

Extending the Ivory Act to other species

Consultation response

September 2021

[Wildlife and Countryside Link](#) (Link) is the largest environment and wildlife coalition in England, bringing together 60 organisations to use their strong joint voice for the protection of nature.

Introduction

- We welcome this consultation from the Department of the Environment, Food and Rural Affairs, and the proposals it advances to extend the Ivory Act to other species. Link's response to the 2019 call for evidence on this subject can be found [here](#).
- We have provided responses to the questions where the expertise of our members can add relevant evidence and suggest useful enhancement to the core proposals. Our responses to consultation questions, drawn from members of our Wildlife Crime and Marine Mammal Working Groups, include:
 - Evidence showing the need to ban dealing in hippopotamus ivory to reduce a high-take rate of hippos for ivory.
 - Evidence showing the need to also ban dealing in narwhal, walrus, killer whale and sperm whale ivory, to prevent demand for elephant ivory being displaced to these populations at a critical ecological moment.

Response to consultation questions

Question 5: We set out three options above. We would like to understand your preferred option and the reasons for that preference. Please state your preferred option and why:

- Our preferred option is option 2; to extend the Ivory Act to include ivory from five CITES listed species (hippopotamus, narwhal, killer whale, sperm whale and walrus). Option 1 would be a positive step forward for conservation based on the strong evidence that the ivory trade is currently reducing hippo populations. Option 2 would build on that positive step by taking preventative action to ensure that such impacts do not also spread to ivory bearing marine species.

Case for option 1: Acting on the clear evidence that the ivory trade is reducing hippo populations

- TRAFFIC's 2021 report on the extent and impact hippo ivory trade gives a conservative estimate that the take of hippos for ivory stands currently at approximately 1,349 hippos a year. Given total hippo population estimates of 130,000–145,000, this represents a take of around 1% of the annual hippo population.¹ This is a high take rate for a species listed as vulnerable on the International Union for the Conservation of Nature (IUCN) Red List of Threatened Species.

¹ https://www.traffic.org/site/assets/files/14405/the_often_overlooked_ivory_trade.pdf

- The 1% take rate could well increase, as there is strong evidence that hippo populations become more vulnerable during times of conflict. During civil unrest in the Democratic Republic of Congo in the early 2000s, the population of hippos fell by 95% from 29,000 individuals to 1,300 as a result of armed groups killing hippos to sell their teeth, to fund military operations.² Further conflicts in nations where hippos are concentrated could spark steep population declines.

Case for option 2: Taking preventative action for marine species, as well as delivering option 1 benefits for hippos

- The impact of the ivory trade on narwhal, walrus, killer whale and sperm whale populations has been hard to calculate with certainty, due to the low number of recorded items and the inherent difficulties in mapping and understanding marine populations. TRAFFIC produced a report on the walrus trade in 2014³, and one on the narwhal trade in 2015⁴. Both reported no indications that that the trade was at that time a threat to the conservation of either species. These conclusions were however tentative and are now some years old. Two trends that post-date the reports, namely disruption to the elephant ivory trade caused by a growing number of trade bans⁵ and a sharpening decline in the health of marine species, are likely to increase the threat posed by the ivory trade to marine species conservation.
- The impact of elephant ivory trade disruption can be expected to fall on all ivory bearing species, due to the species-specific origin of ivory being hard for non-expert eyes to discern. Giving evidence on this point to the Public Committee on the Ivory Bill in 2018, Charlie Mayhew of the Tusk Trust was asked how difficult it is to differentiate between ivory from an elephant and ivory from other species. He responded: *"to the lay person, it is very difficult. If you walk into a market in Portobello Road or in Hong Kong, it is virtually impossible to tell the difference"*.⁶ WWF have also highlighted this issue in their new expert guide to ivory identification, stating: *"the ability to mislead and disguise illegally sourced ivories as either legal or as a different species or material has presented dilemmas for regulators and law enforcers across the globe"*.⁷ The interchangeability of ivories, combined with changes to the elephant ivory trade, can be expected to lead to ivory from non-elephant species being used to create ivory goods in countries where the elephant ivory trade is now illegal, to meet sustained demand for ivory products.
- Increased demand would increase the number of narwhals, walruses, killer whales and sperm whales killed for ivory, at a critical ecological moment. Recent years have seen growing evidence of a sharp decline in population numbers across all species, with the 2020 Global Living Planet Index showing an average 68% decrease in population sizes of mammals, birds, amphibians, reptiles and fish between 1970 and 2016.⁸ Marine mammals are particularly vulnerable; in

² https://wwf.panda.org/wwf_news/?8526/Worlds-biggest-hippo-population-decimated

³ https://www.traffic.org/site/assets/files/4158/hauling_out.pdf

⁴ https://www.traffic.org/site/assets/files/2528/breaking_the_ice_report.pdf

⁵ <https://www.worldwildlife.org/initiatives/stopping-ivory-demand>

⁶ [https://hansard.parliament.uk/Commons/2018-06-12/debates/7ee9345c-39cc-40a8-9351-5649bf198abd/IvoryBill\(FirstSitting\)](https://hansard.parliament.uk/Commons/2018-06-12/debates/7ee9345c-39cc-40a8-9351-5649bf198abd/IvoryBill(FirstSitting))

⁷ https://wwf.panda.org/wwf_news/?498711/Updated-ivory-identification-tool-helps-to-combat-illegal-wildlife-trade

⁸ https://www.wwf.org.uk/sites/default/files/2020-09/LPR20_Full_report.pdf

October 2020 over 350 marine scientists signed an urgent warning about the real risk widespread cetacean extinction.⁹ In this moment of extreme vulnerability for marine species, the possibility of a new threat arising from ivory trade displacement has to be taken seriously. Both walrus and sperm whale populations are already listed as vulnerable by the IUCN, with the data on killer whales insufficient to make a designation. Existing data suggests that, instead of North Atlantic killer whale populations recovering following the end of the harvest, culling and live captures in the 1980s, they are struggling in the face of new emerging threats, including an increasing unregulated subsistence harvest in Greenland. These threats are hampering their rebound, with around 40 orca taken every year and trinkets made from their teeth readily available in markets and tourist shops.¹⁰

- The adoption of option 2 would constitute effective preventative action. It would help prevent displacement from the elephant ivory trade from reducing populations of narwhals, walrus, killer whales and sperm whales at a moment of ecological vulnerability. This preventive action, in addition to the protection of hippos as set out above, makes option 2 the preferential option.

The case against option 3: The need for comprehensive ivory ban

- Restricting the UK ban on ivory dealing to elephants, as proposed by option 3, risks the elephant ivory market simply becoming a non-elephant ivory market, with demand displaced from elephants straight onto other species. This would exacerbate an existing problem for hippo populations and create new problems for narwhal, walrus, killer and sperm whale populations. Such a partial approach would also impact on elephants, opening clear routes for traders to continue to import elephant ivory into the UK disguised as ivories from legal species. A comprehensive ban on ivory dealing, as proposed by option 2, is the only effective ban and could inspire further decisive action on the part of other countries.

Question 6. Do you have any alternative options to those proposed which could encompass different species?

- One further species bears ivory, the common warthog.¹¹ Common warthogs are not listed by CITES and are listed by IUCN as being of 'least concern'. Leaving warthog ivory products as legal could open the door to the laundering of elephant ivory as warthog ivory.

Question 7: Do you have additional information or evidence on the potential impacts of the proposed extension of the Ivory Act on these species as set out in options 1 and 2?

- A ban on the dealing of hippopotamus, narwhal, killer whale, sperm whale and walrus is necessary on conservation grounds. However, it should be borne in mind that the

⁹ <https://www.mammalresearchinstitute.science/news/2020/9/1/the-real-and-imminent-extinction-risk-to-whales-dolphins-and-porpoises>

¹⁰ Jourdain, E., Ugarte, F., Víkingsson, G.A., Samarra, F.I., Ferguson, S.H., Lawson, J., Vongraven, D. and Desportes, G., 2019. North Atlantic killer whale *Orcinus orca* populations: a review of current knowledge and threats to conservation. *Mammal Review*, 49(4), pp.384-400

¹¹ <https://cites.org/sites/default/files/eng/resources/pub/E-Ivory-guide.pdf>

hippopotamus trade does provide employment in some African nations, and that some narwhale and walrus ivory is sold by aboriginal peoples in Canada & Greenland, as a by-product of aboriginal subsistence quotas for both species. The UK should consider whether targeted projects to remedy economic impacts of a ban in low-income communities could be pursued under the International Aid budget.

- The economic impact of a ban in the UK will be extremely limited. The consultation document suggests that the comprehensive ban proposed by option 2 would have an equivalent annual net direct cost to business (EANDCB) of £273,298. There is also a potential positive impact which should not be overlooked, as a number of innovative UK companies are already producing substitute ivory products from vegetable matter.¹² A comprehensive ivory ban would potentially increase domestic demand for ivory derived from vegetable matter, growing a new market for UK based companies and creating new jobs.

For questions or further information please contact:

Matt Browne, Advocacy Lead, Wildlife and Countryside Link

T: 020 8078 3586

E: matt@wcl.org.uk

This response is supported by the following Link members:

Wild Justice

Institute for Fisheries Management

ORCA

FOUR PAWS UK

League Against Cruel Sports

RSPCA

Humane Society International UK

International Fund for Animal Welfare

¹² For example, Brighton based 'Life Less Ordinary': <https://www.life-less-ordinary.co.uk/vegetable-ivory-jewellery>