


 2

Listing all African Elephants in CITES Appendix I CoP17 Prop. 16

Proponents: Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sri Lanka and Uganda

▶ Recommendation: SUPPORT

Current Status: African elephants are split-listed under CITES, complicating their status and reducing their protection under international law. The majority of populations are listed in Appendix I, banning international commercial trade in ivory. However, the four populations of Botswana, Namibia, South Africa and Zimbabwe are listed in Appendix II, allowing international trade in elephants and their parts subject to conditions. A moratorium on proposals for ivory trade by Appendix II countries has been in effect since 2008, but will expire in 2017 opening the way for the submission of proposals to trade.

Background: During the 1970s-80s, when all African elephants were listed in Appendix II, a huge uncontrolled, illegal ivory trade mushroomed alongside the legal international trade supervised by CITES, with devastating consequences for elephants across Africa. The listing of all African elephants in Appendix I in 1989 sent a clear signal to the world that all trade in ivory was illegal. Ivory markets collapsed and the ivory price crashed, ending the poaching crisis and allowing elephants to recover. The down-listing of four national populations in Southern Africa to Appendix II, split-listing the continental population with two levels of protection under CITES, signalled that trade in elephants and their ivory is acceptable. The subsequent “experimental” sales of ivory stockpiles in 1999 and 2008 have proved a dismal failure. As US Secretary of State John Kerry pointed out in a US Senate Committee Hearing in May 2012, **the stockpile sales are likely to have “whetted the appetite” for ivory in consumer countries**¹. Criminal syndicates were quick to exploit the opportunity that opened up. New research published in June and August 2016 by economists at the University of California, Berkeley and Princeton University provides evidence that the second sale in 2008 was directly linked to the escalation in poaching that led to the current crisis.² They found that the “international announcement of the legal ivory sale corresponds with an abrupt ~66% increase in illegal ivory production across two continents.”

Over the past decade, countries in West, Central and Eastern Africa have experienced intense pressure from ivory poachers, while **Southern Africa is also now seeing a steady rise in poaching and facing the threat of criminal syndicates**. The Great Elephant Census (GEC) has revealed a huge decline in savannah elephants, with an estimated 144,000 (30%) wiped out in 15 African countries between 2007 and 2014³.

¹ www.gpo.gov/fdsys/pkg/CHRG-112shrg76689/html/CHRG-112shrg76689.htm

² Hsiang, S. & Sekar, N. (2016) *Does legalization reduce black market activity? Evidence from a global ivory experiment and elephant poaching data*. NBER Working Paper 22314, June 2016. www.nber.org/papers/w22314; Hsiang, S. (2016) *Applying econometrics to elephant poaching: our response to Underwood and Burn*. www.g-feed.com/2016/08/applying-econometrics-to-elephant.html



The Appendix I Listing Proposal (CoP17 Prop. 16)

This proposal by countries in the African Elephant Coalition, together with Sri Lanka, seeks to unify all African elephant populations and their range States in a universal Appendix I listing through the transfer from Appendix II of the populations of Botswana, Namibia, South Africa and Zimbabwe.

The biological criteria⁵ for listing all African elephants in Appendix I of CITES are clearly met, particularly “A marked decline in the population size in the wild, which has been observed as ongoing or as having occurred in the past (but with a potential to resume)”. The CITES listing criteria define a “marked recent rate of decline” as “a percentage decline of 50% or more in the last 10 years or three generations, whichever is the longer”⁶. Three elephant generations span 75 years. It is estimated there were 1.2 million elephants in Africa in 1980. By 1989, when CITES decided to list elephants in Appendix I, numbers had declined by 50%. With the current poaching crisis, numbers have declined steeply again. At the end of 2013, according to the IUCN African Elephant Database, the total number of elephants in the ‘definite’ and ‘probable’ categories was 473,386; thus **a 61% decline in African elephants has occurred over 33 years**. Since then, numbers have fallen even further; according to the GEC, **savannah elephants are currently declining at a rate of 8% a year**.

Unless urgent action is taken, losses are projected to continue. The capacity of increasingly sophisticated criminal networks to meet demand for ivory in consumer countries outstrips the capacity of range States to protect elephants in the face of intense poaching pressure. Links between these criminal networks and terrorist or militia groups, as well as arms and human trafficking, have been documented. Only a drastic drop in demand through a clear signal to consumers will end the destruction by the syndicates.

The pre-1989 open-trade regime under a CITES Appendix II listing for all African elephants was impossible to police, enabling laundering of illegally obtained ivory into legal markets. The current split-listing is not working either; it sustains demand for ivory in consumer countries, encourages criminal networks to maintain their interest in ivory poaching and trafficking, and still enables laundering.

African elephants are highly migratory and not confined within national borders. The many examples of shared, cross-border populations include Mara-Serengeti and Amboseli-West Kilimanjaro (Kenya and Tanzania); Parc National du W (Burkina Faso, Niger and Benin); the Tri National Dja-Odzala-Minkébé or TRIDOM area (Cameroon, Republic of Congo and Gabon); and the Great Limpopo Transfrontier Park (South Africa, Zimbabwe and Mozambique). Indeed, 60% of elephants claimed to be “Namibian” are part of the Kavango-Zambezi (KAZA) trans-boundary population, shared with Angola, Zambia and Botswana. **Perpetuating the status quo with political rather than biological boundaries, resulting in different levels of protection for trans-boundary populations, makes a nonsense of CITES.**

Listing all African elephants in Appendix I is the best way to protect the species as a whole, and to prevent the escalation of poaching in the four Appendix II countries. This action would achieve the maximum protection for elephants, simplify and improve enforcement, and show that CITES is united in the fight against extinction of African elephants. Above all, it would send a clear message to the world that buying and selling ivory is illegal, dangerous for elephants and unacceptable.

³ Chase *et al.* 2016, available at <https://peerj.com/articles/2354/>

⁵ <https://cites.org/eng/res/09/09-24R16.php>

⁶ Annex 5, Resolution Conf, 9.24 (Rev. CoP 16) *Criteria for Amendment of Appendices I and II.*