

## Elephant Topics Discussed at the 18th Meeting of the CITES Conference of the Parties

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### Introduction

CITES was established as a response to growing concerns that over-exploitation of wildlife through international trade was contributing to the rapid decline of many species of plants and animals around the world. The aim of CITES is to ensure that international trade of wild animal and plant species does not threaten their survival. CITES parties regulate wildlife trade through controls and regulations on species listed in three appendices. The 18th Meeting of the CITES Conference of the Parties (CoP18) was held in Geneva from 17th to 28th August 2019. Discussions on African and Asian elephants during the CoP18 are briefly summarized in this report (IISD Reporting Services 2019).

### Report on Monitoring the Illegal Killing of Elephants (MIKE)

The CoP18 Doc.69.2 and the addendum relating to the implementation of the MIKE mandate was introduced noting that relative poaching levels in Africa remain unchanged between 2017 and 2018, with some regional variation. South Africa, Botswana and Zimbabwe expressed their confidence in the MIKE process, but Burkina Faso and Kenya, supported by many other African countries and Israel, expressed concern about the independence and transparency of the analysis and called for an open and transparent peer-review of MIKE's methodology. Committee II and the CoP noted the report.

### Report on the Elephant Trade Information System (ETIS)

The document CoP18 Doc.69.3 (Rev.1) was

introduced involving a comprehensive analysis of ETIS data and noted a modest decrease in illegal ivory trade activity but also cautioned that over 250 seizures were not included in the analysis.

Several transit countries such as UAE and Singapore questioned the transparency of the ETIS methodology and categorization process. China and the DRC lamented the report's neglect of their domestic efforts to combat the illegal trade in ivory. Vietnam, sharing concerns regarding the ETIS methodology, expressed disappointment that despite correspondence with the Secretariat on this issue, the report remained mostly unchanged. Angola called on Vietnam to address the role of Vietnamese-led criminal networks in the illegal African ivory trade. Committee II and the CoP noted the report.

### Ivory stockpiles: Implementation of Resolution Conf. 10.10 (Rev. CoP17) on trade in elephant specimens

Burkina Faso introduced CoP18 Doc.69.4 providing an update on recent seizures and destructions of ivory stocks and stockpiles by CITES parties and suggesting a way forward on the implementation of decisions directed to the Secretariat and Standing Committee (SC) in order to secure the completion of the delayed CITES guidance for the management of ivory stockpiles before or during CoP18.

Angola, Côte d'Ivoire, the EU, Gabon, Liberia, Mali, and Niger expressed support for the proposals. Committee II accepted draft decisions and the amendments to Resolution Conf. 10.10 (Rev. CoP17).

## *Outcome*

The decisions (CoP18 Doc.69.4), direct the Secretariat to disseminate the practical guidance for the management of ivory stockpiles, including their disposal; and SC72 and SC73 to consider the report and recommendations of the Secretariat 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.

### **Implementation of Resolution Conf. 10.10 (Rev. CoP17) on the closure of domestic ivory markets**

Kenya presented the document CoP18 Doc.69.5 concerning proposed amendments to Resolution Conf. 10.10 (Rev. CoP17) on the closure of domestic ivory markets and associated draft decisions on closing all remaining legal domestic ivory markets.

Gabon, Burkina Faso and other member states of the African Elephant Coalition, with support from Israel, supported the proposal and emphasized that legal domestic ivory markets drive demand, complicate enforcement efforts, and are linked to poaching and the illegal ivory trade. Namibia and other southern African countries expressed strong opposition, stressing that there was no evidence of a link between legal domestic markets and poaching. They questioned the value of re-opening the issue of domestic markets given the extensive debates and compromise achieved at CoP17. Thailand shared their success in exiting the National Ivory Action Plan (NIAP) process as evidence that the closure of all domestic markets was unnecessary.

Chile, EU, Japan, and several others noted that this proposal falls outside the scope of the Convention and might pave the way for similar restrictive measures to be adopted for the legal domestic markets of other CITES-listed species. The US also opposed the proposed amendments underscoring that focus should remain on assisting parties in effectively implementing Resolution

Conf. 10.10 in its current form but acknowledged the importance of monitoring the impact of these markets. To this end, she proposed a new set of draft decisions requesting remaining parties with legal domestic ivory markets report on measures they are taking to ensure that such markets are not contributing to poaching or to the illegal ivory trade. In response to concerns voiced by South Africa and Zimbabwe on the role of the SC in these new decisions, Canada proposed a textual amendment to the draft decisions to ensure that they stay within the scope of CITES.

The Committee accepted the three new draft decisions proposed by the US, as amended by Canada.

## *Outcome*

In the decisions (CoP18 Doc.69.5), the CoP directs:

- parties that have not closed their domestic markets for commercial trade in raw and worked ivory to report to the Secretariat for consideration of SC73 and SC74 on what measures they are taking to ensure that their domestic ivory markets are not contributing to poaching or illegal trade;
- the Secretariat to compile the reports and make them available to parties in advance of the SC meetings; and
- the SC to consider the reports and report on this matter and make recommendations, as appropriate, to CoP19.

### **CoP18 Prop.10: African elephant**

Zambia presented the proposal (CoP18 Prop.10) to transfer its elephant (*Loxodonta africana*) population from Appendix I to Appendix II, allowing trade in ivory only for parties who will not re-export. Zambia stated this was for the benefit of conservation and local communities. Zimbabwe, South Africa, and Botswana supported the proposal stating that the population met the requirements for Appendix II. Nigeria, Gabon, Kenya, and Ethiopia opposed the document stating that this will lead to an increased trade in ivory. Japan added that they could support this proposal if the stocks sold

were only government-registered stocks and if the funds were used exclusively for elephant and community conservation programmes. Zambia proposed an annotation limiting the trade only to non-commercial hunting trophies and hides from elephants controlled as a result of human-elephant conflict, ivory, and all other specimens remaining subject to Appendix I requirements. He then requested a vote by secret ballot, which was rejected as it did not secure the votes required.

The Chair then moved to a vote, which Zambia challenged, as they preferred the debate to continue on the proposed amendment. The Committee then voted whether to reopen debate, which failed, not receiving a two thirds majority. Committee I then voted on the proposal, which was rejected with 22 in favour and 102 against.

Outcome: The CoP rejected CoP18 Prop.10.

### **CoP18 Prop.11: African elephant**

Botswana introduced its proposal (CoP18 Prop.11) to amend annotation #2 for the populations of Botswana, Namibia, South Africa, and Zimbabwe to allow for two “one-off” sales of raw ivory from government-owned stocks. He stated that the countries had waited patiently for the nine-year ban on new proposals to end, and further that these sales will benefit communities and conservation efforts. Gabon and the EU opposed, stating that this could lead to an increase in poaching for ivory. eSwatini argued it would benefit long-term sustainable conservation of wildlife as well as local communities. Botswana called for a vote.

Committee II rejected the proposal by secret ballot, with 101 against and 23 in support. The US and the EU noted they had opposed the proposal. Antigua and Barbuda expressed support for the proposal.

Outcome: The CoP rejected CoP18 Prop.11.

### **CoP18 Prop.12: African elephant**

Gabon introduced the proposal (CoP18 Prop.12) to include all African elephant (*L. africana*)

populations in Appendix I, a step that would mean transferring the listing of the elephant populations of Botswana, Namibia, South Africa, and Zimbabwe from Appendix II to Appendix I. He noted the proposal was a response to a crisis of poaching, and was supported by 32 countries.

The EU stated that the populations of African elephants in Botswana, Namibia, South Africa, and Zimbabwe do not meet the criteria for inclusion in Appendix I, and furthermore that the views of range states should be taken into account. South Africa expressed deep concern that the listing would hamper current conservation efforts, noting that elephant populations have increased in the countries concerned.

Committee II voted on the proposal, which was not accepted, with 51 in favour and 67 against.

Outcome: The CoP rejected CoP18 Prop.12.

### **CoP18 Prop.13: Woolly mammoth**

Israel introduced the proposal to include the woolly mammoth (*Mammuthus primigenius*) in Appendix II (CoP18 Prop.13), highlighting that trade in mammoth ivory provides a cover for illegal trade in elephant ivory.

Gabon and Ethiopia expressed support. The Russian Federation, as a range state, opposed the proposal, noting that the Convention strictly regulates species threatened with extinction, not extinct species, and that tools are available to distinguish the two. Canada, the EU, and the US opposed the proposal, noting that there is no evidence on the scale of the problem.

In absence of consensus, Israel proposed to reduce the scope by including only woolly mammoth carvings in the proposal. The Secretariat objected to that as well, noting that the Convention does not provide for the inclusion of extinct species.

Israel later announced that it would withdraw the original listing proposal and proposed instead two draft decisions, including a proposal to commission a study, subject to external funding, on trade in mammoth ivory and its role in illegal

trade in ivory. The Russian Federation and Canada expressed differing opinions for the record. Committee I adopted the draft decisions.

### *Outcome*

CoP18 Prop.13 was withdrawn, but the CoP agreed to the draft decisions related to mammoth ivory.

### **AsESG side event**

The AsESG, in partnership with Elephant Family, International Fund for Animal Welfare and WWF, organized a side event on the impact of poaching and illegal trade on Asian Elephants at the CITES CoP18.

Poaching is a major threat to elephants in Asia, although reliable estimates of the number of elephants killed and the quantities of ivory and other body parts collected and traded are scarce. It was traditionally believed that poaching is a relatively minor threat to Asian elephants because some males and all females lack tusks, but in reality Asian elephants are poached not only for ivory but for a variety of other products (including meat and skin). Poaching is now acknowledged as a threat to the long-term survival of some Asian elephant populations. In recent decades, selective poaching of tuskers for ivory has progressively skewed the sex ratio in several Asian elephant populations. Large-scale hunting of elephants for ivory, bush meat, skin and other products has reduced their populations significantly over a wide area in some countries.

The emerging trade of skin in southeast Asia in recent years is a major concern. Although the trade of elephant skin has been going on for over a decade but since 2014, there has been an increase in poaching and trade /sales with the main source of elephant skin being Myanmar and the products (beads / pendants, skin pieces, powder) being traded in nearby countries in southeast Asia (Elephant Family, 2018 and 2019). The trade could result in indiscriminate killing of elephants of both sexes, threatening fragile elephant populations in the region.

The event was addressed by six eminent speakers and the discussion was moderated by Mr Matthew Collis, Director International Policy, International Fund for Animal Welfare (IFAW). Issues ranging from poaching and illegal killing of elephants for ivory, elephant skin trade, live elephant trade, enforcement efforts undertaken in different range states as well as the overall illegal wildlife scenario were discussed at the conference. A large number of professionals from various organizations, institutes and range countries attended the side event.

1. Mr M.S. Negi, Addl. Director General of Forest (WL), Ministry of Environment, Forest and Climate Change, Government of India: *India's initiatives for preventing illegal trade in elephant products, especially ivory.*
2. Dato. Abdul Kadir bin Abu Hashim, Director General of Department of Wildlife and National Parks, Peninsular Malaysia: *Illegal ivory trade – Malaysian government's strategies and effort.*
3. Mr M.G.C. Sooriyabandara, Director General, Dept. of Wildlife Conservation Sri Lanka and Head CITES Management Authority: *Elephant conservation in Sri Lanka.*
4. Mr Justin Gosling, Law Enforcement and Criminal Justice Consultant: *Update on elephant poaching and trafficking in Myanmar.*
5. Mr Suraphong Chaweeapak, Director of International Wildlife Trade Permission, Department of National Parks, Wildlife and Plant Conservation, Thailand: *The conservation of Thai elephants for sustainable development.*
6. Mr Masayuki Sakamoto, Executive Director, Japan Tiger and Elephant Fund: *Japan's domestic ivory market posing a potential threat to Asian elephants.*

### **Source**

IISD Reporting Services (2019) *Summary of the 18th Meeting of the CITES Conference of the Parties: 17–28 August 2019*. Earth Negotiations Bulletin: A Reporting Service for Environment and Development Negotiations, Vol. 21 No. 101. <<http://enb.iisd.org/cites/cop18/>>