the management of this export quota.

Elephant hunting contributes about 64 % of the total income earned by Rural District Councils involved in CAMPFIRE (31) and about 50 % of the income earned from recreational hunting on state safari areas (Heath, pers comm). Recreational hunting produces up to 10 tonnes of ivory but none of this enters the commercial trade.

Table 8. Elephant recreational hunting quotas for the major hunting areas 1992-95.

Year	State safari Areas		Communal Land	Total
	Foreign	Local	Foreign	
1992	72	*	102	174
1993	69	18	104	191
1994	75	9	119	203
1995	77	19	130	226

Source: DNPWLM records

b) Live Sales

Elephant calves captured during population reduction exercises are sold and translocated to private game ranchers. During the 1992/93 drought in Gonarezhou, about 1,400 elephants were sold and translocated to local farmers and about 200 whole family herds were sold and translocated to South Africa.

c) Sale of elephant products(ivory, hides and meat)

Sales of ivory before and after the Appendix I listing are shown in Table 9. Child and White (34) have described the various systems for selling ivory and other products in Zimbabwe. Since 1977 ivory has been sold through public auctions, by tender and, for small amounts, by direct sales from the government ivory store at the prices prevailing after the most recent ivory auctions.

The last sales by tender were in 1985 and the last by public auctions was in April 1989. After the Appendix I listing, sales to the local ivory carving industry were made direct from the government ivory stores.

Table 9. Ivory Sales: 1986-1996.

Year	National Parks		Rural District Councils	
	Weight (kg)	Value (Z$)	Weight (kg)	Value (Z$)
1986	7,589.4	548,300	868.0	99,180
1987	5,657.3	490,548	463.5	70,945
1988	5,622.5	880,048	1,225.0	260,584
1989	3,551.0	595,725	391.0	94,802
1990	2,347.0	313,478	305.3	62,709
1991	3,434.5	603,624	752.8	202,164
1992	2,251.0	449,498	944.0	197,205
1993	5,737.2	1,166,560	363.0	85,799

1994	3,536.5	997,478	179.3	62,141
1995	4,120.3	1,416,435	1,333.6	455,291
1996*	8,106.8	3,147,937	2,782.2	1,062,769

Source: DNPWLM records
*Ivory sales from 03/01/96 to 11/12/96

The local ivory carving industry has been described by Martin (35) and was estimated to be earning some Z$ 8 million in 1983. Before the Appendix I listing of elephants in 1989, some 800 people were employed in the industry (Mavros, pers. comm.). A few of these have been retrenched since 1989, but the industry continues to manufacture ivory products, albeit at a lower level than before, and there has been some diversification into other processed products since 1989. The annual sales of raw ivory to local dealers has been averaging 5 tonnes but has suddenly increased to 10 tonnes in 1996. This sudden increase in the quantity sold could be due to the following reasons:

- many international conferences were held in Zimbabwe during 1996 so the demand of ivory carving products could have been high;
- there was an anticipation of huge price increases in the price of ivory following the review of all tariffs for the goods and services offered by the DNPWLM;
- if the allegations that some dealers were smuggling ivory are true, this could also have contributed to the increase in quantity purchased.

Sale of other products (such as meat and hides) from culling are detailed by Booth (36) for the years 1981-1988. The value of the hide which was exported between 1986 and 1990 is shown in Table 10. The value of hide is significant as shown by the comparison of the value of the ivory which was exported during the same period.

Table 10. Gross value of hides exported from Zimbabwe between 1986 and 1990, and the calculated return to producers (US$).

Year	**Hide Export Quantity**	**Hide Export Value US$**	**Producer return US $**	**% Value to Producer**	**Value of ivory exports**	**Value of hide as % of ivory**
1986	216,964	864,082	527,090	61 %	2,816,222	30 %
1987	219,677	1,652,038	1,371,191	83 %	1,633,333	101 %
1988	230,686	1,765,372	1,447,605	81 %	2,105,561	84 %
1989	108,025	1,043,460	553,034	53 %	558,941	177 %

Source: Dawe and Hutton (32)

In the pre-ban period, dry-salted elephant hides were offered to local and foreign buyers at regularly -scheduled auctions sponsored by DNPWLM. Most of the raw hide was purchased by local tanners, who produced elephant leather primarily for export to the United States and , by 1988, increasingly to new markets in the Far East. After the ban, the elephant hide industry totally collapsed.

d) Eco-tourism

Elephant, along with other big game, represent a big drawcard of tourists, especially as the likelihood of sighting them in major national Parks is very high. Tourism is the third highest foreign currency earner and the fastest growing industry in Zimbabwe. The two main attractions bringing tourists to Zimbabwe are the beautiful scenery and wildlife.

e) Ivory and hide stocks

The elephant products available in central storage facilities of the Management Authority are from the off-take of elephant in management activities such as problem animal control (PAC), culling,

confiscation from illegal hunters or traders and, often greatly underestimated, recovered from natural mortality. Ivory records 1985-94 are detailed in Table 11 and the hides produced from utilisation of elephants through sport hunting, PAC and culling are detailed in Table 12. The commercial use of products inevitably generated through elephant population management and natural mortality is important to provide financial resources for conservation, not only directly to government, but also to give the conservation incentives to rural communities involved in CAMPFIRE.

Table 11. Source and quantity (kg) of ivory recovered by the Management Authority, 1985-1994

	Culling	PAC	Natural mortal-ity	Poached from field	Confis-cated	Tsetse Control	Profi-ciency Test	Other	Total
1985	1,762	2,225	673	684	547	141	0	437	22,327
1986	11,660	2,873	1,011	346	820	29	0	0	16,739
1987	6,822	3,236	2,467	681	545	19	0	0	13,770
1988	5,587	3,143	2,043	365	694	28	0	0	11,860
1989	673	1,994	2,475	408	367	53	0	0	5,970
1990	224	2,701	1,677	820	171	56	0	309	5.958
1991	313	2,324	3,502	660	554	0	0	332	7,685
1992	5,705	1,287	7,436	798	193	0	115	74	15,608
1993	127	553	3,256	833	182	0	193	38	5,182
1994	459	1,204	3,030	241	105	0	140	0	5,638

Source: DNPWLM records. Figures for 1991-1994 are still to be verified by TRAFFIC(East|Southern Africa).

Table 12. Accumulated stocks (kg) of elephant hide identified by source

Year	Cull		PAC		Recreational Hunting		Approx. Total Yield
	No.	Yield	No.	Yield	No.	Yield	
1985	3,704	240,760	93	3,720	203	26,390	270,870
1986	2,404	156,260	200	8,000	198	25,740	190,000
1987	1,065	69,225	156	6,240	203	26,390	101,855
1988	1,150	74,750	107	4,280	203	26,390	105,420
1989	126	8,190	86	3,440	208	27,040	38,670
1990	44	2,860	118	4,720	161	20,930	28,510
1991	266	21,280	85	3,400	180	23,400	48,080
1992	353	28,240	54	2,160	187	24,310	54,710
1993	379	26,300	16	640	184	23,920	50,860
1994	21	1,680	38	1,520	211	27,430	30,630
1995	36	2,880	25	1,000	200	2,600	6,480

Source: Dawe and Hutton (37) and DNPWLM records

An inventory of the existing ivory stockpiles as of 31 October 1996 is detailed in Table 13 below. TRAFFIC(East|Southern Africa) is assisting DNPWLM in setting up a computerised Ivory Database Management System(See Annex 1). The inventory given below is the first product of the project.

Zimbabwe has no formal moratorium on raw ivory but has not made any commercial exports of raw ivory since the Appendix I listing of the African elephant. This proposal seeks to down-list the elephant population of Zimbabwe to allow for the disposal of the existing stocks of ivory. It must be noted that stockpiles will be continually replenished at the rate of about 5,000 kg a year through natural mortality and this rate will be increased by problem animal control and other management activities. However, no further exports of ivory will be made without returning to the C.O.P to ask for additional quotas through a proposal to renew a quota in terms of Resolution Conf. 9.24.

Table 13: Ivory Stock (as 0f 31/10/96) in the National Stockpile of the Management Authority of Zimbabwe.

	Parks	**Communities**	**Total**
Tusks in stock	2156	683	2839

Weight(kg)	21535.19	7744.55	29279.74
Average Weight	9.99	11.34	10.67
Standard deviation	8.27	6.64	7.93

source: DNPWLM records

Currently the DNPWLM is holding a large stock of elephant hide but the exact quantity is unknown at this time as some quantity is held at field stations. There is no security risk in keeping them at field stations and also there is no incentive of transporting them to Harare as there is no demand for hide.

3.2 Legal International Trade

Since the listing of the species in Appendix I of the CITES, Zimbabwe has not sold raw ivory on the international market. The amounts of ivory available for trade from 1985-94 are shown in Table 10. However, there have been allegations that some local dealers were smuggling ivory to some Far East countries. The DNPWLM, with the assistance of some local law enforcement agents and Interpol is carrying out investigations. It is necessary to explain that in ivory auction sales from 1985 to 1989 only a portion of the total offered (20-40%) was permitted to be exported, the bulk being reserved for the local manufacturing industry. In practice, local buyers usually purchased small amounts of the non-restricted ivory available to the international market. Thus, figures show the maximum amount of ivory which was available for international trade although actual exports were lower because of the small amounts purchased for local manufacture.

When this proposal is approved by the Parties, international sales will resume in early 1998 when one shipment will be made in accordance with the obligations laid out in this document. A second shipment will take place in 1999, but then the quota for ivory will fall away. Not all the ivory in the stock will be exported. A significant portion will remain embargoed for local industry.

3.3 Illegal Trade

Illegal trade in ivory in the region is relatively low, but probably increasing. Data on ivory seizures in or from Zimbabwe, reported number of elephants poached in Zimbabwe from 1985 until 1995, and the carcass ratios[3] for the period between 1990 and 1995 are shown in Tables 14, 15 and 16 respectively. On the national aerial surveys, elephant carcasses are counted and the ratio of dead to live elephant are used as a rough estimate of the mortality over preceding years. A rough rule of thumb indicates that if dead elephants (or carcasses) form more than 5-10% of the total population then above average mortality has been experienced in the preceding years. The data on carcass ratios suggest that there has been very low mortality which can be assumed to be from illegal off-take, except in the Gonarezhou National Park. The high ratio of old carcasses in Gonarezhou can be attributed to a high level of illegal activities during 1987, together with natural mortality from the 1992/93 drought.

The recovery by Customs and law enforcement officers in the field of ivory from illegal hunting and trade amounts to about one tonne of ivory annually and there is no obvious trend since 1985. However, there are both apocryphal and well documented reports of increased poaching from some localities.

Prior to 1984, illegal hunting levels were very low. As numbers of rhino and elephant became depleted in countries to the north of Zimbabwe, large armed gangs began to enter across the northern and north-eastern borders. The record of elephants and rhino killed since 1984 is given in Table 16. In the early stages of the "assault", hunting forays were confined to the Zambezi valley but by 1987 all areas in the north of the country were under pressure

[3] Carcass ratios are calculated as the proportion of dead elephants expressed as a percentage of the estimate of the live elephants. Fresh carcass less than a year old. Old carcass (old bones)= more than a year old.

Table 14. Ivory seizures in or from Zimbabwe

Year	Country of seizure	No. of Seizures	No. of Items seized	Weight of Items seized (kg)	Remarks
1991-93	Denmark	2	WI:2 IT:2		No weight available.
1993	Italy	1	WI:3		No weight available.
1991-93	Germany	15	WI: 69 RIT: 7		No weight available for all cases. One case ivory from Cameroon.
1990-93	Portugal	3	WI:2 RIT:1	RIT: 11	quantity of WI for one case is unknown.
1990-93	United Kingdom	19	WI: 43		No weight available for all cases. Two cases United Kingdom is the country of export and for one of these two cases Japan is the country of destination. In one case Zimbabwe is the country of import.
1990-95	United States	50	WI:204 RIT: 14		No weight available for all cases. Three cases the country of export is Saudi Arabia, in one case the country of export is Japan, and for one case country of origin is Ethiopia.
1994	Zambia	1	RIT:16		No weight available
1990-95	Zimbabwe	32	RIT: 89 WI:2 RIP:13	RIT: 72.4 RIP:25	Two cases ivory destined for Nigeria and Spain. one case ivory originated from Mozambique.
TOTAL		123	WI: 325 IT: 2 RIT: 127 RIP: 13	RIT: 83.4 RIP: 25	

Key: WI: worked Ivory. RIT: Raw Ivory Tusk. RIP: Raw Ivory Piece. IT: Ivory Trophy.
Source: TRAFFIC East/Southern Africa.

Table 15. Illegal off-take of elephant and rhino from the major populations of Zimbabwe.

Year	**Matebeleland north**		**Zambezi Valley**		**Sebungwe**		**Gona-re-Zhou**	
	E	R	E	R	E	R	E	R
1985	-	-	27	108	-	-	5	110
1986	1	1	17	150	-	2	6	155
1987	-	2	9	170	-	1	30	180
1988	8	17	14	76	3	50	823	184
1989	8	17	9	50	3	57	8	129
1990	7	18	73	37	9	61	10	117
1991	6	17	41	27	7	56	12	100
1992	12		38		-		11	
1993	10		37		11		-	
1994	6		31		8		1	
1995	13		12		2		11	

E-numbers of elephants killed. R-numbers of rhino killed. Source: DNPWLM records

Table 16: Carcass ratios for the elephant range region

Year	**Matebeleland north**		**Zambezi valley**		**Sebungwe**		**Gona-re-Zhou**	
	Fresh	**old**	**Fresh**	**old**	**Fresh**	**old**	**Fresh**	**old**
1990	0 %	0.5 %	*	*	*	*		
1991	0.06 %	2.1 %	*	*	*	*	0.2 %	7.1 %
1992	0 %	3.5 %	*	*	*	*	*	*
1993	0 %	6.4 %	0	3.4 %	*	*	0.1 %	11.0 %
1994	0.1 %	2.7 %	*	*	0	2.4 %	*	*
1995	0 %	4.5 %	0.1 %	7.0 %	0	2.4 %	0	23.0 %

* Data not available or the respective areas were not surveyed.

Historically, the level of illegal hunting of elephants in Zimbabwe has probably been low for the following reasons:

a)Expenditure on conservation in the region has been relatively high compared to the rest of Africa:
b)The majority of illegal hunting efforts are still being directed at black rhino in the region.
c)There is strong support for law enforcement in many areas from rural communities who manage their own wildlife for direct financial gain.
d)There is co-operation between countries in the region to reduce illegal hunting (for example, Zambia has greatly assisted Zimbabwe combat illegal incursions across the common border (38, 39)).

The manpower, budgets and transport available to the DNPWLM to protect elephant(and other species) for 1995 are shown in Table 17. The total budget of the wildlife department in 1995/96 was less than US$ 8 million (Table 18) and, based on a minimum required expenditure of US$ 400/km^2 for successful law enforcement, the actual required budget is some US$ 20 million annually. Thus, the wildlife authorities are severely under-funded. The potential income from elephant products derived from management could make up the shortfall.

Law enforcement staff densities should at least 1 man/50 km^2 and preferable closer to 1 man/20 km^2 but the existing densities are well below the ideal(Table 17). Law enforcement has remained more or less constant since 1984 in terms of effort, despite the retrenchment of 250 field staff in 1992 and continued

shrinking of the department budget allocation from central government (Table 18). The total time staff are spending on patrols has increased and in some areas Departmental or Air-force aircraft are used to detect incursions. Personnel from Zimbabwe National Army and the Police also assist through the 'Operation Safeguard Heritage' programme launched by the President in November 1994.

Table 17. Resources available for law enforcement in protected areas (as of March 1996)

Law Enforcement Feature	Matebelela nd North	Zambezi Valley	Sebungwe	Gonarezhou	Totals
Officers	27	14	9	8	58
Field Staff	147	173	91	97	508
Total Manpower	**174**	**187**	**100**	**105**	**566**
Salaries (approx.) (ZW$)	5,689,288	4,941,138	2,520,425	1,834,579	14,985,430
Operational budget (ZW$)	2,343,800	1,682,250	1,325,880	826,700	6,178,630
Total Budget	**8,033,088**	**6,623,388**	**3,846,305**	**2,661,279**	**21,164,060**
4- wheel Drive Vehicles	13	10	6	4	33
5- Ton Trucks	11	6	4	7	28
Total Vehicles	**24**	**16**	**10**	**11**	**61**
Air-Craft	2	0	1	1	4
Boats	2	6	7	0	15
Protected Area(km^2)	19,400	12,000	6,200	5,250	42,850
Field staff Density (men/km^2)	111	64	62	50	76
Area per vehicle	808	750	620	477	702
Total Expenditure (US $/km2)	**41**	**55**	**62**	**51**	**49**

Source: DNPWLM records

Table 18. Budget allocations to the DNPWLM from Central Treasury

Financial Year	Allocation Z$	US $ Equivalent
1980/81	5,921,000	8,289,400
1985/86	13,360,000	7,882,400
1990/91	29,811,000	5,962,200
1995/96	56,791,000	6,310,000
1996/97	10,000,000	1,000,000

Source: DNPWLM records

How legal trade will affect illegal trade

The approval of this proposal and the transfer of the Zimbabwe population of the elephant to Appendix II will not stimulate illegal trade. The fear that any legal trade will both act as a screen for illegal trade in the exporting country and encourage illegal trade in other range states is the basis of much of the opposition to a transfer of the elephant to Appendix II. In fact, the idea that legal trade encourages illegal trade is a powerful myth, and one which is perpetuated by some non-governmental organisations. In the only comprehensive assessment of the effect of CITES on a taxon, the Crocodile Specialist Group of the World Conservation Union (IUCN) wrote: *".It has been claimed that opening legal trade under CITES provides a cover for illegal trade and also creates expanded markets, which are then supplied illegally. The objective experience in crocodilians is the opposite. As legal trade has expanded, illegal trade has contracted"*. And so we expect it to be with the elephant. This proposal contains adequate safeguards to ensure that other range states are not negatively affected by a re-opening of a limited, legal ivory trade. In addition, in the unlikely event that genuine problems related to legal trade or the stimulation of illegal trade be identified, the transfer can quickly and effectively be reversed.

3. 4. Actual or Potential Trade Impacts:

Trade in elephant products will have a positive effect on the elephant populations concerned (see Rationale, in the introductory statement). The southern African countries see the absence of trade as the greatest threat to elephant survival in the region. Many people are concerned that any legal trade will encourage illegal trade, however illegal trade is re-growing and the biggest threat to elephant in the long run may be their lack of a legal value. Those concerned about elephant conservation must draw lessons from other species like the white rhino. The issue of ivory stockpiles in Africa is a fundamental problem which needs to be solved and an experimental controlled trade is needed. The four countries of the Southern African Convention for Wildlife Management (SACWM) respect fully the desires of those range states wishing to retain their elephant population in Appendix 1 and in this proposal have taken maximum measures to ensure that trade from Zimbabwe will not prejudice elephant populations in other parts of Africa.

Zimbabwe wishes to draw very strong attention to the fact that there are no requirements for the effects of an Appendix I listing to be monitored, and therefore it is impossible to state with any confidence whether the Appendix I listing of the African elephant had any beneficial - or negative - effects on the conservation status of the species. Similarly, it will not be easy to tell what the effects are of a transfer to Appendix II. It is therefore necessary for the Parties to agree to establish a mechanism independently to monitor these processes so that more informed decisions can be made in future.

From the sale of ivory, Zimbabwe will make funds available to respectable organisations such as the IUCN to monitor population trends and trade patterns in neighbouring countries. All proposals to this effect will be evaluated on their merit.

At the Dakar meeting of the elephant Range States, it was noted that there was no demonstrated link between trade in hides and poaching. The Range States broadly agreed that such a trade would not endanger elephant populations.

3.4.1 Live Specimens:
There is very small trade in live elephant within the region. Elephant calves from culling operations in Zimbabwe and South Africa are used as founder populations for new areas (usually less than 50 in any year). Of the Zimbabwean calves, the majority are purchased by local farmers to stock their own land. About 200 elephants, including adults, were translocated to South Africa from Gonarezhou National Park to stock a new Game Park. The technique of moving whole family groups was pioneered in Zimbabwe as a short term alternative to culling.

3.4.2 Parts and Derivatives:
The proposals for trade in ivory and other elephant products have been dealt with fully in section 3.2.

3.5 Captive Breeding
There is no significant commercial captive breeding *of Loxodonta africana* anywhere in the world.

4. Conservation and Management
4.1. Legal Status
4.1.1. National.
The laws which determine the application of CITES in Zimbabwe have been independently reviewed as part of a CITES process. The Control of Goods (Import and Export) (Wildlife) Regulations 1982 (No.1) (S.I. 557 of 1982) and the Parks and Wild Life Act 1975 as amended at 1 August 1990, together with later regulations were analysed and the report concluded "*The combination of these two pieces of legislation therefore allows for an effective implementation of CITES.*" The full text of the report is included as Annex 2.

The range available to the elephant in Zimbabwe is found in National Parks, which offer the highest level of legal protection, through to Safari areas, Communal and Private land where sustainable recreational hunting is permitted. Killing of elephants (and other animals) in National Parks is only undertaken as a management tool to protect habitats. Under the Parks and Wild Life Act, as amended 1st August 1991, the sale and purchase of live animals or trophies is subject to a permit whether they occur in the Parks and Wild Life Estate, or on communal or private land, and hunting is subject to permit on state land.

It is doubtful if the elephant requires any additional legal protection. What is required, in the view of the proponents of this proposal, is adequate state expenditure on field protection and the devolution of rights to rural communities to manage and control elephant for their own benefit.

The Panel of Expert's report in 1992 highly commended the general effectiveness of Zimbabwe's anti-poaching operations, including the emphasis on intelligent work as a component of the law enforcement effort, the collaboration of the wildlife authorities with the Anti-Corruption Commission in Zambia and with the Botswana authorities, and the involvement of the local communities in law enforcement through the CAMPFIRE.

4.1.2. International:

The species is listed in Appendix 1 of CITES. Botswana, Malawi, Namibia, Zambia and Zimbabwe have entered reservations against this listing. In accordance with Resolution Conf. 4.25 these Parties are continuing to regard the elephant as if it were listed in Appendix II. However, it is noted that Article XV (3) of the Convention provides for Parties entering reservations to be treated as states not Parties to the Convention. Zambia has signalled its intention to withdraw its reservation, but has not yet done so.

4.2 Species Management

4.2.1 Population Monitoring

Aerial surveys have been used to monitor elephant populations in Zimbabwe since 1960, with greater refinement introduced since 1980 (10). From that year the important elephant areas have all been surveyed with varying frequencies (Table 19) using either the stratified transect sample counts, or block sample counts. Budgetary constraints, lack of suitable aircraft and aircraft disasters are some of the reasons why national surveys are not conducted annually.

The transect sample counts involve stratifying the survey area and counting elephant in a calibrated strip width of about 150 m each side of the aircraft. The aircraft is flown along the transect lines chosen at random. Sample coverage ranges from 5-20 % depending on the density of the population being surveyed. In the broken hilly terrain (Zambezi river escarpment and some areas in the Sebungwe region), block count census techniques are employed using either helicopters or fixed wing (Piper Super Cub) aircraft.

Table 19. The frequency of surveys in each of the four major regions of Zimbabwe 1980-1995

YEARS	80	81	82	83	84	85	85	87	88	89	90	91	92	93	94	95
MATEBELELAND NORTH																
Hwange NP Complex																
Matetsi Complex																
Communal Lands																
Forest Areas																
Private Land																
SEBUNGWE REGION																
Matusadona NP																
Chizarira																
Chete S A																
Chirisa S A																
Gokwe District																
Kariba - Omay																
Binga District																
Forest Areas																
ZAMBEZI VALLEY																
Charara SA																
Rifa SA																
Nyakasanga SA																
Mana Escarpment																
Mana South																
Mana/Sapi																
Mana Zambezi																
Sapi Zambezi																
Chewore NW																
Chewore South																
Chewore Escarpment																
Chewore Mountains																
Doma SA																
Dande SA																
Dande CL																
Muzarabani CL																
Mukwishe CL																
GONA-RE-ZHOU																
Gona-re-zhou NP																

Source: Price Waterhouse (10) and DNPWLM records.

Concern has been expressed at the possible risk of counting errors during aerial surveys of the Matebeleland north elephant population in Zimbabwe, and those in the north of Botswana and the Caprivi Strip in Namibia, due to cross-border movements.
This possibility has been eradicated through a system of simultaneous, comparable surveys established in 1989 and co-ordinated most recently by the Southern African Elephant Survey and Monitoring Programme (ELESMAP) funded by the European Union (Table 20).

Table 20. Results of elephant population monitoring in North East Botswana and North West Matebeleland in Zimbabwe: 1992-1995.

Year	North-west Matebeleland	North-east Botswana
1992	41 150 ± 20%	--
1993	27 841 ± 18%	79 000 ±17%
1994	37 442 ± 29%	79 305 ± 21%
1995	30 987 ± 19%	73 815 ± 22%

In 1992, the Panel of Expert's report acknowledged that the elephant surveys were conducted by highly qualified staff and that the department has adequate resources to monitor its national elephant population. The subsequent independent audit by consultants Price concluded that the Zimbabwe authorities have invested a considerable amount of time, effort, and money in the elephant monitoring and management programme -- probably more than any other country in Africa -- and confirmed the validity of the results. Another check on the reliability of surveys since 1989 has been the formal collaboration of the World Wide Fund for Nature (WWF) in several areas of northern Zimbabwe. Finally, in 1995 an independent survey of the Gonarezhou National Parks in south-eastern Zimbabwe was conducted by Dr Iain Douglas-Hamilton who actually estimated slightly more animals than the government survey team assisted by the ELESMAP project.

There is also a comprehensive system to monitor off-takes from the population. All field stations report, on monthly basis, animals killed through all forms of off-take. Safari operators are required by law to make returns to DNPWLM of the animal shot on recreational hunting. TRAFFIC (East/Southern Africa) is assisting in the establishment of a centralised computerised database for the purpose of collating, collecting and analysis of data related to species off-take in Zimbabwe. All elephant killed through PAC and recreational hunting are attributed as part of the annual off-take quota to ensure that the off-take is sustainable.

4.2.2 Habitat Conservation

According to the preamble of the Parks and Wild Life Act (1975) the objectives for which National Parks are established are to preserve and protect the natural landscape and scenery, and to preserve and protect wildlife and plants and the natural ecological stability of wildlife and plants. Until 1989, in order to conserve elephant habitat and to maintain biological diversity, the Department of National Parks and Wild Life Management continually tried to reduce elephant densities in protected areas to levels not exceeding 1 elephant per square kilometre. These target densities were based on models of elephant woodland interactions derived by Craig (29). Unfortunately, since the Appendix I listing it has been impossible for populations reduction operations to be subsidised from the commercial export of ivory and hides and as a result, no large off-takes have taken place. Ecologist now consider several protected areas to be so overstocked that a major die-off elephant is imminent as happened in Gonarezhou in 1992, and is likely to occur in the next severe drought.

Fire is one of the key factor responsible for significant habitat modification. The DNPWLM does have a significant annual budget allocation for fire fighting and the construction and maintenance of access roads and fire guards to control bush fires, but this task is made increasingly difficult as elephants

(together with fire itself) influence habitats to change from woodland to grassland which has a high fuel load.

4.2.3 Management Measures

a) Population Management Measures

At present recreational hunting under quota is the major elephant population management undertaken in Zimbabwe. The quotas are set to maximise the sustainable production of high quality trophies without any detriment to the population. A quota of as little as 0.05-1.0% provides high quality trophies, and quotas of this magnitude are set on the basis of standardised aerial surveys and/or local knowledge. Biological data from the hunt return forms are analysed in order to monitor the sustainability of the off-take. Any trend in mean trophy weight could, for example, indicate a level of recreational hunting not in equilibrium with the elephant population, or a high level of illegal hunting.

Problem animal control (PAC) is another management operation undertaken, mainly in communal lands. Elephants that represent a significant threat to human life and property are destroyed. The numbers of animals destroyed do not reflect on the magnitude of the problems. This operation is one of the most complex issue in elephant management because of the following reasons:

e)communicating reports is difficult as most CAMPFIRE areas are remote;

f)emphasis of action after the damage has been done is not adequate to the affected people;

g)most reported problems are not acted upon. Wildlife department staff may not be available, or they may not have transport.

In view of the above problems, the DNPWLM introduced localised culling or 'disturbance culling' programme in areas associated with high elephant problem reports. Safari operators also assist in problem animal control. The number of elephants killed on PAC is deducted from the hunting quota for the area. Since the introduction of CAMPFIRE in many districts the number of elephant killed on PAC has declined significantly.

The DNPWLM plans regular population reduction operations (as indicated in section 4.2.2) but is restrained due to lack of funds. Wildlife biologists have recommended a reduction of the number of elephants in protected areas to a level of 32,000-35,000 elephants. For practical reasons, not more than 5,000 elephants can be culled in any one year and given a population growth rate of 5 %, it would take 12 years to achieve the reduction.

Translocation was pioneered in Zimbabwe when some elephants were translocated to conservancies and to stock a new Game Park in South Africa. This management measure could be pursued if the demand for elephants is there and the financial resources are available. However, for practical reasons, translocation alone cannot reduce the numbers to desired levels.

The elephant off-takes from the major elephant range regions for the period 1989 to 1995 detailed in Tables 20a-20d. For the period between 1980 to 1989, major culls were done in all the regions to protect the vegetation.. The largest culls took place in Matebeleland North region when the elephant population in Hwange National Park was reduced from an estimated 20,000 animals in 1982 to 13,000 animals in 1986. The last culling operation was undertaken in Gonarezhou National Park in 1992/93 when that Park experienced its worst drought in living memory (Table 20d). In addition to those culled, about 1,400 elephants were translocated to private Conservancies and about 200 were translocated to South Africa to stock a new Game Park.

There has been a substantial increase in the natural mortalities of elephants since 1987. This is also reflected in the amount of ivory originating from natural mortalities in Table 11. This is likely to be the result of increased numbers of animals coupled with a period which has had less than average rainfall.

In addition to the forms of off-take listed in the tables below, there are also minor off-takes through training of professional hunters and some elephants used to be taken through tsetse-fly control programmes.

Table 20a. Off-take of elephants from Matebeleland north population: 1989-1995.

Year	Cull	Safari Hunting	P.A.C	Natural Mortality	Poached	Translocation	Total
1989	0	37	15	15	8	0	75
1990	0	42	7	15	7	0	71
1991	0	23	4	10	6	0	43
1992	0	23	8	8	12	0	51
1993	0	44	5	22	10	0	81
1994	0	33	2	100	6	0	141
1995	0	23	5	23	13	0	64
Total	0	225	46	193	62	0	526

Table 20b. Off-take of elephants from Zambezi Valley population: 1989-1995.

Year	Cull	Safari Hunting	P.A.C	Natural Mortality	Poached	Translocation	Total
1989	0	78	13	53	9	0	153
1990	0	57	19	32	73	0	181
1991	0	70	20	42	41	0	173
1992	38	175*	15	39	38	0	305
1993	0	54	6	51	37	0	148
1994	21	81	30	34	31	0	197
1995	36	74	15	51	12	0	188
Total	95	589	118	302	241	0	1345

1993 off-take (except sport hunting) records for Chewore were not available
* The figure is unusually high because of VIP hunting

Table 20c. Off-take of elephants from Sebungwe population: 1989-1995.

Year	Cull	Safari Hunting	P.A.C	Natural Mortality	Poached	Translocation	Total
1989	7	3	41	5	3	0	59
1990	0	10	21	10	9	0	50
1991	157	13	12	10	7	0	199
1992	201	12	28	25		0	266
1993	0	13	8	4	11	0	36
1994	0	16	7	31	8	0	62
1995	0	14	1	33	2	0	50
Total	365	81	118	118	40	0	722

Table 20d. Off-take of elephants from Gonarezhou population: 1989-1995.

Year	Cull	Safari Hunting	P.A.C	Natural Mortality	Poached	Translocation	Total
1989	0	5	-	-	8	0	13
1990	0	5	3	-	10	0	18
1991	0	5	1	-	12	0	18
1992	379	5	1	-	11	939	1,335
1993	0	8	1	1,521	0	670	2,200
1994	0	9	5	-	1	0	15
1995	0	10	4	-	11	0	25
Total	379	47	15	1,521	53	1,609	3,624

Note: where there is a dash (-) there was no data available

b) Mechanism for reinvesting revenues in elephant conservation

All the revenues generated from wildlife products derived from natural mortality and management activities in the Parks and Wild Life Estate will be retained by the Department and used by field station located in the elephant range areas for elephant conservation. The Government of Zimbabwe in January 1996 approved the establishment of the Parks and Wild Life Conservation Fund under section 30 of the Audit and Exchequer Act. (Chapter 168). This Fund will enable the DNPWLM to retain its present and future revenues to undertake measures required for improving efficiency within the Parks Estate. The DNPWLM has undertaken to use the revenues derived from sale of elephant products for financing illegal activities monitoring and maintaining sustainable artificial game water supplies. Maintenance of sustainable water supplies imposes a serious budgetary requirement.

Revenues from wildlife products derived from natural mortality and management activities in those communal lands with Appropriate Authority under the Campfire programme will be retained by the Rural District Councils in their Campfire fund and used for conservation activities and for providing development benefits to rural people in line with the Campfire guidelines.

4.3 Control Measures

4.3.1 International Trade

The following mechanisms are in place to control international trade of live specimens or trophies of elephants and other wildlife species:-

At the ports of exit, CITES and Veterinary Import Permits are checked by Customs and frequently the shipments are physically inspected. In case of doubt, Customs may call upon a DNPWLM officer to assist and provide expert information. Additional controls are carried out by the National Economic Conduct Inspectorate, a unit in the Ministry of Finance, Economic Planning and Development. CITES export permits are checked by Customs who stamp the original and return a copy to DNPWLM headquarters. Each Customs Office has a copy of the Control of Goods (Import and Export) (Wild Life) Regulations which apply in this sector of trade.

Permits for exports of raw ivory (from recreational hunting only) are issued by the Head Office of DNPWLM in Harare. Two field stations, Matetsi Safari Headquarters and Marongora are authorised to issue export permits, but for recreational hunting trophies only.

When issuing Veterinary Health Certificates for the export of raw ivory, the Department of Veterinary Services requires the applicant to present valid CITES export permit..

The fraud squad Unit of the Zimbabwe Police assists the Investigations Branch with respect to offences in trafficking of wildlife products.

In general the 1992 Panel of Experts found Zimbabwe's international trade controls to be adequate but encountered problems of trade controls in the countries of import.

The are plans to implement a regional control mechanism through SACWM, possibly incorporating the Lusaka Agreement.

Proposed Trade Control Measures

The following is the detailed list of precautionary measures to be an integral part of any transfer of the species to Appendix II to which Zimbabwe and its trading partner commit according to the provisions of Resolution 9.24 (4) (d).

a) Zimbabwean population only

Only the Zimbabwean elephant population is included in this proposal. Ivory of Zimbabwean origin held in other countries or in private ownership are excluded from this proposal.

b) Withdrawal of Reservation

Zimbabwe will withdraw the reservation on *Loxodonta africana* within 90 days of acceptance of the transfer to Appendix II by the Parties to the Convention.

c) A quota for registered stocks of raw ivory only

The export quota will refer only the stock of whole ivory tusks in the central ivory store registered and under the authority of the Department of National Parks and Wild Life Management on 31st October 1996.

There will be no export of ivory of unknown origin or where it is known to come from outside Zimbabwe.

d) Ivory to be marked with a standard system

In accordance with Resolution Conf. 9.16 (g), all whole tusks in the stockpile for export will be individually marked with punch-die marks and the marks correlated with a register (computerised database) entry showing area of origin.

All other ivory will also be individually marked and registered to ensure that there can be no mixing of unknown or foreign ivory.

e) Sale through one single centre

All ivory sales, subsequent packing in sealed containers and dispatch will take place only from the government's central ivory store at the Headquarters of the Department of National Parks and Wildlife Management in Harare.

f) Number of ivory shipments limited

For ease of monitoring and control there will only be two shipments of ivory within the downlisting period, one in 1998 and another in early 1999 before the 11th C.O.P.

g) Direct export of ivory to only one importing country (Japan)

Export permits will only allow shipment to one importing country (Japan) and shipments will have to be made direct with no transit, other than that which is geographically unavoidable. This proposal is

structured in such a way as to keep on Appendix I, and out of legal trade, ivory of Zimbabwean origin which may exist in stocks anywhere in the world, other than the Government of Zimbabwe's ivory store.

h) Importing country to have internal controls and to agree not to re-export

Japan has new, legal internal trade controls for ivory and commits to allow no re-export of ivory imported in terms of newly imported ivory. The details of this comprehensive legislation are given in Annex 3.

i) Independent monitoring

Enforcement personnel from CITES Secretariat, Parties agreed in advance by Zimbabwe and the CITES Secretariat and NGOs working for the Secretariat, may be present at the sale, packing and shipping process to check all details and the inventory. Similar inspection may take place when the containers are unloaded and the tusks distributed in the importing country.

j) Funds from ivory sales to be returned Conservation or used for the provision of conservation incentives

All net revenues after sale will be returned exclusively to conservation activities. They will be paid into either the Management Authority's legal Statutory Fund, or to the Rural District Councils with Appropriate Authority administering CAMPFIRE, depending to whom the tusks belong.

k) Safeguards against abuse

Should the Standing Committee be made aware of the abuses of the downlisting, or a failure of the Zimbabwe Management Authority or the importing Party to adhere to the terms of proposal as agreed by the COP, the Depository (Swiss) Government has agreed to prepare a proposal for re-transfer to Appendix I to put before the parties under the postal procedure of article XV paragraph 2.

Zimbabwe would submit a further proposal to COP 11 that would be aimed at establishing an annual export quota base on actual ivory production.

Zimbabwe will not trade with any other Part or in greater volumes than agreed to by COP, without submitting such proposal to COP.

l) Monitoring effects of downlisting

Zimbabwe will cooperate with neighbouring countries in the monitoring of elephant populations trends and illegal trade. Zimbabwe will also assist credible organisations involved in monitoring population and trade patterns in the neighbouring countries within its means.

4.3.2 Domestic Measures

Zimbabwe was acknowledged by the 1992 Panel of Experts as having an adequate system of marking and registration for ivory and Zimbabwe follows the recommendations of Resolution Conf. 9.16, including those on the registration of merchants, carvers and, additionally, retailers.

All ivory is marked within 14 days of acquisition using the CITES approved system. Under the Parks and Wildlife Act, 1975, as amended 1st August 1991, the sale and the purchase of any live animal or trophy are subject to a permit. Export permits for raw ivory are issued by the regional offices and export permits for worked items by the retailers who have to send a copy of each permit to the headquarters.

According to the Laws of Zimbabwe, any person who is guilt of an offence involving the unlawful possession of, or trading in, ivory shall be liable, on a first conviction, to imprisonment for a period of not

less than five years nor more than fifteen years, or, on a second or subsequent conviction, to imprisonment for a period of not less than seven years nor more than fifteen years.

The import and transit of elephant products are covered in broad terms under the Control of Goods (Import and Export) (Wildlife) Regulations which require veterinary import and transit permits for infectious material and portions of carcasses. Elephant meat, unprocessed ivory, bones and hide are therefore included. Under the Goods (Import and Export) (Wildlife)Regulations, 1982, the import and export of raw and worked ivory is subject to a permit. Import permits make reference to veterinary permit requirements. Zimbabwe does not allow the commercial importation of raw ivory. Export provisions would apply fully to any ivory being re-exported.

The general policy is not to issue any import permits for unprocessed animal products from countries to the north, including Mozambique and Angola. The Control of Goods (Import and Export)(Wild Life) Regulations include a copy of the CITES appendices.

The 1992 Panel of Experts' report noted that Zimbabwe had not formally complied with the recommendations of Resolution Conf. 7.4 on Control of Transit. There is no legal provision which explicitly requires that CITES goods in transit must be accompanied by valid CITES documentation, although in practice, transit would be treated as import and re-export. For the introduction of ivory into a bonded warehouse, a permit is required. In the case of duty free shops, the imports are controlled but not the exports.

5. Information on Similar Species

There are no similar species in Africa, but ivory from *Hippopotamus equinus* is also found in trade. However, this is readily recognisable from elephant ivory. The Asian elephant (*Elephas maximus*) is listed in Appendix 1 of CITES. The proponents believe that, with the precautionary measures adopted, it is unlikely that this proposal to list the Zimbabwe population of the African elephant in Appendix II will prejudice the survival of the Asian elephant. The trade controls advanced in section 4.3.1 are considered sufficiently rigorous to exclude any Asian elephant ivory at the point of export. The measures included in this proposal for identifying the origin of ivory, if applied by an importing state, should detect any Asian ivory mixed with African ivory. The two types of ivory are readily recognisable according to standard texts on ivory identification.

6. Comments from Countries of Origin

Comments from Other Range States as a result of consultation.

As noted above, the largest part of the elephant population of southern Africa is contiguous between Zimbabwe, Botswana and Namibia, although only small segments of the population actually cross the Zimbabwe border. This proposal is submitted jointly by Botswana, Malawi, Namibia and Zimbabwe who, at the July 1996 meeting of the Southern African Convention for Wildlife Management (SACWM) reaffirmed their support for all its provisions.

There are also small population overlaps with Mozambique and Zambia and possibly Angola. Comments are being sought from these range states. However, it must be noted that Article 1(a) of the Convention provides for a "geographically separate population" to be recognised as a species population. This proposal for transfer is limited to the geographical population of Zimbabwe therefore the proponents are not required formally to consult with any other range states for the species in terms of Resolution Conf. 8.21. The submission of the South African proposal for the transfer of *Loxodonta africana* at C.O.P 9 set the precedent in this regard.

Notwithstanding the above, the proponents undertook full consultation with other range states. The proposals from the proponents were submitted a full six months earlier than required. In terms of the conditions established in Resolution Conf. 7.9 this allowed time for the Panel of Experts to meet and make their review before the Meeting of the African Elephant Range States in Dakar, Senegal in November 1996. The proponents made a joint presentation of their proposals and the comments from other range states were fully taken into account.

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Annex 1

Ivory Stock Database Management System Project Documentation

A Collaborative Project Report on the Ivory Stock Database Management System

Between

The Zimbabwe Department of National Parks and Wild Life Management (DNPWLM)

and

TRAFFIC East/Southern Africa

A TRAFFIC East/Southern Africa Report, November 1996
Ashish Bodasing, Programme Officer

Funded by United States Agency for International Development

USAID Grant No. 690-0283-A-00-5950—00

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1. BACKGROUND

TRAFFIC East/Southern is a sub-grantee within USAID's Initiative for Southern Africa, a comprehensive grant programme administered by IUCN-The World Conservation Union's Regional Office for Southern Africa (IUCN-ROSA). Entitled "Regional Networking and Capacity Building", the so-called NETCAB programme features TRAFFIC as the lead implementing agency to improve wildlife trade controls of the Convention on International trade in Endangered Species of Wild Fauna and flora (CITES) in the SADC (Southern African Development Community) region.

Through an evaluation process, TRAFFIC identified Zimbabwe's wildlife sector as a collaborating partner for strategic capacity-building and training exercises. Within this context, TRAFFIC was invited to assist Zimbabwe's Department of National Parks and Wild Life Management (DNPWLM) with information management needs associated with the elephant ivory and rhinoceros horn stocks held in DNPWLM's strong room in Harare. This report outlines TRAFFIC's initial activities and planning for the project.

From 11-14 June 1996, Tom Milliken, Director of TRAFFIC East/Southern Africa, conducted a preliminary review of the current procedures and requirements of the Department. Ashish Bodasing, TRAFFIC Programme Officer, was then assigned to design and implement the "Ivory Stock Database Management System". As a first step, the Programme Officer conducted a workshop with 11 staff members. Ideas and concerns from staff were raised for resolution with the Director of DNPWLM Mr Willis Makombe and a preliminary plan of action was presented to the Director for approval. The TRAFFIC Officer requested authorisation from Mr Makombe to proceed with the project which was granted. Having received authorisation, all previous activities were assimilated into this project document.

2. OBJECTIVES OF THE WORKSHOP

The objectives of the workshop were:

- to develop goals and objectives for the development of an Ivory Database Management System (IDMS);
- to identify activities required to meet the objectives and goals; and
- to develop workplans and milestones for the project.

3. LIST OF WORKSHOP PARTICIPANTS

The following individuals attended the workshop:

1.	Mr Onisimo Chigaramumba	Data Capture Officer
2.	Mr Alex Mananzwa	Data Capture Officer
3.	Mr Benson Mbirinya	Data Capture Officer
4.	Mr Lisset Nguruve	Systems Analyst
5.	Ms Marian Rigava	Ivory Store Supervisor
6.	Mr Gengezha	Game Scout
7.	Mr Gadzai	Game Scout
8.	Mr Moses Gomwe	Senior Ranger Marketing
9.	Dr Don Heath	Ecologist Utilisation
10.	Mr Stix Chimuti	Research Survey
11.	Dr Cecil Machena	Deputy Director Research

4. PROJECT STRATEGY

GOAL (Development Objective)	1. to enhance the efficiency of the department to manage the registration and movement of ivory 2. to enhance the monitoring of sales and final disposition of ivory 3. to monitor conservation trends 4. to enhance law enforcement 5. to promote sustainable use
PURPOSE (Immediate Objective	1. to develop an accurate computerised record keeping process for monitoring of the ivory Stock 2. to enhance the current system of control and monitoring of ivory movement 3. to enhance the monitoring and accountability of ivory sales 4. to identify and provide statistical data required for research 5. to identify and provide information required for management decision-making purposes

OUTPUTS	
Phase I	1. Function and model of IDMS developed 2. Computer hardware and printer installed 3. Database designed 4. Data captured 5. Database developed and implemented 6. Database integrated with ivory registration 7. Database integrated with ivory sales 8. Database integrated with ivory stocktaking 9. Effective project management established
Phase II	10. Procedures introduced for auditing purposes 11. Database integrated with hunting data 12. Database integrated with law enforcement data 13. Database used to monitor final disposition of ivory
Phase III	14. Workplan developed to identify and meet needs of Research 15. Workplan developed to identify and meet needs of Management 16. Enhanced system evaluated and required action taken
ACTIVITIES	See following Workplans

5. WORKPLANS

PROJECT WORKPLAN 1996-1997

ACTIVITY/SUB-ACTIVITIES	MILESTONE [redacted]	TIME FRAME 1996 III	TIME FRAME 1996 IV	TIME FRAME 1997 I	TIME FRAME 1997 II	RESPONSIBLE	REMARKS/STATUS
Output 1: Function and model of IDMS developed							
1.1 Workshop with DNPWLM staff	05 July 1996					AB	
1.2 Document manual system	09 July 1996					AB	
1.3 Establish function of IDMS	09 July 1996					AB	
1.4 Develop model of IDMS	09 July 1996					AB	
Output 2: Computer hardware and printer installed							
2.1 Obtain 2 computers and printer from TEI	22 July 1996					DH	
2.2 Install in Ivory Stockroom	22 July 1996					LN	
2.3 Fix electricity supply in Ivory Stockroom	25 July 1996					Mr Madinga	
Output 3: Database designed							
3.1 Relational database design drawn	11 July 1996					AB	
3.2 Field structure drawn up	11 July 1996					AB	
Output 4: Data captured							
4.1 Report documenting procedures for data capture developed	23 July 1996					AB	
4.2 Certificate numbers captured in Ivory Stock Register for new registration	25 July 1996					DCO's	
4.3 Ivory register data for open Part Lots 1524 to current entered.	30 October 1996					DCO's, HS, MR, LN	
4.4 Data Reconciliation during Stocktake	12 December 1996					MR	
4.5 Parallel update for manual and computerised stock registers begins	12 December 1996					MR	
4.5 Editing of Stock data	12 January 1997					DCO's, HS, MR,	

						LN	
4.6 Data from station return form for open Part Lots 1524 to current entered	12 January 1997					DCO's, HS, MR, LN	

ACTIVITY/SUB-ACTIVITIES	MILESTONE	TIME FRAME 1996 III	IV	1997 I	II	RESPONSIBLE	REMARKS/STATUS
4.7 Data from closed Part Lots 1524 to current entered	20 February 1997					DCO's, HS, MR, LN	
4.8 Data from station return form for closed Part Lots 1524 to current entered	20 March 1997					DCO's, HS, MR, LN	
4.9 Data from closed Part Lots 1 to 1523	20 April 1997					DCO's, HS, MR	
4.10 Data from station return form for closed Part Lots 1 to 1523 entered	20 June 1997					DCO's, HS, MR, LN	
4.11 Certificate number data captured	30 June 1997					DCO's, HS, MR	
Output 5: Database developed and implemented							
5.1 Coding	10 January 1997					AB	
5.2 Data merged with database	14 January 1997					AB	
5.3 Testing and modification	15 January 1997					AB	
5.4 Hand-on training on live system	16 January 1997					AB	
Output 6: Database integrated with ivory registration							
6.1 Training provided for on-line registration of ivory and production of reports	17 January 1997					AB	
6.2 On-line registration of ivory commences	18 January 1997					AB	
Output 7: Database integrated with ivory sales							
7.1 Integrate sales with Finance Department	19 January 1997					AB, Finance	
7.2 Training provided for on-line sales of ivory and production of statements	19 January 1997					AB	
7.3 On-line sales of ivory commences	19 January 1997					MR, AB	

7.4 Needs of Marketing identified and met	21 January 1997					MR, AB	

ACTIVITY/SUB-ACTIVITIES	MILESTONE	TIME FRAME 1996 III	1996 IV	1997 I	1997 II	RESPONSIBLE	REMARKS/STATUS
Output 8: Database integrated with ivory stocktaking							
8.1 Stocktaking requirments identified	28 February 1997					MR, AB	
8.2 Reports/Query features designed and implemented	28 February 1997					MR, AB	
Output 9: Effective project management established							
Identify personnel and their duties and responsibilities	31 December 1996					HS	
Establish supervision by senior management	30 November 1996					HS, WM, CM	
Establish monitoring and evaluating procedures	31 December 1996					HS, AB	
Establish formal reporting lines and procedures	31 December 1996					HS, AB	
Define and submit project status reports on a regular basis	17 January 1997					HS, AB	
Draw up Memorandum of Agreement between TRAFFIC and DNPWLM	17 January 1997					AB, Mr. Manyonganise	
Output 10: Procedures introduced for auditing purposes						AB, Finance	
Output 11: Database integrated with hunting data						DH, AB	
Output 12: Database integrated with law enforcement data						GT, AN, AB	
Output 13: Database used to monitor final disposition of ivory						MR, AB	
Introduce reporting for history and current status of ivory						AB, MR	

ACTIVITY/SUB-ACTIVITIES	MILESTONE	TIME FRAME 1996 III	1996 IV	1997 I	1997 II	RESPONSIBLE	REMARKS/STATUS
Output 14: Workplan developed to identify and meet needs of Research						CM, DH, AB	
Workshop conducted to identify Research needs						CM, DH, AB	
Methods to disseminate data/reports established						CM, DH, AB	
Format of data/reports determined						CM, DH, AB	
Frequency of data/reports determined						CM, DH, AB	
Data/report production implemented						CM, DH, AB	
Output 15: Workplan developed to identify and meet needs of Management							
Workshop conducted to identify Management needs						WM, CM, HB, GT, AB	
Methods to disseminate reports established						CM	
Format of reports determined						CM	
Frequency of reports determined						CM	
Report production implemented						AB	
Output 16: Enhanced system evaluated and required action taken	October, January, April					All staff	

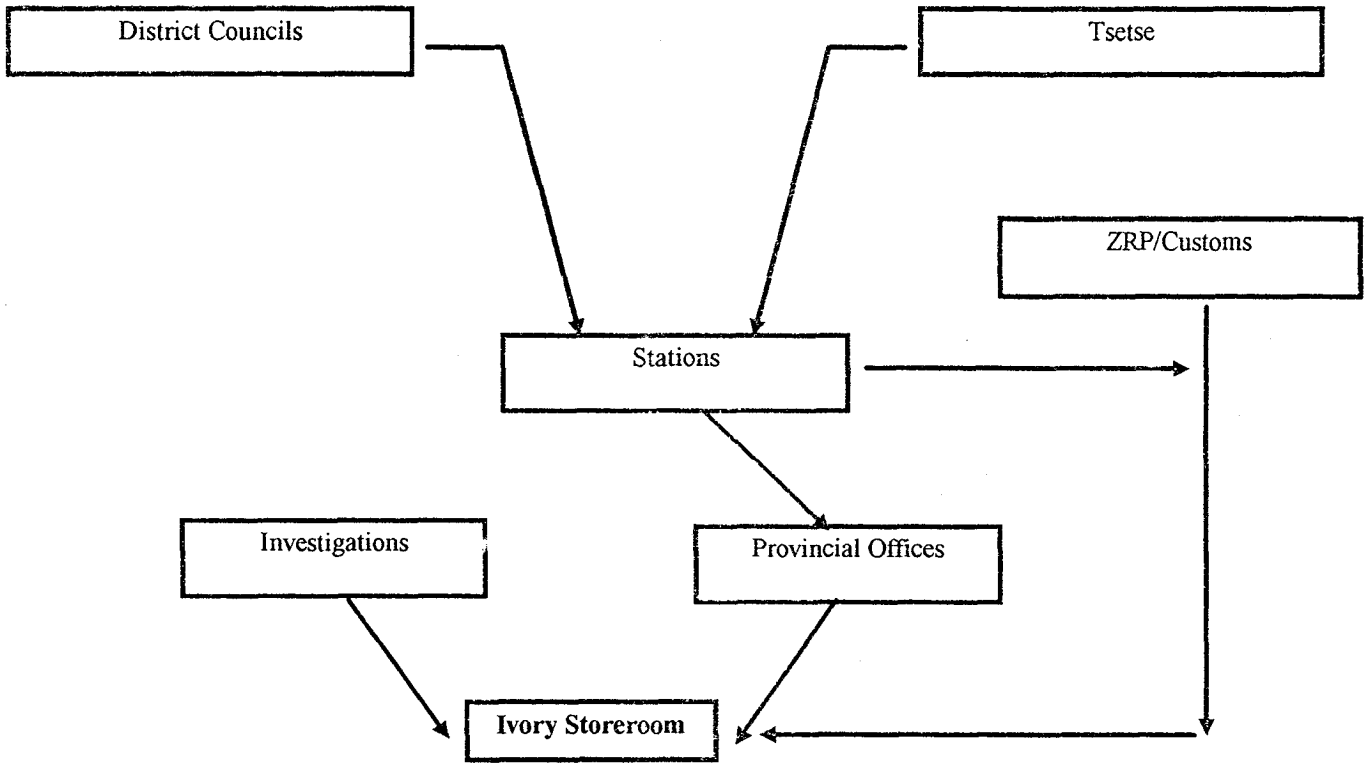
Abbrev.	Full Name	Abbrev.	Full Name
AB	Mr Ashish Bodasing	**GT**	Mr Glen Tatham
AN	Mr Austin Ndlovo	**HS**	Mr Headman Sibanda
CM	Dr Cecil Machena	**LN**	Mr Lisset Nguruve
DH	Dr Don Heath	**MR**	Mrs Marian Rigava
DCO	Data capture officers		
DNPWLM	Department of National Parks and Wild Life Management		

OUTPUT 4.1
PROCEDURES FOR DATA CAPTURE

Activity	Data to be captured				Decription	Due Date
4.2 Ivory register data for open Part Lots 1524 to current entered.	Part Lot	C	5		Pat Lot number allocated	30 August 1996
	Stationno	C	5		Number assigned by Station to a tusk e.g. S2435	
	Weight	N	6	2	Weight as per Ivory Stockroom scale	
	Length	N	6	2	Length as per Ivory Stockroom measurement	
	Serialno	C	8		Ivory Stockroom Stamp e.g. ZW960032	
	Authority	C	15		Ivory owner e.g. Parks/Name of district council	
	Remarks	C	30		Comments on ivory	
	Buyer	C	30		Name of purchaser if sold e.g Sibanda VS	
	Datesold	D	8		Date ivory was sold	
	Receiptno	C	6		Receipt number if ivory sold	
	Certificate	C	6		Certificate number	
4.3 Data from station return form for open Part Lots 1524 to current entered	Stationno	C	5		Number assigned by Station to a tusk e.g. S2435	03 September 1996
	Serialno	C	8		Ivory Stockroom Stamp e.g. ZW960032	
	Cdeath	C	30		Reason for death of elephant	
	Date	D	8		Date elephant/ivory killed/found	
	Locstat	C	20		Locstat where killed or found	
	Sex	C	1		Sex e.g. (M)ale, (F)emale, (U)nknown	
	Remarks	C	30		Additional comments	
4.4 Certificate numbers captured in manual Ivory Register for new registrations of ivory	Certificate number to be included in ivory register				Certificate number	25 July 1996
4.5 Data from closed Part Lots 1524 to current entered	As in 4.2				As in 4.2	31 October 1996
4.6 Data from station return form for closed Part Lots 1524 to current entered	As in 4.3				As in 4.3	31 October 1996
4.7 Data from closed Part Lots 1 to 1523	As in 4.2				As in 4.2	31 January 1997
4.8 Data from station return form for closed Part Lots 1 to 1523 entered	As in 4.3				As in 4.3	31 January 1997
4.9 Certificate number data captured (backlog of certificate number not included in register	Serialno	C	8		Ivory Stockroom Stamp e.g. ZW960032	28 February 1997
	Certificate	C	6		Certificate number	

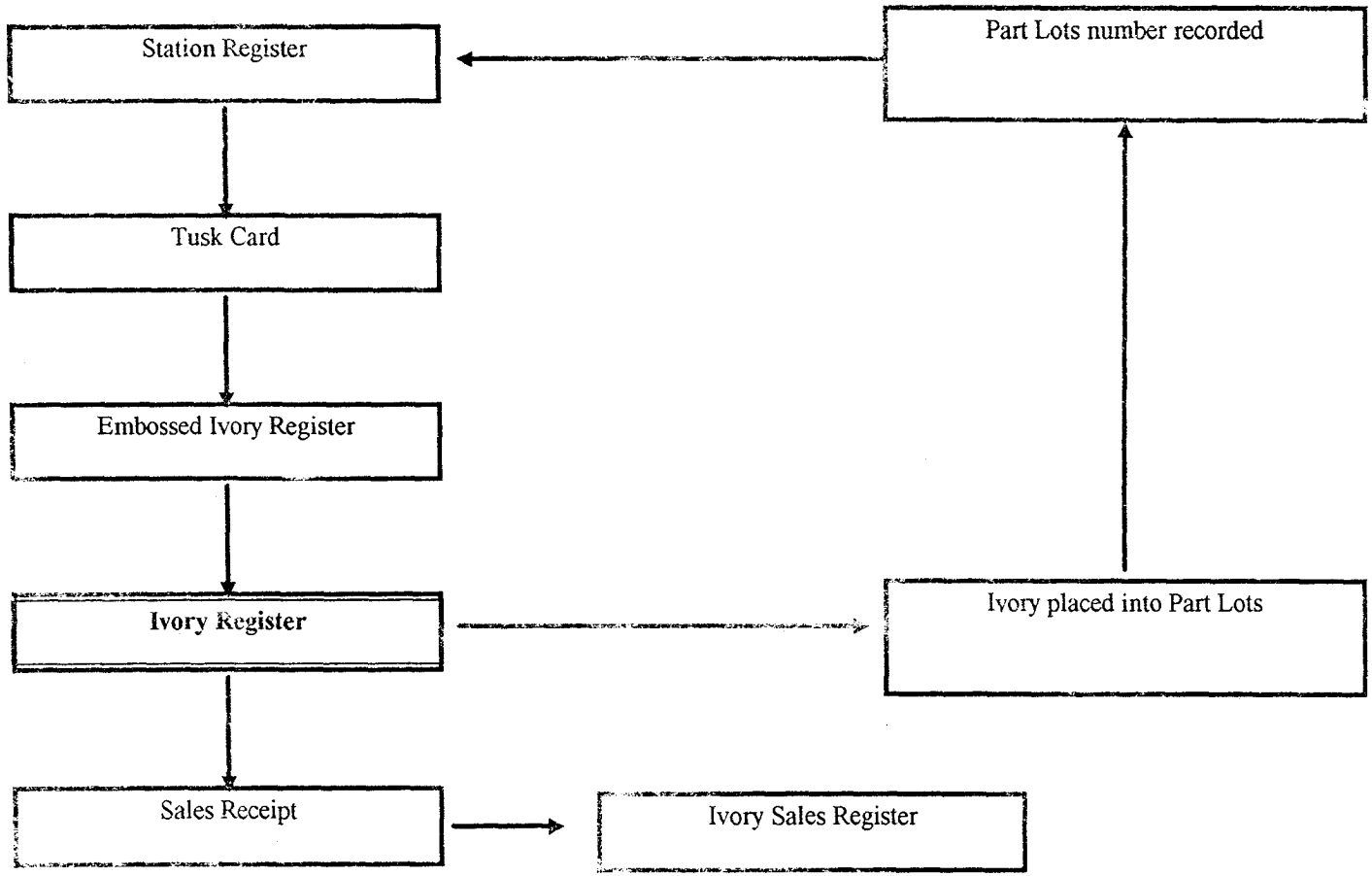
APPENDIX I

Ivory Marketing System



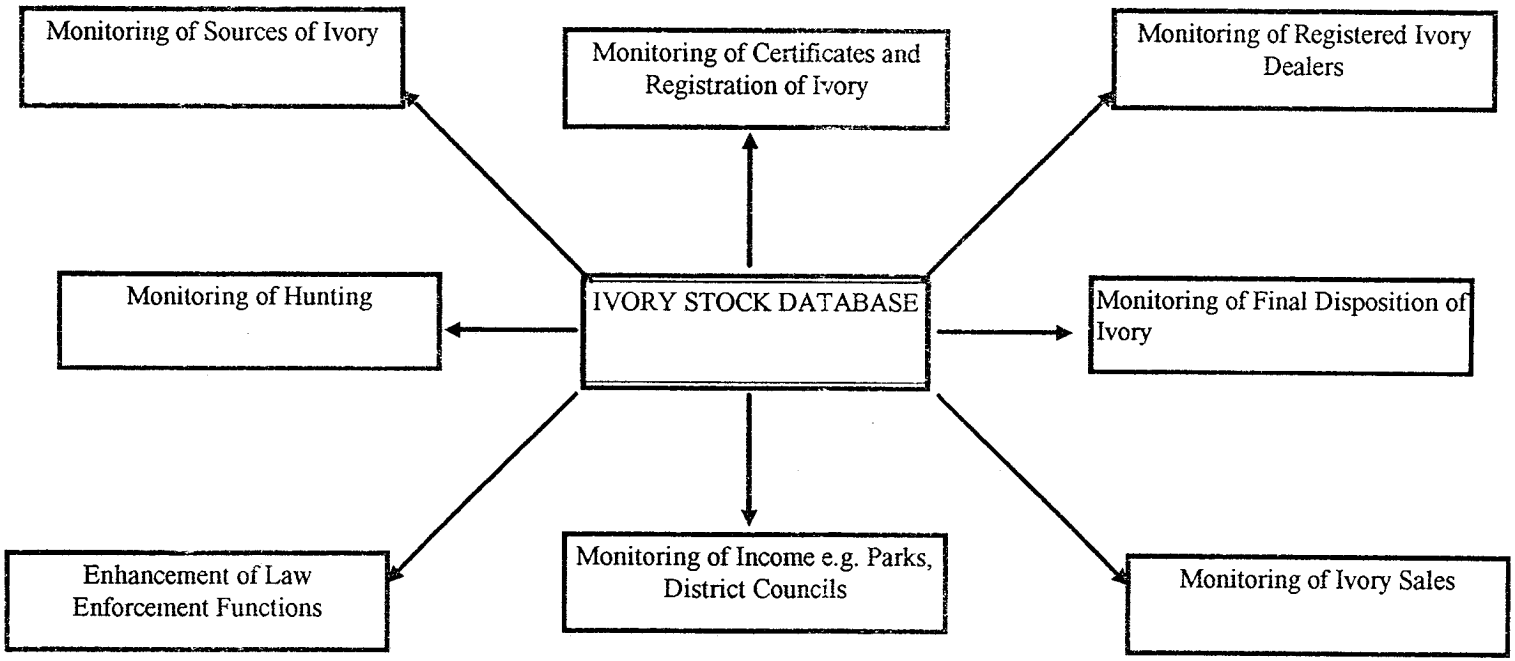
APPENDIX II

Ivory Recording System



APPENDIX III

Proposed Functions of the Ivory Database Management System



ZDNPWLM/TRAFFIC, November 1996

APPENDIX IV

Part Lot Data Entry Progress Indicator Sheet : ______

Date	No of Part Lots Entered	Signature Supervisor	Comments by Supervisor	Action Taken

APPENDIX V

Station Register Data Entry Progress Indicator **Sheet : _____**

Date	No of Station Register Forms entered	Signature Supervisor	Comments by Supervisor	Action Taken

APPENDIX VI

Database Structure for Primary Data Capture

Structure for database: C:\IDMS\REGISTER.DBF
Data Source: Ivory Registers
Number of data records: 0
Date of last update : 25/07/96

Field	Field Name	Type	Width	Dec	Index
1	Part_Lot	Character	5		Y
2	STATIONNO	Character	5		N
3	WEIGHT	Numeric	6	2	N
4	LENGTH	Numeric	6	2	N
5	SERIALNO	Character	8		Y
6	AUTHORITY	Character	15		N
7	REMARKS	Character	30		N
8	BUYER	Character	30		N
9	DATESOLD	Date	8		N
10	RECEIPTNO	Character	6		N
11	CERTIFICAT	Character	6		N
** Total **			126		

Structure for database: C:\IDMS\STATION.DBF
Data Source: Register of elephants killed or carcases found
Number of data records: 0
Date of last update : 25/07/96

Field	Field Name	Type	Width	Dec	Index
1	STATIONNO	Character	5		N
2	SERIALNO	Character	8		Y
3	CDEATH	Character	30		N
4	DATE	Date	8		N
5	LOCSTAT	Character	20		N
6	SEX	Character	1		N
7	REMARKS	Character	30		N
** Total **			100		

APPENDIX VII

Technical Source Notes for Data Capture Officers

To load dBASE IV to capture IDMS data

At the dos prompt (C:\>) type in
CD \IDMS and press <ENTER>
DBASE and press <ENTER>

Useful dBASE IV Commands

use <filename>	Opens the filename specified
use	Closes the current open file
Append	Add records to the database
Edit	Displays the current record for editing
Browse	Displays multiple records in the database for editing
go top	Goes to the first record in the database
go bott	Goes to the last record in the database
<CONTROL-U>	Deletes the current record (Toggle keystroke)
<CONTROL-END>	Saves records and exits EDIT or BROWSE modes
<CONTROL-PgUp>	Goes to the first record in the database
<CONTROL-PgDn>	Goes to the last record in the database
<ESCAPE>	Cancel changes in the current record and return to dot prompt.
<PgUp>	Displays the previous record (EDIT mode)
	Displays the next 20 records (BROWSE mode)
<PgDn>	Displays the previous record (EDIT mode)
	Displays the next 20 records (BROWSE mode)

NOTE : <CONTROL> commands are executed by holding down the <CONTROL> key and pressing the required combined key.

Annex 2

COUNTRY: ZIMBABWE

1. CITES LEGISLATION

Zimbabwe has been a Party to CITES since 17 August 1981. The Control of Goods (Import and Export) (Wild Life) Regulations of 1982, were made under section 3 of the Control of Goods Act (Chapter 280) in order to implement the provisions of the Convention in Zimbabwe.

A. Control of Goods (Import and Export) (Wild Life) Regulations 1982 (No.1) (S.I. 557 of 1982)

a. International trade restrictions

The primary power to issue permits and certificates is conferred upon the Director of National Parks and Wild Life Management, who may issue directions authorising the Controller of Customs and Excise to issue such documentation (section 5(2)). The Director and the Controller are thus effectively designated as the Management Authority for the purposes of CITES, although the term is not expressly used. Section 10(2) permits the Director and Controller to delegate any or all of their powers to issue permits and certificates to any officer of their respective departments. No Scientific Authority is designated under the Regulations.

Section 3 lays down a general prohibition on the import into or export from Zimbabwe of any "wild life" or trophy of "wild life" except in accordance with either a certificate issued in the terms of section 5 by the Director or Controller, or an open general permit. "Wild life" is defined as all organisms listed in the Second Schedule to the Regulations. Parts I, II and III of this Schedule list all species listed in Appendices I, II and III of CITES respectively, including plants, whilst Part IV of the Schedule designates other species of which more details are given in part 3 below.

An open general permit may only be issued by the Minister of Natural Resources and Tourism in respect of species listed in Parts III or IV of the Second Schedule (section 4). The Minister, Director and Controller, as the case may be, are required to have regard to the obligations of Zimbabwe under CITES in the exercise of their duties.

Section 5 reproduces the permit provisions of CITES almost verbatim, except for one significant discrepancy. No permit may be issued for the export of "wild life" specified in Part I, or any trophy thereof, unless the Director or Controller is satisfied that an import permit has been *or will be* granted for it by an appropriate authority in the country to which it is being exported (section 5(4)). The words in italics do not appear in the corresponding provision of CITES (Article III 2(d)). This means that export permits for Appendix I species may expressly be issued in contravention of the Convention. Specimens of Appendix I species may therefore be lawfully exported from Zimbabwe and thereafter detained at Customs in the country of import due to the lack of an import permit.

In respect of exports of "wild life" specified in Part I or Part II (equivalent to CITES Appendices I and II), the Director must also be satisfied that the export will not be detrimental to the survival of the species concerned, that the "wild life" or trophy concerned has not been obtained in contravention of any law, and that the conditions of export of a live specimen of "wild life" minimise the risk of injury or cruelty to that specimen.

Section 3(1)(b) provides that no import permit shall be issued in respect of "wild life" specified in Part I or II (corresponding to CITES Appendices I and II), or any trophy thereof, without an export or re-export permit from the country of import. No Part III (i.e. CITES Appendix III) specimen or trophy may be imported without a certificate of origin or other document indicating the country of origin and, where the latter is the country which entered the species on Appendix III, an export permit from the appropriate authority. The grant of import permits for Part I (i.e. Appendix I) or Part V specimens is authorised where the Director or Controller is satisfied that an export or re-export permit has been or will be granted for the specimens by an appropriate authority in the country from which the specimens are being imported (section 5(3)). Part V lists species which are treated as CITES Appendix I species for the purposes of import into Zimbabwe.

The Director must also be satisfied that the import will not be for purposes detrimental to the survival of the species concerned; that the wild life or trophy concerned will not be used for primarily commercial purposes and that the proposed recipient of a live specimen of wild life is suitably equipped to house and care for it. The latter conditions are also broadly applicable to the grant of permits for the import of species which have been taken from a marine environment not under the jurisdiction of any State (section 5(3)).

Section 5(6) prohibits the issue of re-export permits for Part I species or trophies unless the Director or Controller is satisfied that an import permit has been or will be granted for it by an appropriate authority in the country to which it is being exported, and that the specimen in question was imported into Zimbabwe in accordance with the provisions of CITES. The other conditions applicable are similar to those for the grant of export and import permits.

Section 3(2) exempts from import and export controls wild life or trophies acquired before they were covered by the CITES provisions; wild life bred in captivity or artificially propagated; herbarium and museum specimens imported or exported by approved museums, herbariums, scientific organisations or scientists; and trophies that qualify as "personal effects" as defined by the amended Regulations (S.I. 612 of 1982).

b. Possession and national trade restrictions

No such restrictions are mentioned in the Regulations.

2. OTHER APPLICABLE LEGISLATION

B. Parks and Wild Life Act 1975 as amended at 1 August 1990

Parks and Wild Life (General) Regulations 1990

These texts are only applicable to indigenous species of fauna and flora, which of course includes CITES-listed species.

a. International trade restrictions

Regulation 66 prohibits the import or export of the trophy of any animal without a trophy dealer's licence, or of raw ivory without an ivory dealer's licence issued pursuant to Regulation 67. Any person importing unregistered raw ivory or rhinoceros horn into Zimbabwe must produce it for registration within twenty-four hours (Regulation 72) to a

specified officer, who may issue a certificate of ownership if satisfied that the specimen has been lawfully imported.

An animal is defined as any vertebrate animal other than a domestic animal or fish.

b. Possession and national trade restrictions

The Act provides that animals and indigenous plants specified in the Sixth and Seventh Schedules are designated as "specially protected".

It is prohibited under section 36 to hunt, keep in one's possession, sell or otherwise dispose of any live specially protected animal, or the meat or trophy thereof, without a permit issued by the Minister in the interests of science, conservation or the management and control of animal populations. The trophy of any specially protected animal killed or found dead is deemed to be a State trophy (section 37A).

Section 47 prohibits the hunting or sale of any live animal or the trophy of any animal without a permit issued under section 65, whilst the sale of unlawfully hunted meat is forbidden under section 58. An animal is defined as any wild vertebrate other than fish, and is not limited to indigenous species. The definition therefore covers all CITES species except for fish, invertebrates and plants.

Section 61 provides that no person shall manufacture any article from a trophy or process, sell, donate or otherwise dispose of any trophy or article manufactured from a trophy which has been obtained from an animal hunted in contravention of the Act's provisions. Section 62 also prohibits the purchase of a live animal or trophy other than from a shop, unless the person is satisfied that the seller has authority under the Act to make the sale, or that the animal in question was born and raised in captivity.

Section 84 provides that the possession of any animal or fish or the meat and trophy of a freshly killed animal shall be *prima facie* evidence of unlawful hunting or taking by that person. The possession by any person of ivory or rhinoceros horn shall, unless the contrary is proved, be evidence against such person that the ivory or horn was not registered under the Regulations. The burden of rebutting such a presumption is on the accused.

The sale and purchase of specially protected plants without a permit from the Minister is prohibited. A permit may only be issued to dealers trading in such plants in the course of their business or to members of recognised horticultural societies (section 42). Regulation 48 authorises the issue of temporary permits for the sale or transfer of specially protected indigenous plants, which must be accompanied by a certificate of sale or transfer as appropriate. It is forbidden to accept such a plant, subject to certain exceptions, without such a certificate (Regulation 49).

Furthermore, section 45 prohibits the sale without a permit of any indigenous plant picked on any land. The Minister may, where he considers this desirable in the interests of conservation, prohibit the picking and sale of such plants in a specified area and for a period which may be specified or indefinite.

Finally, section 79 prohibits any person from carrying on the business of catching fish in any waters and selling them without a permit.

Section 116 of the Act confers extensive power on the Minister to make regulations concerning, *inter alia*, the regulation and control of the acquisition, possession and sale of trophies, the meat and offal of any animal, the import and export of animals, fishes, plants and other organisms and trophies to conserve the wild life, fish and plants of Zimbabwe or to comply with its obligations in terms of any treaty, convention or other international agreement.

The Regulations of 1990 contain detailed rules on who may manufacture trophies and ivory products and establish a comprehensive licence system. Regulation 66 prohibits the manufacture or processing of any trophy for sale or reward without a trophy dealer's licence and, more stringently, the manufacture or processing of any ivory, whether for sale, reward or otherwise, without an ivory dealer's licence. The purchase or sale of any trophy or raw ivory, from persons authorised under the Act to buy or sell, is also subject to possession of these permits. The issue of permits by the Director is governed by regulation 67. Detailed terms and conditions for the required permits are set out in regulation 69 and dealers are required to keep detailed registers pursuant to the provisions of regulation 72. Ivory manufacturers must also retain and record the dust resulting from the manufacture and processing of ivory, and the provisions of the Regulations also apply to any sale of such dust.

Regulations 76 to 85 set out extensive provisions for tracking ivory within the borders of Zimbabwe. Any person who acquires or comes into possession of any unregistered raw ivory or rhinoceros horn must produce it for registration within fifteen days (Regulation 72) to a specified officer, who may issue a certificate of ownership if satisfied that it has been lawfully acquired. The officer may retain the ivory or horn pending production of evidence of lawful acquisition and, if this is not produced within six months of such detention, the ivory or horn concerned shall be registered as a State trophy (regulation 79).

Ivory manufactured pursuant to an ivory manufacturer's licence must be engraved with its register reference and the identifying letters of the licence holder. Any person selling or transferring registered raw ivory must endorse the certificate of ownership with the details of the new owner. This certificate must be returned to the Director within fourteen days of any loss, theft, export, processing, manufacture or destruction (regulation 81).

Subject to the exemption in regulation 85 referred to below, it is prohibited to acquire, possess, sell or transfer any raw ivory that has not been registered within the fifteen day period, unless the raw ivory was lawfully taken from a lawfully hunted animal or from a dead animal or was lawfully imported into Zimbabwe, or any piece of manufactured ivory exceeding 200 grams in mass unless it is duly marked. It is for the accused to prove the lawfulness of such acquisition and that registration has been duly made (regulation 82).

There is an absolute prohibition on the purchase, sale, manufacture, processing, carving or embellishment of rhinoceros horn (regulation 83). It is similarly forbidden to possess or transfer any horn which has not been registered (regulation 84), subject to the exemption below.

Exemptions to the above provisions are made by regulation 85 for the acquisition or possession of ivory and horn by museums and scientific and educational institutions.

3. CITES SPECIMENS COVERED BY THE LEGISLATION

A. Control of Goods (Import and Export) (Wild Life) Regulations 1982 (No.1) (S.I. 557 of 1982)

a. Taxonomic Groups

"Wild life" is defined by section 2 of the Regulations as any organism, whether alive or dead, and the egg or seed of any organism, referred to in the Second Schedule, and any portion whatsoever of any such organism, other than a trophy, whether such portion is processed or not.

The Second Schedule (as amended by S.I. 144 of 1984) is divided into several Parts, of which Parts I, II and III are equivalent to Appendices I, II and III of CITES. Parts I and II are divided into sections A and B: section A lists those species of the relevant Appendix which occur or may occur in Zimbabwe, whilst Section B reproduces the Appendix in its entirety.

Part IV lists wild life which is not specified in Parts I to III of the Schedule, namely non-CITES species in which trade is nevertheless to be controlled. This includes all vertebrate and invertebrate species, other than fish and crustaceans, normally existing in a wild state; live fish and live crustaceans; and all specially protected indigenous plants as specified in the Parks and Wild Life Act 1975, as amended, that have not been artificially propagated. Initially, Part IV of the Second Schedule only included all vertebrates and invertebrates (other than fish and crustaceans) of species usually existing in a wild state within Zimbabwe. The words, "within Zimbabwe", were deleted by an amendment to the Control of Goods Regulations of 1984.

Part V lists a further three taxa of wild life (African elephant, African lion and pythons) which are to be treated as wild life specified in Part I (i.e. as CITES Appendix I species) for the purpose of import into Zimbabwe.

b. Parts and Derivatives

As mentioned above, "wild life" is defined as any organism, whether alive or dead, and the egg or seed of any organism, referred to in the Second Schedule, and any portion whatsoever of any such organism, other than a trophy, whether such portion is processed or not.

"Trophy" is defined as meaning any durable portion of any wild life (as defined above) which has been subjected to a process of manufacture, and any manufactured thing of which the durable portion of such wild life forms a part.

The rules laid down by the Regulations with regard to imports and exports always refer to both wild life and trophies, as defined. All parts and derivatives are therefore covered.

c. Appendix III of CITES

Covered. All Appendix III species are listed in Part III of the Second Schedule.

B. Parks and Wild Life Act 1975 as amended at 1 August 1990

Parks and Wild Life (General) Regulations 1990

a. Taxonomic Groups

"Animal" is defined by the Act as "any kind of vertebrate animal and the eggs and young thereof, other than domestic animals and fish". "Fish" includes "vertebrate fish, and aquatic molluscs and crustaceans, both indigenous and non-indigenous, but does not include the bilharzia snails *(Biomphalaria pfeifferi* and *Bulinus physopsis globusus)* and the liver fluke snail (*Lymnea natalensis*).

There are currently nine mammals, one reptile and twenty-four birds or bird families designated as "specially protected" under the Sixth Schedule.

b. Parts and Derivatives

"Trophy" means "any horn, ivory, tooth, tusk, bone, claw, hoof, hide, skin, hair or other durable portion whatsoever of any animal, whether processed or not, which is recognizable as the durable portion of any animal".

c. Appendix III of CITES

Not applicable.

4. PENALTIES FOR ILLEGAL INTERNATIONAL TRADE

Control of Goods (Import and Export) (Wild Life) Regulations 1982 (No.1) (S.I. 557 of 1982)

All breaches of the Regulations involving wild life or trophies are punishable with a fine equivalent to the value of such wild life or trophy or 5,000 dollars, whichever is the greater, and/or with a term or imprisonment not exceeding five years (section 15(b)). The burden of proof rests on the accused to prove the lawfulness of his actions.

5. PENALTIES FOR POSSESSION OF ILLEGALLY TRADED SPECIMENS

A. Control of Goods (Import and Export) (Wild Life) Regulations 1982 (No.1) (S.I. 557 of 1982)

a. Possession of illegally imported specimens

None.

b. Possession of specimens obtained by illegal taking or sale on the domestic market

None.

B. Parks and Wild Life Act 1975 as amended at 1 August 1990

Parks and Wild Life (General) Regulations 1990

a. Possession of illegally imported specimens

None.

b. Possession of specimens obtained by illegal taking or sale on the domestic market

Section 115(1) provides that breaches of section 36 (hunting, possession or sale of specially protected animals) shall be punishable on a first conviction with a fine not exceeding 2,000 dollars and/or with imprisonment for up to two years, and on a second or subsequent conviction with a fine not exceeding 4,000 dollars and/or with imprisonment for up to four years.

Section 115(2) provides that breaches of section 40 (unlawful picking of specially protected plants), section 47 (sale of live animals or trophies without a permit) and section 79 (catching and sale of fish without a permit) shall be punishable on a first conviction with a fine not exceeding 1,500 dollars and/or with imprisonment for up to 18 months, and on a second or subsequent conviction with a fine not exceeding 3,000 dollars and/or with imprisonment for up to three years.

Section 115(3) provides that breaches *inter alia* of section 37A (failure to surrender possession of a State trophy within seven days), section 42(3) (sale of specially protected indigenous plants without a permit), section 45(2) (picking or sale of indigenous plants from any land), section 59(2) (sale of unlawfully hunted meat), section 74 (fishing without a permit), section 83A (possession of unlawfully caught fish with intention to sell them) or section 110(8) (breach of terms of licences or permits issued under the Act), shall be punishable on a first conviction with a fine not exceeding 1,000 dollars and/or with imprisonment for up to one year, and on a second or subsequent conviction with a fine not exceeding 2,000 dollars and/or with imprisonment for up to two years.

The most stringent penalties are reserved for breaches of section 61 (sale and manufacture of articles from trophies made from unlawfully hunted animals) and section 62 (purchase of live animals and trophies from an unauthorised seller etc.). Section 115(4) makes a first conviction punishable with a fine not exceeding 4,000 dollars and/or with imprisonment for up to four years, and a second or subsequent conviction with a fine not exceeding 8,000 dollars and/or with imprisonment for up to eight years.

However, where the offence involves the unlawful killing or hunting of a rhinoceros or any other specially protected animal specified by the Minister in the Gazette, or the unlawful possession of, or trading in, ivory or any trophy of a rhinoceros or of any other specially protected animal similarly specified, section 115(4a) imposes a mandatory sentence of imprisonment of between five and fifteen years for a first conviction, which is increased to between seven to fifteen years for a second or subsequent conviction. Where the offender satisfies the court that special circumstances justify the imposition of a lesser penalty, he shall be liable to a fine not exceeding 15,000 dollars and/or to imprisonment for up to ten years. These penalties are also incorporated into regulation 111(b)

All other offences involving ivory or rhinoceros horn are punishable with a fine not exceeding three times the value of the ivory or rhinoceros horn or five thousand dollars, whichever is the greater, and/or imprisonment for a period of two years (regulation 111(c) and section 116(3) of the Act).

In addition to the above penalties, section 91 provides that where a person is convicted of unlawfully hunting an animal, picking a plant or catching a fish and the specimen has been appropriated, killed or disposed of in any way, the court may order the payment of an amount specified by the Minister in the Gazette in respect of the animal, plant or fish in question.

6. PROVISIONS FOR THE CONFISCATION OF SPECIMENS

A. Control of Goods (Import and Export) (Wild Life) Regulations 1982 (No.1) (S.I. 557 of 1982)

No provision for confiscation is laid down in the Regulations. It is possible, however, that provisions for confiscation are contained in the primary legislation, the Control of Goods Act, which was not available when this report was compiled.

B. Parks and Wild Life Act 1975 as amended at 1 August 1990

Parks and Wild Life (General) Regulations 1990

Section 93(3) of the Act provides that the court may, in respect of any offence under the Act, order the forfeiture of any animal, other than a specially protected animal, or the meat or trophy of any such animal or any fish to the appropriate authority for the land or water in question. Anything thus forfeited to the State is deemed to be a State trophy.

Trophies of specially protected animals killed or found dead are deemed to be State trophies, except where the animal was killed pursuant to a permit or was lawfully in captivity immediately before its death. Such State trophies must be surrendered to the appropriate authority within a period of seven days (section 37A). State trophies, by their very nature, cannot be confiscated, but may of course be recovered by enforcement personnel.

Section 114 provides that all proceeds from the sale of State trophies shall be paid into the Consolidated Revenue Fund.

Regulation 79 provides that where any person is convicted of an offence in respect of ivory or horn, the latter shall become a State trophy unless some other person is entitled to possess it. Regulation 195 authorises the Director to dispose of any State trophy in terms of an authority issued pursuant to section 20 of the Audit and Exchequer Act [Chapter 168].

7. ADDITIONAL REMARKS

None.

8. SUMMARY OF LEGISLATION ANALYSIS

The Import and Export Regulations are a comprehensive instrument for CITES implementation, with regard to the import and export of CITES species. All CITES species are covered, including plants, and the conditions laid down by CITES for the issue of permits

and certificates are reproduced by the Regulations. By way of exception, there is no requirement that an import permit should be granted before an export permit for Appendix I species is issued. There is also no provision in the Regulations for the confiscation of specimens traded in breach of the Regulations, although this may be provided for in the Control of Goods Act under which these Regulations are made. In addition, no import permit may be issued without a valid export permit from the country of export.

The major gap is that the possession of and domestic trade in unlawfully imported CITES specimens is not covered, and is therefore not penalised under the Regulations. It is not known whether the Control of Goods Act regulates such possession and trade, or provides any related penalties.

The Import and Export Regulations also establish international trade controls in respect of a large number of non-CITES species, including: all wild vertebrates and invertebrates, other than fish and crustaceans, whether alive or dead; live fish and crustaceans; and all specially protected indigenous plants, as listed under the Parks and Wild Life Act that have not been artificially propagated.

The Parks and Wild Life Act establishes possession and trade prohibitions regarding specially protected animal species, as well as trade prohibitions in respect of specially protected indigenous plant species. All these species listed are indigenous, although nothing in the Act prevents the listing of non-indigenous animal species as specially protected species. This would make such species subject to the possession and trade prohibitions laid down in section 36 of the Act. This could of course only apply to animal species as defined by the Act, namely all vertebrates except for fish. It could not apply to plants, as only indigenous plant species are dealt with by the Act.

However, other provisions in the Act prohibit, except under a permit, the sale (but not the possession) of any live animal or the trophy of any animal (section 47(3)). Once again, this provision is only applicable to vertebrates except fish. As the Act does not specify that it is limited to indigenous species, it follows that it is applicable to any species as defined, whether indigenous or not, and therefore to all the CITES species that meet the definition.

The combination of the two pieces of legislation therefore allows for an effective implementation of CITES.

Annex 3

Taking into account the amendment to the terms of reference of the Panel of Experts on the African elephant, adopted by the Standing Committee at its 36th meeting, the Government of Japan would like to submit the following information regarding the general implementation of CITES controls .

I . Import

1. Permit requirement

1.1 Japan complies with the permit and the certification requirements as laid down in Articles III to V and VII of the Convention.

1.2 In addition, Japan requires the presentation of a CITES export permit and , in the case of Appendix I specimens, the issuance of a CITES import permit for specimens except in the case of household effects imported under the exemption of Article VII.

2. Border Controls

2.1 All CITES specimens are subject to controls to ensure their compliance with the provisions of the Convention.

2.2 CITES border controls are the responsibility of the Customs Authority with technical direction from the CITES Management Authority.

2.3 CITES specimens may be imported through designated ports of entry only.

2.4 CITES controls consist of

a) systematic verification of the documentation , using the prior confirmation made by CITES Management Authority when appropriate ; and

b) physical inspection of all shipments.

2.5 CITES documents are collected by the Customs Authority and periodically transmitted to the CITES Management Authority

II . Domestic controls

1. General

1.1 As from 1987, domestic controls on a range of Appendix I specimens and specimens of Appendix I species bred in captivity for commercial purposes are carried out by the Environment Agency under the Law for the Conservation of Endangered Species.

1.2 The domestic controls for specimens of an Appendix I species would remain in place even if certain populations of the species concerned would be transferred to Appendix II .

2. Ivory Controls

Stocks of whole tusks and cut pieces of ivory, and all transactions of this ivory are legally controlled and monitored by the competent Government Authorities from the moment of importation until final carving. Thereafter, carved ivory is subject to a monitoring and labelling scheme administered under Government supervision by the Japan Federation of Ivory Arts and Crafts Association.
From the point of carving to the point of sale this is achieved as follows:

2.1 With the exception of personal possession, all whole tusks, whether raw, carved or polished, must be legally registered by the Environment Agency, and may only be bought and sold if they are accompanied by a fully completed registration card. Changes of ownership must be notified to the Environment Agency within 30 days.
Violations of these regulations can lead to imprisonment for a period of 6 months, or to a fine of 500,000 yen.

2.2 Anyone engaged in trade in cut pieces of ivory must legally register with the Environment Agency and the Management Authority(MITI), and must keep records of all transactions.
These records must be kept for 5 years and may be inspected at any time by government officials.
Violations of those regulations may lead to imprisonment for a period of 6 months, or to a fine of 500,000 yen.

2.3 Those registered to engage in trade in cut ivory are entitled to participate in a government controlled scheme whereby blocks of raw ivory are sold only when accompanied by a "management card", through which in subsequent history can be traced. The Japan Federation of Ivory Arts and Crafts Association has committed all its members to participate in this scheme.
Any abuse of this scheme can lead to imprisonment for a period of 6 months, or a fine of 500,000 yen.

2.4 Carvings proven to be produced under the scheme described above are entitled, under the control of the Ministry of International Trade and Industry and the Environment Agency, to be accompanied by a uniquely numbered seal certifying their legality.
Abuses of this system can lead to a fine of 200,000 yen.

Oct. 1996
The Environment Agency
The Ministry of International Trade and Industry
Japanese Government

Domestic trade control system in Japan

The latest amendment of the Law for the Conservation of Endangered Species of Wild Fauna and Flora entered into force on June 28, 1995, and provides for the following four steps to be taken:

(1) Registration of whole tusks,
(2) Notification by those engaged in business dealing with pieces of tusks,
(3) Obligation imposed upon the producers having made the notification to compile records of their transactions, and
(4) Certification of ivory products.

1. Registration of whole tusks,

Raw tusks, carved tusks and polished tusks (only limited to those maintaining their whole shapes), may be bought or sold only if they are accompanied by a registration card issued by the Director-General of the Environment Agency.
The method by which the registration is made is as follows:

(1) Tusks to be Registered

The raw tusks proven to have been acquired or imported prior to the inclusion of the African elephant in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

(2)Management of Registered Tusks

<1> Anyone having been given a registration card is required to be ready to present it at any time when he/she (or a corporation) displays the tusk relating to the registration card for the purpose of trading in it either commercially or non-commercially.

<2> When a registered tusk, is delivered or transferred it must be accompanied by the registration card.

<3> Anyone having received a registered tusk is required to notify the Environment Agency within 30 days of receiving it.

<4> Where anyone ceased to own a registered tusk either by losing it (including theft) or cutting it up into pieces, he is required to return the registration card, within 30 days of the day the event took place.

<5> Those having violated (2)<1>~<4> may be fined an amount not exceeding 200,000 yen.

<6> Those having made the registrations by falsification or other illegal means are liable to imprisonment for a period not exceeding 6 months or to a fine not exceeding 500,000 yen.

<7> Any registered tusk without CITES standard mark may be marked with the ISO code for Japan, the registration number, the year of registration and the weight.(e.g. JP 1234-95-11)

(3)Designated registration organization

<1> The business of registering is conducted by public organization designated by the Director-General of the Environment Agency.

(Designated registering organization:Japan Wildlife Research Center(JWRC))

<2> All data of the registered tusks are collected in the computerized database at JWRC.

2. Notification by those engaged in business dealing with cut-pieces

Anyone who is to carry out any transaction involving the transfer or delivery of pieces of tusks of elephants is required to notify the Director-General of the Environment Agency and the Minister of International Trade and Industry of the matters mentioned below. The matters to be notified are:

<1> his/her own address and name.

<2> the name and location of the facilities to carry out the business; and

<3> the quantity in stock. (the number of the cut pieces and the total weight of the stock.)

Anyone having carried out any transaction involving cut pieces of tusks of elephants without the notification may be fined an amount not exceeding 500,000 yen.

The officials of the Environment Agency and the Ministry of the International Trade and Industry have randomly inspected the ivory traders. The inspections have been done without the prior notice.

3. Obligation upon persons having made notification to compile a ledger of transactions,

Anyone who carries out any transaction involving cut pieces of tusks of elephants is required to compile and maintain a ledger recording all such transactions; and is required to preserve the ledger for five years, and to present it at the request of officials of the Environment Agency and the Ministry of International Trade and Industry.

(1) The obligations

<1> The person responsible must enter in the ledger the name and address of the person (or corporation) from whom the transfer was carried out (this must be confirmed) as well as the date of the transaction, weight and quantity in stock.

<2> Each record in the ledger must be kept for five years, and the person responsible is required to present the ledger at the time of surprise inspection by officials of the Environment Agency and the Ministry of International Trade and Industry.

<3> Where anyone has failed to make the entry in the ledger or has made a falsified entry, the Environment Agency and the Ministry of International Trade and Industry should issue necessary instructions, if necessary,; and, where anyone has violated the instructions, he/she may be ordered to suspend business for a period not exceeding 3 months. Those having violated the orders may be imprisoned for a period not exceeding 6 months or fined an amount not exceeding 500,000 yen.

<4> Where the Environment Agency and the Ministry of International Trade and Industry seek to undertake an inspection of a business, the owner of the business is required to accept such an inspection. Anyone having refused such an inspection may be fined an amount not exceeding 200,000 yen.

(2) Preparation of Management Card

<1> Anyone having made a notification may prepare and maintain a management card in which the date of acquisition and other information are recorded.

<2> The cases where one may make up the management card are:

a) Where cut pieces of raw tusks, etc. are transferred or received together with the registration card.

b) Where materials accompanied by a registration card are transferred or delivered and where those materials are cut up to be transferred or delivered further.

c) Where the transfer etc. of cut pieces of tusks, etc. which were legally imported by the person making the transfer are to be carried out.

d) Where the transfer etc. of cut pieces which were legally imported by the person making the transfer are to be carried out.

<3> The preparation of a management card is not mandatory. However, if a management card has been prepared, the transfer of the cut piece to which it relates must be accompanied by the management card. The Japan Federation of Ivory Arts and Crafts Association has committed all its members to participate in this scheme.

<4> Where anyone has violated the rules for preparing a management card or has entered any falsified information in the management card, the Environment Agency and the Ministry of International Trade and Industry shall issue instructions, if necessary. Where anyone has violated these instructions, he/she may be ordered to suspend business for a period not exceeding 3 months.

A person having violated such an order may be imprisoned for a period not exceeding 6 months or fined an amount not exceeding 500,000 yen.

4. Certification of Ivory Carvings

Where ivory carvings are recognized as having been produced from legally obtained raw tusks, that had been registered on the basis of an application filed by a producer, the producer may obtain a seal certifying to that effect from the Director-General of the Environment Agency and the Minister of International Trade and Industry.

In order for a producer to obtain the seal, he/she is required to prove that the carving has been produced from legally imported or legally obtained ivory.

(1)Carvings that may be certified

<1> a carving produced from ivory was transferred together with the management card;

<2> a carving produced from a raw tusk was transferred together with the registration card; and/or

<3> a carving produced from a raw tusk or cut piece was legally imported by a producer.

(2)Method by Which the Seal Is To Be Attached

<1> A seal shall not be attached to any carving other than the one for which the seal was issued.

<2> Anyone having obtained a seal by illegal means may be fined an amount not exceeding 200,000 yen.

Anyone having attached a seal to any carving other than the one to which it relates may be fined an amount not exceeding \200,000.

<3> The business of certification is conducted by public organizations, JWRC, designated by the Director-General of the Environment Agency and the Minister of International Trade and Industry.

<4> All data of the cut pieces are collected in the computerized database at JWRC. JWRC always refers to the data when it issues the seal.

To whom it may concern

Tokyo, 29 July 1996

Dear Sir,

This is to inform you that Japan Federation of Ivory Arts and Crafts Association (JIA) held a meeting of the Directors of the Board on 20 June 1995. At the meeting, the Directors of the Board unanimously adopted a Resolution on Management Cards effecting that all JIA members are required to produce and attach a Management Card when selling raw ivory materials. This was informed to all members by 3 July 1995 through its Notification. While the production and attachment of a Management Card is not mandatory under the Japanese law, all cutpieces and scraps to be dealt with by JIA members accompany a Management Card.

Yours faithfully,

Tamotsu Ishibashi

Tamotsu Ishibashi
President