



A CITES priority:

## African Elephants and the Thirteenth Meeting of the Conference of the Parties to CITES, Bangkok, Thailand 2004

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African Elephants *Loxodonta africana* are once again on the agenda of the Conference of the Parties to CITES. This time there are two proposals to amend the Appendices and two proposals to change CITES Resolutions or Decisions that relate to this species. There will also be presentations and analytical reports from the MIKE and ETIS monitoring systems, further discussion of domestic ivory markets in Africa and Asia, and consideration of the status of Burundi's ivory stocks. TRAFFIC takes a look at the issues and recent developments.

**1. What happened at CoP12 in 2002? Were Botswana, Namibia, South Africa and Zimbabwe allowed to trade raw ivory? Was the African Elephant population of Zambia transferred to Appendix II, or did Kenya and India succeed in having all elephant populations put back in Appendix I?**

At CoP12, the Parties approved a conditional one-off sale of raw ivory for Botswana, Namibia and South Africa — but *not* for Zimbabwe. As a result, Zimbabwe's elephant population remained in Appendix II with no changes to the existing annotation that allows limited trade in live elephants and elephant hides for commercial purposes, and ivory trophies, worked ivory and leather products for non-commercial purposes. The annotations for the three other countries were amended to stipulate the precise conditions of the one-off sale of raw ivory, many of which had been proposed by the proponents themselves. Accordingly, the ivory will be restricted to stocks of national origin involving not more than 20 t for Botswana, 10 t for Namibia and 30 t for South Africa. Potential trading partners must implement the requirements for internal trade in ivory in *Resolution Conf. 10.10 (Rev. Cop12) Trade in elephant specimens* and ensure that none of the imported ivory will be commercially re-exported. The timing of the one-off sale was restricted to "not before May 2004" and, in any event, only after the CITES monitoring system MIKE (Monitoring Illegal Killing of Elephants) had reported on baseline information (see 4. below). The conditions also prescribe the manner in which the ivory can be dispatched and limit the future dispensation of revenues derived from the sale to conservation purposes. Finally, the conditions also established precise roles and responsibilities for the CITES Secretariat and the Standing Committee in terms of the verification and approval process for the arrangement. In accepting the one-off sale, the CITES Parties were not prepared to approve annual quotas for trade in raw ivory proposed by Botswana, Namibia and South Africa, and these requests were withdrawn.

Also at CoP12, Botswana and Namibia were allowed to extend the scope of their annotations to include trade in elephant leather goods for non-commercial purposes and elephant hides, but neither country was given the go-ahead to trade in worked ivory products for non-commercial purposes. Previously agreed trade in ivory trophies under quota and in live elephants, for Botswana, Namibia and South Africa, and trade in elephant hides for commercial purposes for South Africa remained valid. However, the annotation for trade in elephant leather products from South Africa was inadvertently changed to restrict it to non-commercial purposes, rather than for commercial purposes as allowed at CoP11.

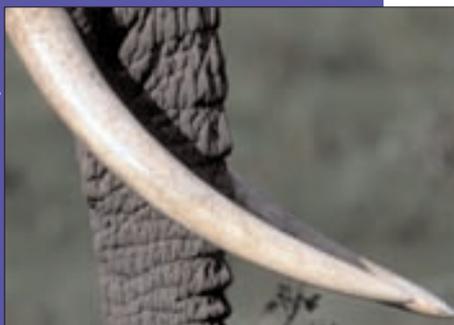


With the acceptance of these trade options for Botswana, Namibia and South Africa, the proposal from Kenya and India to put all elephant populations back in Appendix I was effectively moot and withdrawn from consideration. Finally, in another development, Zambia's attempt to transfer its elephant population to Appendix II failed to win the approval of a two-thirds majority of Parties voting and was therefore defeated.

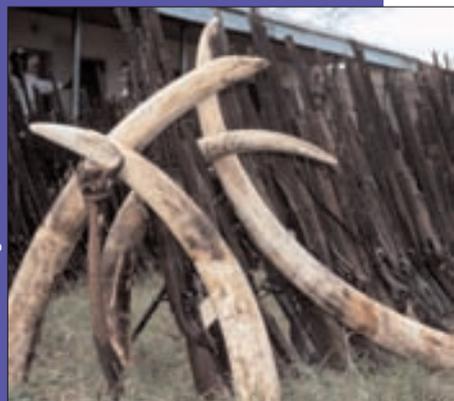
## 2. Have the conditions for the one-off ivory sale been met and, if so, will these be approved at the CoP?

Many of the conditions have not been met, and neither the CITES Secretariat, nor the proponent countries themselves, have made any request for a deliberation of this issue at CoP13. Consideration of whether or not the conditions governing the one-off ivory sale have been met will only transpire at a future meeting of the Standing Committee as a formal agenda item at the request of the CITES Secretariat. The following table describes each condition and assesses the current state of play in terms of process and implementation:

Description of condition	Current status
<p>The raw ivory eligible for trade is restricted to registered whole tusks and cut pieces for Botswana and Namibia, and to whole tusks and cut pieces that are both 20 cm or more in length and one kilogramme or more in weight for South Africa.</p>	<p><b>Status:</b> Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p><b>Background:</b> This condition establishes size and weight requirements for any ivory to be eligible for the one-off sale.</p> <p><b>Comment:</b> These conditions were included in the original proposals from each of the proponent countries at CoP12. Consequently, there is every reason to believe that they have been satisfied from the outset</p>
<p>i). The ivory eligible for sale is restricted to only government-owned stocks, all of which must originate from within the country in question for Botswana and Namibia or, in the case of South Africa, originate from a specific, in-country location, Kruger National Park.</p>	<p><b>Status:</b> Presumably fulfilled, awaiting final verification from a mission of the Secretariat.</p> <p><b>Background:</b> This condition establishes eligibility requirements concerning the origin of any ivory to be traded in the one-off sale.</p> <p><b>Comment:</b> These conditions were included as precautionary measures in the original proposals at CoP12 by each of the proponent countries themselves. Thus, there is every reason to believe that they have been satisfied from the outset. Botswana and Namibia previously met these same requirements for the 1999 one-off ivory sale, and all three countries have robust ivory stock management systems that establish the source of each piece of ivory in the government store. These systems have all been tested and verified in the past .</p>
<p>ii). The trade is restricted to trading partners that have been verified by the CITES Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to prevent re-exportation and to ensure compliance with the requirements for internal trade in ivory specified in <i>Resolution Conf. 10.10 (Rev. CoP12)</i></p>	<p><b>Status:</b> Unfulfilled, but in progress.</p> <p><b>Background:</b> This condition establishes eligibility requirements and a verification process concerning any country that wishes to engage in the one-off ivory sale as an importing country.</p> <p><b>Comment:</b> Japan has formally declared its intention to be a trading partner in the one-off sale. An initial assessment of Japan's compliance with the requirements of <i>Resolution Conf. 10.10 (Rev. CoP12)</i> for internal trade in ivory has transpired in the context of the <i>Decision 12.39</i> process (described in 3. and 7.). The Secretariat's report (<i>SC50 Doc. 21.1</i>) states: "The Secretariat believes that Japan's current internal ivory controls do not meet all of the required measures". Japan is now in the process of taking remedial actions which will need to be assessed by a future verification mission on the part of the Secretariat. Thus, Japan's eligibility as a trading partner remains in the balance and this condition remains unfulfilled.</p>



WWF-Canon / Martin Harvey



WWF-Canon / Meg Gawler

Confiscated ivory and muzzle-loaders on display in front of the Luangwa Wildlife Office near South Luangwa National Park Zambia

<p><b>iii).</b> No trade can transpire prior to May 2004, and in any event not until the Secretariat has verified the prospective importing countries (see ii. above), and not before the MIKE programme has reported to the Secretariat on baseline information.</p>	<p><b>Status:</b> Unfulfilled.  <b>Background:</b> This condition concerning the timing of the sale has three components: a calendar date, a prerequisite verification process involving any prospective trading partner, and a prerequisite development involving a specific milestone output in the CITES monitoring programme MIKE.  <b>Comment:</b> Although the calendar date has passed, the Secretariat has not yet commenced a formal process to verify Japan, the only country to date to declare its intention to become a trading partner (see ii. above). Finally, while the definition of what constitutes the MIKE baseline was approved at the 49th meeting of the Standing Committee, the MIKE Central Co-ordinating Unit (CCU) has indicated that this development will not occur until 2005.</p>
<p><b>iv).</b> The volume of ivory eligible for sale is restricted to not more than 20 t for Botswana, 10 t for Namibia; and not more than 30 t for South Africa; and...</p>	<p><b>Status:</b> Presumably fulfilled, awaiting final verification from a mission of the Secretariat.  <b>Background:</b> This condition establishes limitations to the volume of ivory to be traded in the one-off sale.  <b>Comment:</b> The trade volumes established in this condition were declared by the proponent countries themselves in their original proposals to CoP12. Botswana and Namibia did not exceed the limitations on the volume of ivory allowed for export in 1999 and procedures to ensure compliance were adequate at that time. There is every reason to believe that this condition will once again be satisfied.</p>
<p><b>iv).</b> ...[continued] the total volume of ivory sold is dispatched in a single shipment under the supervision of the Secretariat.</p>	<p><b>Status:</b> Undertaking to comply expressed, but can only be realized subsequent to the one-off sale.  <b>Background:</b> This condition establishes a requirement governing the shipping of the consignment to the importing country.  <b>Comment:</b> This condition was included as a precautionary measure in the original proposals from each of the proponent countries at CoP12. Botswana and Namibia previously satisfied this same requirement in the context of the 1999 one-off ivory sale.</p>
<p><b>v).</b> The revenue derived from the ivory sale is used exclusively for elephant conservation and community development programmes within or adjacent to elephant range.</p>	<p><b>Status:</b> Undertaking to comply expressed, but can only be realized subsequent to the one-off sale.  <b>Background:</b> This condition prescribes the manner in which the revenues stemming from the one-off sale can be used.  <b>Comment:</b> This condition was included as an undertaking in the original proposals to CoP12 from each of the proponent countries. Botswana and Namibia previously satisfied this same requirement with respect to the 1999 one-off ivory sale.</p>
<p><b>vi).</b> The Standing Committee must agree that all of the conditions have been met.</p>	<p><b>Status:</b> Unfulfilled.  <b>Background:</b> This condition establishes the Standing Committee as the final arbiter concerning whether or not the above listed conditions have been met.  <b>Comment:</b> As was the case in 1999, this process will be a formal agenda item at a future meeting of the Standing Committee. A consensus decision is likely, but if a vote is necessary a simple majority would prevail.</p>



C Shepherd/TRAFFIC Southeast Asia



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### 3. What African Elephant proposals to amend the CITES Appendices have been submitted for consideration at CoP13?

This time only Namibia and South Africa have submitted proposals to amend the Appendices with respect to the Appendix-II listing of their elephant populations.

The South African proposal is a straightforward attempt to correct the error that resulted when the annotation governing trade in elephant leather was rewritten in 2002 and inadvertently precluded trade that previously had been sanctioned (see 1. above). This proposal is unlikely to provoke controversy, especially as it is widely recognized within conservation circles that trade in elephant hides and leather products does not produce negative conservation impacts on the species.

Namibia's proposal seeks to establish an annual quota for trade in raw ivory and allow trade in elephant leather, hair and specific worked ivory products for commercial purposes. Namibia proposes to restrict the annual quota to not more than 2000 kg of raw ivory, derived from natural and management-related mortalities. Available data indicate that about 1000 kg of raw ivory from these sources are recovered annually but, with a growing elephant population, Namibia suggests that "stockpiles should increase by approximately 100-500 kg per 1000 elephants in the standing population per year". With an estimated national population of about 11 000 elephants, between 1100-5500 kg of ivory could accrue annually, but this theoretical formula still remains to be demonstrated. As precautionary measures, Namibia proposes a series of conditions, including: restricting the export to government-held, marked ivory of certifiable Namibian origin; limiting the sale to a single centre and ensuring direct export to approved importing countries; allowing independent monitoring; and using all revenues from the sale for elephant conservation as part of a special national trust fund. As the one-off ivory sale agreed at CoP12 has not yet occurred, this is expected to be one of the more contentious issues at CoP13.

Namibia also proposes to establish a highly-restricted avenue for trade in worked ivory products "for commercial purposes" by allowing the production of traditional cultural artifacts, called *ekipas*, by craftsmen in rural communities. Each unique item would be marked using a numbering system, and dealers and carvers registered under an internal control system. These systems, however, were not in existence at the time the Panel of Experts assessed Namibia's original proposal to transfer its elephant population to Appendix II in 1997. Currently, only Zimbabwe has been granted an exemption to trade internationally in worked ivory products but, in contrast to the Namibian proposal, the annotation governing such trade is restricted to "non-commercial purposes". This means that all specimens of worked ivory leaving Zimbabwe are treated as "personal effects" and involve only a limited number of items. The Government of Namibia has recently indicated its intention for similar conditions, but would formally need to amend its proposal in this regard to reflect this.

Finally, Namibia's request to trade in elephant leather and hair goods for commercial purposes appears to present few conservation risks. Currently, hides and hair from elephants killed in the course of management-related activities are not routinely recovered, but Namibia proposes to do so in the future. Such hide and hair would be made available to commercial dealers and manufactured into a number of small products under a controlled system. Namibia indicates that it would require manufacturers and traders to be registered and to keep comprehensive records.

### 4. What other elephant proposals are there at CoP13?

Kenya has tabled two documents concerning the future interpretation and implementation of the Convention with respect to elephant conservation. The first, *CoP13 Doc. 29.4*, concerns illegal ivory trade and control of internal markets and would result in a series of amendments to *Resolution Conf 10.10 (Rev. CoP12)*. The most contentious changes, directed at those African countries with elephant populations in Appendix II, would result in a 20-year moratorium being placed on the export of raw and worked ivory (excluding hunting trophies for non-commercial purposes). This two-decade period would commence after realization of the conditional one-off sale of designated ivory stocks agreed at CoP12 (see 1. and 2. above). At CoP11 and CoP12, Kenya, together with India, submitted amendment proposals – which were unsuccessful - to have all African Elephant



African elephant bull with exceptional tusks, Amboseli National Park, Kenya.

populations transferred back to Appendix I. *CoP13 Doc. 29.4* is viewed by some as an attempt at another route to the same objective and will require the approval of a two-thirds majority of Parties voting to gain acceptance. Other changes to *Resolution Conf. 10.10 (Rev. CoP12)* proposed by Kenya would halt all domestic sales of raw and worked ivory in Africa and in all other Parties “not designated as ivory importing countries”. In 1999, Japan was designated as the legitimate ivory importer for the one-off ivory sale agreed at CoP10, but no importer has yet been designated for the sale agreed in 2002. While the term “designated ivory importing countries” is somewhat vague, it can be construed that it would curtail domestic trade in ivory in most countries in the world with very limited exception. Kenya proposes that such bans be buttressed with appropriate legislation, law enforcement and public awareness campaigns and introduces language to achieve this in a comprehensive redrafting of *Resolution Conf. 10.10 (Rev. CoP12)*. A host of other general and specific control measures are also introduced to address internal trade issues.

The second document from Kenya, *CoP13 Doc. 29.5*, seeks to revisit two Decisions – *Decisions 12.33 and 12.34* - that concern the conditions established for the one-off sale of raw ivory agreed at CoP12. *Decision 12.33 Elephants – Monitoring Illegal Killing of Elephants (MIKE)* called for the 49th meeting of the CITES Standing Committee to clarify, in consultation with IUCN and the MIKE Central Coordinating Unit, the constitution of the MIKE baseline. The Committee subsequently agreed that, in terms of geographical scope, the MIKE baseline would constitute a minimum of 45 sites in Africa and 18 sites in Asia, (based on the number of sites originally proposed in the MIKE design document approved at the 41st meeting of the Standing Committee in 1999). In terms of the precise data needed at each site, the Standing Committee agreed that the baseline would include: at least one population survey that does not predate 2000; data on levels of illegal killing covering a period of 12 months at African sites and 6 months at Asian sites; a descriptive report on patterns of influencing factors; an assessment of the effort made to acquire the information on illegal killing; and a preliminary analysis of the information. Kenya proposes to change the baseline requirements to include: 55 sites in Africa and 28 sites in Asia; two population surveys at all sites where elephant censusing has not occurred in the past; two years of data on illegal killing; and a statistical analysis of aspects of the data on influencing factors and illegal killing. It should be noted that Kenya made similar proposals at the time the Standing Committee first considered this issue in 2003, but they were not accepted at the time.

Regarding *Decision 12.34 Elephants – Monitoring Illegal Killing of Elephants (MIKE)*, Kenya proposes to alter the mechanism agreed by the Standing Committee for determining “that a detrimental impact on other elephant populations had occurred as a result of approved trade in ivory”. At its 50th meeting, the Standing Committee agreed a procedure that would rely upon information from the monitoring systems, MIKE and ETIS (Elephant Trade Information System), to identify Parties where rates and levels of illegal hunting and trade show apparent increases (see 6. and 7. below). In such cases, the CITES Secretariat would conduct further investigations, resulting in a report and recommendations to the Standing Committee. All reports and background data would be placed on the CITES website. If the Secretariat concludes, and the Standing Committee agrees, that such increases result from commercial trade in ivory approved by the Convention, subsequent trade in ivory would be halted and the Depository Government (Switzerland) would propose that the elephant populations concerned be transferred back to Appendix I at the next CoP. In *CoP13 Doc. 29.5*, Kenya proposes to introduce a new procedure whereby the CITES Secretariat would solicit information and data on changes in illegal hunting or trade through a Notification to the Parties to be issued following the Standing Committee’s determination that the conditions for the one-off sale of ivory approved at CoP12 had been met. Parties would be given 60 days to respond and, if information was provided showing an apparent increase in the illegal killing of elephants or trade in ivory, an independent group of experts would be established to verify the reports and report to the Standing Committee. This change would effectively transfer current roles and responsibilities of the CITES Secretariat to an external group of “experts”, with cost and duplication implications. Proposals similar to these were advanced by Kenya at the 50th meeting of the Standing Committee.

## 5. How will elephant proposals be dealt with at CoP13?

At CoP13, all the elephant proposals will first be considered in Committee I, and all decisions finalized in a subsequent Plenary session. Namibia and South Africa's proposals will require the approval of a two-thirds majority of Parties voting in order to be accepted. Otherwise, these proposals may be withdrawn, or amended during the CoP, so long as their scope is not broadened in any respect. The changing of CITES Resolutions and Decisions, as proposed by Kenya, will also require a two-thirds majority vote. Amendments to such proposals can be offered from the floor during formal discussion.

## 6. If CITES agrees to annual quotas for trade in raw ivory for Namibia, what will be the impact on other African Elephant and Asian Elephant populations?

Because there is always concern that any resumption of trade in ivory might give rise to negative impacts on other elephant populations, at CoP10, when the first three African Elephant populations were transferred back to Appendix II, the CITES Parties approved *Resolution Conf. 10.10*, which provides for illegal hunting of elephants and illegal trade in ivory to be formally tracked. MIKE and ETIS, two long-term international monitoring systems, were set up for these purposes. *Resolution Conf. 10.10* has been updated and strengthened at subsequent CoPs, and current objectives of the monitoring systems are:

- i) *measuring and recording levels and trends, and changes in levels and trends, of illegal hunting and trade in ivory in elephant range States, and in trade entrepots;*
- ii) *assessing whether and to what extent observed trends are related to changes in the listing of elephant populations in the CITES Appendices and/or the resumption of legal international trade in ivory;*
- iii) *establishing an information base to support the making of decisions on appropriate management, protection and enforcement needs; and*
- iv) *building capacity in range States.*

Representing one of the few occasions under CITES where the Parties have developed a credible means to assess the impact of their decisions, the commitment to establish monitoring systems reflects a responsible way forward on the difficult issue of elephant conservation. Both MIKE and ETIS must submit comprehensive reports to each meeting of the Conference of the Parties as a formal agenda item.

## 7. How are MIKE and ETIS structured?

MIKE, the approved instrument for assessing the status of elephants in the wild, monitors designated populations through a site-based system. MIKE sites comprise some 57 locations in 29 range States in West, Central, East and Southern Africa (the four sub-regions of Africa) and 28 locations in 13 range States in South and Southeast Asia (the two sub-regions of Asia). Collectively, these sites represent the spectrum of elephant habitats and circumstances around the world. The structure of MIKE is basically pyramidal. At the highest level, MIKE operates under the auspices of the CITES Standing Committee and is guided by a Technical Advisory Group (TAG). In each participating range State, each MIKE site has MIKE Site Officers who are responsible for compiling data and information on elephant numbers, illegal killings, law enforcement effort and a range of other factors, using standardized formats. This information is sent through National Officers to one of six Sub-regional Support Officers, who in turn liaise with the Central Co-ordinating Unit located in Nairobi, Kenya. Collectively, this information will be analysed to establish population trends, patterns of illegal killing, and the reasons for these trends and changes over time at the continental level. Over time, MIKE should greatly improve understanding of the status of elephants on the ground throughout their range and assist CITES to make the best decisions possible to support elephant conservation. Prior to the development of MIKE, there was no unifying mechanism to track elephant mortalities in the field and feed such information into the CITES process. At the local level, MIKE has been a catalyst for capacity building and national elephant conservation efforts. The potential value of MIKE has been recognized by a range of field-based conservation organizations, many of which are actively

supporting MIKE financially or with implementation on the ground, including the Wildlife Conservation Society, the World Wide Fund for Nature (WWF) and Critical Ecosystems Partnership Fund. The European Union, US Fish and Wildlife Service, the Governments of Japan and Belgium, German Technical Co-operation (GTZ), CITES Secretariat and the Japan Ivory Traders Association have all provided funding support.

The other designated monitoring system, ETIS, is charged with tracking illegal trade in ivory and elephant products. ETIS is derivative of an earlier database system known as BIDS (the Bad Ivory Database System), which was developed by TRAFFIC to hold records of ivory seizures during the post-CITES ban period. BIDS was originally recognized in *Resolution Conf. 10.10* by the Parties “as the appropriate instrument for monitoring the pattern and measuring the scale” of trade in ivory. Through a series of refinements, BIDS evolved into ETIS, the sophisticated information system that it is today. Still managed by TRAFFIC, the central database holds the details of ivory and elephant product seizures that have occurred anywhere in the world since 1989. Through *Resolution Conf. 10.10 (Rev. CoP12)*, all Parties are now obliged to report elephant product seizures to the CITES Secretariat within 90 days of their occurrence. In practice, this is not always the case, but more countries are providing data on elephant product seizures than ever before, and currently there are over 9400 seizure records in ETIS. The seizures database is supported by a series of auxiliary components that track law enforcement effort and efficiency, rates of reporting, background economic variables, and the scale and degree of regulation in domestic ivory markets around the world. This information is held in time-based and country-specific database formats, and is used during analysis to help produce and interpret trends and contemporary trade dynamics. In terms of funding, since CoP11, ETIS has received generous support from the U.K. Department of Environment, Food and Rural Affairs (DEFRA), augmented by some funding from the CITES Secretariat and WWF.

#### 8. What have MIKE and ETIS produced in terms of results concerning elephant poaching and ivory trade?

As a highly ambitious and completely new system spanning two continents and involving 42 elephant range States, MIKE is still in a development phase and will only issue a progress report, but not a full analysis, to CoP13. Still, there has been major progress towards putting MIKE into operation at all sites in Africa and Asia. Current indications suggest that the baseline (see 4. above) will be reached in early 2005. There is every reason to believe that MIKE will deliver analytical results to CoP14. For CoP13, a detailed progress report will be tabled (see *CoP13 Doc. 29.3*). While full analysis is not yet possible, the CoP13 report will show that data is becoming available and that the appropriate analytical methods are being tested and demonstrated. Further, MIKE is beginning to provide evidence of where elephant poaching is occurring and this is contributing to a better understanding of current unregulated ivory trade patterns.

ETIS delivered a full analysis of illegal ivory trade dynamics to CoP12, and will be doing the same again at CoP13 (see *CoP13 Doc. 29.2*). Using statistical methods, ETIS has demonstrated that illicit trade in ivory is most directly related to the presence of large-scale, inadequately regulated, domestic ivory markets in Asia and Africa. In this regard, Cameroon, China, the Democratic Republic of the Congo, Ethiopia, Nigeria and Thailand are most highly implicated in the illicit trade in ivory. In terms of a trend, the seizure data in ETIS indicate that the volume of ivory seized declined from 1989 to 1994, then gradually increased from 1995 to the present. The ivory market in China continues to exert the most important influence on the trend. In fact, if China is excluded from the analysis, the trend line becomes flat from 1994 onwards, indicating that this single market alone stands behind the upward trend in illegal trade in ivory worldwide. China’s commitment to effective law enforcement since CoP12 shows substantial improvement towards curtailing illicit trade and could result in a reversal of this trend subsequent years. Finally, it has not been possible to demonstrate any relationship between the volume of ivory seized since 1989 and key events under CITES. In most, but not all, years in which a CoP was held, there was an apparent decline in the volume of ivory seized. On the basis of other qualitative information, it is also not possible to relate the emergence of Chinese demand for ivory to events under CITES.



African elephant  
*Loxodonta africana*,  
confiscated elephant ivory.

## 9. What can CITES do to address the issue of large-scale, unregulated ivory markets?

The Parties have already agreed in *Resolution Conf. 10.10 (Rev. CoP12)* that internal ivory trade should only be allowed where there is a comprehensive framework of legislative, regulatory and enforcement measures in place. This Resolution calls upon Parties with domestic ivory markets to register or license all importers, manufacturers, wholesalers and retailers dealing in any form of ivory. Compulsory controls over raw ivory are required, and effective reporting and enforcement systems for worked ivory must be demonstrated. In many countries, however, these recommendations are not being implemented. The results of the ETIS analysis to CoP12 prompted the Parties to adopt *Decision 12.39 Elephants – Control of internal ivory trade*, which gives a mandate for an inter-sessional process under the direction of the Standing Committee to assess compliance with *Resolution Conf. 10.10* in ten targeted countries. Through this process, CITES is now holding countries with unregulated domestic ivory markets accountable for their actions. If the negative impact of these large, unregulated ivory markets is going to be effectively countered, CITES will probably have to initiate punitive sanctions against some countries.

The 50th meeting of the Standing Committee also discussed a workplan proposed by the CITES Secretariat aimed at halting uncontrolled domestic sales of ivory in all African range States. This proposal will be discussed in detail, first at the African Elephant Range State Dialogue meeting and then at CoP13 itself (see *CoP13 Doc. 29.1*).

## 10. What has happened to the non-commercial disposal of ivory stocks throughout Africa that was agreed to at CoP10? Isn't there an ivory stock proposal from Burundi?

Burundi's ivory stocks are on the agenda for discussion at CoP13 (see *CoP13 Doc. 29.6*), however, they are not part of the process that was agreed at CoP10 through *Decision 10.2 (Rev. CoP11) Elephants - Conditions for the disposal of ivory stocks and generating resources for conservation in African elephant range States*. That 1997 decision established a CITES procedure for a non-commercial donor buy-out of existing stocks of ivory, but *only* for African Elephant range States. With no elephant population of its own, Burundi has always been precluded from participating in this process, which ultimately accepted 14 African countries offering a total of 158 077 kg of ivory. The intent of *Decision 10.2* was to eliminate the security and financial liabilities that accumulating ivory stocks pose to African nations and to raise funds for elephant conservation purposes. In fact, there have been no non-commercial buy-outs to date and the donor community has completely failed to utilize this mechanism under CITES to inject funds into elephant conservation. Against this backdrop, the Burundi ivory stock issue has re-emerged. There is a long and complicated history under CITES concerning the 84 t of ivory held in Burundi, a one-time major entrepot for elephant tusks from neighbouring countries. This stock first gained prominence in 1987, but was prevented from entering legal trade for a variety of national and international reasons, including the CITES trade ban in 1989. The Burundi Government is now apparently being sued by owners of some of these 15-year-old stocks and is appealing to CITES for some kind of dispensation. This issue was discussed at the 50th meeting of the CITES Standing Committee, and will now be a topic at the African Elephant Range State Dialogue meeting and at CoP13. There are no ready solutions to the issue of growing ivory stocks in Africa and, if nothing else, the Burundi debate will once again highlight the economic, security and conservation aspects of this issue.



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