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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Commercial Trade in Raw Ivory within the EU
– Information from the French and the United Kingdom delegations

Delegations will find in the Annex an information note from the French and the United Kingdom delegations on the above subject, to be dealt with under "Any other business" at the Council (Environment) meeting on 5 March 2018.

Commercial Trade in Raw Ivory within the EU

- Information from the French and the United Kingdom delegations

Current rates of elephant poaching are unsustainable. It is estimated that between 20 000 and 30 000 African elephants have been killed every year since 2011. The rate at which elephants are being killed for ivory is unsustainable if African elephant populations are to survive.

The level of poaching and illegal trade in elephant ivory does not only threaten the survival of many elephant populations but it also alters the balance of entire ecosystems. It damages economic growth and sustainable development, undermines good governance and the rule of law.

Elephant poaching is driven by the global demand for ivory; the legal domestic markets for ivory may fuel demand and increase the risk to elephant populations due to the opportunity it provides criminals to launder illegal ivory.

There is global consensus that action needs to be taken to close ivory markets. In October 2016 the 17th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) recommended all Parties and non-Parties in whose jurisdiction there is a legal domestic market of ivory that is contributing to poaching or illegal trade should take all necessary measures to close their domestic ivory markets as a matter of urgency. In September 2017, the United Nations General Assembly adopted a Resolution on tackling illicit wildlife trafficking which urged parties to implement this recommendation.

The European Union (EU) and its Member States recognise increasing demand for ivory as one of the most important drivers for the current levels of elephant poaching and the need to reduce this demand. Following on from European Council recommendations and a European Parliament resolution, the Commission published guidance recommending that, as of 1 July 2017, EU Member States should as a temporary measure, suspend issuing re-export certificates for raw ivory from the EU except in exceptional cases.

This is a step in the right direction, however more action is urgently needed. Commercial trade in raw ivory within the EU continues to be allowed although some EU Member States have already taken further measures. The UK CITES Management Authority's policy is not to issue certificates for the sale of raw African elephant ivory of any age. The UK recently consulted on a total ban on sales of ivory in the UK that could contribute either directly or indirectly to the continued poaching of elephants. France banned the sale of ivory from elephants and rhinoceros on 17 August 2016, and included in its Biodiversity law the tenfold increase in fines (from € 75,000 to € 750,000) and prison sentences in the event of illegal trade of protected species. France and the UK are among the 42 signatory countries of the Hanoi Declaration, at the Illegal Wildlife Trade Conference of 17 and 18 November 2016 (alongside the EU and Germany).

The European Commission has recently consulted on ivory trade in the EU to help guide the Commission's approach. Internationally, other countries are already taking steps to ban the trade in ivory, including USA, China and most recently Hong Kong.

Maintaining international momentum on closure of domestic ivory markets is crucial to bring an end to poaching that is putting one of the world's most iconic species at risk. The UK and France would like to draw attention to the opportunity for continued European leadership on this important issue and call on the EU and its Member States to ban commercial trade in raw ivory within the EU.