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EUROPEAN PARLIAMENT

# Working Documents

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6 March 1984

DOCUMENT 1-1486/83

REPORT

on behalf of the Committee on the Environment, Public  
Health and Consumer Protection

on the import of ivory into the Community

Rapporteur: Mr S. JOHNSON

PE 88.095/fin.  
Or. En.



At its sitting of 12 September 1983, the European Parliament referred the motion for a resolution tabled by Mr Collins on the import of ivory in the Community (Doc. 1-584/83), the motion for a resolution tabled by Mr Johnson on ivory imports into the EEC (Doc. 1-602/83), the motion for a resolution tabled by Mrs Pruvot on imports of African ivory (Doc. 1-619/83), the motion for a resolution tabled by Mrs Van Hemeldonck on the import of ivory into the European Community (Doc. 1-725/83) pursuant to Rule 47 of the Rules of Procedure to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible.

At its meeting of 24 November 1983, the Committee on the Environment, Public Health and Consumer Protection decided to draw up a report and appointed Mr Johnson rapporteur.

The committee considered the draft report at its meeting of 23 February 1984 and unanimously adopted the motion for a resolution.

The committee decided to request the application of Rule 34 of the Rules of Procedure.

The following took part in the vote: Miss Hooper, acting-chairman; Mr Johnson, rapporteur; Mr Bombard, Mr Mertens (deputizing for Mr Del Duca), Mrs Schteicher, Mrs Seibel-Emmerling and Dr Sherlock.

The report was submitted on 27 February 1984.

The deadline for the tabling of amendments to this report appears in the draft agenda for the part-session at which it will be debated.

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A.

The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement

MOTION FOR A RESOLUTION

On the import of ivory into the Community

The European Parliament,

- having regard to the motion for a resolution tabled by Mr Collins (Doc. 1-584/83),
- having regard to the motion for a resolution tabled by Mr Johnson (Doc. 1-602/83),
- having regard to the motion for a resolution tabled by Mrs Pruvot (1-619/83),
- having regard to the motion for a resolution tabled by Mrs Van Hemeldonck (Doc. 1-725/83),
- having regard to the report drawn up by the Committee on the Environment, Public Health and Consumer Protection (Doc. 1-1486/83)

- A. Recalling its resolutions on the European Community's action programme on the environment<sup>1</sup>
- B. Recalling also its resolution on the implementation of the World Conservation Strategy<sup>2</sup>
- C. Recognizing that certain populations of the African elephant are threatened not merely by the loss of habitat resulting largely from expanding human populations, but also by illegal killing and poaching intended to produce, amongst other things, ivory for export;

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<sup>1</sup> OJ No. C 178/1976; C 182/1982

<sup>2</sup> OJ No. C 147, 16.6.1980, p.27

- D. Recognizing that the international ivory trade is at present inadequately controlled and that there are ways in which the European Community could assist in improving the situation leading therefore to improved prospects for the survival of elephant populations in Africa;
  - E. Believing that the overwhelming need is not merely to achieve a better control over the ivory trade but also to assist countries develop sound strategies and programmes for the conservation of species, including individual populations;
1. Calls on the Commission to encourage its partners in Africa who have not yet ratified the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to do so as rapidly as possible;
  2. Requests the Commission to prohibit the import into, or the transit through the Community of any ivory coming from a country which is not a party to CITES;
  3. Requests the Commission to make available to its partners in Africa financial and technical assistance to encourage more effective implementation of CITES;
  4. Invites the Commission to make proposals so as to require that any raw ivory imported into or transiting through the Community be marked by punch dies in conformity with CITES resolution 3.12.;
  5. Requests the Commission to press, through CITES, for the introduction of an international system of marking ivory along the lines indicated in paragraph 4 above, such a system to be complemented by a central records system kept by the CITES secretariat;
  6. Requests the Commission to insist on an independent verification of the biological status of the elephant population in the exporting country and of commercial data shown on export documentation before permitting the import into, or transit through the Community of any raw ivory coming from Africa and, if necessary, to propose appropriate amendments to the relevant EEC Regulation;

7. Invites the Commission to press further for additional verification of biological and commercial data to be made on an international basis, through CITES and through the specialist committees of the International Union for Conservation of Nature and Natural Resources (IUCN);
8. As far as worked ivory is concerned, invites the Commission and the Member States, to participate fully in the work of CITES, including its Technical Committee with a view to ensuring that the controls applied lead to the maximum possible protection for elephant populations;
9. Requests the Commission to urge Member States to make every effort to ensure the effective implementation both of CITES and the relevant EEC Regulation;
10. In particular, urges the authorities of the United Kingdom and Hong Kong in view of the importance of Hong Kong in the ivory trade, to make every effort to ensure that ivory imports into Hong Kong are properly regulated as well as to satisfy themselves as to the provenance of the ivory and the status of the elephant populations which are the source of the ivory, and to publish an annual report on this subject;
11. Urges the Belgian authorities, in view of the role played by the free ports and Sabena, the Belgian airline, in the ivory trade, to take immediately all necessary steps to ensure that the provisions of CITES, in particular Conference Resolutions 3.12 and 4.10 and the relevant EEC Regulations, are properly respected;
12. Requests the Commission, in the context of the policy dialogue to be conducted with the Community's partners in Africa within the framework of the Lome Convention, to encourage all possible measures for conservation and nature protection, particularly the conservation of elephants, including individual populations within their ranges and to strengthen measures against illegal killing and poaching;
13. Requests the Commission, within the overall context of Japan-EEC relations, to discuss with the relevant authorities ways of stemming illegal ivory trade to Japan and any possible EEC collaboration in this area;

14. Instructs its President to forward this resolution to the Commission, the Council and the governments of the United Kingdom, Belgium, Hong Kong and Japan.



## EXPLANATORY STATEMENT

### 1. ELEPHANT RANGE AND POPULATION

- 1.1. The continental range of the elephant is illustrated in Figure 1. It can be seen that while the elephant is still widely distributed, it no longer exists in North Africa or in much of South Africa, and only survives in small scattered ranges in West Africa.
- 1.2. The elephant still occupies a range of over seven million square kilometers, within which are some 90 existing or proposed National Parks set aside for the protection of this and other species. Of its range about one-third is forest and the rest is wooded savannah. In the course of a three year survey conducted for the International Union for Conservation of Nature and Natural Resources (IUCN) and the World Wildlife Fund (WWF), Dr. I. Douglas Hamilton 1979 estimated elephant numbers at 1.3 million, while emphasizing that this was not to be considered a precise number. The IUCN/SSC Elephant/Rhino meeting at Wankie in August 1981 agreed that the true figure was probably between 1.1 and 2.7 million.

### 2. TRENDS IN ELEPHANT NUMBERS

- 2.1. In East Africa, the trends in elephant numbers are clearest, because a great deal of census work has been done. The IUCN Elephant Survey estimated that between 1970 and 1977 Kenya lost more than half her elephants. In Uganda, a catastrophic decline of elephants took place during the Amin regime. Mortality has also been high in Northern Tanzania and Sudan.
- 2.2. In Southern Africa, aerial census data from which trends can be deduced have also been produced in parts of South Africa, Zimbabwe and Botswana and show that in association with adequate conservation law and enforcement and motivated wildlife departments, there had not

(at the time of the survey) been a decline of elephants due to killing for ivory. These elephants, however, amount to only 6% of the continental population.

- 2.3. Towards the end of Portuguese rule in Angola and Mozambique, heavy killing of elephants for ivory was reported, and large amounts of ivory were taken out of the country by Portuguese refugees. In Angola, ivory has been traded for weapons (by both FNLA and UNITA).
- 2.4. Today all of West Africa's elephants amount to only about 1% of the continental total. There have been no successive census from which trends can be deduced, but it is clear from historical data on ivory exports that since the first world war there has been a major destruction of the elephant resource.
- 2.5. Central Africa, including Zaire, C.A.R., Congo, Gabon, Cameroon and Chad, harbours a large population of Africa's elephants. Much of the ivory from these countries is derived from the forest-dwelling elephant, the sub-species Loxodonta africana cyclotis whose thin, pointed tusks can be easily distinguished from the blunter, more curved savannah ivory. Central Africa has been the world's major producer of ivory for the last 100 years. In view of our lack of knowledge of the size of the elephant population of Central Africa and the existence of data indicating a sustained high volume of raw ivory exports from this region, there is considerable cause for concern and an urgent need for research.
- 2.6. The greatest threat to remaining elephant populations in Africa is loss of their habitat, as the result of the dramatic increase in human populations in Africa (some 79 million between 1970 and 1980 with a further 100 million expected by 1990), and as agriculture, ranching or forestry takes over. Another important threat for perhaps a majority of Africa's elephant populations is human predation for ivory. The price rise in ivory which has occurred since the early seventies (causing a rebirth of the ivory trade and exports from Africa of an order which has not been seen since before the First World War), is a recognition of ivory as a rare and valuable substance, both in its raw form and as a work of art, suit-

able to be used in the same way as gold as a wealth store. Like gold its price rise has probably been triggered by world financial instability.

2.7 There has been excessive killing of elephants especially in easily accessible ranges where there has been a breakdown in law enforcement. Some of East Africa's better known National Parks have been depleted of elephants in this way. East African declines are matched elsewhere on the continent, especially in parts of Central Africa, where ivory weights have fallen indicating that the main brunt of the killing is now falling on cows and calves.

2.8. Narrow definitions of the term "endangered" applied to the African elephant over its whole range do not necessarily help protect local or regional populations of elephants which may be threatened, amongst other things, by the ivory trade. It will be necessary to devise specific ways of protecting threatened populations of elephants, including adaptation of existing international machinery such as the Convention on International Trade in Endangered Species. This question is addressed in the last section of this report.

### 3. INTERNATIONAL IVORY TRADE

3.1. The following table gives estimates of the total amount of Africa's raw ivory exports for 1979-1982 (metric tonnes):

ESTIMATES OF THE TOTAL AMOUNT OF AFRICA'S RAW IVORY EXPORTS FOR 1979-1982

Year	Hong Kong's imports	Japan's imports	Hong Kong and Japan's unadjusted imports	Hong Kong and Japan's adjusted totals	China	Europe	Others	Total
1979	449	297	746	672	60	50	15	797
1980	473	274	747	677	60	50	15	802
1981	544	308	852	738	60	50	15	863
1982	467	285	752	575	60	50	15	700

\* Japan is Hong Kong's largest customer for raw ivory; according to Hong Kong's export statistics the amounts exported to Japan were: 1979 - 75 tonnes; 1980 - 72 tonnes; 1981 - 114 tonnes and 1982 - 107 tonnes.

Adjusted totals avoid double counting

Source: I.S.C. Parker and Esmond Bradley Martin, Oryx, October 1983

- 3.2. It can be seen from the above table that the volume of ivory leaving Africa has remained at a relatively high level. However, the drop in average tusk weight recorded in Hong Kong indicates that more elephants are dying to produce the same volume of ivory.

To calculate the number of elephants from quantities of ivory we need a mean tusk weight. This is not simple. There are many different mean tusk weights depending on the age structure of the elephant population, how the ivory is collected and how tusks are selected for the trade. With a tusk weight that may be somewhere between 4.5 and 9 kilos, it seems probable that the number of tusks leaving Africa annually implies a number of elephants between 50,000 and 100,000. Calculations made by the Wildlife Trade Monitoring Unit (WMTU) based on a combination of the actual number of tusks and known average tusk weights, of the number of elephants involved in supplying the world ivory trade show:

1979	≤	42,000
1980	≤	69,000
1981	<	62,000
1982	<	61,000

- 3.3. It must be obvious that, if loss of elephants at this rate - far in excess of natural mortality - were to continue for any substantial period of time (years, not decades), the future of the African elephant would be severely jeopardized, not merely in respect of individual populations but throughout its range.

- 3.4. The following table shows Sudan's exports of ivory, 1970-1982, as determined from the import records of Hong Kong, Japan, the United Kingdom, West Germany, Spain, India and Saudi Arabia.

<u>Year</u>	<u>Quantity (tonnes)</u>
1970	10
1971	9
1972	22
1973	55
1974	7
1975	< 1
1976	24
1977	348
1978	37
1979	53
1980	96
1981	184
1982	187

Source: I.S.C. Parker and Esmond Bradley Martin, *Oryx*, October 1983

- 3.5. Calculations made by the Wildlife Trade Monitoring Unit (WMTU) suggest that the figures may be even higher with Hong Kong's imports of ivory from Sudan being 122 tonnes. Last year Sudan provided 26 per cent of Africa's estimated total production and became the single largest exporter. It is believed that over 100,000 elephants may have been killed since 1980.

#### 4. REGULATION OF INTERNATIONAL TRADE

- 4.1. The African elephant is listed under Appendix II of CITES. The biological requirement under Article IV of the Convention is that an export permit shall only be granted when 'a Scientific Authority of the state of export has advised that such export will not be detrimental to the survival of the species'. The importing country is required to verify that specimens are accompanied by the appropriate documentation.
- 4.2. In practice, in the case of ivory as in the case of other species listed under CITES, cases occur of illegal export, i.e. export (and import) which does not feature in official statistics and where no documentation is provided or required. Cases also occur

where documentation is either forged, or 'laundered', e.g. when ivory acquired illegally in one country and exported to another (Zairois ivory sent to the Sudan?) acquires a set of papers which accompany it on its journey to its next destination.

- 4.3. It is also possible that some export permits and re-export certificates are given without careful consideration of the biological status of the species in question within the country, or within parts of its range within the country.
- 4.4. The better regulation of international trade in ivory will do much to reverse the decline of elephant populations in Africa. Nevertheless, the growth of human populations in Africa, the loss of traditional elephant habitat to other uses, the killing of elephants for meat or even for sport, the destruction of wildlife which follows the breakdown of law and order or the outbreak of war will continue to threaten the survival of elephant populations, regardless of better control of the ivory trade.
- 4.5. But certain measures in the field of trade could make a highly significant difference.

## 5. A TOTAL BAN ON IVORY IMPORTS?

- 5.1. The arguments in favour of a total ban are that, once enforced, it could remove much of the commercial motivation for the killing of elephants. The main argument against is that even a total ban on ivory imports would not eliminate some killing of elephants for meat or as a result of contact and conflict with expanding human populations.
- 5.2. At the same time a total ban would mean that revenues which might accrue to wildlife departments and other governmental agencies through legitimate killing (or from the sale of ivory resulting from natural mortality) would have to be foregone. This might be inadvisable given the shortage of resources in many countries for both development and environmental programmes.

## 6. A PARTIAL BAN

- 6.1. An intermediary solution would appear to lie in the more effective regulation of the international trade in ivory. First, all ivory-producing countries which have not yet signed and ratified CITES should be encouraged to do so. The EEC should exert diplomatic pressure towards this end.
- 6.2. Second, the EEC should categorically refuse to accept into the Community, or to allow to transit through Community ports, any ivory coming from a country which is not party to CITES.
- 6.3. Third, the EEC should make available financial and technical assistance to encourage administration of CITES by developing countries.
- 6.4. Fourth, the EEC and individual Member States who are also contracting parties to CITES - should insist on the implementation of a simple system of permits and marking specifically for ivory, which would be internationally uniform and difficult to forge, along the lines of CITES resolution 3.12. Any ivory entering into trade without documents and corresponding marking would be deemed to be illegal.
- 6.5. Fifth, the EEC - and Member countries - should insist that no ivory will be allowed to enter, or transit through the Community, unless it is documented and marked in the manner suggested above. The EEC should press its partners in CITES to adopt the same position and formally propose this system for mandatory adoption by the CITES partners.
- 6.6. Sixth, as far as worked ivory is concerned, the Commission and the Member States should participate fully in the work of CITES, including its Technical Committee with a view to ensuring that the controls applied lead to the maximum possible protection for elephant populations.
- 6.7. Seventh, the EEC should insist on an independent verification of the certification of the exporting state as far as the biological status of the elephant population in the exporting country is concerned. This special measure, going beyond the requirements of CITES, could be seen as a recognition by the Community of the



special situation affecting the survival of elephant populations and the need for special measures. In insisting on this independent verification which is itself foreseen in the EEC's regulation implementing CITES (82/3626) the EEC should be concerned not merely with the overall status of the elephant in the exporting country, but also with that of individual populations.

- 6.8. Eighth, the EEC should press for CITES itself and IUCN and its specialist Commissions, to take on eventually, the task of verifying the certification of exporting countries, having regard to biological, commercial and other data.
- 6.9. Ninth, the EEC - and its individual members - should pay increased attention to effective control of the ivory trade. The United Kingdom as the country ultimately responsible for imports into Hong Kong, has a special duty in this regard which is not at the moment being adequately discharged. Equally it is clear that the Belgian authorities, and the Belgian national airline, SABENA, have consistently and deliberately ignored the provisions of CITES and in particular Conference Resolution 3.12 which recommends that any transaction should only be authorized if the Party has proof that the ivory has been legally obtained, the permits or certificates should only be accepted if they mention the true country of origin. (In 1981 alone at least 33 tonnes of ivory were shipped from Bujumbura in Burundi to Belgium, even Burundi has no wild elephant population!). During 3 months, July to September 1983 36,321 kgs of raw ivory were shipped from Bujumbura to Belgium.
- 6.10. Tenth, the Commission - in view of the major role played by Japan in the international ivory trade - should discuss with the relevant authorities in that country ways of stemming illegal ivory trade to Japan and any possible EEC collaboration in this area.
- 6.11. Eleventh, the EEC-and individual Member countries - as part of its aid and cooperation policy should encourage governments to develop national management plans centred on national parks for the elephant and other species, including direct support for increased manpower and anti-poaching measures.

6.12. Twelvth, the EEC should establish and fund programmes to encourage scientists and others in Africa to perform research and conservation work vital to the survival of the elephant and other species.

IUCN/WWF/NYZS Elephant Range Map

AFRICA - 1979

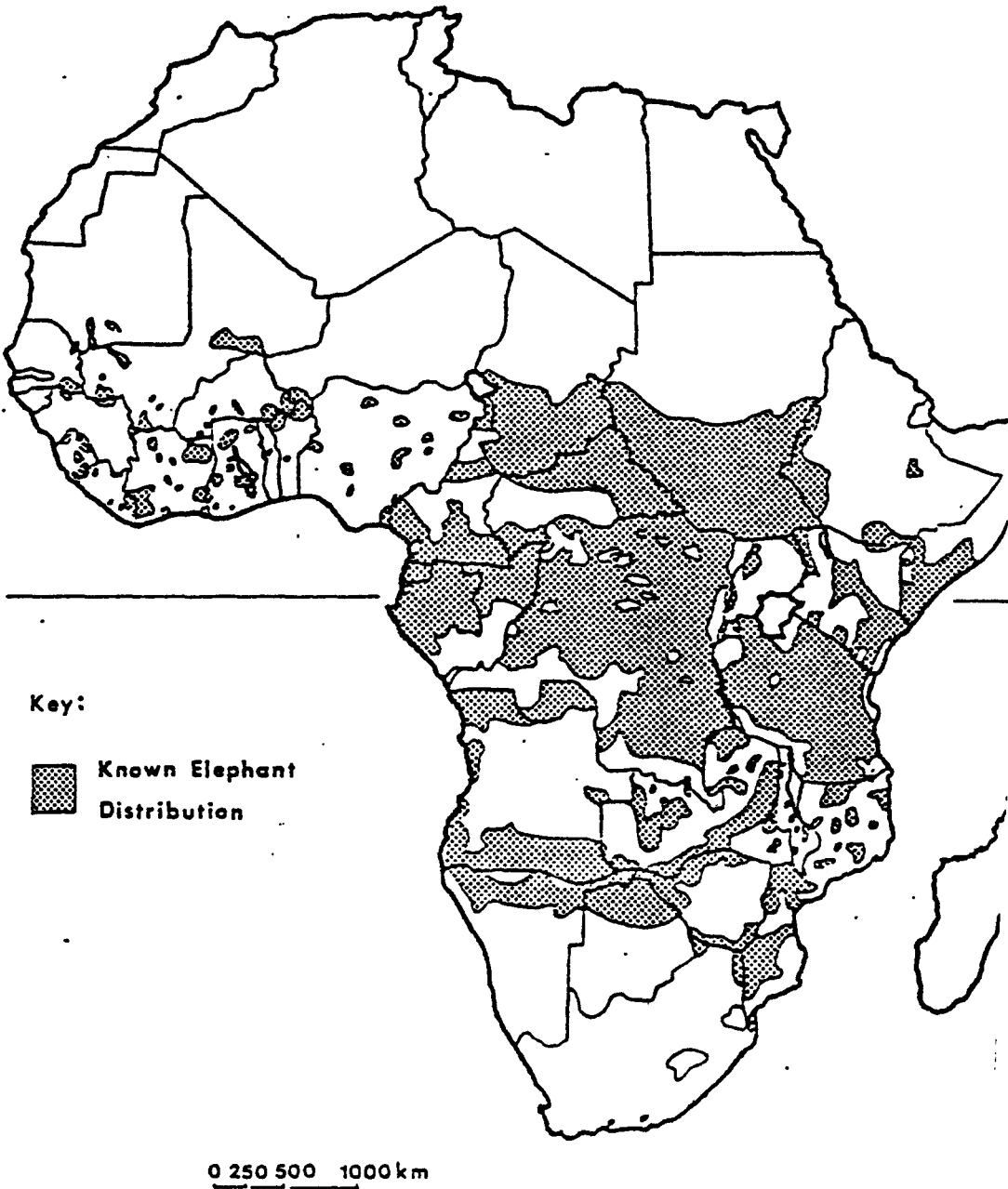


Table 1: African Elephant Population Table

Country	Number of Elephants	Size of Ele/Range	Range as % of Country	% Range "Protected"	% Number "Protected"	Ave. Density Ele/km <sup>2</sup>
*Angola	12,400	350,600	29%	40%	Unknown	0.04
*Benin	900	14,199	12%	55%	70%	0.06
Botswana	20,000	146,414	24%	11%	28%	0.14
*Cameroon	16,200	261,493	55%	10%	Unknown	0.06
*C.A.R.	63,000	360,800	58%	12%	Unknown	0.20
*Chad	15,000	461,600	35%	28%	Unknown	0.03
*Congo	10,800	170,400	50%	1%	12%	0.06
Equat. Guinea	1,300	20,000	77%	Unknown	Unknown	0.07
*Ethiopia	900	81,289	7%	9%	21%	0.01
Gabon	13,400	266,979	99%	22%	Unknown	0.05
*Ghana	3,500	16,744	7%	49%	Unknown	0.21
*Guinea	300	12,292	5%	0%	0%	0.02
*Ivory Coast	4,000	67,593	21%	25%	23%	0.06
*Kenya	65,000	300,182	52%	10%	17%	0.02
*Liberia	900	21,370	19%	0%	0%	0.04
Malawi	4,500	10,400	11%	99%	99%	0.43
*Mali	1,000	65,558	5%	48%	60%	0.02
*Mauritania	160	14,500	1%	0%	0%	0.01
*Mozambique	54,800	304,197	39%	Unknown	Unknown	0.18
*Namibia	2,700	186,286	23%	12%	39%	0.01
*Niger	1,500	11,262	1%	20%	46%	0.13
*Nigeria	2,300	17,888	2%	Unknown	66%	0.13
*Rwanda	150	1,900	7%	16%	Unknown	0.08
*Senegal	450	18,000	9%	50%	78%	0.01
*Sierra Leone	300	7,000	10%	Unknown	Unknown	0.04
*Somalia	24,300	140,375	22%	0%	0%	0.17
South Africa	7,800	22,323	2%	93%	99%	0.35
*Sudan	134,000	853,520	34%	9%	Unknown	0.16
Tanzania	316,300	822,238	87%	17%	20%	0.38
*Togo	80	2,000	4%	0%	0%	0.04
*Uganda	6,000	34,498	17%	33%	53%	0.17
*Upper Volta	1,700	14,240	5%	60%	Unknown	0.12
*Zaire	377,700	1,820,936	78%	Unknown	Unknown	0.20
*Zambia	150,000	301,760	40%	Unknown	Unknown	0.50
Zimbabwe	30,000	199,467	31%	23%	68%	0.25

Estimated Number of Elephants in Africa : 1,343,340 Elephants  
 Estimated Size of Elephant Range : 7,320,505 km<sup>2</sup>

\* Elephant Numbers probably declining .

Source: I.Douglas-Hamilton, 1979

MOTION FOR A RESOLUTION DOCUMENT 1-584/83  
tabled by Mr COLLINS  
pursuant to Rule 47 of the Rules of Procedure  
on the import of ivory in the Community

The European Parliament,

- A. considering that, despite increasing control on ivory, the elephant population is still declining,
  - B. regretting that States do not have enough control over ivory leaving their country,
  - C. recognising that the Asian elephant is on annex 1 of CITES and that its ivory may not be marketed,
  - D. regretting that the EC Regulation No. 3626/82 concerning the implementation in the Community of CITES has not included the African elephant in the list of species subject to stricter measures than those foreseen by CITES,
  - E. recognising that States such as France have taken measures which are now stricter for importing ivory,
  - F. aware of the efforts of numerous African countries to fight the poaching of elephants,
1. Demands that the Commission of the European Communities proposes a regulation banning the import of ivory in the Community. Such a regulation should be based on the same principle as the regulation concerning the products of whales;
  2. Invites the Council of Ministers to adopt the regulation.

MOTION FOR A RESOLUTION DOCUMENT 1-602/83  
tabled by Mr JOHNSON  
pursuant to Rule 47 of the Rules of Procedure  
on ivory imports into the EEC

The European Parliament,

- A. considering that, despite the increasing concern of environmental and conservation organisations and despite increasing control on ivory, elephant populations are still declining,
  - B. regretting that States do not have enough control over ivory leaving their country,
  - C. recognising that the Asian elephant is on annex 1 of CITES and that its ivory MAY NOT be marketed,
  - D. regretting that the EC regulation No 3626/82 concerning the implementation in the Community of CITES has not included the African elephant in the list of species subject to stricter measures than those foreseen by CITES,
  - E. recognising that States such as France have taken measures which are now stricter for importing ivory,
  - F. aware of the efforts of numerous African countries to fight the poaching of elephants,
1. Demands that the Commission of the European Communities propose the appropriate amendment to 3626/82 and a separate regulation banning the import of ivory in the Community. Such a regulation to be based on the same principle as the regulation concerning the products of whales;
  2. Invites the Council of Ministers to adopt the Commission's proposal as soon as possible;
  3. Instructs its President to forward the Resolution to the Council and the Commission.

MOTION FOR A RESOLUTION DOCUMENT 1-619/83  
tabled by Mrs PRUVOT  
pursuant to Rule 47 of the Rules of Procedure  
on imports of African ivory

**The European Parliament,**

- A. having regard to the growing number of elephants slaughtered in AFRICA and the risk of their extinction,**
  - B. whereas the provisions of the WASHINGTON Convention do not provide adequate protection for this species which is threatened with extinction,**
  - C. aware of the efforts of certain African countries which produce ivory to combat the illegal hunting of elephants,**
  - D. noting the existence of illegal practices in the ivory trade,**
- 1. Calls on the Commission to submit a regulation banning imports of ivory into the Community countries;**
  - 2. Instructs its President to forward this resolution to the Commission.**

MOTION FOR A RESOLUTION DOCUMENT 1-725/83  
tabled by Mrs VAN HEMELDONCK  
pursuant to Rule 47 of the Rules of Procedure  
on the import of ivory into the European Community

**The European Parliament,**

- A- noting that the number of elephants in Africa is continuing to diminish despite existing controls on ivory,
  - B- noting that ivory from Asian elephants may not be used for commercial purposes (Annex I of the Washington Convention),
  - C- noting that Regulation No. 3626/82 on the implementation in the Community of the Washington Convention does not include the African elephant in the list of species for which stricter protective measures than those contained in the Washington Convention are to be applied,
  - D- aware that a number of African states are taking measures to prevent the illegal hunting of elephants,
1. Urges the Commission to draw up a regulation as soon as possible prohibiting the import of both processed and unprocessed ivory into the European Community;
  2. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States and the Organization of African Unity..