



“Embracing Innovation to Conserve the World's Animal Kingdom.”

SURVEY BY THE DIRECTORATE GENERAL FOR ENVIRONMENT OF THE EUROPEAN COMMISSION ON IVORY TRADE IN THE EUROPEAN UNION (EU)

Agreement on personal data

Questions 1 and 2 apply.

Section A - Information about the respondent.

Questions 1, 4, 6, 7, 8, are compulsory.

Section B - Information about your involvement in trade.

Section C - Information on the illegal trade of ivory in the EU.

As highlighted by Born Free foundation, the questions in this section *“have been framed in a way that it is impossible even for experts working in this field to properly respond.”*

The European Commission has not yet published detailed data on the scale of legal and illegal ivory trade emanating through and from within the EU.

The EU should be encouraged in responses to the survey to call on the Commission to publish detailed data on ivory seizures by EU Member States, and the number of permits issued for legal trade in the EU, information that is currently held by Member State government agencies.

1. In your experience, what is the scale of illegal trade in ivory to/from/within the EU, compared to legal trade in ivory to/from/within the EU?

Ivory trade has expanded in the EU, making it the world's largest exporter of so-called *“pre-Convention*”* or 'old' ivory - Ref: <https://eia-international.org/illegal-trade-seizures-elephant-ivory-europe>

But to actually help answer the question - the Commission needs to make public, published data on illicit ivory seizures within EU Member States and the number of permits issued for 'legal' ivory trading within the EU.



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* "pre-convention" - Within the EU this means the 1989 CITES/EU Wildlife Trade Regulations ban implementation date in the Country/State where a given "worked" or "raw" ivory item was acquired, but in CITES terminology, "pre-Convention" means pre-CITES "Convention," when CITES came into being in 1975

2. In your experience, what is the scale of illegal trade in ivory to/from/within the EU, compared to international ivory trafficking?

It's hard to say of course, but based upon the Environmental Investigation Agency (EIA) reporting "*nearly 200 seizures of more than 11 tonnes of ivory in 14 European countries since 2000. These seizures represent ivory sourced from approximately 1,800 elephants*" but added "*In all likelihood, this reflects a fraction of the actual illegal ivory trade connected with Europe during the past 17 years...*" - Ref: <https://eia-international.org/illegal-trade-seizures-elephant-ivory-europe>

A recent October 2017 CITES report, stated that in 2016 a record amount of 40 tonnes of illicit ivory was seized - Ref https://www.cites.org/eng/news/pr/African_elephant_poaching_down_ivory_seizures_up_and_hit_record_high_24102017

However, how much illicit ivory went undetected out of Europe or elsewhere is not transparent, so how can the question given be categorically answered by anyone? In addition, how much so-called 'legal' ivory traded was in fact not "pre-convention*" but items illicitly laundered to masquerade as 'legal' "pre-convention*" ivory?

The International Fund for Animal Welfare (IFAW) September 2017 research reported that "*the EU plays a significant role in the global ivory trade. Between 2011 and 2014, member states detailed seizures of around 4,500 ivory items reported as specimens and an additional 780 kilograms as classified by weight. EU countries are key transit points for illegal ivory, either exported to other countries or kept within Europe, under the guise of ivory items acquired legally or as reported antiques, with some items being stained to appear as antiques*" - http://www.ifaw.org/sites/default/files/ifaw_ivory_seizures_europe_proof_4.pdf

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3. In your experience, what proportion of ivory illegally traded to/from/within the EU comes from elephants which have been illegally killed in the last ten years?

If the belief is only "pre-convention*" ivory is traded where is the proof? Without radiocarbon dating every ivory item traded there is no way of categorically knowing what is actually "pre-convention*" ivory and what is pretending to be "pre-convention*" ivory via fraudulent paperwork. My suspicion is the lack of scrutiny in traded ivory leads to trade in ivory sourced from 'stockpiles' where recently poached elephant tusks are laundered to provide cover for illegal trade.

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4. In your experience, what are the main ivory items involved in illegal trade in ivory in/from the EU that you are aware of? Please provide any relevant evidence you may have to support your opinion.

The illegal ivory items seized are documented by EU country in the IFAW report - Ref: <https://eia-international.org/illegal-trade-seizures-elephant-ivory-europe>

5. In your experience, is the illegal trade in ivory more widespread:

Re-export

6. In your experience, what are the links, if any, between the legal ivory trade in the EU and illegal international ivory trade? Please provide any relevant evidence you may have to support your opinion.

The EU acts as a transit point for ivory from Africa to Asia, legal trade masking and encouraging illegal international ivory trading - Ref: <https://eia-international.org/illegal-trade-seizures-elephant-ivory-europe>

7. What do you consider the most important problems, if any, in relation to the illegal trade in ivory in or from the EU? Please provide any relevant evidence you may have to support your opinion.

'Legal' EU ivory trading provides a cover for illicit trade (to launder recently poached ivory for example) and 'legal' trade stimulates demand for ivory (thereby



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perpetuating elephant poaching) - Ref: - <https://eia-international.org/illegal-trade-seizures-elephant-ivory-europe>

Section D - EU priorities in relation to ivory trade

- 1. Which of the following do you think should be the priorities for the EU and EU Member States in relation to tackling the illegal trade in ivory within/to/from the EU? Please tick the appropriate boxes.**

	This should be the main Priority Action	This should be pursued together with other priority actions	This should not be a priority	Don't know
Better enforcement of the existing EU regulations and guidelines for the trade in ivory	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Educating and raising awareness on the existing EU regulations and guidelines among ivory traders/customers to promote legal trade	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Banning all ivory trade to, from, and within the EU	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Banning raw ivory trade to, from and within the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Banning trade in ivory within the EU, with well-justified exemptions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Banning (re-)export of ivory from the EU, with well-justified exemptions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

- 2. How much do you agree or disagree with the following statement?**

"Illegal trade in ivory in the EU represents a marginal problem compared to the global ivory trafficking problem. Rather than changing the EU rules on ivory trade, the EU priority should be to provide support for actions against ivory trafficking in other regions (in particular, Africa and Asia), which are more important as countries of origin and destination markets for illegal ivory trafficking."

Strongly disagree

- 3. How much do you agree or disagree with the following statement?**

"The current EU regulations are sufficient to ensure that the EU domestic elephant ivory market does not contribute to illegal international trade in elephant ivory. Rather than changing the rules, the priority should be that people are fully aware of these rules and that they are better enforced."

Strongly disagree

- 4. How much do you agree or disagree with the following statement?**

"The current EU regulations are not sufficient to ensure that the EU domestic



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elephant ivory market does not contribute to illegal international trade in elephant ivory. Further restrictions on ivory trade should be put in place at the EU level to address the problem."

Strongly agree

- 5. In your opinion, should the EU further limit intra-EU trade in elephant ivory? If so, what should such restrictions consist of? Please provide any relevant evidence you may have to support your opinion.**

YES. The EU should ban all ivory trading.

- 6. In your view, which of the following ivory items should be exempt from any further regulations or guidelines regarding trade within the EU? (Select all that apply)**

"Other Items" - Antique items containing a very small proportion and quantity of ivory, e.g. inlaid furniture or musical instruments. The ivory content means ivory weighing less than 200 grams and amounting to less than 20% of the overall item – this should accommodate historical musical instruments for example.

- 7. In your opinion, would it be reasonable and proportionate for the EU to take steps to tighten the regulations on control of ivory trade within the EU, for example by requesting that all ivory traders are included on public registers or that intra-EU trade in antique items be subject to the issuing of certificates or declarations? What would be the impact (e.g. financial, logistical, environmental) of such measures? Please provide reasons and any relevant evidence on impacts you may have to support your opinion.**

The EU should ban all ivory trading.

- 8. In your opinion, should the EU further limit elephant ivory trade TO and FROM the EU? If yes, what should such restrictions consist of? Please provide any relevant evidence you may have to support your opinion.**

Yes. The EU should ban all ivory trading.

- 9. In your view, which of the following, if any, ivory items should be exempt from any further regulations or guidelines regarding the re-export of worked ivory from the EU to countries outside the EU? (Select all that apply)**



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10. In your view, which of the following, if any, ivory items should be exempt from further regulations or guidelines regarding the import of ivory to the EU from countries outside the EU? (Select all that apply)

"Other Items" - Antique items containing a very small proportion and quantity of ivory, e.g. inlaid furniture or musical instruments. The ivory content means ivory weighing less than 200 grams and amounting to less than 20% of the overall item – this should accommodate historical musical instruments for example.

11. What impact (e.g. financial, logistical, environmental) would possible further EU regulations or guidelines on import, re-export and/or intra-EU trade of ivory have on you or your organisation?

"Substantial positive impact" - Hopefully, ending the ivory trade and the worship of ivory (including seeking tusks as a hunting trophy) will allow wild elephant populations to stabilise/increase - a positive result for humanity and the planet's biodiversity.

12. What impact would possible further EU restrictions on import, re-export and/or intra-EU trade of ivory have on elephant poaching and international illegal trade of ivory?

"Substantial positive impact" - If wild elephant populations are to survive the poaching and attrition onslaught (trophy hunting, habitat loss etc.), then ivory worship and commercial trade in ivory needs to end in all its forms. The positive impact of ending the ivory trade will be that wild elephants herds will hopefully remain part of their natural range environment, adding their contribution to the ecosystem (elephants wander 12 hours a day, spreading fertilizer and seeding the landscape), plus future generations of humans will have elephants to enjoy in a non-invasive manner.



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Section E – Other Information

1. Please provide details of any studies (published or ongoing) you are aware of relating to ivory trade relevant to the EU.

"Ivory Seizures in Europe, 2006 - 2015," IFAW, September 2017 -

http://www.ifaw.org/sites/default/files/ifaw_ivory_seizures_europe_proof_4.pdf

"Ivory – The Grey Area," Two Million Tusks, October 2017 -

<https://iwbond.org/2017/10/20/uk-auction-houses-ignoring-legal-ivory-trading-requirements/>

"A Rapid Survey of the UK Ivory Markets," TRAFFIC, August 2016 -

<http://static1.1.sqspcdn.com/static/f/157301/27217988/1472570776477/UK-ivory-markets.pdf?token=qDagadCiAnIV57AbhoPQS2iUe%2BQ%3D>

"Illegal trade seizures: Elephant ivory in Europe," EIA - <https://eia-international.org/illegal-trade-seizures-elephant-ivory-europe>