



*National laws on ivory trade in Non-EU States*

**NON-EU STATES IN EUROPE**

STATES	KEY WORDING	REFERENCES
<p><b>UNITED KINGDOM</b></p>	<p><b>Background :</b> In 2017 The Government held a public consultation and <a href="#">concluded that a total ban on ivory was necessary</a> to help <a href="#">conserve the elephant population</a> by ending the poaching of elephants, in accordance with the pledge it made in the Conservative Manifesto to protect rare species and to show that the “UK does not consider commercial trade in any ivory that could fuel poaching to be acceptable and ... sends a message that similar actions should be taken globally.” The <a href="#">Department for Environment, Food &amp; Rural Affairs</a> had also expressed concern that “the legal market presents opportunities for criminals to launder recently poached ivory as old ivory products.”. The clear purpose of the Act is to enhance the protection of African and Asian elephants in the face of ongoing threats to their survival. It does so by prohibiting the sale, as opposed to the retention, of all ivory (i.e. anything made out of or containing ivory) subject to a limited number of tightly defined exemptions. These prohibitions are backed by criminal and civil sanctions.</p>	<p><b>Ivory Act 2018</b></p> <p><a href="http://www.legislation.gov.uk/ukpga/2018/30/enacted/data.pdf">http://www.legislation.gov.uk/ukpga/2018/30/enacted/data.pdf</a></p> <p><b>Gov. (DEFRA) response to 2017 consultation</b></p> <p><a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696474/banning-ivory-consult-sum-resp.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696474/banning-ivory-consult-sum-resp.pdf</a></p>

<p>The Act had been enacted to prohibit commercial activities involving ivory in the UK. the <a href="#">High Court</a> in 2019 summarized the government policy behind the Ivory Act: The need for a stricter regime arises because, despite the present panoply of protections in international treaty and the Regulations, between 2007 and 2014 the estimated total number of savanna elephants in Africa declined by 30%, equal to 144,000 elephants, primarily due to poaching. If these rates of decline were to continue, elephants could become extinct within decades in some African countries. Elephants are a “keystone” species and aside from the tragedy that would directly flow, the knock-on environmental consequences would be wide-ranging. the ban in the Ivory Act 2018 extends to items made of or containing ivory, as well as to commercial activities that include purchasing and selling ivory; brokering the purchase, sale, or hire of ivory; keeping ivory for sale or hire; and importing or exporting ivory into or out of the UK for sale or hire. The ban does not affect the current ownership of ivory or items containing ivory, or prohibit the bequeathing of such items. Failure to comply with the provisions of the Act is punishable by up to five years’ imprisonment and/or a fine.</p> <p><b>Motivation of the Act:</b> Elephants are being poached and killed at unsustainable rates for their ivory. Although international conventions outlaw trade in recently poached ivory, the illegal trade and poaching has increased since 2007. UK Government intervention is necessary because international and domestic markets are not factoring in the total value of elephants to society or long-term conservation. The expectation is that the renewed UK leadership in this area and a commitment to close legal ivory markets would reduce the demand for ivory and thus the incentive to poach. It would also close loopholes in current legislation which present opportunities to launder poached ivory through legal markets, thereby indirectly encouraging continued poaching of elephants. Only Government can send a clear global signal that the trade in ivory is not acceptable and that the killing of elephants for their ivory will not be tolerated.</p> <p><b>What are the policy objectives and the intended effects?</b> Ensure the UK plays a leading role in ending the illegal trade in ivory. A total ban on the commercial dealing of ivory in the UK that contributes directly or indirectly to elephant poaching would send the clearest possible signal that the UK does not tolerate the poaching</p>	<p><b>Judgement of the High Court</b>  <a href="https://www.judiciary.uk/wp-content/uploads/2019/11/F-Act-v-SoS-Final.pdf">https://www.judiciary.uk/wp-content/uploads/2019/11/F-Act-v-SoS-Final.pdf</a></p> <p>(On November 5<sup>th</sup>, 2019, the High Court of the United Kingdom (UK) <a href="#">ruled against a claim</a> filed earlier that year by a group of antiques dealers that the <a href="#">Ivory Act 2018</a> was unlawful ) DEFRA PR:</p> <p><a href="https://www.gov.uk/government/news/high-court-ruling-upholds-ivory-act">https://www.gov.uk/government/news/high-court-ruling-upholds-ivory-act</a></p>
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	<p>of elephants for their ivory and demonstrates that we are world leaders in the fight against the ivory trade. Renewed UK leadership in this area will help encourage other countries to close their markets, reduce demand and stop poaching.”</p> <p><b>ACT (extracts)</b></p> <ol style="list-style-type: none"> <li>1. Prohibition on dealing in ivory (1) Dealing in ivory is prohibited. (2) “Dealing” in ivory means— (a) buying, selling or hiring it; (b) offering or arranging to buy, sell or hire it; (c) keeping it for sale or hire; (d) exporting it from the United Kingdom for sale or hire; (e) importing it into the United Kingdom for sale or hire. (3) For the purposes of this section— (a) buying includes acquiring for valuable consideration; (b) selling includes disposing of for valuable consideration; (c) offering includes advertising and inviting to treat</li> </ol> <p><b><u>No exception applies to Raw Ivory</u></b></p> <p><b>Sanction:</b> up to 5 years of prison and up to 250.000 pounds</p>	
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**OTHER STATES NON-EU**

<b>STATES</b>	<b>KEY WORDING</b>	<b>REFERENCES</b>
<p style="text-align: center;"><b>USA</b></p>	<p style="text-align: center;"><b>IMPORT</b></p> <p><b><u>Commercial</u></b>  <i>What's allowed:</i></p> <ul style="list-style-type: none"> <li>• No commercial imports allowed</li> </ul> <p><b><u>Non-commercial</u></b>  <i>What's allowed:</i></p> <ul style="list-style-type: none"> <li>• Law enforcement and bona fide scientific specimens</li> <li>• Worked elephant ivory that was <a href="#">legally acquired</a> and removed from the wild prior to February 26, 1976 and has not been sold since February 25, 2014</li> <li>• Exceptions: <ul style="list-style-type: none"> <li>○ As part of a household move or inheritance</li> <li>○ As part of a musical instrument</li> <li>○ As part of a traveling exhibition</li> </ul> </li> </ul>	<p>Revisions to <a href="#">Director's Order 210</a> (effective July 31, 2015)  Revisions to <a href="#">U.S. CITES implementing regulations</a> [50 CFR part 23] (effective June 26, 2014)</p>

	<p><i>What's prohibited:</i> Raw ivory</p> <p style="text-align: center;"><b>EXPORT</b></p> <p><b><u>Commercial</u></b> <i>What's allowed:</i></p> <ul style="list-style-type: none"> <li>• <a href="#">CITES Pre-Convention</a> worked ivory, including <a href="#">antiques</a>, that meet CITES permitting requirements</li> </ul> <p><i>What's prohibited:</i></p> <ul style="list-style-type: none"> <li>• Raw ivory</li> </ul> <p><b><u>Non-commercial</u></b> <i>What's allowed:</i></p> <ul style="list-style-type: none"> <li>• Worked ivory items that meet CITES permitting requirements</li> </ul> <p><i>What's prohibited:</i> Raw ivory</p> <p style="text-align: center;"><b>US DOMESTIC TRADE</b></p> <p><i>What's allowed:</i></p> <ul style="list-style-type: none"> <li>• Ivory lawfully imported prior to the date the African elephant was listed in CITES Appendix I (January 18, 1990) – [seller must demonstrate]</li> </ul> <p>Ivory imported under a <a href="#">CITES pre-Convention certificate</a> (1973) – [seller must demonstrate]</p>	
<b>CHINA</b>	<p>Phase out commercial processing and sale of ivory and ivory products. A portion of registered ivory sale and processing sites will stop their processing and sale activities on ivory and ivory products by March 31, 2017. All the processing and sale of ivory and ivory products will be stopped by December 31, 2017.</p> <p>Relevant registered traders and processors should end all the ivory processing and sale activities within the required period and apply to cancellation and alternation of registration at the Administration for Industry and Commerce (AIC). The AIC departments should not take any registration applications to establish or make alternation to commercial operations engaged in the processing and sale of ivory and ivory products. Encourage the transition of ivory carving skills or artistry. After commercial processing and sale of ivory and ivory products has ceased, government culture departments shall</p>	<p>Notice by the General Office of State Council on the Orderly Cessation of Commercial Processing and Sale of Ivory and Ivory Products (Published at Dec 30<sup>th</sup>, 2016) <a href="https://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/9578/China-Announcement-of-Domestic-">https://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/9578/China-Announcement-of-Domestic-</a></p>

	provide transition guidance to ivory carving skill successors and related practitioners seek for livelihoods in other sectors to which their skills can be transferred	<a href="#">Ivory-Ban-in-2017--English-Translation.aspx</a>
<b>SINGAPORE</b>	<p>Total ban on local elephant ivory sales in Singapore under the Endangered Species (Import and Export) Act. This means that local businesses and individuals will no longer be able to buy or sell all forms of elephant ivory products in Singapore. Public display of elephant ivory and ivory products will also not be allowed, with the exception of display for educational purposes e.g. museums.</p> <p><b>Motivation:</b> the ban is in line with Singapore’s broader commitment to tackle the illegal elephant ivory trade and support elephant conservation. It also sends a strong signal that Singapore is committed to curb demand for ivory products despite our small and inactive domestic market.</p> <p><b>Note:</b> Singapore has similarly banned the local sales of all rhinoceros and tiger specimens under the Endangered Species (Import and Export) Act since 2006.</p> <p>Sanction: up to 100.000 dollars fine and/or one year prison.</p>	<p>Ban on the sale and display of ivory.</p> <p>Presented: 12 August 2019</p> <p>Entry into force: September <b>2021</b></p> <p><a href="https://www.nparks.gov.sg/biodiversity/cites/domestic-trade-ban-in-ivory">https://www.nparks.gov.sg/biodiversity/cites/domestic-trade-ban-in-ivory</a></p> <p><a href="https://www.nparks.gov.sg/-/media/biodiversity/domestic-trade-ban-of-ivory_website-media-release.pdf?la=en&amp;hash=24B5F6DDB05B7AB9EABE4C34ED351E49BACAFAD8">https://www.nparks.gov.sg/-/media/biodiversity/domestic-trade-ban-of-ivory_website-media-release.pdf?la=en&amp;hash=24B5F6DDB05B7AB9EABE4C34ED351E49BACAFAD8</a></p>
<b>HONG KONG</b>	<p>January 2018, law prescribes a phase out of legal ivory trade over the period 2018- 2021. The trade will stop completely in 2021.</p> <p>Sanction: offenders could be fined up to 1 Million Hong Kong Dollars or imprisoned for 10 years.</p>	<p>Legislative council, Protection of Endangered Species of Animals and Plants (Amendment) Ordinance 2018 Ord. No. 7/2018, available at:</p> <p><a href="https://www.legco.gov.hk/yr17-18/english/ord/2018ord007-e.pdf">https://www.legco.gov.hk/yr17-18/english/ord/2018ord007-e.pdf</a></p>

<p><b>ISRAEL</b></p>	<p style="text-align: center;"><b>PRE- CITES CONVENTION (1973) IVORY</b></p> <p>Determined according to the date it was removed from the wild or born in captivity: For African elephant (<i>Loxodonta africana</i>) ivory: from before 26 February 1976; For Indian elephant (<i>Elephas maximus</i>) ivory: from before 1 July 1975.</p> <p style="text-align: center;"><b>Commercial trade</b></p> <p>Not allowed; except for special permits which will be granted where ivory is a part of a larger item provided that it meets ALL the following criteria: The ivory is all pre-convention, and; a) The ivory is fully attached to the item and is not readily separable, and; b) The ivory is processed and not raw, and; c) The ivory makes up less than 50% of the overall volume of the item, and; d) The total weight of the ivory in the item does not exceed 200 grams, and; e) The item was made before the date that these guidelines are in effect (1 January 2021).</p> <p style="text-align: center;"><b>Non-commercial international trade</b></p> <p>Not allowed; except for special permits which will granted for these purposes only: Enforcement, or; Nature conservation, or; Scientific research, or; Frequent cross-border noncommercial movements of musical instruments containing ivory, in accordance with CITES Resolutions.</p> <p style="text-align: center;"><b>Non-commercial domestic trade and possession</b></p> <p>Grandfather clause allows keeping ivory that is already in one's possession on 1 January 2021. Non-commercial domestic trade or transfer is allowed by general permit.</p> <p style="text-align: center;"><b>NON-PRECONVENTION IVORY</b></p> <p>Any newer ivory from an elephant removed from the wild or born in captivity, more recently than the dates listed above.</p> <p style="text-align: center;"><b>Commercial trade</b></p> <p>Not allowed.</p> <p style="text-align: center;"><b>Non-commercial international trade</b></p> <p>Not allowed; except for special permits which will granted for these purposes, only: Enforcement, or; Nature conservation, or; Scientific research.</p> <p style="text-align: center;"><b>Non-commercial domestic trade and possession</b></p> <p>Possession permit is granted only if the owner had legal acquisition before 1 January 2021. Non-commercial trade or transfer is not allowed, except for special permits which will</p>	<p>Israel, new policy on ivory trade available at:  <a href="https://cites.org/sites/default/files/notifications/E-Notif-2020-074.pdf">https://cites.org/sites/default/files/notifications/E-Notif-2020-074.pdf</a></p>
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	<p>granted for these purposes, only: Enforcement, or; Nature conservation, or; Scientific research.</p> <p style="text-align: center;"><b>MAMMOTH IVORY</b></p> <p style="text-align: center;"><b>Commercial trade</b></p> <p>Not allowed.</p> <p style="text-align: center;"><b>Non-commercial international trade</b></p> <p>Not allowed; except for special permits which will granted for these purposes, only: Enforcement, or; Nature conservation, or; Scientific research.</p> <p style="text-align: center;"><b>Non-commercial domestic trade and possession</b></p> <p>Grandfather clause allows keeping ivory that is already in one's possession on 1 January 2021. Non-commercial domestic trade or transfer is allowed by general permit.</p>	
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