



## 28 Oct. 2020 – Joint Statement on the proposed revision of EU rules on ivory, amending Commission regulation (EC) No 338/97 and Commission Regulation (EC) No 865/2006

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We are speaking on behalf of musical instruments makers and restorers, orchestras, ensembles, music groups and musicians.

We are well aware of the current poaching crisis and support the initiative of the European Commission to adapt and harmonise EU legislation on ivory, to ban illegal cross-border trade in ivory and protect elephants. We agree with the Commission that this is a sensitive subject that needs to be urgently addressed.

We are grateful for the opportunity to exchange these past months on the issue of ivory.

We also welcome the preferential treatment of musical instruments in the draft EU ivory rules, including intra-Eu trade, as well as the making and restoring of instruments containing small parts of worked ivory. It is of particular interest that antique instruments containing pre-1947 ivory and complying with the “de minimis” rules also fall within the scope of specified rules for instruments.

As the Commission rightly points out in the summary of the proposal, “there is no evidence or indications that musical instruments represent any significant risk of contributing to poaching or illegal ivory trade.” The amount of ivory used in musical instruments is very small indeed, therefore, additional restrictions would be neither proportionate nor helpful in combatting illegal ivory trade.

In this context, we would like to underline once more that the (very small amounts of) ivory used for musical instruments making and restoring is pre-Convention and that our sector is continuously looking for quality substitutes.

We also fully adhere to the assertion that the intrinsic value of a musical instrument is not related to the ivory that it contains, but to its craftsmanship as well as its artistic and cultural value.

To conclude, the exemptions for musical instruments proposed in the draft guidance of October 2020 – including the possible purchase of Pre-Convention raw ivory for restorations – constitute an adequate response to the concerns of our sector. They will allow musicians, makers and restorers to work in a clear and safe environment, thus contributing to the preservation and transmission of a unique European artistic and cultural heritage.

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**French Musical Instrument Organisation (La Chambre Syndicale de la Facture Instrumentale, CSFI)** was founded in 1890 in Paris. It gathers companies and craftsmen who make, distribute and export musical instruments and their accessories. The CSFI also welcomes resellers and other instrument makers associations (violin, guitar, piano). Its main objectives are the protection of its members and of the musical instrument making as a whole and the development of the instrumental practice for everybody. <http://www.csfi-musique.fr/>

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**The International Federation of Musicians (FIM)**, founded in 1948, is the only body representing musicians' unions globally, with members in about 65 countries covering all regions of the world. FIM is recognised as an NGO by diverse international authorities such as WIPO (World Intellectual Property Organisation), UNESCO (United Nations Educational, Scientific and Cultural Organisation), the ILO (International Labour Office), the European Commission, the European Parliament or the Council of Europe. <https://www.fim-musicians.org/>

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**PEARLE\* – Live Performance Europe** represents through its member associations the interests of more than 10,000 organisations including orchestras, music ensembles, groups, festivals, concert halls and producers across Europe. This includes profit as well as non-profit organisations, ranging from micro-enterprises to companies over 250 employees. Pearle\* is recognised by the European Commission as a European sectoral social partner,

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