

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

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Eleventh meeting of the Conference of the Parties  
Gigiri (Kenya), 10-20 April 2000

Interpretation and implementation of the Convention

Conservation of and trade in elephants

NON-COMMERCIAL DISPOSAL OF IVORY STOCKPILES

1. This document has been submitted by Kenya.

Introduction

2. Although 14 Parties have registered ivory stockpiles for non-commercial disposal under the terms of Decision 10.2, none has been purchased to date.
3. Decision 10.2 called for the establishment of Conservation Trust Funds to administer funds raised for non-commercial disposal of ivory stockpiles.
4. Legal difficulties, costs and bureaucracy involved in establishing Conservation Trust Funds may be acting as a disincentive to donors who may be willing to purchase ivory stockpiles for non-commercial disposal.
5. A simple method should be adopted by which donors may enter into bilateral agreements with a Party to purchase its ivory stockpile for non-commercial disposal, provided that donations are used to improve enforcement capacity and elephant security in the range State concerned.
6. Ivory stockpiles purchased by donors for non-commercial purposes should be destroyed or otherwise maintained in a non-commercial state in perpetuity, subject to regular inspection.

COMMENTS FROM THE SECRETARIAT

- A. The Secretariat believes that, contrary to point 4 above, the establishment of Conservation Trust Funds is an incentive to donors and, further, notes that potential donors have made clear at Elephant Range State Dialogue meetings that they encourage States to establish such funds. The Secretariat believes that the establishment of such trust funds demonstrates a commitment to ensuring that revenues are directed to enhance conservation, monitoring, capacity building and local community-based programmes.
- B. The Secretariat is aware that, at Elephant Range State Dialogue meetings, range States have agreed that the creation of such funds is appropriate. WWF-US provided a discussion paper on conservation trust funds, which was presented at the 40th meeting of the Standing Committee (document Doc. SC.40.5.2.3 Annex B). The discussion paper was welcomed and later circulated via Notification to the Parties No. 1998/12 at the request of the Standing Committee. The Secretariat is also aware that several range States already have such trust funds in place.
- C. The Secretariat has received no information, other than the attached draft resolution, to suggest that the establishment of trust funds has acted as an inhibitor to the implementation of Decision 10.2. The Secretariat is aware, however, that there has been little enthusiasm, among potential donors to elephant conservation, to buy ivory stocks.

- D. The Secretariat believes that the suggestion in point 6 above would act as a disincentive to donors for the following reasons.
- i) Firstly, the Secretariat is aware that some potential donors believe the destruction of stocks sends confusing messages to persons who may not understand the complex issues involved in elephant conservation and the legal ivory trade. The maintenance of ivory stocks in a non-commercial state in perpetuity would inevitably produce long-term storage and security costs but the draft resolution does not make clear who would be responsible for such costs.
  - ii) Secondly, the Secretariat is aware that some potential donors have given considerable thought to ways in which ivory stockpiles could be put to good, though non-commercial, use. It is aware, for example, of one potential donor that had considered providing the ivory, without charge, to museums for the restoration of works of art and/or to cathedrals and churches for the restoration of organ keyboards.
- E. The Secretariat recalls that Resolution Conf. 4.6 (Rev); "DECIDES that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat must contain or be accompanied by a budget for the work involved and an indication of the source of funding." The Secretariat believes that the regular inspection and verification, suggested in paragraph d) of the draft resolution would undoubtedly have resource implications for the Secretariat.
- F. The Secretariat does not believe that the proposals in the attached draft resolution, or the cancelling of Decision 10.2, would result in attracting potential buyers of registered ivory stockpiles, and does not support the draft resolution.

RESOLUTION OF THE CONFERENCE OF THE PARTIES

Non-commercial disposal of ivory stockpiles

RECALLING that Decision 10.2 set out the conditions for the disposal of ivory stocks for non-commercial purposes;

AWARE that 14 countries registered their ivory stockpiles for disposal under the conditions in Decision 10.2 and that these stockpiles contain a total of 158,077 kg of ivory;

DISAPPOINTED that (by 1 November 1999) none of these stockpiles has been disposed of under the terms of Decision 10.2, despite the efforts of the Elephant Co-ordinator of the CITES Secretariat;

NOTING that Decision 10.2 called for the establishment of Conservation Trust Funds to administer funds raised through such non-commercial arrangements;

AWARE that legal difficulties, costs and bureaucracy involved in establishing Conservation Trust Funds may be acting as a disincentive to donors who may be willing to purchase ivory stockpiles for non-commercial purposes;

CONVINCED that ivory stockpiles sold for non-commercial purposes should be destroyed or held for non-commercial purposes in perpetuity, subject to regular inspection;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that elephant range States may sell their government stockpiles of ivory for non-commercial purposes to any donor country and/or organization, provided that:

- a) the stocks have been declared to the CITES Secretariat and independently audited by TRAFFIC International, in co-operation with the Secretariat;
- b) the stocks have been marked in accordance with this Resolution;
- c) the stocks have been consolidated in a pre-determined number of locations;
- d) after the sale, the stocks are destroyed or held in a non-commercial state in perpetuity, subject to regular inspection and verification by the CITES Secretariat; and
- e) the funds generated by the sale are used to improve enforcement capacity and elephant security in the range State; and

REPEALS Decision 10.2 on Conditions for the disposal of ivory stocks and generating resources for conservation in African elephant range States.