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REPORT

DECEMBER 2017

IVORY TOWERS

An Assessment of Japan's Ivory Trade and Domestic Market

Tomomi Kitade and Ryoko Nishino



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Display of ivory items at a shop in Tokyo's
tourist areas. A sticker promotes "made in
Japan" shown also in Chinese and Korean.
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A herd of African Elephants walking in a line at Serengeti National Park, Tanzania

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ABBREVIATIONS AND ACRONYMS

CoP	Conference of the Parties
CITES.....	Convention for International Trade in Endangered Species of Wild Fauna and Flora
ETIS.....	Elephant Trade Information System
EU	European Union
JPY	Japanese Yen
LCES.....	Law for the Conservation of Endangered Wild Fauna and Flora
MIKE.....	Monitoring the Illegal Killing of Elephants
MOE.....	Ministry of the Environment
MOF	Ministry of Finance
METI.....	Ministry of Economy, Trade and Industry
NIAP	National Ivory Action Plan
RIE.....	Raw Ivory Equivalent
SC.....	Standing Committee
UK	United Kingdom
US	United States
USD	United States Dollars
WWF	World Wide Fund for Nature

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EXECUTIVE SUMMARY

The 17th Conference of the Parties (CoP17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) held in September and October 2016 recommended the closure of domestic ivory markets that are “*contributing to poaching or illegal trade*” as a matter of urgency (CITES, 2016). Faced with the worst elephant poaching crisis in three decades, countries and territories with major ivory markets such as China, Hong Kong, and the US have introduced plans, which are currently at different stages of implementation, to ban significant aspects of domestic ivory trade, while other countries, such as Thailand, are introducing and the UK is proposing stricter measures to curtail domestic ivory trade (Department for Environment Food and Rural Affairs, 2017; Kramer *et al.*, 2017; Krishnasamy *et al.*, 2016; TRAFFIC, 2016, 2017e).

Japan remains home to one of the largest domestic ivory markets in the world, and possesses an active, albeit shrinking, ivory manufacturing industry. Although the market has declined significantly over the past decades (Kitade and Toko, 2016; Vigne and Martin, 2010), a substantial but undefined amount of pre-Convention stock of ivory tusks is held in private ownership for non-commercial purposes, a cultural legacy of the country’s past ivory trade. Increasingly, owners of such ivory are disposing of it, resulting in some 10 t of such stock being newly registered¹ for legal trade each year (Kitade and Toko, 2016).

Despite the large stockpiles and the existence of a legal domestic ivory market, the recent analysis of the Elephant Trade Information System (ETIS) for CoP17 concluded that “*the ETIS data do not provide any recent evidence that Japan is a destination for the significant illegal ivory flows presently leaving Africa*”. The ETIS analysis did, however, highlight the problem of on-going illegal export to China, domestic illegal trade, and persistent regulatory loopholes in Japan (Milliken *et al.*, 2016). A recent study of online ivory trade in Japan further emphasized the high level of unregulated online trade (Kitade, 2017). Concerns about the status of Japan’s ivory market led to a proposal by certain African countries to reconsider the CITES Standing Committee (SC)’s decision not to include Japan in the National Ivory Action Plan (NIAP) process at its 69th meeting (SC69) held in November 2017 (CITES, 2017b). As a consequence, the decision was not reconsidered at SC69, but Japan was requested to report to the next SC (CITES, 2017a).

This study presents a detailed assessment of Japan’s international ivory trade and its domestic market, with a focus on antiques and tourist market outlets. This evaluation of the current status of Japan’s domestic market is warranted and timely: firstly, because ivory trade in the antiques sector seems to have received the least government oversight historically; and secondly, Japan’s tourism sector is reshaping around rapidly increasing numbers of foreign visitors, hitting a record high of 24 million in 2016. The majority of this tourist influx is coming from East Asia (Japan National Tourism Organization, 2017), where major ivory demand centres exist and domestic ivory markets are constricting progressively. This study integrated information from a variety of sources with analyses conducted on: Japan’s current regulatory scheme and the status of controls, seizure records held in the ETIS database and other seizure reports, CITES trade data, as well as published cases of domestic illegal trade. Surveys were conducted in physical ivory markets, and physical and online auction platforms between May and September 2017, while antiques dealers as buyers of privately owned ivory were also interviewed during the same period.

In terms of strengthening of the regulation of Japan’s domestic ivory market, the scheduled reform of the Law for the Conservation of Endangered Wild Fauna and Flora (LCES) was conducted in June 2017, with an expected entry into effect no later than 1 June 2018. However, TRAFFIC’s evaluation found the proposed changes to be limited in terms of coverage and effect. Whilst the

¹ Whole tusks are required to be registered with the MOE before it can be legally traded or given away.

proposed reforms strengthened regulatory control over ivory businesses, critical loopholes in the law remain, including the issue of unquantified domestic stocks of whole ivory tusks and the lack of compulsory mechanisms to ensure legality of products in the market. The Ministry of Environment (MOE) launched a campaign in August 2017 to promote voluntary registration of whole ivory tusks in personal possession, but without mandatory registrations and an effective and traceable marking system this move is unlikely to address the problem of illegal ivory export of such specimens from Japan.

A review of seizure records revealed an increase in illegal ivory exports from Japan, especially from 2011 onwards. A total of over 2.42 t of ivory were seized as illegal exports from Japan, mostly by Chinese law enforcement authorities, between 2011 and 2016, comprising of 1.66 t of raw ivory and 764 kg of worked ivory. In contrast, seizures concerning illegal imports totalled only 7 kg of raw ivory and 36 kg of worked ivory. A very low number of seizures were actually made by Japanese authorities (only 22 cases over the six-year period 2011–2016). Overall, the illegal ivory trade activities captured in the ETIS data indicated a one-way trend in which ivory commodities were illegally exported from Japan to China, representing 95% of all illegal export by weight. The involvement of transnational criminal networks in the smuggling of ivory out of Japan is now clearly evident, for example, the case surrounding the seizure of 804.4 kg of ivory in 2015 which led to 16 arrests by the Beijing Forest Police (TRAFFIC, 2015a). Japanese online platforms were further found to be exploited for purchasing worked ivory products, with the most recent seizure made by China's Customs authority in 2016 involving 1,639 pieces of worked ivory and carved tusks, weighing 101.4 kg in total; these products were reportedly purchased from Japanese e-commerce sites and exported illegally to China (Changcheng Web, 2016). At the same time, the trend in CITES-reported trade did not show an increase in legal ivory re-exports from Japan in recent years, in contrast to the rising trend in such re-export incidents detected for the EU and the UK (Lau *et al.*, 2016), suggesting further that Japan's ivory export is likely happening largely through illegal trade routes and not with the benefit of CITES documentations.

Reviewing domestic illegal trade cases for this report highlighted serious issues with the illegal trade in unregistered tusks. Two of the most recent cases, in June and August 2017, exposed regular purchasing of a large number of privately-held unregistered tusks by major antiques companies, involving 39 suspects and 27 tusks seized in total (TRAFFIC, 2017b; WWF Japan, 2017b). These acts underscored gaps in law enforcement effectiveness despite the stricter penalties that were introduced in 2013 (TRAFFIC, 2013) and lax government oversight considering that both of these companies had “notified” the Ministry of Economy, Industry and Trade (METI) of their engagement in the ivory trade as required by law. The lack of judicial and investigative follow-through for domestic illegal trade cases was also evident, for example, the two illegal ivory trade cases that occurred in 2017 have both ended in non-prosecution and were not followed by background investigation to clarify any links to international illegal trade (WWF Japan, 2017b).

Surveys of physical ivory markets were conducted in the cities of Tokyo, Osaka, and Kyoto, targeting antiques outlets and tourist areas to get an understanding of the availability of ivory items in Japan. The most popular product categories identified through the surveys were ivory *netsukes*, carvings and furnishings, and jewellery. A major problem encountered through the survey concerned the loophole in domestic regulations, which made it nearly impossible to discern the origin and legality of ivory products. Whole tusks, the only type of products with proof-of-legality requirements under current regulations, comprised less than 1% of all ivory items (~5,000) detected. Even so, 68% of whole tusks observed were illegally advertised without the necessary registration cards accompanying the tusks, as required by law. The advent of new ivory product designs not previously identified in Japan but popular in overseas ivory markets were also detected at two shops in Tokyo's major tourist areas, where the sellers of the shops who were both Chinese-speaking women admitted that the new ivory product lines were preferentially bought by foreigners. This

development presents another facet of organized crime to profit from the premeditated targeted production and sales of ivory products for illegal exports by foreign customers, which is also a phenomenon observed concurrently in other parts of the world such as Lao People's Democratic Republic (PDR), Viet Nam, and Zimbabwe (Liu, 2015; Vigne and Martin, 2017; T. Kitade pers. obs. July 2015).

Covert interviews with ivory vendors revealed a widespread purchasing of ivory products by foreign buyers, including professional dealers, or agents, in both antiques and tourist markets in recent years. Many vendors also stated the demand by foreign buyers has somewhat declined in the first half of 2017, which they attributed to a crackdown by the Chinese authorities on ivory trade in China, although purchase by foreign buyers could still be observed during the market survey. A 73% of vendors interviewed promoted illegal ivory exports, for example, suggesting that smaller ivory items can be hidden in luggage and without mentioning the need for permits, despite many of them being aware that the act constitutes a violation of CITES. Furthermore, vendors emphasized the general laxness in Japan's regulations and enforcement of ivory trade controls in comparison to other countries. It was not possible, however, to assess the legal compliance of each vendor in the market due to the lack of regulatory requirements to display business notification stickers under the current legislation².

Active trade was observed via both physical and online auction platforms that are openly accessible to the public, with nearly 100 whole ivory tusks sold during the survey period. The most striking finding was that until recently, ivory tusks traded through one of the major physical auction houses were being leaked into a smuggling route for illegal export, as uncovered during the survey through a covert interview with auction staff. The illegal advertisement of whole tusks without proper accompaniment of registration cards/numbers was also widespread in the physical auctions, and still observed to some extent at major online auction platforms even where the e-commerce company was supposedly conducting regular monitoring. The scale of ivory trade on the online auction site was larger than what was found at the major physical auctions (open to the public) combined. It was suggested by auction houses interviewed that another aspect of ivory trade is occurring in closed auctions between antiques dealers, although this was not surveyed in this study.

Finally, 76% of 50 general antiques buying businesses sampled across Japan had expressed an intention to purchase privately-owned ivory tusks and worked ivory products, but of those, 50% indicated there was no legal procedure required for trading ivory. This is contrary to the current law in force, which requires every whole tusk to be registered with MOE before it can be traded, including non-commercial gifting. While many appeared to be simply unaware, at least three businesses had knowingly admitted that they would evade the legal requirement. Whether any of these businesses were currently operating without notification to METI could not be confirmed, but the overall awareness level of dealers suggests that a significant proportion could be. The surveyed businesses indicated that the purchased ivory would likely be sold onward to antiques collectors and ivory manufacturers in Japan, but at least three of them indicated it would be sold to overseas markets in Asia with two others admitting that they used to sell ivory to China in the recent past, although precise details of these dealers' involvement in the illegal trade were not uncovered through the interviews.

In sum, the findings of this study revealed that Japan's domestic ivory market availability is targeted for procuring products from the antiques and tourist markets for illegal ivory exports, as well as through physical and online auctions. Parts of such operations manifest the attributes of well-organized transnational criminal networks in illegally exporting ivory from Japan to China

² The display of registered business numbers will be mandatory with the enactment of amended LCES no later than 1 June 2018.

as gleaned from investigations associated with major seizures and evidence collected in various markets in Japan. In general, these domestic markets were found to be poorly regulated in the face of evidence suggesting illegal domestic trade, low compliance and unscrupulous attitudes on the part of many sellers, which gave rise to on-going illegal exports. This issue is ultimately compounded by a lack of high-level recognition and engagement towards the global fight against illegal ivory trade in particular and illegal wildlife trade in general. If this state of affairs is allowed to continue, it will produce negative impacts on efforts to close ivory markets in other Asian countries and territories, as well as having global implications. This threat persists regardless of the fact that Japan's domestic demand for ivory products such as *hanko* is on a continuing trajectory of decline, because numbers of foreign visitors will continue to grow given the Japanese government's plan to attract an annual 40 million visitors by 2020, the year of the Tokyo Summer Olympics and Paralympics (Government of Japan Cabinet Office, 2016).

In conclusion, the current status of Japan's largely unregulated domestic ivory market has been demonstrated to meet one of the two conditions of an extant legal domestic ivory market to qualify for closure pursuant to the recommendation in paragraph 3 of CITES Resolution Conf. 10.10 (Rev. CoP17). In this regard, there is little evidence to suggest that Japan's market is directly contributing to "*poaching*", but there is considerable evidence to suggest it is contributing to "*illegal trade*". TRAFFIC recommends a response on two levels: firstly, a series of immediate measures to halt illegal export and domestic trade that are illegal or unregulated; and secondly, starting the deliberation of necessary legislative, regulatory and enforcement measures towards market closure in Japan while defining any narrow exemptions that do "*not contribute to poaching or illegal trade*" as stipulated in paragraphs 3 and 4 of Resolution Conf. 10.10 (Rev. CoP17). This process in essence means an establishment of strictly regulated systems whereby domestic stocks and restricted legal trade under narrow exemptions is effectively governed by comprehensive and enforceable mechanisms. Defining any narrow exemptions in the case of Japan will further involve sorting out the highly complex issues associated with social, economic and cultural ramifications for a range of stakeholders and the public and will require an elaborate legal framework and regulatory changes. Although Japan was not included in the NIAP process at SC69, TRAFFIC considers such action to be warranted based on the findings of this report. Given the sense of urgency conveyed in Resolution Conf. 10.10 (Rev. CoP17), the Japanese government needs to make a concerted effort to address its ivory trade issue as a matter of priority.

Immediate measures to halt illegal trade in Japan

1. To halt illegal ivory export from Japan:
 - a. The MOF (Ministry of Finance, responsible for actions by Japan's Customs authority) should increase law enforcement vigilance at the borders, in collaboration with the transport/logistics sector, especially targeting those travellers departing for China and other Asian countries/territories where demand for ivory is well documented. Japan's Customs authority should enhance co-ordination and collaboration with Customs counterparts from China to develop bilateral law enforcement strategies, including the identification of points of entry/exit, criteria for targeting and profiling, and other related issues which may be exploited by those engaged in transnational ivory trade crime;
 - b. The MOE, METI, tourism industry, and providers of platforms for ivory selling should co-ordinate in conducting awareness raising campaigns at airports, antiques outlets, tourist areas, and department stores, to warn against the illegal export of ivory (e.g. mandatory signage in relevant languages, including the message "do not take ivory out of Japan");
 - c. The METI, municipalities, industry associations and other relevant organizations should increase surveillance of ivory vendors (e.g. through internal rules and public/peer reporting system), particularly in the antiques and tourism sectors, so as not to facilitate the opportunity for illegal export by selling ivory products to foreign customers;

- d. The METI should inform the organizers of occasional antiques fairs and markets across Japan to enforce the regulation of ivory businesses, and apply administrative and other penalties to operations that are found to be illegally operating.
2. To eliminate illegal and unregulated trade:
 - a. The MOE and METI should conduct a nationwide clampdown on illegal trade in whole tusks, and target illegal business operations and platforms such as auctions that are providing avenues for illegal trade, following through with appropriate judicial actions;
 - b. The MOE should review and audit registration records for whole tusks, to ensure that all registered tusks and transaction records, especially reports of ownership changes, are in order;
 - c. The MOE and METI as well as e-commerce companies should introduce a policy prohibiting online ivory trade;
 - d. The MOF (through Japan's Customs authority) should assess the status of law enforcement at borders for intercepting illegal imports/exports and take strong measures to improve its effectiveness, while inviting co-ordinated efforts to strengthen vigilance in the transport/logistics sector.

Market closure in Japan with narrow exemptions that do not contribute to poaching or illegal trade

3. The government should deliberate necessary legislative, regulatory and enforcement measures towards market closure while defining any narrow exemptions that do not contribute to poaching or illegal trade as stipulated in Resolution Conf. 10.10 (Rev. CoP17). The following considerations should be given to smooth the process:
 - a. A high-level policy on combatting illegal wildlife trade should be devised to raise the priority of illegal wildlife trade in various government sectors and enhance inter-agency collaboration on this matter;
 - b. Types of trade that are currently contributing to illegal exports and are identified to be difficult to regulate (e.g. online trade) should be banned promptly;
 - c. The MOE and METI should start a consultation process with relevant stakeholders (e.g. through the existing Public-Private Council for the Promotion of Appropriate Ivory Trade Measures) to define the narrow exemptions that are acceptable based on considerations for factors such as cultural importance and availability of substitute materials;
 - d. Given that no exemptions should contribute to poaching or illegal trade, comprehensive and enforceable regulatory systems should be established to govern the trade in terms of the range of narrow exemptions allowed in Resolution Conf. 10.10 (Rev. CoP17);
 - e. Measures necessary for establishing the comprehensive and enforceable regulatory systems should be planned in time for CoP18 and ideally implemented before the 2020 Tokyo Summer Olympics and Paralympics.
4. Until the above measures are implemented, the METI and MOE should take the following regulatory and enforcement measures to minimize illegal and unregulated domestic trade and stop any leakage from domestic stocks of whole tusks.
 - a. Upon 2018 enactment of amended LCES, the METI should conduct screening of notified businesses before granting registrations, especially for antiques dealers, and:
 - i. Decline registration for businesses that are found to have incomplete trade records;
 - ii. Scrutinize the trade records of those who have been alleged to have conducted illegal trading of unregistered tusks or a violation of mandatory business requirements to check for any possible links to illegal international trade.
 - b. The MOE should conduct regulatory reforms or introduce new legislation to:
 - i. Conduct mandatory registration of all ivory tusks in private possession with a set timeline (e.g. one year), after which no new registration of tusks will be allowed;

- ii. Establish traceability and marking mechanisms for registered tusks, with a limited time window for trade, after the completion of mandatory registration. Such trade should only be allowed through designated platforms by designated ivory businesses.

Excerpts from Resolution Conf. 10.10 (Rev. CoP17)

Regarding trade in elephant specimens

3. RECOMMENDS that all Parties and non-Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade, take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory as a matter of urgency;
4. RECOGNIZES that narrow exemptions to this closure for some items may be warranted; any exemptions should not contribute to poaching or illegal trade;
5. URGES those Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade and that have not closed their domestic ivory markets for commercial trade in ivory to implement the above recommendation as a matter of urgency;
6. FURTHER URGES those Parties in whose jurisdiction there is an ivory carving industry, a legal domestic trade in ivory, an unregulated market for or illegal trade in ivory, or where ivory stockpiles exist, and Parties designated as ivory importing countries, to ensure that they have put in place comprehensive internal legislative, regulatory, enforcement and other measures to:
 - a) regulate the domestic trade in raw and worked ivory;
 - b) register or license all importers, exporters, manufacturers, wholesalers and retailers dealing in raw or worked ivory;
 - c) introduce recording and inspection procedures to enable the Management Authority and other appropriate government agencies to monitor the movement of ivory within the State, particularly by means of:
 - i) compulsory trade controls over raw ivory; and
 - ii) comprehensive and demonstrably effective stock inventory, reporting, and enforcement systems for worked ivory;
 - d) engage in public awareness campaigns, including supply and demand reduction; drawing attention to existing or new regulations concerning the sale and purchase of ivory; providing information on elephant conservation challenges, including the impact of illegal killing and illegal trade on elephant populations; and, particularly in retail outlets, informing tourists and other non-nationals that the export of ivory requires a permit and that the import of ivory into their state of residence may require a permit and might not be permitted; and
 - e) maintain an inventory of government-held stockpiles of ivory and, where possible, of significant privately held stockpiles of ivory within their territory, and inform the Secretariat of the level of this stock each year before 28 February, inter alia to be made available to the programme Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) for their analyses, indicating the number of pieces and their weight per type of ivory (raw or worked); for relevant pieces, and if marked, their markings in accordance with the provisions of this Resolution; the source of the ivory; and the reasons for any significant changes in the stockpile compared to the preceding year;

1. INTRODUCTION

Against a backdrop of escalating elephant poaching and illegal ivory trade globally, the 17th meeting of the Conference of the Parties (CoP) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) adopted in October 2016 an amendment to the Resolution Conf. 10.10 (Rev. CoP17) on *Trade in elephant specimens* recommending that “*all Parties and non-Parties in whose jurisdiction there is a legal domestic market for ivory that is contributing to poaching or illegal trade, take all necessary legislative, regulatory and enforcement measures to close their domestic markets for commercial trade in raw and worked ivory as a matter of urgency*” (CITES, 2016). This latest decision marked a new milestone in the four decades of CITES elephant conservation efforts through ivory trade management.

Countries with the world’s leading domestic markets such as China³ and the US have officially announced and have begun implementing a joint pledge to “halt the domestic commercial trade in ivory” (TRAFFIC, 2015b). By the end of December 2017, China is expected to complete the process of shutting down all licensed ivory factories and retailers, while related policies concerning what happens to unsold commercial stocks of ivory, the allowance of ivory carving for non-commercial purposes, and other related issues are yet to be announced (State Council Office, 2016; State Forestry Agency, 2017). The US enacted in July 2016 a set of domestic regulations on imports, exports, and domestic trade of African Elephant *Loxodonta africana* ivory that permits only limited exceptions for certain antiques, *de minimus* objects, intrastate commerce and imports/exports in limited categories of products (Kramer *et al.*, 2017). Furthermore, Hong Kong⁴, proposed in January 2016 a plan to phase out its local ivory trade within the next five years, although the legislative process has yet to conclude and the details of what will follow are yet to be unveiled (TRAFFIC, 2017e). The European Commission has also issued a guidance document to suspend the re-export of raw ivory in July 2017 (TRAFFIC, 2017a). The UK government is further considering the banning of domestic trade in antique ivory items (Department for Environment Food and Rural Affairs, 2017).

Successful implementation of some of these measures to address ivory trade issues such as ones planned in China and Hong Kong would be imperative for halting illegal trade, given their status as “countries/territories of primary concern” for global illegal ivory trade, as highlighted in the latest analysis of the Elephant Trade Information System (ETIS) for CITES CoP17 (Milliken *et al.*, 2016). Measures taken by the other countries and territories such as the US and the EU are aimed to reinforce a widespread clampdown on global illegal ivory trade and prevent the laundering of illegal ivory through their domestic ivory markets (Lau *et al.*, 2016; TRAFFIC, 2017a). Above all, the move to stricter measures signifies a strengthened commitment by many governments towards ending illegal ivory trade in response to unrelenting poaching of African Elephants for their ivory in the past decade.

Japan holds a unique position in the current global context. The country was designated as “important to watch” in the latest ETIS analysis to CoP17, but was not implicated as a driver of illegal trade or elephant poaching since around 2007, despite its sizable domestic market and an active ivory manufacturing industry (Milliken *et al.*, 2016). Importantly, the Japanese government firmly backs the continuation of a domestic ivory market with a standpoint of continued sustainable use (Public-Private Council for the Promotion of Appropriate Ivory Trade Measures, 2016). The Japanese government’s official response to the recommendation within Resolution Conf. 10.10

3 People’s Republic of China, henceforth referred to as “China” in this report.

4 Hong Kong Special Administrative Region of the People’s Republic of China, henceforth referred to as “Hong Kong” in this report.

(CoP17) on the closure of domestic ivory markets, was that it should not apply to Japan given that it is already a “strictly regulated domestic market” (Ministry of Foreign Affairs of Japan, 2016).

Japan was once recognized as an important driver of the last poaching crisis that seriously reduced many of the African Elephant populations in the 1970s and 1980s across Africa, leading to the historic listing of the species in CITES Appendix I in 1989. Japan, then the largest importer, accepted this decision without reservation, and subsequently its domestic industry and the mainstream consumer demand declined drastically over the following decades (Kitade and Toko, 2016). Subsequently, the Japanese industry has twice participated in CITES-approved one-off ivory sales, one in 1999 and another in 2008, which resulted in nearly 90 t of ivory being imported to Japan. In modern history, the amount of raw ivory imported to Japan between 1951 and 1989 is estimated to be over 6,000 t according to Japanese Customs records, resulting in a substantial but unknown quantity of ivory, including polished and carved tusks once popular as display in many Japanese households and businesses, remaining under private ownership across the country (Kitade and Toko, 2016). Domestic trade in such pre-Convention tusks continues to occur in significant quantities today, where well over 1,000 tusks, equivalent to about 10 t, are being newly registered⁵ every year. This trade in privately owned tusks now provides a major source of ivory for the country’s manufacturing industry (Kitade and Toko, 2016).

The active domestic trade and considerable ivory stockpiles provide ample justification that close monitoring of Japan’s domestic market remains essential. Japan’s historic and geographic affinity to East Asia’s ivory markets underscores the importance of management interventions to seal possible leaks and prevent laundering of ivory from Japan’s domestic ivory market in future, especially in light of the forthcoming ivory bans in mainland China and Hong Kong. The need for effective actions to regulate Japan’s domestic ivory market is further exacerbated by the growth in the number of foreign visitors to Japan, hitting a record high of over 24 million in 2016, with a large majority coming from East Asia (Japan National Tourism Organization, 2017). The Japanese government plans to increase the annual number of foreign visitors to 40 million by 2020, which is the year of the Tokyo Olympics and Paralympics (Government of Japan Cabinet Office, 2016). The changing but persistent nature of demand for ivory in Japan highlights the need for a reality check on the domestic market, and an examination of the effectiveness of current regulations in deterring illegal trade.

Indeed, there is growing evidence to suggest that Japan’s current regulations and ineffective law enforcement could be enabling illegal trade in ivory. The latest ETIS report to CITES CoP17 indicated that significant quantities of ivory were being illegally exported to China. The report warned that Japan’s regulatory loopholes could be inadvertently facilitating the illegal trade, and concluded that “*for a variety of valid reasons, the Parties may wish to consider Japan for inclusion in the NIAP (National Ivory Action Plan) process going forward*” (Milliken *et al.*, 2016). Furthermore, a recent study of the online ivory trade in Japan found an active channel of trade in ivory products on Japan’s major e-commerce platforms, including some that were evidently involved in the selling of illegally imported ivory products (Kitade, 2017). On the domestic trade front, Japanese Police had recently uncovered a series of concurrent transactions of unregistered tusks involving antiques dealers (TRAFFIC, 2017b; WWF Japan, 2017b). However, remarkably, these cases did not lead to prosecution nor further investigations to confirm the illegality in the products’ import and export (Milliken and Kitade, 2017). Concerns about the state of Japan’s ivory market led to a proposal by certain African countries to reconsider the CITES Standing Committee (SC)’s decision not to include Japan in the National Ivory Action Plan (NIAP) process for consideration at its 69th meeting (SC69) held in November 2017 (CITES, 2017b). As a consequence, the decision was not reconsidered at SC69, but Japan was requested to report to the next SC (CITES, 2017a).

5 Whole tusks are required to be registered with the MOE before they can be legally traded or given away.

Against the rising tide of interest in the elephant poaching crisis globally, and the growing number of agreements at international fora, including CITES, recognizing the seriousness of wildlife crime⁶, the Japanese government's stance seems at odds with the emerging international consensus. There has been no high-level commitment for actions to combat illegal wildlife trade coming from Japan's political leadership, while the Japanese government has been slow to recognize and respond to the issue of illegal and unregulated ivory trade in the domestic market. Following discussions at CITES CoP17, Japan's Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES) which governs the domestic ivory trade was put through a scheduled reform in May 2017. While the new law has strengthened some aspects of existing regulation of ivory businesses, major problematic loopholes were still left untouched (TRAFFIC, 2017c), resulting in what appears to be a minimal commitment from the government to recognize and address a range of issues in the domestic market.

In light of CITES Resolution Conf. 10.10 (CoP17) recommending the closure of domestic ivory markets where it contributes to poaching or illegal trade, there is an urgent need closely to scrutinize Japan's domestic ivory market. Above and beyond fulfillment of the recommendations made in CITES resolutions, the need for effective action by Japan in addressing illegal ivory trade is warranted on two practical fronts. Firstly, with actions to ban the ivory trade in China, it is critical that countries which contribute to Asia's illegal ivory trade activities, including Japan, take corresponding actions to curb illegal trade effectively. Secondly, with major changes occurring with respect to some of the world's largest domestic markets, Japan's active and loosely-controlled market will take on new significance as new ivory trade dynamics come into play. This is a particular concern given the projected surge in foreign visitors as the country heads toward the 2020 Tokyo Olympics, Paralympics and beyond. The lack of action in Japan could enable aspects of global illegal ivory trade to be sustained, in spite of the country's declining domestic demand for ivory.

The objective of this study therefore was to assess the status of Japan's international ivory trade and its domestic market, in order to highlight the immediate issues, especially of illegal ivory exports, that need to be addressed. This study further evaluated existing and upcoming new regulations and described the status of law enforcement in various aspects of Japan's domestic market to identify systemic issues that are preventing the effective control of ivory trade inside Japan. These analyses help to discern the immediate actions needed and the extent of legislative, regulatory, and enforcement improvements required in Japan pursuant to recommendations regarding trade in elephant specimens in CITES Resolution Conf. 10.10 (Rev. CoP17).

In examining the domestic ivory market, emphasis was placed on areas with the least government oversight: first, the antiques markets and trading; and second, vendors in tourist areas. Previous assessments of ivory markets in Japan had mainly investigated its ivory manufacturing industry, retail markets, consumer demand for mainstream products such as *hanko* (Kitade and Toko, 2016; Vigne and Martin, 2010), and online trading on major e-commerce platforms (Kitade, 2017; Matsumoto, 2015). This study, therefore, presents the first assessment of ivory trade in the antiques markets and tourist areas in Japan. The study also drew from ETIS seizure data, CITES trade data, and cases of domestic illegal trade to shed light on the state and issues surrounding Japan's domestic ivory market.

The current report comes at a critical point in time where there is heightened international pressure on actions in major ivory markets around the world, and where new regulations on domestic ivory trade in Japan will soon come into effect. The report therefore could be useful for establishing a baseline for assessment of the country's domestic ivory markets in the future, including

6 E.g. the United Nations General Assembly Resolution A/RES/69/314, London, Kasane, and Hanoi Conferences on Illegal Wildlife Trade (2014, 2015, 2016)

examinations of: 1) the impact on Japan of the changing dynamics of illegal ivory trade expected from changes in the world's major domestic ivory markets; and 2) the effectiveness and enforcement of new LCES provisions to be enacted in 2018, and other more far-reaching regulatory reforms that will be needed to cease illegal ivory trade in future effectively. Such follow-up analyses would be useful and important in evaluating the progress made by Japan.



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2. REGULATION OF JAPAN'S DOMESTIC IVORY MARKET

2.1. Legal provisions and 2017 legal reform

Japan's domestic ivory trade and ivory industry are regulated by the Law for the Conservation of Endangered Species of Wild Fauna and Flora (LCES). The legal provisions of LCES (still applicable as of 2017) and regulatory issues therein have previously been reviewed in detail by TRAFFIC (Kitade and Toko, 2016). LCES has since been revised in May 2017⁷, introducing new and strengthened measures for the control of Japan's ivory businesses. These changes will take effect in 2018 (no later than 1 June 2018 as stated in the law). This chapter summarizes the current LCES provisions, the due changes resulting from the 2017 revision, and brief updates regarding the regulatory issues outlined in Kitade and Toko (2016).

The LCES regulation for domestic ivory trade consists of two mandatory components: 1) the registration scheme for trading whole tusks; and 2) mandatory provisions for all businesses that manufacture, trade or retail ivory products apart from whole tusks (**Figure 1**). The 2017 revision upgraded the second mandatory scheme concerning control of ivory businesses. In addition to these, there is a voluntary product certification scheme based on the concept of promoting consumer choice for products with government-verified legality.

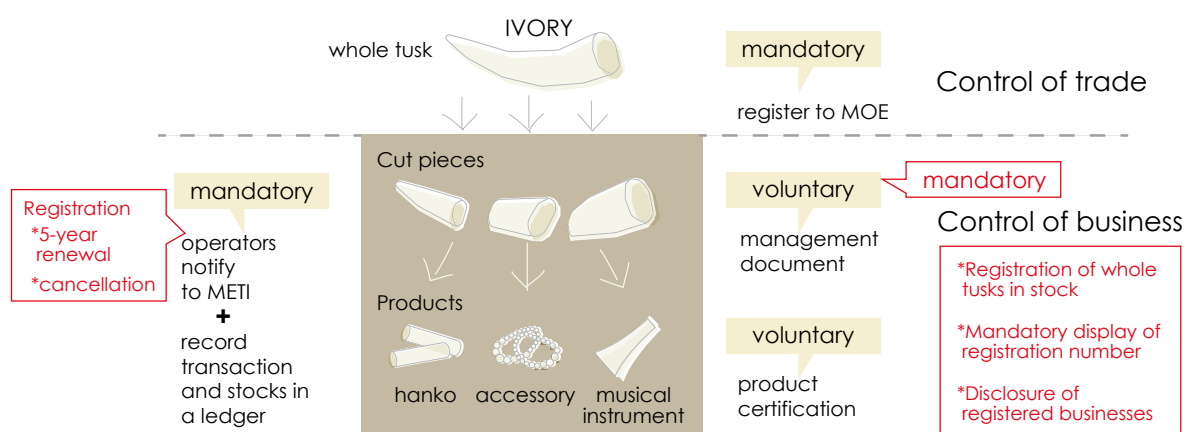


Figure 1. Schematic of Japan's current domestic ivory trade regulation and changes made in the 2017 reform shown in red text.

Under the legal provisions currently in force, all businesses dealing in ivory pieces and products, except whole tusks, are obligated to “notify” METI of their operations in advance. Upon notification, a business receives a designated operator’s number and a unique notification sticker with its operator number shown (display of the sticker is instructed by METI but still not mandatory under the current law). Notified businesses are obliged to record all transactions and resulting balances of stockpiles, submit these records to METI or its regional bureaus on a regular basis, and accept on-the-spot inspections (**Figure 1**). Businesses must also abide by the requirement to confirm the legality of ivory with a seller or a buyer upon receiving ivory. On the voluntary side, manufacturers may manage cut pieces using specified “management documents” to keep the traceability of materials from original tusks—the MOE and METI provide a voluntary scheme, issuing product certifications when manufacturers apply with information confirming that particular products have been produced from legal stocks (i.e. registered whole tusks or cut pieces with management documents) (**Figure 1**).

⁷ The law was promulgated on 2 June 2017 for entry into force no later than 1 June 2018.

The 2017 reform will strengthen the above controls over ivory businesses by upgrading the “notification” system to a “registration” system with added restrictions of a five-year renewal period and a cancellation of registrations as a result of violation (**Figure 1**). Additional obligations for registered businesses will include registering all whole tusks in their possession and displaying the business registration number when selling or advertising ivory products. Management of cut pieces through specified management documents will also be made mandatory. Furthermore, the government will disclose the list of registered businesses. The maximum penalties for contravening the LCES provisions for ivory businesses regarding registrations will also be raised from a fine of JPY500,000 (USD4,530)⁸ to five-years imprisonment and/or JPY5 million (USD45,300) for an individual and JPY100 million (USD906,000) for a corporation.

There were no changes to the regulation of individual ivory products in the 2017 revisions. Japan’s domestic trade ban for CITES Appendix I-listed species will continue to affect whole ivory tusks only (**Figure 1**). Exceptions to this ban include the trade in whole tusks that were imported before the CITES trade ban, provided that each tusk was registered with the MOE and given proof-of-legality, and is traded with a registration card issued by the MOE. Sellers are also obligated to display the registration cards or the numbers when advertising the tusks for trade (this provision applies even when the tusk is given away as a gift). Other raw (e.g. cut pieces) and worked ivory is exempted from the LCES domestic trade ban, meaning that they can be traded by anyone without proof-of-legality requirements. LCES delegate the product-level legality checking to businesses as described above, and the government product certification scheme remains only voluntary. The need for continued improvement in the control of domestic ivory trade was emphasized in the Supplementary Resolutions to the LCES reform adopted by both the Houses of Representatives and Councillors (Anon., 2017a, b).

The maximum penalties for contravening the LCES trade ban were raised in an earlier reform of the LCES in 2013 to a fine of JPY100 million (USD906,000) for a corporation, and five years imprisonment and/or JPY5 million (USD45,300) for individuals in violation of the trade ban (TRAFFIC, 2013). Violation of the advertisement ban incurs a maximum fine of JPY20 million (USD181,200) for a corporation and up to one year imprisonment and/or a fine of JPY1 million (USD9,090) for an individual. These remain unchanged in the 2017 revisions.

2.2. Regulatory issues

In previous evaluations of the status of Japan’s domestic ivory market controls, TRAFFIC pointed out issues in three main areas: 1) control of businesses; 2) unknown domestic stock of whole tusks; and 3) lack of a compulsory mechanism for ensuring legality in the market (Kitade and Toko, 2016). In light of recent developments, especially with the 2017 LCES reforms, in summary, the government has taken steps to start addressing 1) and 2) to varying degrees, however 3) remains unchanged.

Firstly, as highlighted earlier, 1) the control of ivory businesses will be strengthened through the new LCES provisions, starting from the first half of 2018. There are some concerns about the large number of existing businesses that will automatically be registered without screening under the new registration system. On top of this, the sheer number of businesses involved will inevitably present challenges for law enforcement to ensure compliance of the revised provisions. Currently there are over 13,000 notified businesses, though a certain proportion of them are already thought to have stopped operating and will be removed from the registered businesses list (Public-Private Council for the Promotion of Appropriate Ivory Trade Measures, 2017). A recent survey of online trading

⁸ Rate of JPY 1=USD0.00906 (at 1 Sept 2017) was used.

emphasized further challenges in controlling anonymous businesses or individual traders using online platforms to sell ivory for commercial purposes (Kitade, 2017).

Secondly, 2) the issue of unknown domestic stock is a unique problem for Japan, a legacy of its historical role as a large importer of raw ivory. Japanese Customs recorded over 6,000 t of raw ivory imports between 1951 to 1989 (Kitade and Toko, 2016), and the total amount registered since the scheme started in 1995 amounted to 321 t at the end of 2016, according to MOE (Public-Private Council for the Promotion of Appropriate Ivory Trade Measures, 2017). This suggests that even after discounting the amount being processed by the manufacturing industry, a sizeable amount of ivory stock is still being held in private hands. These are slowly being registered every year and are in the order of thousands of tusks, weighing more than 10 t, annually (Kitade and Toko, 2016). In light of the recent leakage of ivory tusks illegally traded to overseas markets, TRAFFIC has recommended that a mandatory nationwide registration programme be considered, like the one implemented in Thailand in 2015, which resulted in the registration of over 220 t of ivory within about three months (TRAFFIC, 2015c).



Figure 2. Whole tusks registration campaign brochure distributed by MOE. The campaign started on 30 August 2017.

The issue of unknown domestic stocks was not addressed in the 2017 LCES reform. The MOE instead started a campaign for promoting the registration of personally owned whole tusks in August 2017 (**Figure 2**). The campaign material stipulates, as the reason for early voluntary registration, that the registration requirements will be tightened from the summer of 2019. To this end, the MOE intends to tackle the laxness of proof-of-legality requirements for registering whole tusks, which is a serious regulatory loophole that has been highlighted in recent years (reviewed further in **Section 4.3**). Though this step would be critical in preventing any potential laundering of illegally imported tusks in the future, the campaign itself only promotes voluntary registration, and without a mandatory nationwide registration accompanied by a robustly traceable marking system, the issue of unknown stock would continue to linger. This remains to be the major pitfall in Japan's domestic ivory control, and has caused the failure to prevent the recent illegal export of raw ivory in substantial quantities (reviewed in **Section 4.1**).

Lastly, 3) the lack of a compulsory mechanism for ensuring the legality of ivory sold in the market was not considered in the 2017 reform, and remains a serious loophole that prevents the

establishment of a closed market. The effectiveness of voluntary certification schemes for new products has been repeatedly questioned (Ishihara *et al.*, 2010; Matsumoto, 2015; Kitade and Toko, 2016), but no improvements have ever been made or even considered since it was first introduced in 1995. The lack of traceability was also recently brought under the spotlight in the context of online markets where such products were actively traded amongst businesses and individuals through major e-commerce platforms (Kitade, 2017). A few sales of ivory jewellery illegally imported by individuals were also observed on Japan's leading CtoC (Customer to Customer) platform, but the root of the problem is the lack of proof-of-legality requirements in trading ivory products other than whole tusks, which effectively disables identification and removal of illegally-sourced ivory.



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3. METHODS

3.1. International illegal trade (ETIS data)

The present study analysed all ivory seizure records that involve Japan at all points along the trade chain. Seizure data were obtained from the ETIS database for the period of 2011–2016 (as of 17 August 2017). For the preceding period before 2011, published analyses of ETIS records were reviewed, including reports to CITES CoPs as well as summaries of trends in Japan based on ETIS data (Kitade and Toko, 2016; Milliken and Kitade, 2017). Information published in the media was also consulted to add further background on specific seizures.

Analysis of ETIS data for this report followed the latest standards employed in the most recent ETIS analysis conducted for CITES CoP17 (Milliken *et al.*, 2016). This involved the use of regression models to calculate the weight values of all seizures for which only the number of pieces were reported. Furthermore, the weights of worked ivory seizures were recalibrated to account for lost materials during the carving process, which inflated the weight by about 30%. The resulting raw ivory equivalent (RIE) weights for worked ivory enabled comparison by weight to raw ivory (definitions of raw and worked ivory follows the provisions specified in CITES Resolution Conf. 10.10 (Rev. CoP17)). The records were sorted into illegal imports to and exports from Japan, and summarized to observe by country trends (i.e. source country for illegal imports, destination country for illegal export, and countries reporting seizures).

3.2. International legal trade (CITES trade)

Trade data for Elephantidae were extracted from the CITES trade database managed by UNEP-WCMC (<https://www.cites.org/>) for the period 2006–2015, with the criteria of Japan as the importing country and exporting (re-exporting) country (data downloaded on 27 September 2017). The data for 2016 were excluded because records from Japan were still not available. Comparative tabulation reports were generated, and the analysis followed the methods previously applied by TRAFFIC in reviewing CITES trade data for ivory in the UK (Lau *et al.*, 2016).

Data for non-ivory elephant products (such as bone carvings, ears, feet, garments, leather products, live, shoes, skins) and other unclear terms (such as caviar, derivatives, specimens, and trophies, unspecified) were removed from the analysis. Ivory terms were then classified into either “raw ivory” (tusks, ivory pieces) or “worked ivory” (ivory carvings, carvings, piano keys).

Following Lau *et al.* (2016), the present study differentiates between ivory that is traded for commercial and personal use, hence the ivory declared with the trade terms “commercial” (code: T or blank) or “personal” (code: P) were included in the analysis. In terms of the declared source of ivory, only “wild-sourced” ivory was of concern, and included all items declared with the following source codes: wild (code: W), confiscated or seized specimens (code: I), source unknown (code: U or blank) and pre-Convention specimens (code: O), as per Lau *et al.* (2016). Discrepancies between records reported by Japan and those reported by other countries were also analysed.

3.3. Domestic illegal trade cases

Cases of domestic illegal trade involving ivory were compiled from information published in the Japanese media for the period 2006–2017, as well as press releases and other reports published by government ministries, including publication by the Public-Private Council for the Promotion of Appropriate Ivory Trade Measures (2017, in prep) (records as of 30 September 2017). Media reports were largely confined to initial police reporting of arrests or cases being sent to prosecutors without

arrests, and whether or not prosecutions and convictions followed were unknown for a large number of cases. Due to limited time and resources available for this study, further information was not sought from other sources, but information published in the media was reviewed to depict at least partially the trend in judicial follow-ups.

3.4. Physical market survey

3.4.1. Survey locations

An assessment of physical ivory markets was conducted between June and August 2017 in the central areas of the Tokyo Metropolis (the 23 wards), Osaka city, and Kyoto city. Osaka city and Kyoto city constitute two of the major cities in the Kansai region of western Japan, which is the country's second most populous region following the Kanto region of eastern Japan which encompasses Tokyo (**Figure 3**). Two additional outlets were surveyed outside these areas: one large-scale indoor antiques fair in Saitama prefecture just north of Tokyo Metropolis and a specialized ivory vendor in a city adjacent to Osaka city.



Figure 3. A map of Japan and geographical locations of surveyed cities.

The physical market surveys in the present study focused primarily on the antiques markets where little information so far has been collected in published materials. It should be noted that there is no specific distinction or legal cut-off line for “antique” ivory in Japan. The term “antique” in this report therefore is used in a less restrictive sense, encompassing the kinds of items generally found in antiques markets, unless otherwise indicated. Some surveyed markets such as occasional fairs or markets tended to be broader in scope and sold all sorts of other secondhand products.

The following types of outlets were surveyed: 1) indoor antiques fairs; 2) outdoor antiques markets; 3) art and antiques districts; 4) tourist areas and ivory specialty shops (**Table 1**). Categories 1 and 2 were occasional antiques markets, whereas categories 3 and 4 were permanent shops at given physical addresses. Category 4 were not antiques outlets *per se* but was the secondary focus of the survey because they shared certain aspects in common such as the range of ivory items sold and their appeal to foreign visitors. Details of the survey locations and outlets are listed in Table 1.

Table 1. Survey locations/markets by outlet category

Outlet category	Locations	Description
1 Indoor antiques fairs	Tokyo 1: Heiwajima Antiques Show	Five times a year, for a three-day period ~300 antiques dealers
	Tokyo 2: Antiques Jumboree	Twice a year, for a three-day period ~500 antiques dealers *entrance fee of approx. USD9 for customers
	Saitama: Saitama Super Arena Antiques Fair	Twice a year, for a three-day period ~230 antiques dealers
	Kyoto: Kyoto Antiques Fair	Three times a year, for a three-day period ~300 antiques dealers
2 Outdoor antiques markets	Tokyo: Oedo Antiques Market (Tokyo International Forum)	Twice a month on Sunday, ~250 stalls
	Osaka: Shitennoji Market (Shitennoji Temple)	Monthly on the 21st and 22nd, ~300 stalls, including food, beverage, and non-antique items
	Kyoto: Kobo Market (Toji Temple)	Monthly on the 20th, ~1,200 stalls, including food and beverage, and non-antique items. ~150 stalls sell antiques, according to the organizer.
3 Art and antiques districts	Tokyo: Ginza Kyobashi Nihonbashi Art Area	Over 60 art and antiques galleries in the district around Nihonbashi area located near Tokyo Station.
	Osaka: Oimatsu Antiques Street	Some 40 art and antiques galleries in the Nishiteman district at the heart of Osaka city.
	Kyoto 1: Ohto Antique Art Association	Nearly 50 art and antiques galleries in Ohto area located just north of Gion, the famous geisha district rich in cultural heritage and is a major tourist destination.
	Kyoto 2: Teramachi Art Street	Some 20 art and antiques galleries along the historical art street. The street starts adjacent to the current Kyoto city hall.
4 Tourist areas and ivory specialty shops	Tokyo: Asakusa, Okachimachi, Nippori	Asakusa, located around Sensoji Temple, is a long-standing popular tourist area, with numerous shops for both tourists and locals. Ivory specialty shops in Okachimachi, Nippori areas of Tokyo were also visited.
	Kyoto: Kiyomizu-Temple, other	Kiyomizu-temple is a major tourist destination in Kyoto, with numerous souvenir shops along its approaches to the temple. Tea ceremony shops in central Kyoto were also visited.
	Osaka: Shitenno-ji Temple, others	Approaches to Shitenno-ji temple, a department store in central Osaka, and an ivory specialty shop in a city adjacent to Osaka city were also visited.

The survey team conducted a near exhaustive survey for categories 1, 2 and 3, visiting each stall or gallery in the market/streets/districts to identify every shop selling ivory items. The delineation of the areas and identification of stalls/galleries therein were made with specific area maps for categories 1 and 3, which were made available to visitors by the organizers of the fairs (category 1) or the associations of art and antiques districts (category 3). No area maps were available for any of the outdoor markets (category 2), but the survey team still conducted an exhaustive survey checking every stall present with an estimate given for the total number of stalls. An opportunistic approach was taken with surveys of stores in category 4, where the survey team either conducted spot visits of stores identified beforehand as likely to be selling ivory (through online searches or referrals from other ivory vendors) or ones identified randomly during planned visits to a specific location.

Due to the focus of the study and time constraints, the present study did not extensively survey outlets selling specific ivory items for a particular purpose, namely, *hanko* stores and stores selling tea ceremony utensils and parts used in Japanese musical instruments (e.g. *bachi*, the plectrum for playing the *shamisen*). Nonetheless, the survey team still recorded the availability of these items

when they were present in the outlets surveyed and even visited some of these specialized stores located in survey areas whenever possible to obtain complementary information and insights into market trends in these items. Only one department store was surveyed in the present study. However, department stores are known to host *hanko* retailers, and some occasionally hold exhibition and sales of old and new ivory carvings such as *netsukes*.

3.4.2. Physical survey methodology

The surveys in Osaka, Kyoto, and most of Tokyo were conducted by two TRAFFIC researchers, a Japanese and Chinese national who between them spoke fluent Japanese, English and Mandarin Chinese. Some indoor antiques fairs and outdoor antiques markets surveyed in Tokyo were conducted by Japanese researchers from TRAFFIC and WWF.

A covert survey method used in other TRAFFIC market surveys was adopted, where researchers posed as potential customers interested in ivory products. Notes were taken with a dictaphone (voice recorder) application on a mobile phone, and photos were also taken whenever possible. Both quantitative (count of products on display) and qualitative (interviews) information were gathered both to assess the availability and obtain in-depth information about the market trends as well as knowledge and attitudes of the sellers.

Due to the limited time available for surveying each location, and in the interests of maximizing efficiency, the following exceptions to the “exhaustive” sampling of shops were made: for a Tokyo Location 1, an indoor antiques fair (see **Table 1**), stalls in sections “Toys & Collectables” were excluded because of the low likelihood of finding ivory under this category; for category 3 outlets, galleries that only sold paintings or pottery were excluded even when they formed part of the given area maps, and those galleries closed on the survey dates were not revisited as only one day per location could be spent. When displays inside the stores were visible even when stores were closed, they were treated as an observation, otherwise all closed galleries were excluded from the observations. Furthermore, because the Tokyo art and antiques districts extend over a wide area, the largest concentration of galleries found between Ginza Ichome station and Tokyo station were the main focal areas of the survey in metropolitan Tokyo. Finally, where the same businesses were found at multiple locations, this was recorded as a duplicate (only observed amongst indoor antiques fairs).

In assessing product availability, the survey team counted the number of ivory items found in each shop by item categories (**Table 2**). The categorization was adapted from the schedule used by METI, which was also adopted in the previous TRAFFIC surveys of the Japanese online ivory trade. Since METI’s categorization corresponds to the items typically manufactured in contemporary times, the following adjustments were made to capture better the availability of antiques items found in the market as well as for ease of recording: due to their popularity in antiques markets, *netsukes* were separated into their own category instead of being grouped with “carvings and figurines”; a variety of small categories such as *hanko*, stationery, kitchen utensils, etc. were grouped into “household and personal items” (see **Table 2**). Additionally, items in the category of “carvings and furnishings” were counted by the size categories of small (<10cm), medium (10–20cm) and large (>20cm), because unlike other items with expected sizes, the items in this category varied significantly in size. The parts for traditional hanging scrolls listed under “daily goods” in METI’s scheme were not counted in the survey unless they were sold separately because it was unrealistic to try to identify the material of the small pieces used in each scroll.

Table 2. Ivory product category used for recording availability in the physical survey

Category	Items
<i>Netsuke</i>	<i>Netsukes</i> , <i>sagemono netsuke</i> (attached to <i>inrou</i>)
Carvings and furnishings	Ornamental objects such as figurines, carvings, incense burners, pen stands, vase, etc. Size category (length/height): Small(<10cm); Medium(10–20cm); Large(>20cm)
Jewellery	Pendants, necklaces, earrings, brooches, loop ties, <i>obitome</i> , etc.
Household and personal items	Personal items: brushes, combs, ornamental hairpins, boxes, containers, coin cases, pill cases, opera glasses, bookmarks, etc. Daily goods: parts of hanging scrolls, shoehorns, fans, ear picks, objects for straps, key holders, etc. Hanko: used/unused <i>hanko</i> Kitchen utensils: chopsticks, chopstick rests, tooth picks, handles of knives & forks, etc. Smoking goods: pipes, cigarette holders, pipe cases Stationery: pens, paper knives, ink holder, bookmarks, Indoor amusement goods: <i>Mahjong</i> tiles, dice Buddhist articles: Buddhist prayer beads
Musical instruments	<i>Bachi</i> , <i>koto</i> bridges,
Tea ceremony utensils	Tea pot lids, tea spoons, tea canisters
Semi-processed pieces	Cut pieces, edge/tip pieces, unfinished accessory parts
Whole tusk	Polished/unpolished, carved/uncarved tusks
Other	Stethoscope, sword guard

The “ivory” in this report concerns only elephant ivory. Therefore, mammoth ivory and tusks/teeth of other animals like hippopotamus, narwhal, walrus, and whales found in the markets were not recorded. Other materials like bones or deer antlers were also often encountered but not recorded. Although the survey team members were experienced in identifying elephant ivory, it was sometimes difficult to discern authenticity, especially when only limited visual inspection was possible. Furthermore, it is known that for *netsukes*, adding artificial tints is a common practice, which sometimes makes distinguishing the various materials used difficult. There are, moreover, instances where ivory is replicated in *netsukes*, such as the use of ivory powder (called *nerimono* 練り物, a paste product), where the Schreger line, a distinct pattern found in elephant ivory, is even finely imitated to appear as not only a genuine piece of ivory but also as the work of a master carver. This sometimes makes it almost impossible to discern the authenticity of such imitation products without detailed inspections and additional clues. The data could therefore inevitably include some degree of error, especially for *netsukes*. However, every effort was made by the survey team to exclude non-elephant ivory by checking directly with the sellers and asking for permission to inspect the item closely.

To establish the quantity of items offered for sale, ranges in the number of items were used (as per Lau *et al.*, 2016). Anything below 10 items was recorded as an exact number. Where there were more than 10 items of the same category, numbers were estimated by increment of 10. If there were more than 50 items of the same category, it was estimated as either 50 or 100, whichever was closer. Even for observations estimated to be over 100 items, none exceeded this figure by so much in the present study that a further scale was required. When items were sold as a set, it was counted as one only if they formed a functional unit (e.g. a set of knives and forks in a box, a pair of earrings, a pair of chopsticks, a set of bridges for the *koto*, a Japanese musical instrument). In addition to the availability, price was recorded whenever possible by checking the price tags or asking the seller. When a seller indicated a discount from the written price, the discounted price was recorded. For the price data presented in this report, the currency conversion rate of JPY1 = USD0.00906 (at 1 September 2017) was used.

Qualitative data were also collected with outlet sellers in covert interviews to elucidate the trend in ivory sales as well as knowledge of regulations and attitude towards promoting certain illegal behaviour. These covert interviews were conducted through the natural flow of conversations, but specific information was sought from the sellers, including:

- Age and origin of ivory;
- Trend in sales and demand for ivory products, including customer profile;
- Knowledge of regulations (CITES, domestic regulations and those of other countries);
- Status of compliance with domestic regulations (e.g. mandatory notification to METI);
- Possibility of taking ivory out of Japan;
- Experience in selling to foreign customers.

Due to the nature of covert interviews, information was gathered opportunistically (i.e. not all questions were asked of every interviewed seller). Since selling of ivory is not perceived as an illegitimate business in Japan, the survey team felt that many sellers were open to talking about various aspects of their products and business in detail, as long as they considered the researchers as potential customers, whether as a tourist from mainland China or a Japanese customer genuinely looking to buy ivory, and this was the case on most occasions.

Despite the sellers' openness, the status of compliance with domestic regulations, in other words, whether or not the sellers were operating with a mandatory notification from METI, was often difficult to assess through conversation unless the seller was willingly promoting that fact that they were notified businesses. The survey team noted whenever stores displayed notification stickers or the sellers presented some form of relevant documentation during the interaction with the survey team or other customers. Since the display of notification stickers was not obligatory at the time of the survey, the actual notification status of each outlet surveyed was later checked with METI, although results from METI were not returned in time for the publication of this report. Stalls selling ivory at occasional antiques fair and markets (categories 1 and 2) were not checked against METI notifications, due to the lack of information on store identities. To this end, general inquiries were made to the organizers of the fairs and markets, if they could be reached, to understand the level of compliance of ivory outlets. Finally, whenever whole tusks were displayed, accompaniment of registration cards was checked visually and noted.

3.5. Antiques trading survey

3.5.1. Physical auctions

Ivory sold through auctions in Japan were also assessed in the present study. Although ivory trade at online auctions had been previously assessed (Kitade, 2017; Matsumoto, 2015), ivory trade through physical auction houses has never been examined previously. To grasp which auction houses deal in ivory, 10 major auction houses known to be operating in Japan (**Appendix 1**) were contacted by phone to inquire about whether ivory had been traded on their platforms and which other auction houses were considered to be major platforms for ivory trade. These contacted auction houses were accessible to the public through their websites (though there are registrations and other conditions required for actually participating in the auctions) and included Japanese branches of major international auction houses, but only if auctions were physically held in Japan for items located in Japan. Some auction houses contacted confirmed that trading of whole ivory tusks takes place in closed auction platforms only accessible to invited antiques dealers. Due to a lack of access, this study did not investigate closed auctions where ivory is sold.

Two auction houses (Mainichi Auction and Kogirekai Auction) were further investigated, as they were identified by other contacted auction houses as important platforms for ivory trade in terms

of the quantity traded. Information on ivory items advertised and sold was collected from online catalogues and bidding records disclosed on their websites for sessions held between May and September 2017. Two (May and September) and three (May, July, and September) auction sessions were surveyed for Mainichi Auction and Kogirekai Auction, respectively. The number of ivory items was counted, following the categorization used in the physical surveys (**Table 2**). Bidding price data were gathered from the online records uploaded on the respective websites. Display of a registration card or number was checked for every whole tusk advertised. A researcher also visited one of the auction previews posing as a potential customer between May and September 2017 and conducted a covert interview with auction staff to ascertain additional information about trends in ivory sales.

To understand the effectiveness of LCES's control over the trade in whole tusks, inquiries were made to the MOE with the registration number of tusks traded during the survey period concerning the authenticity of the registration (whether the registered numbers and other information matched records found in the database) and whether transfers to new owners as a result of the observed auction transactions had been properly reported to MOE (the registration scheme for whole tusks mandates reporting of ownership changes within 30 days of trade/transfer). Such tracking of whole tusk transactions has never previously been conducted, but is desirable given the numerous instances of registration card misuse (for domestic trade), as well as the illegal export of whole tusks out of Japan (**Section 4.1.2**). Unfortunately, in response the MOE admitted they did not have the capacity to follow-up on the cases presented by TRAFFIC, but would consider doing so at a later date. Therefore, the present study does not include a comprehensive analysis of the management and regulatory compliance of the whole tusks trade.

3.5.2. Online auctions

Due to time limitations, online auctions that do not possess a physical platform were not surveyed extensively in the present study, although this type of ivory trading was the subject of a previous study (Kitade, 2017), where the single largest online auction site in Japan, Yahoo Auction, was examined in detail. Yahoo Auction hosts an “antiques and collectables” section for a number of dealers, including both individual users and licensed antiques traders. While other small but more specialized online antiques auction sites may host ivory trade, none were easily identified through simple internet searches, except for the online bidding system of one of the major physical auction houses hosting ivory trade (i.e. Mainichi Auction). Therefore, the previous study (Kitade, 2017) and the present survey together can be considered to at least capture the major physical and online auctions that are visible and accessible to the general public in Japan.

To complement the physical auction survey, Yahoo Auction was surveyed again during the present study to characterize better the trade in whole tusks and assess the effectiveness of regulations governing the online auction ivory trade. Successful biddings records for whole ivory tusks during the three months of May, June and July 2017 were retrieved using a keyword “ivory (象牙) + one piece (一本)” on Yahoo Auction’s search engine. Every whole tusk sold was checked for information regarding their accompanying registration cards/numbers. Other information was also recorded, including the sellers’ user ID, company information and ivory business notification number, if any. Information about the business, whether it could be identified by name and/or business notification number or not, was sent to METI to check against their database of ivory businesses. Unfortunately, METI could not verify this information in time for the publication of this report; therefore, it was not possible to determine if these businesses were operating with notification to METI.⁹

⁹ Strictly speaking, under LCES provisions businesses that trade only whole tusks and never ivory products are not required to notify METI.

3.5.3. Antiques dealers

To characterize further ivory trading in the antiques markets, antiques dealers as buyers of old, privately-held ivory were assessed. This type of trade has never been assessed previously but constitutes an important aspect of Japan's domestic ivory trade. Indeed, over a thousand ivory tusks are being registered every year, reasonably assumed to be personal effects ivory that was previously owned in locations across the country, to enter into domestic trade or be given away (see **Section 2**). Old worked ivory under personal ownership but no longer desired is also thought to be traded through antiques markets.

A covert phone interview survey was conducted to obtain information from antiques dealers as buyers of privately-held ivory. Two samples were taken: one to characterize the attitude and motivations of general antiques dealers offering to purchase a range of ivory antiques; the other to understand the practices of dealers who are specializing in purchasing privately-held ivory from personal ownership.

For the first general sample, 50 general antiques businesses offering a range of antiques purchasing for resale purposes were selected from the online Town Page for Japan (<https://itp.ne.jp/>). Sampling was systematically made to enable replications in the future. Out of 2,918 businesses across Japan found using a keyword “antiques purchasing (骨董買取)”, sampling quota for each prefecture was calculated based on the proportion of the total so that the total sample equalled 50. Then for each prefecture, businesses were randomly sampled using a random number generator. When a business selected through the random generator did not appear to conduct antiques buying as part of its core operations, they were omitted and replaced with another business randomly selected from the same prefecture. For the second sample, the top 10 businesses found through a Google search using keywords “ivory purchasing (象牙買取)” were sampled. These businesses advertised they were specialized in purchasing privately-owned ivory items.

For the covert interviews, TRAFFIC researchers called each of the selected businesses posing as a potential customer looking for places to sell old ivory, both a whole tusk and worked ivory items such as figurines and jewellery, which had been discovered amongst the belongings of a deceased grandparent. Qualitative information sought through the interviews was as follows:

- Willingness to purchase ivory (whole tusk and worked ivory);
- Experience in purchasing ivory (any insights into the amount if possible);
- Buying demand for ivory (purchase price) and future prospects;
- Where ivory will be traded next;
- Whether or not a legal process is required for selling/purchasing ivory.

Company information and ivory business notification numbers were recorded whenever it was shown on the websites. Business information was sent to METI to examine the status of the business notifications surveyed. However, as above, the results from METI were not returned in time for the publication of this report.

4. RESULTS

4.1. International illegal trade

4.1.1. Overview of historical ETIS trends up to 2011

The analyses of ETIS records for the previous three CITES CoPs (CoP15 in 2009, CoP16 in 2013, CoP17 in 2016) concluded that Japan was not a significant driver in the global illegal ivory trade (Milliken *et al.*, 2009; 2013; 2016). The last large-scale seizure on record which involved Japan dates back to 2006, when 2.8 t of raw and semi-processed ivory was seized at Osaka port (Sankei Shimbun, 2007). The contraband, shipped from Malaysia through Busan Port in South Korea, had been addressed to a Japanese company, the owner of which was later convicted for assisting the smuggling operation and was sentenced to one year in prison, with a suspended sentence of three years, and a penalty of JPY800,000 (USD7,248) (Asahi Shimbun, 2007). Between 2007 and 2011, ivory seizure records involving Japan have progressively diminished, according to ETIS reports to CoP16 (Milliken *et al.*, 2013). Against a backdrop of worsening elephant poaching and increasing illegal ivory trade from around 2007 onwards, Japan was still not implicated as a significant driver of illegal ivory trade globally, despite the fact that it continues to have an active manufacturing industry and was a major recipient of the 2008 CITES approved one-off sale ivory (Milliken *et al.*, 2013).

The latest ETIS report, however, highlighted some concerning trends regarding illegal exports of ivory from Japan, particularly to China, and ineffective controls over Japan's domestic ivory trade (Milliken *et al.*, 2016). The latest analysis of ETIS records concerning Japan for the period 2005–2016 conducted by Milliken and Kitade (2017) clearly depicts the escalation of illegal export activities from Japan since 2011 (**Figure 4**). The following section describes the ETIS trends concerning Japan for the period 2011–2016 in detail.

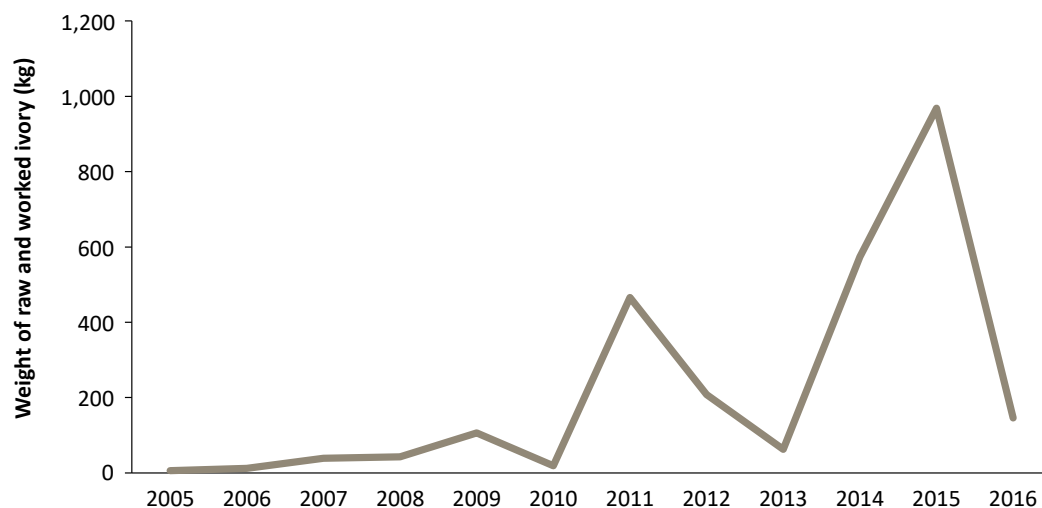


Figure 4. The quantity of raw and worked ivory (kg) seized as illegal exports from Japan for the period 2005–2016 (ETIS, 17 August 2017). The figure was adapted from Milliken and Kitade (2017). The reporting for the year 2016 is incomplete, resulting in the drop in numbers.

4.1.2. ETIS analysis of recent seizures for 2011–2016

A total of 168 seizure records with Japan identified in the trade chain were examined from the ETIS database covering the period 2011–2016. Of all the cases, Japan accounted for only 22 seizures, with no seizures recorded during the years 2012 and 2013.

The ETIS data clearly indicate Japan's primary role in the illegal ivory trade chain as a (re-)exporting country (**Figure 5**). Of the 168 seizure records that involved Japan, the majority found Japan to be the country of export (148 seizure cases). The total weight of ivory seized going out of Japan was 2.42 t, representing 98.2% of all the seizures by weight (**Figure 5**). In contrast, only 43.6 kg, or 1.8% by weight, was seized as illegal imports to Japan. Japan was not implicated as a country of transit in any of the seizure cases. Illegal trade involving raw ivory was almost exclusively an export trade from Japan, totalling 1.66 t by weight and making up 99.6% of all raw ivory seizures, while only 7.3 kg (0.4%) of raw ivory was seized being imported into Japan (**Figure 5**). Similarly for worked ivory, 764 kg (95.5%) was seized as illegal exports while 36.3 kg (4.5%) was seized as illegal imports over the six-year period.

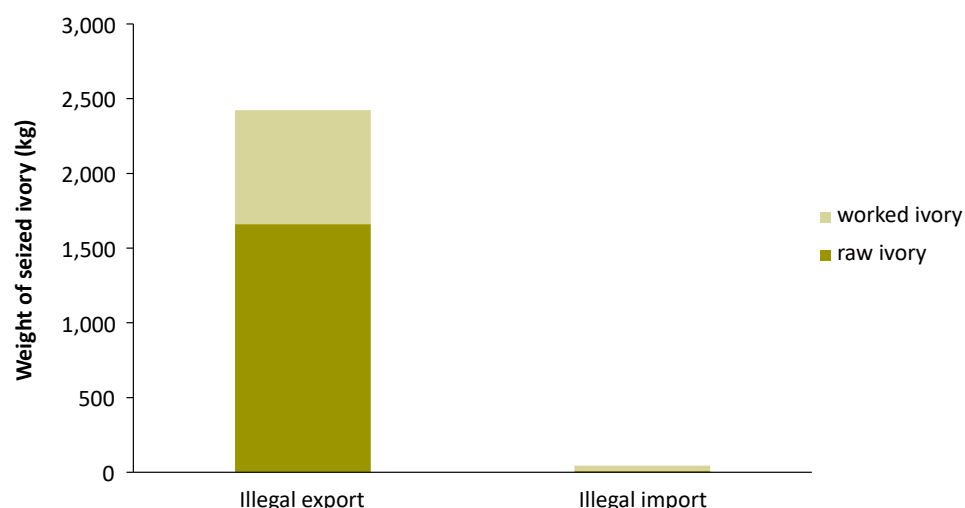


Figure 5. Weight of raw and worked ivory (in raw ivory equivalent (kg)) seized in cases concerning Japan as either the source of illegal export or the destination of illegal import (no seizure implicated Japan as the country of transit). Records were obtained from the ETIS database for the period 2011–2016 (as of 17 August 2017).

Looking at the country of seizure, the greatest number of ivory seizures that involved Japan occurred in China, which accounted for 106 out of the total 168 reported seizure cases, all of which were seized as illegal exports from Japan (**Table 3**). Following China was the US, reporting 25 ivory seizures as illegal exports from Japan and four seizures as illegal imports into Japan (**Tables 3, 4**). Japan accounted for 22 seizures, of which 7 cases involving 105.7 kg of raw ivory and 42.5 kg of worked ivory were illegal exports from Japan (**Table 3**), while 15 cases involving 4.0 kg of raw ivory and 32.1 kg of worked ivory were illegal imports into Japan (**Table 4**). Other countries and territories that reported seizures involving Japan included Germany, the UK, Netherlands, New Zealand, Thailand, and Taiwan (**Tables 3, 4**). Aside from Japan, only the US and Germany reported seizures going into Japan (**Table 4**).

Table 3. Illegal ivory exports from Japan for the period 2011–2016 (ETIS, as of 17 August 2017)

Country/ territory of Seizure	Country/ territory of Export	Country/ territory of Destination	No. of Seizures	Wt. (kg) of raw ivory	Wt. (kg) of worked ivory	Total Wt. (kg)
JP	JP	CN	7	105.74	42.48	148.22
CN	JP	CN	106	1,459.34	696.48	2,155.82
DE	JP	DE	3	0	0.28	0.28
GB	JP	GB	1	0	0.70	0.70
NL	JP	BE	1	0	0.70	0.70
NZ	JP	NZ	2	0	1.08	1.08
TH	JP	TH	2	76.00	0.09	76.09
TW	JP	TW	1	0	3.00	3.00
US	JP	US	25	18.75	19.35	38.1
Total			148	1,659.83	764.16	2,423.99

Table 4. Illegal ivory imports to Japan for the period 2011–2016 (ETIS, as of 17 August 2017)

Country/ territory of Seizure	Country/ territory of Export	Country/ territory of Destination	No. of Seizures	Wt. (kg) of raw ivory	Wt. (kg) of worked ivory	Total Wt. (kg)
JP	CN	JP	2	0	3.03	3.03
JP	??	??	1	0	6.86	6.86
JP	AE	JP	1	0	0.90	0.90
JP	AU	JP	1	0	0.20	0.20
JP	BE	JP	1	0	1.17	1.17
JP	DE	JP	1	0	0.50	0.50
JP	DK	JP	1	0	0.05	0.05
JP	GB	JP	1	0	0.01	0.01
JP	NG	JP	2	4.0	6.00	10.00
JP	PT	JP	1	0	4.33	4.33
JP	TH	JP	1	0	0.70	0.70
JP	ZW	JP	2	0	8.37	8.37
DE	BI	JP	1	0	1.42	1.42
US	US	JP	4	3.3	2.80	6.10
Total			20	7.3	36.34	43.14

Seizure records rarely indicated African nations as countries of origin for illegal imports to Japan (**Table 4**): a single consignment of 4.0 kg of raw ivory was sent by post from Nigeria; and for worked ivory, one ivory consignment of 6.0 kg was seized coming from Nigeria, and two consignments totaling 8.37 kg from Zimbabwe, all arriving by post in 2015. Another case for which the origin of ivory was unknown involved 6.86 kg of worked ivory. All of the worked ivory had been painted for concealment and shipped by post.

The seizures of illegal exports from Japan suggested a much more disturbing trend in large-scale movements, where 95% by weight was seized as illegal exports to China (**Table 3**). The largest seizure was made in China in 2015, involving 804.4 kg of raw ivory and other wildlife contraband. According to the Beijing Forest Police, the seizure led to the arrest of 16 suspects, resulting in the bust of a major smuggling network operating between China and Japan (TRAFFIC, 2015a). Chinese authorities have also arrested and prosecuted a Chinese couple and six others who eventually confessed to repeatedly smuggling a total of 3.2 t of raw and worked ivory from Japan to China over

an 18-month period between November 2010 and April 2012 (Milliken *et al.*, 2016). This case was not captured entirely in ETIS records extracted for this report, but the illegal trade perpetrated is assumed to be by far the largest in terms of the quantity of ivory smuggled out of Japan over time and points to acts of criminal syndicates operating between Japan and China. The suspects in this case were convicted with penalties of up to 15 years imprisonment in 2013 (People's Court Daily, 2013).



Items confiscated after Beijing Forest Police brought down a major wildlife smuggling ring in October 2015



Ivory items illegally exported from Japan seized by Shijiazhuang Customs in July 2016. The items were allegedly purchased from Japanese e-commerce sites.

Notably, the information released by the Chinese court about this case referred to the purchase of ivory products through Yahoo Auction by the convicted criminals, with a total of 3.2 t of illegal ivory being acquired (People's Court Daily, 2013). Ivory sourced from Japanese internet websites was also implicated in other major seizures made by Chinese Customs. One of these cases came as a series of postal shipments seized in 2011 by Hangzhou Customs, involving over 315 kg of raw ivory allegedly purchased through an online auction in Japan (Zhejiang Electronic Port, 2012). More recently in July 2016, a total of 1,639 pieces of worked ivory in various forms and carved tusks weighing 101.4 kg, allegedly purchased on Japanese e-commerce sites, were seized by Shijiazhuang Customs (Changcheng Web, 2016). Apart from seizures made by China, there was little evidence of ivory moving from Japan to any other country with the exception of a single commercial scale consignment of 76.0 kg of raw and worked ivory seized in Thailand in 2014 (Table 3).

4.2. CITES trade imports and re-exports

Overview of CITES trade in ivory

In terms of legal CITES trade, Japan reported a total of 118 imports of wild-sourced (code: W, I, U, O, blank) ivory for commercial purposes and 42 cases for personal use during the period 2006–2015 (Figure 6). The number of re-export records of wild-sourced ivory reported by Japan for the same period was somewhat smaller than imports, with a total of 82 cases for commercial purposes and nine for personal use (Figure 6).

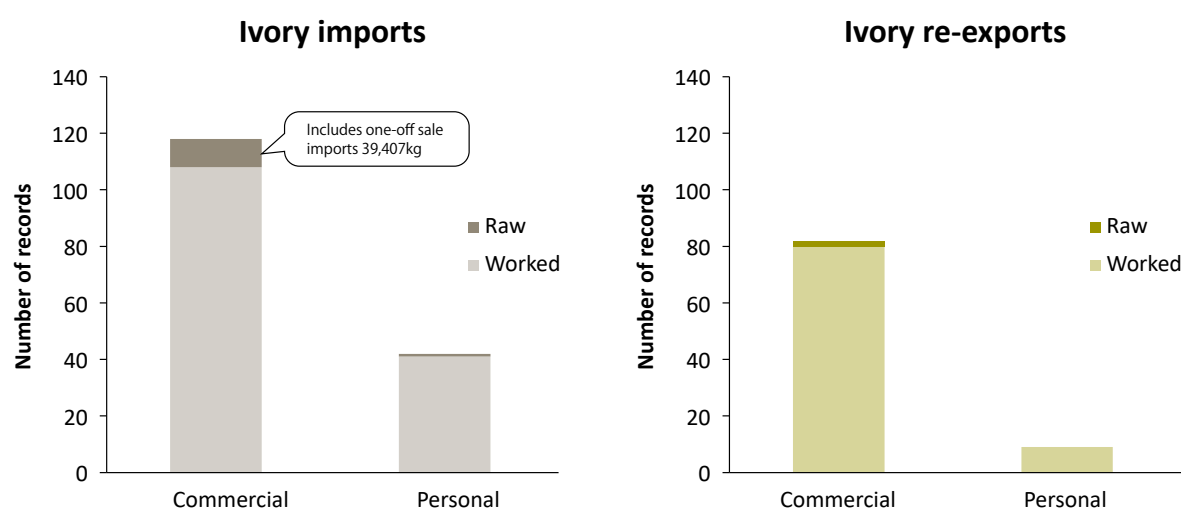


Figure 6. Number of CITES trade records for ivory imports to and re-exports from Japan for the period 2006–2015 shown by purposes of trade (commercial (code: T) or personal use (code: P)) and forms of ivory (raw or worked). Only wild-sourced ivory (code: W, I, U, O, blank) were included, and records reported by Japan were used.

There was a total of 10 records of raw ivory imported for commercial purposes only, but the overall weight amounted to over 39,416 kg, as it included the four shipments of CITES one-off sales from South Africa, Botswana, Namibia, and Zimbabwe in 2009, weighing 17,765 kg, 16,682 kg, 3,753 kg, and 1,207 kg, respectively, which together equaled 39,407 kg. Apart from these, a limited quantity of raw ivory was imported, including seven tusks from South Africa, 8.56 kg and 60 pieces of ivory from Hong Kong, Germany, Zimbabwe, and South Africa. There was only one record of imports of raw ivory for personal use, when two tusks were imported from Denmark. There were even fewer re-exports of raw ivory, with only two records (three tusks to China; one ivory piece to Denmark) for commercial purposes reported. These figures clearly indicate Japan as a net importer of raw ivory, as far as CITES trade is concerned.

Worked ivory comprises the majority of imports for both commercial and personal purposes by number of records, where 91.5% (108 records) and 97.6% (41 records), respectively were worked ivory (**Figure 6**). Shown in quantities, these constitute 0.61 kg and 1,988 individual pieces of carvings for commercial purposes and 215 pieces of carvings for personal use, respectively. A similar trend was observed for re-exports where worked ivory comprised 97.6% (80 records) and 100% (nine records) of commercial and personal use re-exports, respectively (**Figure 6**). In quantities, these represented one set, three pairs, and 1,438 individual pieces of ivory carvings for commercial purposes and 16 carvings for personal use.

Temporal trends in CITES trade

There appeared to be no obvious temporal trends in ivory imports when looking at the number of records (**Figure 7**). However, comparisons between two five-year periods (2006–2010; 2011–2015) in the data reveal a slight decline in the number of records for commercial imports, going from 61 to 57. This difference seemed clearer when the quantity of worked ivory was compared, dropping from 1,288 ivory carvings imported during 2006–2010 to 700 (+0.61 kg) during 2011–2015, although this comparison does not account for the unknown weight of each piece. There also appears to be a more evident gradual decline in ivory re-exports (**Figure 7**), where the number of records dropped from 49 to 33 between 2006–2010 and 2011–2015. The quantity of worked ivory re-exports also declined from 919 ivory carvings (plus three pairs and one set) to 591 between these periods.

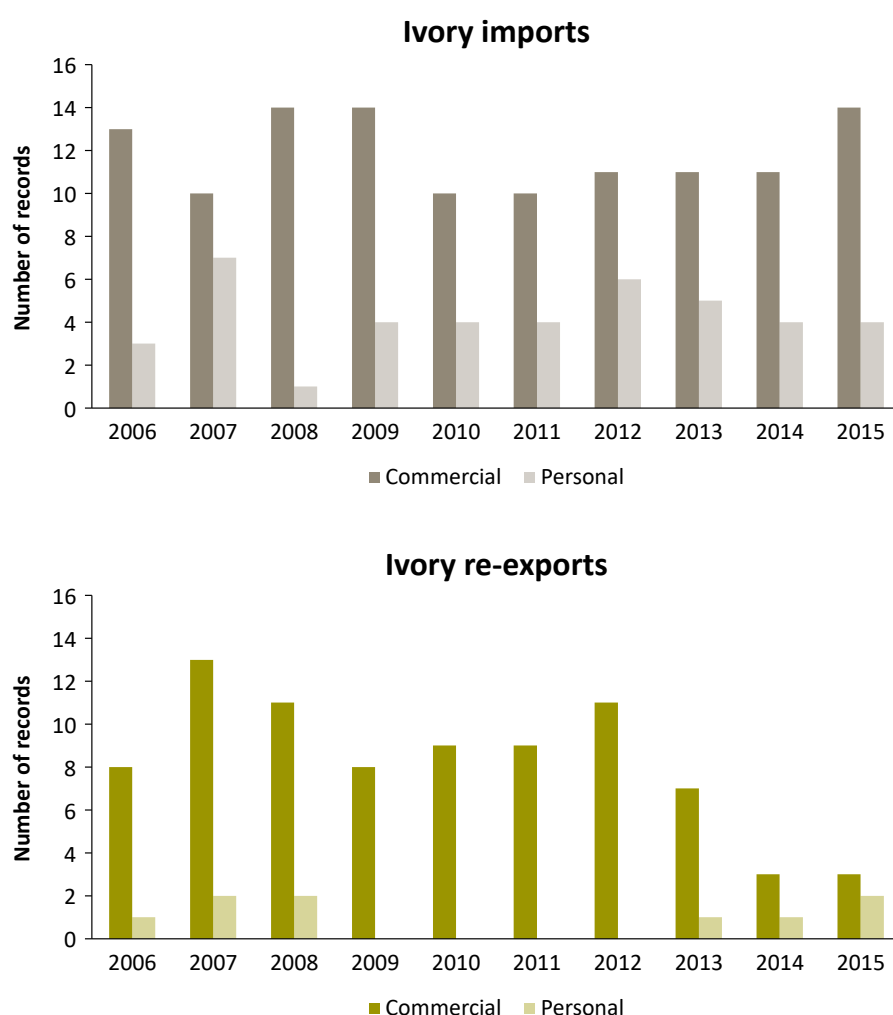


Figure 7. Trend in CITES trade records for ivory imports to and re-exports from Japan for the period 2006–2015 shown by purposes of trade (commercial (code: T) or personal use (code: P)). Only wild-sourced ivory (code: W, I, U, O, blank) was included, and data reported by Japan were used.

Trading countries and reporting discrepancies

Countries of exports and imports trading ivory with Japan between 2006 and 2015 were analysed along with the discrepancies in the reporting made by these countries and Japan. Setting aside the CITES one-off sales that dwarf all other imports by quantity, comparisons by number of records show that European countries were, by far, the top ranking source countries for ivory imports to Japan (**Figure 8**). Eight out of the top 10 source countries for imports by Japan were European nations, led by the UK, Germany, France, and Austria. The two non-European import source countries in the top 10 were the US and South Africa. Certain discrepancies in reporting were found where exporters such as Germany, France, Belgium, Netherlands, and Switzerland reported over 60% to 130% more exports than Japan declared as imports (**Figure 8**). Causes of such discrepancies are difficult to discern, but general factors include failure to record/report, errors in recording, differences in reporting styles (e.g. terms or units), time lag between issuance and actual use of permits, and also whether countries record the number of permits issued or actually used. There were, however, cases that called for further attention such as imports of nine ivory tusks reported by Japan without accompanying exporter records (South Africa in 2007 and Denmark in 2011), reportedly originating from different elephant range countries in Africa (Angola, Zambia, and Kenya). Although in the records these appear to be isolated incidents, further clarifications are warranted.

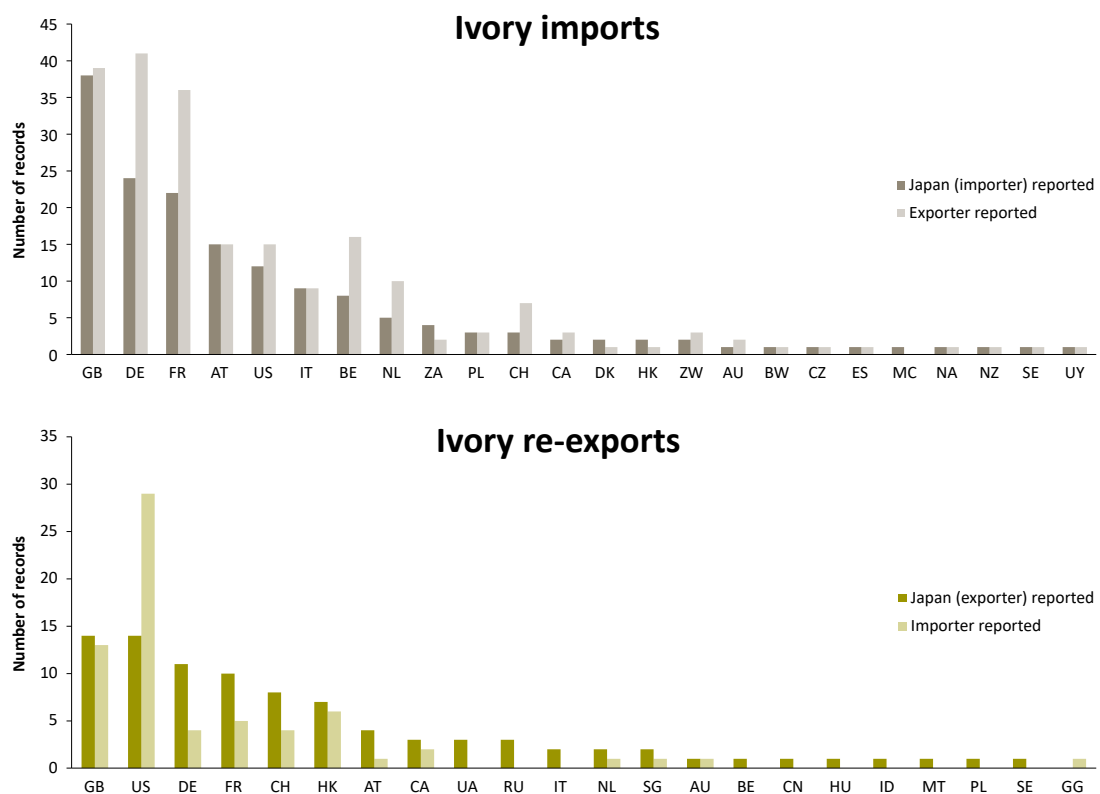


Figure 8. CITES trade records of ivory imports to and re-exports from Japan shown by exporting country/territory (i.e. source countries/territories for imports to Japan) and importing country/territory (i.e. destination countries/territories for re-exports from Japan), respectively. The importer-reported and exporter-reported records are shown in parallel to depict discrepancies. The datasets include wild-sourced ivory (code: W, I, U, O, blank) for commercial and personal purposes (code: T, P). Country code: (AT:Austria, AU:Australia, BE:Belgium, BW:Botswana, CA:Canada, CH:Switzerland, CN:China, CZ:Czech Republic, DE:Germany, DK:Denmark, ES:Spain, FR:France, GB:United Kingdom of Great Britain and Northern Ireland, GG:Guernsey, HK:Hong Kong, HU:Hungary, ID:Indonesia, IT:Italy, MC:Monaco, MT:Malta, NA:Namibia, NL:Netherlands, NZ:New Zealand, PL:Poland, RU:Russian Federation, SE:Sweden, SG:Singapore, UA:Ukraine, US:United States of America, UY:Uruguay, ZA:South Africa, ZW:Zimbabwe).

Destinations of re-exports from Japan were more geographically diverse, but still led by countries identified as top import source countries, such as the UK, the US, Germany and France (**Figure 8**). Hong Kong was the sixth largest recipient of ivory from Japan, according to Japanese reporting, but ranked third according to other countries/territories' reporting. Canada, Ukraine, and Russia ranked in the top 10 destinations for ivory from Japan, according to numbers reported by Japan. There were various discrepancies in the reporting. Generally, Japan reported more re-exports compared to reports by importing countries. For example, Germany, France, Switzerland, Austria, Netherlands and Singapore all reported 50% or less of what Japan declared re-exporting. There were many countries that have never reported any imports where Japan reported at least one re-export (**Figure 8**). An odd exception was the US, which reported over 100% more ivory re-exported out of Japan to the US, than Japanese records showed. In fact, Japan did not report any re-exports to the US between 2005 and 2010, while the US reported 16 records of imports totaling 125 carvings in this period. Such trade certainly warrants further clarification.

4.3. Domestic illegal trade cases

Reporting of domestic illegal trade cases in the media was scant for the years prior to 2013, where only two cases in 2006 and one in 2011 were found (**Figure 9**). It is possible that the cases appearing in the media fail to capture all of the relevant arrests or other enforcement actions that occurred. For example, the Public-Private Council for the Promotion of Appropriate Ivory Trade Measures (2017) summarized police reporting of domestic illegal trade cases involving ivory for the period 2013–2016, in which all three cases reported for 2015 and four out of six for 2016 were not captured in the media search by TRAFFIC. Therefore, the compilations are likely to be incomplete for the years prior to 2013 where no government summary was available. Caution was, therefore, taken not to establish trends based on number of reported cases, while detailed analysis focused on cases occurring in more recent years.

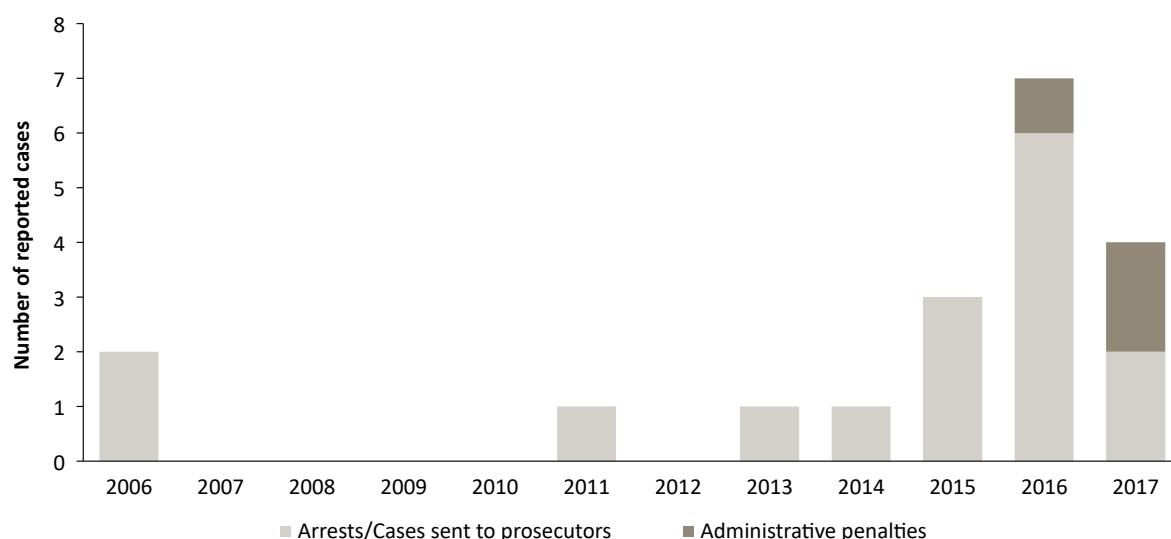


Figure 9. Number of reported cases of domestic illegal ivory trade (violation of domestic trade regulations set by LCES) (as of September 2017). Cases that appeared in media reports and press releases by government ministries were included. Separate reports on the same or related incident(s) (e.g. separate arrests of multiple suspects) were counted as one case. The year of reporting was used rather than year of alleged incidents.

The majority of illegal ivory trade cases pertained to the domestic trade in unregistered whole tusks, which either resulted in arrests or cases sent to the prosecutor's office (without arrests). However, recently there were three cases where the failure of ivory manufacturers and retailers to keep records of ivory transactions, an obligatory requirement, incurred an administrative penalty

applied by METI (**Figure 9**) (Ministry of Economy Trade and Industry, 2017, 2016). There were also isolated cases of illegal ivory imports, including a 2006 seizure case where suspects were arrested for illegal importation and subsequent manufacturing and domestic selling of billiard cues containing ivory parts without making business notifications to the government (Kyodo News, 2007; Nikkei Shimbun, 2007). Furthermore, arrests were made in 2007 in relation to the 2006 illegal import of 2.8 t of ivory (reviewed in **Section 4.1.1**), but this case did not involve any conviction of violation of domestic trade law (i.e. LCES).

Of the earlier cases, an incident in 2011 stood out as it involved the largest *hanko* manufacturer who illegally purchased large quantities of unregistered whole ivory tusks from various domestic antiques dealers (68 tusks were seized at the time of arrest) (Sankei Shimbun, 2011). Details of the case have been reviewed elsewhere (Sakamoto, 2013; TRAFFIC Japan, 2011). While there was no evidence to substantiate that any of these tusks involved newly smuggled ivory, the disclosure of such an overt misdeed by the largest manufacturer was reported widely in the media. The case resulted in a fine of JPY1 million (USD9,060) for the manufacturer and suspended prison sentences of up to one year for its board members (Kitade and Toko, 2016). Following this case, in 2013, the maximum penalties for violating the domestic trade regulations of LCES were raised considerably (see **Section 2.1**).



Ivory tusks seized in a June 2017 case of illegal domestic trade of unregistered ivory tusks by an antiques dealer
Photo courtesy of the Tokyo Metropolitan Police

Illegal trade of unregistered tusks, however, continued to be uncovered even after the 2013 strengthening of penalties and, in fact, culminated in the latest two records in June and August 2017 when the police exposed serial buying of large quantities of unregistered ivory by two antiques companies, involving 39 suspects and 27 unregistered ivory tusks in total (TRAFFIC, 2017b; WWF Japan, 2017b). Both dealers, operating under business notifications to METI, advertised “ivory purchasing” services on their home pages (and also appeared in the top 10 Google search results with the keywords “ivory purchasing”- see **Section 4.5.2**). According to the police they have admitted to buying hundreds of ivory tusks over a few years (seizures involved 18 and 9 tusks traded between December 2015–January/February 2016, respectively) and even fraudulently applied to register illegally purchased tusks (TRAFFIC, 2017b). Moreover, and surprisingly, both of these

cases ended without prosecution (Mainichi Shimbun, 2017; WWF Japan, 2017b), and both antiques companies continue to operate and conduct trade in ivory as of September 2017.

From another perspective, the increase in the reporting of illegal cases over the last few years could be a signal of an increase in compliance-checking and law enforcement by the government (Public-Private Council for the Promotion of Appropriate Ivory Trade Measures, 2016). An important setback, however, is the lack of strict judicial follow-up in cases involving the illegal trade of ivory. Furthermore, the police expressed no further interest in investigating the background of the June and August 2017 cases in spite of the large quantities of ivory involved because they were assumed to have originated from old domestic ivory stocks based on visual observations (*pers. comm.* to TRAFFIC, June 2017). The MOE, responsible for the registration system for whole tusks, was neither interested in confirming the age or origin of the tusks (*pers. comm.* to TRAFFIC, June 2017).

Other notable trends observed in the compilation of domestic cases included the use of internet trading platforms to conduct illegal ivory trade. In at least one case in 2013 and three cases in 2016, suspects illegally traded one to two unregistered tusks through online auction sites (Asahi Shimbun, 2016; Sankei Shimbun, 2016; Tokyo Shimbun, 2016; Yomiuri Shimbun, 2013). While all cases involved Japanese antiques dealers, final buyers through online auctions in two of these cases were Chinese nationals, according to information provided by the police (Tokyo Shimbun, 2016; Yomiuri Shimbun, 2013). These observations firstly point to the challenges of effectively regulating online trade, despite increased monitoring efforts by e-commerce companies (Kitade, 2017). Secondly, they converge with the trend gleaned through seizures made overseas (reviewed in **Section 4.1.2**) that Japanese online platforms, such as internet auctions, have been exploited heavily as a channel for illegal trade in ivory.

4.4. Physical markets

4.4.1. Availability of ivory items at antiques outlets

Characterization of antiques outlets



The Indoor antiques fair in Kyoto surveyed by TRAFFIC in July 2017

Four indoor antiques fairs, three outdoor antiques markets, and four art and antiques districts were visited in Tokyo, Osaka and Kyoto (for description of locations see **Table 1**). The indoor antiques fairs each hosted a few hundred stalls (mean of 288 stalls, **Figure 101, top**), and were all held for three consecutive days, and are typically held from twice to five times a year. Vendors were registered antiques dealers as required under the Japanese Secondhand Article Dealer Act. All indoor fairs visited were held in arenas or large event halls filled with customers that comprised both Japanese nationals and visitors from overseas. This was the case even for the fair in Kyoto which was located a long way outside the central commercial and tourist district commonly visited by foreign tourists. Despite differences in size, the indoor antiques fairs resemble one another in terms of the structure and types of items offered, and 25% of sellers were present at more than one fair as identified during the survey. Summary statistics of ivory item availability at each fair are presented in **Appendix 2**.



An outdoor antiques market in Kyoto surveyed by TRAFFIC in July 2017

The outdoor antiques markets were more variable. The one visited in Tokyo, held twice a month, was dedicated to antiques, attended by some 120 stalls selling antique items. All vendors were registered antiques dealers, according to the organizer. The other two markets visited in Kyoto and Osaka were more general markets, held once a month inside temple grounds, attended also by numerous stalls selling products other than antiques, such as food, beverages, clothing, and souvenirs. The total number of stalls was estimated to be around 1,000 for Kyoto and 200 for Osaka, of which roughly 56 and 75 stalls respectively sold antiques. The organizers of the latter two fairs could not be contacted to confirm whether these vendors were registered dealers. Quite a few foreign visitors were observed at each of the markets, perhaps due to their central locations and popularity amongst locals. Summary statistics of the availability of ivory at each market is presented in **Appendix 3**.



An art and antiques district in Kyoto surveyed by TRAFFIC in July 2017

The four art and antiques districts visited were fairly similar in terms of size and types of galleries found, except for one in Tokyo which was scattered across a wider area. On average 28 galleries (**Figure 10 top**), excluding those closed and unobservable on the days of the visit and those dedicated for paintings, were visited in each location. They were all found in rather quiet areas not far (10–15 minutes walk) from major commercial or tourist centres of the cities. All the art and antiques districts attracted visitors through dedicated homepages, accompanied by tourist maps introducing the galleries located therein. Some high-end galleries were also present. A number of galleries were closed on the days of the visit (all locations were visited on weekdays), and only a few visitors or customers were usually observed on the street. The usual visitors to these locations were antiques dealers, as indicated by a store keeper in Osaka. Nevertheless, the presence of other general visitors, including foreign visitors, were both indicated by shop keepers and directly observed during the survey in at least at the two locations in Kyoto. Summary statistics of the availability of ivory at each market is presented in **Appendix 4**.

Comparing across the three types of antiques outlets revealed that indoor antiques fairs had, by far, the largest availability of ivory, in terms of both the number of ivory sellers and the availability of ivory items (**Figure 10 bottom**). The other two types of outlets were somewhat similar in the overall availability of ivory items but were different in that outdoor markets hosted a larger number of stalls each selling smaller quantities of ivory items whereas fewer galleries selling larger numbers of ivory items were observed at art and antiques districts (**Figure 10 bottom**). In fact, ivory items tended to be concentrated at certain galleries in art and antiques districts with the maximum of 178 items found at one gallery in Tokyo, which actually took the form of a small antiques mall showcasing a collection of items by multiple dealers. While there was significant overlap of sellers amongst different indoor fairs, no overlap was observed amongst outdoor antiques markets and art and antiques districts. It was difficult to determine if any of the sellers in surveyed art and antiques galleries was also present at occasional indoor fairs due to the large number of stalls present and lack of official company information. Only one was noted by the survey team by the name of the stalls/galleries.

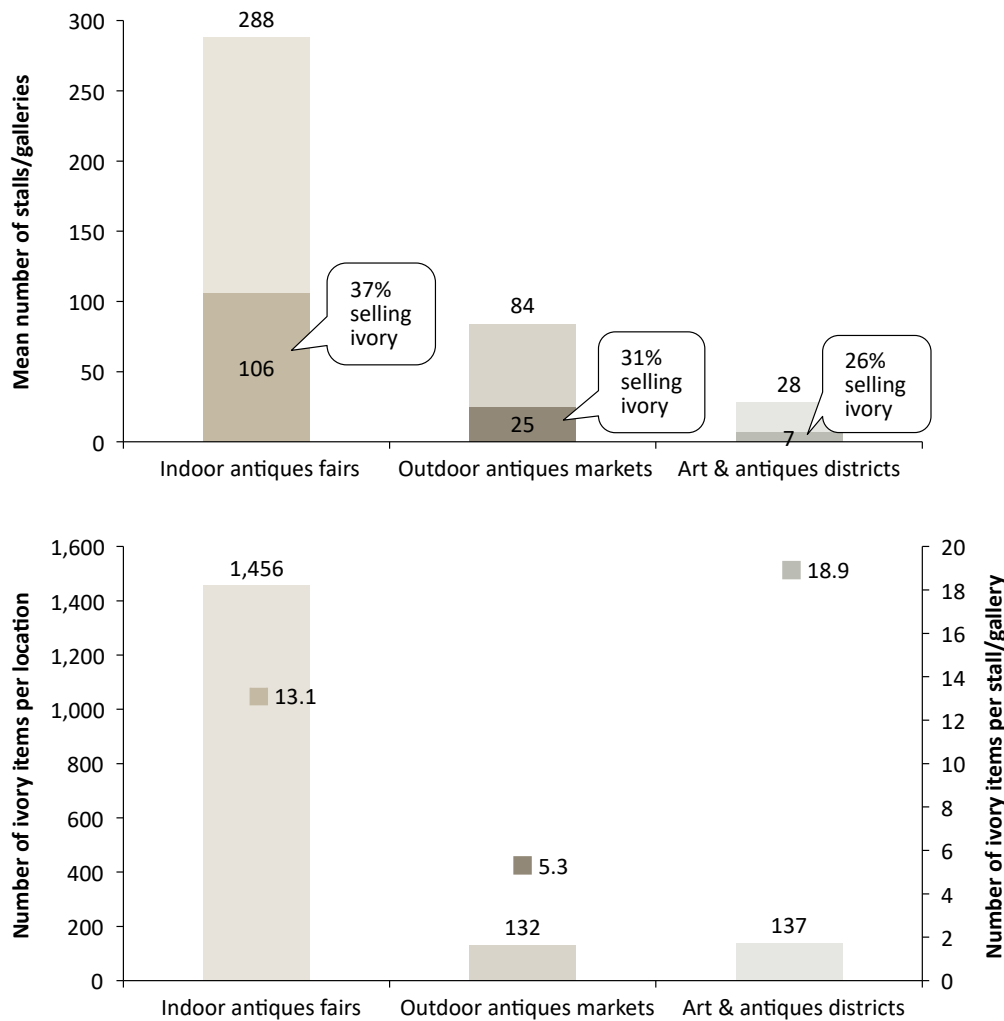


Figure 10. Availability of ivory items at antiques outlets in Tokyo, Kyoto and Osaka.

TOP: Mean numbers of stalls/galleries per location (4 locations for indoor antiques fairs; 3 outdoor antiques markets; 4 art and antiques districts). The detailed results for each outlet are presented in Appendices 2–4). Total numbers of stalls/galleries are shown above the bars and numbers selling ivory are shown with the darkened colours. BOTTOM: Mean numbers of ivory items per location and mean number of ivory items per stall/gallery. Number of galleries in art and antiques district excludes those that were closed on the day of the visit, except for those with observations successfully made through windows.

Examination of the types of ivory products observed revealed trends more or less similar across different types of outlets. *Netsukes*, carvings and furnishings, and jewellery comprised 62–65% of the total count (**Figure 11**). Of these, the proportion of carvings and furnishings were markedly smaller in outdoor markets (7.6%) compared to indoor antiques fairs (14.8 %) and the arts and antiques districts (19.2%). This reflects the fact that high-priced, delicate items are not suited for display in outdoor markets, partly because of the variations in temperature and humidity as well as sunlight that can damage and crack ivory but also for safety reasons, as expressed by one seller at the Osaka outdoor market. In fact, no whole tusks were found in any of the outdoor markets, while at least one tusk was found in each of the four indoor antiques fairs, as well as three out of four art and antiques district locations. Overall, whole tusks represented only 0.6% of the items available across all outlets.

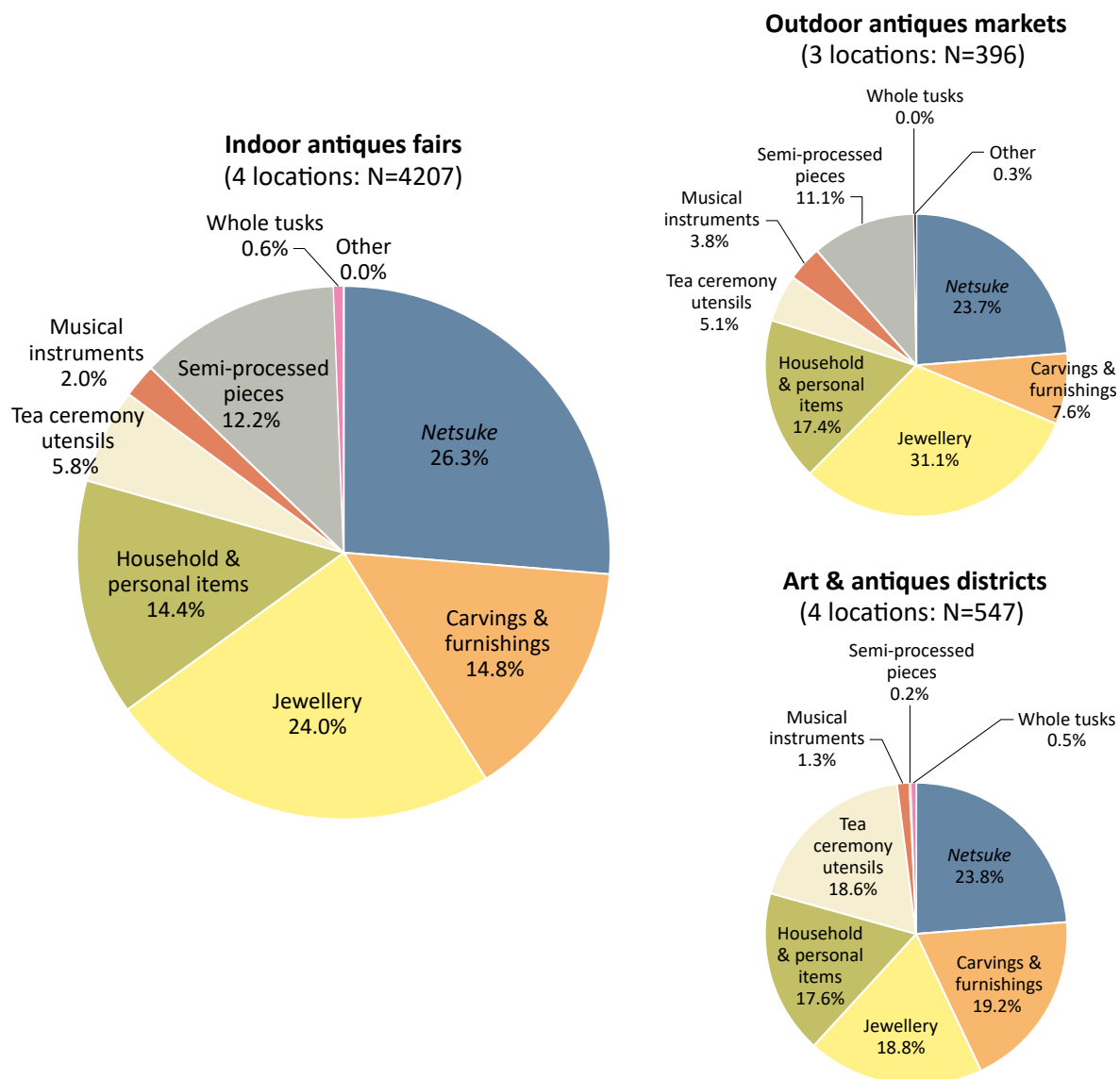


Figure 11. Availability of ivory items by category. Duplications of stalls in indoor antiques fairs were excluded. No duplication was found across outdoor antiques markets.



Tea ceremony utensils (teapot lids made of ivory and teaspoons) displayed at a gallery located in an art and antiques district in Kyoto

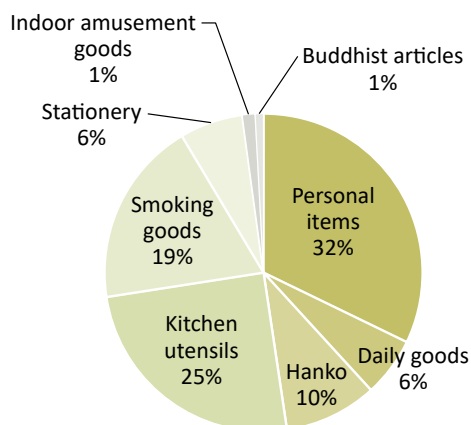
Another distinct pattern concerns the higher availability of ivory tea ceremony utensils in art and antiques districts (18.6%), as a manifestation of the number of specialty galleries dedicated to the sale of tea ceremony items. In Kyoto Location 1, there was one ivory carving workshop making ivory lids for tea containers, the most numerous types of ivory goods used in tea ceremonies, followed by teaspoons (photo above). Furthermore, semi-processed pieces, mostly for further finishing into jewellery/accessory parts, were observed in large quantities at a few stalls in indoor antiques fairs and small quantities in outdoor antiques markets, but not in the art and antiques districts (**Figure 11**).



Semi-processed ivory pieces observed at indoor antiques fairs in Tokyo and Kyoto

A wide range of products was observed in the household and personal items category, which included both Western and Japanese antiques. **Figure 12** provides a breakdown of the category (see **Table 2** for examples of products under each sub-category) observed at indoor antiques fairs. Personal items such as combs and pill cases (32%), kitchen utensils such as chopsticks (25%), and smoking goods such as pipes (19%) were found to be the majority. Notably, *hanko*, which accounts for about 80% of the current manufacturing types of new ivory products (Kitade and Toko, 2016), comprised only 10%. This reflects the fact that the re-use and recycling of used *hanko* is not a common practice, given that personal signatures are inscribed. Finally, the sizes of carvings and furnishings found at indoor antiques fairs were examined, with a near equal amount of small, medium and large size items, with large (>20 cm) items slightly more common (37%) (**Figure 12**).

A) Breakdown of “household & personal items”



B) Breakdown of “carvings & furnishings”

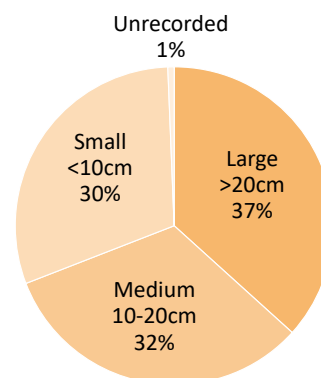


Figure 12. Breakdown of ivory product categories observed at indoor antiques fairs: A) “household & personal items” into further product types (N=233); B) “carvings & furnishings” by size (N=621). Examples of products falling into each sub-category are shown in **Table 1**.

Origin and legality of ivory

Overall, the antiques outlets contained a mixture of true antiques (over 100 years old) and more recently manufactured products from both pre- and post-Convention periods, but almost none of these could be distinguished with certainty due to the absence of any proof-of-legality requirements under LCES for products other than whole tusks (**Section 2.1**). Such products without proof-of-legality requirements comprised over 99% of the items available. The legality of sellers as well as whole tusks is assessed in **Section 4.4.4**.

In terms of product origins, much of the Western antique jewellery and Japanese antique items such as antique *netsukes*, pill cases, hair accessories and smoking pipes from the Edo to Meiji Era (up to 1912) could safely be considered true antiques. The age of other items found in large quantities such as simple jewellery (bangles, bead bracelets, necklaces etc.), *netsukes* and carvings of uncertain origins was less certain, and could well be pre-Convention or possibly newer. Although no new ivory items imported legally or illegally to Japan were identified with certainty, there were cases where sellers were not clear about the age and origin of ivory products that appeared to be carved outside Japan, such as the African style carvings shown in the photo below. In one case, Western antique items such as brushes and cases were claimed by the seller to have been imported to Japan from the UK as recently as the preceding week of the survey (i.e. July 2017).



LEFT: African ivory carving found at an indoor antiques fair for which the seller was not clear about the age and origin; RIGHT: new jewellery products claimed to be “genuine ivory”, labeled “TOKYO JEWELRY & Co.”, origin of which was unclear but suggested by one seller to be from other Asian countries

In general, the new products sold in the antiques markets are assumed to be the works of contemporary carvers that have been manufactured in Japan after the 1989 trade ban, and are usually *netsukes* and traditional carvings. While these products are often traded through dealers to outlets such as department stores or ivory specialty shops, the survey team observed some items that were claimed to be newly produced by carvers in the antiques outlets. Again, however, there is no way to confirm the origin and legality of each of these items in the market.

There was a stall at one indoor antiques fair selling a large quantity (50+) of cheap (~USD11; JPY1,200) accessories such as earrings and pendants, claimed to be made from ivory (photo above).

These were apparently new (i.e. not used items like other jewellery pieces found in the market) and did not match the styles of jewellery historically produced for domestic markets, or those preferred by current Japanese consumers. While the products were marked as of Japanese origin, the vendor dodged the survey team's questions about where they were made. Some of the same types of ivory items were sold by another antiques specialist vendor, who admitted that the ivory items for sale were likely produced in other Asian countries. The items were tiny and apparently made from ivory scraps, so it was difficult to confirm their authenticity (through Schreger lines) by visual inspections, although both vendors claimed they were genuine ivory. Questions remain as to the legality of these products and whom they were targeting given the products were atypical to other ivory items offered in Japanese antiques markets.

Price of ivory

The price of ivory items found in the antiques markets varied widely depending on the types of products, ranging from edge pieces of semi-processed ivory which sold for USD5 each, to an elaborately carved figurine worth USD34,428 (JPY3.8 million). The price ranges of various ivory items observed at indoor antiques fairs, where the largest number of ivory items was observed, are presented in **Appendix 5**. In general, the prices appeared similar for the same category of products when compared across different types of outlets. It was noted that the very expensive items (e.g. >USD10,000 or >JPY1.1 million) were only found at indoor antiques markets and at art and antiques districts, but were not observed in outdoor markets or tourist areas, although not all products were checked for their prices. *Netsukes* were priced from USD109 (JPY12,000) to as high as USD3,352 (JPY370,000) at indoor antiques markets. The highest prices were found in carvings and figurines, followed by whole tusks. One seller at an indoor antiques fair stated that the price of whole tusks was usually determined by weight (e.g. USD544 (JPY60,000) per kg). Amongst jewellery, Western antiques were priced substantially higher as opposed to the simple, mass-produced jewellery from the 1970s and the 1980s. Secondhand *bachi* of various conditions were sold at prices ranging between USD27 and USD861 (JPY3,000–95,000).

4.4.2. Availability of ivory items at tourist areas and ivory specialty shops

Characterization of outlets



The main approach to Sensoji Temple in Asakusa, Tokyo, the surveyed tourist area in 2017

Surveys of tourist areas in the present study only revealed a general impression of the market due to limitations in the sample of ivory outlets. The results presented here are mostly qualitative, and more extensive surveys might reveal more outlets and sales of ivory. That said, surveys of major streets around Sensoji Temple in Asakusa, Tokyo were relatively well covered in the present survey. Four tourist shops were found to sell a range of ivory items, especially those seemingly suitable for tourists such as *netsukes* and jewellery. The number of items per shop ranged from 25 to 169. Only two shops were found to display ivory in the approaches to Kiyomizu temple, a heavily visited tourist area in Kyoto. One of them sold three ivory *netsukes*, and the other sold up to 10 Buddhist prayer beads made of ivory. In contrast, neither of the two Buddhist article shops located around Shitennoji Temple in Osaka sold Buddhist prayer beads made of ivory.

Department stores constitute another important outlet type for tourists. The present study only visited one large department store in central Osaka where a small number of items such as tea ceremony utensils, kitchen utensils, and small figurines were found, totalling 10 items for the entire building. No ivory jewellery was found, which was in line with previous observations made at various department stores in Tokyo, characterized as the remnant of the withdrawal of ivory jewellery sales by department stores in 1990 (Kitade and Toko, 2016). However, department stores especially in the Kanto Region were identified as major sales outlets for new ivory carvings such as *netsukes* and figurines, especially through occasional exhibitions, as suggested in interviews with art and antiques dealers. A follow-up survey of department stores may prove useful to understand the trend in sales of such new items.

Coverage of ivory specialty shops was also limited in the present survey but included one dealer's shop in Osaka and two carvers' (manufacturers) workshops, two dealers' shops, and two wholesalers

in Tokyo. Ivory availability at these stores was markedly high in comparison with other types of outlets, with a maximum of over 560 items displayed at a carver's shop in Tokyo, followed by a dealer's shop displaying around 400 items. Most of these were smaller items such as jewellery, *netsukes* and small figurines. The dealer's shop in Osaka displayed over 100 items, mostly figurines manufactured by famous contemporary carvers. One of the wholesalers in Tokyo displayed numerous semi-processed ivory pieces of small sizes (less than 15 cm) in various shapes such as plates and cylinders and also sold other materials and products such as *bekko*, natural stones and pearls.

Finally, within or near the survey areas, the survey team conducted visits to shops selling specialized, practical ivory items, namely, *hanko*, tea ceremony utensils, and Japanese musical instruments. One small-business *hanko* shop in Osaka, one retail-chain *hanko* shop in Tokyo, one tea ceremony utensil shop in Kyoto, and one Japanese musical instrument shop in Tokyo were visited. Around 30 ivory *hanko* in different standard sizes were displayed at the two *hanko* shops. Both were taking orders for engraving names for buying customers. The tea ceremony utensil shop had a wide selection of affordable goods for both amateur and professionals practicing tea ceremonies. There were around 30 ivory tea container lids, sold together with matching tea containers, and two teaspoons made of ivory. The Japanese musical instrument shop specialized in selling and repairing the *shamisen* and its parts and displayed about 20 ivory *bachi* of different types.

Origin and legality of ivory

As was the case with antiques market outlets, discerning the origin and legality of items found at specialty ivory shops and tourist areas were generally not possible due to the lack of proof-of-legality requirement for anything other than whole tusks. While more new products were found in tourist areas and other specialty shops compared to the antiques market outlets, whether these items were produced domestically within LCES guidelines, or illegally sourced, is difficult to discern during the market survey. The compliance of businesses and legality of whole tusks for sale are reviewed in **Section 4.4.4**.

A concerning new piece of evidence was found in two of the shops in Tokyo, one in the Asakusa tourist area and the other in the Okachimachi area, where a high concentration of precious metal and stone dealers are located. The peculiarity was noted in that items displayed included new ivory jewellery which had signature designs targeted at current Chinese customers, distinctly different



Newly manufactured ivory products found at two shops operated by Chinese-speaking (most likely non-Japanese nationals) sellers in Tokyo's major tourist areas. The distinct cylinder, square plate, and medallion motifs for pendants are typical of products popular in the Chinese market, but were never part of the historical Japanese domestic market. Bracelets with simple round beads are also preferred by Chinese consumers.

from anything historically manufactured for Japan's domestic consumers (see photos). The two shops both displayed notification stickers inside the premises and appeared to be run by the same owner and displayed approximately 150 and 200 items each, including conventional items found in other antiques outlets. Shopkeepers at both shops were native Chinese speakers with limited ability in speaking Japanese, but indicated that the new products were manufactured by a factory in Funabashi city adjacent to Tokyo.

TRAFFIC has informed METI of these premises. Whether the claim of domestic origin is true needs to be confirmed by METI through inspection of trade and stockpile records. Ideally it needs also to be validated through scientific age determination of their products. Even though the domestic manufacturing and sales of these items are “legal” and actual sales cannot be regulated, the outlets are clearly targeting customers likely to be taking the items out of Japan, which would constitute illegal export (trend reviewed in the following **Section 4.4.3**).

4.4.3. Demand for ivory items

The present survey also elucidated possible trends in the demand for various ivory products through covert interviews with ivory dealers. A total of 53 “significant interviews” were obtained whereby the survey team was able to draw out relevant information on at least one of the specific elements as described in the method (**Section 3.4.2**). However, when information pertaining to the age and origin of ivory was all that could be obtained, such conversations were not counted as significant interviews in the analysis. Significant interviews were obtained from across different types of outlets but were best represented by indoor antiques fairs, comprising 38% of interview responses (**Figure 13**).

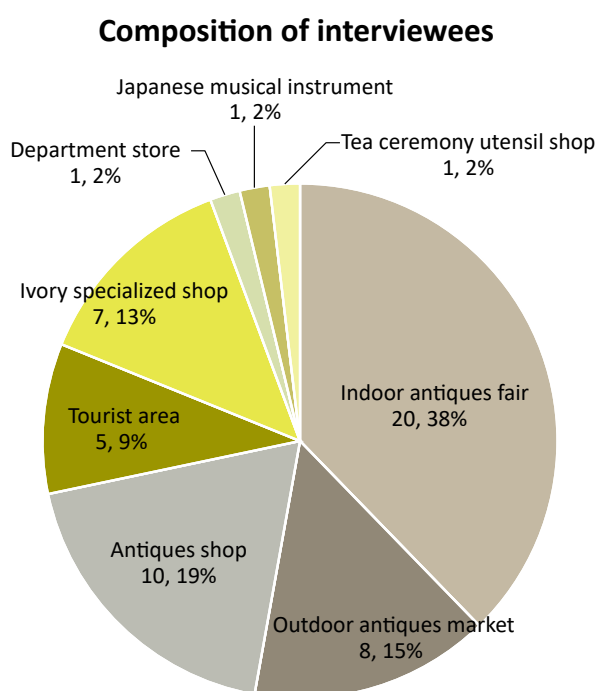


Figure 13. Attributes of interviewees from whom significant interviews were obtained and analysed. (N=53)

Aside from demands for specific ivory products, one marked trend commonly observed throughout the different types of outlets was the demand for ivory by visiting foreign customers. For example, all 36 vendors interviewed on this topic highlighted demand from foreign customers as a major

trend in the market. Furthermore, all 25 vendors who the survey team had a chance to inquire as to whether they had sold ivory items to foreign customers stated that they had. This was seen across different types of outlets and across different cities where, with the exception of the outdoor market at Kyoto where no effective interviews on this topic were obtained, at least one vendor at every single location knew about foreign customers' demand for ivory products and had experience in actually selling ivory products to foreign buyers (**Table 5**).

Table 5. Ivory vendors' knowledge of foreign customers' demand and experience in selling ivory to foreign buyers

Outlet category	Locations	Knowledge of foreign customers' demand in the market	Sold ivory to foreign customers
1 Indoor antiques fairs	Tokyo 1	Yes (5)	Yes (4)
	Tokyo 2	Yes (6)	Yes (2)
	Saitama	Yes (3)	Yes (3)
	Kyoto	Yes (2)	Yes (1)
2 Outdoor antiques markets	Tokyo	Yes (4)	Yes (2)
	Osaka	Yes (1)	Yes (1)
	Kyoto	Not asked	Not asked
3 Art and antiques districts	Tokyo	Yes (1)	Yes (1)
	Osaka	Yes (5)	Yes (4)
	Kyoto 1	Yes (2)	Yes (1)
	Kyoto 2	Yes (2)	Yes (2)
4 Tourist areas and ivory specialty shops	Tokyo	Yes (4)	Yes (4)
	Kyoto	Yes (2)	Yes (1)
	Osaka	Yes (1)	Yes (1)

Numbers in brackets indicate the corresponding number of vendors.

The origins of foreign customers that vendors spoke about were usually China (more specifically, Chinese-speaking buyers for the reason explained next), but also other countries/territories such as Taiwan, Hong Kong, Malaysia, India, Australia, and the US. It should be noted that most Japanese vendors cannot easily tell apart the differences in Chinese languages and dialects, which means that vendors' indication of "Chinese customers" may include people from a regional spread including Taiwan, Hong Kong, and mainland China, as well as people of Chinese origin living in other countries. The two shops in Tokyo selling new ivory jewellery with designs targeted at Chinese-speaking customers (**Section 4.4.2**) also stated that they have sold to Chinese customers, and particularly specified buyers from Hangzhou, Beijing and Shanghai.

The survey team also witnessed the sale and purchase of ivory items by foreign tourists during the market surveys. Two foreign nationals, both East Asian in appearance and possibly around 30–40 years of age, were seen buying ivory jewellery and a *netsuke* at an indoor antiques fair in Tokyo. There were also foreign vendors at various antiques outlets, including two vendors of Caucasian background who were present at multiple indoor antiques fairs selling a large number of ivory products. There were also several non-Japanese, Asian vendors observed at indoor antiques fairs and outdoor antiques markets. The origin of their items was unclear, but one of the Caucasian vendors mentioned that he has recently imported ivory antiques from the UK, as the profit margins are much greater in Japan than back home.

Accounts from ivory vendors provided further insights into the scale of demand by visiting foreign customers and the resulting illegal export of the items out of Japan, especially at the antiques outlets. Many vendors expressed that Chinese-speaking customers have been the main buyers of

ivory products in the markets recently, and that they were often not tourists but business buyers with the intention to purchase products for clients or markets back home while earning a margin. Furthermore, it was revealed that ivory was not the only thing in demand as other products such as silverware were preferentially bought by Chinese-speaking buyers. Vendors said that often these buyers took photos with their smartphones and used instant messaging to communicate with clients back home before negotiating the price, and that there were also times where buyers bought all the ivory products that stores had put out on display. One vendor compared this trend to the “shopping spree” by Chinese tourists visiting Japan, a recent market phenomenon that has become widely recognized, particularly in association with home electronics and other “made in Japan” products. In fact, the survey team observed the same East Asian male buying ivory jewellery at an indoor antiques fair in Tokyo, again at a fair in Kyoto the following week. The man appeared to be a business buyer rather than a tourist, travelling alone.



Display of ivory items at a shop in Tokyo’s tourist areas. A sticker in the left photo promotes “made in Japan” shown also in Chinese and Korean.

A number of vendors noted that the so-called ivory “shopping spree” has been on the decline over the last half a year or so, and they attributed this development to the fact that law enforcement in China had strengthened and even resulted in severe penalties applied to those who were involved in smuggling ivory products into China. Vendors interviewed were generally knowledgeable about what was happening regarding illegal exports as they acquired information from visiting business buyers. Many vendors said that foreign buyers, particularly Chinese-speaking buyers who used to source ivory products in their stores, were no longer interested in purchasing ivory to avoid severe penalties. Whether the demand by foreign customers has really subsided remains unknown, but certainly from observation of purchases made by foreign customers during the market surveys, and the number of vendors indicating that they had just recently sold ivory products to such customers, might attest to a continuing demand. One vendor at an indoor antiques fair indicated that foreign buyers that are backed by well-financed clients were still getting through border Customs by employing bribery, while other general buyers were getting caught. This claim, however, is unverified and further details were not obtained through interview.

In terms of demand by Japanese consumers, the general understanding amongst vendors in antiques outlets seemed to be that it was very limited, especially in comparison to demand from foreign customers. The two Chinese-owned outlets in Tokyo selling new products designed for foreign markets stated that Japanese and other foreign customers prefer older ivory items, whereas Chinese-speaking customers prefer newer items. One vendor stated that domestic demand for new ivory products was mostly concentrated in *hanko* products. Several vendors mentioned that there was domestic demand for *netsukes* by Japanese collectors, although the demand in the foreign markets such as Europe and the Middle East were said to be much stronger.

It is worth noting that ivory *hanko* were supposedly not a popular product type amongst foreign customers, as expressed by a seller at a *hanko* shop located in the art and antiques district in Osaka heavily visited by foreign buyers. On the other hand, demand by foreign customers for ivory items used in tea ceremonies was confirmed by different vendors, who referred to the increasing popularity of tea ceremony culture overseas as well as the aesthetic appeal of items such as tea containers with ivory lids. The level of demand for ivory items used in Japanese musical instruments in the foreign markets was not identified in this survey.

4.4.4. Compliance and attitudes of sellers

Compliance with domestic trade regulations as well as the attitude of sellers towards illegal behaviour was examined. Firstly, as one aspect of domestic trade regulation, vendors are required to attach a registration card to every whole tusk they physically display or indicate the registration number if they advertise it on other media (e.g. catalogue or online). During the physical market survey, a total of 37 whole ivory tusks was found, 24 in indoor antiques fairs, three in art and antiques district, and 10 across tourist areas and ivory specialty shops (**Figure 14, left**). Of these, only 12 (32%) were legally advertised with registration cards attached where it was visible to customers, and this included photocopies of registration cards rather than the original copies. The 12 tusks displayed in compliance with the domestic regulations were found in indoor antiques fairs (seven tusks) and tourist areas (five tusks). Those unaccompanied by registration cards constituted illegal advertisements, but one vendor during an interview claimed that registration cards were available.

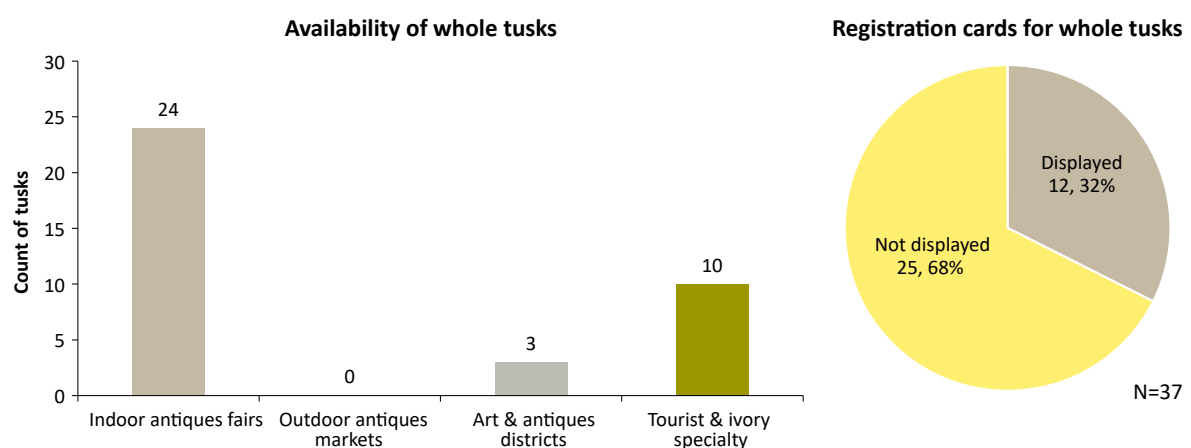


Figure 14. LEFT: Availability of whole tusks across different types of outlets; RIGHT: display of registration cards with whole tusks. (N=37) Duplication of stalls observed at different indoor antiques fairs is excluded from the counts.



Whole tusks displayed at indoor antiques markets without registration cards

Another aspect of domestic regulation is the mandatory business notification to METI, which will be upgraded into a registration system when the new law enters into effect in June 2018 with the new requirement for mandatory display of a registration number (see **Section 2.1**). At the time of the survey, a large majority of vendors were found not to display their notification stickers (**Figure 15**), which was expected, as the new requirement had yet to come into effect. The proportion of outlets displaying the sticker appeared to be higher for physical shops in tourist areas and ivory specialty shops, followed by galleries in the art and antiques districts, but much lower in infrequent markets. However, the survey team noted during interviews that some vendors claimed to have some kind of business “licences” for selling ivory or even took out their notification stickers from the back to show to the survey team. The actual proportion of market stalls that had made notifications is, therefore, expected to be higher.

The prevalence of vendors illegally operating without notifications cannot be confirmed in time for the publication of this report, although information on businesses found to be selling ivory has been sent to METI. Similar data on ivory vendors found in infrequent antiques fairs (indoor and outdoor) could not be sent to METI due to the absence of company information. Several vendors at indoor antiques fairs mentioned that they suspect that some of the stalls selling ivory at the fairs are businesses without notifications, and that such businesses have taken advantage of the lack of checks by fair organizers. This was confirmed to be the case for organizers of one indoor antiques fair and one outdoor antiques market in Tokyo that TRAFFIC contacted by phone, and it would seem unlikely that the situation will be any different at other occasional markets. Overall, most interviewed vendors were quite knowledgeable about international and domestic regulations for trading ivory. However, some vendors were confused about the regulations for selling ivory

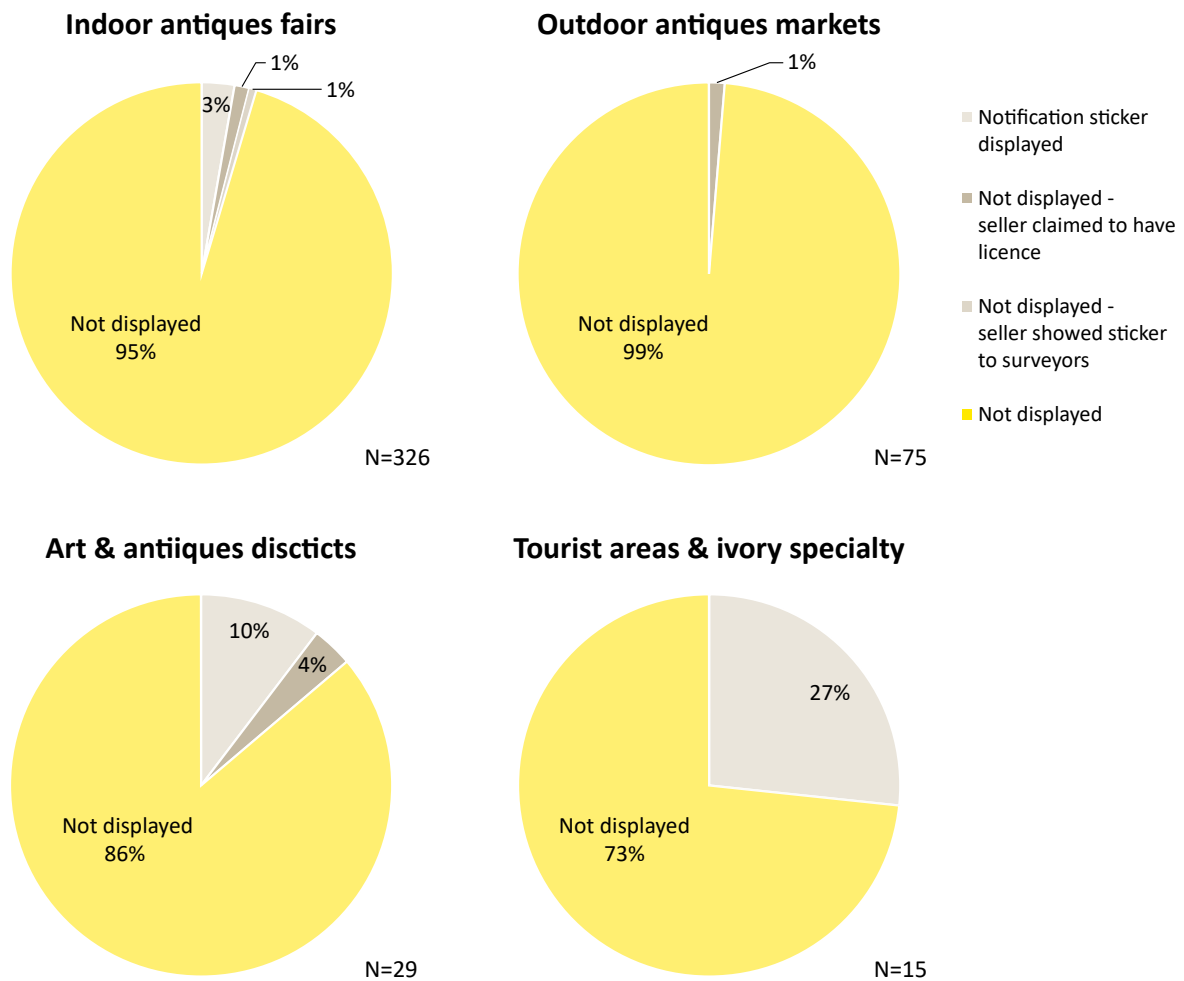


Figure 15. Visibility of notification stickers at different outlets observed during the physical market survey in June-August 2017. Display of notification numbers was not mandatory at the time of the survey, and the actual proportion of stalls/galleries actually making notifications was expected to be higher.

domestically, and there were a few at outdoor antiques markets who were seemingly unaware of any regulations.

Finally, the attitude of vendors towards promoting illegal behaviour (illegal export) was surveyed through covert interviews. Of 33 vendors across different antiques outlets who were asked whether it was acceptable for the survey team, posing as customers, to take ivory out of Japan, a large majority (73%) indicated it was fine at some level: 46% suggested small items could be taken out (two claimed as long as it is not “whole tusks”), while stating that ivory exports are prohibited in principle; 21% stated it was acceptable, without specifying conditions; and another 6% suggested it should be fine, though they were unclear about the regulations (**Figure 16**). Vendors that prompted behaviours in compliance with the international regulation were in a minority: only 9% clearly stated it was not allowed; 3% informed the customer (the survey team) of the requirement for permits, and 9% stated they did not recommend it, although they were going to sell if the customer insisted. Finally, 6% stated it was solely the customer’s responsibility to go through the proper legal processes for export after purchasing the product from them.

Vendors' response to "Is it acceptable to take ivory out of Japan?"

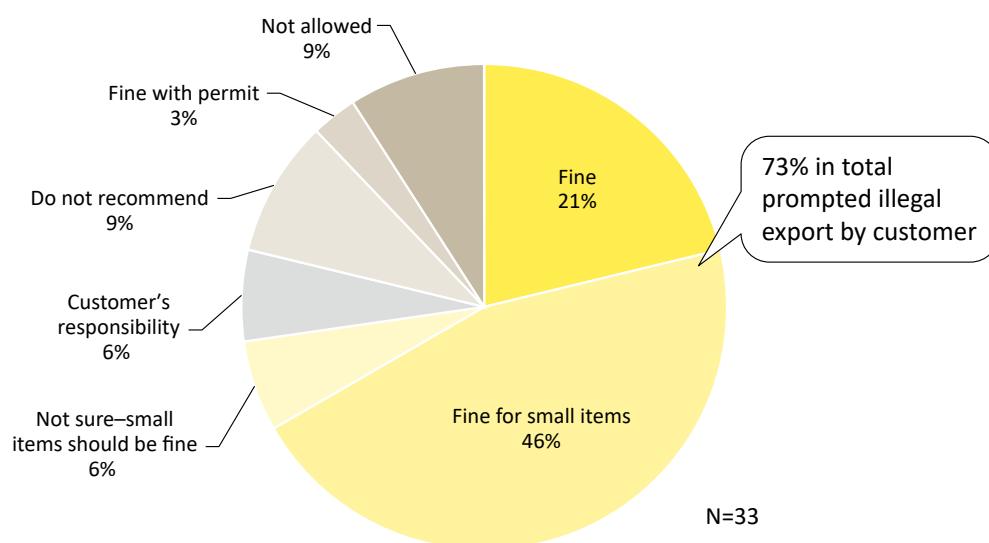


Figure 16. Vendors' response to surveyors posing as potential customers asking if it is acceptable to take ivory out of Japan. (N=33)

It was not possible to assess directly how many of the vendors that were encouraging illegal export of ivory were also operating legally with notification to METI. For at least six of them, however, the survey team could confirm the display of notification stickers, while another two claimed to have a "licence". These consisted of two vendors at indoor antiques fairs, three antiques shops, one shop in a tourist area, and two ivory specialized vendors, together encompassing all of Tokyo, Osaka, and Kyoto. There were cases where vendors even had a government issued sticker or a poster indicating "ivory export is prohibited" displayed in their premises (photo below), while in its shadow overtly instructing the survey team on how small ivory items could be hidden, and recommending ivory



A government issued poster indicating "export of ivory is prohibited" in Japanese, English, and Chinese displayed at a premise of a notified retailer visited by TRAFFIC. The seller prompted the purchase of small ivory products for illegal export.

products to foreign customers (the survey team and others). One of them, an antiques dealer, even told the survey team in secret that ivory can be more easily smuggled out through Hong Kong and Shanghai where enforcement was supposedly more lax, although the credibility of such a claim was unconfirmed. In addition, a majority of interviewed vendors emphasized the “laxness” with respect to regulations and enforcement in Japan, in comparison to their counterparts in other countries.

4.5. Antiques trading

4.5.1. Auction

Physical auctions

Interviews with major auction companies suggested that ivory trading through open physical auctions was most likely concentrated in only a few locations, but some interviewees also suggested that much more had been traded through closed auctions, which are held between dealers. Only the open auctions are described in this study.

Of the 10 major auction companies contacted, five stated that ivory was not traded on their platforms, whereas the other five suggested that ivory was rarely offered, but does appear sometimes. Two other domestic auction houses (Mainichi Auction and Kogirekai Auction) identified by some of the interviewed companies to be important auctions for ivory trade were examined in greater detail using their auction catalogues and bidding records that are available online. During the targeted survey period of May–September 2017, the two auction houses held two and three auction sessions, respectively, in which ivory items were traded. Mainichi Auction holds four such sessions per year, while Kogirekai Auction holds around 6 sessions. It was noted that one of the interviewed auction houses was also about to hold a session in Tokyo in October 2017, for which a total of 17 ivory items, including five whole tusks, were advertised in 13 separate lots. Since this auction was outside the survey period, bidding results were not tracked. This auction house holds about four sessions in Japan each year.

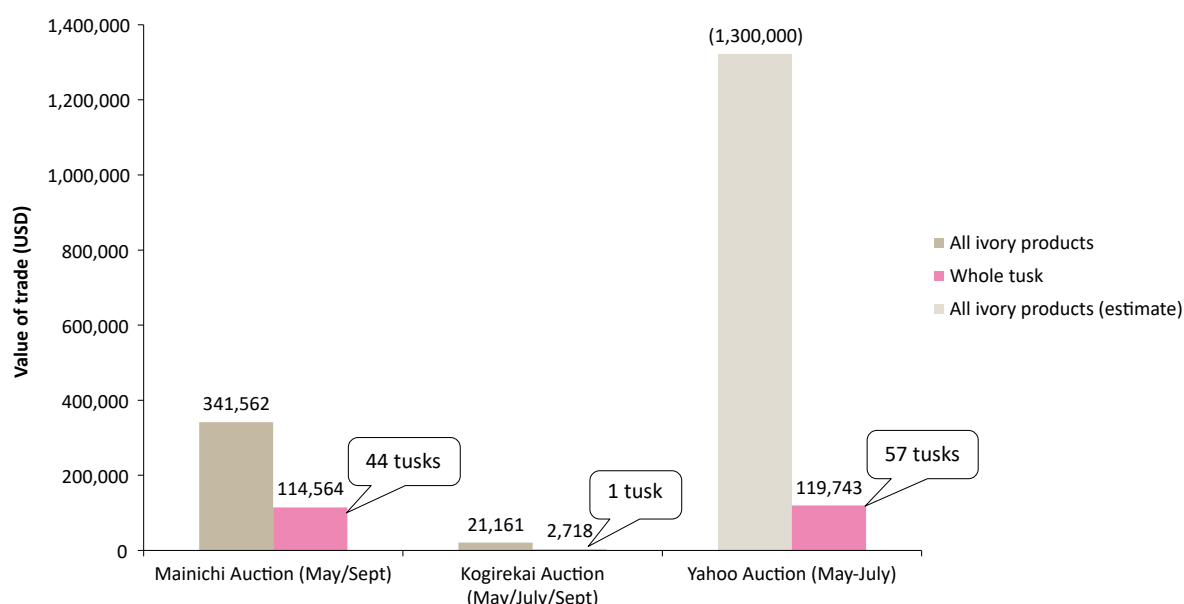


Figure 17. Value of ivory traded at two physical auction houses and an online auction for the specified periods in 2017. The total value of Mainichi Auction includes the value of two worked ivory items auctioned with whole tusks in the same lots. The total value of Kogirekai Auction includes the value of several non-ivory items (*netsukes* and jewellery) auctioned with ivory items in the same lots. For the total value of ivory trade at Yahoo Auction, the estimate over four weeks obtained in Kitade (2017) was extrapolated over a three-month period. The present survey only covered the three-month period and trade in whole tusks for the online auction due to time limitations.

Mainichi Auction was, by far, the largest open physical auction platform for ivory trade in Japan. During the survey period, the trade value for ivory items at Mainichi Auction totaled approximately ~USD342,000 over two sessions, which was over 16 times the value (~USD21,000) traded on Kogirekai Auction over three sessions (Figure 17). Forty-four tusks were traded through Mainichi Auction, whereas only one tusk was traded through Kogirekai Auction. Types of ivory items traded also differed between the two auction houses (Figure 18), but within the same auction house each session resembled one another in terms of the number and types of ivory items offered. Apart from whole tusks, *netsukes*, and carvings and furnishings, comprised the majority of the 504 items offered at Mainichi Auction (Figure 18). Of these, 423 items (84%) had successful bids. At Kogirekai Auction, household and personal items, as well as jewellery, were also common, with the total of 113 items offered and 72 successfully bid (64%; Figure 18). A problem common to all domestic trade across the various different platforms in which ivory is sold was that it is impossible to determine the origin and legality of the items sold other than whole tusks.

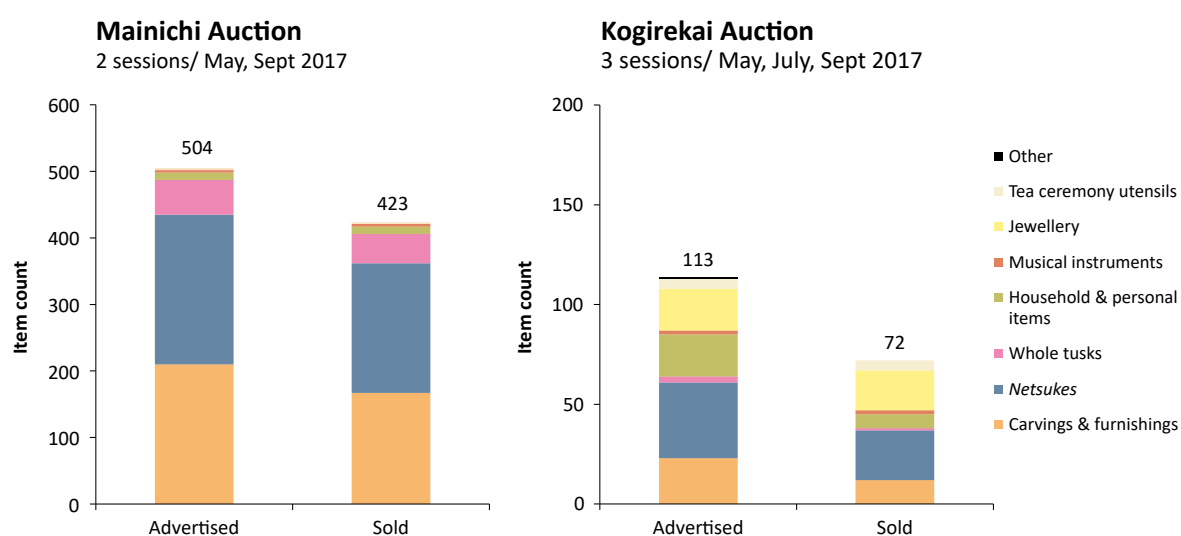


Figure 18. Ivory items auctioned at two major physical auction houses (Mainichi Auction and Kogirekai Auction) during sessions held between May and September 2017. Numbers above the bars indicate the total counts of ivory items advertised or sold.

Online auction comparisons

A partial comparison as to the value of trade on Yahoo Auction, which is the single largest online auction platform in Japan, was also made. The survey period of Yahoo Auction was the three-month period of May–July 2017 and only trade in whole tusks was recorded due to staff time limitations. The number of whole tusks traded on Yahoo Auction during this period was 57, which surpassed the number of tusks traded through Mainichi Auction between May and September 2017 (Figure 17). It was noted, however, that two of these tusks traded on Yahoo Auction were likely repeat sales as they had identical registration numbers in the records. TRAFFIC’s previous survey (Kitade 2017) estimated the trade value at Yahoo Auction, including all ivory items (those consisting mostly of ivory; >90% by appearance) over a four-week period to be approximately USD407,000 (JPY45.2 million)(the rate of JPY on June 2, 2017). Extrapolating this into a three-month period (approximately 13 weeks) would result in a value of over USD1.3 million, which would be nearly four times the value traded at Mainichi Auction between May and September (Figure 17). Although there may be a fluctuation of sales that would make accurate comparisons difficult, it seems clear that trade through Yahoo Auction is substantially larger than major physical platforms (open to the public) combined.

Compliance with trade regulations

The compliance regarding whole tusk registration was checked for the tusks traded through surveyed auction platforms. Generally, compliance was extremely low in physical auction platforms where tusks were illegally advertised or traded without proper display of the registration card/number. At Mainichi Auction, none of the 19 tusks traded in the earlier session was properly accompanied with the display of registration cards or registration numbers (**Figure 19, left**). The statement “with registration cards” was given for every tusk in the catalogue without further details. The same was found to be the case for the one tusk traded through Kogirekai Auction, and the five tusks offered for the upcoming session. TRAFFIC visited the premises of Mainichi Auction on a preview day to see if registration cards were actually attached to or displayed with the tusks themselves, but found none were in place (other physical auctions could not be visited to check the actual status). TRAFFIC reported the situation observed at Mainichi Auction to MOE and the police, and for the session held later, found all of the tusks were properly presented with registration numbers in the catalogue as well as displayed with actual registration cards at the preview (**Figure 19, left**). It remains unknown whether the tusks traded in the first session were indeed all registered tusks.

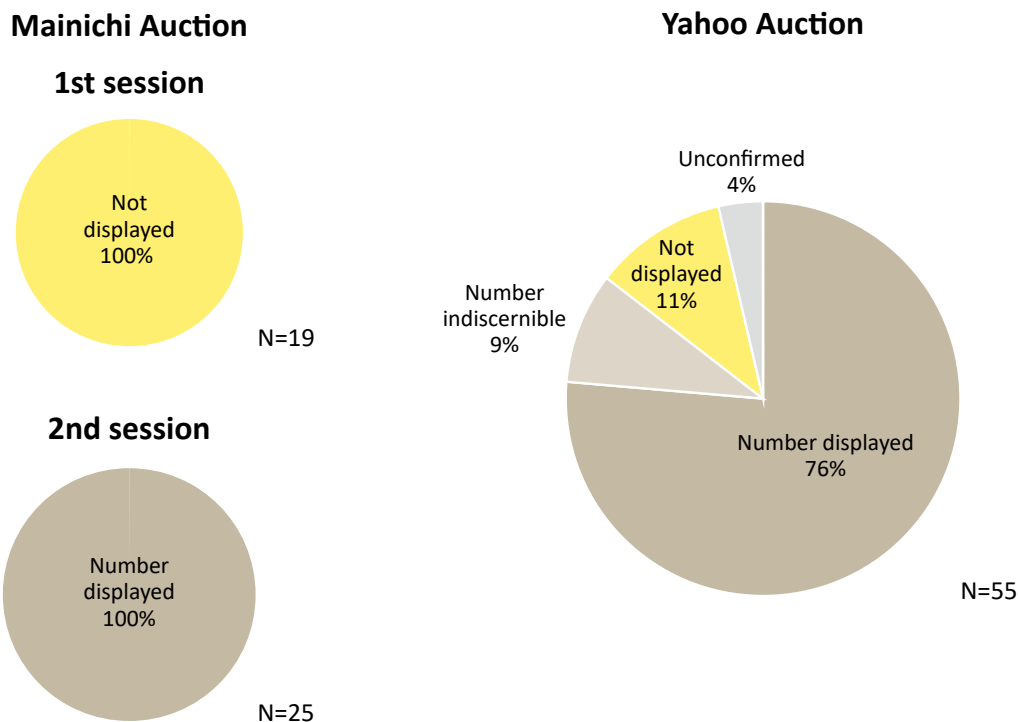


Figure 19. Display of registration number/card for whole tusks traded through Mainichi Auction (N=44) and Yahoo Auction (N=55) during the survey period (2 sessions between May and September and three months between May and July 2017, respectively).

Display of registration cards and/or numbers was better at Yahoo Auction, at least compared to Mainichi Auction initially, but still the numbers could not be confirmed for 14% of the traded tusks (**Figure 19, right**). There were 9% that displayed registration cards in photographs but with unreadable contents due to low image resolution. For another 4%, all photos uploaded with advertisements during the auction period had been deleted, which made it impossible to judge if registration cards had been properly displayed. In none of these cases did sellers state the registration numbers in the description text. Finally, 11% (six trade records) illegally advertised and traded whole tusks without displaying either the number in texts or cards in photos. All but one of these actually stated “registration cards are available”, as seen in physical auction catalogues. While

Yahoo Auction conducts continuous monitoring of advertisements in an effort to eliminate illegal trade of whole tusks, obviously the challenge still remains in enforcing it.



LEFT: display of raw ivory tusks with registration cards attached at a physical auction; RIGHT: a screenshot of a polished ivory tusk with registration card advertised and traded on an online auction site

TRAFFIC obtained critical intelligence at a preview session at one of the physical auction houses. One of the auction staff, who provides guidance to potential customers, disclosed to the survey team that ivory tusks traded through their auction platforms used to be smuggled out of Japan and into China. The staff stated that ivory had been very popular amongst its Chinese customers, but due to the tightening of law enforcement in China, their Chinese customers had become a lot more cautious, and as a result the smuggling route was no longer operable. A major crackdown on a smuggling operation in China that had resulted in severe penalties for those involved was the key incident that led to the closure of the smuggling route, a turning point that was echoed in the accounts of vendors interviewed at physical markets. The auction staff member also mentioned that there was an increase in the offering of ivory items at the auctions, which they interpreted as an effort to sell off ivory items before the market restriction in China got further tightened. TRAFFIC communicated this information to the police, but it was not investigated due to staff resource limitations, according to the Tokyo Metropolitan Police (*pers. comm.*, June 2017).



Raw ivory displayed at a preview of a physical auction house

Given the above intelligence regarding links to illegal exports in the recent past, the present survey aimed to track the registration numbers of whole tusks traded through both physical and online auctions to examine if all of the tusks could be accounted for in the government's database with

due reporting of ownership changes within Japan after the trade had taken place. This process helps to check for any registered tusks that may have gone “missing” or potentially leaked into international illegal trade. It was, however, not possible due to staff resource limitations at MOE. It is strongly urged that such monitoring does take place to prevent illegal exports and to strengthen the enforcement of the registration system over domestic trade in whole tusks.

Finally, the identities and notification status of businesses selling ivory tusks on Yahoo Auction were examined. While 14 business sellers displayed notification numbers, there were five businesses that did not. METI (and Yahoo Japan) have been informed of this, so that checks can be conducted to see if any of these businesses were operating without notifications, although confirmation from METI was not possible at the time of this report’s publication. The five other sellers that did not display notification numbers were highly likely to be business operations based on information provided on the advertisement pages. A further 15 sellers appeared to be individuals offering ivory for sale, without any indications that they are business entities. A previous analysis of ivory sellers at Yahoo Auction found that the majority of sellers that appeared as individuals were also likely to be using the auction site for business purposes based on observations of the other auctions that the same sellers were holding simultaneously (Kitade, 2017). No such comparisons were done on these “individual” sellers for this report. It should be noted that strictly speaking, LCES does not require businesses to operate with mandatory notifications to METI if they only trade in whole tusks and never in other ivory products, although trade in tusks requires registration of individual pieces. This selectivity is, however, an unlikely situation for antiques traders. Therefore, businesses that were identified to be trading whole ivory tusks without notifications in the present study should be further examined for handling of other ivory products.

4.5.2. *Antiques dealers*

Attitudes and knowledge of trade regulations

A sample of 50 general antiques dealers was surveyed for their attitude towards purchasing privately-owned ivory through covert phone interviews. The survey team posed as potential customers wanting to sell a whole tusk and worked ivory products that had been owned by a deceased family member as personal effects. The 50 dealers included art and antiques dealers, jewellery dealers, pawn shops as well as recycling businesses all offering “antiques purchasing” services. They were located in 30 different prefectures across Japan. Some of the dealers contacted were branches of multi-store operations, but most were single store businesses.

The majority (38 out of 50 or 76%) indicated that they were willing to consider purchasing ivory products (**Figure 20, left**). Another two dealers indicated that their purchase was conditional on visual inspections and checks of the most up-to-date company policy towards purchasing whole tusks. On the other hand, 10 out of 50 (20%) dealers stated that they would not purchase ivory. Most of the reasons for not purchasing pertained to regulations on the ivory trade, especially a perception that they were getting increasingly strict in recent years. Some of the dealers that refused purchase mentioned that they had once been involved in the ivory trade, but have since stopped due to the tightening of regulations. It was difficult to ask the interviewees to disclose more about their past experience in purchasing ivory during the conversations. The number of businesses operating under notification to METI amongst the sample could not be confirmed, but the findings and the relevant company information was sent to METI for their inspection.

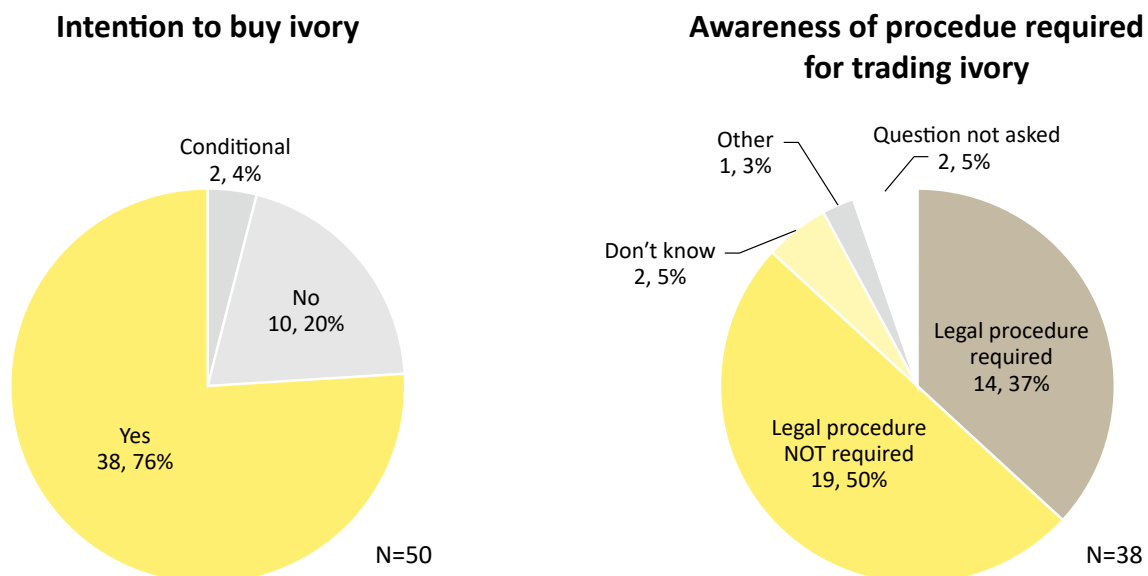


Figure 20. LEFT: Antiques dealers' intention to purchase privately-owned ivory (a whole tusk and worked ivory products) (N=50); and RIGHT: awareness of the procedure required for trading ivory amongst those who expressed a willingness to purchase privately-owned ivory. (N=38) "Other" was a dealer who mistakenly took the surveyors question to be related to procedural requirement for proving the authenticity of ivory.

Dealers' awareness and attitude about the legality requirement for trading whole tusks is of particular concern. Of those who expressed a willingness to buy ivory products, 50% (19 out of 38) indicated that there was no legal procedure required for the customer to sell ivory to them; this would result in illegal trade of unregistered tusks (**Figure 20, right**). Two others admitted they did not know, and one confused it with a requirement for proving the authenticity of the ivory. Together these dealers who failed to refer to the existing legal requirement comprised the majority (55%). Most of these dealers appeared as though they simply lacked the knowledge, which might indicate that they are unlikely to be operating under notification to METI. Three of the dealers, however, were well aware of the requirement to register whole tusks before they can be traded, but suggested they will purchase tusks without registrations anyway. All three of them insisted to the survey team that they would register the tusks themselves after the purchase. One notable antiques dealer mentioned a clandestine agreement that he had to sell ivory to carvers who wanted it, and overtly acknowledged that such an act was a violation of the law. The proportion of dealers correctly indicating a legal requirement for trading ivory was 37%. These dealers were knowledgeable about the registration procedures for trading whole tusks. One dealer, however, admitted that they would buy unregistered ivory up to about two years ago, but now insisted on asking customers to register their tusks properly.

A second set of samples of the top 10 buyers advertising "ivory purchasing" services online was also surveyed through covert phone interviews. Four out of 10 were specialized in antiques, one was an ivory manufacturer, and the rest were general jewellery and precious metal dealers. All of these dealers were highly knowledgeable about the regulation for trading whole tusks and insisted that a registration was a pre-requirement, with some even instructing the survey team on how to apply for registration. However, it needs to be highlighted that in 2017, two of these companies were accused of illegally purchasing a large number of unregistered tusks in the past by the Tokyo Metropolitan Police (see **Section 4.3** for details). Furthermore, another branch of a shop included in the sample had similarly being accused of purchasing an unregistered tusk in 2016. All of these cases were subsequently referred to the State prosecutors, but no successful prosecution had resulted thus far, according to information published in the media.

Demand and trade routes for ivory

Trend in demand for old ivory as well as their potential trading routes in the market was also revealed to some extent through interviews. Here, the results of the two samples (50 general antiques dealers and 10 dealers advertising “ivory purchasing” online) are summarized together.

The main perception amongst the sample of antiques dealers was that there has been a decline in demand for ivory. Out of 18 general antiques dealers who gave some indication of the trend in ivory demand, 13 clearly indicated that the demand and price of ivory was dropping, and some of them recommended the survey team sell their ivory as early as possible. Five out of the 10 “ivory purchasing” dealers echoed this claim, citing the tightening of regulations and rising awareness over conservation issues as reasons for their pessimism towards the future ivory market. There were, however, four dealers in the general sample who thought that demand had not changed or considered the current demand was not in a bad shape for ivory trading. One dealer was optimistic about the potential future rise of demand for ivory as a rare material if the international political environment were to change.

In terms of demand for ivory in the past, three dealers in the general sample declared that prices used to be higher when ivory was (illegally) traded to overseas markets in East Asia, where there was higher demand, and this trend had apparently continued up until 2–6 years ago, depending on the dealer. They indicated that tightening of regulations and enforcement in China especially had impacted the demand, leading to a refrain of foreign customers from buying ivory in more recent years.

Several trade routes for ivory products were disclosed by the interviewed dealers. For whole tusks, these were typically sold to manufacturers for the production of *hanko* and other products. For worked ivory, the most common response was that they tend to end up with antiques dealers and collectors and in some cases customers that bought them for personal usage. Two dealers stated that after purchase, the ivory products would then be sold online. One dealer also suggested ivory products would go to closed antiques dealers’ markets, not accessible to the general public. Finally, three dealers in the general sample stated that ivory products end up in the markets in China, with two others admitting that they used to sell ivory to China until 2–3 to 5–6 years ago, although details of these buyers’ involvement in the illegal trade were not uncovered in the interviews.

5. DISCUSSION

5.1. Evaluating Japan's domestic market in terms of international illegal trade

5.1.1. *Illegal export*

Between 2011 and 2016, an increased illegal export of ivory out of Japan has resulted in at least 2.42 t of ivory being seized, most of which was intercepted going to China. Indeed, when examined against CITES trade data, the legal export of pre-Convention ivory out of Japan did not exhibit a similar rise during the same period, unlike increases witnessed in other major ivory markets such as the EU and the UK (Department for Environment Food and Rural Affairs, 2017; TRAFFIC, 2017a), suggesting further that the increase in the export of ivory from Japan is likely happening largely through illegal routes. A review of seizure reports, as well as information collected in the markets, showed an established smuggling network for the illegal trade in ivory between Japan and China (TRAFFIC, 2015a). Some ivory vendors operating in Japan's ivory market also appear to be complicit in fostering illegal ivory trade. A striking 73% of ivory vendors across various antiques and tourist outlets surveyed suggested that ivory items, especially smaller pieces, bought by foreign visitors could be taken out of Japan, without further clarifying the need for accompanying documentation, i.e. CITES permits. In addition, the survey revealed that major physical and online auctions were found to be used as sources of significant amounts of ivory for illegal export. Leaking of ivory into overseas markets in Asia, especially China, was also indicated by antiques dealers purchasing ivory tusks from personal ownership for resale purposes.

The physical market surveys for this report further discovered a new development whereby ivory items were being manufactured in styles not typically seen in Japan, but appealing specifically to foreign buyers, were found to be offered for sale at two shops, both run by Chinese-speaking (most likely non-Japanese nationals) sellers, in major tourist areas in Tokyo. Both shops claimed to source their products from a factory located in Funabashi, a city adjacent to Tokyo. This development highlights not only an important shift in the local ivory market in response to global ivory demand, but also another facet of organized crime to profit from premeditated targeted sales of ivory products to foreign buyers for illegal export, which is also a phenomenon observed concurrently in other parts of the world including countries in Asia such as Lao PDR and Viet Nam as well as in Africa such as Zimbabwe (Liu, 2015; Vigne and Martin, 2017; T. Kitade *pers. obs.* July 2015). In the absence of evidence for any commercial-scale illegal movements of raw ivory into Japan provided by ETIS, the origin of tusks used for production of the observed new items is assumed to derive from old domestic stocks, as the vendors themselves also claimed. Still, it must be confirmed by METI as a matter of priority through physical inspection of their factory and deeper investigation of the business arrangements. Age determination of their products through forensic methods is also warranted.

This blatant example of manufacturing of new ivory products for foreign consumption seems to parallel the more general emergence of demand for Japanese ivory products from foreign buyers in the country's physical ivory markets, with surveys for the current report indicating the widespread practice of ivory purchasing by not only foreign customers but also foreign agents, acting as professional buyers for their clientele overseas, which is another possible sign of organized criminal activities. Some vendors' accounts, however, point to subsiding demand for ivory amongst foreign buyers roughly during the first half of 2017, apparently owing to the intensified crackdown on the illegal trade in China, though the real trend remains unknown as purchase by foreign customers/buyers was on-going during the survey in the summer of 2017. What is for certain is that Japan's domestic market has been responding to such demand, which has resulted in a significant leakage of ivory from Japan via illegal channels abroad. Targeted actions need to be taken to curb existing

problems. The issue of illegal ivory export from Japan could be further exacerbated given the soaring number of foreign visitors and an expected surge around the 2020 Tokyo Olympics and Paralympics (Japan National Tourism Organization, 2017).

5.1.2. Illegal import

Gathered evidence does not appear to suggest there is significant illegal flow of ivory into Japan as imports. Indeed, from 2011 through 2016, ETIS seizure records indicate only two seizure cases involving raw ivory, one from the US in 2011 involving 3.3 kg and one from Nigeria in 2015 involving 4.0 kg. However, vigilance in addressing the future potential threat of illegal ivory imports is prudent at a moment of global fluidity with respect to ivory trade dynamics. The ETIS records do indicate four cases in 2015 whereby worked ivory was concealed by paint and illegally shipped to Japan from Africa by post. There were also isolated cases where Japan's record of CITES-permitted imports of ivory from various African Elephant range countries did not have the corresponding exporters' records. Though so far these cases appear to have been isolated incidents, their existence does suggest that Japan is still considered as an occasional destination for illegal ivory. Japan has made and reported only 22 ivory seizures to ETIS over the past six years from 2011 to 2016. In comparison, the UK, Germany, and France, which all have far smaller ivory markets in recent years, respectively reported 430, 267, and 395 seizure cases during the same six-year period (2011–2016) (T. Milliken, *pers comm.* 10 November 2017). Furthermore, concerning seizures of illegal ivory exports from Japan, only seven cases were made and reported by Japan to ETIS, all involving China as the country of destination. Considering all of the data in which China was the country of destination for illegal exports from Japan, seizures made in Japan constituted only 6.2% of the total, while authorities in China made 106 seizures or 93.8% of the total. Although enforcement controls over exports are generally weaker than for imports, the lopsided records of seizures in ETIS calls into question the effectiveness of law enforcement at Japanese borders. This concern is corroborated by the low seizure rate in Japan in general, in comparison to other countries with much smaller ivory markets.

Secondly, Japan's current regulations continue to create challenges in discerning the origin and legality of ivory products found in antiques outlets and auctions. This issue was a concern of substance, particularly in observing new products and products that did not conform to known types of real antique items. While proof-of-legality is required only for whole tusks, they comprised less than 1% of ivory items available in antiques outlets. This contrasts with some of the world's largest antiques markets, such as the US and UK, with legislations that specify trade only in ivory items produced prior to a certain date to be considered legally "antique", and are even moving towards banning the domestic trade in such antique ivory (Department for Environment Food and Rural Affairs, 2017; Kramer *et al.*, 2017; Lau *et al.*, 2016). There are also issues with how the regulations have been implemented. For example, 68% of all whole tusk items found in the market still lacked the display of an accompanying registration card. Ivory outlets are also supposed to be notified with METI, yet display of the notification stickers was markedly low as it is not required under the current law. Observations through surveys also suggested significant proportions of vendors at occasional antiques markets and general antiques dealers across Japan with intentions to purchase personal effects ivory could be operating without notification to METI. These situations underline Japan's problematic unregulated domestic market, which is already allowing considerable leakage of ivory and is clearly unequipped to prevent or eliminate illegal ivory inflow, if it were to be realized at some level in the future.

5.2. Further issues of domestic trade control and ways forward

Further bottlenecks in controlling the domestic market identified through the study were: the low level of compliance by businesses trading ivory; the persisting challenges in regulating online trading; and understanding the unknown quantity of domestic stocks of privately-owned non-commercial tusks. These problems and uncertainties were found to be exploited to promote illegal export of ivory.

5.2.1. Low level of compliance by businesses

The low level of compliance by ivory trading businesses stemmed from the widespread perception that regulation and enforcement of LCES was lax in Japan. This notion was echoed across various antiques and tourist outlets surveyed. While some antiques buyers had expressed concerns about the impact of tightening regulations, notably nearly 50% of the dealers interviewed that expressed interest in purchasing ivory tusks and products were seemingly unaware of any regulations or restrictions on their purchase. Some were aware of the law but even suggested that they would attempt to evade it. Furthermore, misdeeds of “legal” businesses operating under the notification scheme have also been identified. The most obvious illegal acts were observed in the frequent trading of unregistered tusks by antiques dealers who had notified the government concerning involvement in the ivory trade, with two major cases, involving 39 suspects and 27 unregistered tusks in total, uncovered by the police in 2017 but never prosecuted (TRAFFIC, 2017b; WWF Japan, 2017b). Market surveys for this report further found antiques dealers were quite willing to continue such practices. Indeed, vendors were generally found to display an overtly unscrupulous attitude to participate in and benefit from the illegal export of ivory. This is despite efforts by the government to issue notifications and communications materials, such as posters, to businesses in the antiques sector in November 2016 (Public-Private Council for the Promotion of Appropriate Ivory Trade Measures, 2017). These measures evidently had little impact on the attitudes of numerous vendors surveyed in 2017 for this report.

Apart from insufficient government oversight, the lack of serious judicial follow-up for alleged infractions was also identified to be responsible for the continued non-compliance by some businesses. The increase in penalties for violations of LCES regulations introduced in 2013, for example, is likely to have done little to deter the illegal trading of unregistered whole tusks. Even the two major cases of such illegal trade exposed in 2017 have already ended without prosecution (WWF Japan, 2017b). These companies do not appear to have been affected by any recourse and continue to operate, including services to purchase ivory held in private possession at the time of this survey. In this climate, it seems quite unlikely that the new strengthened LCES regulation to be introduced in 2018 will go far enough to alter the perception and attitudes of most ivory businesses and traders in the antiques sector. Additionally, lack of investigative follow-up by the police was evident in the cases of LCES violations, where backgrounds of seized ivory or other trade records were not pursued to rule out any potential links to illegal import or export. The intelligence TRAFFIC provided about the recent leakage of ivory traded through a physical auction platform and smuggled out of Japan, as revealed through a covert survey for this report, was not acted upon. While the police are making efforts to tackle domestic illegal wildlife trade with limited resources available, the low priority to wildlife crime issues, in the international trade context especially, seems to hinder extended investigation and appropriate judicial actions.

5.2.2. Persisting challenges in regulating online trade

While the presence of ivory sold online is not entirely surprising, the scale of trading activity has in some instances overtaken equivalent physical markets. More “old ivory”, including ivory tusks, were found for sale on online auction sites than in physical auction houses that are open to the public. In spite of the increased monitoring efforts of e-commerce companies, continued challenges in eliminating illegal trade persist. This includes the illegal trade in ivory tusks without registration cards/numbers, as well as trade by anonymous businesses and individual sellers that are likely to be evading the legality requirement, cases which were also observed as part of the surveys for this report. The latter is a unique challenge for online trading where anonymity is an elemental part of trade on such platforms.

A review of seizures showed at least three major cases where Japanese e-commerce sites, particularly online auctions, were used to acquire and smuggle large quantities of ivory out of Japan. One involved illegal export of an astonishing 3.2 t of ivory purchased from Yahoo Auction as confessed by the perpetrators, who were sentenced up to 15 years imprisonment in China (People’s Court Daily, 2013). Two other cases involved the illegal trade of over 400 kg of raw and worked ivory combined (Changcheng Web, 2016; People’s Court Daily, 2013; Zhejiang Electronic Port, 2012). While Japanese e-commerce companies that are still allowing ivory trade on their platforms strive to ensure legal domestic trade under their purview, such efforts would not prevent them from being further exploited as sources of ivory for illegal exports. This is a contrasting example of the case made by the previous study where enforcing existing regulations was found not to help the identification or removal of illegally imported ivory on e-commerce sites due to the lack of corresponding regulations (Kitade, 2017). In China, trading ivory through the internet has been banned in recognition that such trade cannot be adequately controlled to prevent illegal trade in ivory and laundering into local markets (Milliken and Kitade, 2017). Given the substantial footprint of Japan’s online ivory trade, a ban on all online ivory trade in Japan is strongly recommended.

5.2.3. Lack of control over domestic stocks of ivory tusks

Finally, the control of trade in whole tusks is an obvious challenge. At one level, there are major compliance issues associated with the trade, whether in antiques shops, tourist outlets or physical auction platforms, with very few tusks encountered for sale actually accompanied by registration cards, as they are legally required to do. However, the real challenge remains not in preventing illegal advertisement or trade without registration cards but in making sure that Japan’s active domestic trade in whole tusks, as an act of recycling tusks from personal ownership, does not end up facilitating the illegal trade across its borders to supply demand elsewhere. This is unfortunately already occurring with at least 1.66 t of raw ivory (including cut pieces) seized as illegal exports from Japan, according to seizure data. The surveys for this report also provided further insights into the leaking of ivory tusks through a physical auction and antiques dealers (of tusks that were personal possession) to the overseas markets. As a critical follow-up, the 67 tusks that were traded with registration cards/numbers as recorded by researchers during the survey of both physical and online auctions should be looked into by the government, checking through internal databases to ensure the relevant reports of ownership changes were duly conducted.

The on-going campaign by MOE to promote voluntary registration of whole tusks and the planned strengthening of proof-of-legality requirements upon registration from the summer of 2019, are insufficient as a means to improve the control over domestic stock. In 2015, the Thai government successfully conducted a nationwide registration programme, with an enactment of legislation mandating all ivory tusks in both commercial and personal possession to be registered within a deadline of about three months. This resulted in over 220 t of ivory being registered from over 4,400

individuals (TRAFFIC, 2015c). It is difficult to see a reason why the Japanese government would not be able to conduct a similar exercise. In addition, given the circumstances of illegal export, further regulatory measures, including the introduction of a robustly traceable marking system and trade restrictions are considered necessary to stop ivory from leaking into the illegal trade.



6. CONCLUSIONS

In drawing from the findings of this study, it needs to be emphasized that the manufacturing industry and the mainstream retail markets for products like *hanko* and specialized traditional musical instruments were not part of the assessments, and therefore, the level of illegality and non-compliance found in the sectors that were studied should not be considered to represent the situation in these other components of Japan's domestic ivory market. There is little doubt that Japan's domestic demand for new products is on a trajectory of continued decline. Apart from declining consumers' interest (Kitade and Toko 2016), Rakuten, Inc. and Mercari, Inc. have banned ivory sales on their websites from 1 July and 9 November 2017, respectively (TRAFFIC, 2017d; WWF Japan, 2017a), while AEON Mall Co., Ltd. Japan's largest retail mall chain notifying its tenants of its policy to phase out of all ivory sales by March 2020 (Gendai Publishing, 2017). These developments are further signals concerning the diminishing importance of ivory in terms of overall Japanese consumption habits.

Overall, however, the poorly regulated state of the domestic ivory market in Japan elucidated in this study hardly meets the expectations in terms of the regulatory standards of a country that has twice benefited from legal ivory imports through CITES's one-off sales. A previous study that characterized Japan's history of ivory market decline should not be taken for granted as a harbinger of continuing future trends because *“the various drivers of market declines, ranging from the change in government policy, the industry's response, and social awareness, have not necessarily been institutionalized at each level as a commitment towards sustainable use of wildlife”* (Kitade and Toko 2016). History may indeed be repeating itself, with Japan's ivory market being buoyed by overseas demand and inviting the illegal export of ivory. These developments may be fueled by the absence of high-level political commitment in solidarity with the global fight against illegal wildlife trade, a lack of an effective mechanism in the current regulations to enable adequate government oversight of the domestic ivory market, extant insufficiencies in the law enforcement and judicial systems, and the unscrupulous attitudes on the part of many businesses and traders toward illegality in the ivory trade in favour of profit. The low level of awareness of regulatory requirements as well as the context of their purchase decisions amongst the general public also plays a part.

In conclusion, without sweeping remedial action, the current state of Japan's domestic market overall presents qualifying evidence that closure pursuant to the recommendations found in paragraph 3 of Resolution Conf. 10.10 (Rev. CoP17) would be justified. In this regard, there is little evidence to suggest that Japan's domestic market is contributing to contemporary “poaching”, but there is considerable evidence to suggest it is contributing to a persistent “illegal trade” through illegally exporting ivory to markets in Asia and elsewhere where demand for ivory exists. TRAFFIC therefore recommends: firstly, the following immediate measures to halt illegal export and domestic trade that are illegal or unregulated; and secondly, starting the deliberation of necessary legislative, regulatory and enforcement measures towards market closure while defining any narrow exemptions that do *“not contribute to poaching or illegal trade”* as stipulated in paragraphs 3 and 4 of Resolution Conf. 10.10 (Rev. CoP17).

This process of market closure in essence means the establishment of strictly regulated systems whereby domestic stocks and restricted legal trade under narrow exemptions is effectively governed by comprehensive and enforceable mechanisms. Defining such narrow exemptions in the case of Japan will further involve addressing a series of highly complex issues associated with the social, economic and cultural ramifications for a range of stakeholders and the public and will require an elaborate legal framework and regulatory changes. Although Japan has not yet been recommended for participation in the NIAP process, TRAFFIC considers it is warranted. Given the sense of urgency conveyed in Resolution Conf. 10.10 (Rev. CoP17), the Japanese government needs to make a concerted effort to address its ivory trade issue as a matter of priority due to its continuing

illegal ivory trade footprint as well as to uphold Japan's standing as a responsible member of the international community.



7. RECOMMENDATIONS

Immediate measures to halt illegal trade in Japan

1. To halt illegal ivory export from Japan:
 - a. The MOF (Ministry of Finance, responsible for actions by Japan's Customs authority) should increase law enforcement vigilance at the borders, especially targeting foreign nationals departing for China and other Asian countries/territories where demand for ivory is well documented, while co-ordinating and collaborating with Customs counterparts from China to develop bilateral enforcement strategies, including the identification of points of entry/exit, criteria for targeting and profiling, and other related issues which may be exploited by those engaged in transnational ivory trade crime;
 - b. The MOE and METI, tourism industry, and providers of platforms for ivory selling should co-ordinate in conducting awareness raising campaigns targeted at foreign visitors at airports, antiques outlets, tourist areas, and department stores, to warn against the illegal export of ivory (e.g. mandatory signage indicating "no sales to foreign tourists");
 - c. The METI, municipalities, industry associations and other relevant organizations should increase surveillance of ivory vendors (e.g. through internal rules and public/peer reporting system), particularly in the antiques and tourism sectors, so as not to facilitate the opportunity for illegal export by selling ivory products to foreign customers;
 - d. The METI should inform the organizers of occasional antiques fairs and markets across Japan to enforce the regulation of ivory businesses, and apply administrative and other penalties to operations that are found to be illegally operating.
2. To eliminate illegal and unregulated trade:
 - a. The MOE and METI should conduct a nationwide clampdown of illegal trade in whole tusks, and target illegal business operations and platforms such as auctions that are providing avenues for illegal trade, following through with appropriate judicial actions;
 - b. The MOE should review and audit registration records for whole tusks, to ensure that all registered tusks and transaction records, especially reports of ownership changes, are in order;
 - c. The MOE and METI as well as e-commerce companies should introduce a policy prohibiting online ivory trade;
 - d. The MOF (through Japan's Customs authority) should assess the status of law enforcement at borders for intercepting illegal imports/exports and take strong measures to improve its effectiveness, while inviting co-ordinated efforts to strengthen vigilance in the transport/logistics sector.

Market closure in Japan with narrow exemptions that do not contribute to poaching or illegal trade

3. The government should deliberate necessary legislative, regulatory and enforcement measures towards market closure while defining any narrow exemptions that do not contribute to poaching or illegal trade as stipulated in Resolution Conf. 10.10 (Rev. CoP17). The following considerations should be given to smooth the process:
 - a. A high-level policy on combatting illegal wildlife trade should be devised to raise the priority of illegal wildlife trade in various government sectors and enhance inter-agency collaboration on this matter;
 - b. Types of trade that are currently contributing to illegal exports and are identified as being difficult to regulate (e.g. online trade) should be banned promptly;
 - c. The MOE and METI should start a consultation process with relevant stakeholders (e.g. through the existing Public-Private Council for the Promotion of Appropriate Ivory Trade

- Measures) to define the narrow exemptions that are acceptable based on considerations for factors such as cultural importance and availability of substitute materials;
- d. Given that no exemptions should contribute to poaching or illegal trade, comprehensive and enforceable regulatory systems should be established to govern the trade in terms of the range of narrow exemptions allowed in Resolution Conf. 10.10 (Rev. CoP17);
 - e. Measures necessary for establishing the comprehensive and enforceable regulatory systems should be planned in time for CoP18 and ideally implemented before the 2020 Tokyo Olympics/Paralympics.
4. Until the above measures are implemented, the METI and MOE should take the following regulatory and enforcement measures to minimize illegal and unregulated domestic trade and stop any leakage from domestic stocks of whole tusks.
- a. Upon 2018 enactment of amended LCES, the METI should conduct screening of notified businesses before granting registrations, especially for antiques dealers, and:
 - i. Decline registration for businesses that are found to have incomplete trade records;
 - ii. Scrutinize the trade records of those who have been alleged to have conducted illegal trading of unregistered tusks or a violation of mandatory business requirements to check for any possible links to illegal international trade.
 - b. The MOE should conduct regulatory reforms or introduce new legislation to:
 - i. Conduct mandatory registration of all ivory tusks in private possession with a set timeline (e.g. one year), after which no new registration of tusks will be allowed;
 - ii. Establish traceability and marking mechanisms for registered tusks, with a limited time window for trade, after the completion of mandatory registration. Such trade should only be allowed through designated platforms by designated ivory businesses.

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APPENDICES

Appendix 1. List of auction houses contacted and surveyed in detail in August 2017

Auction house	Location	Description	Online bidding
SBI Art Auction	Tokyo	Modern and contemporary arts	Yes
A.C.N. Auction	Tokyo	Modern and contemporary arts: Japanese-style painting, wall scroll, oil painting, water painting, printing	Yes
Artmasters Auction	Tokyo	Japanese-style painting, Western painting, printing, contemporary art, Chinese antiquarian book & painting, carving, pottery, antiques, jewellery, watch	Yes
Est-Ouest	Tokyo, Hong Kong	Art Deco, Art-Nouveau, Venetian glass, Western decorative arts, jewellery and watches, printings & prints, agarwood, Chinese, Korean & Japanese antiques	Yes
Shinwa Art Auction	Tokyo	Modern arts: Japanese-style painting, Western painting, carving, modern pottery, jewellery and watches, Western arts, wine	No
iART Auction	Tokyo	Japanese-style arts, Western arts, jewellery, Chinese arts, contemporary arts	No
Augur Auction	N/A	Contemporary arts: painting, printing, carving *ended operation as of September 2017	No
Sakoda Art Auction	Kobe	Japanese-style painting, Western painting, printing, tea ware, craft	No
CBA Art Auction	Tokyo	Japanese-style painting, oil painting, printing, water painting, sketch, carving, pottery, calligraphy	Yes
Mallet Japan	Tokyo	Painting	No
Mainichi Auction	Tokyo, Osaka	Fine art, decorative arts, Japanese antiques, jewellery and watches.	Yes
Kogirekai	Kyoto	Japanese antiques	No

Appendix 2. Ivory availability across four indoor antiques fairs surveyed in June–August 2017

Indoor antiques fairs*	Number of stalls	Number of stalls selling ivory (%)	Number of stalls selling ivory also at another fair (%)	Number of ivory items	Average number of items per stall	Range of number of items per stall
Tokyo 1	346	146 (42%)	36 (25%)	2,195	15.0	1–462
Tokyo 2	237	96 (41%)	49 (51%)	1,641	16.6	1–462
Saitama	176	37 (21%)	22 (59%)	574	15.5	1–88
Kyoto	391	142 (36%)	64 (45%)	1,415	10.0	1–88
Total without duplication	n/a†	326	77 (24%)	4,200‡	n/a	n/a

*Description of survey locations are given in **Table 1**.

†Duplication of stalls was only checked for those selling ivory and not for the remainder of stalls at the fairs.

‡Data were collected from all but three stalls. When the same stall was present at more than one fair, the largest number of items the stall had on display at one fair was included in the total to avoid double counting. While stalls present at multiple fairs usually seem to display the same range of products during the survey period, the total represents a conservative estimate as stalls may have displayed new products.

Appendix 3. Ivory availability across three outdoor antiques markets surveyed in July 2017

Outdoor antiques markets*	Approx. number of stalls selling antiques	Number of stalls selling ivory (%)	Number of ivory items	Average number of items per stall	Range of number of items per stall
Tokyo	120	42 (35%)	237	5.6	1–27
Kyoto	75†	20 (27%)	118	5.9	1–26
Osaka	56†	13 (23%)	41	3.2	1–15
Total‡	251	75 (30%)	396	n/a	n/a

*Descriptions of survey locations are given in **Table 1**.

†Total numbers of stalls including those selling beverages and foods were much higher with approx. 1,000 in Kyoto and 200 in Osaka.

‡No duplication was observed amongst the three markets.

Appendix 4. Ivory availability across four art and antiques districts surveyed in July 2017

Art & antiques districts*	Number of galleries visited †	Number of galleries selling ivory (%)	Number of ivory items	Average number of items per gallery	Range of number of items per gallery
Tokyo	27†	4‡ (15%)	195	48.8	2–178
Kyoto 1	31	8 (26%)	105	13.1	2–46
Kyoto 2	19	5 (26%)	118	23.6	1–67
Osaka	33	12 (36%)	129	10.8	1–56
Total	110	29 (26%)	547	n/a	n/a

*Description of survey locations are given in **Table 1**.

†Number of galleries in art and antiques district excludes those that were closed on the day of visit, except for those with observations successfully made through windows.

‡One gallery was an antiques mall with over 15 stalls and shared window cases by many more dealers. These are counted as one gallery in the table.

Appendix 5. Price range for ivory items observed at indoor antiques fairs in June–August 2017

Items	USD	JPY	Comments
NETSUKE			
Netsuke	109–3,352	12,000–370,000	
CARVINGS & FIGURINES			
Large (>20cm) figurine	589–21,744	65,000–2,400,000	
Medium (10–20cm) figurine	272–22,650	30,000–2,500,000	
Small (<10cm) figurine	59–34,428	6,500–3,800,000	a set of 20 small figurines
JEWELLERY			
Necklace	27–2,854	3,000–315,000	
Earrings	18–888	2,000–98,000	
Brooch	91–5,255	10,000–580,000	
Bangle	45–1,540	5,000–170,000	
Bracelet	11,780	130,000	
Ring	27–861	3,000–95,000	
Obitome	245–3,171	27,000–350,000	
Loop tie	616	68,000	
HOUSEHOLD & PERSONAL ITEMS			
PERSONAL ITEMS			
Brush	136–163	15,000–18,000	
Comb & hair accessory set	163–1,359	18,000–150,000	
Button	10,150	112,000	
Skirt clip	3,530	39,000	
Opera glass	1,810	20,000	
Coin case	11,690	129,000	
Container	82–2,537	9,000–280,000	
Pill container (Japanese <i>Inrou</i>)	317–4,077	35,000–450,000	
Pill container (Western)	208–652	23,000–72,000	
DAILY GOODS			
Ear pick	14	1,500	
Strap	53–145	5,800–16,000	
Hanko	320	3,500	
KITCHEN UTENSILS			
Chopsticks	77–199	8,500–22,000	a pair
Knives & forks	525–680	58,000	a set of 12 pairs and 5 pairs
Napkin ring	350	3,900	
SMOKING GOODS			
Pipe	136–317	15,000–35,000	
Pipe case	5,440	60,000	
STATIONERY			
Paper knife	227–725	25,000–80,000	
Pen	2,270	25,000	
INDOOR AMUSEMENT GOODS			
Mahjong tiles	61,610	680,000	

Items	USD	JPY	Comments
MUSICAL INSTRUMENTS			
<i>Bachi</i>	27–861	3,000–9,500	
<i>Koto</i> bridge	227–589	25,000–65,000	
TEA CEREMONY UTENSILS			
Tea container lid	32–362	3,500–40,000	
Tea dish	408–834	45,000–92,000	
Tea spoon	77–254	8,500–28,000	
SEMI-PROCESSED PIECES			
Semi-processed pieces	5–36	500–4,000	USD0.45(JPY50)/g for edge pieces
WHOLE TUSK			
Whole tusk	254–10,872	28,000–1,200,000	USD544(JPY60,000)/kg



TRAFFIC, the wildlife trade monitoring network, is the leading non-governmental organization working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development.

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