



STATEMENT FROM THE AFRICAN WILDLIFE FOUNDATION (AWF) REGARDING PROPOSALS TO AMEND THE APPENDICES AT THE 18TH MEETING OF THE CONFERENCE OF PARTIES TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES) AUGUST 17 - 28, 2019, GENEVA, SWITZERLAND

About AWF at the 18th meeting of the Conference of Parties to CITES

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African Wildlife Foundation's mission is to ensure wildlife and wild lands thrive in modern Africa. We know from more than 55 years of experience in Africa that conservation challenges vary dramatically from region to region and country to country. AWF works in different contexts in Africa and we tailor our interventions according to the prevailing laws and regulations of a country recognizing that it is the inherent right and responsibility of African governments to lead their conservation efforts while serving the interests of their people, including future generations. We acknowledge that effective long-term conservation will not happen without African leadership. AWF supports government and other actions that have positive results for wildlife and wildlands in general. AWF urges a Pan-African approach that is grounded in science and focuses on the needs of the species as a whole; Africa must come together on these issues with urgency and in unified spirit.

CITES is an important mechanism that regulates international trade in over 35,000 species. The purpose of CITES is to ensure that wild fauna and flora in international trade are not exploited unsustainably. It can and should be adjusted to account for pragmatic realities. Highly endangered species and populations are spared trade under CITES. We urge national governments and members to CITES to utilize science within their proposals and debates which focuses on protecting these species within their borders and in their entirety throughout Africa. At CoP18, AWF is submitting our recommendations to the Parties and providing our rationale on seven proposals to amend CITES Appendices I and II.

Summary of AWF recommendations on proposals to amend Appendices

Proposal number	Species names	Proposal	Proponent	AWF recommendation
CoP18 Prop. 5	<i>Giraffa camelopardalis</i> (Giraffe)	Include in Appendix II (see details below)	Central African Republic, Chad, Kenya, Mali, Niger and Senegal	Accept
COP18 Prop. 8	<i>Ceratotherium simum</i> (Southern white rhinoceros)	Remove the existing annotation for the population of Eswatini (see details below)	Eswatini	Reject
CoP18 Prop. 9	<i>Ceratotherium simum</i> (Southern white rhinoceros)	Transfer of the population of <i>Ceratotherium simum</i> of Namibia from Appendix I to Appendix II with the following Annotation: (see details below)	Namibia	Reject
CoP18 Prop. 10	<i>Loxodonta africana</i> (African elephant)	Transfer the population of Zambia from Appendix I to Appendix II subject to: (see details below)	Zambia	Reject
CoP18 Prop. 11	<i>Loxodonta africana</i> (African elephant)	Amend annotation 2 as follows: (see details)	Botswana, Namibia and Zimbabwe	Reject
CoP18 Prop. 12	<i>Loxodonta africana</i> (African elephant)	Transfer of the populations of Botswana, Namibia, South Africa and Zimbabwe from Appendix II to Appendix I	Burkina Faso, Côte d'Ivoire, Gabon, Kenya, Liberia, Niger, Nigeria, Sudan, Syrian Arab Republic and Togo	Reject
CoP18 Prop. 37	<i>Malacochersus tornieri</i> (Pancake tortoise)	Transfer from Appendix II to Appendix I	Kenya and United States of America	Accept

AWF response to proposals to amend Appendices I and II

Proposal 5: Giraffe. Central African Republic, Chad, Kenya, Mali, Niger and Senegal have proposed (CoP18 Prop. 5) to include all nine subspecies of giraffe (*Giraffa camelopardalis*) across the range states in CITES Appendix II in accordance with Article II, paragraph 2 (a), of the Convention.

AWF recommendation is to accept

Rationale for acceptance

Overall, recent information confirms that giraffe numbers have continued declining across Africa with an estimated population of less than 100,000 remaining, down from about 155,000 three

decades ago¹. In 2016, the giraffe was uplisted on the IUCN Red List of Threatened Species from ‘Least Concern’ to ‘Vulnerable’ emphasizing the urgent need to protect the species. The Western and Rothschild’s giraffe were listed as ‘Endangered’ in 2008 and 2010 respectively. However, in southern Africa, giraffe populations have increased in size particularly Angolan giraffe *G. c. angolensis* in Botswana and Namibia and south African giraffe *G. c. giraffa* native to Botswana, Mozambique, South Africa, Zambia and Zimbabwe. We note that, compared to other species, giraffe conservation and management is relatively poorly understood and urge range States to enhance their efforts in conserving the species, learning from the experiences behind increasing populations of Angolan giraffe and south African giraffe mentioned above. AWF has directly supported giraffe conservation in Kenya, Niger and Tanzania and through our landscape conservation programs in southern, central and eastern Africa. Giraffe parts are traded internationally with USA and Europe, major markets for trophies. Ninety four percent of giraffe products and 98% of trophies imported to USA between 2006 and 2015 were exported by Namibia, South Africa and Zimbabwe². While listing the giraffe in Appendix II will not ban international trade in giraffe products, it will require much stricter enforcement by Parties and CITES to ensure such trade meets legal and sustainability criteria. AWF urges Parties to accept this proposal.

Proposal 8: Southern white rhino. Eswatini has proposed (CoP18 Prop. 8) ‘to remove the existing annotation on the Appendix II listing of Eswatini’s southern white rhino (*Ceratotherium simum simum*) population, adopted at the 13th Conference of Parties in 2004, so as to enable Eswatini to realise full Appendix II status for its white rhinos as provided for in Article IV of the Treaty, thereby permitting the regulated legal trade in Eswatini’s white rhinos, their products including horn and derivatives.’

AWF recommendation is to reject

Rationale for rejection

Across Africa rhinoceros face a poaching crisis depleting their numbers at unsustainable levels even though the number of rhinos known to have been poached across the continent since 2015 is estimated to be declining. Considering the decline in the continental population, as well as the high value and demand for rhino horn, AWF does not believe there is currently realistic scope for achieving a sustainable balance between supply and demand. Experience with the ivory trade over the last 25 years has demonstrated that legalized trade has been ineffective in stemming elephant poaching in Africa³. Current illegal trade in rhino horn, similar to the illegal ivory trade, is perpetuated by illegal syndicates that would continue to poach rhinos and trade in horn on the black market in defiance of a legal system. We note that Eswatini’s proposal shows that the rhino population has declined instead of increased. Furthermore, the proposal does not provide details

¹ Muller, Z., Bercovitch, F., Brand, R., Brown, D., Brown, M., Bolger, D., Carter, K., Deacon, F., Doherty, J.B., Fennessy, J., Fennessy, S., Hussein, A.A., Lee, D., Marais, A., Strauss, M., Tutchings, A. & Wube, T. 2018. *Giraffa camelopardalis* (amended version of 2016 assessment). *The IUCN Red List of Threatened Species* 2018.

² IUCN and TRAFFIC 2019. IUCN/TRAFFIC Analyses of the proposals to amend the CITES Appendices. Prepared by IUCN Global Species Programme and TRAFFIC for the Eighteenth Meeting of the Conference of Parties to CITES. IUCN, Gland, Switzerland

³ Hsiang, S. and N. Sekar 2016. Does legalization reduce black market activity? Evidence from a global ivory experiment and elephant poaching data. NBER Working Paper No. 22314

as to how the proposed trade will be carried out, including necessary trade safeguards and regulations neither is the oversight role of CITES Secretariat clear. While we agree that Eswatini needs revenues to support rhino conservation, we do not agree that potential to accrue revenues is a criterion in removing the CITES Annotation. A legal trade would further complicate the efforts of law enforcement in Africa and Asia by creating a veneer of legality behind which illegal activities would persist, and sow confusion among the law enforcement community around what constitutes legal versus illegal horn. Legalizing rhino horn trade would be sending mixed messages to the marketplace at a time when a single, unambiguous message needs to be communicated to the millions—perhaps billions—of existing and potential consumers of this product. Finally, pushing a proposal to trade in rhino horn is a distraction, a waste of political capital, and divisive at a time when stakeholder unity is needed to tackle this crisis. AWF acknowledges the great work being done by Eswatini but given the extraordinary threats facing these highly threatened species, we urge Eswatini to make a necessary sacrifice to abandon opening trade at this time to ensure the long-term conservation of rhinos cross all range states. The international community must urgently assist Eswatini in conservation efforts. AWF urges the Parties to reject this proposal.

Proposal 9: Southern white rhino. Namibia is proposing (CoP18 Prop. 9) to transfer the population of *Ceratotherium simum* of Namibia from Appendix I to Appendix II with the following annotation: "For the exclusive purpose of allowing international trade in: a) live animals to appropriate and acceptable destinations; and b) hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly."

AWF recommendation is to reject

Rationale for rejection

AWF appreciates the conservation efforts and successes in Namibia as expounded in this proposal. However, AWF is concerned that, accepting this proposal would be sending mixed messages to the marketplace at a time when a single, unambiguous message needs to be communicated to the millions—perhaps billions—of existing and potential consumers of rhino horn. Although rhino populations are recovering and progress is being made to curb illegal killing (CoP18 Doc. 83.1), there is no room for complacency as the African rhino is still under threat from poaching and trafficking, overall. Parties must increase efforts to deter poaching, trafficking and demand for rhino horn. Additionally, neighbouring countries have been subjected to pseudo-hunting whereby trophy hunting has been used to obtain rhino horns for illegal trade. AWF does not support future commercial trade in rhinoceros horn. We recommend that Parties reject this proposal. AWF urges the international community to appreciate Namibia's strong record on rhino conservation and to assist Namibia to enhance conservation and development in the country.

Proposal 10: Elephants. Zambia is proposing to 'transfer the population of Zambia from Appendix I to Appendix II subject to: 1. Trade in registered raw ivory (tusks and pieces) for commercial purposes only to CITES approved trading partners who will not re-export.; 2. Trade in hunting trophies for non-commercial purposes; 3. Trade in hides and leather goods; and 4. All other

specimens shall be deemed to be specimens of species in Appendix I and the trade in them shall be regulated accordingly.’

AWF recommendation is to reject

Rationale for rejection

AWF recognizes the efforts that Zambia has put into conservation of elephants including the many challenges associated with this long-term endeavour. AWF commends Zambia. However, AWF considers re-opening of the international trade in elephant ivory during this period of escalated poaching and trafficking as being detrimental to elephant conservation across Africa. We note that the MIKE report (CoP18 Doc. 69.2) documents a rise in PIKE levels in southern Africa including South Luangwa National Park in Zambia during 2015-2017. Any legal international trade will open the possibility of illegally obtained ivory entering the market further endangering elephants. Furthermore, China and many other CITES Parties are closing their domestic ivory markets following Res. Conf. 10.10 CoP17. AWF urges African elephant range States to consult broadly amongst themselves during development of proposals to alter CITES Appendices. AWF urges the international community to support Zambia in conservation and development programs that ensure wildlife and wild lands thrive in the long term.

Proposal 11: Elephants. Botswana, Namibia and Zimbabwe propose (CoP18 Prop. 11) to amend Annotation 2 to the listing in Appendix II of the elephant populations in Botswana, Namibia, South Africa and Zimbabwe which amendments would delete parts of the annotation thus effectively increasing possibilities of further commercial trading of elephant ivory from these countries.

AWF recommendation is to reject

Rationale for rejection

This proposal is similar to proposals CoP17 Prop. 14 and CoP17 Prop. 15 which were not approved by the Parties at the meeting in Johannesburg in 2016. AWF urges Parties to uphold the decision not to reintroduce international trade in ivory. We are against any re-opening of the international trade in ivory and other elephant products at this time when elephants are still facing unprecedented poaching and trafficking crisis. Reopening such trade in ivory to feed unsustainable consumption will further endanger populations across Africa^{4,5,6}. AWF urges all African elephant range States, Botswana, Namibia, South Africa and Zimbabwe included, and the international community to take a firm position regarding protecting Africa’s elephants and to put in place stringent measures that will extinguish the insatiable demand threatening the survival of the world’s largest land mammal. AWF strongly recommends that: 1) all ivory stockpiles be destroyed, and 2) a domestic moratorium on ivory trade be established within each country without delay. These actions eliminate the possibility of an ivory marketplace, remove the economic incentives that are driving poaching, and

⁴ Maisels, F., Strindberg, S., Blake, S., Wittemyer, G., Hart, J., et al. (2013) Devastating decline of forest elephants in Central Africa. PLoS ONE 8(3): e59469. doi:10.1371/journal.pone.0059469.

⁵ Wittemyer, G., Northrup, J. M., Blanc, J., Douglas-Hamilton, I., Omondi, P. and K. P. Burham. 2014. Illegal killing for ivory drives global decline on African elephants. www.pnas.org/cgi/doi/10.1073/pnas.1403984111

⁶ Hsiang, S. and N. Sekar 2016. Does legalization reduce black market activity market? Evidence from a global ivory experiment and elephant poaching data. NBER Working Paper 22314.

prevent illegal ivory from being trafficked under the cover of a legalized trade. These strong steps send a clear message that trafficking of ivory will not be tolerated and will allow Africa's elephant populations to stabilize and recover. We note that many countries, in accordance with Resolution Conf. 10.10 (Rev. CoP17), including China, United Kingdom, USA, Hong Kong, and Syrian Arab Republic have taken important steps to close domestic ivory markets. Other countries are considering tighter measures including closure of domestic ivory markets. AWF urges the Parties at CITES COP18 to act in urgent, united resolve irrespective of the delays and possible failures of some of the earlier proposed mechanisms including the decision-making mechanism (DMM, Decision 14.77) for a process of trade in ivory under the Conference of Parties. Given the current crisis, AWF urges Botswana, Namibia, South Africa and Zimbabwe to make a necessary sacrifice and assist in shutting down the market to ensure African elephant conservation across all range States. Respectfully, AWF urges the international community to assist Botswana, Namibia and Zimbabwe to find alternative means of supporting elephant conservation and rural development. These four countries hold more than 60% of Africa's elephants⁷ and according to both the MIKE (CoP18 Doc. 69.2) and ETIS (CoP18 Doc. 69.3) reports to CITES CoP18, the southern Africa region has shown increase in PIKE levels from 2016 and seizures of ivory in the international marketplace.

Proposal 12: Elephants. Burkina Faso, Côte d'Ivoire, Gabon, Kenya, Liberia, Niger, Nigeria, Sudan, Syrian Arab Republic and Togo are proposing (CoP18 Prop. 12) to 'Transfer the populations of Botswana, Namibia, South Africa and Zimbabwe from Appendix II to Appendix I'.

AWF recommendation is to reject

Rationale for rejection

This proposal, similar to CoP17 Prop.16, refers to the elephant populations of Botswana, Namibia, South Africa and Zimbabwe currently listed on Appendix II in keeping with Res. Conf. 9.24 (Rev. CoP16) Annex 3. However, based on available data⁸ the four national African elephant populations on Appendix II do not meet the criteria for inclusion on Appendix I – these populations are not small as defined in the guideline in Annex 5 of Resolution Conf. 9.24 (Rev. CoP16); they do not meet the criteria for 'marked decline in population size in the wild'. Further information should be provided, such as through The African Elephant Specialist Group's report to CoP18, to enable the Parties to decide. AWF notes that there have been reports of an upsurge in poaching in northern Botswana and the MIKE report to (CoP18 Doc. 69.2), shows an increase in the sub-regional PIKE estimate for Southern Africa from about 0.41 to 0.48 in 2016 and 2017 respectively. Thus, poaching and trafficking could escalate in the region with the world's largest elephant population. AWF agrees that with the proponents that split listing should be discouraged (Res. Conf. 9.24 (Rev. CoP17) Annex 4 because it creates significant enforcement challenges for all range States. We note that there is nothing to prevent countries proposing a transfer of Appendix I populations to Appendix II and a 'one-off sale' or ivory quota in the future. However, AWF urges all countries to close both domestic

⁷ Thouless, C. R., H.T. Dublin, J.J. Blanc, D.P. Skinner, T.E. Daniel, R.D. Taylor, F. Maisels, H. L. Frederick and P. Bouché. 2016. African Elephant Status Report 2016: an update from the African Elephant Database. Occasional Paper Series of the IUCN Species Survival Commission, No. 60 IUCN / SSC Africa Elephant Specialist Group. IUCN, Gland, Switzerland. vi + 309pp.

⁸ Thouless, C. R. *et al.* 2016

and international trade in ivory to curb the current poaching crisis. AWF urges all African Parties to CITES to work towards a common African voice regarding the conservation of this species and to maintain the integrity of the Convention into the future.

Proposal 37: Pancake tortoise. Kenya and United States of America are proposing (CoP18 Prop. 37) to ‘Transfer of the pancake tortoise, *Malacochersus tornieri*, from Appendix II to Appendix I in accordance with Resolution Conf. 9.24 (Rev. CoP17), Annex 1’.

AWF recommendation is to accept

Rationale for acceptance

The pancake tortoise occurs in Kenya, Tanzania and Zambia inhabiting isolated rocky outcrops. It has distinct rigid microhabitat requirements and is discontinuously distributed across range which is rapidly deteriorating in size and quality. The pancake tortoise has a long lifespan (35 years), late maturity (>5years) and low fecundity (laying one or two eggs per year). Pancake tortoises are in great demand for the international pet trade primarily in Asia and USA. Consequently, *M. tornieri* is currently listed in the IUCN Red List of Threatened Species as ‘Critically Endangered’ having been listed as ‘Vulnerable’ in 1996⁹. Illegal collection for the pet trade is the greatest threat to the pancake tortoise. Kenya does not allow wild exports. Tanzania is expected to implement a zero quota for wild specimens. While CITES listed the pancake tortoise in Appendix II in 1975, it is clear that the pancake tortoise now meets the criteria for inclusion in CITES Appendix I in accordance with Resolution Conf. 9.24 (Rev. CoP17), Annex 1, paragraph B and C. Listing in Appendix I, if strictly implemented, will significantly secure the pancake tortoise from the increasing threat of commercial collection to feed the international pet trade. AWF urges all Parties to accept this proposal.

⁹ Mwaya, R.T., Malonza, P.K., Ngwava, J.M., Moll, D., Schmidt, F.A.C. & Rhodin, A.G.J. 2019. *Malacochersus tornieri*. *The IUCN Red List of Threatened Species* 2019: e.T12696A508210. <http://dx.doi.org/10.2305/IUCN.UK.2019-1.RLTS.T12696A508210.en>. Downloaded on 23 July 2019.