

LEONARD JOEL

Est 1919

Commissioner Vella
European Commission
Rue de la Loi 200
B-1049
Brussels

December 4th 2017

Subject: Ending domestic ivory trade in Europe

Dear Commissioner Vella,

My name is John Albrecht and I am the CEO and Proprietor, of Leonard Joel Auction House, Australia.

I would like to express my support for the European Commission's recent guidance governing Intra-EU Trade and Re-export of Ivory issued by the European Commission in May 2017 and the launch of the public consultation on ivory trade, closing next 8th of December. Elephants are an iconic and keystone species, and part of humankind's global heritage. Europe must play its role in halting the decline in elephants, and to reverse the current trend towards extinction. Therefore, I hope that the European Commission will decide to shut down *legal* ivory trade, which is actually feeding the illegal market.

From my experience as an auctioneer I began to advocate for this magnificent creature and to develop and adopt a voluntary policy to cease trade in ivory and rhinoceros horn. This change happened in a short space of time, has surprised many and yes, it is like a switch has flicked in me and I too am **now repulsed by the trade in ivory predominantly and rhinoceros horn, marginally that I have contributed to as an auctioneer.**

Notably, Leonard Joel decided from January 1, 2017, to stop trading any raw ivory, like pairs of tusks, as well as any post-1920 worked ivory, while from January 1, 2019, our auction rooms will no longer have anything to do with worked ivory pre-1921, except for some limited

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exemptions where the ivory component is incidental or insignificant to the whole object. Our full policy is Annex I of this letter.

You will be interested to know that since we took our decision, we have observed **no downturn in our sales during this period and nobody working with us has lost his or her job, nor have we lost any clients.**

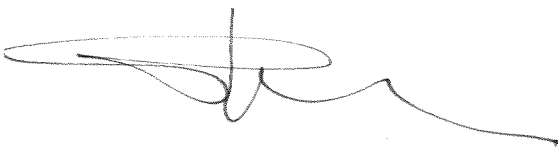
At the moment my colleagues worldwide are not following our example and they seem not to link our role with the poaching of elephants. It beggars belief how the industry that generates the highest values and makes large markets for these materials – *my industry* - could think that it was not connected to the trade, the slaughter and the extinction risk.

Australia has just tabled a Parliamentary motion to ban domestic ivory trade within its own borders. The motion was supported by most members of parliament and a vote for a complete domestic ban will be held within a matter of weeks.

I hope that Europe will take a strong stance as well to protect these iconic species in the following months.

I look forward to receiving your consideration of my letter and keeping me informed about the next steps that the European Union will take in this direction.

Yours Sincerely,



John Albrecht
Managing Director
Leonard Joel

ANNEX I

VOLUNTARY POLICY FOR THE MANAGEMENT OF AUCTION TRADE IN RHINOCEROS HORN AND ELEPHANT IVORY

Leonard Joel Policy for management of commercial trade in Rhinoceros Horn and Elephant or Mammoth Ivory

Definitions:

Ivory means any tooth or tusk composed of ivory from any species of elephant or mammoth.

Worked Ivory means Ivory that has been carved, shaped or processed, either fully or partially.

Raw Ivory means Ivory polished or unpolished in any form whatsoever, and all Ivory in cut pieces, polished or unpolished and howsoever changed from its original form.

Primarily Ivory means an item which contains Ivory where:

- I. the Ivory component or components account for more than 50% of the item by volume and / or value of the item in the view of ***Leonard Joel***; or
- II. the total weight of the Ivory component or components is more than 200 grams.

IFAW means the International Fund for Animal Welfare.

Incidentally Ivory means an item which contains Ivory where:

- I. the Ivory component or components account for less than 50% of the of the item by volume and or value of the item in the view of ***Leonard Joel***; and
- II. the total weight of the Ivory component or components is less than 200 grams.

Rhinoceros Horn means the horn or any piece thereof, of any species of rhinoceros.

Trade includes sale by auction or private sale.

Policy:

- 1 Effective immediately a complete ban on Trade in any Rhinoceros Horn regardless of age.
- 2 Effective immediately a complete ban on Trade in Raw Ivory which is not connected, attached or incorporated into an item regardless of age of the Ivory or item.
- 3 As of 1 July 2017 ban on Trade of Raw Ivory which is connected, attached or incorporated into an item or in the Trade of Worked Ivory which is or is not connected, attached or incorporated into an item other than in accordance with the following:
 - a) Primarily Ivory which meet the trade criteria set out in Part A of the policy criteria; or
 - b) Incidentally Ivory which meet the trade criteria set out in Part B of the policy criteria.
- 4 As from 1 January 2019 a ban on Trade of Raw Ivory which is connected, attached or incorporated into an item or in the Trade of Worked Ivory which is or is not connected, attached or incorporated into an item other than in accordance with the following:
 - a) Incidentally Ivory which meet the trade criteria set out in Part B of the policy criteria.



- 5 *Leonard Joel* will embrace best-practice processes around communication of general information, provenance and public education to sellers and buyers by:
 - a) permanently placing information on our website and digital platforms easily accessed via a link;
 - b) establishing a standard protocol in dealing with sellers Primarily Ivory and Incidentally Ivory; and
 - c) creating a clear presentation prior to Trade of relevant information of Primarily Ivory and Incidentally Ivory for all potential buyers to view which is in accordance with the applicable legal and regulatory requirements.

- 6 *Leonard Joel* will make available relevant documents pertaining to provenance of all Primarily Ivory and Incidentally Ivory which are offered for sale, ensuring it applies a professional and expert filter to all consignments to eliminate non-compliant items and make available via its communication platforms our agreed policy which will include educational material on the subject of protection of endangered species.

- 7 In the case of each item which *Leonard Joel* is requested to sell, which is in breach of this Policy we will not offer these for sale and will recommend retention by the seller, gifting to a public institution or destruction of the item.

- 8 This Policy and the implementation will be reviewed annually every December in consultation with IFAW.

- 9 *Leonard Joel* is committed to positioning ourselves as a market leader in Australia and working with IFAW in Australia to inspire change within the industry and with private client's thinking.



Policy Criteria

Part A: Trade in Primarily Ivory

Trade in Primarily Ivory shall only occur where the following criteria are met:

- I. the item is deemed by a competent expert or authority to have been manufactured or produced prior to the year 1920;
- II. supporting documentation is obtained including but not limited to:
 - a. statutory declaration from the owner verifying the age of the item and the evidence used to support this verification;
 - b. dateable photos of the item verifying the age;
 - c. original receipts of the item verifying the age;
 - d. Wills directly referring to and bequeathing the item;
 - e. certificates of authenticity;
 - f. CITES permits;
 - g. radio-carbon dating verifying the age; and/or
 - h. any other supporting documentation which we consider reasonablewhich will be submitted to the Federal Department of Environment and Energy prior to the auction for approval; and
- III. supporting documentation as set out above are listed and/or referenced in auction catalogues and made available for inspection prior to Trade.

Part B: Trade in Incidentally Ivory

Trade in Incidentally Ivory shall only occur where the following criteria are met:

- I. the item was manufactured or handcrafted prior to the year 1975;
- II. supporting documentation is obtained including but not limited to:
 - a. statutory declaration from the owner verifying the age of the item and the evidence used to support this verification;
 - b. dateable photos of the item verifying the age;
 - c. original receipts of the item verifying the age;
 - d. Wills directly referring to and bequeathing the item;
 - e. certificates of authenticity;
 - f. CITES permits;
 - g. radio-carbon dating verifying the age; and/or
 - h. any other supporting documentation which we consider reasonablewhich will be submitted to the Federal Department of Environment and Energy prior to the auction for approval; and
- III. supporting documentation as set out above are listed and/or referenced in auction catalogues and made available for inspection prior to Trade.



John Albrecht, Managing Director

Authorised Auction House Representative

Leonard Joel

