

## EU IVORY TRADE KILLS ELEPHANTS



Elephants are in crisis. On average, 20,000 are killed each year in Africa and population numbers have collapsed to an all-time low, dropping by more than a third between 2007 and 2014<sup>1</sup>.

Meanwhile, the illegal ivory trade has exploded, driven by extraordinary consumer demand, particularly in Asia. Globally, illicit ivory trade has reached its highest level since the mid-1990s and has tripled since 1998<sup>2</sup>.

After surviving for over 5 million years, these incredible animals are now threatened with extinction as tens of thousands are killed each year to feed an apparent insatiable appetite for ivory.

**The legal ivory trade in the EU fuels this decline by serving as a cover for trade in illicit ivory and legal exports from the EU are helping to drive demand in consumer countries in South East Asia.**

As a whole the international community has recognized this problem and adopted two important resolutions. In September 2016, delegates at the International Union for Conservation of Nature (IUCN) congress agreed on a text that calls on countries to close the internal trade of ivory "as a matter of urgency"<sup>3</sup>. One month later, a similar motion was passed at the 17th meeting of the Conference of the Parties to CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Res. 10.10)<sup>4</sup>.

Critically, China, the world's largest destination for ivory, has recently banned most commercial imports of ivory and has committed to close its commercial processing and trade in ivory by end of 2017<sup>5</sup>. Meanwhile, on the other side of the globe, the US has implemented a near-total ban on ivory sales<sup>6</sup>. Hong Kong, as the world's single largest ivory trading centre, has also approved a three-step plan to phase out the country's ivory trade by the end of 2021.

The EU is lagging behind. Ivory remains on sale in many EU countries in markets, auctions, antique shops and online. EU Regulations<sup>7</sup> allow trade under prescribed conditions for antique ivory (pre-1947) and pre-convention ivory (acquired before 1990), but also new ivory is being sold under this exemption<sup>8</sup>. Furthermore, Member States are being used as transit countries to smuggle illegal ivory from elephants poached in Africa to Asia.

The EU's failure to close its own domestic ivory markets could undermine important international developments and continue to stoke global demand. It is the single largest exporter of ivory items by number of reported transactions and shows no signs of slowing down.

Last year, the European Parliament passed two resolutions calling for the closure of domestic ivory markets and an end to participation in the international ivory trade<sup>9</sup>. While some Member States have started to initiate domestic restrictions, the EU urgently needs to implement a comprehensive, legally binding ban on all ivory exports and domestic sales in the region.

**An opinion poll by IFAW carried out in May 2017 showed that a majority of citizens in the EU would support a full ban on the trade of all ivory in the region. The poll surveyed citizens from 15 Member States and 65% said they would support a full ban on the trade of all ivory in the EU, with less than 10% interested in buying ivory products. Only 42% of people surveyed were aware that elephants are brutally killed for their ivory.**

## EU THE LARGEST EXPORTER OF IVORY

**In the ten years between 2006 and 2015, the EU was by far the largest international exporter of elephant ivory. EU Member States collectively reported 1,874 ivory export transactions (28.3% of the total), compared to 832 by the US and 761 by South Africa, the two next largest exporters.**

**Alarming, the number of exports is rising rapidly. Record highs of both raw and worked ivory exported from the EU were set in 2014, only to be surpassed in 2015<sup>10</sup>. During these two years, the EU exported 1258 tusks, which is more than the combined total for the previous 8 years.**

These exports are primarily landing in China, where parallel legal and illegal ivory trades are known to exist.

Unfortunately, there is a troubling lack of clarity about the source of the items. The majority (90.4%) of EU ivory export transactions were reported as pre-convention, 4.2% of exports were reported as "wild", and 4.6% as unknown, raising questions about their legality.

Looking within the EU, relatively large ivory markets still exist in the UK and Germany, with smaller markets in Belgium, France, Italy, Portugal and Spain<sup>11</sup>. A report in 2005 showed that much of the worked ivory lacks documentation and that there are suspicions that newer ivory may be making its way into the European market. For example, East Asian

"antique" objects seen in France, Italy and Spain appeared to have been recently crafted and were offered for lower prices than would be expected for true antiques<sup>12</sup>.

But that's not the only problem.

**The Internet has become the world's biggest marketplace, one that is open for business 24 hours a day, seven days a week. It is without boundaries, largely unregulated, mostly anonymous, and provides easy opportunities for criminal activity.** Internet sales facilitate the marketing of ivory in the EU and enforcement authorities face serious difficulties in administering EU regulations.

In early 2014, an intense six-week investigation by IFAW found a total of 33,006 endangered wildlife and wildlife parts and products for sale via 280 online market places across 16 countries<sup>13</sup>. Ivory or suspected ivory, made up more than 32% of all wildlife animals and products for sale.

Meanwhile, auction houses are also part of the problem. There have been cases of legally bought ivory items within France trying to be illegally imported into China.

Recent seizures confirm the increased role of Europe as a transit route and consumer market for poached ivory. Between 2011 and 2014, Member States reported seizures of around 4500 ivory items (tusks, carvings, pieces of ivory, etc.) reported as specimens and an additional 780 kg as reported by weight. Most of the items were in transit from various African countries to Asia, particularly China, Hong Kong and Vietnam.<sup>14</sup>



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# IVORY IN EUROPE: YOUR OPINION!

All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 15479 adults. Fieldwork was undertaken between 4th May - 21st July 2017. The survey was carried out online. The figures have been weighted and are representative of all adults (aged 18+) in each country. For France, all figures, are from Ifop. Total sample size was a selected group of 1000 people representative of the French population aged 18 and above. Fieldwork was undertaken between 18th April - 19th April 2017. The survey was carried out online.



## 1 ..... THINKING NOW IN PARTICULAR ABOUT IVORY FROM ELEPHANT TUSKS. HOW DO YOU THINK THIS IS OBTAINED?



NOT INTERESTED IN BUYING ANTIQUE IVORY

## 2 ..... AT PRESENT, ANTIQUE IVORY IS ON SALE IN MANY EUROPEAN UNION COUNTRIES, WHICH CAN BE FOUND IN MARKETS, AUCTIONS, ANTIQUE SHOPS, ONLINE, ETC. IN GENERAL, HOW INTERESTED, IF AT ALL, WOULD YOU BE IN BUYING ANTIQUE IVORY?

	AUSTRIA	BELGIUM	CZECH R.	DENMARK	ESTONIA	FRANCE	GERMANY	IRELAND	ITALY	NETHERLANDS	POLAND	PORTUGAL	SLOVAKIA	SPAIN	SWEDEN	UK
DON'T KNOW	1%	2%	2%	3%	4%	0%	4%	3%	4%	2%	4%	3%	3%	3%	5%	2%
INTERESTED	5%	6%	6%	3%	5%	12%	5%	10%	12%	8%	12%	8%	11%	11%	4%	3%
NOT INTERESTED	94%	92%	92%	93%	91%	88%	91%	88%	83%	90%	85%	89%	86%	86%	91%	95%



WOULD SUPPORT A NEW PROPOSED BAN ON THE TRADE OF ALL IVORY IN THE EU

## 3 ..... IN EUROPE, IT IS LEGAL TO BUY AND SELL ANTIQUE IVORY AND IN SOME EUROPEAN COUNTRIES, YOU CAN BUY AND SELL RAW UNWORKED IVORY (E.G. TUSKS). GIVEN THIS, TO WHAT EXTENT WOULD YOU SUPPORT OR OPPOSE A NEW PROPOSED BAN ON THE TRADE OF ALL IVORY IN THE EU?\*

	AUSTRIA	BELGIUM	CZECH R.	DENMARK	ESTONIA	FRANCE	GERMANY	IRELAND	ITALY	NETHERLANDS	POLAND	PORTUGAL	SLOVAKIA	SPAIN	SWEDEN	UK
DON'T KNOW	2%	3%	2%	8%	10%	0%	6%	5%	5%	3%	6%	5%	3%	4%	10%	4%
SUPPORT	67%	68%	56%	67%	54%	72%	56%	73%	65%	57%	63%	65%	60%	66%	71%	76%
OPPOSE	26%	20%	32%	16%	24%	28%	29%	15%	20%	33%	23%	21%	29%	17%	13%	10%

\*The rest of the percentage of people interviewed declared to neither support or oppose an EU ban (9%).





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## EU LEVEL

Trade in ivory from elephants within the European Union (EU) is regulated by Regulation (EC) 338/97.<sup>15</sup> In Europe, antique ivory items and pre-Convention ones can be sold legally. Antique ivory can be traded without a trade certificate, and pre-convention worked ivory with a certificate. This is in contradiction to CITES Resolution Conf. 13.6 (Rev. CoP16) which only accepts the validity of such certificates for ivory dated from before 1976 when African elephants were first listed on the CITES Appendices.

The continued trade in ivory products from the EU conflicts with the demand reduction campaigns called for by CITES and many other agreements.

At the European Commission's February 2017 meeting with Member States, a two-step approach was discussed with regard to ivory trade in the EU. The first step was to suspend the re-export of raw ivory items. The second was to "explore" the possibility to restrict further/ban intra-EU ivory trade and the re-export of worked ivory items.

In view of the increase in the volume of re-export of such old ivory items to Asia, and in line with the EU Action Plan

against wildlife trafficking, the Commission has recently adopted new guidance<sup>16</sup> on the EU rules governing ivory trade (step one).

Hence, it is recommended that as of 1 July 2017, EU member states stop issuing export documents for raw ivory. This effectively means an end to the export of raw ivory except for scientific and educational specimens. However, this guidance is not legally binding.

As key countries such as USA and China have taken decisive action to close their ivory markets, there is a very strong risk that maintaining a legal ivory market in the EU will continue to fuel demand and provide a cover for criminals intending to launder poached ivory.

Recently, China directly asked the EU "to take credible steps to effectively ban illegal trade in ivory and their products". The Chinese government's decision to ban ivory was followed by a dramatic fall in the price of ivory in Asia, according to new research seen by the Guardian<sup>17</sup>. Poaching, however, has shown no signs of slowing down.

While we support the Commission guidance issued recently, to exclusively end the export of raw ivory will be wholly inadequate.

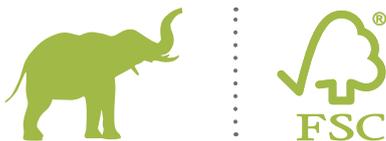
## CONCLUSION

Stronger measures than mere guidelines are necessary to stop the ivory trade and the use of the EU as a transit point for illegal activity.

IFAW advocates that elephant poaching and ivory trafficking won't stop while ivory continues to be sold legally in the EU. As such we call for further restrictions that include worked ivory.

**We urge the EU to introduce legislation which bans all external commercial trade in ivory (imports, exports and re-exports) and a prohibition on commercial intra-EU trade in ivory. These measures shall be effective, proportionate and dissuasive and shall include provisions relating to the seizure and, where appropriate, confiscation of ivory.**

A full export ban would be consistent with the ban on imports implemented by China as the main consumer country. It will also support campaigns to reduce demand for ivory in China and other markets, including demand-reduction initiatives funded by the EU.



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**Report available here:**  
<http://www.ifaw.org/european-union/resource-centre/eu-ivory-trade-kills-elephants>

**Video Ivory in Europe: It Is Time for You to Act!:**  
<https://www.youtube.com/watch?v=J7FHwfyS44A>

## RECOMMENDATIONS

A total ban will be possible through a combination of further guidelines on withholding intra-EU permits and through the amendment of the EU Wildlife Trade Regulations. Exemptions for commercial trade should be limited to bona fide antique items containing a small proportion and quantity of ivory, e.g. inlaid furniture or musical instruments.

We recommend that, as a positive step in reducing demand for ivory, the guidance should encourage the Member States to routinely destroy stockpiles of seized ivory. This is consistent with the EU Action Plan and the CITES CoP17 resolutions.

The EU should use its trade policy and instruments to eradicate the illegal transit of ivory, in line with the commitments of the EU WTAP and the international commitments taken at the UNEA Assembly in 2014.

A Guidance note has the disadvantage that it is legally not binding, but rather constitutes a sort of a recommendation. Therefore, a legally binding measure appears therefore preferable. It would have the advantage of ensuring a coherent and consistent application of CITES Resolution 10.10 throughout the Union.

**A STRONG STANCE FROM THE EU ON THIS ISSUE IS ESSENTIAL IF WE WANT TO GIVE THE LARGEST LIVING LAND MAMMAL REASONABLE PROSPECTS FOR SURVIVAL.**



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