



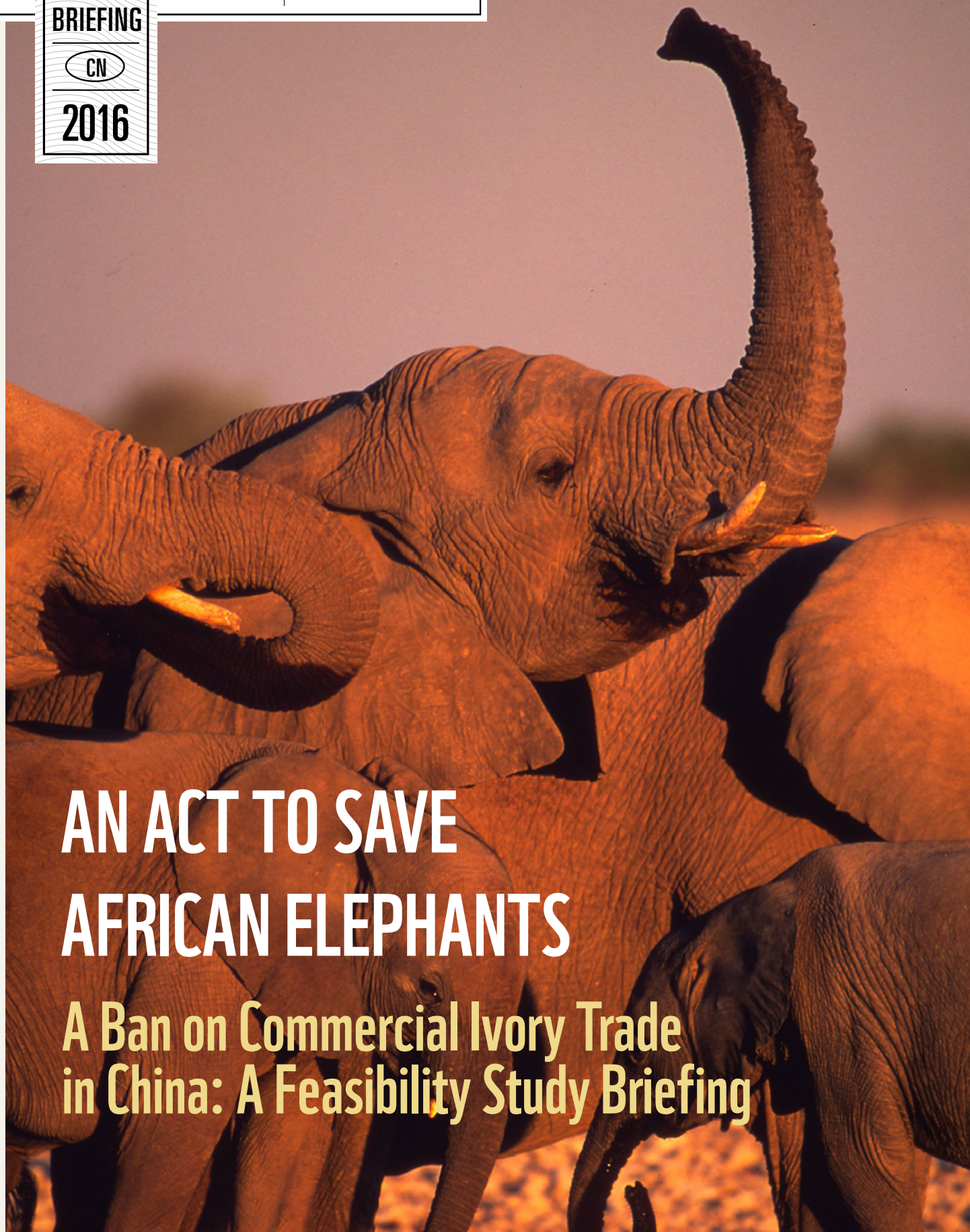
CAMPAINING  
TOGETHER TO  
STOP ILLEGAL  
WILDLIFE TRADE

**TRAFFIC**  
the wildlife trade monitoring network

**BRIEFING**

CN

**2016**



# AN ACT TO SAVE AFRICAN ELEPHANTS

## A Ban on Commercial Ivory Trade in China: A Feasibility Study Briefing

**WWF and TRAFFIC believe that an ivory trade ban in China is feasible and could be effective in contributing to a reduction in current threats to African elephants. Such an ambitious and achievable act could garner positive exposure for China's responsible action on a critical wildlife conservation issue and become a positive influence on other countries efforts to tackle the illicit ivory trade. WWF and TRAFFIC would support an ivory trade ban by the Chinese government and stand ready to assist in its implementation and help evaluate future impacts of such a ban in China and around the world.**

#### **Front cover**

African elephant family group drinking at a watering hole Sub-Saharan Africa  
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Produced by WWF and TRAFFIC  
Published in September 2016 by WWF and TRAFFIC  
Funded by WWF-US

This briefing is a joint effort of the WWF and TRAFFIC network.  
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English language translator: Wang Haoran  
English language editor: Wilson Lau  
Designer: Li Feng

Proposed citation: Xu, Y.; Xiao, Y.; Guan, J. and Lau, W. (2016). An Act to Save African Elephants: A Ban on Commercial Ivory Trade in China, A Feasibility Study Briefing. WWF and TRAFFIC, Beijing, China.

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# Introduction

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Africa's elephants are in crisis. The population of African elephants today are at a record low, with fewer than 500,000 individuals left in the wild, declining from 1.2 million individuals in 1981. The contemporary poaching crisis consolidated in 2010 and since then elephant poaching has escalated to unsustainable levels, leading to a year- on-year decline in many elephant populations<sup>1</sup>. In some parts of Africa, localised extinctions of elephants are actually occurring. The illegal ivory trade is persistent and increasingly well-organised. Reports based on ivory seizures indicate that the volume of illegal ivory trade has tripled since 2007<sup>2</sup>.

Meanwhile, the African elephant crisis has stirred the attention of the international community, which in turn has recognized that an historic opportunity to take actions to save Africa's most iconic species is at hand. This sense of commitment has resonated also in China. In May 2015, the head of China's State Forestry Administration announced that "we will strictly control ivory processing and trade until the commercial processing and sale of ivory and its products are eventually halted". In September 2015, during a State visit to the U.S., Chinese President Xi Jinping and US President Barrack Obama jointly committed to enact nearly complete bans on ivory import and export, including significant and timely restrictions on the import of ivory as hunting trophies, and to take significant and timely steps to halt the domestic commercial trade of ivory<sup>3</sup>. Following this momentum, the Chinese government issued a temporary ban on all ivory imports for commercial purposes in March 2016.

China has one of the largest illegal ivory markets in the world<sup>4</sup>. Since 2002, the reports of the Elephant Trade Information System to CITES have consistently identified China as the leading destination for ivory globally. China's actions, more than those of any other country, have the potential to reverse the rising trends of elephant poaching and illegal ivory trafficking and have a significant impact on the future survival of African elephants.

Therefore, the aim of this current briefing is to provide independent advice and recommendations to the Chinese Government on a possible option that China can consider to address the global problem of illegal ivory trade - a ban on commercial ivory trade in the country. The country's existing ivory trade controls and law enforcement system are examined, in light of the current ivory market in China, as well as the likely impact an ivory trade ban could have. In producing this briefing, WWF and TRAFFIC believe that China can be a leading global example, and provide "best practices" for creating sound policy approaches and timeframes for implementation that will maximize impact on illegal trade and enhance the conservation of elephants.

This briefing is a rapid evaluation based on existing knowledge derived from TRAFFIC's monitoring work of the Chinese ivory market. While this is not a comprehensive study, this briefing does outline issues to take into account when examining the need, feasibility and possible implementation challenges involved when considering a ban on commercial ivory trade in China, as well as some next steps needed towards that end. An effective ivory trade ban in the Chinese context will require careful consideration of the particular regulatory mechanisms and implementation structures and processes that will define and support the new domestic policy. WWF and TRAFFIC fully intend to augment this initial briefing document with further in depth studies.

# 2016 MARKET SURVEYS

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In 2016, WWF and TRAFFIC conducted surveys of physical for both, legal and illegal ivory markets in 10 cities, as well as on-line markets, for illicit ivory. These findings will be used as a baseline to compare the results of future market monitoring to track and understand the impact of an ivory trade ban on the availability of illegal ivory in China.

## Legal markets

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The greatest number of legal outlets for ivory can be found in antique/collection markets, followed by the jewellery sections of shopping malls<sup>5</sup>. Geographically, these markets are primarily located in Beijing, Guangdong Province, Fujian Province and the Yangtze River Delta<sup>6</sup>.

The WWF and TRAFFIC survey in 2016 visited 56 certified retail outlets, and collected data from 46 of these outlets. Thirteen of these outlets either did not feature an “individual ivory product certificate card” adjacent to the item on display or suggested that they need not provide certificates upon selling the ivory product in question. In doing so, some traders are able to render a replacement with an illegally sourced ivory piece with the same measurements outlined on the retained certificate (which specifies the weight, size, type and photo of an ivory piece). This is very easy to do for generic ivory products such as bangles, chopsticks and name seals and facilitates the laundering of illegal ivory into the legal market. Twenty outlets did not have the requisite signage with disclaimers about the regulations concerning ivory purchases, nor were educational materials available for distribution.

28% of retail outlets surveyed  
potentially involved in  
laundering illegal ivory

In all, 29 out of 46 outlets (63%) were found to not be abiding by the regulations for certified ivory dealers; 28% (13 out of 46) of retail outlets were potentially involved in laundering illegal ivory.

In other observations, 22 outlets have diversified their business, selling products made from precious stones such as white jade, emerald, and cloudy amber, while 11 of these outlets were selling mammoth ivory. Nine of the 56 certified retail outlets visited have ceased to operate, and/or are no longer offering ivory for sale.

Ivory carvings that are considered to be a part of China’s intangible cultural heritage are produced by highly skilled craftspeople who devote vast amounts of time and effort to perfect their unique talents. The products that are produced by master carvers have artistic merit and a cultural value that are often reflected in extremely high prices. Currently, despite the great artistry involved, such ivory carvings have not gained widespread popularity, according to discussions with expert carvers. On the other hand, the great majority of ivory products that are purchased in the market are small and simply-carved ivory pieces (see Physical Markets section below).



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### China's laws and regulations concerning domestic ivory trade

China has enacted laws and regulations that provide a system of controls on the ivory trade, of which the most relevant are: *SFA & SAIC<sup>7</sup> Notice No.1 2004, Regulation of the People's Republic of China on the Administration of the Import and Export of Endangered Wild Fauna and Flora (2006), Notice on Strengthening the Management of Ivory and its Products (2008), SFA Notice No.9 2015 and SFA Notice No.3 2016.*

Currently, only manufacturers and retailers with permission and notice from the State Forestry Administration (SFA) are allowed to process ivory and sell ivory products in designated premises. All legal ivory products are registered under the "China Wildlife Mark" system, which mandates an ivory product certificate card, or the so-called "collection card" accompany individual ivory items when displayed and sold to a buyer. According to SFA Notice No.9 2015, there are 34 designated factories and 130 retail outlets in China that are permitted to legally operate in the manufacture and trade of ivory; representing 89 discreet enterprises in total. Licenses to manufacture or sell ivory are renewed every two years, although SFA reviews an entity's eligibility before it is granted a new license. Collectively, all of these licenses will expire after 31 December 2016. Ivory sales, purchases and processing in non-designated premises or by non-designated entities are strictly illegal. To do so would violate the Article 341 of the Criminal Law of the People's Republic of China, which allows for prosecution on the counts of illegal purchasing, trafficking and sales of endangered wildlife and wildlife products. The Chinese Auction Association also issued an auction ban on ivory in December 2011, prohibiting contemporary ivory from being sold at auctions in China. Only ivory products deemed to be pre-1949<sup>8</sup> "cultural relics" by authorities are allowed to be sold at auctions<sup>9</sup>.

Unlike exemptions made in other countries allowing the commercial trade in antique ivory, no such delineation of ivory exists in China beyond the CITES ban and listing of elephants on the CITES Convention as cut-off dates (For further details, see the section below: Why Does China Need A Ban?). Rather, legal trade in China is more specifically defined by who and where it is sold – ivory can only be legally sold at licensed dealers and designated premises.

# Illegal markets

## Physical markets



© TRAFFIC  
Illegal ivory is openly seen for sale in antique/collectors markets, as well as bird and flower bazaars of major cities in China. In 2016, WWF and TRAFFIC surveyed markets thought to be selling illegal ivory in five cities (Beijing, Shanghai, Guangzhou, Tianjin and Xiamen) and found 189 outlets engaged in illegal ivory trade. 1,519 ivory items in total were on display at these outlets, or an average of eight items per outlet. Small items accounted for 97.2% of the total, and more than 80% of these were accessory items such as bracelets, bangles, pendants, and amulets. These small items are mainly produced by machine, with few hand-made elements, so they are very often simply priced by weight rather than for value-added

artistic uniqueness. TRAFFIC's data show that since 2011, the average price of ivory by weight remains at 30 yuan/g (4.5 USD/g) in China. Although the number of displayed items per outlet has decreased compared to survey data from five years ago, the fact that these outlets continue sell ivory is a cause for concern. Illegal shops trading ivory products provide an opportunity for dealers to network with consumers, who could then be enticed to conduct future illicit transactions under the counter or over social media, where law enforcement oversight is more challenging<sup>10</sup>.

## Online (Internet) market

Between January and June 2016, TRAFFIC monitored 31 websites and found 5,543 advertisements of nine endangered species available for sale. Among them, 4,147 advertisements (75%) concerned ivory items. On average, 691 new advertisements for ivory items are uploaded each month. 68% of the illegal ivory advertisements were posted on three websites, with six sellers accounting for 26% of these advertisements. After engaging consumers via the Internet, most sellers connect with consumers directly through telephone and/or social media networks. Because of cooperation between law enforcement agencies, website operators, and NGOs who conduct regular monitoring, the online illegal ivory trade has remained at lower levels since the second half of 2013<sup>11</sup>. Nevertheless, nearly 700 newly posted ivory advertisements can still be found on the internet every month.

75% of the ads about endangered species on TRAFFIC's monitored websites concerned ivory items



## Social media market

Due in part to greater vigilance by law enforcers and non-governmental watchdogs monitoring the physical market and online web-based platforms, the trade in illegal ivory has shifted and begun to flourish on harder-to-monitor social media platforms. Such platforms have become the next major battleground in the fight against ivory trafficking and other illegal wildlife trade activity in China. Transactions made on social media carry less risk for illegal ivory sellers, who are able to hide behind encrypted messaging, the use of proxy accounts and the ability to delete chat history at any time. These practices enabled illegal ivory traders to conceal their identity with ease.

Between May and June 2016, TRAFFIC conducted quick checks of 58 suspected users of a social media platform for ivory trading and found 673 advertisements, with 3,432 images and 89 videos showing content related to illegal ivory trade. The products offered for sale appear to be mainly mass-manufactured ivory items, such as chopsticks and bracelets. Because of a fast-moving market with rapid exchanges in social media, it is very likely that traders post the same product more than once. Therefore, it is challenging to provide an exact quantification of items on offer.

LEFT: A photo posted by an illegal ivory trader on social media. The trader is able to send the ivory items as soon as an order is received from the buyers through social media. The papers on the desk are application forms for sending posting via logistics companies.



MIDDLE: An advertisement posted by an illegal ivory trader on social media. It states that handmade "xy" (which stands for xiang-ya, the Chinese pronunciation of elephant ivory) were available for order. "Just contact me if you like any of them."



RIGHT: The trader states that pan-ya (using cover word for xiang-ya, the Chinese pronunciation of elephant ivory) is a high-end collectable. "We have all kinds of ivory items, and we also have our craftsmen who can do anything according to the pictures you provide. The price is good. We recruit agents for re-posting our ads."

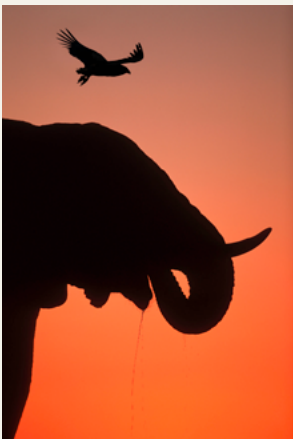


TRAFFIC's interviews with the traders and recent experience indicate that larger ivory items, which were once popular items for gift-giving, were more prevalent prior to the anti-corruption campaigns initiated by the Chinese government in late 2012. Since then, survey data show that larger ivory items are less frequently displayed or offered for sale, while manufactured and semi-manufactured ivory products predominate, including bracelets, bangles, pendants, chopsticks and amulets. These products are usually manufactured by machine, without involving any intricate carving skills, and can therefore be cheaply-produced in small, underground/unlicensed processing operations.

# WHY DOES CHINA NEED A BAN?

As the world's paramount market for ivory, a change in China's ivory policy holds critical importance for reducing trade threats to African elephants. An ivory trade ban could be an effective means of achieving a

'game changing' situation if accompanied by a commitment to strict implementation and law enforcement. If the State Council of China were to issue an ivory trade ban, such action would be widely acclaimed and put China in an elevated global leadership position on a vital conservation issue.



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The African Elephant *Loxodonta africana* has been listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) since 1989, which banned international commercial trade in the species. However, some exemptions to the international trade ban exist, including the trade in ivory and ivory products that were acquired before the Convention took effect in 1976; the trade in antique ivory (in most countries); as well as legally imported ivory prior to the international trade ban in January 1990, which can be legally traded domestically. Moreover, four elephant range States, Botswana, Namibia, Zimbabwe and South Africa have successfully met the CITES criteria for transfer of their African elephants from CITES Appendix I to Appendix II. The CITES Parties have, on two occasions, allowed one-off sales of elephant ivory from the stockpiles of these countries. The CITES-approved one-off sale in 2008 led to 62 tonnes of ivory being sold to China. There is no provision under current CITES rules for any further international commercial trade in post-Convention ivory.

The Chinese Government administrates the legal ivory market by designating certain entities and premises for ivory processing and trade. An "individual ivory product certificate card" has to accompany every ivory item on display and upon selling. Market monitoring has found that the product certificate card that accompanies each piece of legal ivory is sometimes not offered to the consumer upon purchase, which is a violation of China's ivory trade policy. The WWF and TRAFFIC surveys in 2016 found 28.3% of retail outlets were suspected to be involved in laundering illegal ivory. Difficulty in determining legal from illegally sourced ivory products in the marketplace gives rise to a challenging "grey area" not only for China's law enforcement officials, but also consumers who wish to remain law abiding citizens.

Under Chinese policy, the legal ivory market is designed to be readily identifiable through the public display of an accreditation plaque, but in reality the Chinese public remains confused on the legal nature of ivory trade, with many believing that ivory can be traded freely. Indeed, according to WWF and TRAFFIC's understanding of consumers in the market, as well as findings from a public opinion survey<sup>12</sup>, most people lacked understanding of the relevant laws and rules pertaining to legal ivory trade. The prevalence of both ill-informed consumers and crafty traders present a worrying combination and obvious challenges to law enforcement.



Since 2002, ETIS reports to CITES have consistently identified China as the leading destination for ivory globally, a finding that remains true in the current assessment that will be discussed at the 17th meeting of the Conference of the Parties to CITES in September this year<sup>13</sup>. Based on other market surveys<sup>14</sup> and TRAFFIC's surveys in 2013 and 2016, China's legal ivory market management system has over the years faced implementation challenges and failed to ensure effective control of the legal trade. Given the persistent poaching crisis and the continuing importance of China's role, WWF and TRAFFIC believe that an ivory trade ban in China may have the potential to contribute to reversing poaching trends and, thus, reducing the high levels of ivory trafficking currently being seen.

For international commercial trade in pre-convention ivory and in many domestic markets, ivory products must be accompanied by a certificate as proof of legality. However, the forging of paperwork, corruption and fraud by actors along the global trade chain have in some instances rendered ivory from legal channels to be used as a front for laundering illegal ivory<sup>15</sup>.

Studies showed the positive effects of the message “Chinese government to ban ivory trade” in reducing people’s willingness to purchase ivory.

The announcement to commit to a ban in ivory trade by China and the U.S. in September 2015 represented an important global policy commitment, and its effects has been seen beyond the national border of these two countries, garnering positive feedback from the international community. The Hong Kong SAR Government announced in January 2016 its intentions to phase out local ivory trade<sup>16</sup>, while Singapore also stated its intention to positively consider implementing a ban on the domestic trade in ivory<sup>17</sup>. This was followed, in the same month, by an announcement from the French Government to exact strict controls over the ivory trade. In November 2015, 25 African elephant range States announced their support for “all proposals and actions at international and national levels to close domestic ivory markets worldwide”,<sup>18</sup> and some African elephant range States have started taking actions to close their domestic ivory trade<sup>19</sup>. A trade ban in China would fall in line with and directly support the actions of a number of other countries and regions.

Due to public education and targeted messaging by the Government, civil society groups, the media and other public opinion leaders, the Chinese public is also increasingly aware of the deleterious nature of illegally-sourced ivory. One survey showed that a large majority (79%) of respondents in China would support a ban on all buying and selling of ivory in their country<sup>20</sup>. Another study<sup>21</sup> showed the positive effects of the message “Chinese government to ban ivory trade” in reducing people’s willingness to purchase ivory.



### How should a commercial ivory ban in China be defined?

WWF and TRAFFIC propose that the State Council<sup>22</sup> of China explicitly prohibit the import, export, purchase and sale of ivory and ivory products for commercial purposes, and ban the import of hunting trophies from Africa. The ban could exclude the imports, exports and domestic use of permitted ivory and its products for research, cultural exchange, exhibition, law enforcement, and other non-commercial purposes. “Purchase” includes the illegal buying of ivory with the intent to make a profit, for self-use and other purposes; “sale” refers to the conduct of sales and processing for the purpose of making a profit<sup>23</sup>.

A trade ban would add a key element to current restrictions on the ivory trade – the cessation of domestic ivory trade within China. Under current laws and regulations, elephant ivory and products can be legally processed, purchased and sold at licensed factories and outlets for commercial purposes. Under the law, these licenses are up for renewal every two years. With the proposed ban, licenses would not be renewed after their expiry date. Without the renewal of these licenses, no commercial trade in ivory will be allowed in China and a ban would come into place, irrespective of an ivory item’s age.

The SFA Notice No.3 had, in 2016, imposed a temporary ban on imports of ivory and its products that were acquired before the CITES ban on international ivory trade took effect, African ivory carvings acquired after CITES and African ivory acquired as hunted trophies. This temporary ban expires after December 31, 2019. Therefore, all ivory imports are temporarily banned until the end of 2019, except for ivory and its products for research, cultural exchange, exhibition, law enforcement, and other non-commercial purposes. The ban proposed by WWF/TRAFFIC would effectively prolong the ban on imports, African ivory carvings and hunting trophies indefinitely, with no expiry date. A ban on ivory exports should also be in place, in line with current imports ban.

# HOW FEASIBLE IS AN IVORY BAN IN CHINA?

The feasibility of an ivory trade ban in China depends on its economic and social consequences. Available evidence suggests that adverse impacts on businesses and jobs, as well as China's cultural heritage, could be negligible if the ban is carried out with other supportive measures.

A commitment to ban commercial ivory trade in China has to be decided by China's top political leaders, for the long-term development of the nation and the common interests of the international community. The negative effects resulting from Chinese involvement in illegal ivory trade are great and could further impede China's international image, and create obstacles for China-Africa relations and the Belt and Road Initiative<sup>25</sup>. If China wants to play a bigger role in the world, it would be prudent to tackle this negative exposure on a high-profile wildlife trade issue.

Any administrative or legal obstacles to an ivory trade ban do not appear to be insurmountable, though more research and analysis is clearly needed to identify any specific legislative, regulatory or administrative changes that might be required to

## The source of ivory in the legal market and the holders of the raw ivory

There are three sources of ivory in the Chinese legal market: (1) ivory that was legally imported into China before 1991, when the CITES international ivory trade ban came into effect in China; (2) imports of pre-CITES, or pre-Convention ivory; and (3) ivory from the 2008 CITES-approved one-off sale in which China imported 62 tonnes of raw ivory. Five State-owned enterprise (SOEs), out of a total of 34 licensed ivory factories, hold most<sup>24</sup> of the remaining stocks of raw ivory.



African elephant raising trunk to test air for smell in the Moremi Game Reserve, Okavango Delta, Botswana

institutionalise such a ban. The current processing and selling licenses of all accredited manufacturers and retail sellers will expire after 31<sup>st</sup> December 2016, and there would be no violation of any rule or law if the government were to not grant new licenses to these entities after that date. In China, there is no legal precedent which would warrant the compensation of ivory traders in the event of a ban of the commercial processing and selling of ivory. When domestic trade of rhino and tiger products were banned in China in 1993, no compensation was paid to traders. Signals of an intention to ban ivory trade in China have been known to the industry as early as May 2015, and for practical purposes, a grace period for ivory traders can be said to have begun at that time.

Although traditional practices for the carving of ivory is an inherent part of the China's intangible cultural heritage, this kind of art could possibly be inherited or passed on to the next generation in a non-commercial way. As described above, surveys by WWF and TRAFFIC have found that ivory carving artworks, which would be deemed artefacts of intangible cultural heritage, are actually not products that are currently favoured by the majority of consumers in the commercial market. Using commercial trade to protect this art would confuse cause and effect. Allowing an intangible cultural heritage such as ivory carving to perish with the market is not a desirable option either. This veritable



**89 enterprises with licenses to process and/or sell ivory and fewer than 3,000 livelihoods in the sector would be directly affected by the ban**

challenge presents a good opportunity for the Chinese Government to think creatively about protecting an important aspect of China's cultural heritage, albeit through a non-commercial mechanism.

Current ivory businesses would be directly affected, which includes 89 different enterprises with licenses to process and/or sell ivory. Based on available information, the full value of the remaining ivory can be estimated with less than 156 million USD. Further research will need to be carried out to confirm these estimations.

WWF and TRAFFIC have observed that the number of ivory carving craftsmen in an individual ivory factory varies from 3 to 30, and the number of personnel in a retail outlet varies from 2 to 5. Considering the number of other people working for the operation of the entities, it is roughly estimated that fewer than 3,000 livelihoods in the sector would be affected by the ban. However, WWF and TRAFFIC found that nearly half (22/46) of the retail outlets surveyed, and nearly all 34 factories, have already begun to diversify their businesses. For example, at least 19 factories use other materials such as mammoth ivory, jade, wood, and bone for carving business. It is therefore likely that not all affected employees will lose their livelihoods as a consequence of an ivory trade ban.

For a sustainable China and a more climate-friendly world, the government of China has taken decisive actions to, for example, eliminate or restructure polluting and outdated facilities and enhance energy use and efficiency, which has affected many enterprises and jobs. A recent report estimated the economic cost of China's efforts to save energy and cut emissions of harmful pollutants during 2006-2010 with US\$29 billion<sup>26</sup>. Compared to this, the impact of an ivory trade ban on the economy would be minuscule, while the benefits for China – including for its international reputation – will be significant. China's efficient policy-making system could allow implementation of a ban to occur rapidly throughout the country.



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Shanghai, China, Earth Hour 2016 - a mural featuring "No illegal wildlife trade—draw a colourful world" attracted local children

# OUR RECOMMENDATIONS

In the interest of elephant conservation, WWF and TRAFFIC encourage the Chinese Government to put an ivory trade ban in place as soon as possible, with corresponding measures and regulations to complement the trade ban.

## Recommendation #1 Make All Ivory Available in the Markets Illegal



© WWF / James Morgan

Given China's pivotal role in the global ivory trade and the influence that has on African elephant poaching and the trafficking of illegal ivory, it is vital for the State Council of China to issue an ivory trade ban. This would make legislative and administrative processes clearer and would simplify messaging to the extent that all commercial ivory would be prohibited, including all imports, exports, purchasing and selling of ivory and ivory products. This will facilitate more effective law enforcement and raise public awareness on the illegal nature of ivory trade. This in turn could drive a broad societal resolve and willingness to alter consumer behaviour that ceases to harm, and instead to protect, elephants. Given that the law can represent the minimum standard in social morality, changing it towards an ivory trade ban can contribute to reshaping public opinions and social values in the longer term.

An ivory ban would make law enforcement much more straightforward, cost-effective and easier to achieve. The complicated task of distinguishing between legal and illegally sourced ivory would no longer be necessary. With a ban on domestic ivory trade of any kind, law enforcement agencies can focus their efforts on combating crimes involving illegal ivory.

A ban on ivory trade will increase clarity for the public that no ivory would be allowed for sale or purchase, be imported or exported, or to bring into China from overseas. Reducing the ambiguity of ivory's legal status in China could help to lessen consumers' desire for ivory products.

Through reducing ivory presence and visibility in the market, consumer opportunities for acquiring ivory would also be suppressed

For illegal traders, an ivory ban would apply to all ivory, including antiques and modern ivory, whether it is sold online or in physical markets. Indeed, some traders have thought that the trade in antique ivory was allowed regardless, or even if they thought it was not allowed, that only minimal offences for violations would apply. A ban such as this would help to validate China's national commitment towards environmental protection and send a strong message to potential lawbreakers. Though interviews with traders, WWF and TRAFFIC have found that the existing constrained environment and potential outlook of an ivory trade ban are already leading some large ivory manufacturers and wholesalers to abandon the trade and to switch to other industries, demonstrating the deterrent effect of national policies. Through reducing ivory presence and visibility in the market, consumer opportunities for acquiring ivory would also be suppressed.

**Recommendation #2** Implement the ban within one or two year(s), with no expiration date and no compensation

In early June 2016, during the Eighth China-US Strategic and Economic Dialogue held in Beijing, China committed to publishing a timetable by the end of 2016 to halt its domestic commercial trade of ivory. There may however be a grace period between the date the ban is announced, and the date that it comes into effect. WWF and TRAFFIC understand the need to allow time for legislative changes and implementation, and the time for ivory businesses to liquidate their stocks and transform their business. However, given the urgency of the poaching crisis, we would expect such an allowance to be as short as possible.

Through an ivory ban, China can effectively contribute to reducing the threat to African elephants. With a persistent crisis of elephant poaching and declining elephant populations in many range States, China's policy changes could seriously impact global trends in ivory trafficking. Actions taken in China to reduce the threat to elephants would elicit wide-ranging support from other countries and regions. China has an effective political system and could translate the national will into reality within a short period.

WWF and TRAFFIC do not expect an expiry date on the ivory trade ban, since it will take a long time and a wide range of global efforts to eliminate all threats to African elephants. An expiry date could create an expectation that ivory trade would return at some point in future, thereby encouraging the stockpiling of ivory.



African elephant bones, from ivory poaching. Kenya, Tsavo National Park

© naturepl.com / Bruce Davidson / WWF

The poaching crisis could ease as a result of China's ivory trade ban, but oversight of illegal ivory trade must continue for the foreseeable future, in China and other ivory markets. Implementing a ban on ivory trade with no pre-determined expiry date is, thus, preferable given the uncertainties about illegal trade markets and inconsistent law enforcement capacity in some countries for counteracting such illegal activities. In China, the capacity of law enforcement should also be enhanced to complement the implementation of an ivory trade ban, and address potential illegal activities that may continue.

**China has an effective political system and could translate the national will into reality within a short period**

Further, WWF and TRAFFIC believe that it is not necessary to compensate ivory businesses for enacting an ivory trade ban. As is mentioned above, there were no compensations provided to businesses that were affected by China's ban on the trade in tiger bone and rhino horn back in 1993. Moreover, as interviews have revealed, many of these enterprises have already diversified their business. Policies and measures that support these enterprises to transform their business shall be actively pursued, rather than direct financial compensation to ivory traders.



**Recommendation #3** Promote and provide support for sustaining ivory carving skills for non-commercial purposes

Intangible cultural heritage of the nation, such as traditional practices in ivory carving, is a treasured part of Chinese culture and history. Thus a ban on commercial ivory trade could be perceived by critics to be contrary to the preservation of ivory carving as an aspect of Chinese traditional culture. The Government can support the small number of highly skilled craftspeople who remain and sustain this unique art form, in a manner that supports both wildlife conservation and cultural heritage protection, without necessarily maintaining commercial ivory trade as an outlet.

One suggestion is to consider transforming promising ivory enterprises into non-profit organisations, so that master ivory-carving skills can be sustained. Another is to offer inheritors of the craftsmanship employment in museums and research institutions. Work that is produced are displayed and appreciated in public museums. In this way, ivory stocks that are under strict control, and permitted to be used only for non-commercial purposes, could be used to maintain the country's unique intangible cultural heritage. A regulated system should be developed for use only by the crafters/inheritors to track ivory pieces from a holding place where raw ivory is stored, to completed works of carved ivory displayed for public viewing. Meanwhile, policies could be developed to support non-profit organisations, private enterprises and the public to aid in the preservation and inheritance of ivory carving skills.



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Although traditional practices for the carving of ivory is an inherent part of the China's intangible cultural heritage, this kind of art could possibly be inherited or passed on to the next generation in a non-commercial way.

To avoid any misunderstanding and contradictions over attempts to promote ivory carving as part of China's cultural heritage on the one hand, and instituting a ban on commercial ivory trade on the other, the Government should place effort in constantly educating the public about these dual priorities. It is vital that the wider public understands and accepts that sustaining and promoting ivory carving as cultural heritage will not impede broader conservation goals of stopping the killing of elephants in Africa. When ivory carving is displayed as cultural heritage by museums and galleries, these locations should simultaneously aim to raise awareness about the legal constraints of trading in ivory, and the importance of supporting wildlife protection, e.g. through posters, pamphlets and video at these venues.

As mentioned above, some carvers are turning to other materials, such as mammoth ivory to continue carving work. Mammoth tusks are being sold in China's ivory markets as alternatives to elephant ivory. Mammoths that have died out over thousands of years ago, have tusks of a similar texture to elephant ivory. However, since mammoth tusks are not a renewable resource, more research around sustainable alternatives and monitoring of the mammoth ivory trade needs to be carried out in the future.

#### Recommendation #4 Ensure that Law Enforcement is Effective and Feasible



Seized Shipment of  
Illegal African Elephant Tusks, Thailand

**The lack of oversight of the market and legal deterrents can fuel illegal behaviour, detracting from the effectiveness of a ban**

The purpose of an ivory trade ban is to control illegal ivory trade. To ensure that illegal trade in ivory declines in China, any decision to ban will have to be complemented by considerable investment to scale up law enforcement. Illegal activities are often sustained when law enforcement is inadequate and the lack of oversight of the market and legal deterrents can fuel illegal behaviour, thereby detracting from the effectiveness of a ban.

**Making law enforcement effective:** State and local administrations of commerce are currently responsible for routine inspections and surveillance of markets. Responsibility for ivory retail outlets, however, is just one of many other tasks of these regulatory agencies, and it is not always of high priority. Therefore, it is suggested that the existing inter-agency CITES enforcement coordination groups at national (NICE-CG) and provincial (PICE-CG) levels should be empowered to add capacity to the task of law enforcement. Effective market oversight will reduce opportunities for illegal activities related to ivory trade, and in doing so, help to contain market demand for illegally-sourced products.

Traders of illegal ivory often display small amounts of ivory items in their outlets. When caught, law enforcement agencies typically have to assess whether illegal ivory traders, even those with small amounts of illegal ivory, can be tried in a criminal case. If that is not possible, the case will undergo the procedure for administrative penalties only, i.e. imposing a fine or confiscation. In practice, such procedures can take one month or more to complete. Given the often small amounts of illegal ivory involved and the case load of law enforcement officers, such minor crimes may have been ignored in the past. It is suggested, however, that a judicial interpretation under the Criminal Law be established to allow cases to be assessed directly for administrative punishments when they are below a certain value, so that the procedures can be sped up.

**Making law enforcement feasible:** Advertisements on ivory products are commonplace on the Internet and social media, although some online traders do not in fact possess the ivory pieces, but are simply re-posting advertisements. The newly revised Wildlife Protection Law has placed bans on online advertisements of the sales, purchase and use of ivory. However, there are as yet no detailed implementation rules, and no clear assignment of government agencies that are responsible for enforcing this. It is necessary, therefore, to clarify this and to give clear definitions on illegal practices related to online sales and advertising of ivory products by developing comprehensive regulatory protocols and updating interpretations of the law. Law enforcement agencies should be empowered to exact punishment on illegal online sales and advertising. Meanwhile, the Chinese Government should develop technologies and measures that can assist in combating illegal trade on online and social media platforms. These technologies and approaches could then also be shared with other countries that face similar challenges.

## Recommendation #5 Suppressing the Demand for Illegal Ivory

Raising awareness about the law could provide an important enabling environment for an ivory trade ban in China to influence consumer behavior

Implementing an ivory trade ban will not immediately put an end to the market for illegal ivory until such time as it is deemed socially and culturally unacceptable to consume ivory. This is unlikely to occur in the short term, but efforts to enact an ivory trade ban should be accompanied by efforts to change consumer behaviour in order to reduce demand; in line with a twin-track approach of policy change and consumer engagement.

Market observations suggests that many consumers have little knowledge about the legality issues around ivory. Improving understanding and knowledge around the ivory trade ban is therefore essential, and will provide a foundation for follow-up messaging targeted to change attitudes and specific behavioural practices, based on evidence and insight.

In this way, raising awareness about the law could provide an important enabling environment for an ivory trade ban in China to influence consumer behaviour. Government should make consumers aware of the reasons for protecting endangered wildlife and prohibiting ivory trade, and inform the public about the consequences of violating the law, as well as channels available for reporting ivory-related crimes. By doing this, public awareness for the conservation of elephant and a willingness to combat illegal ivory trade would be mainstreamed. As well, potential law breakers would be deterred.

The Chinese government has demonstrated great leadership in promoting an “Ecological Civilisation” as a core value and guiding political philosophy. Statements within the narrative for this important initiative, include a commitment to “raising public awareness of the need to conserve resources, protect the environment and promote ecological progress, and foster a social atmosphere of practicing moderate consumption and cherishing the ecological environment”. Aligning government messaging to demonstrate how Chinese people can show their support for the ban and achieve an Ecological Civilisation in China, could be an extremely powerful motivator for changing the behaviour of ivory consumers.

勾起手指, 连结拯救的决心

拒绝购买象牙制品, 支持象牙禁贸。勾勾手指, 把拯救大象的承诺传递下去。

Link your fingers to support elephants

Reject ivory and support the ban. Link your fingers to pledge your support for elephants!

拯救大象不能没有你! 扫描二维码  
或登录 <http://www.wwfchina.org/ivory>  
传递您的承诺。

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# AFRICAN ELEPHANTS IN CRISIS



## 20-30 thousand

The poaching crisis have led to the slaughter of 20-30 thousand elephants each year for their ivory.

## 470,000

Merely 470,000 elephants are estimated to be left on the African continent today, declining from 1.2 million individuals in 1981.




## 1-2 years

We expect the government to **implement an ivory trade ban** within one or two year(s).

## 274 tonnes

The volume of seized ivory globally, between 2007 and 2014, amounts to 274 tonnes. This is only a tip of the iceberg in the illegal trade of ivory.

	<p><b>Why we are here</b></p> <p>To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.</p> <hr/> <p><a href="http://panda.org">panda.org</a></p>
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<p><b>TRAFFIC</b> the wildlife trade monitoring network</p>	<p><b>Why we are here</b></p> <p>TRAFFIC's mission is to ensure that trade in wild plants and animals is not a threat to the conservation of nature.</p> <hr/> <p><a href="http://traffic.org">traffic.org</a></p>
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