

c/o WCS EU
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1040 Brussels, Belgium

Ms Svenja Schulze
Federal Minister for the Environment, Nature Conservation,
Construction and Nuclear Safety
Köthener Straße 2 – 3
10963 Berlin, Germany

Brussels, 9th November 2020

Subject: Closure of domestic ivory markets in the European Union (EU)

Dear Minister Schulze,

We, the undersigned organisations, welcome the unanimous adoption on October 23rd of the EU Council Conclusions on the EU Biodiversity Strategy for 2030, which asks the European Commission to submit an ambitious proposal to close ivory trade from the EU market.

We are, however, disappointed that the new draft proposal by the European Commission to further tighten the rules on EU ivory trade, circulated in early October, will not close the EU ivory market and lacks the ambition called for in the recently adopted EU Council Conclusions and in Resolutions adopted by the European Parliament in the past years. If the EU is serious about fighting elephant poaching, it should not just tighten rules, it must close its domestic elephant ivory market and implement a ban on all ivory sales, imports and (re)exports. We, therefore, urge you to request that the Commission revises the draft proposal so that it properly responds to these new EU Council Conclusions.

The proposed measures are complex, lack clarity, and will be difficult to implement and enforce. They would only slightly tighten intra-EU trade rules for pre-1947 worked items, and while they would also prohibit the trade of items imported or acquired between 1975 and 1990, the laundering of ivory and the misrepresentation of the age of worked items would render them ineffective.

We call for a prohibition of all elephant ivory imports, re-exports and intra-EU trade for commercial purposes, with only the following limited exemptions¹:

- Musical instruments made prior to 1975, containing less than 20% ivory by volume.
- "*De minimis*" items made prior to 1947, containing less than 5% ivory by volume.
- Sales to and between officially accredited museums.

¹ This position is supported by 28 wildlife conservation, animal protection, and environmental organisations:
<https://brussels.wcs.org/Portals/0/Brussels/NGO%20ivory.pdf?ver=2020-11-04-124408-250>

The above restrictions would not apply to non-commercial inheritance, transfer, legacy, gifting, or donations. These rules would make regulations far less complicated for both the public and enforcement officials.

Elephant populations continue to decline significantly in Africa and only bold action can save this iconic species from becoming extinct in many parts of its range. A recent article published in *Nature* in June 2020 reports that poaching for ivory has not diminished across most of Africa since 2011. Allowing any trade in ivory fuels further demand, reinforces the social acceptability of ivory and increases opportunities to launder illegal ivory.

We, therefore, urge you to reach out to the European Commission, as a matter of urgency, to request the revision of the proposal currently on the table to deliver on the longstanding request of the European Parliament and EU citizens, and respond to the new EU Council Conclusions asking for the closure of the EU domestic ivory market. This constitutes a unique opportunity to demonstrate global leadership and to urge other countries to do the same.

Please do not hesitate to contact us if we can provide any further information.

Yours sincerely,

Dr. Janice Weatherley-Singh
Director, EU Strategic Relations
WCS EU



Mary Rice
Executive Director
Environmental Investigation Agency, UK (EIA)



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