

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



Eighteenth meeting of the Conference of the Parties
Colombo (Sri Lanka), 23 May – 3 June 2019

Species specific matters

Elephants (Elephantidae spp.)

IVORY STOCKPILES: IMPLEMENTATION OF RESOLUTION CONF. 10.10 (REV. COP17)
ON *TRADE IN ELEPHANT SPECIMENS*

1. This document has been submitted by Burkina Faso, Chad, Côte d'Ivoire, Gabon, Jordan, Kenya, Liberia, the Niger, Nigeria, the Sudan and Syrian Arab Republic.*

Summary

2. The present document summarizes recent decisions by CITES on the management of ivory stockpiles, including their disposal, and provides an update on recent seizures and destructions of ivory stocks and stockpiles by CITES Parties. It suggests a way forward on the implementation of Decisions 17.171-172 CoP17 directed to the Secretariat and Standing Committee in order to secure the completion of the delayed CITES guidance for the management of ivory stockpiles before or during CoP18. It also proposes measures to improve compliance with the existing recommendation in paragraph 6 e) of Resolution Conf. 10.10 (Rev. CoP17) urging Parties to maintain inventories of ivory stockpiles and report the stock levels to the Secretariat annually before 28 February. These measures are intended to complement CoP18 Doc 69.5, Implementing Aspects of Resolution Conf. 10.10 (Rev. CoP17) on the Closure of Domestic Ivory Markets, submitted by Benin, Burkina Faso, Ethiopia, Niger and Nigeria.

Introduction

3. African elephants, which are listed in Appendix I of the Convention, with four populations in Appendix II¹, are under intense and sustained pressure from poaching and ivory trafficking to meet global demand for ivory products. It is estimated that between 2010-2012, 35-50,000 African elephants were illegally killed annually to meet this demand^{2,3}.
4. According to the information released by the CITES MIKE Programme in March 2017⁴, the levels of poaching of the African elephant remain high. MIKE data from 2016 show that "*Africa-wide elephant populations are still in decline, with serious threats to populations in Central and West Africa*"⁵. The poaching of elephants

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

¹ Botswana, Namibia, South Africa and Zimbabwe.

² Wittemyer, G., Northrup, J., Blanc, J., Douglas-Hamilton, I., Omondi, P., & Burnham, K. (2014) Illegal killing for ivory drives global decline in African elephants. PNAS, vol. 111 no. 36. Available at: <http://www.pnas.org/content/111/36/13117.abstract>

³ Data on the unsustainable levels of elephant losses and record levels of illegal ivory trade can be found in papers submitted to the most recent Standing Committee meetings in 2014 and 2016: SC65 Doc. 42.1 Annex 1 Elephant Conservation, Illegal Killing and Ivory Trade. Available at: https://www.cites.org/sites/default/files/eng/com/sc/65/E-SC65-42-01_2.pdf and SC66 Doc. 47.1 Annex 1 Elephant Conservation, Illegal Killing and Ivory Trade. Available at: <https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-47-01.pdf>

⁴ https://cites.org/eng/news/pr/2016_trends_in_African_elephant_poaching_released_%E2%80%93_CITES_MIKE_programme_03032017

⁵ <https://cites.org/sites/default/files/eng/com/sc/69/E-SC69-51-01-A.pdf>

and ivory trafficking out of Africa is an ongoing crisis. Asian elephants, which are all listed in Appendix I, are also affected by the global demand for ivory. At the 70th meeting of the Standing Committee (SC70), a report from the CITES Secretariat updated the previous MIKE Programme information⁶ highlighting the continuing illegal killing of African elephants. According to this report, levels of illegal killing remain a cause for concern since they still surpass deaths from natural causes. In 2017 alone, 1,602 elephant carcasses were encountered in 40 sites in Africa. Although there has been a gradual downward trend in levels of illegal killings since 2011, the number of sites in which carcasses were found increased from 36 in 2016 to 40 in 2017 with 198 more elephant mortality records provided in 2017 than 2016.

5. In 2017, ivory seizures continued at almost the same rate as in 2016 (a report from the Secretariat to SC70 highlighted a decrease of 1% only from the quantity seized in 2016)⁷. Large-scale ivory seizures were reported in countries participating in the National ivory Action Plan (NIAP) process, in particular in Cameroon, Viet Nam, Malaysia, Cambodia, Hong Kong SAR and Uganda⁸.
6. It is alarming that the outgoing flow of ivory from Africa continues to this day, despite China, previously the largest legal domestic ivory market in the world, closing its domestic market as of December 31st 2017⁹. A recent study undertaken by the Environmental Law Institute commissioned by the Secretariat for SC70, examines the domestic controls in consumer markets for specimens of CITES-listed species for which international trade is predominantly illegal. The study concluded that exemptions to the ivory bans in reviewed countries present challenges to enforcement and oversight authorities, that bans in one country can cause domestic ivory markets to shift to adjacent countries, and delays in the entry into effect of bans has encouraged legal retailers to liquidate their stock, which while decreasing the price of elephant ivory, has fed demand¹⁰.
7. One of the consequences of the increased supply of illegal ivory is the proliferation and growth of official stockpiles of seized ivory in range States and transit countries. Between 2000 and 2016, 124 large-scale seizures of elephant ivory were reported, representing approximately 229 tonnes¹¹. In July 2017, Hong Kong SAR Customs authorities reported one of the largest ever seizures of elephant ivory tusks, consisting of 7.2 tonnes and accounting for the poaching of an estimated 700 elephants¹². In the same month, Vietnamese police seized 2.7 tonnes of ivory hidden in a fruit lorry believed to have originated from South Africa¹³. Since then, several further seizures have been reported worldwide. In March 2018, Singapore authorities seized 3.5 tonnes of ivory in a shipment supposedly containing groundnuts¹⁴. The authorities in Mozambique also made a substantive seizure, in April 2018, of about 3.5 tonnes of ivory disguised in bundles of plastic bottles¹⁵.

Lack of comprehensive information on global ivory stockpiles

CITES Parties have been requested to report on their government and privately held stockpiles of ivory to the CITES Secretariat since 1997¹⁶; paragraph 6(e) in Resolution Conf. 10.10 (Rev CoP17) updates a long-standing recommendation dating back to 1997 that Parties maintain an inventory of their raw ivory stocks and inform the Secretariat annually of its level, and the source of the ivory. It appears that inadequate data from these returns is the main reason why comprehensive, updated CITES data on raw ivory stockpiles is unavailable to Parties. The CITES Secretariat issued notifications in December 2013, January 2015 and January 2017 reminding CITES Parties of the revised reporting provision but, as yet, no data on country-

⁶ <https://cites.org/sites/default/files/eng/com/sc70/E-SC70-49-01-A1.pdf>

⁷ <https://cites.org/sites/default/files/eng/com/sc70/E-SC70-49-01.pdf>

⁸ <https://cites.org/sites/default/files/eng/com/sc70/E-SC70-49-01-A1.pdf>

⁹ <https://news.nationalgeographic.com/2017/12/wildlife-watch-china-ivory-ban-goes-into-effect/>

¹⁰ *CITES SC70 Inf. 18 Controls on domestic trade in selected Appendix I listed species Part I: elephant ivory, prepared by the Environmental Law Institute (ELI); CITES SC70 Inf. 19 Controls on domestic trade in selected Appendix I listed species Part I: elephant ivory Annex: country profiles an analysis of domestic controls in nine countries, prepared by the Environmental Law Institute (ELI)*

¹¹ https://eia-international.org/wp-content/uploads/EIA_Large-scale-ivory-seizures_V3-January-2000-to-December-2016.pdf

¹² On 4 July 2017 Hong Kong Customs seized about 7.2 tonnes of ivory tusks, in a container of fish from Malaysia. See: <http://www.info.gov.hk/gia/general/201707/06/P2017070600499.htm>

¹³ https://phys.org/news/2017-07-tonnes-ivory-seized-vietnam_1.html

¹⁴ https://www.mfa.gov.sg/content/mfa/overseasmission/geneva/press_statements_speeches/2018/201805/press_20180507.html

¹⁵ <https://clubofmozambique.com/news/mozambique-customs-seized-more-than-three-tonnes-of-ivory-in-maputo/>

¹⁶ Resolution Conf. 10.10 (Rev CoP17) paragraph 6(e) <https://cites.org/sites/default/files/document/E-Res-10-10-R17.pdf>.

specific ivory stockpiles has been published. In their report to SC70 at Sochi¹⁷, the Secretariat stated as follows:

“42. Paragraph 6. e) of Resolution Conf. 10.10 (Rev.CoP17) urges Parties to: e) maintain an inventory of government- held stockpiles of ivory and, where possible, of significant privately held stockpiles of ivory within their territory, and inform the Secretariat of the level of this stock each year before 28 February, inter alia to be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses, indicating: the number of pieces and their weight per type of ivory (raw or worked); for relevant pieces, and if marked, their markings in accordance with the provisions of the Resolution; the source of the ivory; and the reasons for any significant changes in the stockpile compared to the preceding year.

43. On 29 December 2017, the Secretariat issued Notification to the Parties No. 2017/079 to remind Parties of the above reporting obligation. The table below shows the number of Parties making ivory stock declarations received in recent years. It should be noted however, that not all replies contained all the information requested in Resolution Conf. 10.10 (Rev. CoP17), and some did not provide the total amount of such stockpiles.

Year	2014	2015	2016	2017	2018
Number of Parties submitting ivory stock declarations	10	24	13	16	22

44. The Secretariat is aware of a number of thefts of ivory from government-held stockpiles in recent years and in order to avoid elevating potential security risks, it has not included details of the information that it has received from the Parties in the present document. In accordance with Resolution Conf. 10.10 (Rev. CoP17), the Secretariat has made country-specific data from the ivory stock declarations of Parties available to MIKE and ETIS for analysis.”

8. Although there was an improvement in the reporting rate in 2017-18, the response level is still low. As a result, comprehensive and recent data on the size of global or country-specific stockpiles is not officially available. Although some Parties have in the past suggested that non country-specific data on the amount of ivory stockpiled are published on a regional basis, these have not been made available.

9. In the absence of official CITES data, an attempt was made in 2014 to estimate global Government-held ivory stockpiles for the Standing Committee at its 65th meeting. It was estimated that: “a minimum of 816 tonnes of African elephant ivory has been stockpiled or seized from 1989 through October 2013. Some of these stockpiles are very large, in the range of 50-100 tonnes. Even this is likely to be a significant underestimate of global ivory stocks”¹⁸. The document further concluded that¹⁹:

“Though no recent inventory of stockpiled ivory is available, when the estimates of ivory stockpile quantities and ivory seizure data provided above are considered together, a minimum of 816 tonnes of African elephant ivory has been stockpiled or seized from 1989 through October 2013. Some of these stockpiles are very large, in the range of 50-100 tonnes. Even this is likely to be a significant underestimate of global ivory stocks since, even if ivory sold in the one-off sale in 2008 (102 tonnes) and ivory stockpiles destroyed by governments between 2011 and the present (approximately 32 tonnes) is deducted, ETIS data does not include ivory collected from culled or naturally deceased elephants from 1997 to 2013; stockpiled Asian elephant ivory is not included; seized ivory collected by non-range States prior to 1989 is not included; and not all seizure data is reported”.

10. As noted in SC65 Doc 42.7, the figure estimating global ivory stocks to be a minimum of 816 tonnes in 2013 was probably an underestimate, in particular because it did not include stocks of ivory from both elephant species held in Asian countries or ivory retrieved from animals which died from natural causes. It also did not allow for any historic tendency towards the under-declaration of stockpiles in response to questionnaires.

¹⁷ SC 70 Doc 49.1

¹⁸ SC65 (2014) Doc. 42.7, *Disposal of Ivory Stocks*, available at: <https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-42-07.pdf>.

¹⁹ SC65 Doc. 42.7, *Disposal of ivory stocks*. Available at: <https://cites.org/sites/default/files/eng/com/sc/65/E-SC65-42-07.pdf>

Challenges linked to stockpile management

11. Three of the Parties with elephants listed in Appendix II sold ivory from their Government held stockpiles through CITES to Japan in 1999, and all four Parties sold ivory by the same method to Japan and China in 2008. Until recently, there was a wider perception in some range States that ivory was an economic commodity to be utilised. However, this opinion has lost support in recent years; countries that may have previously considered the financial benefits of keeping ivory stockpiles are now realizing that the costs outweigh any potential benefits. Given the high value of ivory, these stockpiles must be maintained in secure facilities, often under 24-hour guard to prevent theft. Instances of stockpiled ivory disappearing or being stolen are reported regularly²⁰. A 2010 TRAFFIC report suggested that almost one third of stockpiles had *decreased* through illegal leakage²¹. Stockpiled ivory is, in fact, an economic and security burden for most countries²². The Secretariat expressly acknowledged the existing risk of theft from official ivory stockpiles in its latest report on the conservation status of African and Asian elephants²³.
12. This added responsibility diverts scarce resources from wildlife conservation, including the direct protection of elephants and other threatened species. If the costs incurred to secure stockpiles were fully accounted for against estimates of potential income from ivory sales, the net income would be small, or more likely negative, undermining claims of sales benefitting conservation.
13. The existence of ivory stockpiles also provides poachers, traders, speculators, and consumers with a reason to believe that the global ivory trade may be restored in the future and that the value of ivory as a commodity could ultimately exceed the value of elephants as live animals²⁴. This belief, in turn, maintains and further exacerbates demand for ivory products, increasing the pressure on elephant populations.

Disposal of ivory stockpiles: the destruction option

14. In response to the current poaching crisis and to reduce the burden of maintaining and securing their stockpiles, over the last seven years several CITES Parties have destroyed parts of their stockpiles, usually as part of high profile events designed to educate the public about the threat to elephants from poaching and the trafficking of ivory. The intention of these Parties is also to send a clear, international, message that ivory is not a commodity and should not be traded as such. A number of these destructions have taken place with assistance from the Elephant Protection Initiative.
15. Prior to 2011, there had been just three public destructions of ivory: two by Kenya in 1989²⁵, and 1991 totalling 18.8 tonnes and one by Zambia totalling 9.5 tonnes²⁶. After a gap of almost two decades, 34 ivory destruction events have taken place across four continents between 2011 and October 2018²⁷. These actions have involved the crushing or burning of ivory in 23 different countries (including 3 instances in China, 3 in the EU, 2 in Kenya and 2 in the US). Most events received extensive media coverage. The data on these recent destructions is summarized chronologically in Table 1 below.

²⁰ See e.g. News24.com « *Concerns over stockpile ivory theft* », June 2012. Available at: <http://www.news24.com/Africa/News/Concerns-over-stockpile-ivory-theft-20120622>

²¹ Milliken, Tom. "Report on the results of the Elephant and Ivory Trade Questionnaire pursuant to Decision 13.26 (Rev. CoP14) on the Action plan for the control of trade in elephant ivory". April 2010.

²² Namibia, for example, was holding approximately 30 tonnes of stockpiled ivory that was costing USD 75,000 per year to store; see: 'Ivory Stockpiles" the Case For Non-Commercial Disposal', Stop Ivory, January 2013. Available at: http://uat.mccannlondon.co.uk/stopivory/wp-content/uploads/2014/02/SI_IvoryDisposal.pdf. Similarly, in 2010, The East African reported Tanzania spent \$75,000 annually to secure its stockpile; see Riungu, Catherine. 'EU, UK favour Dar's ivory sale bid', East African, March 2010. Available at: <http://newsroom.wildlifedirect.org/tag/eu/>

²³ <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-49-01.pdf>

²⁴ Elephants are arguably of far more value to a multi-billion dollar tourism industry than as a resource to be exploited for ivory. Economic studies show that the value of ivory is falling compared with other non-consumptive uses of elephants, e.g. James Blyth, Martin de Wit and Jon Barnes (2008), 'The Economic Value of Elephants', in J Scholes and KG Mennell (eds) *Elephant Management: A Scientific Assessment of South Africa*. Witwatersrand University Press, Johannesburg.

²⁵ *Perlez, Jane. "Kenya, in gesture, burns ivory tusks", July 1989.* Available at: <https://cites.org/sites/default/files/eng/com/sc/66/ExSum/E-SC66-Sum-03.pdf>

²⁶ Jackson, Tim. "Ivory apocalypse", *Africa Geographic*, April 2013. Available at: <http://www.elephantswithoutborders.org/downloads/papers/Ivory%20Apocalypse.pdf>

²⁷ At the time of writing (28 October 2018), the destruction of more than one tonne of ivory by DRC is the latest event.

Table 1: Ivory destructions 2011 - October 2018

Country	Year	Ivory destroyed (m. tonnes if known)	Comments
Kenya	2011	> 5.0	2002 seizure in Singapore repatriated to Kenya in 2004 under auspices of Lusaka Agreement Task Force (LATF)
Gabon	2012	4.8	
Philippines	2013	> 4.2	
India	2013	Unknown	Some doubts about whether this took place.
USA	2013	5.4	
China	2014	6.0	Guangdong
China HK SAR	2014	> 28.0	In monthly tranches from May 2014. By January 2016, about 22 tonnes of ivory had been destroyed.
France	2014	3.0	
Chad	2014	1.1	
Belgium	2014	1.5	
Portugal	2014	> 1.0	
India	2014		Incinerated various wildlife products – Delhi
Kenya	2015	15.0	Commitment to destroy rest of stocks soon – see below (2016).
Ethiopia	2015	6.1	
United Arab Emirates	2015	> 10.0	Dubai
Republic of Congo	2015	4.7	Entire stockpile
China	2015	0.6	Introduced a ban on domestic ivory trade, in effect since December 31 st 2017.
USA	2015	1.0	> 1 US ton (Times Square)
Mozambique	2015	2.4	
Thailand	2015	> 2.0	Ceremony involved faith leaders
Sri Lanka	2016	1.5	Entire stockpile. Ceremony with faith leaders
Malawi	2016	2.6	
Italy	2016	> 1.0	
Malaysia	2016	9.5	
Cameroon	2016	> 2.0	
Sri Lanka	2016	> 1.5	
Kenya	2016	> 105	Largest burn of elephant ivory in history
Singapore	2016	7.9	Crushed and then incinerated
Vietnam	2016	≤ 2.2	
USA	2017	≤ 1.8	Public event in Central Park, New York
Hong Kong SAR	2017	> 7.0	
France	2018	> 0.5	
DRC	2018	> 1.0	
Total events: 34²⁸		> 244.00	

16. It is notable that Table 1 includes both developing and developed countries, and range and non-range States. The total ivory destroyed from 1989 to 2018 amounts to over 244 tonnes. The momentum of ivory destructions accelerated from 2014, but decreased in some measure after 2016, even though the number of seizures remained at consistent levels. Only a small percentage of the estimated ivory in government-

²⁸ The table above does not include relatively small quantities of mainly worked ivory destroyed symbolically by some NGOs, or the countries which regularly destroy ivory alongside other illegal wildlife items seized by their enforcement authorities of which Germany and UK are examples. Symbolic ivory crushing events by NGOs include one outside Parliament in London by the International Fund for Animal Welfare (February 2014) and another by the Born Free Foundation for a popular British Broadcasting Corporation (BBC) programme (March 2014). Much of the ivory items crushed comprised worked objects donated by the public and the total amounts are understood to have been small.

held stocks worldwide has been destroyed by the time of writing (October 2018), despite Kenya destroying over 100 tonnes of ivory in 2016, leaving considerable – and continually growing – stocks to manage²⁹.

17. Many countries have retained some raw and worked ivory for public awareness, education, and research purposes, but only small quantities should be needed for these uses. The United States anticipates using crushed ivory for educational purposes; while the Philippines announced it will mix its crushed ivory with concrete and turn it into a sculpture of an elephant protecting its calf as a monument and reminder of its historical action³⁰. There is concern that merely crushing ivory could create a third category of powdered ivory in addition to raw and carved ivory that traffickers could market and sell for profit if not effectively disposed of. There is also concern that using ivory in sculptures or public displays, no matter how educational in intention, may continue to promote its commercial value to art connoisseurs (and consumers). In two recent destructions, Sri Lanka and Malaysia first crushed then incinerated the ivory³¹.
18. While a small proportion of seized ivory is destroyed by Government authorities directly after seizure, in most cases, especially in countries on the main global ivory smuggling routes, seized ivory is added to official stockpiles, posing significant logistical and financial challenges to governments. In many cases, seized ivory is added to government stockpiles while criminal cases are investigated and prosecuted, however, the storage or disposal of seized ivory stockpiles remains a problem long after legal cases are closed.
19. The security burden and cost for Parties in managing or disposing of large and growing ivory stockpiles could be lightened through the dissemination of best practices and the development of comprehensive guidance for their management, including disposal. At CoP17, the Secretariat was given the mandate to compile such guidance (see below).

Developments under CITES

20. Elephant conservation, particularly the ivory trade, has been a dominant issue within CITES and the wider conservation community for more than 30 years. Recent increases in poaching and in the trafficking of ivory have attracted high level attention in both range and consumer States as well as in the public eye. The destruction of ivory stockpiles has been endorsed and implemented by a number of CITES Parties over the last seven years. The United Nations Environment Programme (UNEP) has also applauded the destruction of ivory, while the previous CITES Secretary General, John Scanlon, has attended destruction events, most recently in Sri Lanka and Malaysia, and recognized and congratulated countries that have taken such decisive action.
21. It is essential that CITES, as the pre-eminent global treaty regulating wildlife trade, supports best practice in the management and disposal of stockpiles, including destruction where Parties decide on that option. Following an initiative by Chad and the Philippines, for the first time the CITES Standing Committee gave recognition in July 2014 to the process of disposing of legally and illegally obtained ivory. In Document SC65 Com 9, entitled DISPOSAL OF IVORY STOCKS³², the Standing Committee agreed the following recommendations:

The Standing Committee:

- a) *notes the action taken by Kenya, Gabon, the Philippines, India, United States, China including Hong Kong SAR, France, Chad, Belgium, and Portugal in destroying stockpiles of mainly illegally sourced ivory since 2011;*
- b) *requests the Secretariat, subject to available resources, to provide guidance, in accordance with the provisions of Resolutions Conf. 9.10 (Rev. CoP15) and Conf. 10.10 (Rev. CoP16) on “best practices” for management of legal and illegal ivory stockpiles and make it available to Parties.*

²⁹ For example, it has been recently indicated that Namibia’s stockpile amount to 69.4 tonnes as of the end of September 2018 - <https://neweralive.na/posts/namibia-sits-on-n125-million-worth-of-ivory>

³⁰ ‘Philippines to build elephant monument from destroyed ivory,’ Agence France Press, March 2014. Available at: <http://www.globalpost.com/dispatch/news/afp/140313/philippines-build-elephant-monument-destroyed-ivory>

³¹ Laurel Neme, ‘One Country Will Destroy Its Ivory—and Pray for Elephants (Sri Lanka)’, National Geographic, January 2016 - <http://news.nationalgeographic.com/2016/01/160125-sri-lanka-elephants-buddhism-ivory-stockpile-cites/>
<http://www.thestar.com.my/news/nation/2016/04/14/crush-and-burn-malaysia-destroys-huge-ivory-trove/>

³² <https://cites.org/sites/default/files/eng/com/sc/65/com/E-SC65-Com-09.pdf>

- c) *encourages governments, inter-governmental and non-governmental organizations, community based organizations, if requested, to provide support to range States and other countries if needed to plan for and implement the management of ivory stockpiles for the purposes of these recommendations.*
- d) *requests the Secretariat to report on progress made with regard to paragraph b) to the 66th Standing Committee meeting.*

22. The Standing Committee further agreed, at its 66th meeting in January 2016, to “propose a decision for consideration at CoP17 to request the Secretariat, subject to available resources, to provide guidance in accordance with the provisions of Resolutions Conf. 9.10 (Rev. CoP15) and Conf. 10.10 (Rev. CoP16) on “best practices” for the management of legal and illegal ivory stockpiles”.
23. As a consequence, at its 17th meeting (CoP17, Johannesburg, 24 September – 5 October 2016), the Conference of the Parties adopted Decisions 17.171 and 17.172 on stocks and stockpiles of elephant ivory, which state:

17.171 Decision directed to the Secretariat

Where appropriate, the Secretariat shall, in collaboration with Parties and subject to external funding:

- a) *develop practical guidance for management of ivory stockpiles, including their disposal, based on an analysis of best practices and in accordance with provisions in Resolutions Conf. 17.8 on Disposal of illegally traded and confiscated specimens of CITES-listed species and Conf. 10.10 (Rev. CoP17) on Trade in elephant specimens;*
- b) *disseminate the guidance to the Parties and make it available on the CITES website; and*
- c) *report on the implementation of this Decision as part of its regular reporting to the Standing Committee on the implementation of Resolution Conf. 10.10 (Rev. CoP17), prior to the 18th meeting of the Conference of the Parties.*

17.172 Decision directed to the Standing Committee

The Standing Committee shall make recommendations for consideration at the 18th meeting of the Conference of the Parties as appropriate.

24. CoP17 further agreed an amendment to Resolution Conf. 10.10 (Rev. CoP16) directing the Secretariat to provide practical guidance for stockpile management, in addition to the existing direction to support Parties when requested in the security and registration of government-held stockpiles (new text in Resolution Conf. 10.10 (Rev. CoP17) underlined):

10. DIRECTS the Secretariat, subject to available resources, to provide technical assistance to Parties to:

[...]

- b) *support, where requested, the security and registration of government-held ivory stockpiles, and provide practical guidance for the management of these stockpiles*

25. Resolution 17.8 was also adopted at CoP17 on “Disposal of illegally traded and confiscated specimens of CITES-listed species”, which recommends that “(...) Parties dispose of confiscated and accumulated dead specimens of Appendix-I species, including parts and derivatives, only for bona fide scientific, educational, enforcement or identification purposes, and save in storage or destroy specimens whose disposal for these purposes is not practicable”³³.

³³ Resolution Conf. 17.8, at <https://cites.org/sites/default/files/document/E-Res-17-08.pdf>

26. Decisions on stockpiles agreed at CoP17 in 2016 and at the 65th and 66th meetings of the Standing Committee in 2014 and 2016 recognized that the security burden and cost for Parties in managing or disposing of large and growing ivory stockpiles could be lessened through the dissemination of best practices and the development of comprehensive guidance for their management, including disposal.
27. By the 69th meeting of the Standing Committee (SC69, Geneva, November 2017), CITES technical guidance on management or disposal of ivory stockpiles had not been issued. In order to assist with developing and disseminating the proposed guidance under Decision 17.171, and in view of the lack of progress, Burkina Faso, Congo, Kenya and Niger submitted document SC69 Doc. 51.3³⁴ with recommendations to the Committee to facilitate the process.
28. In response, the Standing Committee agreed to “(...) seek a timeframe and detailed cost estimate from the Secretariat for completing the work detailed in Decision 17.171, taking into account and making use of the available existing material, and further information to be obtained from Parties and experts”³⁵.
29. During discussions at SC69, it became clear that external funding as well as support in kind was needed to enable the Secretariat to implement Decision 17.171. An offer of funding from several NGOs was made from the floor³⁶ and confirmed two weeks later in writing. Nine NGOs contributed a total of US\$20,000, and the Secretariat confirmed to the donors in April 2018 that the work was under way, with TRAFFIC carrying out an analysis of best practices. The Secretariat wrote that they “*hoped to post details of a stockpile management system on the CITES website in time for SC70 as required*”.
30. Despite the provision of this support, communications with the Secretariat suggested that the guidance would not be ready by the 70th Standing Committee meeting (SC70, Sochi, October 2018). The Federal Republic of Ethiopia and the Republic of Malawi therefore submitted Doc. 49.2 to SC70, calling for the completion of the CITES guidance for the management of ivory stockpiles as agreed in Decisions 17.171 and 17.172. The submission also drew the Committee’s attention to a new complementary project to produce “gold standard” ivory stockpile management systems in three African countries, Ethiopia, Uganda and Malawi, with financial support from the UK and technical support from the Elephant Protection Initiative (EPI)³⁷.
31. In its progress report to the Standing Committee in document SC70 49.1, four years after the first request at SC65 to provide guidance, the Secretariat confirmed that the guidance would not be ready until the Committee’s 71st meeting in 2019³⁸.
32. At its 70th meeting, the Standing Committee:
 - noted document SC70 Doc. 49.2 and the different initiatives described therein;
 - noted that the Secretariat intends to finalize the development and dissemination of practical guidance for the management of ivory stockpiles in time to report to SC71, prior to CoP18, in line with the instruction from the Conference of the Parties in paragraph a) and b) of Decision 17.171;
 - agreed to propose to the Conference of the Parties at its 18th meeting the replacement of Decision 17.172 by the following draft Decision:

Directed to the Standing Committee

18.AA The Standing Committee shall review the practical guidance for the management of ivory stockpiles, including their disposal, prepared by the Secretariat and make recommendations as appropriate for consideration at the 19th meeting of the Conference of the Parties.

33. This recommendation, however, may not be sufficient to ensure the prompt finalization and dissemination of the guidance. Even if the Secretariat’s draft guidance is completed in time for consideration at SC71, there is a clear risk that there will not be time at a one-day meeting to agree their contents, and that there would

³⁴ <https://cites.org/sites/default/files/eng/com/sc/69/E-SC69-51-03.pdf>

³⁵ <https://cites.org/sites/default/files/eng/com/sc/69/sum/E-SC69-SR.pdf>

³⁶ <https://cites.org/sites/default/files/eng/com/sc/69/sum/E-SC69-Sum-03-R1.pdf>

³⁷ <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-49-02.pdf>

³⁸ <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-49-01.pdf>

then be no guidance formally agreed by CITES until SC72 in 2020, six years after the Standing Committee first requested the Secretariat to provide such guidance. This seems unacceptable given the continuing crisis affecting elephants, reflected in other action taken by CITES to address the crisis and by individual Parties. It is therefore proposed that if the guidance has not been finalised at the end of SC71, an in-session group is established by the full Conference of Parties to complete the work, and set a timetable for dissemination to Parties.

Recommendations

34. Noting that the proponents of this document support the recommendations in CoP18 Doc.69.5, Implementing Aspects of Resolution Conf. 10.10 (Rev. CoP17) on the Closure of Domestic Ivory Markets, submitted by Benin, Burkina Faso, Ethiopia, Niger and Nigeria, which include amendments urging *all* Parties and non-Parties to maintain inventories of government-held stockpiles and significant privately held stockpiles of ivory within their territory and provide information to the Secretariat on the level of this stock each year by 28 February, the Conference of the Parties is requested to:

- establish an in-session technical Working Group to:
 - a) finalize the practical guidance for the management of ivory stockpiles referred to in CoP17 Decision 17.171, if the guidance has not been agreed by the Standing Committee at its 71st meeting; and
 - b) set a timetable for dissemination of the guidance by the Secretariat.

35. The Conference of the Parties is further requested to adopt the following draft Decisions:

Decision directed to Parties

18.AA When Parties submit information to the Secretariat on the level of government-held stockpiles and significant privately held stockpiles of ivory within their territory in accordance with paragraph 6 e) of Resolution Conf. 10.10 (Rev. CoP18), they are requested to include information on the quantities of any ivory stolen and/or missing from these stockpiles, inter alia to be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses.

Decisions directed to the Secretariat

18.BB The Secretariat shall:

- a) disseminate the practical guidance for the management of ivory stockpiles, including their disposal, developed according to Decision 17.171 a), to the Parties and make it available on the CITES website in a simplified form for easy communication;
- b) identify those Parties that have not provided information on the level of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured and report to the 72nd and 73rd meetings of the Standing Committee with recommendations as necessary; and
- c) annually publish updated summary data based on the inventories submitted by Parties, disaggregated to regional but not country level, including the total ivory stockpiles by weight.

Decision directed to the Standing Committee

18.CC At its 72nd and 73rd meetings, the Standing Committee shall consider the report and recommendations of the Secretariat in Decision 18.BB and determine whether any further actions are necessary in the case of Parties who fail to provide annual inventories of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory or where stockpiles are not well secured.

COMMENTS OF THE SECRETARIAT

- A. The Secretariat has reported on the implementation of paragraphs 6 e) and 10 b) of Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens* and on Decisions 17.171 and 17.172 on *Stocks and stockpiles (elephant ivory)* at every meeting of the Standing Committee since the 17th meeting of the Conference of the Parties (Johannesburg, 2016) and has issued Notifications to the Parties Nos. 2017/008, 2017/079 and 2019/012 reminding Parties of the need to inform the Secretariat each year on the level of stocks of government-held ivory and, where possible, of significant privately held stockpiles of ivory within their territory and the reasons for any significant changes in the stockpile compared to the preceding year.
- B. As reported in document CoP18 Doc. 69.1 at the present meeting, the Standing Committee, at its 70th meeting (Sochi, October 2018), agreed to recommend the replacement for Decision 17.172 at the present meeting. The text of this proposed new decision is found in a draft decision 18.AA in Annex 1 of document CoP18 Doc. 69.1.
- C. A progress report on the implementation of Decisions 17.171 and 17.172 is also expected to be given at the 71st meeting of the Standing Committee on 22 May 2019.
- D. Concerning the recommendations in paragraph 34 of the present document, the Secretariat does not recommend the establishment of an in-session technical working group at the present meeting to finalize practical guidance for the management of ivory stockpiles. Meetings of the Conference of the Parties are not well suited to detailed technical reviews of any issues and the Secretariat recommends that the Conference of the Parties instead adopts the proposal made by the Standing Committee in draft decision 18.AA in Annex 1 of document CoP18 Doc. 69.1.
- E. Concerning draft Decision 18.AA in paragraph 35 of the present document, the Secretariat believes that information on the quantities of any ivory stolen and/or missing from government-held ivory and, where possible, significant privately held stockpiles may be useful, but as this would appear to be a long-term obligation, suggests that such a requirement be added to paragraph 6 e) of Resolution Conf. 10.10 (Rev. CoP17) and suggests text as follows:
- e) maintain an inventory of government-held stockpiles of ivory and, where possible, of significant privately held stockpiles of ivory within their territory, and inform the Secretariat of the level of this stock each year before 28 February, ~~inter alia to be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses,~~ indicating the number of pieces and their weight per type of ivory (raw or worked); for relevant pieces, and if marked, their markings in accordance with the provisions of this Resolution; the source of the ivory; and the reasons for any significant changes in the stockpile compared to the preceding year and information on the quantities of any ivory stolen and/or missing from these stockpiles. This information shall be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses.
- F. Concerning draft Decision 18.BB paragraph a), the Secretariat will make the practical guidance prepared by the Secretariat for the management of ivory stockpiles, including their disposal available to the Parties on the CITES website and does not see the need for a Decision to this effect.
- G. Concerning draft Decision 18.BB paragraph b) and c) and Decision 18.CC, the Secretariat already reports to the Standing Committee under paragraphs 6 e) and 9 a) of Resolution Conf. 10.10 (Rev. CoP17) on Parties which have not provided information on the level of government-held stockpiles of ivory and significant privately held stockpiles of ivory within their territory and on Parties where stockpiles are not well secured and does not see the need to repeat this obligation in Decisions.
- H. In summary, the Secretariat does not recommend that the draft Decisions in paragraph 35 of the present document be adopted, but that the amendment to Resolution Conf. 10.10 (Rev. CoP17) in paragraph E above, be adopted.

TENTATIVE BUDGET AND SOURCE OF FUNDING
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP16) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided 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 or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

There will be workload implications for the Secretariat from the adoption of the amendment to Resolution Conf. 10.10 (Rev. CoP17) proposed by the Secretariat, but these can be delivered using existing resources.