



JOINT STATEMENT BY EILA, CSFI-CAFIM, MADINTER, PEARLE* AND FIM IN RELATION TO THE CoP18

1st February 2019

We, the signatories of the present statement, represent stakeholders in the music sector (musicians, music ensembles, music groups, orchestras, concert venues) as well as music instrument makers within the EU and beyond for some of us.

We wish to recall our commitment and support of the CITES objectives as regards the combat against wildlife trafficking, including illegal trade of ivory and other protected species.

Our respective organisations are aimed to sustain music activities such as live music, competitions in the field of music and exhibitions of historical and outstanding instruments in all parts of the world.

Our sector is deeply concerned about the difficulties encountered by the professionals we represent when they travel and tour with musical instruments containing CITES-listed species. Musical instruments are built with highly sophisticated craftsmanship. Some of them are unique and, as such, represent genuine cultural treasures. Given that using these instruments does not raise any conservation concern, we would like to respectfully request the EU to take note of the following:

1. Annotation #15

We thank EU and Canada for their proposal regarding Annotation #15 to the *Dalbergia* listing. The exemption of finished musical instruments parts and finished musical accessories is most welcome. We also fully subscribe to the view that “the regulation of these items imparts little conservation value while increasing greatly the permit and compliance burden” on musicians and orchestras who must travel a lot for work purposes.

The music sector uses only a very limited quantity of *Dalbergia*. Violin makers, for example, use amounts that are counted in grams. We believe the joint Canada-EU proposal, which would implement the recommendation of the 70th meeting of the Standing Committee, advances a solution that will both conserve *Dalbergia* and protect the world of music and culture.

The goal is now to have this proposal adopted during CoP18; we are fully aware that there are still a lot of discussions about this proposal. As you know, you can rely on our full collaboration to provide any elements which may be useful so that the parties have a good understanding of the issues and in a more general way of the musical instruments sector.

2. Definitions of “finished musical instruments”, “finished musical instruments parts” and “finished musical instruments accessories” and list of musical instruments containing *Dalbergia*.

We consider that a definition for the term “musical instrument” would be a positive step forward and we would be pleased to be involved in the drafting of a proposal for an adequate definition.

We do not have a firm position about the constitution of a list of musical instruments. However, we recommend caution in this respect, given the countless number of different musical instruments containing *Dalbergia* that currently exist throughout the world. Once established, such a list could be a useful tool as far as it is not regarded as comprehensive and regular updates remain possible.

It is important to keep in mind that the musical instruments community does not have access to comprehensive information about all musical instrument types that may contain *Dalbergia*. Given the array of artisans and manufacturers involved in making musical instruments globally, and the hundreds of years over which musical instruments have been made, we can provide information about the use of *Dalbergia* in those musical instruments that are most commonly in trade, but we are not in a position to deliver comprehensive or encyclopaedic data.

The music sector does not believe that it would be appropriate for a list to be included as part of a CITES annotation or otherwise codified under CITES.

3. *Cedrela Odorata*

We wish to draw your attention on the Equator and Brazil proposal to list *Cedrela Odorata* on Appendix II without annotation. Although this species is commonly used for musical instruments, we do not oppose this proposal, but we strongly recommend to accompany this listing with a dedicated annotation enabling free circulation for finished musical instruments, finished musical instruments parts and finished musical instruments accessories.

4. Mammoth ivory

Although we understand the rationale underpinning the proposal by Israel and Kenya to list mammoth ivory under Appendix II, this option is in our view inappropriate, inefficient and dangerous for the economy of instrument making, at least in a mid-term perspective.

We agree that it may be difficult for a non-specialist to identify mammoth ivory with absolute certainty, but the same remark could apply to other substitution materials like synthetic or vegetable ivory. It does not seem reasonable to add an extinct species to Annex II based on its similarities with an existing, protected species. Such a solution is, in our opinion, neither proportionate nor efficient.

More importantly, mammoth ivory has been used for decades as a replacement for elephant ivory. Its physical and mechanical properties allowed instrument makers to avoid a damaging disruption in their professional activity after ivory trade started to be strongly regulated.

Given the specificities of musical instruments, which travel a lot and may have a very long lifespan, we fear that the option proposed by Israel and Kenya would entail a costly and unnecessary burden for both the music sector and management authorities, against a minimal impact – most probably no impact at all – on the preservation of elephant populations.

Should this proposal be adopted despite the reservations expressed above, we strongly recommend the simultaneous adoption of a dedicated annotation enabling the free circulation of finished musical instruments, finished musical instruments parts and finished musical instruments accessories.

5. *Pterocarpus Tinctorius* (Prop 54)

We would like to alert you about the dual understanding of the word “*padouk*”, which is used to designate both *Pterocarpus Tinctorius* AND *Pterocarpus soyauxii* (the latter is used for musical instrument making). We therefore recommend NOT to use the word *padouk* in order to avoid any confusion.

Moreover, we wish to draw your attention on the fact that, should the entire *Pterocarpus* type be added to the listing, we would face the same problematic consequences as for the listing of the whole *Dalbergia* type.

6. Personal effect exemption

We have noted with appreciation that CoP17 has encouraged parties to extend the personal effect exemption to musical instruments and has improved the provisions about the MIC. However, we believe that progress still needs to be made in this respect and, in particular, that member states should be encouraged to apply this exemption more systematically.

7. Validity period for the Music Instrument Certificate

As far as the MIC is concerned, we believe that the validity period of three years should be extended to ten years. Once a musical instrument has been declared CITES-compliant, it is quite unlikely that the same instrument becomes non-compliant at the end of a three-year period. Given the heavy compliance burden it represents for musicians who tour on a regular basis, a 10-year validity period would be far more logical and practicable

We are grateful for the EU's efforts to conserve the species we depend on for the creation of musical instruments and art that uplifts the human experience. Our organizations take this issue seriously and directly supports reforestation efforts of key timber species.

We want to thank you for your continuing efforts to achieve practical solutions that balance conservation with support for music and the arts.

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