



A BRIEFING ON LARGE-SCALE IVORY SEIZURES AND CONVICTIONS

World Elephant Day is an annual opportunity to focus and reflect on the efforts made to protect elephants. In the 30+ years of the Environmental Investigation Agency, there have been some [notable successes](#) in diminishing the illicit ivory trade. There is, however, work still to be done.

EIA today releases an updated large scale ivory seizure map, demonstrating the location of 150 seizures over 500kg since 2000. This updated map now includes details of known prosecutions and pending prosecutions as well as 15 publicly documented thefts of ivory from government stockpiles.

Inclusion of known convictions is an effort to highlight examples of best practice by enforcement agencies and judicial services with regard to large-scale ivory seizures while simultaneously highlighting the inadequacies in bringing organised criminal groups to justice. Through this research, it became apparent that the reporting and transparency surrounding prosecutions of individuals and companies implicated in the illegal ivory trade, especially large scale seizures, is woefully inadequate. Of particular concern is the scarcity of known convictions for large-scale ivory seizures, especially for individuals identified as “crime controllers” who coordinate and finance the trade.

EIA analysis highlights the woefully low conviction rate for ivory crimes, with **only 19.3 per cent (29) of the 150 seizures known to have a conviction outcome**. A further 21 incidents are in process of prosecution. In addition 26 known incidents involved arrests; however, whether these resulted in any prosecution remains unknown.

With 31 incidents, Vietnam is identified as the country with the most significant number of large-scale ivory seizures, followed by Hong Kong (15) and Kenya (14). Of the 31 Vietnamese incidents, only two seizures are known to have a conviction outcome and a further two are in the process of prosecution. Hong Kong shared the same results, with two prosecution outcomes known and two prosecutions in process. In contrast, Kenya was identified to have results for four cases, with a further six reported to have commenced prosecution, identifying positive action in 10 of its 14 large-scale ivory seizures.

International cooperation is advantageous to achieve successful outcomes in such cases. While countries may target problematic export areas in-country, once a

consignment reaches the shores of another country, cooperation with respective enforcement agencies enables effective investigations to target the entire trade network and bring those responsible to justice. Without effective enforcement and judicial processes, organised criminal groups continue their illicit conduct without fear of punishment.

In countries where law enforcement has improved, EIA has observed the displacement of illegal ivory trade to countries with issues of weak governance which lack the capacity to [adequately investigate wildlife related crimes](#). In many countries, corruption plays a critical role in enabling the ivory trade, providing opportunities for criminal syndicates to exploit the system. This was highlighted in the recent EIA report [The Shuidong Connection: Exposing the global hub of the illegal ivory trade](#), where an organised criminal group from Shuidong moved its operations to Mozambique following improved enforcement efforts in Tanzania.

The loss of ivory to an Organised Criminal Group (OCG) through a seizure is a setback but, as EIA has observed through numerous investigations, it is only a hold-up before trade resumes. The arrest and conviction of individuals involved in the trade is the only way to bring about long-term and meaningful change to effectively combat the trade. Ultimately, the goal is to shut down the illegal ivory trade by removing the ease the crime, preventing future opportunities for ivory traders to commit crimes, and to remove any potential gain and reward from the sale of ivory which has caused the deaths of so many thousands of elephants. The groups must be dismantled, not simply displaced to exploit another region.

Despite the challenges in detecting and prosecuting illicit ivory crimes, there are some examples of best practice worth highlighting for their thorough investigation efforts and adequate sentencing outcomes:

- In June 2014, 2,152kg of ivory was seized during a raid at warehouse in Mombasa, Kenya, in what is suspected to be an ivory collation syndicate. Those arrested allegedly attempted to bribe the officers with KES 5million (\$22,000). An identified suspect, Feisal Mohammed Ali, fled to Tanzania and was subsequently put on an INTERPOL Red Notice, a valuable tool to aid international cooperation helping to locate wanted suspects. He was arrested in December 2014 and, although the case was plagued by accusations of evidence-tampering and contradicting testimonies, it was resolved in July 2016. The investigation found evidence linking Ali to the vehicle used to transport ivory and he received a sentence of 20 years imprisonment and fined Ksh 20million [\$192,400], a significant outcome involving a higher-level offender.
- A seizure at known ivory transit point Togo, in the Autonomous Port of Lomé, resulted in the discovery of 3,815kg of ivory, 22.55kg of pangolin scales and 266 teak logs in containers ready for export to Vietnam. Upon investigation, two local shipping agents, Manza Esso Walla and Mohammed Alanou, were identified as well as two Vietnamese timber traders, of whom one, Dinh Huu Khao, was identified as the owner of the shipments. When he was apprehended he was found possession of \$165,000 in multiple currencies. A further two suspects were identified, one of whom, Dao Van Bien, was also subject to an INTERPOL Red Notice after absconding from Togo. In October 2015, Alanou and Dinh were

both convicted for their involvement in the seizure via a public case and were sentenced to 22 and 24 months imprisonment, respectively. Both offenders were also fined 100 million CFA francs [\$178, 800] and 15 million CFA francs [\$26,800] via a civil case, to be paid to Ministry of Environment and Forest Resources and SOS Elephants, respectively. The outcome for Dao remains an unknown.

- Following the interception of 13kg of ivory at a tollbooth in Lichuan County, Fuzhou City of Jiangxi, China, a one-year investigation was conducted by Jiangxi Province Police. The investigation went on to uncover an ivory processing factory in Fujian province, where more than 500kg of ivory and ivory products were seized. Four accused were identified in the case and subsequently convicted in 2015 and 2016. The outcome in this case reflects the severity of the crimes: each offender received a custodial sentence of between three and 13 years. Three of the offenders also had assets seized, ranging from RMB 200,000- RMB 1.2 million [\$29,600-1,776,500], which is in line with the previous recommendations EIA has made on assets seizures.

Although encouraging, these cases are more the exception than the rule. From these three seizures alone, the number of elephants killed to supply it is shocking. Conservative estimates equate the ivory to the death of approximately 966 individual elephants.

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