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Proposals to Delete the Annotation to the CITES Appendix II listing for African Elephants

CoP17 Prop. 14 and CoP17 Prop. 15

▶ Recommendation: REJECT

Namibia proposes to delete the annotation to the CITES Appendix II listing with respect to its elephant population (Prop. 14). In a separate proposal (Prop. 15), Namibia and Zimbabwe propose to amend the Appendix II listing of the Zimbabwe population by removing the annotation, so the listing would be an “unqualified” trade in ivory on the grounds that “a controlled marketing system would allow the government to raise money to combat illicit poaching and for conservation programs.”

Rationale for rejecting the proposals

History has shown that it’s impossible to control the international ivory trade. Before African elephants were listed in Appendix I in 1989, a legal trade operated under the CITES Appendix II permit system. This legal trade under the auspices of CITES led to a parallel, uncontrolled illegal trade and catastrophic losses of elephants across Africa (about half the continental population was wiped out in the decade before the Appendix I listing).

Although the most recent report from CITES MIKE programme (Monitoring the Illegal Killing of Elephants) claims that no evidence exists of a direct link between stockpile sales and poaching rates¹, data show that poaching and illegal ivory trade clearly increased after CITES permitted ivory trade in 2008 and **an independent analysis has found a correlation between the 2008 sale and the escalation in elephant killing**². Indeed, it cannot be disputed that over the last decade, particularly in anticipation of and after the most recent 2008 ivory auction from Southern Africa, demand spiralled and illegal killing rose to excessive levels and remains high. **The Great Elephant Census (GEC) has revealed a massive decline in savannah elephants, with 144,000 (30%) wiped out in 15 African countries between 2007 and 2014.**³ Levels of illegal killing of elephants have increased in Southern Africa, alongside trends in the rest of Africa; the GEC shows declining populations in Angola, Mozambique and Zimbabwe. It is also clear that legal trade acts as a cover for illegal trade. In both China and Japan, which were approved by CITES as ivory importing countries, considerable evidence has been reported of illegal ivory being laundered into the legal trade.

¹ CoP17 Doc 57.5 *Report on Monitoring the Illegal Killing of Elephants (MIKE)*, available at: <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-57-05.pdf>

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 no. 22314. National Bureau of Economic Research, Cambridge, USA. ; Hsiang, S. (2016) Applying econometrics to elephant poaching: our response to Underwood and Burn. <http://www.g-feed.com/2016/08/applying-econometrics-to-elephant.html>

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



Proponent: Namibia

The rates of poaching are downplayed in the Namibia proposal, which claims that populations are secure. The proposal itself, however, **reports 252 elephants killed illegally over four years between 2012 and 2015, compared with 14 in the previous decade** (Annex 2), indicating an escalation in the threat from poaching. The proposal states further that the elephant population more than doubled between 2000 and 2015. However, a large proportion of elephants counted as “Namibia’s” (nearly 60% according to the proposal) are found in a narrow strip of land in the north-east of the country, which is a trans-boundary region where elephants move freely between Namibia, Botswana, Angola and Zambia. An elephant could conceivably be counted as part of four national populations depending on when surveys are undertaken; indeed, in its proposal to CITES Namibia acknowledges that “elephants are highly mobile in Namibia, and that movement in and out of areas can therefore cause major periodic fluctuations in numbers over time”. Poaching rates are high in the neighbouring area of Zambia and the situation in Angola is also insecure. As recently as July 2016, poachers with AK47s attacked a group of 40 elephants on the Angolan side of the Okavango River⁴. This situation must inevitably have some impact on Namibia’s population.

While sales of ivory from Namibia might produce some (unquantified) revenue, any postulated additional local benefits from the ivory trade would be far outweighed by the substantial risks that legal trade poses to elephants as a whole. Ivory sales would promote greater demand in consumer countries, and stimulate criminal networks, risking not only elephants in Namibia but populations across Africa and Asia.

Proponents: Zimbabwe

Of the four Appendix II countries, Zimbabwe has the highest levels of illegal killing and loss of elephants, with declines between 2001 and 2014 of 40% and 75% respectively in its key Zambezi and Sebungwe populations in the north. Data in the MIKE report to CITES CoP17 show a significant increase in poaching, indicating that it poses a very real threat. In 2014, the US Fish and Wildlife Service suspended imports of elephant trophies from Zimbabwe, citing catastrophic population declines in justification.

At the same time, recent revelations of improper record-keeping in Zimbabwe’s ivory store in Hwange National Park, which holds more than half the government-held ivory stocks, have shown that **controls over the ivory stockpile are inadequate to prevent theft and leakage into the illegal market**.

The proposal by Namibia and Zimbabwe is heavily critical of CITES and considers the annotation to the Appendix II listing of African elephants to be *ultra vires* (beyond the powers of CITES). This annotation, however, was agreed by consensus in 2007, a consensus that included the co-proponents. The criticism undermines the integrity of CITES processes.

The two proposals ignore the lessons of history. They would endanger all African and Asian elephants and should therefore be opposed.

⁴ Niel Terblanche, *Barbaric elephant slaughter in Angola*, Africa Geographic, 25 July 2016, available at: <http://africageographic.com/blog/barbaric-elephant-slaughter-angola/>