

TRAFFIC Recommendations on the Proposals to Amend the CITES Appendices at CoP15

Species	Comment	Recommendation
6	<p><i>Loxodonta africana</i></p> <p>CoP15 Prop. 6 [Congo, Ghana, Kenya, Liberia, Mali, Rwanda, Sierra Leone]</p> <p>This proposal from seven African Elephant <i>Loxodonta africana</i> range States would introduce a 20-year moratorium on any future legal trade in raw or worked ivory under CITES by firstly, removing paragraphs h) of the current annotation which applies to the African Elephant populations of Botswana, Namibia, South Africa and Zimbabwe in Appendix II and including a new annotation that would apply to <u>all</u> populations of <i>L. africana</i> in the Appendices, and secondly, by removing paragraph f) which refers to trade in individually marked and certified ekipas incorporated in finished jewellery for non-commercial purposes for Namibia and ivory carvings for non-commercial purposes for Zimbabwe.</p> <p>With regard to paragraph h) and the proposed new annotation, Articles XV and XVI of the Convention permit any Party to propose amendments to the CITES Appendices, both at meetings of the Conferences of the Parties, or between the meetings (by postal procedure), enabling Parties to respond to changing situations through adaptive management. It is neither appropriate nor legally meaningful to limit the rights of Parties to submit such proposals. Further, the Parties have considered the use of annotations in the Appendices in <i>Resolution Conf. 11.21 (Rev. CoP14)</i> and have recognized two kinds of annotation: reference annotations (i.e. those indicating that “one or more geographically separate populations, subspecies or species are in another Appendix”; “the annotation ‘possibly extinct’”; and “annotations relating to nomenclature”) and substantive annotations (i.e. those indicating “the inclusion or exclusion of designated geographically separate populations, subspecies, species, groups of species, or higher taxa, which may include export quotas”; and those specifying “the types of specimens or export quotas”). The suggested annotation for all populations of <i>Loxodonta africana</i> in this proposal does not constitute either kind of annotation described in <i>Resolution Conf. 11.21 (Rev. CoP14)</i>.</p> <p>By advocating the removal of paragraph f) in the annotation, the proposal also seeks to curtail non-commercial trade in worked ivory products from Zimbabwe and in ekipas, a unique traditional ivory product from Namibia, but does not provide substantive evidence to show current problems with control of such trade in either country. Namibia suspended all trade in ekipas on 1 September 2008. In the case of</p>	REJECT

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	<p>Zimbabwe, the CITES Secretariat informed the Standing Committee, at its 58th meeting in June 2009: “the Secretariat has reason to question whether the controls are being implemented adequately, as it is aware of at least two incidents where raw ivory has been exported, accompanied by the export permits that traders are authorized to issue for trade in ivory carvings”. Zimbabwe has also suspended ivory sales, pending a regulatory review. It is encouraging to note that trade provisions have been suspended in both countries whilst regulatory measures are reviewed, strengthened and put in place.</p> <p>Finally, under the existing annotation governing such trade in these two countries, “on a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance”. It is worth remembering, therefore, that if, in the future, there is proper justification to curtail trade in worked ivory from either of these countries, there is a robust mechanism in place for effecting such change.</p>	