

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



Fifteenth meeting of the Conference of the Parties
Doha (Qatar), 13-25 March 2010

Summary record of the 11th session of Committee I

22 March 2010: 09h20 - 12h15

Chairman: J. Donaldson (South Africa)
Secretariat: J. Blanc
T. de Meulenaer
D. Morgan
J. Sellar
TRAFFIC: T. Milliken
Rapporteurs: J. Caldwell
L. Garrett
C. McLardy
J. Robinson

44. Elephants

44.1 Monitoring of illegal trade in ivory and other elephant specimens

and

44.2 Monitoring of illegal hunting in elephant range States

The Chair announced that these two agenda items would be discussed as one.

The Secretariat introduced document CoP15 Doc. 44.2 (Rev. 1) and referred to document CoP15 Inf. 41, noting that although MIKE reports had been provided to the previous four CoPs, this was the first time a comprehensive analysis, including information on trends, had been presented. It focussed on an analysis of data from 2002 to 2009 which investigated the relationship between levels of illegal killing and certain variables. It reported that levels of poaching were related to site variables such as the extent of vegetation cover and human population density and noted that poaching levels were more pronounced when government effectiveness and human development was low, as in West and Central Africa. It drew attention to increases and decreases in illegal killing of elephants but pointed out that there was no obvious correlation between these and the one-off sales of ivory in 1999 and 2008. However, there were only eight years of data available which might be insufficient to reveal such a correlation. It stressed the importance of capacity building with regard to MIKE sites.

It reported that the recommendation in paragraph 89 of the document had been dealt with in Committee II and asked the Committee to note the recommendation in paragraph 88.

TRAFFIC introduced document CoP15 Doc. 44.1 (Rev. 1) Annex and referred to document CoP15 Inf. 53 regarding the Elephant Trade Information System (ETIS). They noted the wide fluctuation in seizures from year to year and major increases in 2006 and 2009, and reported that smoothing of the trend line showed a gradual increase since 2004. There had been no consistent effect from the one-off sales but they were concerned that the recent increase had coincided with the implementation of Decision 13.26 and the steps taken to implement the *Action plan for the control of trade in African elephant ivory*. They suggested that organized crime was a major factor and that seizures were

becoming more frequent and larger in size. Cluster analysis had shown that the three most heavily implicated countries in the illicit ivory trade today were the Democratic Republic of the Congo, Nigeria and Thailand. They also drew attention to another nine countries and territories that represented a secondary level of concern: Cameroon, Gabon and Mozambique as producer countries, and Hong Kong (SAR), Malaysia, the Philippines, Singapore, Taiwan (province of China) and Viet Nam amongst the entrepôt States and importers. They concluded by recommending strengthening of Decision 13.26, more vigorous implementation of Resolution Conf. 10.10 (Rev. CoP14) and that countries requiring special attention be identified through ETIS.

Malaysia viewed the categorization of Malaysia as secondary level of concern in the illegal ivory trade by TRAFFIC seriously, as TRAFFIC did not provide any reliable statistics to substantiate the categorization. TRAFFIC reported that there had been a seizure of ivory in Viet Nam that had reportedly been imported into Viet Nam using Malaysia as a transit point.

The Secretariat presented document CoP15 Doc. 44.1 (Rev. 1) referring to the activities taken to combat illegal trade through Decision 13.26 (Rev. CoP14). It reported on the distribution of questionnaires and noted a good rate of return. However it also stressed that restriction of resources, both financial and human, had hampered progress. It noted that the Decision contained non-compliance measures but that these had not been invoked, while emphasis had been placed on capacity building. In light of the increasing level of illegal trade, it believed it was time to implement those measures. It recommended that, in view of the expense of secondments, short-term secondments might be the way forward. It further reported on the visit by the Secretary-General to Nigeria and the very considerable recent progress in CITES implementation in that country. Nigeria drew attention to these measures that could be found in document CoP15 Inf. 27.

The Secretariat reminded Parties that the draft decision in the Addendum to document CoP15 Doc. 45, which directed the Secretariat to convene a joint CITES Ivory and Rhinoceros Enforcement Task Force had been accepted in Committee II. It drew attention to the recommendations in paragraphs 28 and 29 of document CoP15 Doc. 44.1 (Rev. 1) and noted that Resolution Conf. 10.10 should be amended, with the wording from paragraph 31, to take account of a new marking technique described in document CoP15. Inf. 21.

The United States of America welcomed the analyses and supported short-term secondments but noted that this would not be a permanent solution to the shortage of enforcement capacity within the Secretariat. Supported by China, they agreed with strengthening Decision 13.26 (Rev. CoP14). They stood ready to assist with funding and human resources. South Africa recognized the importance of MIKE and reported that they had recently trained over 900 enforcement officers. China, noting that most of their seizures of ivory were from tourists, reported on their publicity campaign to increase awareness in that area.

Kenya drew attention to the increasing levels of elephant poaching in their country and believed there was a clear relationship between this and the one-off ivory sales. They were concerned that funding for MIKE was due to end in 2011 and believed MIKE needed more time to increase the scope of its activities. Japan requested that Technical Advisory Group of MIKE reconsider the selection of MIKE sites to ensure the number of sites is reasonable, and suggested that the Standing Committee should consider using MIKE and ETIS reports in its decision-making process, especially with regard to Decision 14.77.

IUCN urged Parties not to get too caught up in endless debate but to take decisive action for the benefit of the species.

The Chair noted that there was general consensus on the issues. The Committee noted document CoP15 Doc. 44.2 (Rev. 1) and agreed to the Secretariat's recommendations in paragraphs 28 to 32 of document CoP15 Doc. 44.1 (Rev. 1).

68. Proposals to amend Appendices I and II (continuation)

The United Republic of Tanzania introduced proposal CoP15 Prop. 4. They drew attention to the decision taken at CoP14 to adopt a nine-year resting period on African elephant ivory sales, noting that this decision was applicable only to the range States that had Appendix-II populations at that time. They considered that the population of their country no longer met the biological criteria for Appendix I as it comprised over 100,000 individuals and had a range of over 164,000 km².

Addressing the concerns that had been expressed by the Secretariat and the panel of experts on enforcement issues, they reported that several anti-poaching operations had taken place in the last year and these had demonstrated there had been no significant increase in poaching activity as had been reported in the media. They considered that the 41 carcasses found in 2009 (1.7 % of the population) were within the range of natural mortality for the species. They further noted that although the challenges of enforcement were large, the Government had recently passed legislation to establish a new wildlife authority to increase the number of anti-poaching rangers, they had in place a comprehensive database for ivory stocks, and major ivory seizures at border controls had been made in 2009.

The United Republic of Tanzania requested that the proposal be decided in two parts; one to address the issue of transferring the population to Appendix II for the purposes outlined in parts a), c) and d) of the proposal, and another to address the proposed one-off sales of ivory outlined in part b). They noted that any ivory sales would not go ahead until the conditions in paragraphs i) to v) had been met, and that the panel of experts were satisfied that all enforcement conditions had been met. They stressed that the proceeds would be used to strengthen enforcement efforts and to improve the livelihoods for local communities, and urged support for the proposal in the spirit of the sustainable use principles supported by the Convention and the Access and Benefit Sharing objective of the Convention on Biological Diversity. The Minister for the Environment and Tourism echoed these comments, reiterating the country's commitments to enforcement and highlighting the increasing problem of habitat destruction and Human-Elephant-Conflict (HEC) as a result of the expanding elephant population.

After South Africa had spoken in favour of the division of the decision of the proposal, and Rwanda and Nigeria had spoken against, the Chair requested a vote on the matter, which took place as a secret ballot at the request of the United Republic of Tanzania, who was supported in this request by more than 10 representatives. The results were 76 in favour, 37 against and 15 abstentions.

As an ivory importer, Japan was aware of its heavy responsibility in controlling the illegal ivory trade. They considered that the population in the United Republic of Tanzania no longer met the biological criteria for inclusion in Appendix I and supported the proposals, as did China, Malawi and Qatar. Japan, supported by Saudi Arabia, further noted that the United Republic of Tanzania had the sovereign right to use its own natural resources. Botswana agreed, adding that in their experience, proceeds from the previous CoP-approved ivory sales had assisted them in preventing HECs, surviving periods of drought, and in developing other government programmes such as health and education, and they added their support to the proposal. This sentiment was echoed by IWMC World Conservation Trust, which further added that natural resource use was the only available option to attain "developed" status by many African countries.

Uganda supported the proposals and commented that the United Republic of Tanzania served as an inspiration to other countries in the East African Region for their efforts in sustainable wildlife management. They felt that the proposals to raise revenue would provide incentives for conservation for the Government, as well as local communities facing HEC. They noted that the current population in the United Republic of Tanzania was the second largest in Africa and was now exceeding carrying capacity, increasing the potential for greater HEC and habitat destruction from large elephant numbers.

The Congo, India, Liberia, Nigeria, Rwanda, Spain, on behalf of the European Union and its Member States, Tunisia, the United States and WWF opposed the proposal, with Nigeria noting that HEC was not limited to the United Republic of Tanzania alone. Attention was drawn to the fact that many Parties at CoP14 were concerned at the original agreement for a one-off sale of ivory stocks which had led to the agreement of a nine-year moratorium of proposals for additional sales during this period, reiterating that the United Republic of Tanzania had been supportive of this compromise. It was felt that a proposal for a one-off sale of ivory stocks within this nine year period would undermine the agreement and the Convention, and that there had been insufficient time to allow adequate population regeneration and to monitor the impact of the initial sale proposed at CoP14. Therefore, it remained unclear whether the recent sustained poaching and trade increases were associated with previous one-off sales. This was reiterated by the United States and WWF.

The United States retained their support for Decisions 14.75 to 14.79, and were concerned at recent MIKE and ETIS reports of poaching in the south of the United Republic of Tanzania as well as possible increased illegal sales of Tanzanian ivory. Whilst they recognized that the United Republic of Tanzania had taken a number of conservation measures regarding the management of their elephant population, they felt that more effective enforcement and compliance measures were required and that Resolution Conf. 9.24 (Rev. CoP14) had not been met.

The Congo and Tunisia also commended the United Republic of Tanzania on their efforts to control elephant poaching and encouraged other range States to follow their lead. Spain, on behalf of the European Union and its Member States, noted that, despite recent information presented by the panel of experts suggesting that elephant populations in the United Republic of Tanzania were possibly decreasing, current populations may not meet the biological criteria for CITES Appendix-I listing. Nonetheless, they had enforcement concerns following recent ETIS reports of increased seizures between 2004 and 2008 and increased illegal killings in 2008, and believed that a one-off sale would be premature until sufficient time had been given for a full and sustained evaluation of the impact of ivory stock sales from CoP14.

India noted that they held 60 % of the Asian elephant population and that, despite a well-established conservation programme, populations continued to be threatened by poaching. They remained concerned over both proposals to transfer populations from Appendix I to Appendix II and to open trade in ivory, noting that the worst year for elephant poaching in India coincided with the one-off sale in 1999. They urged Parties not to stimulate illegal trade further with an additional transfer to Appendix II.

WWF acknowledged that the United Republic of Tanzania faced huge conservation obstacles and poaching pressure, in addition to an increased human population and a large border to control. They recognized that control of the domestic market in the United Republic of Tanzania was superior to most other range States and offered assistance to build on efforts to date. However, they were dissatisfied with current enforcement efforts and ivory stockpile management, and felt that the sight of ivory openly on sale was a potent incentive for poachers and smugglers.

The United Republic of Tanzania requested a secret ballot with respect to both parts of their proposal and this was supported by more than 10 representatives and therefore agreed. Concerning the proposal to transfer the population from Appendix I to Appendix II without paragraph b) of the annotation 57 Parties were in support, 45 against and 32 abstained. Concerning the proposed transfer with paragraph b) of the annotation included, 59 Parties were in support, 60 against and 13 abstained. The proposal as a whole was therefore rejected.

The session was adjourned at 12h15.