

Between the Conferences Of the Parties

of the UN Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

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Understanding the Impact

The Costs of Ivory

*Jason Bell-Leask, Regional Director,
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As we approach the 13th Conference of the Parties (CoP13), there is still much debate about the resumption of a legal ivory trade. The CITES Standing Committee has yet to decide whether Botswana, Namibia and South Africa can sell off their registered stocks as agreed at CoP12. In proposals submitted to CoP13, Namibia is requesting permission for an annual quota for ivory, while Kenya is calling upon Parties to: 1) strengthen conditions for the export of registered stocks of ivory, and: 2) strengthen mechanisms for the control of internal ivory markets.

IFAW remains opposed to the resumption of a legal ivory trade and is extremely concerned about continued claims by southern African countries that it represents a logical economic use of wildlife products. Before claims that the ivory trade yields much-needed economic benefit and enhances the conservation of elephants are accepted, we must consider both the revenue generated from such sales and the costs associated with implementing ivory sales and trade. To date, no comprehensive economic cost/benefit analysis has been undertaken.

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LATF officers investigate the Singapore seizure of 6.5 tons of ivory smuggled out of Africa

Conducting research to provide a sound, scientific understanding of the scope and nature of the economics of the ivory trade would set the stage for a more credible approach to the debate. IFAW believes that, before decisions are made about the resumption of the ivory trade, the CITES Parties should be aware of the true costs and benefits of the trade and where these costs are being incurred. Data essential for this analysis are:

- Costs associated with the sale, including storage of ivory; implementation of trade controls in importing and exporting countries and other countries; increased enforcement and anti-poaching efforts in range states in both Africa and Asia; criminal investigations to determine the origin of confiscated ivory; the implementation of MIKE (Monitoring the Illegal Killing of Elephants) and ETIS (Elephant Trade Information System); research,

analysis and other efforts by NGOs, INGOs and governments in monitoring, controlling and opposing the trade.

- Comparison of potential ivory sale income generated by southern African countries with Appendix II populations and their tourism revenue, as well as their annual budgets for national parks and protected areas.

- Determination of how much revenue from previous ivory sales (1999) was channelled back into elephant conservation and/or community and conservation development programmes, and the final results of these programmes.

- Assessment of the viability of alternative economic models to the ivory trade, e.g. non-commercial disposal of ivory stocks in return for sound investment in elephant conservation practices by NGOs, government bodies and the private sector.

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- Comparison of the income and full costs of trade implementation with different potential levels of ivory trade.

Until we fully understand the aforementioned, IFAW does not believe pro-ivory trading nations can justifiably claim that the resumption of a legal ivory trade is in their economic interests nor in the interests of elephant conservation.

IFAW would like to encourage Parties to support Kenya's ivory-related submissions to CoP13. Since the ivory trade ban of 1989, Kenya has remained strongly opposed to the resumption of a legal trade. As an African elephant range state, which relies heavily on tourism as a source of revenue, Kenya has felt the negative effects of the partial re-opening of trade (following CoP10 and CoP12 decisions to allow one-off sales). The devastating impact on forest elephant populations was further amplified by delegates from 12 West and Central African countries in a June 2004 symposium in Paris. (See detailed article in this issue.)

Kenya's proposals address concerns IFAW has expressed for some time: that conditions for the resumption of trade need to be appropriately defined; that mechanisms for the verification of whether conditions have been met or not must be improved; and that the control of internal markets must be strengthened.

In particular, IFAW urges Parties to support the Kenyan recommendation to establish a 20-year moratorium on any commercial trade of raw and worked ivory, if the conditional sale of registered ivory stocks approved at CoP12 is allowed to proceed.

Who Benefits from the Ivory Trade?

Some people claim the ivory trade benefits poor Africans, although there is no evidence that centuries of legal ivory trade have had even a marginal impact on alleviating poverty in Africa. The economics behind this package of 100 ivory cylinders (see picture) is a good example as to who truly benefits from ivory trade. The package represents just five kilograms of the 40,810 cylinders, plus 6.5 tons of tusks, that was seized in Singapore.

For this packet, an African hunter got less than US\$50.00 from a local dealer. The dealer sold it to an Asian smuggler for an estimated US\$100.00, making a profit of US\$50.00. The Asian smuggler then had the ivory cut into cylinders of the type used for Japanese hanko signature seals, wrapped the ivory in plastic, packed it into wooden crates, and loaded the crates into a shipping container. It is likely the smuggler also paid bribes to secure customs documents and seals; let's assume another US\$50.00 was paid for this packet. That means three African criminals received a total of about US\$150.00 for their poaching, trafficking and corruption.

Had this packet of ivory cylinders gotten to Tokyo hanko shops, each of these 18 millimetre cylinders would have a retail value of about 22,000 Japanese yen, about US\$200.00 a piece. Thus, the Japanese "street value" of this package of 100 ivory cylinders is about US\$20,000.00.

Africans receive less than 1 per cent of the profits from this illegal business. The other 99 per cent is deposited in the banks of the Far East.



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The Compliance Guidelines: Taking a Step Back

Rosalind Reeve, author of Policing International Trade in Endangered Species: the CITES Treaty and Compliance

Until the 50th Standing Committee meeting (SC50), the draft Compliance Guidelines initiated at CoP12 seemed to be progressing slowly but surely. A first draft had been discussed by the SC (unfortunately in a closed session) and written comments from Parties were incorporated to produce a much-improved revision (to be found in SC50 Doc. 27 Annex 3). This revision addresses several flaws pointed out by IFAW and the David Shepherd Wildlife

Foundation (DSWF) in their widely distributed comment paper.

Many delegates, including ourselves, went to SC50 expecting the formation of a drafting group to work on the revised guidelines. In anticipation, IFAW and DSWF distributed a second set of detailed comments and text changes. But events took an unexpected and disturbing turn. The good news is that the SC decided to discuss the guidelines in open session. The bad news is that SC members were deeply divided on the revised text, prompting the Chair to suspend discussions and form a closed working group to recommend how negotiations should proceed.

The group's proposal that a small working group restricted to Parties should take the issue forward, post-

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poning further discussion to SC53 in early 2005, met strong opposition. Many delegates wanted a more open process, while the EU advocated forming an open-ended working group at CoP13. No agreement could be reached on whether the Secretariat's revised text should provide the basis for negotiations.

In a less than satisfactory compromise, the SC agreed that a working group, to start as a "nucleus" composed of the same members as the SC50 working group, would exchange information electronically. Any Party, Observer, non-Party or NGO can participate, but exactly how this open/closed working group will operate is unclear. The EU has since tabled the Secretariat's controversial revised text for consideration at CoP13 and suggested that a Compliance Working Group take discussions forward under CoP auspices, setting the scene for further clashes.

These developments bode ill for CITES. Discussions at SC50 revealed confusion among Parties over the mechanisms CITES has evolved to achieve compliance, mechanisms that are quite well reflected in the revised text of the guidelines. Confusion over the nature of the guidelines was also apparent. To fast-track them through any working group, open or closed, carries the danger of unravelling more than 20 years of work.

The CITES compliance system is unique among environmental agreements in that it has evolved slowly over time and largely through practice¹. One of its tools is the temporary use of recommended trade suspensions while Parties are assisted in returning to compliance. And here is the crux of the problem. Trade suspensions are controversial and aware-

ness of their role and effectiveness is patchy. Some Parties question their legal basis despite repeated clarification by the Secretariat. There needs to be more awareness of the current system and its tools before a set of guidelines on compliance are taken any further. The negotiations in effect are attempting to reinvent an existing system on the basis of incomplete understanding. Such a process should be approached with extreme caution. CITES needs to take a step back and consider preparing an explanatory guide for Parties on the evolution of its compliance mechanisms, using case studies, of which there are many, as a basis. Otherwise it runs the risk of reinventing a proven system with potentially disastrous results.

¹ A description of the CITES compliance system, including case studies, can be found in *Policing International Trade in Endangered Species: the CITES Treaty and Compliance*, written by R. Reeve and published in 2002 by Earthscan and the Royal Institute of International Affairs.

IFAW Urges Support for CoP13 Agenda that Benefits Wildlife Conservation

Peter Pueschel, Programme Manager, IFAW Germany

Fifty listing proposals and a similar number of working documents are on the CITES CoP13 agenda concerning a variety of species and conventional matters. Many of these are tabled because of the urgent need to regulate the species' international trade and adhere to the precautionary principals for wildlife conservation.

Proposal 32, submitted by Australia and Madagascar, to list the Great White Shark (*Carcharodon carcharias*) on Appendix II is an important one. Ongoing population declines of 79 per cent in 15 years

have been recorded in the Northwest Atlantic for this vulnerable species with an exceptionally low reproductive rate. The greatest threat comes from international trade in teeth, jaws and fins. The proposed "zero quota" is essential because today it is unclear how Parties would be able to make non-detriment findings given the lack of information on the species, its migratory behaviour, and the lack of management programmes directed at the species. The listing will assist enforcement for whale and basking sharks, already listed on Appendix II at CoP12. The fins of these three largest species are fairly easy to distinguish from fins from other shark species, but not necessarily between them.

Many terrestrial reptiles have been proposed for uplisting. Eight proposals by Indonesia and the USA (Prop.16-23) aim to include certain Asian turtles in Appendix II, following the recommendations of the Kunming Workshop (2002) and decisions at CoP12, where many Asian turtle and tortoise species were listed on Appendix II. As all the newly proposed species are categorised either as vulnerable or critically endangered (*Chelodina mccordi*) by IUCN - and all suffer from strong demand from food and pet trade markets - stringent controls are urgently needed. If accepted, more Asian turtle and tortoise species will fall under the same CITES trade control mechanisms and requirements, which would help overcome some major enforcement difficulties.

Madagascar (Prop. 15, 27, 28, 29) and Kenya (Prop. 30, 31) request assistance from the CITES community to help conserve some of their endemic reptile species subject to international trade. The Madagascar Spider Tortoise (*Pyxis arachnoids*), proposed for uplisting to Appendix I, is threatened by very low reproductive potential on one hand and over-collection for the international pet trade on the other. Proposals to list

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snake and gecko species on Appendix II are necessary to effectively combat over-collection and illegal trade.

The above-mentioned examples of uplisting proposals meet the listing criteria of Resolution Conf. 9.24 and would, if accepted, enhance the conservation of these species. IFAW therefore recommends supporting all of them.

Some important working documents, which aim to achieve better conservation success for certain species or groups of species, are also on the agenda.

The document proposed by Ireland (on behalf of the EU) to further the implementation of an action plan for the conservation of the Saiga Antelope (*Saiga tatarica*), needs to be accepted. Saiga antelope populations plummeted from over one million in 1990 to fewer than 178,000 within ten years, primarily because of hunting for meat and horns for the medicinal market.

Ireland's document aiming to



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Ngamba Island Chimpanzee Sanctuary, Uganda

address the problems of the largely uncontrolled bushmeat trade and the consequent threats to the survival of

the Great Apes should be supported as well. While the serious loss of biodiversity in entire ecosystems caused by over-hunting for bushmeat requires solutions that go beyond the scope of CITES, the convention is obliged to do its utmost to stop the commercial, often illegal, international trade in wildlife meat. Increased assistance in building enforcement capacity and the encouragement of regional and international cooperation among relevant institutions such as GRASP, is needed.

Kenya proposed a document seeking important clarification for "Disposal of illegally traded, confiscated and accumulated specimens." The proposed revision of Resolution Conf. 9.10 (Rev) would clarify that Appendix I specimens should not enter trade as this sends the wrong message to consumers and creates additional burdens (often expensive and unsolvable) on enforcement authorities.

Israel's proposal to strengthen the regulation for trade in Appendix I species could help to close a major loophole. The current language of the resolution (Conf. 5.10) is open to abuse and, in several cases, has resulted in the commercial trade of Appendix I species. When implementing CITES, a conservation convention set up to protect wildlife from the negative impact of trade, one cannot be wrong to err on the side of caution.

IFAW supports the above-mentioned resolutions. More detailed assessments on all proposals and working documents for CoP13 can be found in the "SSN-Digest 2004" at: www.speciestsurvivalnetwork.org

Interpreting "Sustainable Use"

Hemmo Muntingh, IFAW EU Advisor, Brussels

Since the end of the 1980s, a new development paradigm, sustainable development, has been publicly discussed and incorporated into the political agenda. Although the

Brundlandt report briefly defines this concept¹, there is room for interpretation: social, economical and ecological. Each interpretation has different consequences for its implementation.

Professor David Lavigne² is of the opinion that sustainable development is an oxymoron: it is inherently contradictory. He therefore prefers to define the expression more precisely and use the term, "*ecologically sustainable development*." Similarly, we would favour "*ecologically sustainable use*."

From the point of view of conservationists, the short definition of sustainable use/sustainable development in the Brundlandt report leaves too much room for misinterpretation and misuse of this concept. For them it is of paramount importance to know exactly what "(ecologically) sustainable use" means and how this can be implemented.

A laudable attempt at definition was made in the so-called Addis Ababa Principles and Guidelines of the Biodiversity Convention which were developed using the "non-detriment standards" of CITES. These principles and guidelines consist of 14 interdependent practical principles; operational guidelines for each of these principles, and a rationale to further explain the principles. Implemented properly, these principles and guidelines could promote better use of biodiversity.

Namibia has now tabled a working document, "*Synergy between CITES and the CBD: Sustainable Use Principles and Guidelines*" to be discussed during CoP13. With this resolution Namibia seeks to promote harmonisation of both conventions and in doing so create more synergy. This in itself is a positive and even necessary initiative given the existence of a Memorandum of Cooperation, which urges both institutions to link their work plans.

According to Namibia: "The con-

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cept of sustainable use [is] the cornerstone of both CITES and the CBD." For the CBD this might be true because the concept is one of the three objectives of the convention. But with regard to CITES, Namibia jumps to conclusions, as Namibia itself declares in its rationale, "CITES does not have a definition of sustainable use."

By reading the rationale carefully one can elucidate Namibia's reasoning. It is to be found in the statement: "Developing countries in particular have encountered significant barriers to trade within the CITES framework." Therefore, [CITES *should*] "facilitate the implementation of objectives in common with CBD through principles and guidelines for the sustainable use of biodiversity."

As made clear in our introduction, we have reservations about the interpretation of the concept of sustainable use. Applying the Addis Ababa principles may diminish these doubts, but will not remove them. People will continue to use this concept to promote their own interests within CITES and/or the CBD.

This resolution by Namibia might be one example. In fact, it seeks to promote trade within CITES on the basis of the dangerous and globally misused concept of sustainable use. Because the primary objective of CITES has been identified in literature³ produced by the CITES Secretariat as ensuring "*the international cooperation of parties to prevent international trade in specimens of wild animals and plants from threatening their survival*" - explicitly not promoting trade - CITES should not fall into that trap.

¹ *Our Common Future*. First published in 1987. Oxford University Press.

² David M. Lavigne: *Ecological Footprints, Double-speak, and the Evolution of the Machiavellian Mind*. Published in Sustainable Development: Mandate or Mantra? Faculty of Environmental Sciences, University of Guelph: 2002.

³ OECD, p. 30, quoting from 'A brief introduction to CITES', by the CITES Secretariat. The OECD reference is: *Experience with the Use of Trade Measures in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)* (OECD, 1997)

Parties Should Reject Whale Downlisting Proposal

Vassili Papastavrou, Marine Mammal Programme Officer, IFAW UK

Japan has once again submitted a proposal to downlist whales from Appendix I to Appendix II. The proposal includes all northern hemisphere populations of minke whales, except for the so-called "J-stock." A similar proposal to CoP12 failed to achieve even a simple majority, let alone the two-thirds majority required for adoption.

The CITES listing criteria require that certain precautionary measures accompany every downlisting, such as agreed export quotas or a management procedure with enforcement provisions. The Japanese proposal contains no such measures and thus does not satisfy the agreed criteria.

If adopted, this proposal would re-open the international trade in whale products and create a conflict between CITES and the International Whaling Commission. The CoP has a long-established policy, confirmed in Resolution 11.4, of supporting IWC conservation measures. The advice of the CITES Secretariat to recent CoPs has been that this policy is best implemented by retaining whale species on Appendix I as long as the IWC maintains zero catch limits for these species.

In its proposal, Japan complains about the "dysfunctional nature of the IWC" as well as delays in adopting a Revised Management Scheme (RMS) to manage commercial whaling. However, at the 2002 IWC meeting held in Shimonoseki, Japan, Japan itself voted against, and blocked the adoption of, a draft RMS which contained essential regulatory measures, such as no whaling within IWC Sanctuaries and an international DNA register of all whales killed. Japan instead submitted its own RMS proposal, which contained loopholes that would have allowed unlimited whaling and would have abolished existing IWC sanctuaries.



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Minke whales are flensed aboard a Japanese whaling ship during a hunt in the Southern Ocean Sanctuary

At the 2004 IWC meeting in Sorrento, Italy, Japan tried to pre-empt the completion of the RMS by proposing large catch allowances that are incompatible with the RMS. These proposals were all rejected, and the meeting finished on 22 July with a consensus between non-whaling and whaling states on the process required for completing the RMS.

Despite the CITES Appendix I listing, Japan continues to kill increasing numbers of whales for so-called scientific purposes, including a self-allocated quota of 220 minke whales from one of the populations proposed for downlisting. Independent checks on Japanese whale meat markets using DNA techniques have revealed the sale of endangered species such as Western Pacific Gray whales (of which only 100 now remain) and large numbers of threatened "J-stock" minke whales from the East Sea/Sea of Japan.

Enforcing the Laws

Tanzania Arrests Four Men with 73 Tusks

In December 2003, Tanzania police raided a home in the Kijitonyama area, a suburb in Dar es Salaam, based on a tip from an informant. Four suspects - two local residents, a Korean and a Sudanese - were arrested. The suspects are in custody awaiting prosecution for illegal possession of 73 elephant tusks.



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LATF Officers inspect a confiscated elephant tusk

The origin of the tusks has not yet been determined, but may be very old stock. The Lusaka Agreement Task Force (LATF) and Tanzania National Bureau are currently conducting investigations to establish the contraband source and poachers involved.

The LATF, which includes officers from Congo (Brazzaville), Kenya, Lesotho, Tanzania, Uganda and Zambia, was established in 1997 to carry out the provisions of the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora. That agreement, negotiated in Lusaka, Zambia, with support from the United Nations Environment Programme (UNEP) in 1994, went into effect in December 1996.

Source: IFAW East Africa Office

Russian Customs Stops Large Illegal Wildlife Shipment

On 19 March 2004, Russian customs and border guards in the Russian Far East seized a large shipment of illegal wildlife products on their way to China during a routine check of a truck belonging to a Chinese company. They arrested the Chinese driver and confiscated 778 bear paws, 388 kilograms of dried sea cucumber, more than 6,000 wild animal pelts, 280 musk glands, 42 antlers, and 24 bear gall bladders.

Enforcement officers were particularly shocked by the discovery of 778 bear paws, which required "192 bears to be killed, both adults and very small cubs," the customs agency's press service said.

The demand for bear paws and gall bladders comes mainly from the nearby Asian countries where bear parts are widely used as ingredients in traditional medicines and general tonics.

In all, more than 130,000 animals had to be killed to assemble the haul. Experts estimated the shipment's worth at nearly US\$1 million; on China's black market it could fetch up to 20 times that sum.

Conservationists have been warning for years about the brisk trade of wildlife and their products between Russia and China. This seizure further highlights the urgent need for collaboration between Russian and Chinese wildlife law enforcement agencies to curtail the devastating impact of illegal trade on the region's wildlife and ecological health.

Source: AFP Vladivostok, 22 March 2004

Illegal Hoard of Reptiles Seized in Australian Raid

Police and officers from the Victorian State Department of Sustainability and Environment seized a hoard of exotic and native reptiles and amphibians in a raid in Melbourne

on 2 June 2004. The seizure of illegally held animals included five water dragons, two boa constrictors, 84 Japanese fire-bellied newts, and a native diamond python. A 25 year-old man was questioned in the case. If charged under the Victorian Wildlife Act, he could face fines of AU\$10,000.00 or up to two years in jail. Additionally, fines of AU\$110,000.00 and jail terms of up to five years are possible under Australia's Environment Protection and Biodiversity Conservation Act 1999 for keeping illegal exotic species of reptiles and amphibians.

Source: *The Age, Melbourne, 3 June 2004* and *The Herald Sun, Melbourne, 3 June 2004*

Chinese Jailed for Poaching Sea Turtles in Malaysia

A Malaysian magistrates court sentenced 12 Chinese nationals caught with 163 turtles (160 of which were dead) and five sharks in Malaysian waters to eight months jail after they were unable to pay the RM875,000.00 in fines. They were successfully prosecuted under the Malaysian Fisheries Act 1985. The 12 men, aged between 19 and 48, were among a crew of 16 caught illegally fishing in Malaysian waters on 2 May 2004. The remaining four Chinese teenage crew members were ordered to be deported.

Source: *New Strait Times, 12 May 2004* and *The Star, Malaysia, 19 May 2004*

LATF Investigating Largest-Ever African Ivory Seizure

The Lusaka Agreement Task Force (LATF) has officially launched an investigation into the largest seizure of African ivory in history.

The 6.5 tons of contraband ivory, smuggled out of southern Africa two years ago, was reportedly en route to Japan when it was seized by quick-acting officers at Singapore's CITES

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Management Authority (AVA). The Singapore seizure consists of 531 elephant tusks and 40,810 ivory cylinders of the type used to produce Japanese hanko signature seals. Some of the tusks have "Yokohama" printed on them.

Earlier in 2004, the ivory was moved to Nairobi, Kenya, the seat of LATF, for further inquiry. LATF is applying a combination of old-fashioned investigation techniques and modern science in their investigation. Among the more sophisticated tools being used is DNA analysis of the ivory in an effort to determine the populations of elephants from which it was poached. Cooperating scientists from the Centre for Conservation Biology, University of Washington in the USA, and Sokoine University of Agriculture in Tanzania, have discovered there is adequate DNA embedded in an elephant tusk to conduct a good analysis. This is the first time in history this DNA analysis technique is being used in a criminal investigation.



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Part of the Singapore seizure of ivory, 40,810 Japanese style hanko cylinders returned to Kenya for investigation



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Part of the Singapore seizure of ivory, returned to Kenya for investigation

Partners cooperating in the LATF-led investigation include law enforcement agencies from Malawi, Zambia, Kenya and Tanzania, World Customs Organisation and Interpol. IFAW is supporting the effort by providing funds for laboratory analysis and other costs directly related to the investigation.

Despite numerous links pointing to Japan as the destination for the contraband, Japanese law enforcement authorities have been conspicuous in this investigation by their absence.

According to LATF director E. S. Kisamo, "The outcome of the investigation is intended to facilitate the prosecution of the perpetrators of this crime, whoever they may be, and formulate strategies to pre-empt recurrence of similar crimes."

Source: LATF and IFAW 2004

Malawi Courts Convert "Inappropriate" Ivory Fine

A convicted ivory trafficker had a meagre US\$55.00 fine converted to a jail sentence after a judge described the trafficker's earlier punishment "inappropriate."

In July 2003, Maria Akimu was arrested and found in possession of 10 elephant tusks weighing 127 kilo-

grams (279 pounds), and worth over US\$14,000.00. The Liwonde Magistrates Court fined her US\$55.00 and gave her a one-year suspended sentence, sparking an outcry by wildlife conservation and animal welfare groups who felt the sentence was too lenient to deter others from violating the law against ivory trafficking.

The case subsequently went on review in Malawi's High Court and Akimu's sentence was converted to one-year's imprisonment with hard labour. The maximum sentence in Malawi for ivory trafficking is five years.

In presenting evidence, it was shown that Akimu belonged to a well-connected ivory trafficking syndicate around Malawi's Liwonde National Park.

In his summing up, Justice Dustain Mwaungulu said that as a signatory to CITES, "Malawi ratified some treaties and, through appropriate legislative interactions, she is to abide by these international concerns and standards."

Despite Malawi being a CITES Party since 1982, there are growing fears the country may become a conduit for raw and worked ivory destined for the Middle East and Asia.

Source: IFAW South Africa

Illegal Plant and Animal Parts Seized

In June 2004, Australian officials netted a massive haul of illegal products containing endangered plant and animal parts in raids on complimentary medicine stores that crossed three states.

The result of a joint operation by the Department of Environment and Heritage, Australian Customs Service and the Australian Federal Police, raids on five complimentary medicine stores in Brisbane, Sydney and Melbourne uncovered large quantities of illegal imports labelled as containing bear bile, tiger bone, rhinoceros horn and other endangered

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Illegal Plant and Animal Parts Seized, continued from page 7

plant and animal parts, prohibited under the Environment Protection and Biodiversity Conservation Act 1999.

Maximum penalties for individuals caught breaching Australia's wildlife trade laws include fines of up to AU\$110,000.00 and/or up to 10 years in prison.

Source: Joint Media Release: Australian Minister for the Environment and Heritage, Dr David Kemp and Australian Minister for Justice and Customs, Senator Chris Ellison. 18 June 2004

Spanish Police Seize Illegal Ivory Stockpile

Spanish police seized nearly three tons of illegal elephant ivory in July 2004. Experts estimate that this amount of ivory represents about 400 elephant deaths.

Members of the Civil Guard's specialised environmental arm, Seprona, started an investigation last year after confiscating 110 kilograms (240 pounds) of elephant hair, some of which had been turned into jewellery. They subsequently found 3.4 tons of raw and worked ivory in a store in Madrid, whose owner had a license to keep less than 500 kilograms. They confiscated the 2.9 ton surplus.

Source: Reuters

Global News

IFAW to Help Garamba National Park

IFAW responded to an urgent call for help from the Institut Congolaise pour la Conservation de la Nature (ICCN) - the Democratic Republic

of the Congo's national wildlife management authority - to improve security in Garamba National Park.

Garamba National Park, one of the few protected areas in the DRC, covers about 4,900 square kilometres in the northeastern corner of the country bordering Sudan. The park, established in 1938, was recognised as a World Heritage Site in 1980 and declared a "site in danger" in 1996. It is home to over 130 species of mammals including Congolese giraffes, African elephants and the last wild population of northern white rhinos, as well as nearly 285 bird species and many other plants and animals.



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Elephants slaughtered for ivory at Garamba National Park, Democratic Republic of Congo

Poaching has significantly reduced wildlife populations in Garamba. Its elephant population has been repeatedly cut in half: from 11,175 in 1995 to 5,983 in 2002, then down to 1,453 in 2003. Only an estimated 30 white rhinos remain. Over time, elephant poaching has shifted from mainly bushmeat hunting to ivory. Because resources are lacking, enforcement personnel at Garamba are poorly equipped, trained and motivated. This situation is further aggravated by an influx into the park of Sudanese refugees and armed elements of the Sudan Peoples Liberation Army (SPLA). Sudanese gangs using military weapons are responsible for most of the poaching.

IFAW will help the ICCN improve security in Garamba National Park by initiating diplomatic negotiations to repatriate Sudanese refugees and armed personnel, increase community education to foster good will between NGOs and local communities, and to facilitate security and management training of Congolese park officers. IFAW's East Africa office will coordinate its involvement in Garamba National Park.

EU Enlargement May Pose New Wildlife Trade Challenges

Every year, hundreds of thousands of live and dead wildlife specimens are imported into the European Union (EU), including rare and endangered species protected by international law. It is widely expected that the volume of both legal and illegal wildlife trade will rise within the EU, in particular in Central Eastern European (CEE) countries.

As new Member States join the EU, border controls between the old and new EU states will gradually disappear, posing new difficulties in controlling illegal wildlife trade, as any systematic control will then take place only at the EU's external borders. Experts are concerned that traders have stockpiled wildlife species and products in the new EU Member States in anticipation of the border changes.

Many of the species traded by the EU bloc are on CITES Appendices, but are not adequately protected at the national level, despite major conservation and animal welfare problems. It is the obligation of Member States to draft and implement new animal protection legislation to be in compliance with the Convention.

Given the increased size of the EU, with external borders now controlled by seven nations instead of three, better cooperation and coordination between governmental

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authorities, enforcement agencies and NGOs is urgently needed on both sides of the EU border to control wildlife trade.

After assessing the challenges facing the enlarged EU, 25 NGOs from 18 CEE countries attending an IFAW workshop in Budapest, Hungary, in July 2004, demanded that EU assume more responsibility for protecting the world's biodiversity. It calls on the EU to develop progressive conservation policies and provide political and financial support to its Member States in their efforts to fight illegal wildlife crime. This includes legislation, law enforcement, capacity building, active cooperation and raising public awareness. Please go to www.ifaw.org for a detailed declaration from the workshop.

Seahorse Workshop Facilitates CITES Decision Implementation

The *International Workshop on CITES Implementation for Seahorse Conservation and Trade* met in Mazatlan, Mexico, on 3-5 February 2004. The IFAW-supported workshop brought together more than 40 participants from nine CITES Parties and representatives from the CITES Secretariat, fisheries agencies, non-governmental organisations, industry, academia and public aquariums.

On 15 May 2004, the inclusion of seahorses (*Hippocampus* spp.) in Appendix II of CITES, as decided at CoP12 (Decision 12.45), entered into effect.

Workshop recommendations included adopting a voluntary universal minimum length standard for export to ensure non-detrimental trade, limiting the total volume of trade to cur-

rent levels, and capping new licenses whenever there is clear evidence that seahorse populations are being over-exploited and/or are diminishing. It was also recommended that countries with seahorse export fisheries strive to attain and make available certain minimum data to assist in validating adaptive management measures and making non-detriment findings. In addition, participants concluded that countries should assess the percentage of existing protected seahorse habitat and identify new areas to protect vulnerable life stages.

Based on the workshop's recommendations, the April 2004 CITES Animal Committee (AC 20) meeting in Johannesburg, South Africa, concluded that, for specimens of the genus *Hippocampus* taken from the wild and entering trade, a length of 10 centimetres - between size at maturity and maximum size for most species - would serve as the most appropriate minimum size. The use of this minimum export size is limited to specimens of wild origin; adherence is voluntary. The AC will review the size limit at a later date on the basis of further research.

Though many Parties support the need to manage the trade in seahorses, Australia is weakening these efforts by seeking to amend Resolution Conf. 12.9 so that seahorses do not require export or import permits, or re-export certificates, for personal or household effects, except where the quantity exceeds five specimens per person.

USA Produces Conservation Manual on Species Used in Traditional Medicine

At CITES CoP10, the Parties adopted a resolution recognising the need to work with traditional medicine (TM) practitioners and consumers to regulate the trade and conservation of endangered species used for medicinal purposes. Over the years, a grow-

ing commitment by CITES for the conservation of species used in TM has spurred activities by range and consumer states.

In the United States of America, this long-term effort has led to the passage of national legislation (Rhinceroses and Tiger Conservation Act of 1994, reauthorised in 1998) and consensus building workshops by practitioners and NGOs. In addition, TM practitioners, NGOs such as IFAW and the US Fish and Wildlife Service are jointly developing a conservation manual highlighting the link between traditional medicine and species conservation.

The manual, scheduled for release in Autumn 2004, provides insight into the biological diversity of species



© IFAW
TM products containing endangered species

listed by CITES and used in TM, while offering herbal replacements suggested by a significant number of practitioners in the USA. It explores the importance of cultivating plants as replacements for animal species in order to ensure their quality and abundance as well as the longevity of the wild plants from which these farmed plants originally came.

The manual is designed as a resource for those seeking information on the status of protected species used in TM, the laws and regulations controlling their trade, and replacements recommended by leading practitioners. Once published, the book will be available to TM col-

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USA Produces Conservation Manual on Species Used in Traditional Medicine, continued from page 9

leges for potential inclusion in their teaching curriculum. The authors hope the text will serve as a resource for those who develop questions for the certifying examinations taken by new practitioners.

The authors acknowledge that “the loss of biodiversity will impact both modern bio-medically-based medicine *and* traditional medicine,” and that the loss will be felt in the quality of human health. To this end they call for “an integrated agenda that allows groups with mutual interests to unite on issues for the common good.”

IFAW Investigation Finds UK Enforcement Loopholes

In 2004, IFAW investigation in the United Kingdom found alarming enforcement loopholes in the control of elephant ivory trade.

The IFAW report, *Elephants on the High Street*, found thousands of ivory items for sale in six cities and over the Internet - nearly all without the necessary documentation of government approval or antiquity. Most traders were unaware that controls on ivory sales even existed, and many openly offered advice on how to smuggle ivory past customs. UK police have uncovered several cases of new ivory being carved and stained to “look” antique and offered for sale in antiques markets.

Much ivory is bought and exported by foreign tourists. In fact, the UK is the third largest source of illegal ivory entering the USA - which has itself been singled out by CITES as having a large and insufficiently controlled domestic ivory market.

Thousands of dubious, undocumented ivory items were also found for sale on Internet sites, both inside and outside the UK. Many were from China, a major importer and carver of poached elephant ivory. Sellers told investigators they regularly made shipments without interception, often by labelling items as “bone” or “antiques.”

The report shows that the UK, with relatively strong law enforcement capacity, cannot control ivory trade within its own borders. This raises serious questions about how countries with less capacity can possibly control illegal ivory trading, which is likely to greatly increase if another stockpile sale is implemented.

Since the report’s publishing, the Metropolitan Police have seized more undocumented ivory. The environment ministry has started a review of systems to control the domestic ivory trade and is producing new guidance for traders. More than 260 cross-party members of Parliament have also signed a motion against the ivory trade.

Kenya Holds Consultative Meeting on Ivory Trade

Six African elephant range states agreed in April 2004 to back Kenya’s opposition to any trade in ivory during a consultative meeting in Nairobi. Cameroon, Ethiopia, Ghana, Mali, Tunisia and Uganda gave unanimous support to Kenya’s position.

Kenya, with an ivory stockpile of 30 tons, hosted the meeting to discuss pertinent issues related to the conservation of the African elephant, including the details of the proposed ivory stockpile sale by South Africa, Namibia and Botswana, approved at CoP12 after certain conditions are met.

According to CITES, the conditions that must precede the one-off sale of another 60 tons include: verification that only registered govern-

ment stocks originating from exporting countries be sold; that any ivory seized or of unknown origin not be traded; and that the proceeds of the sale be used exclusively for elephant conservation, community conservation and development programs within or adjacent to the African elephant range.

The Kenyan government has expressed concern that several conditions have not been met. One key condition is a system to monitor illegal killing of elephants (MIKE) which has not been able to provide trend data. Because of these failings, Kenya and the six other African states are opposed to any ivory sale.

Ecomessage Helps Enforcement Communication

IFAW is co-operating with Interpol, the International Criminal Police Organisation, to facilitate the sharing of wildlife enforcement information through the promotion of *Ecomessage*.

Interpol’s *Ecomessage* facilitates the communication of information about international wildlife crimes. It will help enforcement officers quickly communicate even the most sensitive law enforcement information to the Interpol General Secretariat in Lyon, France, and to other enforcement agencies anywhere on earth whose participation is needed in a particular wildlife criminal investigation.

Poor communication has repeatedly been cited as a key cause of inadequate international cooperation in the fight against wildlife crime. Law enforcement agencies are not transferring critical data to the right agencies in other countries quickly enough. Criminals trafficking in protected wildlife are escaping as a consequence.

In the coming months, Interpol and IFAW will distribute an *Ecomessage* folio to all CITES Management Authorities and selected wildlife law

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"Ecomessage" Helps Enforcement Communication, continued from page 10

enforcement agencies worldwide. The folio will be produced in Interpol's four working languages (Arabic, English, French and Spanish), and contain instructions and forms in hard copy as well as CD-Rom.

To provide an incentive to use *Ecomessage*, IFAW is sponsoring a US\$30,000.00 *Ecomessage Award* that will be presented during CoP13 in Bangkok to the agency that files the most "significant" *Ecomessage* during a CITES inter-sessional period.

The Interpol Working Group on Wildlife Crime will oversee the award selection. The criteria of "significance" is defined as the *Ecomessage* that most meaningfully contributes to international fight against the criminals who illegally traffic in protected wildlife.

In lieu of cash, the winner will receive up to \$30,000.00 in training and/or law enforcement equipment of its choosing.

Francophone African Countries Say Yes to Appendix I for All Elephants

Senior wildlife officials from 12 French-speaking African countries have called for a full and permanent stop to all trade in ivory and restoration of all elephant populations to CITES Appendix I. The appeal followed a two-day discussion of the status of elephants during a symposium at the French National Museum of Natural History, sponsored by IFAW and France's Societe Nationale de Protection de la Nature, with assistance from Robin des Bois, Mille Traces and Elephant Rescue.

Before making the consensus decision to call for a total ban of ivory trade, the African officials listened to

shocking reports about elephant poaching in each of their countries.

Kourdina Lassou, Director of Wildlife Conservation and Protected Areas in Chad, reported that between 1989, when all elephants were included on CITES Appendix I, and 1997, when the ivory trade ban was relaxed at CoP10, there was no elephant poaching in Zakouma National Park, Chad's most important elephant habitat. But once that trickle of legal ivory was opened, poachers began killing again. Since then 101 elephants and four park rangers have been killed.

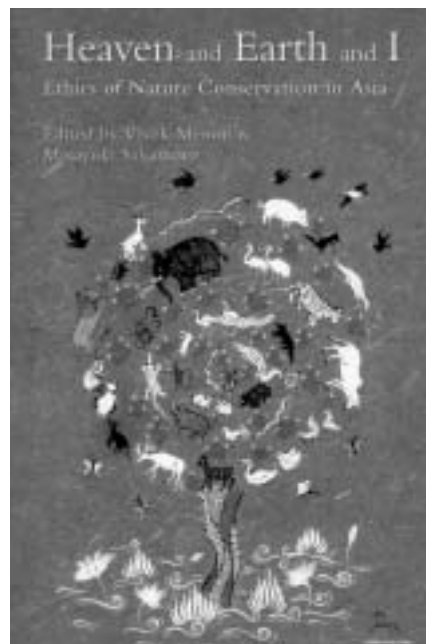
In the Central African Republic, 300 elephants were massacred in a single incident by Sudanese poachers in March 2002. Since 1998, wildlife authorities in Congo (Brazzaville) have seized a total of 914 elephant tusks, indicating the poaching of at least 457 elephants. The most heart-wrenching report came from Garamba National Park in the Democratic Republic of the Congo: a 2002 elephant census found 5,983 elephants, a year later, only 1,453 survivors remained.

Officials from West and Central Africa agreed that poaching has again reached epidemic intensity. There was great concern that much of the elephant poaching is motivated by proposals within CITES to reopen limited legal trade in ivory - thus creating a legal market into which smuggled contraband ivory can be laundered.

Concluding the symposium, Senegal's Abdoulaye Sy expressed the sentiment of all participants: "To those who continue to traumatise, kill and poach the elephant, the participants of the Paris symposium remind them that: When the elephant suffers, it is the country that suffers; when the elephant lives, the nation is assured of its survival."

For the full text of the Paris communiqué, visit www.ifaw.org/us/resolution

Recommended Reading



Heaven and Earth and I - Ethics of Nature Conservation in Asia

Edited by Vivek Menon & Masayuki Sakamoto
Published by Penguin Books, India 2002

With the 13th Conference of the Parties scheduled for Bangkok, Thailand, the CITES meeting will be held in an Asian country for the first time since CoP8 in Kyoto, Japan, in 1992. As the attention of the world will be focused on Asia, where ancient cultures have lived in harmony with nature for centuries, we present this collection of essays on Asian conservation philosophies.

Why do we need to conserve nature? Are the reasons for conservation in India the same as in Japan? While the need for conservation, in ecological and economic terms, is generally accepted, what is frequently ignored are the ethics or spiritual philosophies behind the ideal. This book presents a lucid argument for conservation according to the religious and philosophical beliefs that

Recommended Reading

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permeate Asia. Each chapter deals with a particular nation, and the authors - distinguished names in their own countries and internationally -

expound the distinctive nature of conservation in their respective societies.

We learn how major religions such as Buddhism, Islam, Hinduism and Judaism have influenced conservation movements in various Asian countries, from Thailand and Sri Lanka to Jordan and Israel, and how these compare with the animistic traditions of

countries like Mongolia.

The book is available for a suggested contribution to IFAW of US\$10.00. Please visit www.ifaw.org/donate to make your contribution, then send an email to info@ifaw.org with *Heaven and Earth and I* in the subject line. Please include your shipping address in your message.

This publication is available in English, French, Spanish, Arabic, Chinese and Russian.

The International Fund for Animal Welfare works to improve the welfare of wild and domestic animals throughout the world by reducing commercial exploitation of animals, protecting wildlife habitats, and assisting animals in distress.

IFAW seeks to motivate the public to prevent cruelty to animals and to promote animal welfare and conservation policies that advance the well-being of both animals and people.



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