

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



Eighteenth meeting of the Conference of the Parties
Geneva (Switzerland), 17-28 August 2019

TRAFFIC FEEDBACK ON ISSUES RAISED IN THE DISCUSSION OF THE ETIS REPORT
PRESENTED IN COP18 DOC. 69.3 (REV. 1) IN COMMITTEE II

This document has been submitted by the Secretariat at the request of TRAFFIC in relation to agenda item 69.3.*

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Introduction

The ETIS analysis was presented by the Secretariat in Committee II on 21 August 2019 and this discussion is briefly described on page 2 of CoP18 Com. II Rec. 8 under “Report on the Elephant Trade Information System (ETIS)”. Owing to time considerations, TRAFFIC was unable to respond to specific issues raised by various Parties who made interventions on the ETIS analysis during the ensuing discussion. Therefore, TRAFFIC would like to take this opportunity to address certain key issues raised as follows:

1) Does ETIS use unverified ivory seizure data?

Interventions from a number of countries claimed that “unverified” ivory seizure data were used in the ETIS analysis without specifically defining what that term means. TRAFFIC is of the view that unverified data potentially refers to one of three scenarios:

1. Countries have not been able to access, check and query the ETIS records that refer to them;
2. Countries lack trust in data submitted by other Parties that implicates them in ivory seizures, and such data remains “unverified” until they directly receive confirmation or proof from those countries who made the seizure; or
3. Countries question the use of open source data that describes ivory seizures in certain countries that was not reported by the government authorities of those countries.

Concerning the first point, in 2018, TRAFFIC gave all relevant Parties¹, a report of all ETIS records that were used in the CoP18 analysis and related to their country. Each ETIS record carries a unique identification number and TRAFFIC is prepared to review any seizure case that is identified and reported as an unverified or inaccurate seizure record. So far none of these countries have done so. To facilitate data checking, TRAFFIC hopes to launch an online ETIS facility later this year which will allow countries to access their data any time they wish. TRAFFIC reiterates its call for the Parties to identify any cases which they contest so that they can be reviewed and rectified if necessary.

Concerning the second point, Resolution Conf. 10.10 calls upon all countries to submit seizure records within 90 days of their occurrence and TRAFFIC accepts all submissions received from government authorities at face value and regards them as validated records. Parties are invited to validate records further that implicate them in an illegal ivory trade chain independently with the countries that originally submitted them. However, from the standpoint of ETIS, these cases remain legitimate seizure records until the authorities who originally reported the data to ETIS inform TRAFFIC that they have cause to amend or remove a particular record.

Concerning the third point, 93% of the 13,109 seizure records in the ETIS analysis to CoP18 came from government authorities, whilst 7% (930 records) came from other sources. Of those records from other sources, 425 records were obtained from IGOs such as the World Customs Organization through periodic data exchanges. Others were reported by NGOs such as the EAGLE Network, Conservation Justice or the Last Great Ape organisation (LAGA) who were directly engaged in supporting government-led law enforcement actions in various African countries or from other organizations tracking and validating ivory seizure data through various ways in other parts of the world. All of these cases were shared with the authorities in the countries in which the seizures were made at least once if not on multiple occasions (following the general process described for the first point above). Likewise, another 505 records were from open source media or other published accounts of ivory seizures and, all but 18 of these records, were shared at least once, if not multiple times, with the relevant government authorities through the provision of ETIS Country Reports or other data sharing opportunities. The 18 cases that were not shared for various reasons, collectively represent a very small weight value that is 0.00082% of the total weight assessed in this analysis. In sum, TRAFFIC believes that the data used for the CoP18 analysis have been robustly vetted with the Parties and comprises a validated data set.

2) Does ETIS use inappropriate proxy variables?

A number of countries drew attention to methodological issues associated with the use of independent variables to describe the country clusters in the ETIS analysis. Specific mention was made to the “Mean

¹ All countries which spoke about this issue in Committee II when the ETIS analysis was presented on 21 August 2019, all Parties engaged in the NIAP process following CoP17, and almost all elephant range States in Africa and Asia.

CPI” as measure of law enforcement effort and efficiency based on the Corruption Perception Index of Transparency International used in Table 3 of CoP18 Doc. 69.3 (Rev. 1). Likewise, the “Mean market score” as a measure of domestic ivory trade based on a comparative score on the scale of ivory markets as reported in published market survey accounts undertaken in various countries was noted from the same table. In fact, neither of these variables were employed in the analysis that created the clusters, but rather were only used as an explanatory means to describe certain characteristics of each cluster grouping, including comparative relative values for assessing corruption or the status of domestic trade in ivory. It is noted that these or similar variables have been used in all past ETIS reports to CITES CoPs to assess these issues.

Another intervention was a general comment which did not specify any particular proxy variable as being problematic, thus it is not possible to give a specific response. However, TRAFFIC would further direct the attention of the Parties to the pamphlet *Understanding ETIS: An introduction and overview of the Elephant Trade Information System analysis*. This document was circulated at CoP18 and is also publicly available on the TRAFFIC website in English at <https://www.traffic.org/site/assets/files/3817/understanding-etis-vfinal-web.pdf> and in French at <https://www.traffic.org/site/assets/files/3817/understanding-etis-vfr-final-web.pdf>. The need for using proxy measures for correcting bias in seizure data and the variables used in the ETIS analysis are briefly noted in CoP18 Doc. 69.3 (Rev. 1) on pages 5 and 6, but additional explanation of this issue can be found on pages 5, 6, 9 and 10 of the pamphlet at the above links.

3) Are there other issues with the ETIS methods?

A number of countries mentioned concerns about the ETIS methods, but generally did not specify any particular issue. The Parties are reminded that the ETIS methods have been published in the peer reviewed scientific literature (see Underwood, F.M., Burn, R.W., Milliken, T. 2013. Dissecting the Illegal Ivory Trade: An Analysis of Ivory Seizures Data. *PLoS One* 8 (10): e76539 available here: <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0076539>). A more simplified description of the ETIS methods can be found on the TRAFFIC website at the links presented under point 2 above. The code for the CoP18 analysis is also publicly available as described in Notification to the Parties 2018/046 circulated by the CITES Secretariat on its website on 17 August 2019 (<https://www.cites.org/sites/default/files/notif/E-Notif-2019-046.pdf>). TRAFFIC aims to be fully transparent in terms of how the ETIS analysis is conducted and looks forward to a review of ETIS as agreed by the Standing Committee at its 69th meeting.

4) Why are transit countries considered when categorizing countries in the ETIS cluster analysis?

It needs to be appreciated that illegal ivory trade moves along a trade chain. To the extent possible, each seizure record in ETIS captures that information. The ETIS analysis has always classified countries according to the different roles they play in the ivory trade. In the context of the report to CoP18, transit countries typically fall along transport pathways that move illegal ivory from Africa to Asia. In this regard, transport hubs in transit countries function as bottlenecks in terms of the movement of illegal ivory shipments, which affords a strategic opportunity for detection through targeted law enforcement actions. TRAFFIC believes that effectively combatting illegal ivory trade requires all Parties along trade chains to cooperate without exception. Indeed, such collaboration lies at the very heart of CITES as an international Convention and exempting transit countries would surely strike a blow to elephant conservation. It therefore remains important for the ETIS analysis to identify those transit hubs through which significant illegal ivory trade flows are moving.

5) Does the ETIS analysis neglect the considerable efforts taken by countries and discourage continued efforts to combat ivory trade crime?

Various countries implied that the ETIS analysis does not adequately reflect the positive efforts and developments that many countries have made in addressing illegal ivory trade. In fact, such beliefs are contrary to the evidence. For example, in the CoP16 ETIS analysis based on data from 2009-2011, Thailand was identified as the second most important Category A destination country. Following concerted actions by the Thai government to deal with a range of issues in the context of a National Ivory Action Plan (NIAP), Thailand was noted as a Category B country in the CoP17 report based on data from 2012-2014. Finally, in the CoP18 ETIS analysis based on data from 2015-2017, Thailand (which had exited the NIAP process at the 70th meeting of the Standing Committee) was not identified as a country of concern at all, underscoring major achievement in terms of effectively dealing with illegal trade in ivory. Other examples concern China, Kenya, Tanzania and Uganda, which in the CoP16 or CoP17

analysis had been identified as Category A countries, but by the CoP18 report had all moved into more favourable positions in Category B.

The ETIS cluster analysis is clearly capable of capturing improvements in status for these and a host of other countries. Finally, it needs to be appreciated that a number of highly significant developments, such as the imposition of a domestic ivory trade ban in China or the introduction of a new penal code in Viet Nam, only came into effect in early 2018 which falls outside of the period of analysis in the CoP18 report. It is fully anticipated any positive impact of these initiatives will be captured in the next iteration of the ETIS analysis.

6) What is the role of the ETIS in the NIAP process?

There seems to be some general misunderstanding around the role of ETIS in the National Ivory Action Plan (NIAP) process. The ETIS analysis presents an indication of global trends for illegal activity and the estimated quantity of ivory in illegal trade. These results are then supported by a statistical technique called Cluster Analysis to assess comparatively the relative importance of countries along trade chains in the three most recent years of the ETIS data. Accordingly, countries which share similar characteristics group together, including those which account for the greatest quantities of ivory in illegal trade. The priorities which emerge as countries of concern are described in three categories, A, B and C, and become **the first step** in the NIAP process outlined in Annex 3 of Resolution Conf. 10.10 (Rev. CoP17).

During **the second step** of the NIAP process, the CITES Secretariat seeks additional information and comment from the implicated Parties or other independent experts and formulates a series of recommendations concerning future participation in the NIAP process. In **the third step**, the recommendations of the Secretariat concerning whether any of the Category A, B or C countries should be part of the NIAP process or not are presented to the Standing Committee for consideration and final determination. In this regard, the Standing Committee serves as the decision-making body concerning when countries enter or exit the NIAP process. TRAFFIC is not the decision maker and ETIS results, ultimately, are only one component of the total information assessed by the Secretariat and the Standing Committee in determining whether a country participates in the NIAP process.

TRAFFIC hopes these comments serve to clarify a number of issues raised concerning the ETIS analysis.