

Conf. 9.16

Trade in African Elephant Ivory

RECALLING Resolutions Conf. 3.12, Conf. 4.14, Conf. 5.12, Conf. 6.11, Conf. 6.12, Conf. 6.13, Conf. 6.14, Conf. 6.15, Conf. 6.16 and Conf. 7.8, adopted by the Conference of the Parties at its third, fourth, fifth, sixth and seventh meetings (New Delhi, 1981; Gaborone, 1983; Buenos Aires, 1985; Ottawa, 1987; Lausanne, 1989), relating to the control of trade in African elephant ivory;

NOTING, however, that the African elephant *Loxodonta africana* was transferred from Appendix II to Appendix I at the seventh meeting of the Conference of the Parties (Lausanne, 1989);

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) any import, export or re-export of African elephant ivory by a Party be authorized only if the Party is satisfied that the ivory was legally acquired in the country of origin;
- b) the term 'raw ivory' include all whole African elephant tusks, polished or unpolished and in any form whatsoever, and all African elephant ivory in cut pieces, polished or unpolished and howsoever changed from its original form, except for 'worked ivory';
- c) 'worked ivory' be considered readily recognizable and that this term shall cover all items made of ivory for jewellery, adornment, art, utility or musical instruments (but not including whole tusks in any form, except where the whole surface has been carved), provided that such items are clearly recognizable as such and in forms requiring no further carving, crafting or manufacture to effect their purpose;
- d) in applying the provisions of Article VII, paragraph 3, a practical approach be taken in determining what quantity of items qualifies for the exemption;
- e) permits or certificates for raw ivory be accepted only if they mention the actual country of origin;
- f) relevant information be exchanged among Parties, and between Parties and the Secretariat and, if there is any doubt concerning the validity of an export permit or re-export certificate for ivory, a copy of the document be submitted to the issuing Management Authority for clarification;
- g) whole tusks of any size, and cut pieces of ivory that are both 20 cm or more in length and one kilogram or more in weight, be marked by means of punch-dies or, where this is not practicable, with indelible ink, using the following formula: Country-of-origin ISO code of two letters, serial number for the year in question/the last two digits of the year and the weight in kilograms (e.g. KE 127/9414). This number is to be placed at the "lip mark", in the case of whole tusks, and highlighted with a flash of colour; and
- h) Parties not accept raw ivory that is not clearly marked;

ENCOURAGES States to offer rewards for information on illegal hunting and trafficking in ivory leading to the arrest and conviction of illegal traffickers in ivory;

RECOMMENDS further that Parties notify the Secretariat, when possible, about convicted illegal traders and persistent offenders, and directs the Secretariat to provide such information quickly to the Parties;

SUGGESTS to those Parties in whose jurisdiction there is an ivory carving industry that is not yet structured, organized or controlled, that internal measures be adopted to:

- a) register or license merchants dealing in raw or worked ivory, either wholesale or retail;
- b) register or license all people or enterprises that cut or carve ivory; and

- c) introduce recording and inspection procedures to enable the Management Authority to monitor the flow of ivory within the State;

RECOMMENDS also that Parties:

- a) review their publicity of CITES controls to ensure that members of the public are aware of them and in particular of controls on ivory;
- b) assist range States to improve their capacity to manage and conserve their elephant populations through improved law enforcement, surveys and monitoring of wild populations;
- c) improve communications on ivory consignments between producer and consumer States and between such States and the Secretariat by providing Management Authorities of producer countries with the means to do so, and ivory-user States in particular are urged to assist; and
- d) use all possible means (including economic, diplomatic and political) to exert pressure on countries continuing to tolerate illegal trade in ivory, to take the necessary action to prohibit such trade;

RECOMMENDS, in relation to quotas:

- a) that each State with a population of African elephants and wishing to export raw ivory establish, as part of its management of the population, an annual export quota for raw ivory expressed as a maximum number of tusks;
- b) that export permits for raw ivory issued by producer Parties that have set quotas as recommended in a) above be regarded as consistent with the conservation of elephant populations and their habitats in the country of origin, as discussed at the combined meeting of the African Elephant and Rhino Specialist Groups of the Species Survival Commission of IUCN held in Hwange (Wankie), Zimbabwe, in August 1981;
- c) that each quota be communicated to the CITES Secretariat in writing by 1 December for the next calendar year;
- d) that Parties ensure that significant amounts of confiscated ivory are notified separately to the Secretariat and are not incorporated in quota submissions;
- e) that the CITES Secretariat assist in the implementation of the quota system by maintaining a central database, circulating a list of current quotas not later than 1 January of each year, and providing advice on the conservation status of African elephant populations;
- f) that the Secretariat maintain its Ivory Trade Control Procedures Manual and that the Parties follow the procedures for quota submissions documented in this Manual;
- g) that if the quota is not submitted by the deadline, the State in question have a zero quota until such time as it communicates its quota in writing to the Secretariat and the Secretariat in turn notifies the Parties;
- h) that there be no export, re-export or import of raw ivory as defined in this Resolution unless it is marked in accordance with this Resolution or in accordance with the Secretariat Manual;
- i) that Parties accept raw ivory from producer States only where the date on the export permit is for a year in which the producer State has a quota in accordance with this Resolution;
- j) that Parties may accept raw ivory from producer non-party States only where the non-party State files an annual report with the CITES Secretariat on its ivory trade, and meets all the other conditions in this Resolution and Article X of the Convention (as interpreted by Resolutions of the Conference of the Parties);
- k) that, in compiling their annual reports, producer party and producer non-party States that have exported raw ivory relate such exports to their quota for any given year, providing the

Secretariat with as much relevant data as possible, including, as a minimum, the number of whole or substantially whole tusks and their individual weights and serial numbers;

- l) that all party States seek to route raw ivory exports to countries of destination only through party States or non-party States that have adopted ivory trade measures in conformity with this Resolution;
- m) that all Parties maintain details of the stock of raw ivory held in their States which may be destined for international trade, that they inform the Secretariat of the level of this stock before allowing export, and that, in doing so, they take due care so as to avoid the possibility of illegal stocks appearing as legal stocks;
- n) that all trade in raw ivory be prohibited with or through any State that does not conform with the ivory quota and trade requirements of CITES as advised by the Secretariat and confirmed by the Standing Committee of the Conference of the Parties; and
- o) that Parties assist the Secretariat to ensure that the duties set out in this Resolution are carried out;

APPEALS to all governments, non-governmental conservation organizations and other appropriate agencies to provide funds for the resources required in the Secretariat and producer States to ensure that the recommendations in this Resolution can be effectively implemented; and

REPEALS the Resolutions, or parts thereof, listed hereunder:

- a) Resolution Conf. 3.12 (New Delhi, 1981) – Trade in African Elephants Ivory;
- b) Resolution Conf. 4.14 (Gaborone, 1983) – Trade in Worked Ivory;
- c) Resolution Conf. 5.12 (Buenos Aires, 1985) – Trade in Ivory from African Elephants – except paragraph m);
- d) Resolution Conf. 6.11 (Ottawa, 1987) – Trade in African Elephant Ivory;
- e) Resolution Conf. 6.12 (Ottawa, 1987) – Integration of the Management of the African Elephant and Ivory Trade Controls;
- f) Resolution Conf. 6.13 (Ottawa, 1987) – Improving, Co-ordinating and Financing African Elephant Ivory Trade Controls;
- g) Resolution Conf. 6.14 (Ottawa, 1987) – Registration of Raw Ivory Importers and Exporters;
- h) Resolution Conf. 6.15 (Ottawa, 1987) – Marking of Raw Ivory Cut Pieces;
- i) Resolution Conf. 6.16 (Ottawa, 1987) – Trade in Worked Ivory from African Elephants; and
- j) Resolution Conf. 7.8 (Lausanne, 1989) – Trade in Ivory from African Elephants.