

# JOINT NGO STATEMENT ON NATIONAL IVORY ACTION PLANS (NIAP) PROCESS: REPORT OF THE SECRETARIAT (SC70 DOC. 27.4)

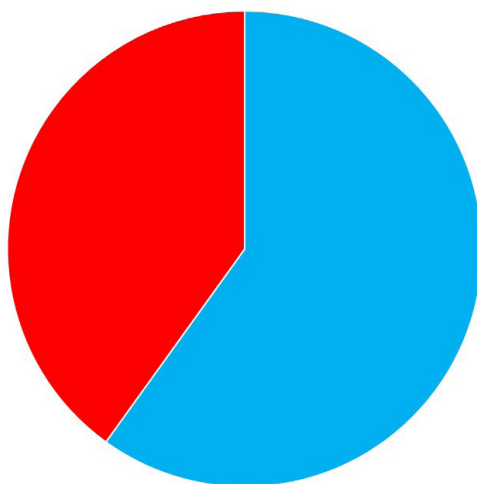


The NIAP process was developed in response to the continuing elephant poaching crisis in Africa, the worst the species has experienced on the continent since the 1970s and 1980s. We welcome the significant progress made to date, however we are concerned that several gaps in policy and practice risk undermining the effectiveness of the NIAP process and, more significantly, risk progress in protecting elephants in the wild.

## Recommendations for certain Parties to exit the NIAP process

We believe that it is premature for the Standing Committee to agree that certain Parties should exit the NIAP process at this time. We recommend that that these countries should remain in the NIAP process and that progress made by these countries should be assessed at CoP18 or SC73 with a view to deciding whether or not they should exit the NIAP process. This assessment should be done in accordance with the NIAP Guidelines, including consultation with independent experts.. It is important to stress that these Parties continue to be countries of concern in the ETIS analysis. Together (excluding the Philippines), they represent 40% of the number of worldwide reported ivory seizures<sup>1</sup> and more than 50% of the total weight of ivory seized worldwide between 2007 and 2017.<sup>2</sup> Many of these Parties still face significant challenges in tackling elephant poaching and ivory trafficking,<sup>3</sup> although we recognize that there has been significant progress.

Their exit from the NIAP process now, without sufficient evidence through the ETIS analysis and other data upon which to base a decision, could call into question the viability, effectiveness and purpose of the NIAP process itself. We recognize significant progress by several of these Parties, but also believe that they should remain within the process, revise their NIAPs if relevant in order to bring them up to date to address new challenges and further strengthen NIAP implementation. The decision on their exit from the process should be deferred, without prejudice to the fact that several of these countries have made laudable progress.



China, Kenya, Tanzania, Thailand and Uganda represent 40% of the number of worldwide reported ivory seizures between 2007 and 2017

1 SC70 Doc. 49.1, Annex 1 p.16, Table 8.  
2 According to the EIA trade database (which contains fewer records than ETIS).  
3 EIA (2018). Taking Stock: An assessment of progress under the National Ivory Action Plan process.

## **Improper implementation of the NIAP Guidelines**

The NIAP Guidelines call for the use of performance indicators and targets which measure the “*impact of the actions*” such as through data on elephant poaching, ivory seizures, successful prosecutions and any relevant indicators from the ICCWC Indicator Framework for Combating Wildlife and Forest Crime.<sup>4</sup>

Instead, the Secretariat’s assessment of progress focuses on whether a Party has ‘achieved’ or ‘substantially achieved’ its NIAP actions without reference to evidence of their impact and without weighting the individual NIAP actions according to their impact on elephant poaching and ivory trafficking. This is potentially misleading: some actions that have been achieved may not be as critical as others that are yet to be implemented, presenting a skewed impression that significant progress has been made. All actions should be assessed over time to determine impact before any Party exits from the process. Again, this is without prejudice to the significant progress made by several countries.

## **Proposed changes to the NIAP Guidelines**

We urge the Standing Committee and other Parties to not support the proposed change to Step 5(b) whereby the Secretariat is seeking to reduce the involvement of independent experts. At CoP16, Parties agreed that independent experts should be consulted when assessing whether a Party should exit the NIAP process. Given the concerns outlined above, we believe that the role of independent experts should become more, not less, important throughout the NIAP process to ensure it is transparent, effective and consistently applied.

We also note that the proposed changes to the NIAP Guidelines do not do enough to reflect Recommendation 6(b) from the Maputo conference that the process for entry into and exit from the NIAP process should be clarified for the sake of simplification and transparency.<sup>5</sup>

## **Participation in the NIAP Process**

The ETIS analysis has identified Japan, Singapore and South Africa as countries of concern which, alongside other relevant information, presents a strong case for these Parties to participate in the NIAP process.

## **Publication of all ‘Category A’ NIAPs**

It should also be noted that all of the Parties recommended for exiting the process are among the original eight whose NIAPs were never published on the CITES website. In Decision 17.79, CoP17 directed the Secretariat to publish all NIAPs, not only those received after the date of CoP17. There was no exception for NIAPs submitted before CoP17, so all NIAPs should be published. The lack of transparency in this regard is a serious concern and hinders the effective implementation and assessment of the NIAP process.

**Environmental Investigation Agency, UK (EIA)**  
**Wildlife Conservation Society**  
**World Wide Fund for Nature**  
**Zoological Society of London**

<sup>4</sup> NIAP Guidelines Step 2(a)(3)(vi).

<sup>5</sup> SC70 Doc. 27.4 Annex 2.