Mozambique: Diminishing the Effectiveness of CITES Rhinos and Elephant Protections

Mozambique has consistently failed to live up to its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) designed to protect rhinos and elephants. Its own domestic population of rhinos was poached to extinction in 2013 and Mozambican nationals are responsible for slaughtering an estimated 1,862 rhinos in South Africa since 2010. Elephant populations in Mozambique's Niassa Reserve have declined dramatically and Mozambican poachers are now targeting elephants in other Mozambique parks and in Tanzania.

On June 27, 2014, the Environmental Investigation Agency (EIA) and the International Rhino Foundation (IRF) submitted a petition under the Pelly Amendment to the United States government to certify Mozambique as diminishing the effectiveness of CITES and requested trade sanctions against Mozambique until it comes into compliance with its CITES obligations. Mozambique must take drastic action to curb its role in rhino and elephant poaching and illegal trade in rhino horn and elephant ivory. Rhinos and elephants are standing on the tipping point, and Mozambique must be pushed into action to save them.

What is the Pelly Amendment and What Impact Can it Have?

Under the Pelly Amendment to the U.S. Fishermen's Protective Act, the President can issue trade sanctions against a country after that country has been certified that its nationals are diminishing the effectiveness of an international program for endangered or threatened species, such as CITES. In the early 1990s, sanctions against Taiwan through the Pelly Amendment helped curb the trade in rhino horn and tiger bones and improve Taiwan's CITES implementation. In this case, the pressure would be on Mozambique to take drastic steps to cut the rate of rhino and elephant poaching and illegal trade by its citizens, consistent with its CITES obligations, or potentially face serious economic consequences. Given the dire nature of the poaching crisis, EIA encourages swift action on the petition.

Why Mozambique?

The illegal activities of Mozambican nationals and the Mozambican government's failure to enact meaningful wildlife protections together constitute one of greatest threats to the survival of elephants, and particularly rhinos, in southern Africa. Since at least 2004, Mozambique has been identified by the CITES Parties as a Party of concern for elephant conservation due to in-country poaching, illegal ivory trade and its largely unregulated domestic ivory markets.

How is Mozambique Diminishing the Effectiveness of CITES?

Mozambique is at the center of the rhino and elephant poaching crisis that is devastating populations in South Africa. Poaching by Mozambican nationals continues to grow more sophisticated and deadly and threatens the very survival of these species.

Mozambican nationals commit extensive poaching throughout southern Africa. Mozambican nationals are diminishing the effectiveness of CITES by committing extensive poaching of rhinos in South Africa while the government of Mozambique is consistently failing to control poaching within Mozambique's borders. Mozambique's own domestic population of rhinos was wiped out, for the third time, in 2013, and roughly 80 to 90 percent of rhino poaching in neighboring South Africa's Kruger National Park is attributed to Mozambican nationals. Mozambique's elephants may be extirpated as well in the near future. In the northern part of the country, elephants are being poached at a rate of three to four a day.

Mozambique fails to effectively enforce trade controls. CITES urges all Parties to adopt trade restrictions on rhino and elephant parts, including measures to crack down and report on their own illegal domestic markets and to prevent international trafficking. On both counts Mozambique has failed to live up to its obligations. Internal markets are largely unregulated, with Mozambique repeatedly failing to report on the state of the market, even when requested to do so by the Parties. All indications are that the market is escalating rather than declining.

Mozambique has failed to adopt and enforce adequate CITES implementing legislation. Despite 17 years of capacity-building efforts and outreach, Mozambique's legislation remains inadequate to implement CITES and its penalties for violating wildlife protection laws have been ineffective at deterring criminals. Though a Party to CITES since 1981, Mozambique remains classified as a Category 2 Party, meaning that its legislation does not meet all the requirements for implementing CITES, in spite of the fact that Mozambique has been specifically asked to strengthen its legislation since at least 1997. Mozambique finally passed the Conservation Areas Act in 2014, which raised the fines and created prison terms for killing any protected species, including rhinos and elephants. While this is a long overdue first step, Mozambique's historical problem with widespread corruption raises concerns about successful implementation and enforcement.

Mozambique has failed to secure stocks of government-held rhino horn and elephant ivory. Under CITES, Parties are urged to secure, mark and register stocks of seized rhino horn and elephant ivory. Mozambique's failure to secure stocks diminishes CITES' enforcement capacity. To date, Mozambique has never provided a record of its rhino stockpiles. While seizures have occurred, neither Mozambique nor any independent body have reported or verified how many, if any, horns the government has in its stockpiles. In contrast, while there are government reported stockpiles of elephant ivory, there is no central database for tracking or auditing these stockpiles. In addition, theft from the elephant ivory stockpiles is a constant problem which Mozambique has also failed to consistently report on.

Mozambique has failed to adequately comply with CITES reporting requirements. Mozambique's repeated failure to comply with CITES reporting requirements seriously undermines the Parties' ability to implement effective, cooperative conservation measures. Reporting is essential to determining if a country is properly meeting its obligations and accomplishing conservation goals. Mozambique has consistently failed to report, or failed to adequately report, despite general and specific requests on a range of rhino and elephant issues.

What Action is Needed from Mozambique? It is time for Mozambique to get serious about its international obligations – Mozambique has failed to meet even the most basic of its CITES obligations. Widespread corruption and a nonexistent market oversight have allowed the illicit trade in elephant ivory and rhino horn to flourish, while lack of reporting has prevented development of even the most basic conservation efforts in the country. Mozambique must demonstrate its sincerity with regard to rhino and elephant conservation by making all efforts to comply with its CITES obligations, including timely and thorough reporting, securing stockpiles, cracking down on the domestic market, tackling poaching within and outside of its borders and addressing the rampant corruption that prevents effective enforcement of its obligations. Under the Pelly Amendment, the United States should certify Mozambique for diminishing the effectiveness of CITES for elephants and rhinos and should impose trade sanctions as soon as possible to encourage Mozambique to end its role in both poaching and smuggling of rhino horn and elephant ivory out of the country.

EIA and IRF's Pelly Petition and supporting materials can be found at:
http://eia-global.org/news-media/petition-to-certify-mozambique-as-diminishing-the-effectiveness-of-cites

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The Environmental Investigation Agency (EIA) is an NGO based in Washington, DC and London, UK that investigates and campaigns against a wide range of environmental crimes including illegal wildlife trade, illegal logging, hazardous waste and trade in climate and ozone-altering chemicals.
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