CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

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Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

A. Proposal

To transfer the population of the African elephant, *Loxodonta africana* of the United Republic of Tanzania (URT) from Appendix I to Appendix II in accordance with the precautionary measures specified in Annex 4 A 2b) i), ii) and c) of Resolution Conf. 9.24 (Rev. CoP15) with an annotation to read: for the exclusive purpose of the following:

a) trade in hunting trophies for non-commercial purposes;

b) trade in registered raw ivory (whole tusks and pieces) subject to the following:

i. a one-off sale of 101,005.25 kilograms from registered government-owned stocks, originating in Tanzania (excluding seized ivory and ivory of unknown origin);

ii. only to trading partners that have been already designated by the Standing Committee, as having 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.CoP15) concerning domestic manufacturing and trade. These are Japan designated as a trading partner at the 54th meeting (Geneva, October 2006), and China designated as a trading partner at the 57thmeeting (SC57, Geneva, July 2008);

iii. not before the Secretariat has verified the registered government-owned stocks;

iv. the proceeds of the trade are used exclusively for elephant conservation, community conservation and development programmes within or adjacent to the elephant range in Tanzania.

v. Tanzania will not present further proposals to allow trade in elephant ivory from its population in Appendix II to the Conference of the Parties for the period from CoP16 and ending four years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs b) i), b) ii), b) iii), b) iv). In addition such further proposal shall be dealt with in accordance with Decisions 14.77 and 14.78.

c) trade in raw hides including foot, ears and tails

d) trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20;

The Standing Committee can decide to cause the trade in a), b), c) and d) above 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 as maybe proposed by the CITES Secretariat. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

B. Proponent

The United Republic of Tanzania (URT) [*].

C. Supporting statement

1. Taxonomy

1.1 Class: Mammalia

1.2 Order: Proboscidea

1.3 Family: Elephantidae

1.4 Genus, species or subspecies, including author and year: *Loxodonta africana* (Blumenbach, 1797)

1.5 Scientific synonyms: --

1.6 Common names: English: African elephant
French: éléphant d'Afrique
Spanish: elefante africano

1.7 Code numbers: CITES A115.001.002.001
ISIS 530141500100200100 1

2. Overview

The Tanzania elephant population does not qualify for any of the biological criteria for Appendix I as specified in Annex 1 to Resolution Conf. 9.24 (Rev. CoP 15) due to: i) the wild population is not small, ii) the distribution is not restricted to an area and iii) the population in the wild has considerably increased from about 55,000 in 1989 to 110,000 in 2009, (TAWIRI, 2009) in the last two decades and continues to increase. Therefore the current population is clearly an Appendix-II population that meets criteria A of Annex 2b. The proposed annotation is also in conformity with the precautionary measures as spelt out in Annex 4, particularly paragraphs 1.1, A 2 (b) i) and ii) and (c).

2.1 Tanzania adheres closely to CITES

Adoption of the Tanzania Wildlife Policy of 1998 revised in March 2007 and the Wildlife Conservation Act No. 5 of 2009 which among other provisions, takes on board CITES matters and other International Conventions/Treaties, of which Tanzania is a Party. Further enforcement would be provided in the new CITES Implementation Regulations for Zanzibar awaiting Secretariat's comments.

2.2 Tanzania is committed to contributing to monitoring systems

Tanzania is implementing MIKE and ETIS programmes effectively in line with decisions adopted by the Conference of the Parties. Tanzania also adheres to international standards of managing ivory stocks. To this end Tanzania has adopted a computerized ivory management system that was devised by TRAFFIC.

2.3 The Government of Tanzania has effective elephant conservation measures, which include:

I. Adoption and operationalization of the Elephant Management Plan of 2001 and its revision in June 2010. The previous Elephant Management Plan (2001) put the preferred upper limit of



[*] *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

elephant population for Tanzania at 100,600 animals. Tanzanian elephant population is now beyond that limit.

II. Promotion of wildlife conservation outside Protected Areas administered by the central government (National parks, Ngorongoro Conservation Area, Game Reserve and Game Controlled Areas) by putting a legal mechanism (Wildlife Management Areas Regulations, 2012) that allows local communities to establish Wildlife Management Areas in village lands that are potential for wildlife. This has enabled the local communities be involved in wildlife conservation and benefit from conservation activities on their land. This strategy has increased the country's protected area network by 29,000 $km^2$ and shall continue to add more land for wildlife conservation.

III. Intensification of special training to wildlife officers on prosecution, intelligence and combating illegal off take of wildlife resources as well as provision of field gear and equipment. Light aircrafts for monitoring wildlife populations and anti-poaching operations have been increased from 5 in 1989 to 12 in 2012. The Government is in process of procuring a helicopter to strengthen anti-poaching operation. Also, private sectors are supporting government efforts in anti-poaching by providing equipment, funds and personnel.

IV. Legal provision for creation of new wildlife protected areas, which are beneficial to elephants. Expansion of the wildlife protected areas network from 11 National Parks in 1989 to 15 in 2012, and from 11 to 28 Game Reserves today. National Parks cover 57,387 $km^2$ while Game Reserves cover 109,416.97 km2. In addition, Ngorongoro Conservation Area covers an area of 8,288 km2.

V. Provision of 25% of the revenue from sport hunting and 100% of the revenue from resident hunting to District Councils to support community development projects and conservation activities at the District level has enhanced support to conservation by local authorities. In addition to that 65% from photographic tourism and 75% of the block fee in Wildlife Management Areas is ploughed back to local communities.

VI. Retention of 100 % of revenues generated by Tanzania National Parks and Ngorongoro Conservation Area Authority, and the provision in which the Treasury allows Selous Game Reserve to retain 50 % of its revenues.

VII. Ratification and implementation of international and regional agreements has created synergy with national efforts in conservation of elephants. The regional agreements include; the Lusaka Agreement Task Force (LATF, Lusaka 1996) on cooperative enforcement operations directed at illegal trade in wild fauna and flora, the Southern African Development Community (SADC) Protocol on Wildlife Conservation and Law Enforcement that was ratified in 2000.

VIII. Cooperation with neighbouring countries, especially Kenya (Kilimanjro-Amboseli, Serengeti-Masai Mara and Mkomazi-Tsavo) and Mozambique (Selous-Niassa Wildlife Corridor) in cross border law enforcement.

2.4 Precautionary measures

a) Tanzania's registered ivory

Only ivory from the elephant population of Tanzania is included in this proposal.

b) Ivory to be marked with a standard system

In accordance with Resolution Conf. 10.10 (Rev. CoP15) all whole tusks in the stockpile have been individually marked with punch dye and allocated a unique serial number in indelible ink. The marks are correlated with the register (database) entry showing area of origin and source. Smaller pieces (less than 1 kg or 20 cm in length) are weighed together in bags. Ivory of unknown origin or coming from outside Tanzania is kept separate from the Tanzania stockpile and it is not included in the requested sale.

c) Sale through one single centre

All ivory sales and subsequent packaging and dispatch will take place only at a secure place with ample working space selected by the Wildlife Division of the Ministry of Natural Resources and Tourism of Tanzania.

d) Number of ivory shipment

For ease of monitoring and controlling, there shall be a maximum of two shipments of ivory after the sale.

e) Direct export of ivory to importing country

Where possible export permits will allow direct shipments to the importing country or countries.

f) Importing countries to have internal controls and to agree not to re-export

The importing countries should have internal controls and make a commitment not to re-export.

g) Independent monitoring

Enforcement personnel from the CITES Secretariat, or Parties agreed to in advance by Tanzania and the CITES Secretariat, may be present at the time of sale, packaging, and shipment process to check all details and inventory. Similar inspection may take place when the containers are unloaded and the tusks distributed in the importing country. Access to the central ivory store is guaranteed to CITES Secretariat staff.

h) Trade in raw hide

Hides shall be exported in raw form to enhance enforcement.

i) Use of revenue

All revenue accruing from sale of ivory, raw hides and live animals will be used for conservation activities (monitoring, research, law enforcement, development of infrastructure, human resource capacity development, etc.) and development activities of communities living adjacent to the elephant ranges through the Tanzania Wildlife Protection Fund established by the Act of Parliament No. 21 of 1978.

2.4 Rationale for this proposal

The proposal aims at promoting sustainable conservation of the elephant population in Tanzania such that the revenue generated from the sale of the ivory stockpile shall be reinvested into wildlife conservation in protected and non-protected areas and support development activities of communities living within the elephant ecosystems.

a) The Wildlife Policy of 2007 clearly recognizes that if no value is attached to wildlife resources, the imperatives of other land uses will inadvertently militate against the continued existence of wildlife resources. The conflicts between elephants and human beings attendant to a growing elephant population in Tanzania, in the long run, may disadvantage the former if the communities living side by side with elephants are not benefiting.

b) It might not be possible to get cooperation from communities in ensuring that conservation objectives are achieved if the communities feel that conservation is only a net cost to them, and they will increasingly express such sentiments as long as trade in elephant products especially ivory is halted.

c) Trade in elephant products is essential to the conservation of elephants, its habitat and other species. Furthermore, it is important for satisfying basic human needs in the elephant range. Human-elephant conflicts are growing and communities regard elephants as pests. Hence, trade in elephant products collected from the wildlife management areas could increase the value of elephants to those communities and this will result in the communities appreciating

elephants more. With these benefits accruing to them directly, communities will increasingly feel that they have a stake in the continued existence of elephants.

d) According to the Agenda 21 of the Convention on Biological Diversity, countries have the right to use their natural resources to their best advantage. Consequently, Tanzania hereby makes an application to have that right accorded to it in respect of its elephant population. The preamble of the CITES Convention also recognizes that people and States are and should be the best protectors of their own wild fauna and flora.

e) There are costs associated with storage and stockpiling ivory. The longer the stockpile remains under storage the more its quality and therefore value declines. On the other hand, costs associated with collection, storage and management of the stockpile continues to increase. Such costs, which include also 24 hours surveillance, fumigation and monitoring, stand at about USD 100,000 per year. Besides, with over 100 tonnes the present strong room is full. This calls for another building as more ivory will keep on being collected. Building a new strong room shall cost over $ 1 million excluding the cost of acquiring a construction plot. This comes with added costs of providing security and maintenance. Clearly this money could be better used in other more important conservation activities.

3. Species characteristics

3.1 Distribution

In the early 1950s, Tanzania's elephant population was believed to occupy up to 90% of the territory (Rushby, 1953 and IUCN, 1998 and 2002). The range was reduced to about 50% by late 1980s (TZ-CoP7 proposal, 1989). The reduction was attributed to poaching rather than habitat loss. On the other hand, during the period from 1950s to 1989, human population had increased almost three fold and has almost doubled in the period between 1989 and 2009. IUCN (2002) supported this observation in its report that elephant distribution in both 1950 and 1989 was stable as figures were 49% and 48%, respectively. This observation can be explained by the urbanization phenomenon that took place in Tanzania, whereby a significant number of the human population moved to the established towns and cities, hence impacting less on the elephant habitat.

3.2 Habitat

The African elephants are able to survive in a very wide range of habitats across different vegetation types and extremes of rainfall. In Tanzania, elephants are found in habitats ranging from grasslands through shrub-land, woodland as well as coastal and montane forest areas. However, they favour areas of wooded savannah and forests provided water is available. The more extensive habitats include Miombo woodland (*Terminalia* and *Brachystegia* woodlands) and *Acacia* Savanna woodland. Various combinations of these categories also occur, with mixed dominance of the major species. Despite the general increase in human population, elephant habitats have not been significantly affected, except in some regions as on the slopes of Mt. Kilimanjaro (Lambrechts *et al*., 2002, rep. in Blanc *et al*., 2003).

3.3 Biological characteristics

The African elephant is the largest terrestrial mammal with a gestation period of 22-24 months and normally produce one calf. The male reaches maturity at the age of 25 years. Elephants' life span is between 60 to 70 years. The highest growth rate of an African elephant population was recorded in the northern sub population being 7.1 percent however the average annual growth rate for the Tanzania's population is 3.3 percent between the period 1989 to 2009 (TAWIRI, 2010)

3.4 Morphological characteristics

The African elephant (*Loxodonta africana*) is the world's largest living terrestrial mammal (Berger, 2001, Stephenson, 2007) and closely associated with African biodiversity and wilderness that makes it one of the most well-known of all wild animals globally and among the first recognised flagship species. The closest morphologically similar species is the Asiatic elephant (*Elephas maximus*). The African elephant is bigger than the Asian elephant and has larger ears with a dip in its back as opposed to the two humps on the Asian elephants' forehead.

3.5 Role of the species in its ecosystem

The African elephant is a keystone species, which plays a significant role in the ecology of its habitats. Elephants are capable of greatly modifying their own habitat and consequently the habitat of other species. Changes to the composition and structure of vegetation, which is attributable to elephant impact in areas such as the Lake Manyara National Park have been documented (Douglas-Hamilton, 1987, Weyerhauser, 1995, Barnes, 1983, 1994). Tree species, especially with soft wood like the baobab, *Adansonia digitata*, appear to be particularly vulnerable, while savannas with large trees may be changed to shrub-land savannas. Also, competition with other animal species exists, especially with regard to access to water resources during dry seasons.

Increasing human pressures and growing elephant populations in some African countries are leading to increased 'compression' of the species in many protected areas. When elephant densities rise above one animal in every 3-4 sq km in the semi-arid areas, woodland habitats are likely to be damaged and biodiversity is lost. This becomes severe with rapid loss of biodiversity at greater densities of this ecologically dominant animal (Balfour *et al*, 2007, Martin, 2005).

4. Status and trends

4.1 Habitat trends

Tanzania still has extensive undisturbed areas that form suitable habitat for elephants. Groombridge, (1992) indicated that crop and settlement ecosystems in Tanzania account for only 14%, while grass - shrub interrupted woods account for 48% and major forests 30%. On the same argument, the World Resource Institute, (1994) classified percentages of land area in Tanzania as having the following degree of human disturbance: Low 41%, Medium 43% and High 16%. Analysis of satellite images in 2002 by the Food and Agriculture Organization (FAO) of the United Nations indicates that 59% of the Tanzania land is covered with undisturbed natural vegetation (Africover Aggregated Dataset, 2002, Table 1). Furthermore, it is estimated that about 28% of the land surface of Tanzania is under protected areas and that elephants enjoy full protection in 19% of the total land surface area. This is an indication that elephant habitats in Tanzania are not under major immediate threats yet.

4.2 Population size

The Tanzanian elephant population at 110,000 in 2009 is one of the lagest in Africa, second to Botswana which was estimated to have 175,487 elephants (Blanc et al., 2007). According to Blanc et al.,(2007), TAWIRI (2006b) and Mduma et al. (2003), the main populations in Tanzania are those of Selous (54%), Greater Ruaha (25%), Moyowosi-Kigosi (14%) and Ugalla-Katavi (4%) ecosystems, although for example, the Selous-Niassa Corridor hosts an important population (TAWIRI 2006) that was not taken in consideration by Blanc *et al*., 2007.

At the time of writing this proposal, TAWIRI is conducting a dry season elephant counts in three important ecosystems. However, due to the fact that survey time (late dry season) coincides with the deadline of submission of the proposal to CITES Secretariat, the data are not incorporated in this proposal, but instead will be presented as an information document at CoP16, to supplement the information presented here. The data of the 2011 (Selous- Mikumi, and Ruaha Rungwa ecosystems) and 2012 (Rukwa- Katavi, Burigi Biharamuro and Moyowosi Kigosi ecosystems) surveys will be made available to the Panel of Experts that will be visiting Tanzania pursuant to Resolution Conf. 10.9.

4.3 Population structure

The ivory poaching in the 1970s and 1980s did considerably affect the structure of elephant population in Tanzania. This resulted in the decline of male-tuskers that led to poachers opting for female elephants as exhibited by the declining mean tusk weight of ivory in the trade (TZ Proposal at CoP7, 1989). However, following the listing of elephant in Appendix I in 1989, the normal sex ratio was gradually re-established. It was noted that contrary to many predictions, the reproductive capacity of elephant populations and sub- populations was not affected by the population decline. Baldus (2004) reported that despite the severe poaching period in the Selous Game Reserve, the elephant population recovered very fast.

4.4 Population trends

The combined estimate of elephant population in the year 2001 and 2002 stood at about 120,000 (Mduma *et al*. 2003). IUCN (Blanc *et al*. 2007) indicated the following figures in 2006: 108,816 as definite, 27,937 as possible and 29,350 as probable. This indicates that the elephant population in Tanzania is steadily recovering having increased from about 55,000 in 1989 to 110,000 in 2009, (TAWIRI, 2009), with IUCN "definite" and "possible" categories combined (Blanc et al 2007) (Figure 3), although a survey performed by TAWIRI in the same year indicated a slightly higher population (TAWIRI 2007). The average annual population growth stands at 3.3 percent (TAWIRI, 2010).

4.5 Geographic trends

The African elephant was once widely distributed in most parts of the country. However, many areas that formerly supported elephants in particular corridors, dispersal areas and buffer zones around protected areas are being lost as the increasing human population converts large areas into incompatible farmlands and settlements. At present the elephant geographical range is estimated to be 370,000 square kilometers approximately 39% of the total land surface area throughout the country (TAWIRI, 2010) (Figure, 2).

The current distribution patterns and population estimates of elephants are derived from aerial surveys which form part of the animal census programme that started in the 1960s. Given the size of the country (945,090 km2) and wide distribution of elephants, censuses are conducted in four different zones, at an average of three years intervals.

Elephants in Tanzania occur in 13 out of the 15 national parks, in 24 game reserves out of the 28 and in the Ngorongoro Conservation Area, as well as in some game controlled areas, forest reserves, wildlife management areas and village lands. There are also trans-boundary populations in the Kilimanjaro – Amboseli, the Serengeti-Mara and Tsavo-Mkomazi ecosystems that extend along the Tanzania-Kenya border. Also, elephants move between the Selous-Tanzania and Niassa – Northern Mozambique (Figure 1) (Blanc *et al*., 2003) and between Kimisi-Ibanda in Tanzania and Akagera in Rwanda.

5. Threats

The elephant population in Tanzania is secure and viable as evident from the combined large population size and the extent of available range (National Parks, Ngorongoro Conservation Areas, Game Reserves, Game Controlled Areas and Wildlife Management Areas and some village lands).

In Tanzania, the greatest future conservation challenge is the increasing scale of human-elephant conflicts caused by increasing human and elephant populations and their interactions outside protected areas or increasing movements of elephants in and out of protected areas.

Rural people do not tolerate the presence of elephants unless the costs of living with elephants can be offset by economic benefits derived from elephants. It is a misleading notion that ecotourism alone can bring these benefits, as tourism is generally not viable in the areas where conflicts are most severe, because those areas are also the most heavily farmed and settled.

From 1997 to September 2012 a total of 109 people were reported to have been killed and 84 injured by elephants in Tanzania. Since 1989 when Tanzania stopped exporting ivory 13,281 elephant tusks have accumulated from problem animal control. This amounts to an average of 289 elephants killed every year for the last 23 years. The number includes elephants that were killed by Management Authorities and individual villagers in the course of protecting their life and property in accordance to the provisions of the Wildlife Conservation Act, No.5 of 2009.

Elephants are increasingly becoming a nuisance to poor farmers, who are progressively becoming opponents to their conservation. This will likely continue as long as rural communities do not significantly benefit from the existence of elephants as an economic resource. Crop damages have a negative impact on the food supply in rural areas, and even worse when the Government is unable to provide compensation.

Since 2008, anecdotal information suggests that there is an increase of poaching especially in the Southern part of the country which poses a threat to elephant population. These areas include Selous-Mikumi, Ruaha-Rungwa and Rukwa –Katavi ecosystems. However, no proper study has been conducted to establish the extent of the threat.

6. Utilization and trade

6.1 National utilization

The current utilization of African elephants in Tanzania is only through sport hunting. Sport hunting is conducted under a quota system, which takes into account the density of elephants in the various ecosystems of the country and following the provision of Resolution Conf. 10.10 (Rev. CoP15). The tusks are marked and exported as personal effects in accordance with Article III of the Convention.

The level of sport hunting is largely determined by the 0.5% of standing population guideline (Martin 1986 and 2005). This implies that the maximum adult male off-takes through sport hunting at present should not exceed approximately 750 per year at current population size. Tanzania has established a national annual export quota through CITES of 200 trophy hunted elephants per year (400 tusks per year). This is a very conservative quota level, well below (less than one third) the standing population guideline. A total of 1,500 tusks were exported as hunted trophies from 1997 to 2010 (Table 2).This represent a total of 750 individuals, an average of 188 elephant per year.

According to the Wildlife Conservation Act, it is obligatory for the public to surrender any ivory found to the Government. Since 1989 when the African Elephant was included in CITES Appendix I, ivory from natural mortality and management operations, such as seizures and problem animal control, started to steadily accumulate and until September 2012, the stockpile was 101 tonnes (Table 3). Details of the management of the ivory stockpiles are given in E.6.

6.2 Legal trade

Currently, the only international trade in ivory in Tanzania is through sport hunting. Upon adoption of this proposal, the registered stocks of ivory will be sold subject to the fulfillment of the relevant conditions. The proposal provides for the exploitation of live elephants for trade purposes. This exploitation would be in limited numbers and to appropriate and acceptable destinations as defined in Resolution Conf 11.20.

6.3 Parts and derivatives in trade

Currently, Tanzania does not recover elephant hides from elephants killed in protection of property or in other management actions due to lack of storage. Tanzania would like to collect hides and trade them for the benefit of elephant conservation.

6.4 Illegal trade

Illegal trade associated with poaching was significant prior to the launching of “Operation Uhai” in 1989.Following regular patrols and the “operation” poaching was arrested. Thereafter, regular ant-poaching patrols were intensified and special operations were conducted in specific areas which required more attention. Table 4 shows the major anti-poaching operations.

Since 2001 twenty seven incidences of ivory seizures have been reported mostly in the Far East Although some of the tusks in the confiscated consignments are alleged to originate from Tanzania, none of the cases have been concluded and origin of the tusks confirmed. Several international and national agencies are involved in the investigations including Interpol and Lusaka Agreement Task Force in collaboration with the Tanzanian Wildlife Division, Police, Customs and Tanzania Port Authority.

Law enforcement on wildlife and wildlife products, including ivory is primarily undertaken by a special “Anti-poaching Unit’. The “Unit” is largely funded by a special fund, the "Tanzania Wildlife Protection Fund" established by the Act of Parliament No. 21 of 1978. More than 90% of the revenue of the Fund is generated from fees associated with sport hunting and sale of trophies. It is anticipated that the proposed sale of ivory stock will be another significant source of revenue for the “Fund”. Figure 3

shows the trend of funding to antpoaching operation by the Wildlife Protection Fund from 2000 to 2012

The adoption of this proposal would therefore be crucial for improving financial support to the Wildlife. Protection Fund to further combat poaching and other illegal wildlife related activities in the country. In addition, a proportion of the proceeds from the sale of the ivory stock shall accrue to local communities and serve as an incentive for them to conserve the elephants that are otherwise considered as nuisance rather than an asset.

6.5 Actual or potential trade impacts

The current absence of trade in elephant products, except for trophies acquired from sport hunting, poses a threat to the survival of the elephant itself and to many other species. As the number of elephants increase, human- wildlife conflicts also increase. Local communities in areas where elephants have caused crop damages and in certain cases loss of human life do not appreciate the value of elephant regardless of its national and international conservation status. Consequently, the outcry of rural people against elephants is high, and much more in situations of droughts where people have to share with elephants the little water and food that is available. Elephant will only survive in the long term if it can justify the value of its conservation in the rural areas where subsistence farming constitutes the mainstay of the local communities' livelihoods.

There is a perception that any legal trade would obviously encourage illegal trade. To the contrary, illegal trade escalates if legal trade does not exist. Moreover, it goes without saying that there is a high degree of inverse relationship between legal and illegal trade as far as transactions of a particular commodity is concerned. This is the real threat.

Since 2001 twenty seven incidences of ivory seizures have been reported mostly in the Far East (Table 5). Although some of the tusks in the confiscated consignments are alleged to originate from Tanzania, none of the cases have been concluded and origin of the tusks confirmed. Several international and national agencies are involved in the investigations including Interpol and Lusaka Agreement Task Force in collaboration with the Tanzanian Wildlife Division, Police, Customs and Tanzania Port Authority.

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7. Legal instruments

7.1 National

The African elephant is protected by the Wildlife Conservation Act No.5 of 2009, the National Park Act CAP. 282 RE 2002, the Ngorongoro Conservation Act CAP. 284 RE 2002 and the Economic and Organized Crime Control Act CAP 200, RE 2002.

Wildlife conservation is promoted outside wildlife protected areas under the Wildlife Management Areas Regulations of 2012, a legal mechanism that allows local communities to be involved in and benefit from wildlife conservation based activities on their lands. Furthermore, the Wildlife Conservation Act No. 5 of 2009 provides for deterrent penalties, including imprisonment of up to 30 years on conviction depending on the gravity of the offence.

7.2 International

Tanzania is a Party to CITES since 1980. Tanzania is also a Party to a number of other international and regional treaties on conservation and management of wildlife, including the African elephant. These are (i) the Convention on Migratory Species (Bonn, 1979), (ii) the Convention on Biological Diversity (Rio de Janeiro,1992), (iii) the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Fauna and Flora (Lusaka, 1996); and (iv) the Southern African Development Community (SADC) Protocol on Wildlife Conservation and Law Enforcement (2000).

8. Species management

8.1 Management measures

The previous two National Elephant Management Strategies (1994 and 2001) set preferred national upper limits on the number of elephants (120,000 and 100,600 respectively). In scientific terms, the concept of carrying capacity has been widely discredited (e.g. South Africa's Scientific Assessment of Elephant Management, 2008). This is because (i) the ecological data required to calculate carrying capacity of different sites are deficient, (ii) ecological circumstances and management objectives can vary greatly across the country, and (iii) more research is needed into the potential effects on elephant range and resource availability in view the current, climate change. The current Management Plan (2010-2015) does not set upper national limits. The plan advocates economic benefits from elephants being shared equitably between the local communities and the Government for their sustainable conservation.

At present elephants are utilized through a limited sport hunting quota. It is however, important to note that the quota is so minute (0.14%) as not to have any effect on the population currently growing at a rate of about 5 % per annum. Problem animal control is another management operation that removes a small proportion of the population. As a result of the growing elephant population, the problem of human- elephant conflicts is also increasing.

For various reasons, including the listing of the African elephant in Appendix I, Tanzania has not been able to fully implement the Management Plan in terms of utilizing its elephant population sustainably. The adoption of this proposal should help Tanzania to better manage its population of elephants and maintain their numbers at levels that would not jeopardize their survival.

8.2 Population monitoring

Research and monitoring of the wildlife populations, including elephants in the country is undertaken by the Tanzania Wildlife Research Institute (TAWIRI) which was established by Act CAP 260 R.E. 2002. TAWIRI is the CITES Scientific Authority for Tanzania.

Methods used by TAWIRI in monitoring wildlife populations are Systematic Reconnaissance flight (SFR) and Aerial

Total Count, which accounted for 73% and 20%, respectively of the censuses carried out between 1986 and 2011. Since 1980s, aerial surveys were conducted every three years in different parts of the country. On the other hand, radio telemetry is used to monitor elephant movements of selected populations.

Currently the method is applied in the monitoring of elephant movements between the Selous Game Reserve in Tanzania and the Niassa Game Reserve in Mozambique, between Western Kilimanjaro in Tanzania and Amboseli National Park in Kenya and in the Serengeti ecosystem.

Besides the census method mentioned above, TAWIRI uses questionnaires, rapid assessment reports and guessmates from different informed sources. In the African Elephant Status Report 2007, (Blanc *et al*., 2007) IUCN classified about 64.5% of the population data as 'definite', 17% as 'probable', 18% as "possible" and 0.5% as "speculative" which is a good indication of the quality of censuses carried out in Tanzania.

8.3 Control measures

8.3.1 International

All international trade in elephant products, which is currently only by sports hunted trophies, is subject to the strict implementation of CITES controls. This includes the CITES recommended marking system as provided in Resolution Conf. 10.10 (Rev. CoP15). These controls will continue to apply, including products that may result from the adoption of this proposal. In addition Customs controls will apply, and if it so wishes, the Secretariat will be allowed to play an active role in the supervision of all export operations with the aim of ensuring compliance to CITES requirements and the proposed annotation. In addition, as a SADC Member State, it will be easier for Tanzania to incorporate applications of the regional control mechanisms, under the SADC Wildlife Protocol on Wildlife and Law Enforcement.

Currently all exports are only permitted at designated exit points and checked by wildlife officers in collaboration with Customs, Police and Veterinary officers who are stationed at exits for 24 hours.

8.3.2 Domestic

Special training for wildlife officers on prosecution, intelligence and combating illegal activities have been intensified. Provision of field gear and equipment such as light aircraft for monitoring wildlife populations and anti- poaching operations have been increased (Figure 3). Light aircrafts have been increased from 5 in 1989 to 12 in 2009. Considering these efforts, it is no doubt that the efficiency on enforcement and compliance as been enhanced and so acknowledged by, among others, TRAFFIC.

8.4 Captive breeding and artificial propagation

The United Republic of Tanzania has not registered with CITES operations that breed appendix I species for commercial purpose.

8.5 Habitat conservation

Elephants in Tanzania are adequately protected in 13 National Parks, Ngorongoro Conservation Area and in 28 Game Reserves. Other conservation areas such as Forest Reserves, Game Controlled Areas, and Wildlife Management Areas serve as additional ranges for elephants where habitat is secured, with limited interference from human activities. The elephant range in Tanzania covers up to 370,000 km2 of which nearly 50% are in protected areas. The Government Policy is to continue maintaining the existing protected areas and create new ones for the purpose of protecting the biological diversity, including elephants.

8.6 Safeguards

8.6.1 Ivory stocks

There are three ivory stockpiles in the country stored in three strong rooms that are secured full-time by trained and armed rangers from the Anti-Poaching Unit (Dar es Salaam), Tanzania National Parks (Arusha) and Ngorongoro Conservation Area Authority (Ngorongoro). Furthermore, the strong rooms have strong locks with smart keys and security cameras. The keys are managed by two independent storekeepers.

The main stockpile of 100,282.45 tonnes [Table 3(a)] is stored at the Wildlife Division Headquarter. The other two smaller stocks of 13.2 tonnes are kept in strong rooms at Tanzania National Parks Headquarters in Arusha and Ngorongoro Conservation Area in Ngorongoro, [Table 3(b) and Table 3(c)] respectively. A summary of the stock piles is shown in Table 3(d).

Subsequent to CoP10, and following the adoption of Decision 10.2, the Government of Tanzania registered its ivory stockpile with the Secretariat. It was checked by TRAFFIC, on behalf of the Secretariat, and the Standing Committee at its 40th meeting (Geneva, 1998) approved the reports (Doc SC 40.5.2.4 and SC 40 Inf. 8) in Doc. SC40 (Summary Report).

This stock of 18,414 tusks weighing 72,196.3kg, as those in other countries entitled to the procedure provided by Decision 10.2, was never sold and constitutes the main part of the current stockpile.

The purpose of the present proposal and its application is to transfer the recovered and increasing elephant population of Tanzania to Appendix II so as to secure the authorization of exporting the ivory stockpile, under the conditions established by the Conference of the Parties for similar stocks in other range States as described in Section A. The safeguarding of such stocks without any benefit presents warehousing maintenance costs and risks associated with theft.

8.6.2 Management of ivory stockpile

Management of ivory in strong rooms depends on its origin of the death. Ivory from natural death, problem animal control and confiscation are considered as independent categories of storage. According to the Wildlife Conservation Act No. 5 of 2009 collected ivories should be surrendered to the nearest wildlife station. Once obtained, ivory is subjected to registration as outlined hereunder;

a) The ivory is weighed and permanently marked by punching station registration numbers that consists of two or three initial letters, a serial number and two last digits of year of collection. For example, NH/40/88 means a tusk registered at Nachingwea station, the $40^{th}$ tusk, collected in year 1988.

b) Details of the ivories indicated in “a” above are recorded in the Official Register of Trophies

c) Registered ivories are temporarily stored at the field stations before being transferred to the appropriate Ivory strong rooms in Dar es Salaam, Arusha and Ngorongoro.

8.6.3 Movement of ivory and storage in the strong rooms

Registered ivory is transferred as per the Wildlife Conservation Act accompanied with government documents, including an "Ivory Consignment Note" or other documents, together with armed security guard. The ivory is received by the Strong Room Officer. A delivery note is issued by the deliverer and a receipt note is issued by the Strong Room Officer. The procedure for receiving ivory involve

a) Re-measuring the weight and length of every ivory tusk or piece(s) of the same.

b) Marking every ivory or piece(s) of the same with a "National Serial Number" using a permanent marker pen denoting country code/year of registration/serial number and weight (e.g.TZ/06/00001/10.1) This conforms to the designed "Ivory Database" that was agreed between TRAFFIC International (Eastern and Southern Africa) and the Wildlife Division in 2006 in accordance with CITES Resolution Conf. 10.10 (Rev. CoP15).

c) The details of every ivory are recorded in the Official Register of Trophies

d) The same details (data) are entered into the computer database specifically designed for inventory of ivory stocks.

e) The ivory is thereafter stored in shelf racks that are arranged according to their origin and weight

9. Information on similar species

The Asian elephant (*Elephas maximus*) is the only other extant proboscidean. It is listed in Appendix I of the Convention. The proponent believes that with the precautionary measures adopted, it is not likely that this proposal to trade in ivory stock will prejudice the survival of the Asian elephant.

10. Consultations

This proposal refers exclusively to the Tanzanian population of the African elephant and essentially to existing ivory stocks, hence other range States do not need to be consulted. Nevertheless, other range States will have the opportunity to react and comment on this proposal after its submission and its communication to all CITES Parties by the Secretariat. In addition and in accordance with Resolution Conf.10.9, the proposal shall be subject to a review by a Panel of Experts nominated by the Standing Committee. Panel members or accredited consultants will be given free and unrestricted access to all data in the possession of the United Republic of Tanzania regarding elephant populations, elephant management, trade in parts and derivatives of elephants and, as appropriate, law enforcement procedures and actions.

11. Additional remarks

The United Republic of Tanzania wishes to exercise its rights as a Party to the Convention. These rights include trade in its elephant population, which clearly meets the criteria for inclusion in Appendix II, within the framework of the Convention for trade in specimens from Appendix-II-listed species. Notwithstanding existing remedial mechanisms within CITES concerning cases of unsustainable trade in Appendix-II-listed species, such as the significant trade review process or the transfer of a population to Appendix I, the Conference of the Parties has on previous occasions adopted increasingly complex requirements for trade in elephant specimens that have all but ensured that such trade does not take place. Tanzania believes that this trend strongly undermines its rights as a Party and the credibility of CITES, and highlights the contradictions between CITES and the Convention on Biological Diversity. The Conference of the Parties is accordingly requested to fully consider this issue in its decision on this proposal.

Tanzania has never questioned the wildlife management systems or population data or poaching levels in other countries that are Parties to CITES, conscious that, as stated in the Preamble of CITES, “peoples and States are and should be the best protectors of their own wild fauna and flora” and avidly believes that CITES has been drafted and has to be implemented not to prevent international trade in specimens included in Appendix II but to ensure that this trade is conducted on a legal and sustainable basis.

Tanzania is of the opinion that the economic incentive linked to such trade is favourable to the conservation of the species concerned. This is especially valid for the African elephant. This species must be managed as an asset to alleviate the potential negative attitude that results from its being destructive to habitat and a nuisance, especially to local communities who share the same habitats and key resources like water, in particular when its numbers exceed the appropriate levels. Incidentally, high elephant numbers are becoming a threat in Tanzania as may have been the case in several other range States.

Considering the fate of these communities and the national economy for which tourism income is often associated with wildlife and especially the elephant, the authorities in Tanzania cannot continue to maintain a position that is contrary to the concept of sustainable development. Indeed, this proposal recognizes and supports the CITES Res. Conf. 8.3 (Rev. CoP13), which recognizes that implementation of CITES- listing decisions should take into account potential impacts on the livelihoods of the poor.

Furthermore, Tanzania is convinced that to place additional ivory on the legal international market, under conditions that are at a large extent stricter than the CITES provisions, would have a positive effect towards fighting illegal trade. This conviction agrees with a statement by one of the competent officers of the CITES Secretariat at the 53rd meeting of Standing Committee (Geneva, 2005), that the import of legal ivory in Japan under the experimental trade allowed in 1997 contributed to reducing illegal imports of ivory in the country.

Accordingly, the United Republic of Tanzania makes an appeal to the Conference of the Parties to adopt the present proposal, in the same spirit, as the other proposals adopted from several Southern African countries.

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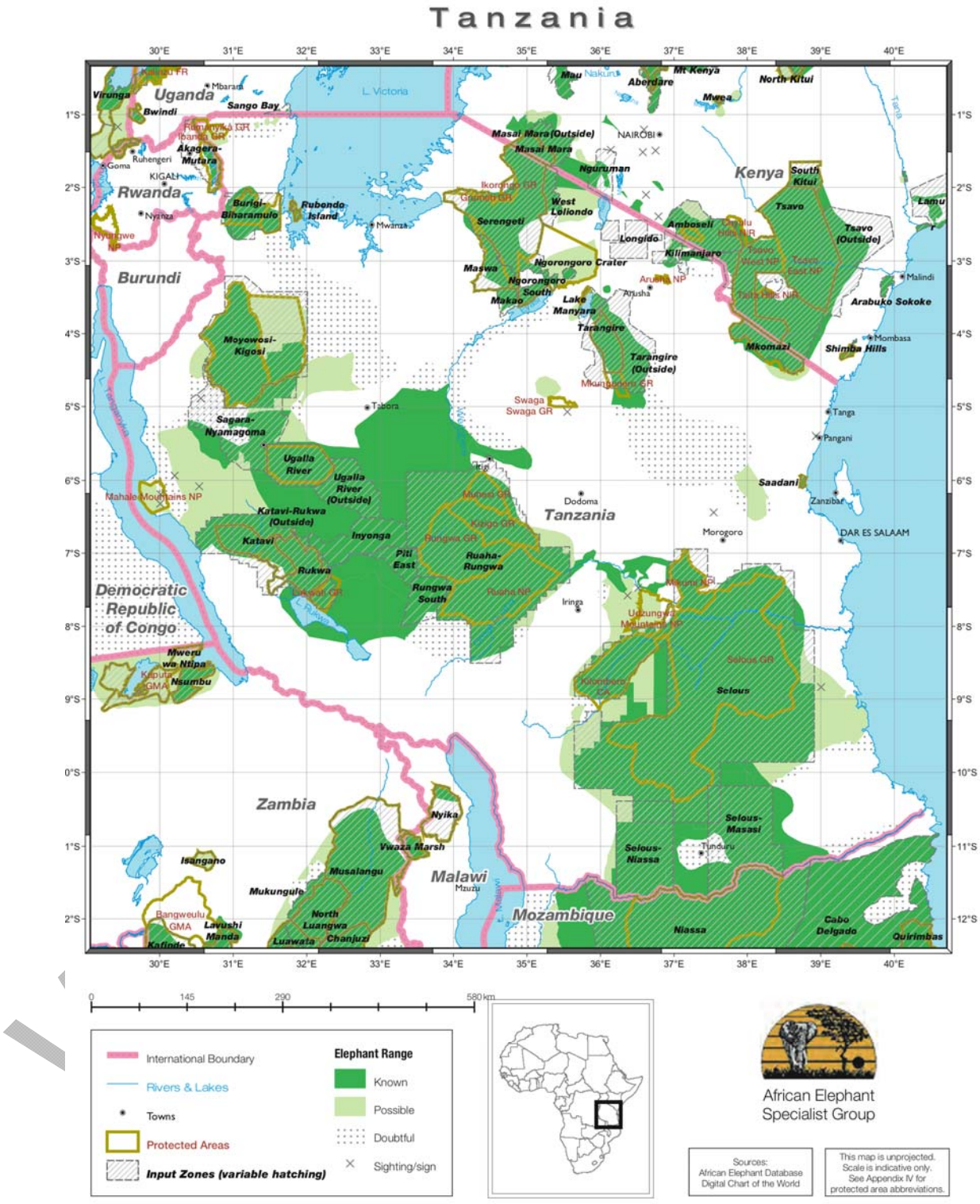


Figure 1 Distribution of elephants in Tanzania in 2007. Map adapted from African Elephant Status Report 2007 (Blanc *et al*., 2007).

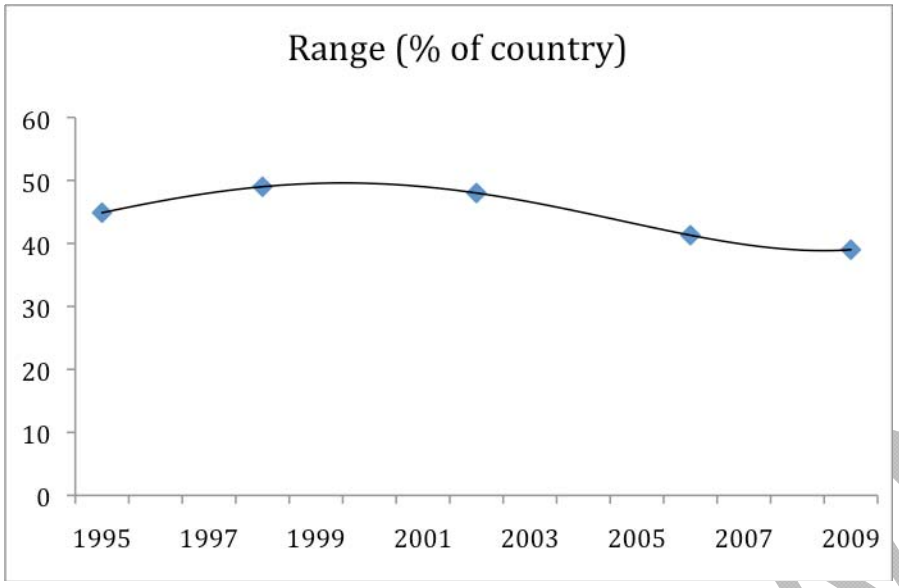


Figure 2 Changes in total elephant range in Tanzania since 1995, expressed as percentage of total country area (945,090 km$^2$). TAWIRI 2010.

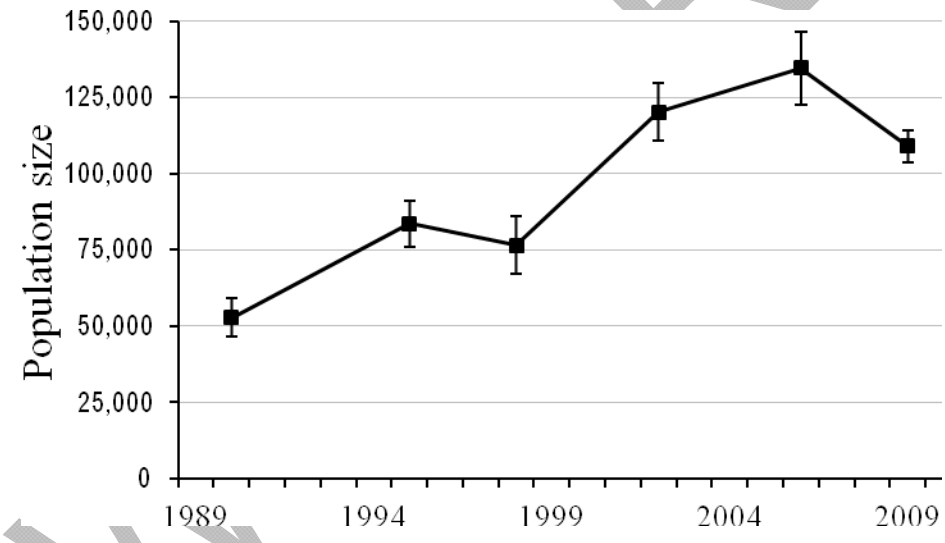


Figure 3: Tanzania's elephant population trend 1989-2009 (Source: TAWIRI National Elephant Censuses 1989-2009; African Elephant Database)

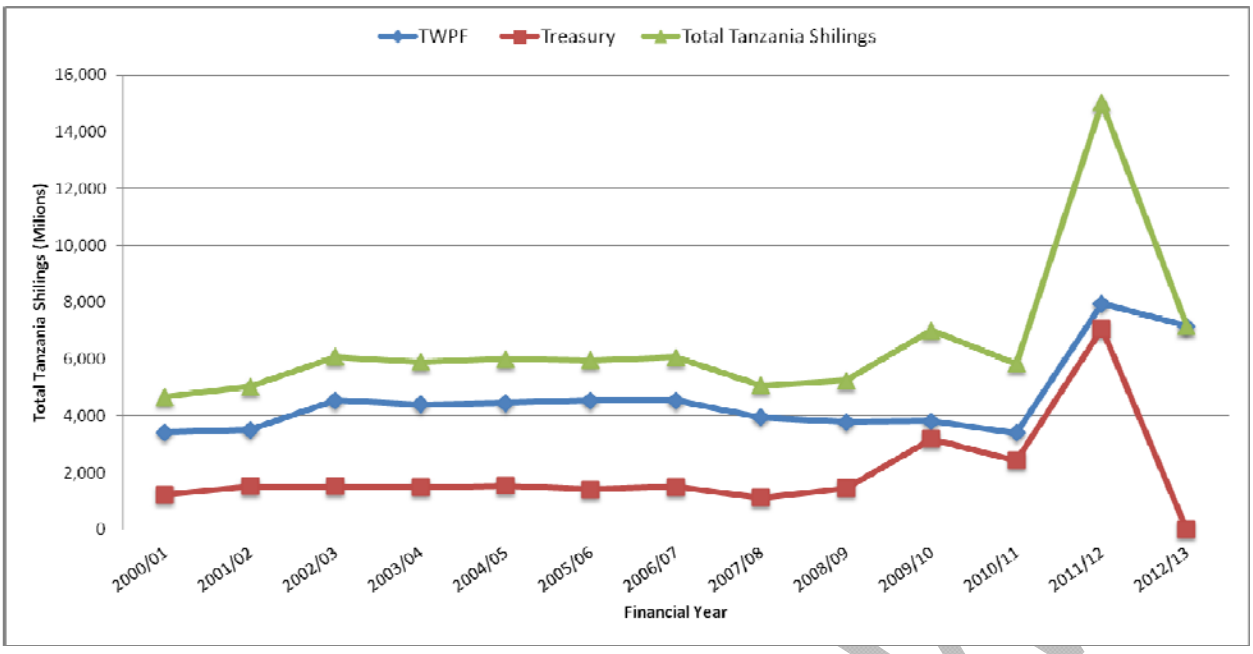


Figure 4: Trends of funding for anti-poaching from the Tanzania Wildlife Protection Fund and treasury

**Table 1: Landover types in Tanzania as reported by Food and Agriculture Organization (FAO) of United Nations (Africover Aggregated Dataset (2002).**

| Landcover/Vegetation Type | Sum of square kilometers | Percent cover |
|---|---|---|
| Agriculture | 320,781 | |
| Human settlement | 1,130 | |
| Bare | 1,444 | |
| Mangrove Forest | 1,574 | |
| Water bodies | 65,372 | |
| **Sub total** | **390,301** | **40.5%** |
| Forest-deciduous | 10,516 | |
| Forest-evergreen | 10,110 | |
| Shrubland | 70,690 | |
| Wooded shrubland | 39,647 | |
| Woodloand | 277,887 | |
| **Subtotal** | **573,717** | **59.5%** |
| **Grand total** | **964,018** | **100%** |

**Table 2: Actual export of elephant hunted trophies from 1997 to 2010. A total of 750 elephants were hunted and 1500 tusks exported**

| Year | Elephant quota | Number of elephant hunted | Actual number of tusks exported |
|---|---|---|---|
| 1997 | 50 | 46 | 92 |
| 1998 | 50 | 20 | 40 |
| 1999 | 50 | 32 | 64 |
| 2000 | 50 | 32 | 64 |
| 2001 | 50 | 35 | 70 |
| 2002 | 50 | 41 | 82 |
| 2003 | 100 | 45 | 90 |
| 2004 | 100 | 36 | 72 |
| 2005 | 100 | 54 | 108 |
| 2006 | 100 | 65 | 130 |
| 2007 | 200 | 87 | 174 |
| 2008 | 200 | 99 | 198 |
| 2009 | 200 | 90 | 180 |
| 2010 | 200 | 68 | 136 |
| Total | **1500** | **750** | **1500** |

**Table 3: Ivory from natural mortality and management operations, (PAC and seizures) accumulated since 1989 to March 2012**

**a) Stockpile stored at the Wildlife Division Ivory Strong room in Dar es Salaam**

| Source | Weight (kg) | Description | |
|---|---|---|---|
| | | Pieces | Whole tusk (raw) |
| Confiscation | 35,114.40 | 6,478 | 5,700 |
| Natural mortality | 32,976.03 | 0 | 9,094 |
| Problem animal control | 55,059.79 | 0 | 13,200 |
| Total | **123,150.21** | **6,478.00** | **27,994.00** |

**b) Stockpile stored at the Tanzania National Parks strong room in Arusha**

| Source | Weight (kg) | Description | |
|---|---|---|---|
| | | Pieces | Whole tusk (raw) |
| Confiscation | 265.4 | 0 | 96 |
| Natural mortality | 7363.4 | 53 | 1706 |
| Problem animal control | 40.9 | 0 | 7 |
| Unknown | 37.4 | 25 | 17 |
| Total | **7707.1** | **78** | **1826** |

**Stockpile stored at the Ngorongoro Conservation Area strong room in Ngorongoro**

| Source | Weight (kg) | Description | |
|---|---|---|---|
| | | Pieces | Whole tusk (raw) |
| Confiscation | 367.5 | 3 | 46 |
| Natural mortality | 4,603.44 | 28 | 382 |
| Problem animal control | 961.7 | 0 | 77 |
| Uknown | 539.25 | 3 | 77 |
| **Total** | **6471.89** | **34** | **582** |

**c) Total ivory stockpiles stored at Dar es Salaam, Arusha and Ngorongoro strong rooms**

| Source | Weight (kg) | Description | |
|---|---|---|---|
| | | Pieces | Whole tusk (raw) |
| Confiscation | 35,747.30 | 6,481 | 5,842 |
| Natural mortality | 44,942.87 | 81 | 11,182 |
| Problem animal control | 56,062.39 | 0 | 13,284 |
| Uknown | 576.65 | 28 | 94 |
| Total | **137,329.20** | **6,590.00** | **30,402.00** |

**d) Major anti-poaching operations conducted in Tanzania from 1989 to 2012**

| S/N | Title | Purpose | Year |
|---|---|---|---|
| 1 | Operation “Uhai” | Combat elephant poaching | 1989 |
| 2 | Operation “Ngorongoro” | Elephant and Rhino protection | 1990 |
| 3 | Operation “Okoa Utalii” | | 1995 |
| 4 | Operation “Bees wax” | Elephant protection | 1997 |
| 5 | Special operation | Illegal ivory trade control | 2000 |
| 6 | “Operation Magogo” | Combat bushmeat and ivory trade, timber export | 2004 |
| 8 | Special operation | Combat Illegal ivory trade | 2004 |
| 9 | Special operation | Combat Elephant poaching in Selous & Moyowosi/Ugalla ecosystems | 2005 |
| 10 | Special operation | Cattle encroachment Usangu | 2006 |
| 11 | Special operation | Combat zebra $ ivory trade | 2007 |
| 12 | Operation “Ugalla” | Combat Illegal ivory trade | 2008 |
| 13 | Operation “Selous” | Combat Illegal ivory trade | 2009 |
| 14 | Operation Kipepeo I,II,&III | Combat Elephant poaching | 2010 |
| 15 | Operation Costa | Combat Elephant poaching | 2010 |
| 16 | Operation Safisha | Combat Elephant poaching | 2010 |
| 17 | Operation Paul | Combat Elephant poaching | 2010 |
| 18 | Operation Ahmed | Combat cross -border poaching | 2010 |
| 19 | Operation Okoa tembo I & II | Combat Elephant poaching | 2011 |
| 20 | Operation Okoa tembo III | Combat Elephant poaching | 2012 |

**Table 4: Summary of local and international elephant ivory seizure from 2001- August 2009**

| YEAR | LOCAL | | | | | INTERNATIONAL | | | | | REMAKS |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | RAW | | | WORKED | | RAW | | WEIGHT | WORKED | | |
| | Incidents | Pieces | Kilogram | Pieces | Kg | Incidents | Pieces | Kg | Number | Kg | |
| 2001 | 6 | 284 | 1,917.00 | - | - | 2 | 42 | 870.00 | - | - | |
| 2002 | 18 | 1,680 | 4,259.32 | - | - | 3 | 56 | 139.20 | 20 | 1.50 | Bankog Thailand, Hongkong SAR China |
| 2003 | 10 | 150 | 238.05 | - | - | 2 | 340 | 2,433.10 | - | - | Vietnam, Hongkong SAR China |
| 2004 | 7 | 190 | 461.70 | - | - | 2 | 55 | 800.00 | - | - | |
| 2005 | 2 | 96 | 777.00 | | | 2 | 229 | 503.00 | - | - | |
| 2006 | 38 | 276 | 671.85 | 27 | 11.80 | 1 | 1,288 | 5,228.00 | - | - | Taiwan, Province of China |
| 2007 | 40 | 1,415 | 1,992.16 | 213 | 1.30 | 0 | - | - | - | - | |
| 2008 | 16 | 129 | 264.00 | - | - | - | - | - | - | - | |
| 2009 | 31 | 364 | 994.10 | 4 | 2.50 | 12 | 95 | 13,028.04 | - | - | Vietnam& Philippines (March, 2009) & Zanzibar (August,2009) |
| 2010 | 22 | 497 | 2,036.00 | 5 | 0.73 | 1 | 354 | 1,505.00 | - | - | Hong Kong- China |
| 2011 | 13 | 1,051 | 1,895.00 | - | - | 2 | 794 | 4,000.00 | - | - | Malaysia/Hong Kong |
| | | 1,197 | 2,909.00 | 10 | 0.40 | | 605 | 4,500.00 | - | - | |
| 2012 (Through March) | 3 | 39 | 35.56 | - | - | - | - | - | - | - | |
| **Grand Total** | **206** | **7,368** | **18,450.74** | **259** | **16.78** | **27** | **3,858** | **33,006.70** | **20** | **1.50** | |