

Press release on the new European regulation on trade in ivory and ivory containing objects  
Urgent need to change the definition of musical instruments

After 4 years of discussions, the new European Union regulation on ivory will be published on December 31 in the Official Journal to be implemented 20 days later, i.e. on January 19, 2022.

During these 4 years of consultation, we have worked with the PEARLE and FIM associations to obtain an exemption for musical instruments from the total ivory trade ban.

In addition to **some antique wind instruments, the subject concerns pianos, organs and other keyboard instruments and bows (the bow tip weighing less than 1 gram).**

It was established in agreement with environmental organizations that musical instruments, through their ancient and low consumption, were not detrimental to the protection of elephants and the eradication of the ivory trade.

This collaborative work has paid off, as it has resulted in an exemption for musical instruments if made with pre 1975 legal ivory both for their restoration and for their trade. **This is an extremely positive decision for the musical world and for the preservation of our cultural heritage.**

**On the other hand, the definition used for musical instruments is inadequate and needs to be reviewed urgently.** Indeed, it includes the fact that **the instrument, in order to be restored or sold, must be or have been recently played by a performing artist.**

The notions of "recently played" as well as "performer" are unclear and a source of interpretation difficulties. **Moreover, this is contrary to the life cycle of the musical instrument which exceeds the life of the musician.** Throughout its existence, the musical instrument can belong to musicians, non-musicians, luthiers and other instrument makers, etc. **The periods of playing the instrument can be interrupted without denaturing its function as an instrument.**

These are artistic and patrimonial pieces whose value is directly linked to their making and to the luthier or maker who made them, and not to the fact that they contain ivory. Thus, old pianos may have remained in family and heritage homes for years and not necessarily be in use today. What will happen to the French heritage of Érard and Pleyel pianos, for example, or fortepianos if it is impossible to restore and sell them? In the same way, old bows can be preserved by families, foundations, passionate collectors, and also be integrated into the stocks of violin makers. The text, as it is written, makes these instruments non-transferable and therefore reduces their value to nothing - only instruments that have been played or recently played will be eligible for restoration.

This amounts to condemning instruments awaiting restoration that could be used again and that have artistic values. It is also a blow to a profession and to an activity with a high heritage value.

**The instrument making professionals welcome the spirit of this text and respect the formal ban on the manufacture of any new instrument or bow containing ivory. But they ask, in order for the text to be fully applicable, that the definition of musical instrument be reviewed as soon as possible.**

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