



Tuesday, 29 May 2018

Committee Secretary  
Parliamentary Joint Committee on Law Enforcement  
PO Box 6100  
Parliament House  
Canberra, ACT. 2600

Dear Committee Secretary

**Re: Trade in elephant ivory and rhinoceros horn**

As a zoo-based conservation organisation committed to fighting the extinction of wildlife, Zoos Victoria is deeply concerned about the threats to wild elephants and rhinoceros from poaching for their tusks (ivory) and horns respectively.

The magnitude of the threat is significant, particularly in Africa, where an estimated 144,000 African Elephants were killed between 2007 and 2014. This represents an 8% continent-wide reduction per year and approximately 30% in the entire Savannah Elephant population, primarily due to poaching. White and Black Rhinoceros have been similarly impacted, with more than 7,000 killed for their horns since 2007, mostly in South Africa (almost 8,000%).

The threat is not confined to Africa, however, as Asian Elephants have also been killed in Sumatra and Vietnam for their tusks over the last three years.

Australia is a signatory to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Under the Environment and Biodiversity Protection Act (EPBC), Australia has adopted a stronger position than required by the Convention, referred to as "stricter domestic measures". Under this approach, Australia treats all populations of African Elephants as though they are listed on Appendix 1 of CITES. As such, elephant specimens (including ivory) may only be brought into or out of Australia in exceptional circumstances, or with a pre-CITES certificate. This includes material/items imported for personal and household use (otherwise exempted under CITES Appendix 1-listed species).

Similarly, Australia has stricter measures for rhinoceros than required by CITES, including hunting trophies and live specimens of Southern White Rhinoceros from South Africa and Swaziland, which are otherwise listed on Appendix 11 of CITES. Consequently, rhino specimens may only be brought into or out of Australia in exceptional circumstances, or with a pre-CITES certificate. Further, export of rhino horn requires radiocarbon dating to conclusively prove that the item is pre-Convention before a pre-Convention certificate will be issued by Australia.

It is also an offence under Australian law to be in possession of illegally imported ivory.

Poaching is underpinned by a range of financial and cultural drivers. Monetary return is a major factor, at almost all points in the supply chain.

In 2014, the US passed a "National Strategy for Combating Wildlife Trafficking" and heads-of-nation delegates endorsed the "London Declaration on the Illegal Wildlife Trade". Trade in elephant ivory and rhino horn was a major focus in both. Despite best intentions, the trade has continued unabated.

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The impact of trade in elephant ivory and rhino horn on these species is so severe that delegates at a 2016 meeting of the International Union for the Conservation of Nature & Natural Resources (IUCN) agreed to “close the internal trade of ivory as a matter of urgency”. Countries were also asked to establish or strengthen domestic legislation governing in-country trade in this material, recognising that legal domestic trade can fuel illegal international trade.

The 2016 “Under the Hammer” report on sale of elephant ivory and rhino horn items in Australian and New Zealand auction houses by the International Federation of Animal Welfare suggests that these items are readily available for purchase by private citizens. In response, Leonard Joel Auction House, one of Melbourne’s major auction houses, decided to stop auctioning items of elephant ivory and rhino horn in 2017. They have reported that this decision has had no negative impact on their sales.

Zoos Victoria is committed to fighting extinction of threatened species, within Australia and overseas. This includes supporting elephant conservation projects in south-east Asia and Sri Lanka since 2005. We also support conservation of the Southern White Rhino in Africa, through a community-based partnership with Rhino Fund Uganda (RFU). The last wild rhino in Uganda was killed in 1983 and RFU’s goal is to re-establish the species in the wild in Uganda.

Zoos Victoria participated in an event to publicly crush elephant ivory and rhino horn in Melbourne, organised by “For the Love of Wildlife”. This included providing members of the Victorian community the opportunity to contribute by donate personal items of elephant ivory and rhino horn. A small number of ivory items were donated, demonstrating that Victorians care about this issue.

Bans on domestic trade in elephant ivory and rhino horn have been implemented in a range of countries in the last 1-2 years. These include a number of states in the USA, as well as China and Hong Kong, whilst the UK announced in April this year that it will pass legislation banning domestic trade in elephant ivory.

Zoos Victoria is concerned that distinguishing between illegally imported ivory and rhino horn, and those items that may have been obtained legally (prior to the current bans), enables illegally sourced and imported material to be laundered through domestic markets. As such, this provides a continuing consumer demand, which poachers will find ways to meet.

Noting the foregoing, Zoos Victoria recommends:

1. A complete ban on all commercial trade in elephant ivory and rhino horn within Australia, including at auction houses, in antique shops and via on-line sales, but noting the following:
  - Musical instruments made before 1975 with an ivory content of less than 20%, and objects made before 1947 with less than 10% ivory should be exempt, provided that there is acceptable documentation on the age of the instrument. This exemption is part of the proposed new UK law and we consider that it is an appropriate approach. Moreover, we suggest that this should also apply to musical instruments containing rhino horn.
  - Exemption for antiques, in antique shops, at least 100 years old, deemed rare and significant. Verification of the origin of these items should be provided by recognized specialists with the relevant knowledge, and be provided with the items for sale. This clause is also in the proposed new UK law.
  - There should be no exemption for on-line sales, as this is too hard to police and leaves open the opportunity for laundering illegally sourced items.





2. Reduce the demand for elephant ivory and rhino horn by strengthened engagement with the Australian community about the severe impact of the trade in elephant ivory and rhino horn on these species in the wild. Zoos Victoria could assist with this via our community networks.
3. Continuing rigorous enforcement of the ban on import into and export from Australia of all elephant ivory and rhino horn. We strongly support the continuing work of Australia's Commonwealth and state/territory agencies to enforce the current prohibition on imports and monitoring of this material within Australia.
4. Recognised museums holding/exhibiting items of elephant ivory or rhino horn should be allowed to retain those items, provided they have verification of authenticity and have appropriate security to mitigate the risk of theft.
5. Australian citizens in possession of personal items of elephant ivory or rhino horn, obtained before 1975, should be allowed to keep those items. Reasonable efforts should be made to document the origin of these items.
6. Holding of elephant ivory and rhino by any other commercially-oriented organisations should be prohibited and any such items handed to the Commonwealth for destruction.

A grace period of 6 months maximum could be applied to the ban on sale of elephant ivory and rhino horn by auction houses. During this period, the items could be sold, provided that there is acceptable documentation of origin, date of obtaining, etc.; and full details of the purchaser. Alternatively, the items could be given to the Commonwealth for destruction. At the end of the grace period, all elephant ivory and rhino horn held by auction houses should be handed to the Commonwealth for destruction.

Thank you for receiving our submission

Yours sincerely

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Director Wildlife Conservation and Science, Zoos Victoria

