

September 22, 2021

Caroline Ladanowski
Director, Wildlife Management and Regulatory Affairs
Canadian Wildlife Service
Environment and Climate Change Canada

Re: Consultation on trade controls in elephant ivory in Canada

Dear Ms. Ladanowski:

On behalf of Wildlife Conservation Society (WCS) Canada, we are pleased to submit our comments to Environment and Climate Change Canada (ECCC) in response to the public consultation on for potential additional trade controls on the international trade of elephant ivory, as per the Canada Gazette, Part 1, Volume 155, Number 30: GOVERNMENT NOTICES.

WCS Canada's scientists specialise in biodiversity, conservation biology, landscape ecology, climate change, and species at risk assessment and recovery in Canada. We are affiliated with sister programs of WCS in nearly 60 countries with long-term commitments and conservation programs in dozens of landscapes and seascapes across the globe. WCS is a strong supporter of CITES, and has staff who have attended all meetings of the Conference of the Parties since CoP7 in 1989. One of us (Dr. Lieberman), leads this and other international policy initiatives at WCS along with all matters of international policy. She also serves as the Chair of the Board of WCS Canada.

This submission is consistent with Wildlife Conservation Society (WCS) responses to similar consultations on elephant ivory trade conducted by the United Kingdom, the European Union, the United States, Singapore, and other countries, as well as WCS input to various processes and discussions by Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). To assist us in developing a comprehensive understanding of the Canadian context, we commissioned a report by E. Cooper Environmental Consulting, which we have attached in draft form. We will send it to you when it is finalised next week.

We appreciate the actions of the Canadian government in working with other governments, conservation organizations, and other stakeholders to combat wildlife trafficking in general, and the poaching of elephants and trafficking in their ivory in particular. We also appreciate the initiation of this public consultation and request for input on a series of options being considered by Canada to strengthen trade controls on elephant ivory in recognition of the increasingly imperilled status of African and Asian elephants.

We are providing these comments while acknowledging that Canada has measures in place that are stricter than the requirements of CITES (so-called "stricter domestic measures"). We also know from experience that Canada is generally open to putting additional measures in place through CITES to combat illegal trade (e.g., rhino horn, tigers, etc.), and to support the efforts of Range States accordingly.

Regarding the Canadian domestic market for elephant ivory:

Various studies have shown that a legal domestic elephant ivory market provides opportunities for laundering of illegal ivory, further fuelling the elephant poaching crisis.¹ It is very difficult to differentiate illegal elephant ivory from legal ivory and traffickers use various techniques to launder illegal/new ivory by making it look legal/old/antique. Furthermore, it is widely acknowledged that demand reduction campaigns are critical in the fight to reduce poaching and illegal trade. Trade bans are an essential part of demand reduction efforts. It is, at best, confusing for consumers to be encouraged not to buy elephant ivory if it is still legally for sale in their country. Allowing the sale of elephant ivory reinforces its social acceptability and makes it a desirable product to own, further fuelling the illegal market and stimulating trafficking. A report published by the United Nations Office on Drugs and Crime (UNODC) in 2010 concluded that “*the trade in illicit ivory is only lucrative because there is a parallel licit supply, and ivory can be sold and used openly. Ivory would lose much of its marketability if buying it were unequivocally an illegal act, or if ownership of these status goods had to be concealed.*”²

WCS Canada would normally propose that Canada prohibit domestic sales of elephant ivory to reduce opportunities for laundering illegal ivory and support efforts to combat poaching and conserving elephants. However, we understand that, under the Constitution of Canada, the federal government does not have the authority to ban domestic sales. Nonetheless, **we urge Canada to commit to work through the Canadian Council of Ministers of the Environment to encourage individual, and ultimately all, provinces and territories to ban domestic sales of elephant ivory.**

Regarding Canadian commercial trade in elephant ivory:

We recognize that the volume of elephant ivory in Canadian trade is small compared to that of many other countries. We also note that recent imports of elephant ivory into Canada for commercial purposes consist entirely of pre-convention items.³ However, as previously noted, it is difficult to differentiate illegal elephant ivory from legal ivory and it is known that traffickers use various techniques to make recent ivory appear old enough to be considered pre-Convention and be traded internationally with reduced CITES controls. International and domestic elephant ivory bans will be more effective if all markets close. **We therefore recommend that Canada suspend all trade in elephant ivory for commercial purposes, including trade in pre-Convention ivory.**

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- ¹ Bennett, E. L. (2015). Legal ivory trade in a corrupt world and its impact on African elephant populations. *Conservation Biology*, 29(1), 54-60. Available at <http://onlinelibrary.wiley.com/doi/10.1111/cobi.12377/full> ; Harvey, R. (2015). Preserving the African elephant for future generations. *South African Institute of International Affairs*, July, available at <http://www.saiia.org.za/occasional-papers/862-preserving-the-african-elephant-for-future-generations/file> ; Lemieux, A. M., & Clarke, R. V. (2009). The international ban on ivory sales and its effects on elephant poaching in Africa. *The British Journal of Criminology*, 49(4), 451-471, available at <http://bjc.oxfordjournals.org/content/49/4/451.full.pdf+html?sid=e62953ae-e11d-468f-b909-c3d818429660>.
Harvey, R. (2015). Preserving the African elephant for future generations. *South African Institute of International Affairs*, July, available at <http://www.saiia.org.za/occasional-papers/862-preserving-the-african-elephant-for-future-generations/file> ; Lemieux, A. M., & Clarke, R. V. (2009). The international ban on ivory sales and its effects on elephant poaching in Africa. *The British Journal of Criminology*, 49(4), 451-471, available at <http://bjc.oxfordjournals.org/content/49/4/451.full.pdf+html?sid=e62953ae-e11d-468f-b909-c3d818429660>.
- ² UNODC (2010). The globalization of crime: A transnational organized crime threat assessment. *Vienna, Austria: United Nations Office on Drugs and Crime*. Available at <http://www.unodc.org/unodc/en/data-and-analysis/tocta-2010.html>.
- ³ Cooper, E.W.T. (2021). *Canadian Approach to Elephant Ivory Trade Controls: Review and recommendations*. Wildlife Conservation Society Canada, Toronto. Copy attached.

Regarding non-commercial trade in hunting trophies:

For imports of CITES Appendix II elephant ivory hunting trophies, Canada accepts that the trophy-exporting countries are following good management practices for their elephant populations and that thorough, science-based non-detriment findings have been completed before issuing export permits. However, for some countries, evidence of these findings and sound science-based adaptive management is rarely available. This puts Canada at risk of supporting unsustainable hunting of Appendix II populations of African elephants. **We recommend that Canada institute the requirement for import permits for all Appendix II hunting trophies.** As noted in the Canadian public consultation text, this requirement would allow Canada to verify that export permits were appropriately issued. Canada already requires import permits for importing pre-convention specimens, so a similar requirement for hunting trophies would be straightforward to implement and would not impose an unreasonable administrative burden.

If CITES is to be effective, it is critically important for the Parties to support and implement CITES Resolutions. We were surprised to learn that Canada had not yet implemented CITES Resolution Conf. 10.10 (Rev CoP18). **We strongly urge Canada to institute verification that elephant ivory imported as hunting trophies is correctly marked as recommended in CITES Resolution Conf. 10.10 (Rev CoP18)** and that a quota for the exporting country has been published by the CITES Secretariat for the year of harvest prior to allowing import.

Regarding other non-commercial trade in elephant ivory:

We recommend that Canada extend the requirement for import permits to all imports of Appendix II specimens, except for those being traded for enforcement or scientific purposes.

Regarding trade in elephant ivory personal and household items:

We are concerned about the exemption from CITES permit requirements for processed CITES-listed specimens imported as personal or household effects, as provided by the Wild Animal and Plant Trade Regulations (WAPTR). We feel strongly that such an exemption offers the opportunity for individuals to launder illegal elephant ivory. We are also concerned about the unavailability of data on the nature and volume of items imported into Canada via this exemption.

While we recognize that the exemption complies with the text of the Convention, we feel that the threat posed to elephant survival warrants imposition of stricter domestic measures by the Parties. **We urge Canada to amend the WAPTR to remove the permit exemption for elephant ivory items imported as personal and household items and institute the requirement for import and export permits.** This action would close a significant loophole in the regulation of elephant ivory trade and provide Canada with greater control over ivory imports.

Regarding a national strategy for combatting wildlife trafficking:

In 2014, the United Kingdom and the United States announced national strategies for reducing the illegal trade in wildlife. The United States implemented the *National Strategy for Combating Wildlife Trafficking* while the United Kingdom published the *UK Commitment to Action on the Illegal Wildlife Trade*.

WCS Canada urges Canada to follow the lead of the United Kingdom and United States by developing and implementing a comprehensive national strategy for combatting wildlife trafficking by improving enforcement and reducing demand for illegally traded wildlife. This strategy should focus on trafficking

of both native and non-native species and be linked to international efforts directed at ending illegal wildlife trade.

Regarding support for elephant range States:

Canada is a member of the Group of Seven (G7) major advanced nations and one of the wealthiest countries in the world.^{4,5} **WCS Canada urges Canada to commit long-term funding support for anti-trafficking and conservation efforts in elephant range States.** Funding could be managed by the Canadian Department of Foreign Affairs, Trade and Development (DFATD).

Regarding the use and trade in walrus and narwhal ivory:

We are aware of concerns regarding the impact of national-level elephant ivory bans on the ability of Inuit in Canada to carve and sell their legally-hunted walrus and narwhal ivory. Because elephant ivory can be readily distinguished from that of walrus and narwhal, any new trade controls in the former should be able to be implemented without risk to the legal walrus and narwhal trade. WCS Canada respects the federally-protected rights of Inuit and Native Alaskans to sustainably hunt marine mammals and to use the animals' parts to produce and sell authentic handicrafts. Such crafting and trade is an integral part of the cultural practices and celebrated in many Inuit and Native Alaskan Arctic communities.

A wealth of scientific evidence supports the perspective that wildlife and natural resources are most likely to be conserved when they are co-managed with the people whose well-being and culture are both founded and dependent on them. In the Arctic, WCS works closely with Canadian Inuit organizations and other partners to promote sustainable Indigenous livelihoods. We have confidence in the ongoing sustainable and equitable management of walrus and narwhal populations by these Indigenous communities, organizations, and associated territorial and provincial governments. Available evidence suggests that legal trade in ivory from these species does not serve as a threat to the conservation status of either species. We wish to take this opportunity to go on record with our support of the Inuit right to sustainably harvest walrus and narwhal, and our view that prohibitions on trade in elephant ivory should in no way be extended to Inuit use and trade in legally hunted walrus and narwhal ivory. Consequently, restrictions on the trade in ivory should clearly specify the type of ivory, and in this case should clearly refer to elephant ivory only.

Thank you for your consideration of our remarks. We are on hand to clarify any aspects of this letter or our recommendations, and look forward to continued dialogue.

Sincerely,



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President and Senior Scientist



Susan S. Lieberman, Ph.D.
Chair, WCS Canada Board of Directors
Vice President, International Policy, WCS

⁴ https://en.wikipedia.org/wiki/Group_of_Seven.

⁵ [https://en.wikipedia.org/wiki/List_of_countries_by_GDP_\(nominal\)](https://en.wikipedia.org/wiki/List_of_countries_by_GDP_(nominal)).



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Ernest W. T. Cooper

**Canadian Approach to Elephant Ivory Trade Controls:
Review and Analysis**



October 1, 2021

Canadian Approach to Elephant Ivory Trade Controls

Review and analysis

Ernest W.T. Cooper
October 2021

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List of Abbreviations and Acronyms

ATIP	Access to Information and Privacy
CoP	Conference of the Parties to CITES
CWS	Canadian Wildlife Service
CITES	<i>Convention on International Trade in Endangered Species of Wild Fauna and Flora</i>
DFATD	Department of Foreign Affairs, Trade and Development [of Canada]
ETIS	Elephant Trade Information System
ECCC	Environment and Climate Change Canada
GPSF	Global Peace and Security Fund [of DFATD]
KWS	Kenyan Wildlife Service
MA	CITES Management Authority
NDF	Non-Detriment Finding (CITES)
SA	CITES Scientific Authority
START	Stabilization and Reconstruction Task Force [of DFATD]
WCSC	Wildlife Conservation Society Canada
WAPPRIITA	<i>Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act</i>
WAPTR	<i>Wild Animal and Plant Trade Regulations</i>
WED	Wildlife Enforcement Directorate [of ECCC]

Executive Summary

In July 2021, Environment and Climate Change Canada (ECCC) initiated a public consultation process for trade controls on elephant ivory trade. The Minister of the Environment invited the Canadian public to provide comments on potential additional trade controls for trade of elephant ivory that could be implemented. This report was commissioned by Wildlife Conservation Society Canada (WCSC) to summarize information about Canadian elephant ivory trade and existing controls as a resource for a WCSC response to ECCC.

Canadian CITES implementation

ECCC is the lead federal department responsible for implementing CITES in Canada and home to the national CITES Management Authority and Scientific Authority. Enforcement of CITES is the responsibility of the Wildlife Enforcement Directorate of ECCC under the authority of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPIITA) and the enabling *Wild Animal and Plant Protection Regulations* (WAPTR).

Canada meets the basic provisions of CITES for trade in elephant ivory as dictated by the Convention. In addition, Canada has implemented a stricter domestic measure than required by CITES by requiring import permits for all Appendix I specimens, including those considered pre-Convention (specimens acquired before the provisions of the Convention applied to the species). Canada also implements stricter domestic measures than required under CITES by not extending the permit exemption for personal or household effects to raw and unprocessed specimens. It is standard and allowable under CITES (Article XIV) for Party governments to adopt measures stricter than those in the CITES treaty (so-called “stricter domestic measures”).

Legal Canadian trade in elephant ivory

Data compiled from the UNEP World Conservation Monitoring Centre CITES trade database provided the following insights into Canadian elephant ivory trade for the period 2014 – 2018:

Imports

- Canada reported that it imported a total of 1,636 elephant ivory items. Piano keys accounted for 50% of all items imported, while tusks accounted for 5%.
- A total of 94% of the items imported into Canada were reported to be pre-Convention and 5% were taken from the wild.
- Personal imports accounted for 64% of the items imported while imports for commercial purposes accounted for 32%.
- No ivory items sourced from the wild were reported imported for commercial purposes. All ivory imported for commercial purposes were reported to be pre-Convention items.
- All the elephant ivory items legally imported into Canada were reported as listed in CITES Appendix I. Data from exporting countries report an additional 242 Appendix II items exported to Canada in 2014 – 2018, including 31 hunting trophies taken from the wild.

Exports

- Canada reported legal (re)exports of 994 elephant ivory items. Carvings accounted for 39% of all items and ivory pieces accounted for 34%.
- A total of 95% of all items were reported to be pre-Convention.
- Exports for personal purposes accounted for 70% of the items (re)exported while commercial exports accounted for 18%.
- All the ivory (re)exported for commercial purposes were reported to be pre-Convention items.
- More than 99% of the ivory items (re)exported from Canada were reported as listed in CITES Appendix I.

Illegal Canadian trade in elephant ivory

Canada does not publish elephant ivory seizure data. Therefore, information on illegal exports or exports is not readily available. A 2019 report by the CITES Secretariat noted that Canada was included among a group of relatively wealthy nations that are not involved in significant illegal ivory trade. Published reports indicated that in the years 2008 – 2019, Canada reported a total of 33 ivory seizure cases with only 11 in the years 2014 – 2018. The numbers, types and sources of items involved in these seizures were not provided.

In February 2014, Canada participated in the London Conference on the Illegal Wildlife Trade—a high-level international conference of 42 countries, hosted by the UK government. The meeting culminated in a collective declaration by the 42 countries (including Canada) to end illegal wildlife trade, help communities that suffer from its impacts, and protect endangered species. During the London Conference, Canada committed CA\$2 million in emergency funding to combat illegal wildlife trade activities in East and Central Africa. These funds were provided to the Kenyan Wildlife Service to combat wildlife trafficking. The funds pledged by Canada appear to have been a one-time commitment. No additional funds appear to have been allocated to specifically support efforts to end wildlife trafficking or support wildlife conservation.

During the London Conference, the United Kingdom and the United States both announced national strategies for addressing illegal wildlife trade. To date, Canada has not developed and implemented a Canadian national strategy for addressing illegal wildlife trade.

Discussion

Commercial trade

The available information indicates that in the years 2014 – 2018, all imports of elephant ivory into Canada for commercial purposes consisted of pre-Convention items. Based on this information, it appears that Canada did not import or (re)export any Appendix II elephant ivory for commercial purposes in those years. Canada has instituted stricter domestic measures for trade than required by CITES by requiring an import permit for all pre-Convention items. Imposing the requirement for Canadian import permits for Appendix II ivory specimens would appear to be one logical next step. It would (as noted) require Canada to verify the veracity of export permits for Appendix II specimens and improve the consistency of approach for Canadian regulation of ivory trade. Careful consideration by Canada is warranted to determine whether further prohibitions on importing or (re)exporting elephant ivory for commercial purposes would help reduce trafficking in elephant ivory or help to eliminate commercial demand for ivory.

Non-commercial trade (hunting trophies)

According to the available data, in the years 2014 – 2018, Canada imported a total of 53 elephant tusks as hunting trophies. These included 22 tusks listed on CITES Appendix I and 31 listed on Appendix II. Together, these tusks represent 27 elephants hunted over the 5-year period.

The sustainability of these hunts is dependent on good management of elephant populations in the range States. Currently, for trade in Appendix II hunting trophies, Canada must rely on the exporting countries to complete thorough non-detrimental findings before issuing export permits, as required by the Convention. At the very least, it would seem reasonable for Canada to institute the need for import permits for Appendix II hunting trophies. As noted in the text of the Canadian public consultation, this would allow Canada to verify that export permits were appropriately issued. Canada already requires import permits for importing pre-Convention specimens, so a similar requirement for hunting trophies should be straightforward to implement and would not impose an unreasonable administrative burden. Furthermore, this action would result in Canada reporting data on all imports of elephant ivory hunting trophies in annual CITES reports, thereby filling a gap in the data available in the WCMC-CITES Trade Database.

It is not clear why Canada is not already implementing CITES Resolution Conf. 10.10 (Rev CoP18). Canada should unquestionably institute verification that elephant ivory hunting trophies are marked as recommended and that a quota for the exporting country has been published by the CITES Secretariat for the year of harvest prior to allowing import.

No re-exports of hunting trophies from Canada were reported in the WCMC-CITES Trade database for the years 2014 – 2018. However, a total of eight Appendix II tusks sourced from the wild were reported as exported from Canada for personal purposes. It was not immediately clear whether these tusks may have originally been acquired as hunting trophies. Either way, given the small numbers involved, prohibiting Canadian re-exports of hunting trophies would likely have little impact.

Other non-commercial trade

In the years 2014 – 2018, Canada did not report importing any CITES Appendix II ivory specimens. However, this is not an accurate representation of trade in those years. Other Parties report exporting an additional 242 Appendix II items to Canada in those same years. According to the available data, almost all the Appendix II elephant ivory imported into Canada consisted of pre-Convention piano keys or tusks imported as hunting trophies. The sole exception was a single tusk taken from the wild and exported to Canada for personal purposes. Previous comments noted the positive aspects of Canada instituting the need for import permits for Appendix II hunting trophies. It would seem reasonable, therefore, to extend that requirement to import of all Appendix II specimens except for those being traded for enforcement or scientific purposes.

Personal and household Items

As previously noted, Canadian legislation provides an exemption from permit requirements for processed CITES-listed specimens imported as personal or household effects. It is not immediately evident whether the data for these imports is compiled, and if so, where. While recognizing that importing elephant ivory personal and household items without permits complies with the text of the Convention, it also seems like an unnecessary loophole in the regulation of elephant ivory trade and an appropriate opportunity for stricter domestic measures. Requiring import and (re)export permits for all elephant ivory items imported as personal and household items would provide Canada with greater control over elephant ivory trade and would result in the data for this trade being recorded in the CITES Trade Database.

Additional opportunities

Canada could consider drafting and implementing a comprehensive national strategy for addressing illegal trade in wildlife by improving enforcement, reducing demand for illegally traded wildlife, supporting sustainable use, and linking to international efforts to reduce wildlife trafficking. A well-structured and implemented national strategy could support efforts to protect and conserve both Canadian native species and exotic species, including but not exclusive to elephants.

Canada's contribution to elephant conservation is not limited to tightening Canadian regulations for elephant ivory trade. Canada could consider developing a long-term plan for supporting anti-trafficking and wildlife conservation efforts in elephant range States. This initiative could support a range of actions such as border control, anti-poaching, human-animal conflict, and habitat loss, and would not need be limited to elephant conservation. Funding could be managed by DFATD.

1. Introduction

On July 24, 2021, Environment and Climate Change Canada (ECCC) published a discussion paper as part of a public consultation process for potential trade controls on elephant ivory trade (Canada, 2021). The Minister of the Environment invited the Canadian public via this notice to provide comments on potential additional trade controls for international trade of elephant ivory. The deadline for comments was September 22, 2021.

The notice provided the following background summary:

“Recently, global concerns regarding African elephant poaching and the negative impacts on elephant populations from poaching and illegal trade in elephant ivory have increased. As a result, countries with significant levels of trade in ivory, including the United States and the United Kingdom have implemented trade controls for elephant ivory trade that are stricter than those required by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Further, there have been growing calls for Canada to consider strengthening domestic measures on importation and exportation/re-exportation of elephant ivory. The aim would be to address increasing global concerns regarding the negative impacts on elephant populations from poaching and illegal trade in elephant ivory.”

E. Cooper Environmental Consulting was commissioned by Wildlife Conservation Society Canada (WCSC) to:

- a) Review and briefly summarize the Canadian government response to trade in elephant ivory.
- b) Review and quantify Canadian trade in elephant ivory for the most recent five years for which data are available.
- c) Provide comments based on the analysis of the collected information to be referenced in a WCSC response to ECCC.

This report is divided into the following six parts. This introduction concludes Part 1. Part 2 briefly describes the methods used to complete the study. Part 3 provides a brief review of the CITES controls currently in place and subject to discussion in this document. Part 4 reviews the current controls in place for regulating Canadian trade in elephant ivory. Part 5 provides a brief analysis of Canadian imports and (re)exports of elephant ivory in the years 2014 – 2018 (inclusive). Part 6 reviews the results compiled in Parts 3 – 5 and discusses the actions that the Canadian government could take to improve Canadian controls of elephant ivory.

2. Methods

The information in this report was compiled via literature review, discussion with relevant authorities, trade data analysis and review of Internet websites.

This document was compiled during a Canadian federal election. Senior Canadian bureaucrats that were consulted did not want to violate the Canadian Caretaker Convention, which requires the federal government to restrict itself to activity that is routine, non-controversial, urgent and in the public interest. Therefore, the information gathered from these discussions has not been cited.

Trade data availability and quality

Data for legal Canadian trade in elephant ivory were sourced from the World Conservation Monitoring Centre (WCMC) CITES Trade Database. There are, however, limitations to the data available in that database due to inconsistencies between the Parties when it comes to data collection and reporting.

Most Parties do not (or cannot) physically inspect every CITES import or export. As a result, some Parties compile annual reports from verified import and export data while others compile their reports based on permit issuance data (including Canada). Additionally, many Parties report only the data compiled from permits and certificates issued by that country, and do not report data from foreign CITES export permits. Canada stopped reporting CITES data from foreign export permits for Appendix II species starting in 2010, but still reports on any CITES import permits (Cooper, 2021).

The WCMC-CITES Trade Database compiles the numbers of items traded in two separate columns—one providing the “importer reported quantity” and the other providing “exporter reported quantity.” The terms “importer” and “exporter” in this context refer to the importing/exporting Parties, and not individual traders.

Trade data were compiled from the WCMC-CITES Trade Database for 2014 – 2018, which were the five most recent years for which data were available.¹ Information on Canadian imports of elephant ivory was primarily sourced from importer (Canada) reported trade data, but exporter reported data were also reviewed to highlight gaps in these data and provide a more complete picture for Canadian elephant ivory trade. Information on Canadian exports of elephant ivory were compiled from exporter (Canada) reported trade data.

Data for Canadian seizures of illegally traded ivory were not available. Data about enforcement actions including the CITES compliance history of Canadian importers and exporters, is compiled in a database called GAVIA (Cooper, 2021). Data from this database are not normally made public but information on Canadian elephant ivory seizures could be requested via an Access to Information and Privacy (ATIP) request. The short period for completion of this report did not allow enough time for the ATIP process. Analysis of illegal Canadian trade in elephant ivory is therefore based on the available anecdotal information and not on analysis of seizure data.

¹ The 2019 Canadian CITES Annual report was delayed due to the impact of the COVID-19 pandemic which required ECCC staff to work from home for an extended period. At the time of writing the 2019 was being prepared and the 2019 and 2020 reports are expected to be submitted in 2021 (Canadian CITES MA, *in litt.*).

Terminology

The WCMC-CITES Trade Database identifies the source of traded items using the terminology provided in Resolution Conference 12.3 (Rev. CoP18): Permits and certificates. The purposes for which CITES species may be traded include the following (CITES, 2002):

- Botanical garden.
- Breeding in captivity or artificial propagation.
- Circus or travelling exhibition.
- Commercial.
- Educational.
- Hunting trophy.
- Law enforcement.
- Medical.
- Personal.
- Reintroduction or introduction into the wild.
- Scientific.
- Zoo.

The possible sources CITES species reported in the WCMC-CITES Trade Database that are potentially relevant to trade in elephant ivory include the following (CITES, 2002):

- (C) Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5.
- (D) Appendix-I animals bred in captivity for commercial purposes in operations included in the Secretariat's Register, in accordance with Resolution Conf. 12.10 (Rev. CoP15), and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention.
- (F) Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof.
- (I) Confiscated or seized specimens.
- (O) Pre-Convention specimens.
- (R) Ranched specimens: specimens of animals reared in a controlled environment, taken as eggs or juveniles from the wild, where they would otherwise have had a very low probability of surviving to adulthood.
- (U) Source unknown.
- (W) Specimens taken from the wild.

The term "pre-Convention" refers to specimens acquired before the provisions of the Convention applied to the species. Resolution Conf. 13.6 (Rev. CoP18) recommends that the provisions of CITES apply to a specimen as of the date on which the species concerned was first included in the Appendices (CITES, 2013).

3. CITES controls for elephant ivory trade

The Asian elephant (*Elephas maximus*) and most populations of African elephants (*Loxodonta africana*) are listed on Appendix I of CITES (CITES, 2021a, 2021b). The exceptions are the populations of Botswana, Namibia, South Africa, and Zimbabwe, which are listed in Appendix II for specific purposes under certain conditions (see Annex I).

Article III of the Convention dictates that trade in a CITES Appendix I species requires issuance of an export permit from the country of export or re-export certificate from the country of re-export, *and* an import permit from the country of import. Article IV states that trade in an Appendix II species requires issuance of an export permit from the country of export or re-export certificate from the country of re-export (CITES, 1973).²

Before issuing export permits for elephant ivory, the authorities in exporting countries must be satisfied that all specimens were legally obtained, and that export will not be detrimental to the survival of the species (commonly referred-to as legal and non-detrimental findings). For Appendix I specimens, the exporting country must also ensure that an import permit has been granted for the specimen. Before issuing an import permit, authorities in the importing country must be satisfied that the import will be for purposes which are not detrimental to the survival of the species involved and that the specimens are not to be used for primarily commercial purposes (CITES, 1973).

African elephants were first listed on CITES Appendix III by the Republic of Ghana in 1976. The species was subsequently listed on Appendix II in 1977 then transferred to Appendix I in 1990. The listing was first annotated in 1997, when populations of Botswana, Namibia and Zimbabwe were transferred to Appendix II. The CITES Appendix II listings for the species have been annotated several times since (CITES, 2021b). Asian elephants have been listed on Appendix I since 1975, with no annotations (CITES, 2021a). The pre-Convention date for all elephant ivory is, therefore, 1975, independent of what country it originates from.

Article VII of the Convention states that Articles III and IV do not apply if the State of export or re-export is satisfied that a specimen was acquired before the provisions of CITES applied to that specimen (i.e., the specimen is considered “pre-Convention”) and issues a certificate to that effect.

Individual specimens of African elephant ivory in trade may be considered pre-Convention or listed on CITES Appendix I or Appendix II, depending on the date the specimens were acquired and from what source. Asian elephant ivory may be pre-Convention or listed on CITES Appendix I, again depending on the date of acquisition. Therefore, CITES restrictions for both species vary depending on the specimen and circumstances.

Furthermore, Article VII(3) states that Articles III and IV do not apply to imported personal or household effects acquired by the owner outside their State of residence and (for Appendix II species) that were taken from the wild in a country where export permits are required for specimens taken from the wild.

Conversely, Article XIV of the Convention notes that the provisions of CITES do not affect the right of Parties to adopt stricter domestic measures for the trade, taking, possession, or transport of species listed in the Appendices of CITES.

² For the sake of brevity, throughout this document the term “(re)export” will refer to export or re-export and “(re)export permit” will refer to either an export permit or re-export certificate, as appropriate.

4. Canadian CITES implementation

Per the Constitution of Canada, the provinces and territories have jurisdiction over wildlife within their borders. The federal government has jurisdiction over coastal and inland fisheries, migratory birds, and wildlife on federal land. The federal government also has jurisdiction over international and interprovincial trade (Canada, 1867).

ECCC is the lead federal department responsible for implementing CITES in Canada and home to the national CITES Management Authority (MA) and Scientific Authority (SA). ECCC is responsible for issuing the majority of CITES export permits and all CITES import permits. Two provinces and one territory issue CITES export permits on behalf of ECCC for terrestrial wildlife within their jurisdiction.³ Export permits originating in provinces and territories that do not have CITES permitting offices are issued by ECCC (Canada, 2017).

Enforcement of CITES (for animals and plants) is the responsibility of the Wildlife Enforcement Directorate (WED) of ECCC under the authority of the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) and the enabling *Wild Animal and Plant Trade Regulations* (WAPTR) (Canada, 1992, 1996).

Canada meets the provisions of CITES dictated in Articles III and IV of the Convention and has implemented stricter domestic measures (per CITES Article XIV) by requiring import permits for importing all Appendix I specimens, including those considered pre-Convention.

Canada also implements stricter domestic measures than required by CITES for import of personal or household effects than required by Article VII(3) of the Convention, which does not differentiate between raw and processed specimens. However, section 15(1) of the WAPTR lists of the following exemptions:

“Subject to sections 16 and 18, an individual is exempt from holding an import or export permit issued under subsection 10(1) of the Act for any animal or plant, or any part or derivative of one, that is listed in Schedule I but not in Schedule II or Schedule III and that is a personal effect or a household effect, except:⁴

(a) in the case of a tourist souvenir, where it was acquired in a country where removal from the wild occurred and where that country requires the prior grant of an export permit before any export of it;

(b) in the case of the export of a dead plant or dead animal, or a part or derivative of one, other than feathers, that is raw, unprocessed, semi-processed or simply dried; and

(c) in the case of a hunting trophy other than one referred to in subsection (2).”⁵

Per section 15(1)(b), raw, unprocessed elephant tusks would not be exempt from the permit requirements of CITES (unless confirmed to be pre-Convention).

³ British Columbia, New Brunswick and Yukon as of March 2021 (Cooper, 2021).

⁴ Section 16 refers to trade in sturgeon caviar. Section 18 dictates that an individual may not sell or dispose of the specimen that is the subject of the exemption within 90 days after import or export. Schedule I of the WAPTR reprints the content of the CITES Appendices.

⁵ Subsection (2) refers specifically to hunting trophies from black bears (*Ursus americanus*) and sandhill cranes (*Grus canadensis*) traded by residents of Canada or the United States.

5. Canadian trade in elephant ivory

Legal trade

Products imported

In the years 2014 – 2018, Canada reported legal importation of 1,636 elephant ivory items, including 814 piano keys, 444 ivory pieces, 300 carvings and 78 tusks (Annex A, tables 1 and 2). Piano keys accounted for 50% of all items imported, while tusks accounted for 5% (Fig. 1).

It is not possible to determine how many individual elephants are represented by Canadian imports. Piano keys usually consist of thin flat pieces of ivory mounted to wooden keys. One source suggests that one elephant tusk could produce enough ivory to complete as many as 45 piano keyboards (Noname Music, 2021). There are 52 white keys on a keyboard, so the 814 piano keys imported into Canada represent fewer than 16 keyboards. Similarly, the ivory pieces and carvings commonly imported legally into Canada are small (E. Cooper, pers. obs.) and many could be produced from a single tusk. The 78 tusks reported imported correspond to 39 animals.

Sources of imported ivory

According to the WCMC-CITES Trade Database, all the elephant ivory items legally imported into Canada in 2014 – 2018 were either confiscated/seized, pre-Convention or taken from the wild. A total of 1,540 pre-Convention elephant ivory items were reported imported by Canada (Annex A, tables 1 and 2), accounting for 94% of all items imported (Fig. 1). Eight confiscated or seized items (<1%) and 88 sourced from the wild (5%) were imported during those years.

Of the 1,636 imported items, 1,534 (94%) were from African elephants (*Loxodonta africana*) and 102 (6%) were from Asian elephants (*Elephas maximus*) (Annex A, tables 1 and 2; and Fig. 1).

Purpose of imports

The elephant ivory items legally imported into Canada in 2014 – 2018 were imported for either personal, commercial, enforcement purposes, as hunting trophies, or for circus/travelling exhibitions. A total of 1,044 items were imported for personal purposes, 525 were imported for commercial purposes, 37 were for circuses or travelling exhibitions, 22 were hunting trophies, and eight were imported for law enforcement purposes (Annex A, tables 1 and 2). The 22 hunting trophies reported by Canada were all listed in Appendix I. Exporting countries reported (re)exporting an additional 31 CITES Appendix II tusks exported to Canada as hunting trophies. Personal imports (including the exporter-reported data) accounted for 67% of the items imported while commercial imports accounted for 28% (Fig. 1).

Of the 88 items reported by Canada as taken from the wild, 22 were imported as hunting trophies, 56 were ivory carvings or pieces imported for personal purposes, and 10 were tusks imported for personal purposes. The 31 additional tusks reported by exporting countries were also taken from the wild. No ivory items sourced from the wild were imported for commercial purposes. All the elephant ivory (100%) imported for commercial purposes consisted of pre-Convention items.

CITES listings of imports

In the years 2014 – 2018, all the elephant ivory items legally imported into Canada were reported as listed in CITES Appendix I, with 94% coming from African elephants.

Other Parties reported an additional 242 Appendix II items exported to Canada in the years 2014 – 2018. These included 155 piano keys, 53 carvings and 34 tusks. The carvings, piano keys and two tusks were pre-Convention, while the other 32 were taken from the wild (31 were hunting trophies).

Products exported

In the years 2014 – 2018, Canada legally (re)exported a total of 994 elephant ivory items, including 392 carvings, 340 ivory pieces, 104 piano keys and 23 tusks (Annex A, tables 3 and 4). Carvings accounted for 39% and ivory pieces accounted for 34% of all items (re)exported. Piano keys and tusks accounted for 10% and 2% (respectively) (Fig. 2).

As with imports (see above), it is not possible to determine how many individual elephants are represented by Canadian exports, although the number would be very small.

Sources of exported ivory

In the years 2014 – 2018, a total of 945 of the elephant ivory items (re)exported from Canada were pre-Convention items. These accounted for 95% of all items (re)exported. Another 20 items were confiscated or seized items and eight were taken from the wild. Confiscated or seized items accounted for 2% and taken from the wild accounted for 1% of (re)exports (Annex A, tables 3 and 4; Fig. 2).

The 8 elephant ivory items sourced from the wild consisted of CITES Appendix II tusks (Annex A, tables 3 and 4; Fig 2).

Of the 994 elephant ivory items (re)exported, 559 (56%) were from African elephants (*Loxodonta africana*) and 435 (59%) were from Asian elephants (*Elephas maximus*) (Annex A, tables 3 and 4).

Purpose of exports

In the years 2014 – 2018, 697 of the elephant ivory items legally (re)exported from Canada were (re)exported for personal purposes, 175 were for commercial purposes, 102 were for circuses or travelling exhibitions, and 20 were for law enforcement purposes. None were exported as hunting trophies. (Annex A, tables 3 and 4). Personal exports accounted for 70% of the items (re)exported while commercial exports accounted for 18% (Fig. 2).

The eight Appendix II tusks sourced from the wild (re)exported from Canada for personal purposes. No items sourced from the wild were (re)exported for commercial purposes. All the ivory (re)exported for commercial purposes were pre-Convention items (Annex A, tables 3 and 4; Fig. 2).

CITES listings of exports

In the years 2014 – 2018, 986 of the elephant ivory items legally (re)exported from Canada were reported as listed in CITES Appendix I and eight were listed in Appendix II. Appendix II specimens, therefore, accounted for less than 1% of all the items reported (re)exported by Canada.

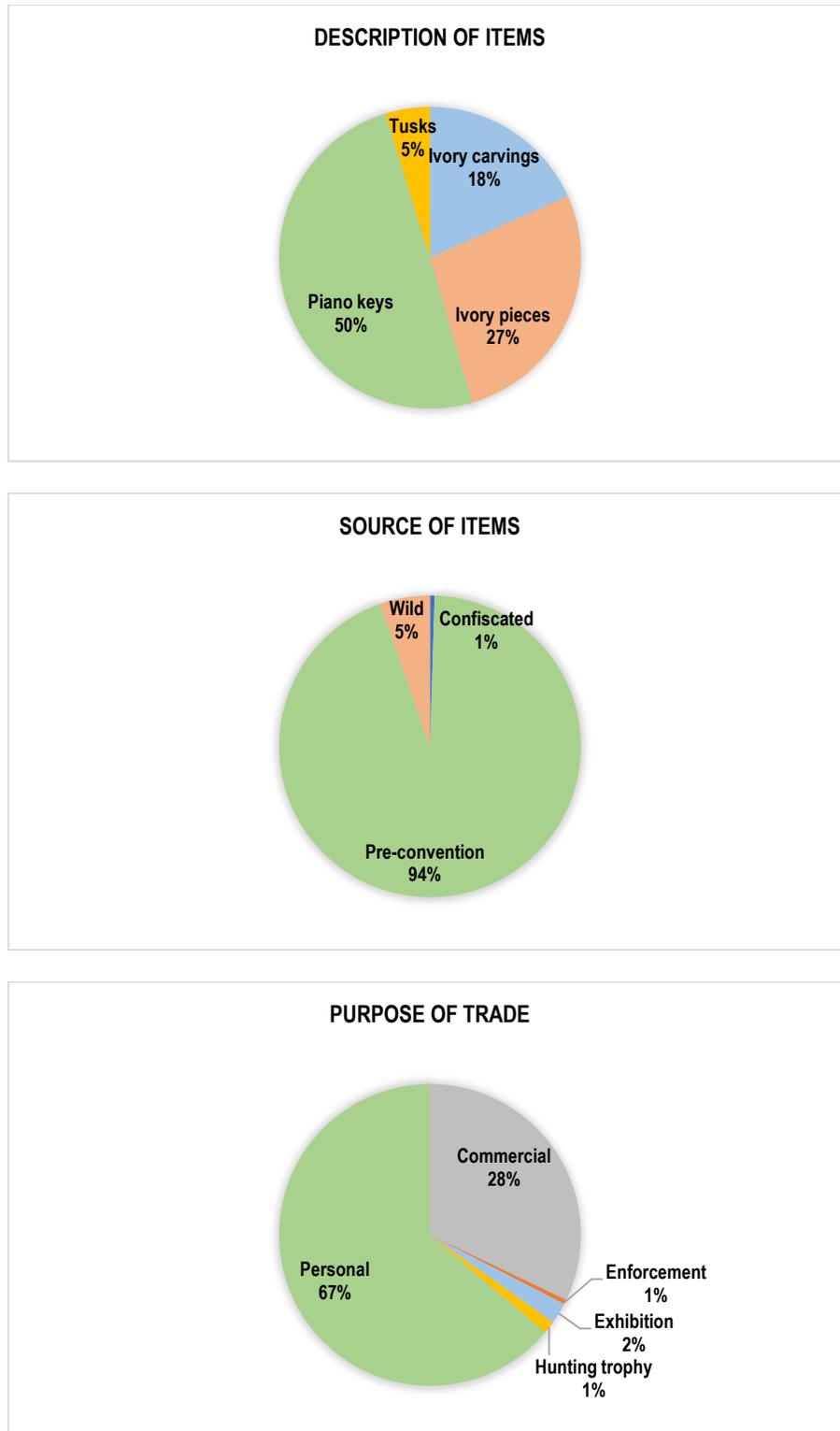


Figure 1. Canadian imports of elephant ivory, 2014 – 2018

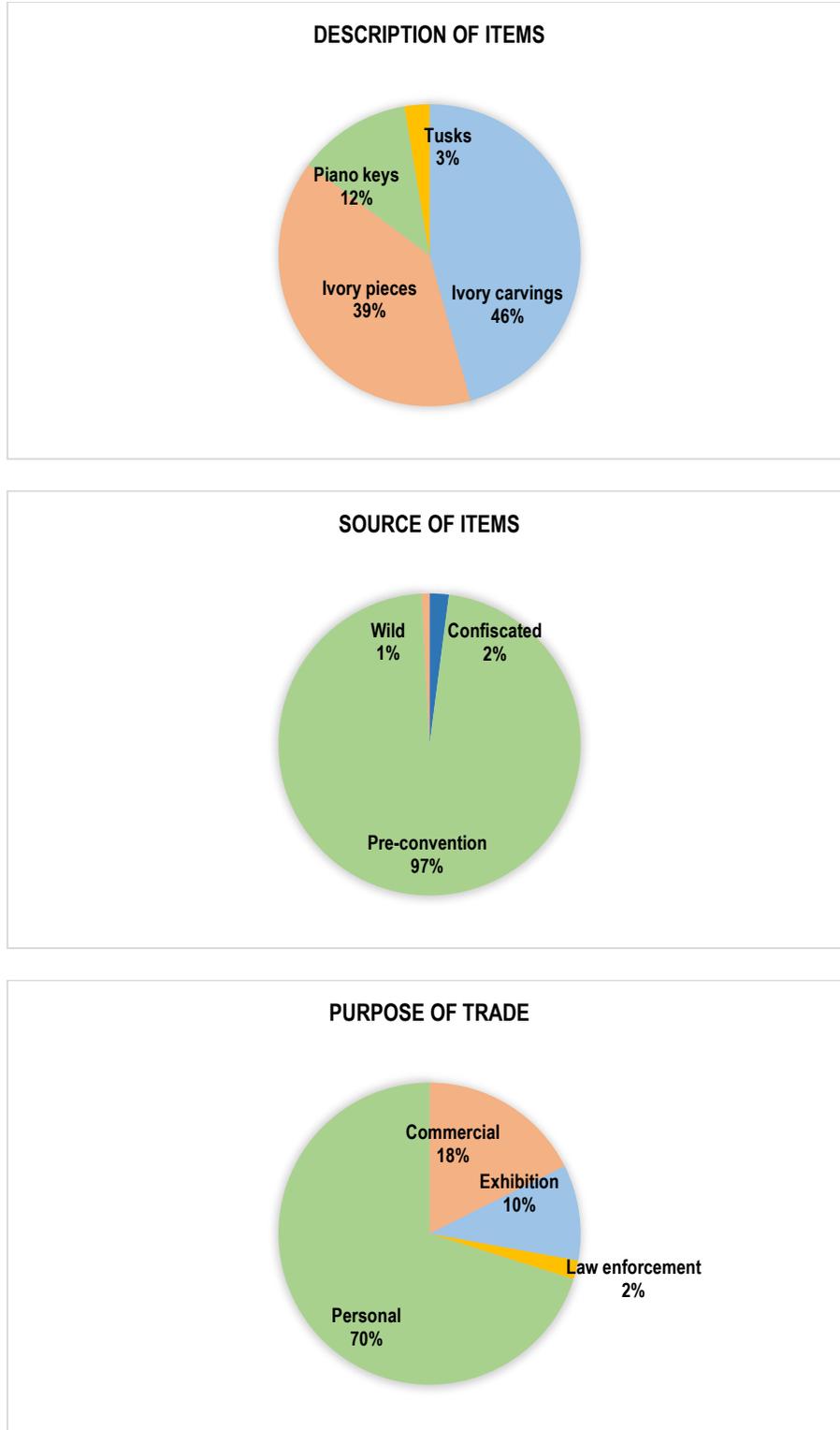


Figure 2. Canadian (re)exports of elephant ivory, 2014 – 2018

Illegal trade

A 2019 report on the Elephant Trade Information System (ETIS) by the CITES Secretariat noted that Canada was included among a group of relatively wealthy nations that are not generally involved in significant illegal ivory trade (CITES, 2019). Unfortunately, detailed information about Canadian illegal trade is not readily available. Canada does not publish seizure data or publicly share Canadian reports to ETIS. A 2020 report prepared for the Secretariat by TRAFFIC indicated that in the years 2008 – 2019, Canada reported a total of 33 ivory seizure cases to ETIS. Eleven of these cases were reported for the years 2014 – 2018 (CITES, 2020). The numbers, types and sources of items involved in these seizures were not provided.

In February 2014, the London Conference on the Illegal Wildlife Trade was held as a high-level international conference of 42 countries, hosted by the UK government. The meeting culminated in a collective declaration by the 42 countries (including Canada) to end illegal wildlife trade, help communities that suffer from its impacts, and protect endangered species (Wilson, n.d.).

At this forum, the United Kingdom and the United States announced the following national strategies for addressing illegal wildlife trade:

- The United States implemented the National Strategy for Combating Wildlife Trafficking to guide and direct the efforts of Federal agencies in addressing wildlife trafficking by strengthening enforcement, reducing demand for illegally traded wildlife, and building international cooperation (USA, 2014).
- The United Kingdom published the UK Commitment to Action on the Illegal Wildlife Trade. The document outlined the actions to be taken to reduce illegal wildlife trade by improving enforcement, reducing demand for illegal products, and supporting sustainable livelihoods and economic development in affected communities (UK, 2014).

To date, Canada has not emulated the United Kingdom or the United States by developing and implementing a Canadian national strategy for addressing illegal wildlife trade.

During the London Conference, Canada did, however, commit CA\$2 million in emergency funding to combat illegal wildlife trade activities in East and Central Africa (Wilson, n.d.). These funds were provided to the Kenyan Wildlife Service (KWS) to combat international wildlife trafficking in Eastern Africa. The Global Peace and Security Fund (GPSF) managed by the Department of Foreign Affairs, Trade and Development (DFATD) Stabilization and Reconstruction Task Force (START) was the source of these funds (Wilson, n.d.).

The funds pledged by Canada at the London Conference appear to have been a one-time commitment. No other examples could be found of Canada providing support to other nations for combatting illegal wildlife trade or furthering elephant conservation efforts.

6. Potential actions for Canadian trade controls for elephant ivory

The July 2021, notice of public consultation for trade controls on elephant ivory trade listed potential actions that Canada could consider implementing, and noted there are three categories of trade to be considered: commercial trade, non-commercial trade, and personal and household items.

The following text repeats those potential actions (verbatim), followed by discussion and comments based on the analysis provided by this document.

Commercial trade

The possible actions pertaining to commercial trade of elephant ivory suggested by Canada include:

- Maintain current elephant ivory controls (status-quo) including Canada's stricter domestic measure of requiring an import permit for all pre-Convention ivory.
- A requirement to obtain a Canadian import permit for Appendix II worked ivory specimens. This would allow Canada to verify that the country of export has done their due diligence before they issued the export permit.
- An import or re-export prohibition for Appendix II specimens for commercial purposes.
- An import or re-export prohibition for pre-Convention raw ivory for commercial purposes.
- A restriction on import or re-export of worked ivory for commercial purposes to ivory items that are: a) pre-Convention and the ivory makes up a small percentage of the volume of a manufactured good, or b) antique ivory that is at least 100 years old regardless of size.
- An import or re-export prohibition for pre-Convention worked ivory for commercial purposes.

Discussion

The available information indicates that in the years 2014 – 2018, all imports of elephant ivory into Canada for commercial purposes consisted of pre-Convention items. Based on this information, it appears that Canada did not import or (re)export any Appendix II elephant ivory for commercial purposes in those years. Canada has instituted stricter domestic measures for trade than required by CITES by requiring an import permit for all pre-Convention items. Imposing the requirement for Canadian import permits for Appendix II ivory specimens would appear to be one logical next step. It would (as noted) require Canada to verify the veracity of export permits for Appendix II specimens and improve the consistency of approach for Canadian regulation of ivory trade. Careful consideration by Canada is warranted to determine whether further prohibitions on importing or (re)exporting elephant ivory for commercial purposes would help reduce trafficking in elephant ivory or help to eliminate commercial demand for ivory.

Non-commercial trade

Hunting trophies

The possible actions pertaining to non-commercial trade of elephant ivory hunting trophies suggested by Canada include:

- Maintain current controls (status-quo), which includes Canada's stricter domestic measure of requiring an import permit for all Appendix I specimens.
- A requirement for an import permit for Appendix II hunting trophies to allow better control before entry into Canada. This would allow Canada to verify that the country of export has done their due diligence before they issued the export permit.
- Verification that the ivory is marked as recommended in CITES Resolution Conf. 10.10 (Rev CoP18) and that a quota for the exporting country has been published by the CITES Secretariat for the year of harvest prior to allowing import.
- Restriction of the number of hunting trophies an individual hunter can import into Canada.
- Prohibition of re-export of hunting trophies from Canada. This would restrict the entry into global trade of tusks obtained through hunting.
- Prohibition of import of hunting trophies into Canada.

Discussion

According to the available data, in the years 2014 – 2018, Canada imported a total of 53 elephant tusks as hunting trophies. These included 22 tusks listed on CITES Appendix I and 31 listed on Appendix II. Together, these tusks represent 27 elephants hunted over the 5-year period.

The sustainability of these hunts is dependent on good management of elephant populations in the range States. Currently, for trade in Appendix II hunting trophies, Canada must rely on the exporting countries to complete thorough non-detrimental findings before issuing export permits, as required by the Convention. At the very least, it would seem reasonable for Canada to institute the need for import permits for Appendix II hunting trophies. As noted in the text of the Canadian public consultation, this would allow Canada to verify that export permits were appropriately issued. Canada already requires import permits for importing pre-Convention specimens, so a similar requirement for hunting trophies should be straightforward to implement and would not impose an unreasonable administrative burden. Furthermore, this action would result in Canada reporting data on all imports of elephant ivory hunting trophies in annual CITES reports, thereby filling a gap in the data available in the WCMC-CITES Trade Database.

It is not clear why Canada is not already implementing CITES Resolution Conf. 10.10 (Rev CoP18). Canada should unquestionably institute verification that elephant ivory hunting trophies are marked as recommended and that a quota for the exporting country has been published by the CITES Secretariat for the year of harvest prior to allowing import.

No re-exports of hunting trophies from Canada were reported in the WCMC-CITES Trade database for the years 2014 – 2018. However, a total of eight Appendix II tusks sourced from the wild were reported as exported from Canada for personal purposes. It was not immediately clear whether these tusks may have originally been acquired as hunting trophies. Either way, given the small numbers involved, prohibiting Canadian re-exports of hunting trophies would likely have little impact.

Other non-commercial trade

Canada suggested the following possible action pertaining to non-commercial trade of Appendix II elephant ivory:

- A requirement for an import permit for Appendix II for ivory specimens to allow better control before entry into Canada.

Discussion

In the years 2014 – 2018, Canada did not report importing any CITES Appendix II ivory specimens. However, this is not an accurate representation of trade in those years. Other Parties report exporting an additional 242 Appendix II items to Canada in those same years. According to the available data, almost all the Appendix II elephant ivory imported into Canada consisted of pre-Convention piano keys or tusks imported as hunting trophies. The sole exception was a single tusk taken from the wild and exported to Canada for personal purposes. Previous comments noted the positive aspects of Canada instituting the need for import permits for Appendix II hunting trophies. It would seem reasonable, therefore, to extend that requirement to import of all Appendix II specimens except for those being traded for enforcement or scientific purposes.

Personal and household items

The possible actions pertaining to personal and household items suggested by Canada include:

- Maintain current controls (status-quo); no CITES permits are required for the movement of personal and household ivory items except for Appendix I tourist souvenirs.
- Replacement of the permit exemption for personal ivory items with a requirement of an import or export/re-export permit.
- Restriction of allowable personal movement of personal ivory items that are part of a household move or inheritance.

Discussion

As previously noted, Canadian legislation provides an exemption from permit requirements for processed CITES-listed specimens imported as personal or household effects. It is not immediately evident whether the data for these imports is compiled, and if so, where. While recognizing that importing elephant ivory personal and household items without permits complies with the text of the Convention, it also seems like an unnecessary loophole in the regulation of elephant ivory trade and an appropriate opportunity for stricter domestic measures. Requiring import and (re)export permits for all elephant ivory items imported as personal and household items would provide Canada with greater control over elephant ivory trade and would result in the data for this trade being recorded in the CITES Trade Database.

Additional comments

Canada could consider drafting and implementing a comprehensive national strategy for addressing illegal trade in wildlife by improving enforcement, reducing demand for illegally traded wildlife, supporting sustainable use, and linking to international efforts to reduce wildlife trafficking. A well-structured and implemented national strategy could support efforts to protect and conserve both Canadian native species and exotic species, including but not exclusive to elephants.

Canada's contribution to elephant conservation is not limited to tightening Canadian regulations for elephant ivory trade. Canada could consider developing a long-term plan for supporting anti-trafficking and wildlife conservation efforts in elephant range States. This initiative could support a range of actions such as border control, anti-poaching, human-animal conflict, and habitat loss, and would not need be limited to elephant conservation. Funding could be managed by DFATD.

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Annex A: *Loxodonta africana* CITES listing annotation

Reprinted verbatim from the Checklist of CITES Species (CITES, 2021b) regarding the split listing of *Loxodonta africana* on Appendices I and II:

CITES Appendix II:

The populations of Botswana, Namibia, South Africa and Zimbabwe are listed in Appendix II for the exclusive purpose of allowing:

- a) trade in hunting trophies for non-commercial purposes;
- b) trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20 (Rev. CoP18), for Botswana and Zimbabwe and for in situ conservation programmes for Namibia and South Africa;
- c) trade in hides;
- d) trade in hair;
- e) trade in leather goods for commercial or non-commercial purposes for Botswana, Namibia and South Africa and for non-commercial purposes for Zimbabwe;
- f) 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;
- g) trade in registered raw ivory (for Botswana, Namibia, South Africa and Zimbabwe, whole tusks and pieces) subject to the following:
 - i) only registered government-owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin);
 - i) only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP18) concerning domestic manufacturing and trade;
 - i) not before the Secretariat has verified the prospective importing countries and the registered government-owned stocks;
 - i) raw ivory pursuant to the conditional sale of registered government-owned ivory stocks agreed at CoP12, which are 20,000 kg (Botswana), 10,000 kg (Namibia) and 30,000 kg (South Africa);
 - i) in addition to the quantities agreed at CoP12, government-owned ivory from Botswana, Namibia, South Africa and Zimbabwe registered by 31 January 2007 and verified by the Secretariat may be traded and despatched, with the ivory in paragraph g) iv) above, in a single sale per destination under strict supervision of the Secretariat;
 - i) the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; and
 - i) the additional quantities specified in paragraph g) v) above shall be traded only after the Standing Committee has agreed that the above conditions have been met; and

- h) no further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition such further proposals shall be dealt with in accordance with Decisions 16.55 and 14.78 (Rev. CoP16).

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 by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations.

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

CITES Appendix I:

Except the populations of Botswana, Namibia, South Africa and Zimbabwe, which are included in Appendix II subject to annotation 2.

Annex B: Canadian elephant ivory trade data

Table 1. Reported Canadian imports of African elephant (*Loxodonta africana*) ivory, 2014 – 2018

Year	Items	Source	Purpose	Quantity
2014	Ivory pieces	Pre-Convention	Circus or travelling exhibition	1
			Commercial	2
			Personal	70
		Wild	Personal	4
	Tusks	Wild	Hunting trophy	2
Total				79
2015	Ivory carvings	Confiscated or seized	Law enforcement	1
		Pre-Convention	Circus or travelling exhibition	3
		Wild	Personal	3
	Ivory pieces	Pre-Convention	Personal	317
	Tusks	Confiscated or seized	Law enforcement	1
		Pre-Convention	Personal	23
		Wild	Hunting trophy	10
Total				358
2016	Ivory carvings	Pre-Convention	Circus or travelling exhibition	16
			Personal	6
	Piano keys	Pre-Convention	Commercial	208
			Personal	294
	Tusks	Confiscated or seized	Law enforcement	6
Wild		Hunting trophy	6	
Total				536
2017	Ivory carvings	Pre-Convention	Commercial	148
			Personal	14
		Wild	Personal	49
	Piano keys	Pre-Convention	Commercial	52
			Personal	104
	Tusks	Pre-Convention	Commercial	3
			Personal	1
		Wild	Hunting trophy	4
Total				385
2018	Ivory carvings	Pre-Convention	Circus or travelling exhibition	2
			Commercial	5
			Personal	2
	Piano keys	Pre-Convention	Commercial	104
			Personal	52
Tusks	Pre-Convention	Personal	11	
Total				176
Grand total				1,534

Source: UNEP-WCMC CITES trade database, importer-reported data.

Table 2. Canadian imports of Asian elephant (*Elephas maximus*) ivory, 2014 – 2018

Year	Items	Source	Purpose	Quantity
2014	Ivory carvings	Pre-Convention	Commercial	1
			Personal	1
	Ivory pieces	Pre-Convention	Circus or travelling exhibition	3
			Personal	7
Total				12
2015	Ivory pieces	Pre-Convention	Personal	40
	Total			
2016	Ivory carvings	Pre-Convention	Circus or travelling exhibition	12
	Ivory carvings		Personal	5
	Tusks		Personal	1
	Total			
2017	Ivory carvings	Pre-Convention	Personal	29
	Total			
2018	Ivory carvings	Pre-Convention	Commercial	2
			Personal	1
	Total			
Grand total				102

Source: UNEP-WCMC CITES trade database, importer (Canada) reported data.

Table 3. Canadian (re)exports of African elephant (*Loxodonta africana*) ivory, 2014 – 2018

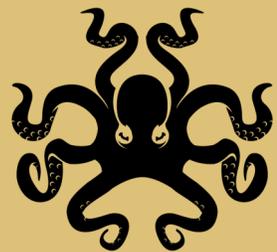
Year	Items	Source	Purpose	Quantity
2014	Ivory carvings	Confiscated or seized	Law enforcement	14
			Personal	170
	Ivory pieces	Pre-Convention	Circus or travelling exhibition	51
			Commercial	11
	Tusks	Wild	Personal	4
Total				250
2015	Ivory pieces	Pre-Convention	Personal	105
			Circus or travelling exhibition	2
			Commercial	4
	Tusks	Wild	Personal	2
Total				113
2016	Ivory carvings	Pre-Convention	Personal	5
			Circus or travelling exhibition	40
			Commercial	2
	Tusks	Confiscated or seized	Law enforcement	6
			Personal	2
		Pre-Convention	Commercial	6
	Wild	Personal	2	
Total				63
2017	Ivory carvings	Pre-Convention	Circus or travelling exhibition	8
			Commercial	20
	Tusks	Pre-Convention	Personal	1
Total				29
2018	Piano keys	Pre-Convention	Personal	104
	Total			
Grand total				559

Source: UNEP-WCMC CITES trade database, exporter (Canada) reported data.

Table 4. Canadian (re)exports of Asian elephant (*Elephas maximus*) ivory, 2014 – 2018

Year	Items	Source	Purpose	Quantity
2014	Ivory pieces	Pre-Convention	Commercial	129
	Total			129
2015	Ivory pieces	Pre-Convention	Commercial	3
	Total			3
2016	Ivory carvings	Pre-Convention	Personal	238
			Circus or travelling exhibition	1
	Total			239
2017	Ivory carvings	Pre-Convention	Personal	64
	Total			64
2018	-	-	-	0
	Total			0
Grand total				583

Source: UNEP-WCMC CITES trade database, importer-reported data.



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