



His Excellency Shintaro Ito
 Minister of the Environment
 Ministry of the Environment
 Government of Japan
 1-2-2 Kasumigaseki, Chiyoda-ku
 Tokyo 100-8975
 Japan

April 10, 2024

Re: Appeal for Closure of Japan’s Ivory Market

Your Excellency:

We are writing to draw your attention to the plight of Africa’s endangered elephants, which continue to be poached for their tusks to supply the ivory trade. In the current global environment, Japan can play an important role in protecting elephants by closing its legal domestic market for elephant ivory.

The Government of Japan, mainly the Ministry of the Environment (MoE), has the opportunity to make regulatory changes to its Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES, also called the ACES) as it undergoes a formal review between 2024 and 2026 to address its significant legal domestic commercial trade in ivory, and we urge you to call for changes that would effectively close Japan’s market for ivory.

In 2016, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) adopted a resolution by consensus, recommending that all countries with legal ivory markets that contribute to poaching or illegal trade close them urgently; Japan joined that consensus. However, Japan’s market remains open. Japan is an outlier in the global community, with thousands of government-registered ivory traders, an industry that continues to manufacture ivory products, and an ongoing market for ivory.¹ Japan claims to have 250 tonnes of stockpiled

¹ EIA & JTEF. 2023. Reality Check: Japan’s Legal Domestic Ivory Market
https://us.eia.org/wp-content/uploads/2023/10/SC77-EIA_JTEF-Japan-Briefing- FINAL_31-Oct-2023.pdf

elephant ivory², accounting for 92 percent of Asia's declared ivory stockpile (271 tonnes³) and 43 percent of the world's declared stockpile (581 tonnes⁴).

To combat the poaching of elephants and trafficking in ivory, many global leaders and countries with historically large consumer markets, including China, the European Union, United Kingdom, United States, and Singapore, have closed their domestic ivory markets, with some very limited exemptions. Those actions have also been informed by appeals from the majority of African elephant range states requesting that ivory markets be closed to protect their elephants from trade.⁵ By closing these domestic ivory markets, governments send a clear message that the trade in elephant ivory is unacceptable and enhance enforcement and demand reduction efforts. Japan is the world's most significant open ivory market today. Our organizations, and others such as TRAFFIC and WWF Japan⁶, have repeatedly appealed to Japan to close its market.

Yet Japan's open ivory market persists in spite of evidence that Japan's market controls are porous and enable the illegal domestic trade while also contributing to the illegal international trade.⁷ Seizures of ivory from Japan are being made in other jurisdictions, particularly within China.⁸ Before the COVID-19 pandemic, tourists from China identified Japan as an easy legal source of ivory⁹ from where they would often export illegally. Moreover, an analysis by the Japan Tiger and Elephant Fund of Chinese court cases for smugglers illegally importing ivory from Japan found that half of the cases involved organized criminal groups.¹⁰ Japan's legal market is being targeted as a source of ivory not only by tourists but also by transnational organized criminal groups, who find it easy to acquire this profitable commodity in Japan's open market.

It is clear that Japan's market plays a role in the illegal international trade in ivory, and its very existence poses a threat to efforts to reduce demand for ivory and enforce ivory market closures to protect elephants in other countries. In today's globalized world, it is impossible to have a well-controlled domestic ivory market that acts in isolation. Because of this, the European Union made the decision in 2022 to close its legal domestic ivory market with narrow exemptions¹¹ to "reduce the risk that ivory items acquired in the EU and then exported to third countries could fuel the demand for illegal ivory items, and thus undermine enforcement and demand reduction activities."¹² In our view, this is the approach the Government of Japan should take.

In Tokyo, Governor Yuriko Koike instigated an ivory trade assessment process in 2020 before the Olympic Games in lieu of action at the national level. In 2022, an Advisory Committee on the Regulation of Ivory Trade released its official recommendations after two years of deliberations. The recommendations to the Tokyo Metropolitan Government include that the Tokyo government

² 175,102 kg of registered whole tusks plus 75,949 kg of cut pieces notified by registered dealers. SC77 Doc. 63.1 (Rev. 2) Annex 3. Closure of domestic ivory markets (Decisions 18.117 (Rev. CoP19) and 18.118) https://cites.org/sites/default/files/documents/E-SC77-63-01-R2_0.pdf

³ CITES. https://cites.org/eng/prog/terrestrial_fauna/elephants (as declared by 28 February 2023)

⁴ Ibid.

⁵ CoP19 Doc.66.3. IMPLEMENTING ASPECTS OF RESOLUTION CONF. 10.10 (REV. COP18) ON THE CLOSURE OF DOMESTIC IVORY MARKETS <https://cites.org/sites/default/files/documents/E-CoP19-66-03.pdf>

⁶ Nishino, R. and Kitade, T. 2020. Teetering on the brink: Japan's online ivory trade. TRAFFIC, Japan Office https://www.wwf.or.jp/activities/data/20201208_wildlife03.pdf

⁷ EIA&JTEF. 2023. Reality Check: Japan's Legal Domestic Ivory Market https://us.eia.org/wp-content/uploads/2023/10/SC77-EIA_JTEF-Japan-Briefing_FINAL_31-Oct-2023.pdf

EIA. 2022. RIPE FOR ABUSE: Japan's Ivory Market https://us.eia.org/wp-content/uploads/2022/10/EIA_US_CoP19_Ivory_report_1022_US_Format_FINAL.pdf

⁸ EIA. (December 2020) Japan's Illegal Ivory Exports. <https://us.eia.org/campaigns/wildlife/elephants/japan-ivory/>

⁹ GlobeScan Incorporated / WWF. (October 2020) Beyond the Ivory Ban: Research on Chinese Travelers While Abroad. <https://wwf.panda.org/?968516/Ivory-Consumption-Chinese-Travelers>

¹⁰ Sakamoto M. 2022. Smugglers' Source: Japan's Legal Ivory Market; An Analysis of Chinese Court Decisions of Ivory Illegally Exported from Japan. Japan Tiger and Elephant Fund https://www.jtef.jp/en/wp-content/uploads/2022/10/IvoryNov22_E.pdf

¹¹ CITES SC74 Inf.10 <https://cites.org/sites/default/files/eng/com/sc/74/Inf/E-SC74-Inf-10.pdf>

¹² CITES SC74 Doc.39 Annex 2 <https://cites.org/sites/default/files/eng/com/sc/74/E-SC74-39.pdf>

should consider legal measures to address trade in ivory and to also urge the national government to take further action.¹³

Japan now has the opportunity to take meaningful action. Under your supervision, MoE established the “LCES Implementation Status Evaluation Committee” on March 21, 2024 and has been undertaking a statutory review process of the LCES¹⁴, which will identify review questions regarding the current regulations and their enforcement soon and subsequently consider necessary amendments based on the discussion in the other committee that will be set up in 2024.¹⁵

To address the ivory trade, we recommend that the MoE should first include and prioritize review of the domestic ivory trade controls in the list of the LCES review questions, as raised during the first meeting of the Evaluation Committee and the discussion in the Environment Committee of the House of Representative on March 29th. Then, the MoE should take the initiative to eliminate the broad exemptions to Japan’s domestic ivory trade regulations, currently authorized in the LCES and enabling the extensive commercial ivory trade, and enact amendments to close Japan’s domestic ivory market with truly narrow exemptions. By doing so, Japan can chart a new course aimed at protecting elephants.

We urge you to commit to the closure of Japan’s domestic ivory market to demonstrate that Japan is ready to join other countries and jurisdictions in protecting Africa’s elephants from being killed for their ivory. Elephant populations in many African countries are starting to recover, and we urge your government to take all necessary action to assist that recovery, including through closure of the world’s largest remaining open, legal ivory market.

Thank you in advance for your consideration and dedication to this important global issue.

Sincerely,

Environmental Investigation Agency¹⁶
Japan Tiger and Elephant Fund¹⁷
Animal Welfare Institute¹⁸
Association of Zoos and Aquariums¹⁹
Born Free Foundation²⁰
Born Free USA²¹
Center for Biological Diversity²²
David Shepherd Wildlife Foundation²³

¹³ https://www.seisakukikaku.metro.tokyo.lg.jp/cross-efforts/2022/09/images/Zouge_Report_ENG.pdf

¹⁴ https://www.env.go.jp/press/press_02911.html

¹⁵ <https://www.env.go.jp/content/000209896.pdf>

¹⁶ EIA. The Environmental Investigation Agency, with offices in Washington, DC and London, campaigns against environmental crime and abuse to create lasting positive change for the environment. www.eia.org

¹⁷ JTEF. Japan Tiger & Elephant Fund, a non-profit and nongovernment organization based in Japan, contributes to protecting the world of wildlife by representing their voice and interests, so that global biodiversity and the natural environment of human beings will be conserved. www.jtef.jp

¹⁸ AWI. Since 1951, the Animal Welfare Institute has been dedicated to reducing animal suffering caused by people in the laboratory, on the farm, in commerce, at home, and in the wild. <https://awionline.org/>

¹⁹ AZA. Founded in 1924, the Association of Zoos and Aquariums is a nonprofit organization dedicated to the advancement of zoos and aquariums in the areas of conservation, animal welfare, education, science, and recreation. www.AZA.org

²⁰ BFF. Born Free Foundation promotes compassionate conservation to enhance the survival of threatened species in the wild and protect natural habitats, while respecting the needs and safeguarding the welfare of individual animals. www.bornfree.org.uk

²¹ BFUSA. Born Free USA works to ensure that all wild animals, whether living in captivity or in the wild, are treated with compassion and respect and are able to live their lives according to their needs. www.bornfreeusa.org

²² At the Center for Biological Diversity, we work through science, law and creative media to secure a future for all species, great and small, hovering on the brink of extinction because we want those who come after us to inherit a world where the wild is still alive. www.biologicaldiversity.org

²³ DSWF. David Shepherd Wildlife Foundation works resolutely to fund ground-based conservation projects with our partners across Africa and Asia, and influence policy and shift attitudes, to protect endangered species. www.davidshepherd.org

EAGLE Network (Eco Activists for Governance and Law Enforcement)²⁴
Elephant Reintegration Trust²⁵
Fondation Franz Weber²⁶
Future for Elephants²⁷
Humane Society International²⁸
International Fund for Animal Welfare²⁹
Japan Wildlife Conservation Society³⁰
Natural Resources Defense Council³¹
National Council of SPCAs³²
Pro Wildlife³³
Save the Elephants³⁴
Species Survival Network³⁵
WildAid³⁶
WildlifeDirect³⁷
Wildlife Conservation Society³⁸

Cc: Mr. Ken Saito, Minister of Economy, Trade, and Industry
Mr. Yoko Kamikawa, Minister of Foreign Affairs
Ms. Yuriko Koike, Governor of Tokyo
Mr. Rahm Emanuel, United States Ambassador to Japan
Ms. Julia Longbottom, United Kingdom Ambassador to Japan
Mr. Jorge Rodriguez Romero, Head of Unit Global Environmental Cooperation and
Multilateralism, European Commission Directorate-General for Environment

²⁴ The EAGLE Network (Eco Activists for Governance and Law Enforcement) is leading the fight against wildlife crime with more than 2,000 significant wildlife traffickers jailed to date, fighting corruption to break complicity and ensure justice. www.eagle-enforcement.org

²⁵ The Elephant Reintegration Trust's mission is to establish and maintain a refuge and reintegration reserve in South Africa to provide a secure wild environment for elephants in need. www.elephantreintegrationtrust.com

²⁶ FFW. Fondation Franz Weber's mission is to use investigations, exposés, debates and lobbying to increase biodiversity and to maintain natural environments in an 'unspoiled' condition. <https://www.ffw.ch>

²⁷ Future for Elephants eV raises awareness about elephants via public relations and press work and supports on-the-ground projects to increase protections for elephants. www.FutureForElephants.org

²⁸ HSI. Advancing the welfare of animals in more than 50 countries, Humane Society International works around the globe to promote and improve animal welfare, protect wildlife, respond to disasters, and confront cruelty to animals in all of its forms. www.hsi.org

²⁹ IFAW. International Fund for Animal Welfare, a global non-profit helping animals and people thrive together. www.ifaw.org

³⁰ JWCS. Japan Wildlife Conservation Society conducts research, education and dissemination, focusing on the conservation of wildlife species whose survival is threatened by Japan's commercial exploitation of them. www.jwcs.org

³¹ NRDC. The Natural Resources Defense Council combines the power of more than 3 million members and online activists with the expertise of some 700 scientists, lawyers, and other environmental specialists to confront the climate crisis, protect the planet's wildlife and wild places, and to ensure the rights of all people to clean air, clean water, and healthy communities. www.nrdc.org

³² NSPCA, is South Africa's largest and oldest non-profit organization that is committed to the prevention of animal cruelty, the promotion of welfare and enforcing the protection of all animals through the Animals Protection Act 71 of 1962. www.nspca.co.za

³³ Pro Wildlife is a non-profit organisation committed to protecting wildlife and biodiversity through research, advocacy and supporting conservation projects. <https://www.prowildlife.de/>

³⁴ Save the Elephants works to secure a future for Africa's elephants using science & partnerships. www.savetheelephants.org/

³⁵ SSN. The Species Survival Network coordinates the activities of conservation, environmental and animal protection organizations around the world to secure CITES protection for plants and animals affected by international trade. www.ssn.org

³⁶ WildAid inspires change and empowers the world to protect wildlife and vital habitats from critical threats including illegal wildlife trafficking, climate change, and illegal fishing. www.wildaid.org

³⁷ WildlifeDirect works to change hearts, minds and laws to ensure Africa's critical species endure forever. www.wildlifedirect.org

³⁸ WCS. Wildlife Conservation Society runs the world's largest conservation field program, protecting more than 50 percent of Earth's known biodiversity; in partnership with governments, Indigenous People, Local Communities, and the private sector. www.wcs.org