

**POACHING AMERICAN  
SECURITY: IMPACTS OF  
ILLEGAL WILDLIFE TRADE**

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**OVERSIGHT HEARING**

BEFORE THE

COMMITTEE ON NATURAL RESOURCES  
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

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Wednesday, March 5, 2008

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**OVERSIGHT HEARING ENTITLED “POACHING  
AMERICAN SECURITY: IMPACTS OF  
ILLEGAL WILDLIFE TRADE”**

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**Wednesday, March 5, 2008  
U.S. House of Representatives  
Committee on Natural Resources  
Washington, D.C.**

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The Committee met, pursuant to call, at 9:30 a.m. in Room 1324, Longworth House Office Building, Hon. Nick J. Rahall II [Chairman of the Committee] presiding.

Present: Representatives Rahall, Kildee, Wittman, Saxton, Gilchrest, Bordallo, Brown and Inslee.

**STATEMENT BY THE HONORABLE NICK J. RAHALL, II, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WEST VIRGINIA**

The CHAIRMAN. The Committee on Natural Resources will come to order.

The Committee is meeting today to receive testimony on a disturbingly real and growing challenge: The illegal trade of wildlife and the role it may play in financing and fostering dangerous, violent elements around the globe, including those engaged in terrorism.

For many years, illegal weapons and illegal drugs have been the commodities of choice to some of the globe’s most brazen underworld figures, even spawning the term “narco-terrorism.” Yet the illegal wildlife trade, which has received considerably less public attention, is an increasing concern and may be on the rise.

As a result, illegal wildlife trafficking poses a risk not just to the survival of God’s creatures, but also to the safety and stability of our world and the American people. This then is the wildlife version of blood diamonds.

I felt this was an important topic for investigation by this committee. In preparation for the hearing, the Congressional Research Service, at my request, has examined the threats that the international illegal trade in wildlife poses today. That report is eye-opening, both in what it has uncovered and in what it was not able to thoroughly discern.

For example, CRS found that wildlife trade now ranks in the upper tier of the world’s most lucrative illicit economies, behind only illegal drugs and possibly human trafficking and arms traf-

ficking. CRS also found that many of the same criminal entities that deal in arms and drugs, including organized criminals, are hawking wildlife as well.

It discovered that poachers are becoming increasingly sophisticated, often using the same tactics and the same complex, secretive distribution networks frequented by sinister criminal organizations. And CRS notes that pricey endangered wildlife often serves as a type of untraceable currency in the underworld money laundering system.

Particularly disconcerting is the anecdotal evidence linking terrorist activity to illegal wildlife trade. Given that the industry thrives in many countries also vulnerable to fostering terrorism—those with a weak capacity to govern, poor law enforcement, high government corruption and porous borders—these situations deserve sober consideration.

Unfortunately, due to the clandestine nature of illegal trafficking in wildlife, it is exceedingly difficult to know the breadth of this sinister trade or the extent to which it may be supporting terrorist organizations.

But that fact in and of itself and the dense interconnections among numerous dark world activities are enough to convince me that this committee, the Congress as a whole, and the rest of the U.S. Government ought to be taking a close look at the lucrative illegal wildlife trade and the role that rare and endangered species may be playing in underwriting those groups that wish to do our nation harm.

Today's hearing is a jumping off point. Here we seek to gain enlightenment about the menace of illegal wildlife trade in today's reality, and we hope to receive advice about how we might better address it.

With that, I want to thank our witnesses for being with us, particularly those who have traveled great distances to join us, and I look forward to their testimony.

Let me recognize the gentleman from Michigan before recognizing the panel.

[The prepared statement of Chairman Rahall follows:]

**Statement of The Honorable Nick J. Rahall, II, Chairman,  
Committee on Natural Resources**

The Committee is meeting today to receive testimony on a disturbingly real and growing challenge the illegal trade of wildlife and the role it may be playing in financing and fostering dangerous, violent elements around the globe including those engaged in terrorism.

For many years, illegal weapons and illegal drugs have been the commodities of choice to some of the globe's most brazen underworld figures, even spawning the term "narco-terrorism."

Yet the illegal wildlife trade, which has received considerably less public attention, is an increasing concern and may be on the rise. As a result, illegal wildlife trafficking poses a risk, not just to the survival of God's creatures but also to the safety and stability of our world and the American people.

This, then, is the wildlife version of blood diamonds.

I felt this was an important topic for investigation by this Committee. In preparation for this hearing, the Congressional Research Service at my request has examined the threats that the international illegal trade in wildlife pose today. That report is eye-opening, both in what it has uncovered and in what it was not able to thoroughly discern.

For example, CRS found that wildlife trade now ranks in the upper tier of the world's most lucrative illicit economies, behind only illegal drugs and possibly human trafficking and arms trafficking.

CRS also found that many of the same criminal entities that deal in arms and drugs—including organized criminals—are hawking wildlife as well. It discovered that poachers are becoming increasingly sophisticated, often using the same tactics and the same complex, secretive distribution networks frequented by sinister criminal organizations.

And CRS notes that pricey endangered wildlife often serves as a type of untraceable currency in the underworld money-laundering system.

Particularly disconcerting is the anecdotal evidence linking terrorist activity to illegal wildlife trade. Given that the industry thrives in many countries also vulnerable to fostering terrorism—those with a weak capacity to govern, poor law enforcement, high government corruption, and porous borders—this anecdotal evidence deserves sober consideration.

Unfortunately, due to the clandestine nature of illegal trafficking in wildlife, it is exceedingly difficult to know the breadth of this sinister trade or the extent to which it may be supporting terrorist organizations.

But that fact—in and of itself—and the dense interconnections among numerous dark-world activities are enough to convince me that this Committee, the Congress as a whole, and the rest of the U.S. government ought to be taking a close look at the lucrative illegal wildlife trade and the role that rare and endangered species may be playing in underwriting those groups that wish to do our Nation harm.

The brutal maiming and killing of animals is certainly a grave issue, but when the beneficiaries of that trade are using these funds to corrupt, injure and exploit human beings, it is our duty to act.

Today's hearing is a jumping off point. Here we seek to gain enlightenment about the menace of illegal wildlife trade in today's reality.

And we hope to receive advice about how we might better address it.

With that, I thank our witnesses, particularly those who have traveled great distances to join us today, and look forward to your testimony.

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**STATEMENT OF DALE E. KILDEE, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF MICHIGAN**

Mr. KILDEE. Thank you very much, Mr. Chairman. I am very happy to be here this morning.

I would like to welcome especially someone who is accompanying someone from the State Department, a friend of mine, Jason Kalbfleisch, whom I have known since he was about 11 years old.

He used to write to me on a variety of issues, a constituent of mine then. He served with my son in the military. My son and he were both in Nairobi at the same time, one at the State Department and one with the United States Army. Welcome, Jason. Good to have you here.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Kildee.

Our first witness we are going to allow to proceed and then ask her questions, as she has to leave for another commitment, is The Honorable Claudia A. McMurray, Assistant Secretary for Oceans, Environment and Science with the U.S. Department of State.

Accompanying her on Panel I is John Sellar, the Senior Officer, Office of the Secretary General, CITES Secretariat, Switzerland, and Mr. Benito A. Perez, Chief, Office of Law Enforcement, U.S. Fish and Wildlife.

We welcome you. Madam Secretary, you may proceed as you wish. We do have all the prepared testimony I might add, and it will be made part of the record as if actually read. You may proceed as you wish.

**STATEMENT OF THE HONORABLE CLAUDIA A. McMURRAY,  
ASSISTANT SECRETARY FOR OCEANS, ENVIRONMENT AND  
SCIENCE, U.S. DEPARTMENT OF STATE**

Ms. McMURRAY. Thank you very much, Mr. Chairman. Mr. Chairman, Members of the Committee, I really want to thank you for inviting me to testify on this important issue. I do have a longer statement that I would like to submit for the record.

Whenever I talk to people who are unfamiliar with this issue of illegal wildlife trade, they ask me, can this really be that serious a problem? Most people know that scores of animal species are endangered. What they assume is that species become endangered because of human population growth, which in turn leads to lost habitat and conflict between humans and animals.

All of this is true. These are the primary threats to wildlife, but in recent years illegal trafficking has grown and now contributes much more significantly to the loss or threatened loss of our most precious wildlife. In fact, the illegal trade has brought us to a tipping point. In other words, it is pushing many species over the brink, over the edge to extinction.

In addition to the serious threats the trade presents to biodiversity, it is also important for other reasons. Wildlife trafficking poses health threats because some diseases, such as avian influenza, SARS, the Ebola virus and tuberculosis, can jump from animals to humans, especially when those animals are removed from the wild and move in commerce.

Once I convince people that this issue is important they ask me why has the trade grown so dramatically? My response is this: Among other factors, organized crime has discovered that this trade is very profitable. In some cases, it rivals the economic gains made from trafficking in drugs and in weapons. As you mentioned, Mr. Chairman, Newsweek, in their most recent issue, has now called endangered animals the new blood diamonds.

Mr. Chairman, the annual estimates of the dollar value of this trade are indeed staggering. Some put it at about \$10 billion a year globally, and that is a conservative estimate. Other estimates put it closer to \$20 billion. The dollar figures are at this level because certain products command extremely high prices on the black market.

For example, a tiger skin is worth \$16,000 in China and up to \$50,000 internationally. One bottle of wine made from tiger bone—yes, wine—sells from \$40 to over \$100, depending on the vintage. The rising demand for ivory has driven the price from \$200 per kilo in 2005 to more than \$700 per kilo in this year.

The dollar figures are also high because of the sheer volume of animals that are flooding the market. Some examples: An estimated 25,000 to 40,000 primates alone are traded per year, some for pets, some for so-called bushmeat. Two to three million birds, live birds, are for sale per year.

So once I convince people that the problem is there and have hopefully convinced them why it is there, then they ask, what is the United States doing to stop it? Two years ago we formed a partnership called the Coalition Against Wildlife Trafficking, or CAWT, to fight illegal wildlife trade. We started in 2005 with five partners from the private sector.



Our approach at that time was and remains to this day that no one government or private group can combat this sophisticated criminal activity alone and hope to succeed. Today we have 19 partners, including Australia, Canada, Chile, India and the United Kingdom, and 13 international nongovernmental organizations dedicated to stamping out the illegal trade.

Through the Coalition we seek at the highest political levels to end the trade by curbing both the supply and demand for illegal wildlife and wildlife products. We are educating consumers. We are also creating new international networks for effective law enforcement.

Mr. Chairman, I want to touch briefly on each part of our work: Curbing supply through enforcement, curbing demand through awareness, and garnering high level political attention for the issue.

First, supply. As one way to improve law enforcement, the Coalition worked with 10 Association of Southeast Asian Nations, ASEAN, to establish a new regional wildlife enforcement network, what is now called ASEAN-WEN. In its very brief existence, ASEAN-WEN has already produced a string of impressive successes.

In one of the enforcement network's first cooperative efforts, in October of 2006 the governments of Thailand, Indonesia and Malaysia worked in concert to successfully return to Indonesia 48 live orangutans that had been illegally smuggled into Thailand from their native habitat.

In January of this year, Thai enforcement officials seized the bodies of six tigers, three leopards and two extremely rare clouded leopards, as well as 275 live penguins, from a Thai village near the border with Laos. Most of the big cats had been cut in half, and their organs had been removed.

These are only two of very many examples of the work of ASEAN-WEN, and we have provided the Committee with a list of those accomplishments for the record. The countries of South Asia are now working with the U.S. and our CAWT partner, Traffic International, to replicate the ASEAN-WEN network and its success first in South Asia and we hope thereafter in the Middle East and in Africa.

Curbing demand. Making a dent in organized crime through strengthened enforcement is only part of the solution. We also have to work out ways to stamp out the demand for these products. The two biggest markets for illegal wildlife and wildlife products are China, number one, and right here in our own backyard, the United States, which is number two.

American consumers are buying these products when they travel, on the internet and sometimes even in shops right here in the United States. In most cases, they think that what they are buying is perfectly legal. We consider it the job of the U.S. Government to let them know that this is not the case.

So how do we do this? In 2006, Secretary Rice named actress Bo Derek as her special envoy for wildlife trafficking issues. In that position, Ms. Derek has traveled extensively in the United States to make Americans aware of wildlife trafficking and the threat it

poses. She has also traveled overseas to draw attention to the plight of endangered animals.

We also enlisted the help of actor Harrison Ford, who has for many years had a strong commitment to wildlife conservation. Last fall, Mr. Ford generously donated his time to film three public service announcements urging consumers both in America and in other countries to stop buying illegal wildlife and wildlife products.

We plan to distribute these ads in the United States and internationally and hope that cruise ships and airlines will also show them to their passengers. At the conclusion of my statement I would like to give Committee Members a sneak preview of one of these ads.

Last, generating political attention. Mr. Chairman, I want to say a word about what I think is the most important role that the Coalition Against Wildlife Trafficking can play, and that is getting governments and multilateral organizations to work to stop this trade at the very highest levels. Only when we do this will we truly take on the criminals.

In its two years of work, CAWT has made great strides to generate this much needed public attention. Last year, we worked closely with German ministers to include wildlife trafficking issues as part of the work of the G-8. It has also been on the agenda in summits between President Bush and the European Union, India and Brazil, to name a few.

Last year, we also gained approval for a resolution of the U.N. Commission on Crime Prevention and Criminal Justice that we hope will lead to asserted global action, and with CAWT's strong encouragement, Interpol has now devoted more resources to wildlife crime issues.

We have also worked to generate interest here on Capitol Hill, especially among the International Conservation Caucus. This hearing is but one example of the mounting interest in this issue.

Mr. Chairman, in conclusion, wildlife crime, like all organized crime, is a problem we must band together to stamp out. It involves all of us in and out of government in one form or another. Wildlife trafficking is not just about saving animals from extinction, as vitally important as that is. It is also about promoting economic development and the rule of law, and protecting public health.

The effect wildlife trafficking has on the broader social fabric is often lost. It lowers the economic value of legally traded goods, it contributes to poverty, and it encourages lawlessness.

The U.S. has laid a foundation to combat it, but we have a lot of work left to do and we need as many partners as are willing to join the battle. We especially welcome congressional interest and active engagement in this issue.

Thank you for this opportunity to testify, and I would be pleased to answer questions, but before I close completely, I would like to show you and the Committee Members one example of our work, a public service announcement featuring Harrison Ford.

The State Department provided the funding for the development, production and placement for this ad, as well as finding our acting talent. Our CAWT partner, Wild Aid, supplied the creative idea

and the scripts. The ad is one of three very powerful ones, and I hope it will speak for itself here today.

Thank you.

[Video played.]

[The prepared statement of Ms. McMurray follows:]

**Statement of Claudia A. McMurray, Assistant Secretary, Bureau of Oceans, Environment and Science, U.S. Department of State**

Mr. Chairman, thank you for asking me to speak to this committee today about this important issue.

**The Problem**

It is common knowledge that animal species are endangered across the world, and most of the time what people attribute the problem to is loss of habitat, human population growth, and human-animal conflict.

But what people really do not know as much about is that animal species are also threatened by the bounty on their head. Wildlife trafficking—the illegal trade in wildlife and wildlife products—is a huge black market industry. And organized crime may be right at the center of it.

In some cases, wildlife trafficking is posing an even greater threat to wildlife than the loss of their natural habitat.

And the numbers are staggering. Interpol estimates that the conservative estimate is that the illicit wildlife trade amounts to about \$10 billion a year globally and may reach as high as \$20 billion.

The estimates on the trade in live animals are disturbing. For example, an estimated 25,000-40,000 primates alone are traded per year, some for pets, some for so called “bushmeat”. Two to three million birds—live birds—are for sale per year.

And the statistics on wildlife products are even grimmer. Hundreds of thousands of wildlife parts are sold each year solely for medicinal use, mostly for traditional Chinese medicines. And the reason the trade has reached these massive quantities is that it has become very profitable.

Wildlife trafficking is often linked to other forms of organized crime, including the smuggling of drugs, weapons, and people.

Research shows that smugglers of contraband tend to use the same routes and methods, regardless of the items smuggled. International organized crime is increasingly attracted to wildlife trafficking. There are huge profits to be made with little risk. Drug and wildlife traffickers often use the same routes and have even used illegally taken animals to carry concealed narcotics.

In May of 2006, customs officials in Hong Kong found five tons of ivory hidden behind a false wall in the bottom of a metal shipping crate. When the Cameroon-based crate was first opened, it appeared to contain a shipment of plywood. The false wall was discovered when the crate was loaded onto the back of a truck and driven through a giant X-ray machine. Traces of drugs were found inside the hidden compartment, suggesting that the crate had also been used to ship at least two kinds of contraband.

**Threats to Human Health**

Wildlife trafficking also poses health threats, as some diseases, such as avian influenza, SARS (severe acute respiratory syndrome), Ebola virus and tuberculosis, can cross species lines and be transferred from animals to humans, endangering public health.

They spread among humans quite quickly, and they’re also quite deadly. But we see from the illegal trade that there’s already some potential for moving the avian influenza virus.

In October 2004, a Thai man was caught attempting to smuggle a couple of mountain hawk eagles that were infected with the H5N1 virus. He had them in his carry-on bags in Brussels. They were seized and euthanized.

In 2005 in London, two parrots were seized at Heathrow airport that were infected with the avian influenza virus. So this is a real threat that we need to pay attention to.

Smuggling of avian influenza infected chicks from China has been implicated in the spread of avian influenza to Nigeria.

According to Timothy E. Moore, director of federal projects at the National Agricultural Biosecurity Center at Kansas State University and a nationally recognized expert in homeland security:

“No one knows the real numbers, but they are large. Behind illegal drug traffic, illegal animals are No. 2, and there is no doubt in my mind that this will play a prominent role in the spread of this disease. It looks to be the main way it [avian influenza] is spreading in some parts of the world, along with the migration of wild birds.”

It’s going to take a major effort to crack down on illegal wildlife trafficking. And we recognize that it’s going to require not only the efforts of governments, but also of nongovernmental organizations, the private sector, and the average American citizen.

And, given the challenges we face and the fact that those challenges are not limited by national borders, we’re going to be increasingly reliant on these partnerships in the future.

The high profits for illegal wildlife products combined with the low risk of prosecution are driving larger members of organized crime syndicates to engage in this black market. And as more enter the illegal trade, more species are brought to the brink of extinction.

I’ll cite a few examples.

### **Tigers**

The tiger population at the turn of the 20th century worldwide was estimated at 100,000 animals. Today the wild tiger population is around 5,000 animals. That is a 95% population decline, with most of that occurring in the last 25 years. India has seen its population of 3,508 tigers in 1997 drop to 1,411 in 2007. That represents a 60% reduction in just ten years. Tigers will not survive in the wild at this rate.

There is a relentless demand for tigers’ skins and body parts. Tiger populations are plummeting and at the same time the price for the products and the tigers themselves are increasing.

A tiger skin is worth \$16,000 in China and up to \$50,000 on the international black market.

A pound of tiger glue made from tiger bones sells for \$2,000 in Vietnam. Tiger bone wine—yes wine—sells from \$40 to over \$100 depending on the vintage.

As a top predator, this species plays a keystone role in the ecosystems it inhabits. For example, without tigers, deer populations increase; more deer means more grazing on vegetation and in many cases, overgrazing occurs, altering the overall vegetation in an ecosystem. Given that the tiger is listed as an endangered species under the Endangered Species Act, which means it is in danger of extinction, poaching should not be tolerated.

### **Sharks**

Many species of sharks are particularly susceptible to overexploitation because they are typically long-lived, slow-growing, and produce few offspring. Over 25 percent of all chondrichthyan species evaluated for the IUCN Red List of Threatened Species have been assessed as Threatened with some populations declining by 90 percent. NOAA

While sharks are harvested for a variety of products fins are the most economically valuable shark product. Extrapolating from data in Hong Kong (the world’s largest trading center for fins), studies estimate that approximately 40 million sharks are represented in the global shark fin trade each year (22d meeting of the CITES Animals Committee). The value of the global trade in shark fins is estimated at 400-550 million dollars, and is expected to grow, unless constrained by limits on supply.

While some of this fin trade may be legal—if the fins are harvested in accordance with national regulations, such as in the United States, or with the various finning bans adopted by regional fisheries management organizations “it is difficult to discern how much of it may be illegal.

### **Coral Reefs**

Coral reefs are the rainforests of the sea. They provide food, recreation, livelihood and employment to over a billion people worldwide. They are home to more species of sea life than any other marine ecosystem.

But coral reefs are in serious decline globally. An estimated 20 percent have already been destroyed with little hope of recovery, and 50 percent is threatened with collapse.

Reefs face varied and complex threats, from land-based sources of pollution to unsustainable fishing practices, such as the use of dynamite and cyanide. But one of the main threats is over-exploitation, exacerbated by the often illegal trade in coral reef resources, including tropical fish for the live reef food fish trade and home aquaria and the corals themselves for jewelry and curios.

Sea turtles, a favorite inhabitant of coral reefs, are often illegally traded, the shells used for jewelry and combs. The price of coral jewelry can range from a few dollars for simply strung bracelets at a beachfront stand to thousands of dollars for red coral necklaces set with precious stones and gold. The same is true for turtle shell items: a bangle may cost \$5 on the beach while a carving from the whole shell can run \$10,000.

Even though many coral species are protected under the Convention on International Trade in Endangered Species (CITES), the demand for these items is fueling the illicit coral trade in both corals and those species who depend on coral reefs for their food and shelter.

### **Elephants**

Although elephant populations overall in Africa are increasing, in large part due to increased wildlife law enforcement, elephants remain the target of poachers.

Economic growth in Asia has helped revitalize the illegal trade. The rising demand for ivory has driven the price from \$200 per kilo in 2005 to more than \$700 per kilo this year.

In just two weeks in January 2008, Namibian officials seized 13 elephant tusks, totaling nearly 200 kg of ivory, and representing seven dead elephants. In the same period, Kenyan officials seized some 80 kg of raw and worked ivory at the international airport in Nairobi. Further south in Zimbabwe, police arrested 11 suspected poachers, who are believed to have killed 15 elephants within two weeks in Hwange National Park.

### **United States Government Response**

To help respond to this discouraging situation, the United States launched a global initiative to fight illegal wildlife trafficking—the Coalition Against Wildlife Trafficking. We formed CAWT with five partners from the private sector in 2005.

We launched the Coalition internationally in February, 2007 in Nairobi, Kenya. Today, we have 19 partners, including Australia, Canada, Chile, India and the United Kingdom and 13 international non-governmental organizations dedicated to combating the illegal trade in wildlife.

Through CAWT, we seek, at the highest political levels, to end the trade by curbing both the supply and demand for illegal wildlife and wildlife products. We are educating consumers. We are creating new international networks for effective law enforcement.

### **Improving Wildlife Law Enforcement**

CAWT complements and reinforces the goals and efforts of the Convention on International Trade in Endangered Species of Flora and Fauna, or CITES, which are focused on monitoring and regulating the trade in CITES-listed species.

While CAWT can help countries meet their obligations under CITES, it is also focused on improving the enforcement of wildlife laws in other countries, building regional enforcement networks to stop cross border trade, and strengthening prosecution capacity.

The Coalition is helping to strengthen countries' capacity to monitor and regulate the trade in species that are protected under CITES, as well as trade in animals and plants that are protected by national laws in the country of origin. A significant portion of the illegal wildlife trade involves species exported in contravention to a country's laws.

As one way to improve enforcement, the Coalition has assisted the 10 ASEAN (Association of Southeast Asia Nations) countries in establishing a new regional wildlife enforcement network, ASEAN WEN. The United States, along with WildAid (now Wildlife Alliance) and TRAFFIC International, supported the ASEAN countries in their efforts to establish the enforcement network in December of 2005.

ASEAN-WEN, which formalizes information and expertise-sharing among the ASEAN countries, for the first time provides the mechanism for law enforcement and customs agencies to cooperate with each other across national boundaries to combat wildlife crime. ASEAN-WEN, in its brief existence, has already produced a string of impressive successes in the fight against trafficking.

In one of the enforcement network's first cooperative efforts, the governments of Thailand, Indonesia and Malaysia successfully returned to Indonesia 48 orangutans that had been smuggled into Thailand from their native habitat.

Two years ago, Thai officials, acting on information through ASEAN-WEN, intercepted 1,455 endangered animals believed to be destined for the pet trade. Officials said all were imported animals and estimated the value of the seizure to be \$22,850.

In June 2006, six hundred and thirty Asian Softshell Turtles from Indonesia were confiscated by the authorities at the Jurong Fishing Port in Singapore. The turtles, worth approximately SGD 50,000, had arrived by boat from the Port of Tembilahan,

Riau, in Sumatra, Indonesia. Twenty five were dead on arrival, and the remaining individuals were repatriated.

After receiving a tip from the Malaysian government, Thai authorities intercepted sixty crates originating in Penang, Malaysia en route to Laos filled with hundreds of illegally traded animals, including 245 Malaysian pangolins.

Representatives from five different agencies in Thailand acted in concert to ensure the case was properly handled with their counterparts in both Malaysia and Laos. Most of the officials involved in the seizures were alumni of the USG-sponsored ASEAN-Wildlife Enforcement Network (ASEAN-WEN) training events.

In July of 2006, Thai authorities conducted simultaneous raids on three downtown Bangkok locations suspected of trafficking in products made from the highly endangered Tibetan Antelope. Police detained four dealers for questioning, arrested two, and confiscated over 250 purported "shatoosh" shawls, which can cost between \$1,200-\$12,000 apiece. After receiving a tip from the ASEAN Wildlife Enforcement Network (ASEAN-WEN), Thai officials uncovered the syndicate dealing in shatoosh, spanning at least three countries and involving multiple parties. This international ring was subsequently broken up.

In January of this year, Thai enforcement officials seized the bodies of six tigers, three leopards and two clouded leopards, as well as 275 live pangolins from Thai village near the border with Laos. Most of the big cats had been cut in half and their organs removed. The seizure was made possible due to cross border information sharing under the ASEAN-WEN umbrella, with the assistance of the ASEAN-WEN Support Program.

The countries of South Asia are working with the U.S. and Coalition partner, TRAFFIC International, to replicate the ASEAN- WEN success.

In addition to supporting ASEAN-WEN, the United States has contributed in many other ways to the protection of species all over the globe endangered by trafficking, including those I mentioned earlier.

For example, from 2005-2007, the Department of State made grants to WildAid (Wildlife Alliance) and TRAFFIC in cooperation with the U.S. Fish and Wildlife Service and U.S. Department of Justice to support training of customs agents, judges, wildlife enforcement officers, and CITES authorities in the ASEAN countries.

The Department of Justice provided Prosecutor and Judge training in the Philippines, demonstrated to authorities the need for specialized capacity to deal with environmental crime, and led to the recent creation of 117 "Green Courts" in the Philippines. Department of Justice provided similar training in Indonesia last summer and has additional judiciary training workshops scheduled in Thailand and Vietnam for 2008.

Thanks to U.S. financial and technical support, the Department of Justice conducts wildlife law enforcement classes at the International Law Enforcement Academies in Botswana and Thailand. DOJ officials are also now including wildlife crimes in their classes at the International Law Enforcement Academy alongside instruction in police investigation tactics, techniques and procedures, adding wildlife crime to drugs and arms smuggling.

With State Department funding, the U.S. Fish and Wildlife Service's Office of Law Enforcement provided criminal investigator training in Indonesia, the Philippines, and Thailand.

In the marine area, the State Department is the initial and primary supporter of the Coral Reef Crime Scene Investigation (CSI) project, which has developed a toolkit and training manual translated into several languages to help law wildlife and coastal law enforcement officials document and prosecute crimes involving coral reefs and reef resources. Coral reef CSI has already scheduled a series of three training workshops to begin in April, in Central America, South East Asia and the Pacific Islands.

The funding for these three workshops has leveraged interest and partners for them to be duplicated in other regions with six additional workshops planned for 2008-2009 in the Red Sea, Caribbean, East Africa, South America, and South Asia, with more being discussed for 2010.

For over a decade, the United States has worked to advance strong domestic, regional, and international shark conservation and management measures in a variety of fora.

This year, at the United Nations General Assembly, the United States took the lead in calling on countries and regional fisheries management organizations to do more to protect sharks. The Resolution calls on countries to take immediate and concerted action to improve the implementation of and compliance with existing shark conservation measures, including those banning shark finning.

The United States also provides technical assistance to help other countries develop National Plans of Action for the protection and conservation of sharks, as well as shark-finning prohibitions.

We strongly support the work of the CITES Animal Committee to identify key shark species threatened by international trade and consider possibilities for additional species listings, to examine the linkages between trade in shark meat and fins, and to make species-specific recommendations to improve shark conservation and the management of international trade in shark species.

Finally, through the CAFTA-DR Environmental Cooperation Agreement with funding provided by Congress, the Department of State partnered with U.S. Fish and Wildlife Service, Humane Society International, and TRAFFIC North America to train customs agents, CITES Authorities and rescue centers in the interdiction, rehabilitation, and care of illegally traded wildlife in Central America and the Dominican Republic.

#### **Raising Consumer Awareness to Reduce Demand**

My testimony indicates that the U.S. and CAWT are working hard worldwide to bring wildlife crime to an end and criminals to justice. I have said what we are doing to protect wildlife and end wildlife trafficking on the supply side. Curbing demand for these products is just as important. We are actively engaged on that front as well.

I wish it were as simple as it sounds. Unfortunately, we have a problem here in America. As we are among the world's most significant consumer of legally traded wildlife products, along with China, it stands to reason that we are a large market for these illegal products.

Although we know that organized crime is a significant factor, average Americans are contributing to this market too. Tourists and Internet consumers are buying huge numbers of products without knowing that what they are doing is illegal. So we're working to create public awareness here in the United States.

To focus attention on this issue, in 2006 Secretary Condoleezza Rice named actress Bo Derek Special Envoy for Wildlife Trafficking issues. Ms. Derek has traveled to San Francisco and Miami to make Americans aware of wildlife trafficking. She has also traveled overseas to draw attention to the plight of endangered animals.

We'll continue to shine a light on this tragic practice and to try to convince people that these products don't need to be brought home—that coral necklaces, shark fin soup, ivory carvings and shatoosh shawls are really things that we can live without.

As part of this effort, we filmed three public service announcements that feature renowned actor Harrison Ford. The message of the PSAs is to convince people not to buy illegally traded wildlife or wildlife products. We plan to distribute them in the United States and internationally and hope to have them placed on cruise ships and in airplane messages. We'd like to give you a preview of the PSAs today.

#### **Catalyzing Political Will**

We will also continue to bring the illegal wildlife trafficking issue to the attention of those outside the environmental arena.

For example, last year we worked closely with German officials to include wildlife trafficking issues as part of the work of the G-8. It has also been on the agenda in U.S. summits with the EU, India, and Brazil.

We succeeded in having wildlife trafficking included in a resolution of the UN Commission on Crime Prevention and Criminal Justice. We have also actively engaged international crime fighting organizations, including Interpol.

#### **Conclusion**

Wildlife crime, like all organized crime, is a shared global problem. It affects and involves all of us, in and out of government, in one form or another. Wildlife trafficking isn't just about charismatic animals. It's about economic development and the rule of law, public health and safety, biodiversity and sustainability.

It is important not to lose sight of the effect wildlife trafficking has on human society. It lowers the economic value of legally traded goods, contributes to poverty, and encourages lawlessness.

The United States has laid a foundation to combat this insidious practice, but we have much work yet to do. We welcome the Congressional interest and active engagement in this issue.

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The CHAIRMAN. Thank you, Madam Secretary. I first want to commend you for the attention that you have been bringing to this

issue. I commend the State Department for that excellent public service announcement.

I am going to ask a quick question before I let others ask questions. In 2003, Deborah McCarthy, the Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs at the State Department, told the Senate Judiciary Committee that the United States recognizes a close relationship between money laundering and terrorist financing. She also said that training investigators to follow the money helps determine whether the funds lead to criminal organizations, terrorist groups or both.

My question is what is the State Department doing to follow the money in illegal wildlife trafficking? Are the tactics used in investigating the relationship between drugs and terrorism also used in investigating illegal wildlife trafficking? Are they the same methods?

Ms. McMURRAY. Mr. Chairman, that is an excellent question, and it is an issue that we are trying very hard to get our arms around.

You yourself pointed out in your opening statement how difficult it is to not only follow the money, but just to get a handle on who is involved here because it is underground for the most part. However, we are starting to see some patterns in our investigation using networks that are similar to those used for other illegal activity.

I think there are others here in the room who might be better able to answer the specifics. For instance, on the enforcement side, either with our Fish and Wildlife Service or with our Justice Department, when they try to prosecute cases they do tend to pick up trends that then will help them put the pieces together as to where the connections are.

I would say also a number of our partners in the Coalition, one of whom will testify today, in the NGO community, those people are right there on the ground, and a lot of times they have informants who give them information that help us or lead us to the connections that you are asking about.

I would also say that if the Committee is really interested in this issue, we have asked our intelligence gatherers to follow it more closely, and we do have some information that we would be happy to provide in a classified setting if you are interested.

The CHAIRMAN. We may very well follow up on that. Thank you for your answer, and I probably will ask it later of the other two panelists as well.

Let me turn to Mr. Saxton.

Mr. WITTMAN. Actually, I would like to ask her something.

The CHAIRMAN. OK. Let me recognize you then.

Mr. WITTMAN. Thank you, Mr. Chairman.

Ms. McMurray, just as you stated, there is high profits and small risks now in the trafficking of animals unfortunately worldwide, and, as the song goes, the lure of easy money has a very strong appeal.

Can you tell me what the State Department may be doing to work with these source countries to increase penalties for animal trafficking so that we can hopefully reduce these instances?



Ms. MCMURRAY. Congressman, this is an important question. I think what a lot of people don't know is that most of the source countries really have pretty good laws in place already.

They are members of the Convention on Trade in Endangered Species, and you will hear from a representative in just a bit about that. They have gone home, and they have put the laws in place that are supposed to enforce that treaty, but the problem really is taking it from the international arena back home.

While they have these great laws and protected areas, they don't have either the personnel or the training that they need to really follow through and take these cases from apprehension to prosecution, so that is what we are trying to do.

I want to make clear it is not that the State Department has that expertise. We have some experts, again some of whom you will hear from the Fish and Wildlife Service, from the Justice Department, that we send over on a regular basis and conduct training.

All the feedback that we get is that this is very important work and that we have really at a very low cost provided a valuable resource to their enforcement officials.

The CHAIRMAN. The Chair wishes to apologize to the gentleman from Virginia, Mr. Wittman, for not recognizing him as a new Member of the Committee and also for being here first in order of questioning. I apologize.

The gentleman from Michigan, Mr. Kildee?

Mr. KILDEE. Thank you very much, Mr. Chairman.

Madam Secretary, in your testimony you discussed the importance of the Coalition Against Wildlife Trafficking, CAWT. It is my understanding that the President is recommending \$6 million for all State Department conservation programs, including CAWT and CITES.

Why do programs to address international trafficking and illegal wildlife not receive more money? Does that leverage other money, and how does that compare to what other nations are doing?

Ms. MCMURRAY. I think the numbers, when you look at them very broadly in our own budget, either what the President submits or what the Congress approves, there are a number of pots of money that deal with conservation broadly and within it this particular issue of illegal wildlife trade, so sometimes it is hard to tease out the specifics that get spent on this particular issue.

You probably are aware there are funds for tiger conservation, for rhinoceros conservation, elephants, all of those, that have significant poaching problems that we try to address through the use of those funds, and they are fairly significant. I don't have the numbers at my fingertips, but they are significant funds, and we can certainly provide them for the record.

But you are accenting a challenge for us, and I am always happy to be able to respond when somebody says, why isn't there more money spent on this? I think the attention is just now being focused on this as a separate issue from some of the other conservation challenges, and I think all of us have to look at how we can devote more resources to this issue. I would certainly welcome congressional interest in this as well.

We do leverage through the Coalition Against Wildlife Trafficking the funding that we do have either through the State De-

partment, through the Fish and Wildlife Service, through the Agency for International Development. We do leverage all of that with what other countries spend.

Again, we can provide the precise figures for the record, but the United Kingdom has a substantial tiger conservation program that is part of the work that we do in CAWT. There are other countries. India has just pledged hundreds of millions of dollars to beef up their enforcement to tiger reserves in their country.

So part of the beauty of the Coalition Against Wildlife Trafficking is to have us all come together, pool not only our knowledge, but our resources, and try to coordinate the work that we do, but it is our hope that there will be more resources devoted to this in the future.

Mr. KILDEE. You indicated that we are starting to really get involved in this, but for some species time literally is running out. That DNA is going to be lost forever. It seems to me that a certain sense of urgency is needed.

You know, I have been here 32 years, and I know you advocate yourself for this very strongly, but in the whole budget process there is an advocacy within the Department, your Department, for example, to OMB, and OMB goes back to you and says this and that and you have dialogue with OMB.

Do you know how close your requests were to what OMB finally put in the President's budget, the \$6 million?

Ms. MCMURRAY. First of all, the \$6 million, I am not sure exactly where that total is coming from. Some of that is State Department funding I do know. Some of it may also be from other agencies.

I can just speak for our Department though and say our funding is not broken out to that level of detail so that you could actually look at a line that said "illegal wildlife trade efforts" or something of that nature. It would be more related to natural resource conservation as a whole.

So we go back and forth at that level, and for 2008 and 2009, I think OMB has fully funded our requests, so I think what we really need to do is look to the future and see if that amount is sufficient, also taking into account the other agencies that do provide funding for this effort as well.

Mr. KILDEE. Well, our Congressional Research Service provides us, and they do an excellent job and have done in my 32 years here breaking that down, so I think the \$6 million is a correct figure for our participation in these two programs.

I would just encourage you in your role with OMB to try to push harder. I know the process, and there is your request and they come back and you go back. It is a process and finally winds up in the President's budget, but we do need strong advocates.

I know your own personal belief is strong in this. Just tell OMB not enough and we need more.

Ms. MCMURRAY. If I could just provide a couple of very inexpensive ideas that might be implemented by Congress to get the ball rolling a little bit more?

I have heard from a number of people in the field not just in the United States, but in other countries, that there are two very simple things that we might be able to do at our own borders that are low cost. One is sniffer dogs. We use them, as you know, exten-

sively for agricultural imports, illegal and legal, to detect them when they come in the border. We also use it for terrorism activity, weapons and the like.

We all know now these dogs can be trained to detect anything—you know, elements of disease, if someone has cancer, for instance—so it seemingly would be simple to have just a couple of dogs at some of our major airports to try and focus on this particular trade. I know that the Fish and Wildlife Service in particular has used them sometimes for caviar detection as one example.

The other one is a hotline, an 800 number. Vietnam and some other countries in Asia have used this quite successfully to take tips from people who are afraid otherwise to come forward.

So those are pilot programs that if Congress has an interest might help us get started on the ground.

Mr. KILDEE. Well, I thank you very much for your helpful testimony, and I thank you for what you are doing. Thank you very much.

I yield back, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey, Mr. Saxton?

Mr. SAXTON. Thank you.

Let me just follow up on Mr. Kildee's question and ask a kind of a general question. Over the years, our committee has tried a number of approaches to accomplish the goals or to help you accomplish the goals that you talked about in your testimony.

Back in the late 1990s, we passed a law known as the Rhino Tiger Product Labeling Act, and that was an effort to eliminate the market for illegally killed animals for animal parts.

On another occasion, we passed some legislation to try to help create value for species where hunters could pay a lot of money, frankly, to go and hunt a species, thereby creating value in the local community in Zimbabwe, for example, a number of other educational programs and conservation programs.

What works and what doesn't? What do you like?

Ms. MCMURRAY. Well, clearly we have had some successes, but, as I was just discussing with Congressman Kildee, the need is still there. There is still an urgency about the things that we are talking about here today.

I would say, without picking any of the particular ones that you just mentioned, that our focus on the local community and how they might become invested in conservation is probably our best focus, and the reason for that in this context is that while the local community is not a member of an organized crime syndicate generally, they are the facilitators. They are the ones that can easily be paid off to help the bigger organized crime unit move these wildlife products.

I think what our focus has been not only at the State Department, but the Fish and Wildlife Service and AID, is to figure out how we can get those communities involved, whether it is taking their knowledge of the forest and putting them to work as a park ranger or creating some kind of a tourism opportunity that actually brings profit back to them so then they see an economic value to the animals themselves.

This is I think the trend of a lot of the work that we are doing.

The CHAIRMAN. The gentleman from Maryland, Mr. Gilchrest?

Mr. GILCHREST. Thank you, Mr. Chairman.

You touched upon a little bit of the collaboration with our own agencies—Fish and Wildlife Service, the State Department and so on.

Is there any indication that drug traffickers, terrorists, those that traffick in these wildlife activities, is there any link, let us say, between the drug traffickers, the terrorists, those who traffic in wildlife live or parts? Is there any link with those particular organized crime elements?

Ms. MCMURRAY. I think we are developing more solid information. At the moment, we have anecdotal information of a connection. What I mentioned earlier—

Mr. GILCHREST. But, for example, is it possible, and I didn't meant to interrupt you.

Ms. MCMURRAY. That is all right.

Mr. GILCHREST. You have a Russian organized criminal element. You have an American organized criminal element. You have a Chinese organized criminal element. You have Al-Qaeda. You have a whole range.

The State Department, Fish and Wildlife, the Justice Department, NSA. Do you think that these various agencies that try to provide security for our borders, keep out these elements that are illegal, is there sufficient collaboration amongst them either periodically or ongoing, looking at all these issues?

Ms. MCMURRAY. Well, I will answer your last question first, which is we are trying to have more cooperation now than there has been before.

I have to be quite honest with you. When I go to the intelligence officials and the law enforcement officials with all of the challenges that they do have these days with terrorism and everything else, this one is not the highest on their list.

However, when you are able to make the case that there are connections and that perhaps some of the same people are engaging in all of these different criminal activities, then you can get their attention.

Mr. GILCHREST. When you get their attention, or maybe this is something that the Congress can provide as a priority or create a new dimension of understanding of all these various problems and how they fit together.

Do you think among our intelligence agencies, within the Fish and Wildlife, State Department and so on, is there a capacity to deal with this issue effectively in the ways that you have just described?

Ms. MCMURRAY. Well, I think there is, but we are just at the beginning of learning this.

As I mentioned earlier, we have asked our intelligence gatherers to focus on this issue in the larger context of what they look at every day in the way of international criminal activity, and I did offer, and I will offer it again, that there are things we can brief you on in a classified setting on those activities.

I should add though, because your question is very broad, when you look at the roots that some of these products are traveling, if

you look at some of the people who are being arrested, there are starting to be connections. The dots are starting to be connected.

You asked about different elements of organized crime in our country and others. I think the only one that I have heard very strongly mentioned is in the recent seizures of caviar, and this I believe is in some testimony submitted to you for the record—that there were clear signs of Russian mafia activity, so we are starting to dig it up.

Mr. GILCHREST. You said that the question was very broad. I think it was meant to be broad to sort of pull out from your experience what the overall strategy is.

While the different tactics within the State Department or whoever dealing with these various organized criminal elements can be very effective, in my judgment unless it is coordinated or effectively understood within the broader concept of a strategy, then we have stovepiped all these different things.

So the overall strategy and in the overall big picture the collaborative effort on the part of various people trying to prevent criminal activity and terrorism and illicit drugs and securing our borders, I think this could fit into that.

This particular tactic of wildlife activity, illegal activity as a tactic, can fit into the overall strategy if we can see that overall strategy.

Ms. McMURRAY. Well, part of the strategy is something I described in my testimony, which is to create these enforcement networks in other countries.

Now, the rationale for those that I gave in my testimony was because we need to improve law enforcement in those countries, and that is certainly true, but the other thing that we are getting from this is everybody talks to each other, and they also talk to us.

They tell us what kind of information they are getting either from informants or others and what kind of cases they are able to bring for prosecution. So all of that information—some of it never got shared before—is now finally coming not only to other countries in the region, but to the U.S.

I think I also mentioned Interpol and some other multilateral organizations—CITES certainly can speak to this—where we get information that comes into the multilateral arena that then gets shared more commonly with other countries.

So this is something we are doing more of. It is certainly not perfected by any means. We have a lot of work to do, but I think the mere connection of all of these police and customs officials is going to yield a lot of information that we didn't have before.

Mr. GILCHREST. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Ms. Bordallo, do you have any questions?

Ms. BORDALLO. Thank you, Mr. Chairman. I do have.

I have a question here. John Sellar says that the United States is well placed to have the topic of illegal wildlife crime placed on the agenda of international meetings. What has the State Department been able to do to make this happen?

Ms. McMURRAY. Well, we have taken about two years to think of every place that is a logical place to talk about this issue, whether it be the G-8. President Bush has used it in a number of his bi-

lateral meetings, particularly with President Lula in Brazil, Prime Minister Singh in India and in his discussions in other countries as well, such as the European Union.

But to come back to the G-8, we have been pushing this quite a bit, but our partner in the United Kingdom has been a cooperative advocate of this issue. It may not sound like a lot to get words into a G-8 leader's statement, but it takes a whole lot to get something there, and then that is something that becomes public.

It is something that is a commitment at a very high political level and requires follow-up so all of those things, I think, are important ways to get the awareness out there, but also to get other countries to devote resources to the issue.

Ms. BORDALLO. So you are agreeing then that more could be done in that area?

Ms. MCMURRAY. Yes, but I can tell you that a big part of my job has been to do this for the last two years, so we have definitely geared up on this.

Ms. BORDALLO. I have another question for you. Has the State Department ever discussed with the Department of Defense or other Federal agencies the need to use satellites and aerial surveys to watch for poachers and border violations and other security threats, as Ms. Galster on the second panel recommends in his written testimony?

Ms. MCMURRAY. We have. This is not something that we have made into a systematic effort yet, but really NASA has a lot of data. Some of it, even though it is not the most highly sophisticated or high resolution, is still quite useful to look at trends like deforestation, like migratory patterns of animals or lack of populations if that is what you are looking for. So, yes, we have been asking NASA to help us more in that area.

I should also mention, because you asked about the Department of Defense, and, as you know, they have just created a new command in Africa. Part of what they are looking at is a law enforcement role assisting other governments in preventing crime in that part of the world.

We have asked them to look at this issue as part of what they are doing, and they are very enthusiastic about it.

Ms. BORDALLO. Very good. I feel that we should step up our activity in this area.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina, Mr. Brown?

Mr. BROWN. Thank you, Mr. Chairman, and thank you, Ms. McMurray, for being here and being part of this discussion.

I am sorry I missed your testimony. I had another meeting. Just listening to other questioning, is there some sense that the United States has the responsibility to police some of these developing countries in their law enforcement in regards to illegal hunting? Do you sense that is a responsibility that the State Department has the responsibility to take on?

Ms. MCMURRAY. Well, I think we have a responsibility in two areas. One very specific to what I do relates to wildlife conservation, and since now it is pretty clear illegal activity is part of the equation there, part of the threat, that is why we are involved.

I would say the other though is much broader, and it is certainly something that Secretary Rice has talked an awful lot about, which is promoting democracy and the rule of law wherever it can take hold.

This is a big part of that. The corruption in government, all of those other factors, a breakdown in the legal system—these are things that we try to help with. We certainly can't police those countries themselves, but we can provide whatever expertise and training we have to try and make their law enforcement stronger.

So, yes, I think it is an important role not just for the wildlife but for the broader governance issues that we are talking about.

Mr. BROWN. On the other side, and I thank you for that answer, but is there some incentives that maybe we could offer to hope? I know most of the time, I assume it is the economics that is driving the legal planning for some gain. Is there some incentives I guess that the State Department might be willing to offer to give some alternatives to the legal need?

Ms. MCMURRAY. This is something that we at the State Department don't do as much of, but the arm of the State Department that engages in development activities, AID, does do quite a bit of work on the ground to create that economic incentive for wildlife conservation.

I mentioned it a bit earlier. You may not have been here. We look at things that will create livelihoods for the people who live around these protected areas, and so it may be that because there is such a need for enforcement that some of these people can be trained to be enforcement officers or park rangers in the areas where they live.

Also, around the world there is just a tremendous amount of interest in ecotourism, in coming to look at wildlife, and I can't tell you. Every country I go to wants to be like Kenya or be like South Africa. They want to have a tremendous tourism program, and that is another way you can get people to keep the poaching activity out.

Mr. BROWN. I know that we have passed legislation here in order to protect big cats and I guess the dogs too, but I just wonder.

Is the State Department the umbrella to try to coordinate all of these conservation funds to focus in one direction rather than having the diversion of lots of people trying to address it rather than having some central focus?

Ms. MCMURRAY. Well, I would like to be able to say that we are the coordinator of all those funds, but because Congress sends money to a number of different places, it doesn't always come back to us to be strategic about that funding.

If it is AID or if it is State funding, we are very closely coordinated. I think we try very hard to talk to the Fish and Wildlife Service on a regular basis—that is a lot of where the funding you are talking about is going—so that we can be strategic about where we are focused.

It doesn't always work that way, but we do our best to make sure our priorities are meshed with theirs.

Mr. BROWN. Thank you, Mr. Chairman. I apologize for going over my limit.

The CHAIRMAN. The Ranking Member, Mr. Young of Alaska?

Mr. YOUNG. Thank you, Mr. Chairman.

Ms. McMurray, I missed your testimony, but I have one thing. You mentioned Kenya for equal tourism. It is my information because they have disallowed hunting, they have lost 60 percent of their wildlife now to poaching. They are probably the worst country of all countries when it comes to poaching. Are you aware of that?

Ms. MCMURRAY. Well, I know that there are still significant challenges in Kenya. The example I was citing there was the profit that they get from the tourism.

Mr. YOUNG. The profit is declining because they outlawed hunting and management of the game, and now the poachers look upon that as their prime target. I think State Department ought to look at that.

The AID is under your umbrella, I believe, and they have a policy of not giving guns or equipment to wildlife rangers on the ground. How does this restriction help on-the-ground professionals who must fight against, very frankly, a well armed poaching group?

I know a little bit about which I speak as I have been to Africa numerous times, and I am not happy with any of the governments over there. You talk about fighting this issue. Until the governments agree to fight poaching, we have a real long haul to go.

Why don't they change that policy and we can distribute equipment to the rangers to fight against these poachers?

Ms. MCMURRAY. Well, I think the policy is something that probably ought to be reviewed. We are dealing with hard criminals in a number of cases who have weapons from wherever the source.

I am not responsible for the policy in the first instance, but I can tell you that I have seen programs—you may have seen this one as well—in Namibia that has looked at trophy hunting and the economic value that that can provide on a very controlled basis to conservation of particular species, whether it be leopards or other cats.

So I think there are two competing things you are asking about there. One is to give the resources to the law enforcement officials on the ground, which is something we would be pleased to look at and see if there are ways we can work with them.

Mr. YOUNG. Well, how would we go about encouraging that? I mean, this is outside our realm, in reality, as far as Congress goes, but the State Department umbrella over AID, it seems like you could change that quite rapidly because it is unfair to expect the rangers, and I have been involved with some of these rangers that don't have the equipment, and they are going against well organized, very frankly, foreign mafia.

It is cordoned by the governments themselves, which really frustrates me, and we are giving money to those governments to supposedly help them propose well-being and democracy, et cetera, and yet they are the ones who are backing this program up.

But if our rangers don't have it within the parks especially, there is no way you are going to address this issue. It is like sending a policeman into a bad neighborhood with a 38 pistol and they have Uzis. It is not going to happen. Or no pistol at all. I am encouraging the Department to get more involved in this.

Last question. Do you think the programs you mentioned a little bit about the sport hunters provide funding to local communities has a positive effect on wildlife conservation?



Ms. MCMURRAY. I am certainly not the conservation expert in the room, but I will tell you that from the data that I have looked at, it depends on where you are.

The example I mentioned in Namibia I think has been a tremendous success. It is not something at this point that has been translated into other countries because of funding restrictions, but I think it is something that we ought to look at in other countries as well.

Mr. YOUNG. OK. Last question. This is my last question. Are our sanctions against Zimbabwe and Mugambe still in effect, or do we still give that country any type of assistance through the State Department?

Ms. MCMURRAY. I believe everything is still in place, Congressman, but I would be happy to confirm that for the record.

Mr. YOUNG. Because he is the classic example what not to do in conservation, unfortunately, and we have let him get away with it.

Thank you, Mr. Chairman. Mr. Chairman, I ask unanimous consent to submit my written statement for the record.

The CHAIRMAN. Sure.

[The prepared statement of Mr. Young follows:]

**Statement of The Honorable Don Young, Ranking Republican Member,  
Committee on Natural Resources**

Thank you, Mr. Chairman. I am fascinated by the title of this hearing. However, as an alternative I would suggest: "Endangering American Security: Impacts of the House Democrats Failed Leadership to Stop Our Dependence on Foreign Oil."

While we will hear testimony speculating about whether there is a relationship between illegal wildlife and terrorism, there is no debate that our growing dependence on foreign oil is financing the activities of terrorist organizations throughout the world. By buying oil from nations, like Iran, we are literally paying for the guns and ammunition they provide to Al-Qaida to kill our brave troops in Afghanistan and Iraq.

Furthermore, I notice that there are several invited witnesses who are well known international animal rights advocates. If this hearing is about the impact of legal hunting of wildlife, then the record on this issue is crystal clear. As someone who has been to Africa, there is no question that American hunters are providing the economic resources that are critical to conserve these animals.

For many years, the CAMPFIRE program in Zimbabwe provided the local communities with the money they desperately needed to build their schools, hospitals and the infrastructure they desperately needed to survive. This type of community support is happening throughout the continent and many times it is American hunters and American outfitters who provide the local game rangers with the equipment they need to stop the poachers who are funding the illegal wildlife trade. They also provide the on-the-ground eyes and ears to stop illegal poaching activity.

In addition, it is the American hunting and conservation community which has consistently supported the enactment of the African Elephant Conservation Act, the Rhinoceros and Tiger Conservation Act, the Rhino and Tiger Product Labeling Act and yearly requests to full fund those programs.

To most Americans, an elephant or a rhinoceros is a majestic animal. To many African villagers, however, these animals are a nuisance that drinks their water, destroys their crops and threatens the safety of their children. It is essential that these animals retain their economic value and that is accomplished through the hard currency provided by legal sport hunters. As President Theodore Roosevelt, our nation's greatest conservationist, once said: "The people who protest against all hunting, and consider sportsmen as enemies of wild life, are ignorant of the fact that in reality the genuine sportsman is by all odds the most important factor in keeping the larger and more valuable wild creatures from total extermination."

It is not a coincidence that the best conservation programs in Africa occur in the South, where you have legal hunting, and the worst in places, like Kenya, which has long outlawed hunting.

In terms of the illegal wildlife trade, I am sure there is a consensus that every effort should be made to stop the poaching and slaughter of these animals. There

are many factors responsible for what appears to be a growing problem. In Africa, the need for protein has fueled the growth of the bushmeat trade and the value of rhino horn, elephant ivory and tiger bones has skyrocketed to the point that their future, particularly tigers, is in serious peril. I look forward to hearing what this Administration and CITES are doing to stop this illegal trade. If the Fish and Wildlife Service needs to hire additional law enforcement agents to stop this trade, then I would certainly support that request.

Finally, I remain disappointed that while this may be an interesting hearing topic, it is now the 397 day since the Democrats took control of the People's House and you have done nothing to alleviate the suffering of all Americans who are likely to be paying nearly \$4 dollars a gallon for gasoline this summer. My own constituents in Kaktovik, Alaska—living in the shadow of the Arctic National Wildlife Refuge—are already paying more than the national average per gallon and they are angry that they are being denied the chance to develop their own resources and those on federal lands that may contain the largest untapped onshore oil reserve in North America.

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The CHAIRMAN. The gentlelady from Guam I believe has one more question.

Ms. BORDALLO. Thank you. Thank you, Mr. Chairman. I have just one question, and it has to do with my area that I represent. It is a question for Assistant Secretary McMurray and Mr. Perez.

Perhaps you can enlighten us to the extent of the illegal trade in wildlife across and through the sea lanes transiting the Pacific Ocean. What resources and focus are being brought to bear to monitor and stop this illegal trafficking and trade through or around the Pacific Islands and from points of origin in Asia and the Pacific Rim?

What would you say are the most serious elements of concern relative to illegal trade in wildlife in the Asia-Pacific Rim, and what is the Federal government doing to address these issues?

Ms. MCMURRAY. This is an important area obviously from a fisheries standpoint, as well as from the illegal trade in marine mammals and others.

What we have tried to do through our Coast Guard is train enforcement officials in the areas protecting those waters to not only enforce against fisheries violations, but to look at other illegal trade.

I would say specifically the most prominent one is sharks. There is a huge amount of activity. Shark finning is the practice in particular where you remove the fins. You leave the rest of the shark, usually put it back in the water and let it drown. The fins go for shark fin soup, which is a delicacy in many parts of Asia.

I think the enforcement could be more aggressive than it is already. This is an area that is in some cases very remote, and it is difficult to get to all the different areas where illegal activity is going on.

But beyond that I would say, and I talked about this earlier, we have to look at the demand side of this. What is fueling the activity? What is fueling the illegal trade that is going on there?

You will hear from a number of other witnesses, I think, about the campaigns on the ground in China and other countries to try and get younger people to reject their cultural heritage in one sense and to say shark fin soup is not something we need to have, even though it is considered to be such a wonderful thing in our culture, so that also helps to take the pressure off of some of these shark populations.

Ms. BORDALLO. So what you are stating then is the Coast Guard is the one group. Do they have equipment, and are they trained?

Ms. MCMURRAY. Well, they are there for some other reasons, you know, because we have U.S. fishing vessels that operate in that region. We are operating legally. We would like all others to do that as well. As a complement to that, they are looking for other illegal activity as well.

Ms. BORDALLO. Mr. Perez?

Mr. PEREZ. As it relates to the Pacific area, the reality of our presence there, the representation of our personnel is in fact one wildlife inspector and one special agent on Guam and about three agents and six inspectors in Hawaii, and that is our total presence.

We have no capability to work on the open seas. Our inspectors are predominantly tied up with the facilitation of legitimate trade and then focusing some of their time also on interdicting the illegal trade.

The agents are handling a full spectrum of the different types of investigations that come their way, so with regards to the priorities that we have out there, and they are basically the same priorities across the nation, we are just focusing on the most significant conservation risk on the species that we are encountering, and that is predominantly endangered threatened species in CITES I appendix listed species.

So our capability is wholehearted just limited by the resources that we have out there present to be able to address whatever comes our way.

Ms. BORDALLO. Thank you. Thank you, Mr. Perez.

The CHAIRMAN. Yes, Mr. Wittman?

Mr. WITTMAN. Thank you, Mr. Chairman.

Ms. McMurray, you had spoken at length about the actions both by U.S. and source countries, both ongoing and recommended. Of these actions that you have spoken of and your recommendations, which of these are most critical and timely to stopping the illegal wildlife trade worldwide?

Ms. MCMURRAY. Let me make sure I understand your question. Do you mean the enforcement activities we have engaged in, some of the things I detailed in my testimony? Is that correct?

Mr. WITTMAN. Yes. I would say both U.S. actions and actions by the source countries.

If you looked at it overall about all the worldwide effort to stopping this illegal trade, which actions are the most important? If there are those actions that need to happen, which of those are most critical and timely to stopping this illegal wildlife trade?

Ms. MCMURRAY. It is hard to pick because there are so many different pressure points, but I think if I had to I would say the enforcement networks that are being created seem to be bearing a lot of fruit.

Frankly, one of the reasons that I started working on this issue with greater energy is because everybody told me if we could crack down on it in the short term, it would have more of an impact than some of the longer-term programs we have to create protected areas and other conservation measures.

So as I mentioned, this ASEAN-WEN network has already produced a number of seizures of products. I didn't detail all of them

in my testimony. We have even been told that there are a number of rings, organized rings, that have been broken as a result of really only a year and a half's worth of effort.

It really came from having 10 countries get their police and their customs officials and their intelligence officials and others to sit in the same room, meet each other, learn who their counterparts were and then get their phone number so that afterwards they can say, you know, we have lost the trail of something. It has gone through our country, but you are next. How about you trying to stop it?

So we want to try and take that model and develop it in other countries. I think that would be the quickest way to turn some of this around.

The CHAIRMAN. Madam Secretary, thank you. We know you have another commitment. We appreciate your time with us this morning.

Ms. MCMURRAY. Thank you very much, and thank you for your interest in this issue.

The CHAIRMAN. Thank you.

We will now proceed with the other two panelists, whom I have already introduced. Mr. Sellar and Mr. Perez, thank you for being with us this morning. As I said, we do have your prepared testimony.

Mr. Sellar, if you want to go first you may.

**STATEMENT OF JOHN M. SELLAR, SENIOR OFFICER, OFFICE OF THE SECRETARY GENERAL, CITES SECRETARIAT**

Mr. SELLAR. Thank you very much, Mr. Chairman and Members of the Committee. The CITES Secretariat is delighted to participate in this inquiry that you have instigated.

My name is John Sellar. I am the Senior Officer for Anti-Smuggling, Fraud and Organized Crime in the CITES Secretariat based in Geneva, Switzerland. It probably feeds into the last of the recommendations that we make in our testimony if I explain that that is something of a misnomer, my title. Although I am described as a senior officer, I am in fact the only officer, and that is one of the major problems facing us.

In fact, unfortunately my Interpol colleague, the Wildlife Crime Officer from Interpol, cannot be with us today, but he and I are the only two individuals that are working at the international level to try and facilitate combating what you have heard as a serious problem.

The CHAIRMAN. Excuse me. That means there is two in the whole world?

Mr. SELLAR. At the international level there are two people. There is myself in the CITES Secretariat. There is one individual in Interpol.

The CHAIRMAN. Wow.

Mr. SELLAR. So that is why in the recommendations that we have made in our written testimony we have asked you if you have the opportunity to influence the U.S. Government to try and support the work of the Secretariat because our budget is extremely restricted, but that is a selfish issue, and I won't belabor that point at all.

The other two recommendations for your Federal agencies, the first being the Fish and Wildlife Service. You will hear from my colleague, Mr. Perez, in a minute, but we wanted to say how much we value the work of the Fish and Wildlife Service, not only work that it has done within your nation's borders, but the way it reaches out in practical ways to support the enforcement community internationally in a variety of ways. That is from training to the supply of intelligence.

It is extremely well supported by the Department of Justice, and the prosecutions that have taken place in the United States are very impressive. In fact, if you look at the number of foreign nations that have appeared before your courts, that demonstrates how effective your enforcement and prosecution agencies are in reaching out beyond your borders to deal with the criminals whose trade affects your citizens and affects your country.

Chairman, we have submitted quite lengthy written testimony, so I have been struggling with thinking what I should highlight to you, what perhaps I could say that you won't hear from others.

Maybe something that you won't hear from your other witnesses is we believe it is important that you should recognize that wildlife trade per se is not evil. There is a lot of wildlife trade that takes place around the world. Some examples have been given already this morning, but hunting can provide very important sources of revenue to the local communities and encourage them to value their wildlife.

So simply the message from the CITES Secretariat to you would be, please don't think that the answer to this is a ban. The vast majority of wildlife trade that takes place within the provisions of the Convention, within the CITES treaty, take place each year in a sustainable and a regulated and in a legal manner.

But I suppose to really wrap up, what we feel are the two major problems facing law enforcement is, first of all, for some reason wildlife crime does not seem to be regarded as mainstream crime so that we don't find it discussed at the higher levels of Interpol. We don't find it discussed at international meetings of customs officers or law enforcement agencies. Until it does move in to being seen as mainstream crime, we feel that it is going to be extremely difficult to move forward.

And then the second element that undoubtedly is needed is greater political will. Some speakers have already touched upon this. There are areas in the world where, quite frankly, some local officials are making so much money from their illegal trade in wildlife there is no motivation for them to do anything about it, so political will is undoubtedly badly needed.

The U.S., we believe, has shown an excellent example in this field, and we hope you can encourage others too.

I think I would confine myself to that, Mr. Chairman. If you have questions, I would be very happy to answer them.

Thank you.

[The prepared statement of Mr. Sellar follows:]

**Statement of John M. Sellar, Senior Officer, Anti-Smuggling, Fraud and Organized Crime, Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Geneva, Switzerland**

Mr Chairman and Members of the Committee, thank you for inviting the CITES Secretariat to submit testimony on what we believe to be an important subject.

The Convention on International Trade in Endangered Species of Wild Fauna and Flora is a multi-lateral environmental agreement that entered into force in 1975. There are currently 172 Parties to the Convention. It is widely known throughout the world by its acronym of CITES. However, it is also often referred to (very appropriately with regard to your Committee Hearing) as the Washington Convention, since that is where it was concluded and first signed in 1973. The United States of America ratified CITES on 14 January 1974.

CITES is a treaty that regulates international commercial and non-commercial trade in animals and plants, including their parts and derivatives. The Convention provides differing degrees of protection and regulation to animal and plant species, depending on their conservation status. CITES works by subjecting international trade in specimens of selected species to certain controls. All import, export, re-export and introduction from the sea of species covered by the Convention has to be authorized through a licensing system. About 30,000 species are listed in the three Appendices of the Convention. The aim of CITES is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

We can provide more detailed information regarding the Convention and its operation if required but, with regard to this submission, we will hereafter confine ourselves to illicit trade issues, particularly serious illegal activities. We presume that the Committee will have a general understanding of what constitutes “illegal wildlife trade” and, therefore, we do not intend to provide examples of what wildlife is traded illegally or the nature of the markets.

Illegal trade in wildlife has many aspects that may be relatively obvious, such as the criminality involved, but we are conscious that there are others that may not be so apparent. For example, when considering this subject and especially its “impacts”, it is important to take account of the potential risks that illegal trade includes, such as the spread of diseases (some of which are extremely hazardous to humans) and the impact of “invasive alien species”.

**The scale of illegal wildlife trade**

The CITES Secretariat’s greatest difficulty in assessing the scale of illegal trade in wildlife is that the reporting of seizures of smuggled specimens of CITES-listed species or of the related illegal harvesting or dealing in such specimens tends to be very haphazard. Whilst we created a computerized database in the late 1990s to store such information, relatively few of the Parties to the Convention submitted data on a regular basis. The lack of resources in the Secretariat prevented us from taking action to increase the collection, input or analysis of information, and input of data was suspended in 2007.

ICPO-Interpol and the World Customs Organization each have similar databases but seem to experience similarly inconsistent levels of reporting. The European Union also has its own database regarding illegal trade in wildlife.

It is, therefore, extremely difficult to gauge the levels of wildlife crime around the world and the nature of such criminal activities. Even in many developed countries, there is no central collection of information on the subject; primarily because wildlife crime is regarded as a low priority for law enforcement agencies. We have noted that the increase in efforts to detect and combat terrorist activity around the world in recent years has pushed the subject even further onto the sidelines.

At its 14th meeting (The Hague, 2007), the Conference of the Parties to CITES noted that this lack of detailed information was a problem and instructed that a body of relevant individuals (known as the CITES Enforcement Expert Group) be convened to study this and other enforcement-related issues. The Group is likely to meet in 2009.

It should also be noted that, in many parts of the world, the enforcement of wildlife legislation is the task of officials whose focus is on in-field protection (such as anti-poaching work) and these will be game scouts and wardens, forest guards, rangers, fishery protection officers and others who often do not have the training, authority or resources of their Customs and Police counterparts. This affects their ability to gather, store and communicate information. This situation has other law enforcement-related implications that we will return to later.

### **The role of organized crime in illegal wildlife trade**

As noted above, the Secretariat does not have as much accurate information as it would wish regarding the scale of illegal trade, the nature of such trade or the persons involved. However, through the reports that we do receive, the regular contacts we have with law enforcement officials and agencies, and the assessment and verification missions we have undertaken, the Secretariat has no doubt whatsoever that organized crime, certainly within the definition used in the United Nations Convention against Transnational Organized Crime, is engaged in or linked to illegal trafficking in protected wildlife species.

We have, for example, noted the following features in wildlife crime and illicit wildlife trade cases, many of which bear the classic hallmarks of organized crime or organized criminal groups. These are not listed in any particular order of importance or occurrence.

1. The organized nature to the illegal harvesting of some endangered species is revealed by the recruitment and payment of poachers and the provision to such persons of firearms, ammunition, vehicles and other supplies necessary for them to remain in the species' habitat for prolonged periods and for the specialized processing and extraction of species (or their parts) once they have been killed.  
One practical example of this is on the Tibetan Plateau of China where groups sometimes numbering up to 15-20 poachers have been arrested, who were equipped with firearms, several 4x4 vehicles, food stocks sufficient for one month, and where members of the poaching gangs had specific roles, i.e. marksmen, cooks, drivers and skinners. The arrested persons have admitted to being recruited for this work by individuals who would then arrange the further processing of the Tibetan antelope skins obtained and their subsequent smuggling out of China. The fact that shawls made from the wool of Tibetan antelope (called shahtoosh) can each retail for the equivalent of up to USD 30,000 illustrates what motivates such activities.
2. Similar approaches to the poaching (including the capture of live animals) of elephants, great apes, musk deer, the saiga antelope, sturgeon, the tiger and many other species of conservation concern, although each with its own specialized characteristics, have been noted for decades.
3. As part of the activities described in paragraphs 1 and 2 above, members of local communities (often living in conditions of near abject poverty) are regularly exploited by organized crime groups and are, thus, exposed to personal risk of injury or death from the hazardous terrain in which a lot of poaching takes place, similar risks from some of the target species (which can be extremely dangerous creatures) and finally are put at personal risk from arrest, imprisonment, injury or death during encounters with law enforcement personnel.
4. The quick attendance to persons, who have no visible means of financial support, arrested for poaching and the subsequent representation of such persons in courts by high-quality criminal trial lawyers, whose fees would normally be far beyond the reach of such low-level criminals, demonstrates an input from wealthy persons behind-the-scenes in a classic manner of organized crime groups "looking after their own". This is regularly seen with regard to persons arrested in India and prosecuted in relation to the killing of tigers and leopards and the smuggling of their skins and bones. A tiger skin currently retails for at least USD 10,000 in parts of China.
5. There have been several instances where the court process involving poachers or traders appears to have been corruptly subverted, leading to bail being granted where it would not normally be expected, long-term delays whereby cases never reach conclusion, and even complete dismissal of charges by apparently corrupt prosecutors or judges. In a similar vein, the involvement of persons of high political or social status to corruptly influence law enforcement has been noted, often discouraging any enforcement action whatsoever or subsequently interfering in the judicial process. Diplomats have also been known to engage in the smuggling of wildlife, claiming immunity from normal border controls and baggage searches.
6. The threatening of, harassment of, acts of violence towards and murder of officials tasked with the protection of species and anti-poaching work has been observed. One example of this was in the late 1990s in the Russian Federation, where the office and accommodation complex of a Federal Border Guard unit was bombed and it is understood that almost 50 officers, their wives and children were killed or injured. This attack is believed to have been the work of the "Russian Mafia" in retaliation for an increase in enforcement operations

against sturgeon poachers. Every year, many anti-poaching officers are killed in the execution of their duties. Anti-poaching patrols around the world are regularly faced with gangs equipped with semi- and automatic firearms and some patrols in Africa have encountered criminal groups armed with rocket-propelled grenade weapons.

7. Poaching is seen to increase in countries experiencing civil unrest or wars and the profits from poaching or subsequent trade (such as in ivory) is apparently used to fund rebel activities. Whether such persons and groups are truly acting in a politically-motivated manner or whether they are more representative of organized criminal groups is, however, often unclear. Disturbingly, it is not uncommon for such poaching and illicit trade to be conducted or facilitated by “peacekeeping” and other military or para-military forces that are supposedly in the country or geographical area to restore or maintain law and order. In such instances, military command units and structures may actually become extremely large and highly organized criminal groups. Local police commanders have also been known to control poaching and smuggling activities. It is in this type of scenario that over 200 rangers have lost their lives in the Democratic Republic of the Congo in recent years.
8. It has been noted, particularly in parts of Asia and Africa, that rebel groups sometimes impose a “tax” on illicit cross-border wildlife trade. Whether such taxes flow to political causes, fund terrorism, or whether this is simply criminal profiteering is unclear.
9. The processing and subsequent marketing of illegally-harvested wildlife specimens will often be complex and require a financial base or entail “start-up” costs beyond the means of “ordinary” local citizens. This can be seen, for example, in the case of sturgeons where: the caviar must be extracted and processed carefully if it is to later pass as a genuine high-quality product; tins and jars identical to those used by genuine traders must be counterfeited; the attachment of labels matching those used by genuine traders must be accomplished; the caviar must be refrigerated during storage periods; and the caviar must be smuggled across several international borders before its final sale and distribution in consumer countries. However, the profits justify such expenditure. An investigation in 2001 showed that caviar with a wholesale value of USD 20 million had been laundered through one Middle East country in a ten-month period.
10. The inviolability displayed by some sections of the caviar trade, with regard to law enforcement and attention from other criminals, demonstrates either their ownership by organized crime groups or their payment to organized crime for “protection”. The brazen and threatening nature of some activities will also discourage “clients” from reporting suspicions or observations to law enforcement agencies. For example, in one incident in the Middle East a prospective customer was taken to a warehouse to inspect the “goods” and was astonished to see seven tons of caviar, which was being guarded by a large group of Russian males, all armed with automatic weapons.
11. The international smuggling of wildlife specimens, often involving the crossing of several borders and journeys of many thousands of miles, necessitates the concealment of specimens against what may be repeated inspections by border control officials and which involves sophisticated techniques to hide the true nature of the specimens or prevent their detection during inspections. This has included hiding illicit goods deep inside or underneath genuine cargo, the wrapping of goods in aluminum foil in the expectation that it will hinder viewing by X-ray machines, the painting of goods to hide their natural appearance, the construction of “false bottoms” and other hidden compartments in baggage, cargo containers, trains, boats and motor vehicles, and the covering of, for example, ivory carvings in an outer casing of clay or wood. The variety and sophistication of smuggling techniques demonstrate a requirement to engage the assistance of specialists and a need for finance to enable this to occur. Narcotics and firearms have also been smuggled alongside wildlife.
12. The duration of some smuggling operations illustrates the need for “management” of specimens and the route, from country origin to destination (and sometimes in transit) that requires the involvement of many persons. This may involve human couriers or “mules”, recruited and paid to smuggle wildlife specimens, often by air transport, concealed on their body or in luggage. This has included the use of airline personnel, who may be less likely to be inspected by border control staff. Some couriers may be from the poorest levels of society and are exploited in a manner similar to that of poachers. One



courier gang involved in smuggling caviar from an eastern European country was “managed” by a corrupt Deputy Chief of Police.

13. The complex routing of initially bona fide shipments that will, at some point during international movements, be replaced by illegally-acquired specimens, and then continue to the destination, accompanied by genuine CITES permits or certificates and are, thus, laundered into domestic markets.
14. The sophisticated forgery and alteration of genuine permits and certificates authorizing trade in wildlife and of the security stamps used on CITES documents by some countries. Additionally, the use of forged and altered documents and other fraud related to applications for CITES permits and certificates. The threatening, bribery and harassment of officials responsible for the issuance of CITES permits and certificates, including the use of prostitutes to provide sexual favours in return for the issuance of trade authorization documents, is not unknown.
15. The payment to organized crime groups for the use of their already-established smuggling routes or methods. For example, persons engaged in illicit trade in tiger and bear products between the Russian Federation and China are known to have paid the “Russian Mafia” to have items smuggled across the border.
16. The establishment and use of fake or “front” companies to distribute and market wildlife products. Also, the fraudulent advertising of wildlife for sale, involving widespread use of the Internet and “spam” email advertising, where no wildlife is possessed and it is simply intended to encourage customers to pay in advance but where there is no intention to deliver. Various forms of wildlife crime lend themselves to money-laundering activities and, thus, will attract the involvement of organized criminal groups.
17. The involvement of persons clearly associated with organized crime. A surveillance operation at an Italian Mafia party noted that inordinate amounts of caviar were being served. Leaders of South American drug cartels have been known to collect exotic species. For instance, the now deceased Colombian drug baron, Pablo Escobar, is known to have had a collection of zoo-like proportions, including several animal species from Africa and Asia that must have been smuggled into Colombia.
18. Instances of “revenge” violence. For example, the murder of a trader in North America is thought to have been motivated by the fact that he allegedly supplied pig gall bladders to a group in Asia, claiming them to be bear gall bladders. Several senior law enforcement officers, responsible for directing operations against wildlife criminals, have been murdered in execution-style killings.
19. Law enforcement organizations have noted that persons involved in serious wildlife crime and illicit trade often have previous convictions for other forms of crime, many times involving violence.
20. The relatively low risk of detection and low level of penalties imposed upon those convicted of wildlife crime or illicit trade make these activities attractive to the “professional” and “organized” criminal. The massive profits that can be gained from some forms of wildlife, often worth more than the same quantity of gold, diamonds or narcotics, are, in themselves, appealing to organized crime groups and networks since this, after all, is what motivates their activities.

Several of the examples above are of a nature where those involved require criminal experience to conduct their activities and could not be carried out simply by specialized wildlife traders or collectors.

It should be recognized that some of the activities above would be regarded by the Convention against Transnational Organized Crime as “serious crime” because the Parties to CITES in which they occurred have legislation that provides for “a maximum deprivation of liberty of at least four years or a more serious penalty”. Courts in China, for example, have the power to sentence some wildlife criminals to death and have done so on several occasions. However, many Parties do not have such a length of incarceration available as a sentencing option. Indeed, in some countries violations of CITES are not criminal offences and will simply be dealt with by way of administrative penalty and confiscation of specimens.

Some Parties to CITES, the United Kingdom of Great Britain and Northern Ireland and the United States of America for example, have established sentencing guidelines for wildlife crime and we believe this is a good example to follow. We understand the European Community is also examining the concept of harmonizing penalties throughout its Member States.

With regard to trends in wildlife crime, once again, the lack of sufficient data makes it almost impossible to measure these. What is often very apparent, however,

is the fact that certain types of wildlife trade move in and out of fashion. It is also noted that increased enforcement effort against illicit trade in one species can lead to traders exploiting another. It may be that because law enforcement agencies are gradually more conscious of wildlife crime, they are simply detecting what has always been there. However, there does appear to be an increasing level of sophistication in criminal activities in this field. This appears, in part, to be due to the increasing efforts by some law enforcement agencies to combat such crimes, using modern policing techniques (including regular use of forensic science). This, in turn, appears to have sometimes prompted very serious levels of violence to be directed towards wildlife law enforcement officials.

#### **The rule of law**

The majority of the wildlife that is affected by illegal trade is found in developing countries or countries with economies in transition. Many of such countries face major problems relating to governance and criminals exploit this, as illustrated in some of the examples above. However, whether they exploit an already-existing situation or whether they create it is difficult to assess.

It is certainly true that, on occasions, wildlife criminals will undermine what was previously a law-abiding and corruption-free situation. This was the case when a particular country in the Middle East became, for a period, the primary location for the laundering of illegal-origin caviar. There, civil servants were allegedly corrupted using bribes involving cash, gifts and prostitutes in order to persuade them to issue genuine CITES permits, so that the caviar could enter into international markets. Some of these government officials were also threatened with violence or were told that their families would be subjected to violence if they did not cooperate.

Probably more common is when poorly-paid officials are bribed with money or goods to "turn a blind eye" or otherwise facilitate an illegal activity. Any criminal activity, including wildlife crime, will, of course, be easier to conduct where there is a climate of corruption. It is the Secretariat's experience that wherever we see large-scale illegal trade in wildlife we also see widespread, almost institutional-level, corruption.

That said, it is also the experience of the CITES Secretariat that, especially in relation to anti-poaching duties, very considerable dedication and bravery are displayed by those whose task it is to guard endangered species and their habitats. Indeed, many of the officers engaged in such duties have to patrol hazardous terrain, in which water- or insect-borne diseases are often present, and have to face poachers that are considerably better armed than them. These same men and women are also often poorly-paid, inadequately trained and equipped, and have seen many of their colleagues seriously wounded or killed in the line of duty. Their commitment is, therefore, highly commendable. We are, frankly, surprised that people continue to apply for such work.

#### **Activities to counter illegal trade in wildlife**

As has been noted above, it may be very difficult to differentiate between what is a violation of the Convention conducted by: the wildlife trader who simply does not want to conform to its provisions and will, on occasions, seek extra profit or a quicker sale by evading CITES controls; the determined collector of wild exotic plants; the person who wishes a particular species of reptile as a pet; the vacationer who will innocently buy a wildlife souvenir and then import it illicitly to his or her home country; and the "true criminal" who is motivated purely by profit or the organized criminal group whose activities are driven by greed and who have little interest in the commodity involved.

Very few countries in the world have specialized units devoted to combating wildlife crime. In most countries, this task is delegated to officials who have relatively little training in, or experience of, the "policing" skills that are so vital to target effectively and bring to justice the organized criminals who exploit natural resources. It is not uncommon, when those officers seek assistance from Federal, State or local Police agencies, or from Customs authorities, for it to be declined because senior officers simply do not understand the nature of the problem or the seriousness of wildlife crime.

Where specialized and multi-agency wildlife law enforcement units do exist, their success rate is high. We also note the considerable benefits that are gained through sub-regional and regional enforcement networks and groups. For example, the Association of South East Asian Nations Wildlife Enforcement Network (ASEAN-WEN), the European Union Wildlife Trade Enforcement Group, the Lusaka Agreement Task Force and the North American Wildlife Enforcement Group (NAWEG) have each, in their own way, contributed substantially to combating illegal trade in wildlife. The United States of America, through its US-AID programme, has provided

significant support to ASEAN-WEN. Of particular success, in relation to the specific projects it has engaged in but especially with regard to facilitating communication, coordination and collaboration between agencies and individual officers, has been the Interpol Wildlife Crime Working Group. We understand the Committee will learn more about this group from other sources.

The CITES Secretariat is obliged, through lack of resources, to focus its enforcement-related work primarily on illegal trade involving those species most at risk and violations of the Convention of a commercial nature. Both these areas may involve organized crime.

Much of the Secretariat's work related to enforcement of the Convention involves increasing the awareness of the Parties and their relevant law enforcement agencies to the serious nature of some illegal trade and, during such activities, the involvement of organized criminal groups is emphasized. Training materials for enforcement officers have been developed and these are delivered both by Secretariat staff, partner organizations and relevant non-governmental organizations. These materials are available in the three working languages of CITES—English, French and Spanish.

The Secretariat also acts as a conduit through which information and intelligence relating to wildlife crime and illegal trade can be received and communicated. Technical advice and support are also provided on a regular basis, involving not only specialized knowledge of the Convention but also expertise in law enforcement itself. The Secretary-General of CITES has a policy of recruiting to the Secretariat staff persons with professional backgrounds in enforcement-related activities. Currently, there are two lawyers (one of whom was previously a prosecutor) and a former police officer in the Secretariat. The Secretariat also issues confidential Alerts, describing current illicit trade and providing targeting intelligence, to the Parties and to law enforcement agencies.

The Secretariat has a long and very close working relationship with ICPO-Interpol and the World Customs Organization, and it has signed memoranda of understanding with both agencies. The three organizations work together strategically and on operational issues. The Secretariat has also established memoranda of understanding with a specialized forensic science laboratory (the U.S. Fish and Wildlife Service's National Fish and Wildlife Forensics Laboratory) and with regional and national enforcement agencies.

The Secretariat sees such links with international, regional and national law enforcement organizations as essential in obtaining what we regard to be the priority in combating wildlife crime and illicit trade; namely, increased cross-border communication, collaboration and cooperation. Law enforcement resources are commonly so limited and so already heavily-burdened that it is vital that modern profiling, risk-assessment and targeting techniques be used to the utmost. We believe that intelligence-led enforcement is the key to countering wildlife crime.

The Secretariat has conducted missions to assess enforcement needs in many Parties, examining both general wildlife trade issues but also those related to specific species. These have included illicit trade in caviar, great apes, ivory, the Tibetan antelope and the tiger. Where appropriate, restricted-circulation reports are subsequently provided to the Parties (and usually copied to ICPO-Interpol and the World Customs Organization) that contain recommendations regarding the improvement of wildlife law enforcement. Such reports have often referred to organized crime. The Secretariat subsequently monitors the implementation of the recommendations and tries to provide ancillary support through additional technical advice, training and general capacity-building.

Since 1992, the Secretariat has conducted a National Legislation Project that analyses the national laws of Parties to CITES, according to a set of agreed criteria, and determines whether they are adequate for implementation of the Convention. Where they are not, follow-up work that includes the provision of technical advice is undertaken. The Conference of the Parties and its Standing Committee monitor the progress of Parties in enacting adequate legislation. Where necessary, recommendations for a suspension of trade in CITES-listed species will be made and this process has been very successful. Similar recommendations for a suspension of wildlife trade in specific Parties may also be made where the Secretariat identifies significant levels of illicit trade in a Party and where that Party is not responding adequately.

As mentioned previously, the Secretariat, whilst having a high regard for the work done by wildlife law enforcement officials (particularly in developing countries and countries with economies in transition—where the majority of wildlife is harvested) is concerned by the sometimes serious lack of resources and professionalism available to combat wildlife crime and illicit trade, particularly if those involve organized criminal groups. An example of one response we attempted follows.

In 2002, the Secretariat prepared the programme for a two-week training event for wildlife law enforcement personnel. We then collated a range of training materials for delivery at the course but also for use by students in subsequent in-country training. The Sardar Vallabhbhai Patel National Police Academy, Hyderabad, India, agreed to host the course and all tiger range States were invited to nominate students. External funds, amounting to almost USD 100,000, were raised from a number of governments and other donors to enable the training to take place.

The training was delivered at the Academy from 13 to 24 May 2002. Twenty-eight students attended from the following countries; Bangladesh, Cambodia, China, India, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, Nepal, the Russian Federation, Thailand and Viet Nam. Responsibility for the training was divided between staff of the Academy faculty and specialized instructors from the CITES Secretariat, Africa, Europe and North America. The subjects covered included: arrest techniques, border controls, CITES, covert operations, evidence gathering, fraud, forensic science, informants, interview techniques, intelligence, organized crime, personal safety, search and train-the-trainer. The training received high evaluation ratings from the students and the Academy. Together with written training materials, each student also received an electronic version of the presentations to enable him or her to conduct further training.

The course was one of the most intensive ever organized by the Secretariat and, whilst it is regarded as having been highly successful, it placed a heavy burden upon its resources and it would be difficult for us to conduct such training on a regular basis.

Instead, the Secretariat now tends to focus its activities on e-learning materials. We have a variety of capacity-building modules available and the majority is now supplied in a CD-ROM format. These include an inter-active training course for Customs officers and an informative course for enforcers, prosecutors and the judiciary. One of the CD-ROMs incorporates a session relating to ethics in wildlife law enforcement, especially prepared with a view to assisting in anti-corruption work.

### **Recommendations**

The CITES Secretariat is aware that enforcement alone will never address the problems associated with illegal trade. To do so requires consideration of a wide range of socio-economic issues, especially those relating to enabling local communities to value the natural resources around them and benefit from them, e.g. through eco-tourism or sustainable trade in wildlife.

We presume, however, that these are not matters that the Committee will consider on this occasion and we will, thus, restrict our comments accordingly. The Secretariat is also conscious that many of the recommendations that we might be inclined to make are more properly matters for the international community as a whole to address and, consequently, we will restrict our comments here too.

1. The CITES Secretariat is very conscious that the U.S. Fish and Wildlife Service (on occasions in conjunction with other federal, State and local agencies) has undertaken, and continues to undertake, enforcement activities that impact upon the criminals who engage in illegal international trade in wildlife. We value the manner in which the Service looks beyond the borders of the United States. In such work, it has been very ably assisted by its National Fish and Wildlife Forensics Laboratory. The Service as a whole has been willing to share its intelligence and expertise with other enforcement bodies around the world, both at an operational level but also through the provision of technical support and training. We trust that the Service will continue such activities and, as much as possible, extend them with regard to the international community.
2. The Secretariat makes the very same remarks as in paragraph 1 above in relation to the U.S. Department of Justice. The importance of effective prosecution can sometimes be overlooked. Here too, the United States provides a first-class example to other nations. In 2004, the CITES Secretary-General's Certificate of Commendation was awarded to the Service and the Department for their work in relation to combating and prosecuting illegal trade in caviar. The Secretariat hopes that the Department will continue to provide support to the international community and, where possible, extend its activities in this field.
3. The Secretariat believes that attracting greater political will and achieving a higher law enforcement priority in relation to combating illegal trade in wildlife will not be possible until wildlife crime is viewed as "mainstream" crime. For this to happen, we believe that wildlife crime must appear more regularly on the agendas of relevant meetings of senior law enforcement officials, such as the Interpol General Assembly, and political level meetings, such as the

Conference of the Parties to the UN Convention against Transnational Organized Crime. We believe that the United States of America is well placed to influence such agendas, both at home and abroad, and we hope that the Committee may seek to suggest to the Government of the United States that it do so.

The Secretariat is of the opinion that our work, and that of the Parties to CITES, in the field of combating serious illegal trade in wildlife has been relatively successful. However, the Secretariat's resources are very limited and, in recent years, our attempts to seek additional funding for such work have not been successful. We seek the support of the United States, as the major contributor to the Trust Fund of CITES, to provide additional finance to the budget of the Convention and to encourage other Parties to do likewise.

#### **Concluding remarks**

The CITES Secretariat welcomes the initiative by the U.S. House of Representatives, Committee on Natural Resources, to examine illegal trade in wildlife. We believe it is a subject that deserves to be considered more widely in similar fora.

Many of the violations of the Convention on International Trade in Endangered Species of Wild Fauna and Flora are of a minor or technical nature. It is also important to acknowledge that the majority of wildlife trade conducted around the world each year complies with the provisions of the Convention, i.e. it is both legal and sustainable in nature. The United States is probably the most significant "consumer country" with regard to trade in specimens of CITES-listed species and we are aware that research by the Fish and Wildlife Service has confirmed most imports to be of a lawful nature. Citizens of the United States also play a significant role within many wildlife range States, especially through trophy hunting, and this provides important revenue to many local communities. It is important, therefore, that trade in wildlife should not attract a negative image.

However, we trust that our submission has made plain that there are certainly serious levels of crime associated with the trade in wildlife and that these are deserving of special and targeted attention. Such attention is, in the main, still missing, despite CITES having been in existence for over 30 years and the serious nature of wildlife crime having been widely known for a similar period. For some reason, crimes involving natural resources continue to fall outside "mainstream crime" and it continues to be extremely difficult to obtain the interest or consideration of the wider law enforcement community in this subject.

There are many issues that impact upon species of conservation concern, particularly loss of habitat. But poaching and illegal trade are undoubtedly issues that have had, and continue to have, major impacts upon many of the world's most endangered species. Some of these species are literally on the brink of extinction and, for them, time is running out.

The CITES Secretariat repeats its sincere appreciation for the invitation to contribute to the work of the Committee. If we can provide additional information to assist the Committee as it determines how to proceed with this subject, we shall be only too happy to help.

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#### **Response to questions submitted for the record by John M. Sellar, Senior Officer, Anti-smuggling, Fraud and Organized Crime**

I refer to the additional questions received from the Chairman and The Honorable Don Young in a letter dated 6 March 2008. Many of the issues raised by the Chairman and Ranking Member are of a complex and detailed nature, for which very lengthy explanations could potentially be provided.

I hope you will understand, however, that my current workload and lack of resources (as discussed with the Committee) means that I have had to restrict my answers to relatively brief responses. Nonetheless, I trust the following responses will be of assistance.

#### **Questions for the record by Honorable Nick J. Rahall, II, Chairman**

##### **Jewelry sale**

The international trade in ekipas, which was approved at the 13th meeting of the Conference of the Parties (Bangkok, 2004), has not started. It was Namibia's intention to licence persons who wished to manufacture or trade in ekipas and that the ivory would be supplied from government stocks. However, the registration system has yet to be completed. Consequently, there has been no legal commercial export of ekipas from Namibia to date.

We do not believe it was intended that profits from the sale of ekipas would be reinvested in community development. However, we understand the Namibian Government's intention was, in authorizing such trade, to support the rural communities that have traditionally manufactured ekipas. Profits from sales of raw ivory by the Government of Namibia are usually reinvested in conservation work, particularly in relation to elephants.

We have no information regarding the scale of domestic trade in ekipas in Namibia. We understand that the price of ekipas varies greatly, since the ivory is incorporated into pieces of jewellery which, in themselves, may be intricate or use precious metals. We are aware of one survey that noted prices ranging from the equivalent of USD 110 to USD 860.

#### **Ivory trade**

This is a highly emotional and complex issue that attracts many differing opinions and is the subject of considerable debate at each and every meeting of the Conference of the Parties to CITES. We note considerable misunderstanding and some misinformation in the debates.

The difference in numbers between tigers and elephants is particularly important and must not be discounted. It appears that there are less than 5,000 tigers left in the wild. Consequently, allowing commercial trade in specimens of this species has very considerable risks, should trade impact negatively upon wild tigers. By comparison, elephant numbers in southern Africa amount to several hundred thousand.

In addition, CITES has established monitoring systems to overview elephant populations and illicit trade. Nothing similar exists for any other species. Full details on these systems can be found at:

[http://www.cites.org/eng/prog/mike\\_etis.shtml](http://www.cites.org/eng/prog/mike_etis.shtml)

An experimental trade in raw ivory from government stocks in Botswana, Namibia and Zimbabwe to Japan was conducted in 1999. There is no evidence to show that this trade, or other CITES decisions, have increased poaching or illegal trade. Considerable efforts have been made by the Secretariat, and the relevant trading Parties, to ensure that the exported raw ivory is of a legal origin and that the manufacturing and retail controls in the country of import are stringent. It is worth noting that, to date, the majority of ivory that has entered into trade from such government stocks has been collected through natural mortality. The auction, export and import of the ivory took place under the supervision of the CITES Secretariat and we believe it was impossible for poached ivory to enter this closed trade "chain".

It is also worth noting that considerable quantities of illegal-origin ivory are sold through unregulated or illegal markets in west and central Africa. CITES has adopted an action plan to address such matters, which can be found at:

<http://www.cites.org/eng/dec/valid14/annex2.shtml>

#### **Location of CITES**

Locating the CITES Secretariat elsewhere than in Geneva has been considered several times by the CITES Standing Committee, with the conclusion that such a move would not result in meaningful savings. It may be of interest for the Committee to note the following budgetary information. For 2009, the assessed contribution to the CITES Trust Fund by the United States of America has been set at USD 1,135,359. The United States of America is the single largest contributor to the Trust Fund. Using a sliding UN scale to assess contributions, many Parties in the developing world will pay USD 52 in 2009.

#### **Deterrence**

The Secretariat has no budget to engage in "deterrence" activities, such as public awareness or education campaigns, and this remains a matter for national authorities (although we have identified in our programme that we would like to obtain funding to do so).

CITES has, in a species-specific manner, introduced a caviar trade database where the trade is "tracked" in as near a "real-time" manner as possible and we hope this will aid in deterring some of the fraud and laundering that previously occurred. This approach may, in due course, be used for other forms of trade.

We seek to encourage and facilitate enforcement of the Convention and we hope this helps deter wildlife criminals. Enforcement of wildlife trade regulations is solely a matter for national authorities and the CITES Secretariat has no enforcement powers. Our role in the field of enforcement is one of providing technical advice and assistance and facilitating communication, collaboration and coordination between law enforcement agencies. Some of our activities are described in our written testimony. However, the current Secretariat budget of USD 4.8 million means that one staff member only deals directly with enforcement, which certainly hampers our ef-

forts in this field. Requests for the creation of additional posts have not been supported by the Parties so far.

#### **Non-detriment findings**

CITES already has a robust process in relation to non-detriment findings, which is overseen by the Animals and Plants Committees (formed of scientists and relevant experts). The process is described in a Resolution, which can be found at:

<http://www.cites.org/eng/res/12/12-08R13.shtml>

Findings by these Committees that trade is not sustainable can lead to recommendations to suspend trade. A major international workshop on the making of non-detriment findings will be organized prior to the 15th meeting of the Conference of the Parties, which will be held in early 2010. Details can be found at:

[http://www.cites.org/eng/dec/valid14/14\\_49-51.shtml](http://www.cites.org/eng/dec/valid14/14_49-51.shtml)

#### **Questions for the record by Honorable Don Young**

(1). The CITES Secretariat believes it is impractical and unrealistic to expect that illegal trade in wildlife can be stopped altogether. Alongside enforcement, we believe it is important to engage in public awareness and education, to ensure that legal trade is processed efficiently, but also to involve local communities in safeguarding and benefiting from natural resources.

(2). The Conference of the Parties to CITES has, for many years, encouraged nations to consider public awareness initiatives to discourage the use of endangered species, that is species listed in Appendix I, for example tigers and rhinoceros. Additionally, particularly in the case of traditional medicine products, encouragement has been given to seeking out alternatives or substitutes. For example, substitutes for tiger bone have been identified by traditional medicine practitioners. In the case of bear bile, as another example, the active ingredient can be chemically replicated without using actual bear specimens.

We are conscious that the United States courts are currently considering cases where defendants are claiming that their violation of the Convention was driven by religious needs. These aside, we are not aware of religious factors being of significance in relation to CITES and we suspect that religion may sometimes be used as an excuse for what is truly deliberate circumvention of the Convention's provisions.

(3). A wide range of initiatives have been used to encourage sustainable consumptive or non-consumptive use of wildlife. In situ captive-breeding or artificial propagation can also play a significant role in enabling local communities to benefit lawfully and sustainably from natural resources. The Secretariat's budget does not allow it to engage, to any significant extent, in practical assistance to Parties but it attempts to provide guidance or advice. The following document on incentives for implementation of the Convention, prepared by the Secretariat, may be of interest:

<http://www.cites.org/eng/cop/14/doc/E14-32.pdf>

A pilot project relating to national wildlife trade policies is currently nearing completion and it is hoped this study will provide useful lessons. CITES also takes account of work in other fora that can provide helpful guidance. For example, CITES has adopted a Resolution referring to sustainable use of biodiversity:

<http://www.cites.org/eng/res/13/13-02R14.shtml>

(4). Several Parties maintain that they have governmental data-protection policies or legislation that prevents them from supplying enforcement-related information or which restricts what they can supply. In such cases, if information cannot be supplied direct to the Secretariat, we encourage the use of alternative channels, such as ICPO-Interpol and the World Customs Organization. In recent years, we have noted some excellent examples of inter-agency and cross-border exchanges of information and many of these have been facilitated by the Secretariat. These have led to interceptions of illegal shipments and also follow-up investigations. Consequently, whilst it is currently not possible to have a central collation of data, we are optimistic regarding the "operational" sharing of information.

(5). The CITES Enforcement Expert Group has the following tasks:

- to identify measures to improve the gathering of data on illicit trade from and by relevant international, regional and national law enforcement organizations, CITES Management Authorities and the CITES Secretariat, and to discuss ways in which such data could be analyzed to provide a clearer understanding of illicit trade in specimens of CITES-listed species;

- assess progress in implementing the recommendations made by the Group at its meeting in Shepherdstown in 2004; and

- assess available information relating to any national action plans recommended in Resolution Conf. 11.3 (Rev. CoP14).

Because the Group consists of experienced law enforcement officials, from a range of agencies and from national, regional and international bodies,

it can help provide important guidance for implementation of the Convention. Additionally, because it consists of officers from a range of countries across the world, it can draw upon those who have knowledge of the most recent developments in law enforcement, trends in illegal trade, modus operandi, whilst also benefiting from the insight provided by officers from under-resourced developing countries who can help identify their needs and relevant areas for support to be provided.

The Resolution relating to compliance and enforcement can be found at:  
<http://www.cites.org/eng/res/11/11-03R14.shtml>

(6). We have not attempted to define the phrase “serious crime”. We would probably use the definition offered by the UN Convention against Transnational Organized Crime, as referred to in our written testimony, i.e. “conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.” In simple, practical terms, we would probably regard illicit commercial trade in Appendix-I species as a serious CITES-related crime, although serious crimes could also involve large-scale illicit trade in Appendix-II or -III specimens.

(7). The Certificates of Commendation are intended to recognize exemplary enforcement actions. In the case of the U.S. Fish and Wildlife Service and the U.S. Department of Justice, the Secretary-General was particularly impressed by the self-initiated work undertaken by Inspectors and Special Agents, often involving lengthy and complex investigations (including covert operations). The Service and Department clearly worked together very effectively and the number of prosecutions, resulting in significant penalties, was remarkable. The commitment and co-ordination demonstrated was undoubtedly “exemplary” and offered many lessons for other countries to draw upon.

No other country in the world has such a large, experienced or well-resourced wildlife law enforcement agency as the U.S. Fish and Wildlife Service. Consequently, its Inspectors and Special Agencies have considerable advantages compared with their counterparts around the world. However, it is our experience that the personal commitment and enthusiasm of those Inspectors and Agents matches anything we have seen elsewhere. Particularly commendable is the willingness of the Service to, wherever possible, assist other agencies around the world, whether through capacity-building support, technical assistance or the supply of important intelligence. The Service’s forensic laboratory is also the world-leading facility in its field and has undertaken many ground-breaking research initiatives. The laboratory’s support to the international community is also commendable.

We particularly commend the recent initiative whereby the Service has “embedded” a Special Agent to work with the enforcement authorities in Thailand for a period of six months. The Secretariat has recommended this type of in-depth capacity-building several times in the past but the United States is the first country to provide it.

(8). Lack of funds was not the only reason for our decision to cease enforcement-related data collection and storage. Given the existence of other databases, such as ICPO-Interpol and the World Customs Organization, we believed (even had additional funds become available) that our human resources could be more effectively deployed on other matters. We were also conscious that we were able to cease data input without removing our ability to engage in the preparation of Alerts and handling of intelligence.

Allow me to close by once again expressing the appreciation of the CITES Secretariat for the work that the Committee on Natural Resources is undertaking.

The CHAIRMAN. Thank you.  
 Mr. Perez?

**STATEMENT OF BENITO A. PEREZ, CHIEF, OFFICE OF LAW  
 ENFORCEMENT, U.S. FISH AND WILDLIFE SERVICE**

Mr. PEREZ. Mr. Chairman and Members of the Committee, I am Benito Perez, Chief of the U.S. Fish and Wildlife Service’s Office of Law Enforcement. I am pleased to be here today to discuss the Service’s work in combating illegal wildlife trade.

Illegal wildlife trade is well documented as a significant threat to wildlife, and it continues to thrive. More than 30,000 different species are now protected under CITES, and listings under that



treaty have increased by more than 75 percent since the early 1990s.

Since the traffickers' perspective, illegal wildlife trade represents an excellent return on investment. Poachers, middlemen and retailers all enjoy significant monetary gain. The globalization of the world economy and the resulting ease of travel, transport and transaction have only bolstered this trade. The United States is a major consumer nation in this black market. Each year, we seize about \$10 million worth of illegal wildlife.

The U.S. Fish and Wildlife Service is the lead agency for combating illegal wildlife trade. Our officers inspect wildlife imports and exports for compliance, investigate and disrupt smuggling networks and support capacity building efforts around the globe. Our strategic goals include preventing illegal trade in foreign species, protecting U.S. wildlife from unlawful exploitation and increasing cooperation with our law enforcement partners.

Cooperation with other enforcement agencies is particularly important given the size and scope of our program. At present, we have 114 wildlife inspectors in 38 ports of entry who work exclusively on import/export control. Our special agents, who currently number 191, conduct investigations involving both U.S. and global species, and our four person intelligence unit supports our domestic and international enforcement work.

In 2007, our wildlife inspectors examined more than 179,000 declared shipments and conducted proactive inspections of air and ocean cargo, passenger flights and mail facilities. Our agents completed a covert investigation that uncovered large scale smuggling of sea turtle parts and products from China and Mexico.

In other key cases, we sent the Japanese butterfly expert to prison for trafficking in endangered species and exposed a leopard poaching and trophy smuggling operation based in South Africa and Zimbabwe.

Our officers worked with NOAA-Fisheries and the United Kingdom to document trafficking in sperm whale teeth, teamed with Environment Canada to break up a smuggling network dealing in queen conch meat from the Caribbean and completed investigations of cross-border bird smuggling that allowed 149 parrots to be returned to Mexico.

Last year, we conducted wildlife enforcement training programs for officers in Brazil, Mongolia, Indonesia and Sub-Saharan Africa, and completed validation studies of previous training efforts in Thailand and the Philippines.

Our commitment to capacity building, which dates back to the 1980s, has been enforced in recent years. In fact, since 2000, our agents and inspectors have taught over 30 training courses, reaching officers in 58 different countries. We have ongoing training partnerships with the International Law Enforcement Academy in Botswana and with ASEAN-WEN, the Association of Southeast Asian Nations Wildlife Enforcement Network.

Continued efforts to combat illegal wildlife trade are clearly warranted from a conservation perspective. They may also be advisable in the interest of global security and stability.

The United States must sustain and solidify its trade enforcement efforts. The nation must also provide continued support

through enforcement capacity building overseas and to on-the-ground conservation programs and economic development efforts. Improved intelligence gathering and sharing is needed not only among agencies focused on wildlife crime, but across the broader enforcement spectrum.

The United States can also play an important role in fostering regional enforcement alliances as we have with ASEAN-WEN and the North American Wildlife Enforcement Group, NAWEG.

The Service is committed to combating illegal wildlife trafficking, and we will continue to work with other nations, international groups and our law enforcement counterparts to meet this goal. We welcome the Committee's interest in strengthening U.S. efforts in this area.

This concludes my prepared remarks. I would be happy to respond to any questions.

[The prepared statement of Mr. Perez follows:]

**Statement of Benito A. Perez, Chief, Law Enforcement,  
U.S. Fish and Wildlife Service, U.S. Department of the Interior**

Mr. Chairman and Members of the Committee, I am Benito Perez, Chief of the U.S. Fish and Wildlife Service's (Service) Office of Law Enforcement. I am pleased to be here today to discuss illegal wildlife trade and our work to combat it.

The Service is the lead Federal agency for wildlife law enforcement, including the enforcement of U.S. laws and treaties that regulate international wildlife trade. Our mandate includes inspecting wildlife imports and exports for compliance with U.S. wildlife laws and regulations; intercepting illegal shipments; and investigating and dismantling wildlife smuggling networks.

**Overview of Illegal Wildlife Trade**

Illegal wildlife trade has long been recognized as a threat to species worldwide. Although U.S. and global efforts to stem it date back over four decades, it continues to thrive.

More than 30,000 species now receive protection under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Listings under CITES have increased by more than 75 percent since the early 1990s. Trade and trafficking have played a major role in pushing such species as elephants, tigers, rhinos, and sea turtles to the brink of extinction. Other wildlife "commodities" subject to significant trade pressures range from sturgeon and corals to parrots and tortoises.

From the traffickers' perspective, illegal wildlife trade represents an excellent return on investment. Poachers, middlemen, and retailers all enjoy the opportunity to reap significant monetary gain. Commodities that first sell for the equivalent of nickels, dimes, or dollars in the source country can yield hundreds, or even thousands more dollars at the point of final sale.

Poaching wildlife is viable because the monetary gain often exceeds the income that would be available from legitimate sources. Last spring, the Associated Press reported that a poacher can earn \$180 for the tusks of a forest elephant and \$6,000 for its meat in an area where the average legally earned income is \$1 a day.

The retailer of illegal wildlife enjoys the benefit of exponential markups. In a recent Service investigation, sea turtle skins purchased for \$70 wholesale in Mexico were used to make a pair of sea turtle boots that could be sold for up to \$480 in the U.S. retail market. Wildlife traffickers in India have been quoted in the British press claiming even higher profit margins—examples include selling a snow leopard pelt for 10 times the price paid to the poacher and selling ivory for 100 times the purchase price.

Many commodities in the illegal wildlife trade represent "high end" goods in and of themselves. Admittedly, the market value of illegal goods is hard to precisely determine (as is the overall value of illegal wildlife trade), but we can provide some examples by looking at a range of values from import/export declarations, market research, actual investigations, and studies by conservation groups. A shahtoosh shawl (which requires the slaughter of three to five Tibetan antelope) can fetch as much as \$19,000. The retail value of the parts (bone, skin, teeth, claws and skull) of an adult male tiger can total over \$70,000. While the starting price for a snow

leopard skin in China may be as little as \$250, our investigations show that that skin may ultimately sell in the west for as much as \$15,000.

Despite years of public outreach to discourage the consumption of protected species, demand persists and black markets flourish. The impact of such demand has been exacerbated by the globalization of the world economy. The ease of travel, transport, and transaction that characterizes the global marketplace has bolstered illegal wildlife trade, facilitating its conduct and foiling its detection.

The opportunity for massive profits is clearly present, and we have often dealt with groups whose operations demonstrate detailed planning, significant financial support, sophisticated forgery and alteration of permits and certifications, and international management of shipments. These are among the indicators for organized crime developed by the CITES Secretariat and the United Nations Office on Drugs and Crime. We have encountered clearly identified “organized crime” elements in some Service cases. Two recent examples involved caviar smuggling rings with professed ties to the “Russian mafia”.

None of the Service’s investigations show a definitive link between the illegal wildlife trade and terrorism or other groups that pose a direct threat to U.S. national security. However, other witnesses at today’s hearing that have a broader global perspective may well provide greater insight into the nexus between illegal wildlife trade and instability within other nations.

Additional examination of these issues may be warranted by those with expertise in national security, terrorism, and organized crime.

#### **U.S. Role in Illegal Wildlife Trade**

The U.S. is a major consumer nation in the wildlife trade black market. Annually, about \$10 million worth of illegal wildlife is seized—an amount that probably only scratches the surface of the wildlife contraband coming into this country. Over the past four years (2004-2008), our inspectors most often seized or refused wildlife shipments from Mexico, China, and Canada—countries that are also among our leading trading partners for legal wildlife and wildlife products. Nations that rank among the top suppliers of shipments stopped for wildlife violations include the Philippines, Hong Kong, Thailand, Italy, Indonesia, the United Kingdom, and Vietnam.

Service investigations show that the U.S. is a key end market for rare reptiles, birds, corals, cycads and orchids—everything from parrots in Mexico to Komodo dragons from Indonesia to radiated tortoises from Madagascar. The U.S. is also a prime market for elephant ivory and ivory carvings and other art or handicraft items made from the feathers, fur, claws and other parts of protected species. For example, sea turtle eggs and meat are frequently intercepted at some ports of entry as are queen conch meat and shells and Asian medicinals made from rhino, tiger, seal, and other endangered wildlife. Other examples of items that have been intercepted by Service law enforcement include snow leopard and other spotted cat furs; rare mounted butterfly specimens; improperly imported reptilian leather goods made from CITES-listed crocodile, caiman, and lizard; leopard, bontebok and other trophies lacking permits; and an array of other wildlife products and parts ranging from beluga caviar, whale meat, and iguana eggs to coral jewelry, giant clam shells and meat, and primate skulls.

It would, however, be short-sighted to depict the U.S. solely as a consumer nation when it comes to wildlife trafficking. We are a supplier nation for certain commodities and must recognize that if such trade is left unchecked, it may ultimately prove as much a threat to some of our own species as it has been for many endangered exotics.

A review of Service investigations over the past 10 years shows that a number of U.S. resources are subject to unlawful take and trade. Examples include a case worked in conjunction with the NOAA Office of Law Enforcement involving juvenile leopard sharks unlawfully harvested from California waters for both the domestic and European “pet” markets; the illegal collection and sale of freshwater mussel shell from rivers in the Midwest and Southeast for cultured pearl production in Asia; the trafficking of live eels from the eastern seaboard for Asian food markets; and the harvest and unlawful export of coral reef organisms from the Florida Keys National Marine Sanctuary.

Strong demand exists in overseas markets for U.S. reptiles, including those valued as pets or high priced collectibles as well as those eventually destined for consumption as food. In fact, export markets have put so much pressure on some domestic turtle populations that in 2006 the United States listed the alligator snapping turtle and all 12 species of map turtles native to this country under CITES Appendix III to better regulate this trade.

Developments in the global illegal trade also affect our native wildlife populations. Black market caviar trafficking and habitat degradation have sent Caspian Sea sturgeon populations plummeting. Such population declines have drastically reduced the availability of caviar from this source and have led to increased exploitation of U.S. sturgeon and paddlefish for caviar production, some of which has been sold in this country falsely labeled as Russian roe. Domestic sturgeon caviar is selling for up to \$880 a pound, while paddlefish caviar can fetch as much as \$373 per pound.

#### **Service Role in Policing Wildlife Trade**

As the lead Federal agency in this arena, the Service works to curb illegal wildlife trade through inspection activities, investigations, and international liaison and capacity building. The strategic goals and objectives of our Law Enforcement program include “preventing the unlawful import/export and interstate commerce of foreign fish, wildlife and plants” and “protecting the Nation’s fish, wildlife and plants from unlawful exploitation.”

The Office of Law Enforcement’s strategic plan recognizes that our ability to achieve these goals will depend in part on how effectively we work with other law enforcement agencies, both in this country and around the world. Our objectives therefore also include increased cooperation with law enforcement partners on information sharing and investigations. The Service works with a number of partners including resource management agencies in developing nations and customs and wildlife authorities worldwide; entities such as Interpol and the CITES Secretariat; and other Federal agencies that also police trade, such as Customs and Border Protection (CBP), NOAA Office of Law Enforcement, Agriculture, the U.S. Department of State and the Food and Drug Administration. Cooperative efforts range from joint investigative work with counterparts in this country to training programs for officers in countries that are working to improve their enforcement capabilities and infrastructure.

Cooperation with other enforcement agencies is particularly important given the size and scope of our law enforcement program. At present, the Service has a force of 114 uniformed wildlife inspectors at 38 ports of entry who work exclusively on import/export control. In FY 2007, our inspectors examined more than 179,000 declared shipments of wildlife and wildlife products.

In addition to seizures of unlawfully imported wildlife and wildlife products, Service wildlife inspectors also conducted focused proactive inspection operations at air and ocean cargo, passenger terminals, and international mail facilities to intercept wildlife trafficking. For example, an inspection “blitz” of passenger flights arriving in Atlanta from the Caribbean and Central America during peak sea turtle nesting season resulted in the seizure of 69 sea turtle eggs; a similar enforcement operation conducted in Miami recovered over 200 sea turtle eggs along with a commercial shipment of queen conch shells and caiman products that lacked CITES permits. Other examples include “strike force” enforcement operations with Customs counterparts in Los Angeles to look for smuggled wildlife in cargo arriving at Los Angeles International Airport and at ocean cargo and mail facilities in the area. Inspectors in New York now staff a “Special Operations Team” that similarly conducts proactive cargo inspections as well as sweeps of passenger flights at John F. Kennedy International Airport.

Our special agents, who currently number 191, conduct investigations involving both native species and global trafficking, and our four-person intelligence unit supports both our domestic and international enforcement work. Investigative priorities focus on unlawful commercialization of protected wildlife, including species listed under CITES as well as those species listed under our Endangered Species Act.

In FY 2007, our agents completed a three-year covert investigation that uncovered large-scale smuggling of sea turtle shell, skin, and products from China and Mexico to the United States and resulted in joint enforcement action in this country and Mexico. Agents were able to document an organized network of individuals involved in the sea turtle skin trade from “start to finish,” tracing the links between fishermen, wholesalers, tanners and processors, boot makers, “mules” (individuals paid to smuggle product across the border), importers, and retailers. More than 4,000 sea turtle skins were offered to agents during the course of this investigation, and traffickers dealing in shells boasted of being able to supply enough to fill a semi-trailer.

In another key case, Service investigators sent a Japanese butterfly expert to prison for trafficking in endangered species. The defendant, who described himself to undercover agents as the world’s premier butterfly smuggler, pleaded guilty to 17 felony charges. During the course of the investigation, he sold almost \$30,000 worth of protected butterflies and offered to sell another \$300,000 worth to undercover agents; species included such rarities as the endangered giant swallowtail butterfly and endangered Queen Alexandra birdwing—the world’s largest butterfly.

Our agents worked with NOAA-Fisheries and the United Kingdom to document trafficking in more than \$450,000 worth of sperm whale teeth. Defendants in this country included the owner of two scrimshaw businesses in Hawaii who was sentenced to pay a \$120,000 criminal fine and another purchaser who was fined \$150,000. A third defendant who orchestrated the smuggling will be sentenced after testifying against a British whale tooth/ivory supplier in the United Kingdom. The case documented the smuggling and illegal interstate sale of hundreds of teeth extracted from whales illegally hunted and killed by fishing fleets.

Service and NOAA Fisheries agents teamed with Environment Canada to break up a multi-nation smuggling network dealing in queen conch meat from Caribbean and South American countries. The individuals and companies involved (which include defendants from Canada, the United States and Haiti) are believed to have illegally traded 263,953 pounds of queen conch meat valued at more than \$2.6 million—the equivalent of nearly seven fully loaded semi-trailers. The investigation, code-named Operation Shell Game, traced unlawful conch meat exports from the Dominican Republic, Haiti, Jamaica, Honduras, and Columbia. Wildlife experts estimate that the meat involved in this case represents between 798,000 and 1.05 million CITES-protected queen conch.

Other investigative successes last year saw our agents expose a leopard poaching and trophy smuggling operation involving South African guides and U.S. hunters and the laundering of trophies through Zimbabwe. The work of Service officers led to guilty pleas from a California man who smuggled live eagle owl eggs from Austria and to the conviction of a Philadelphia storeowner who sold more than \$30,000 worth of endangered animal parts and accepted a \$11,400 order for a tiger and jaguar skin from undercover operatives.

Another important tool used to address illegal wildlife trade is capacity building and training. For example, over the past two years, the Service conducted wildlife enforcement training programs for officers in Brazil and Mongolia. We worked in close partnership with the Association of Southeast Asian Nations to assist that organization in setting up a regional Wildlife Enforcement Network (ASEAN-WEN) and conducted criminal investigators training under its auspices in the Philippines and Thailand in 2006 and in Indonesia in 2007. This past summer, our agents returned to the first two countries to conduct training validation studies and provide additional technical assistance to ongoing enforcement efforts.

In 2007, in cooperation with and funded by the Department of State, for the sixth consecutive year, the Service conducted a two-week wildlife investigative training course as part of the core curriculum at the International Law Enforcement Academy (ILEA) in Botswana. Thirty-two officers from nine sub-Saharan African nations completed the program, bringing the total number of officers trained since its inception to 182. This partnership has fostered information sharing among African nations and the United States, improving collective efforts to prevent global trafficking in African wildlife resources.

These efforts represent a continuation of the Service's longstanding commitment to building global wildlife law enforcement capacity—a commitment that dates back to the 1980s and that has been reinforced in recent years. In fact, since 2000, our agents and inspectors have taught over 30 different overseas training courses reaching officers in 58 different countries.

For the past twenty years, the Service has also operated the only forensics laboratory in the world dedicated to crimes against wildlife. Our forensic specialists examine, identify, and compare evidence using a wide range of scientific procedures and instruments, in the attempt to link suspect, victim and crime scene with physical evidence. In order to meet the forensic needs of wildlife law enforcement officers at the federal, state and international levels, the lab's forensic specialists will conduct crime scene investigations, examine submitted items of evidence, and provide expert witness testimony in court. In performing this mission, the lab supports federal law enforcement efforts of our special agents and wildlife inspectors throughout the United States, all fifty State Fish & Game Commissions, and approximately 150 foreign countries who have signed CITES.

### **The Road Ahead**

The United States must sustain and solidify its efforts to enforce U.S. laws and treaties that regulate wildlife trade and protect global and U.S. species. We must also provide continued support to enforcement capacity building overseas as well as to on-the-ground conservation programs and economic development efforts in range countries—efforts that can help address the complex socio-economic problems that promote poaching and fuel illegal wildlife trade.

Near-term developments that will strengthen U.S. enforcement efforts include the Service's participation in the International Trade Data System/Automated Customs

Environment—an interagency effort to improve the policing and processing of all trade entering and leaving the United States. Benefits for our trade interdiction efforts will include better access to shipment data for screening purposes and increased intelligence sharing with other Federal agencies.

Improved intelligence gathering and sharing has become increasingly important to efforts to address global wildlife trafficking. Further attention is needed both in this country and in the global community to facilitating information exchange, not only among agencies focused on wildlife crime, but across the broader enforcement spectrum.

We also look to continue our training support to other nations through ILEA in Botswana, opportunities arranged by the Department of the Interior's International Technical Assistance Program and the U.S. Agency for International Development, and other mechanisms, including our engagement with ASEAN-WEN. A Service special agent is now on detail in Thailand working as a technical expert and advisor on training programs for this regional enforcement network.

Such networks, which include the North American Wildlife Enforcement Group, the Lusaka Task Force in Africa, ASEAN-WEN, and the International Monitoring, Control and Surveillance Network for Fisheries Related Activities play a particularly important role in addressing global wildlife trade. As our experience with ASEAN-WEN shows, the United States can play a pivotal role in promoting the creation of such networks and can further buttress such alliances through ongoing technical or training assistance.

#### **Conclusion**

The Service is committed to conserving wildlife not only in this country, but throughout the world. The Service will continue working with other nations, international groups, and federal enforcement counterparts in this country and abroad to combat illegal wildlife trade. We welcome the Committee's interest in strengthening U.S. efforts in this arena and appreciate the opportunity to participate in this hearing. This concludes my prepared remarks, and I would be happy to respond to any questions that you may have.

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#### **Response to questions submitted for the record by Benito A. Perez, Chief, Law Enforcement, U.S. Fish and Wildlife Service, U.S. Department of the Interior**

##### **Questions from Chairman Nick Rahall**

###### **1. Wildlife Trade Prosecution**

The international illegal wildlife trade appears to be motivated by high profits and low risk of getting caught. Is arresting traffickers and confiscating their goods a strong deterrent against future criminal acts? What percentage of wildlife crime cases handled by FWS are prosecuted? What limits the ability of FWS to handle more cases?

**Response:** The U.S. Fish and Wildlife Service (Service) believes that enforcing wildlife treaties, laws and regulations can be an effective tool in deterring both national and international illegal wildlife trade. Investigating wildlife crimes is not, however, a priority in many other countries, nor are penalties for poaching and wildlife trafficking as stringent as they are in the United States.

Service investigations often involve years of work and similarly staggered prosecutions. Most investigations (particularly those related to wildlife smuggling) eventually result in some type of legal action with consequences that may include: forfeitures of illegal wildlife and instrumentalities used to commit the crime; civil penalties; criminal penalties (including imprisonment and fines); forfeiture or disgorgement of gains realized from the illegal trade; printing of public apologies; suspension or revocation of licenses or other privileges; and court-ordered monitoring of environmental compliance. Each of these is part of our effort to deter further illegal wildlife trafficking. A few investigations are closed without legal action being initiated, most often these cases involve the illegal take of protected species where there is a lack of evidence connecting the crime with any specific person. In enforcement activities for 2007 (including but not limited to international trade-related matters), the Service pursued over 12,750 investigations, helped obtain more than \$14 million in criminal fines, and approximately \$5.2 million in civil penalties, all with fewer than 200 agents. Service law enforcement activities also led to prison sentences totaling 32 years and probation terms totaling 557 years, and our law enforcement inspectors processed more than 179,000 shipments.

There are a number of factors that contribute to the limits on the Service's ability to handle more cases, including international jurisdictional issues, availability of information regarding wildlife crimes, and competing priorities within the Service.

## **2. Multinational Species Conservation Funds**

**The President is requesting approximately \$4.2 million for the Multinational Species Conservation Fund in FY 2009. What can we do to ensure that some of this money, if appropriated, goes to funding law enforcement in range countries?**

**Response:** Funding for the Multinational Species Conservation Funds (MSCF) will go to the highest priority projects available for funding. The authorizing legislation for the individual acts emphasizes law enforcement as a key activity to be funded under each. In FY 2007, the Service provided about \$1.5 million, or approximately 17%, of the MSCF appropriation (as complemented by USAID transfer funds) for law enforcement related activities. A list of these projects is attached at the end of this document.

## **3. Use of Database**

**Your testimony on page 6 discusses the International Trade Data System to improve the policing and processing of trade entering and leaving the United States. This program only affects U.S. agencies. Is the U.S. a participant in ECOMESSAGE, an international illegal wildlife trafficking database operated by Interpol? Why or why not?**

**Response:** Interpol's ECOMESSAGE system was intended to facilitate efforts by countries worldwide to report on illegal transboundary trafficking in wild fauna and flora. ECOMESSAGE relies on technology that is, in the Service's opinion, not user friendly, and Interpol protocols often result in information being transmitted to a country's national police instead of to the appropriate wildlife or customs agency for action. In practice, we have found it more effective and efficient to relay information about wildlife trafficking directly to the appropriate wildlife enforcement agency in the foreign country or countries concerned. We also routinely receive information from our foreign counterparts through direct communication.

We understand Interpol has made a number of improvements to ECOMESSAGE, and we will reexamine our use of the system and the process.

## **4. FWS Inspectors Working Abroad**

**Your testimony mentions that a Fish and Wildlife Service special service agent has been detailed to work in Thailand providing technical assistance and training on law enforcement? Does the Fish and Wildlife Service have plans to detail special agents to other foreign locations as well?**

**Response:** The special agent stationed in Thailand to provide technical assistance and training on law enforcement is funded through the U.S. Agency for International Development. Although currently we have no plans to detail additional special agents to other foreign locations, we recognize the value of doing so and would consider it in the future if the nature of the assignment helps to address the program's goals and other alternatives are not available.

We are continuing our other efforts to build wildlife law enforcement capacity overseas. Since 2000, Service special agents and wildlife inspectors have taught more than 30 different overseas training courses reaching enforcement officers in 58 different countries. In 2006-2007, OLE training efforts included:

- Criminal investigator training for officers from sub-Saharan African nations, International Law Enforcement Academy (ILEA)/Botswana, June 2007 (part of core curriculum, offered yearly since 2002)
- Criminal investigator training, Indonesia (sponsored by the Association of South East Asian Nations Wildlife Enforcement Network and USAID), February 2007
- Criminal investigator training, Philippines (sponsored by ASEAN-WEN, USAID, and WildAid), December 2006 with follow-up validation study in August 2007
- Wildlife trade enforcement training, Mongolia (sponsored by TRAFFIC East Asia and State Department's CAWT), December 2006
- Wildlife crime investigators course, Brazil, October 2006
- Crime scene investigation for coral reefs, International Tropical Marine Ecosystems Management Symposium, Cozumel, Mexico, October 2006
- Criminal investigator training, Thailand (sponsored by ASEAN-WEN and WildAid), August 2006 with follow-up validation study in July 2007
- Criminal investigator training for officers from sub-Saharan Africa, ILEA/Botswana, June 2006 (core curriculum)

- Internet wildlife trafficking training, U.S./Canada/Mexico video-conference (sponsored by the North American Wildlife Enforcement Group), February 2006

## 5. International Collaboration

**Since international trade in wildlife inherently crosses national borders and jurisdictions, efforts to combat illegal wildlife trade often involve cooperation between and among countries. How frequently do FWS special agents collaborate on cases with foreign governments? What sort of formal agreements exist for collaboration with foreign governments to work on wildlife crime cases?**

**Response:** The strategic goals and objectives of the Service's Office of Law Enforcement include "preventing the unlawful import/export and interstate commerce of foreign fish, wildlife and plants" and "protecting the Nation's fish, wildlife and plants from unlawful exploitation." The Office of Law Enforcement's strategic plan recognizes that our ability to achieve these goals will depend in part on how effectively we work with other law enforcement agencies, both in this country and around the world. Our objectives therefore also include increased cooperation with law enforcement partners on information sharing and investigations.

The United States government has a number of Mutual Legal Assistance Treaties with foreign governments that may be used to obtain foreign evidence for use in criminal investigations conducted by Service agents and for prosecutions of wildlife crimes. These treaties define the obligation of governments to provide assistance, specify the scope of assistance, and set forth the requirements for assistance requests. They may also contain provisions intended to ensure the admissibility of foreign evidence in domestic criminal trials.

Although the Service has no formal agreements to facilitate collaboration with other governments on wildlife crime investigations, we have formal arrangements with several groups for cooperation in building enforcement capacity and infrastructure. For example, we have ongoing training partnerships with the International Law Enforcement Academy in Botswana, the Association of Southeast Asian Nations' Wildlife Enforcement Network (ASEAN-WEN), and the North American Wildlife Enforcement Group (NAWEG).

The Service works with a number of global partners including resource management agencies in developing nations and customs and wildlife authorities worldwide as well as international entities such as Interpol, the CITES Secretariat, and the CITES Enforcement Working Group. Cooperative efforts range from joint investigative work with counterparts in other countries to training programs for officers in nations that are working to improve their enforcement capabilities and infrastructure.

Examples of recent cases involving international cooperation include work with Environment Canada to break up a multi-national smuggling ring dealing in queen conch meat; coordination with authorities in South Africa to expose a leopard poaching and smuggling operation; sustained liaison with enforcement officials in the United Kingdom that produced charges related to the smuggling of sperm whale teeth in both countries; and cooperation with Brazil on investigations involving trafficking in rosewood and Amazonian tribal artifacts made from protected species.

## 6. Memorandum of Understanding Between the FWS Forensic Laboratory and CITES

**The 1998 MOU between FWS and CITES notes the need for customs and police authorities to intensify their surveillance and enforcement measures. Has this happened?**

**Response:** While it is difficult for us to gauge the amount of increased surveillance and enforcement on a global scale, we believe that the increased joint efforts of the Service and CITES have played a positive role in international wildlife enforcement. The Service and CITES routinely work together to train customs and police authorities worldwide in wildlife law enforcement. This training strengthens and intensifies their surveillance and enforcement ability.

## 7. Collaboration between Agencies

**Does the FWS have any working collaborative agreements with other federal agencies to specify responsibilities for inspecting wildlife shipments at the border? Does an interagency task force or group exist to address illegal wildlife trade?**

**Response:** There are no official agreements for collaboration between the Service and border inspection agencies on a national level or within interagency task forces. However, Service special agents and wildlife inspectors work closely with other Fed-



eral inspection service agencies (including Customs and Border Protection, Department of Agriculture, Food and Drug Administration, and Immigration and Customs Enforcement) at ports of entry and border crossings on an ongoing, ad hoc basis. Such efforts include Service participation in “standing” committees at ports that address such issues as smuggling detection and pest interdiction as well as proactive efforts to organize and conduct targeted inspection blitzes.

There is a Memorandum of Understanding between the Service and the El Paso Intelligence Center (EPIC), which is composed of over 13 federal law enforcement agencies and the Department of Defense. The Service’s collaboration with EPIC has greatly enhanced our ability to target both domestic and transborder illegal wildlife smuggling.

Finally, the International Trade Data System (ITDS) is a multi-agency effort to create a one-stop internet interface with all agencies involved in international trade. ITDS will provide the core technological infrastructure for future wildlife inspection and smuggling interdiction operations and is thus a prerequisite for continuing and improving Service efforts to enforce U.S. laws and treaties that govern international wildlife trade.

**Questions from Ranking Member Don Young:**

**1. How large is the illegal wildlife trade? What are the major factors that have created this growing international problem?**

**Response:** Many commodities in the illegal wildlife trade represent “high end” goods in and of themselves. Admittedly, the market value of illegal goods is hard to precisely determine as is the overall value of illegal wildlife trade. While we do not know the full extent of the illegal trade, we can provide some examples of the value of illegal goods by looking at a range of values from import/export declarations, market research, actual investigations, and studies by conservation groups.

Despite years of public outreach to discourage the consumption of protected species, demand persists and black markets flourish. The impact of such demand has been exacerbated by the globalization of the world economy. The ease of travel, transport, and transaction that characterizes the global marketplace has bolstered illegal wildlife trade, facilitating its conduct and obstructing its detection.

Illegal wildlife trade has long been recognized as a threat to species worldwide. Although U.S. and global efforts to stem it date back over four decades, it continues to thrive. More than 30,000 species now receive protection under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Listings under CITES have increased by more than 75 percent since the early 1990s. Trade and trafficking have played a major role in pushing such species as elephants, tigers, rhinos, and sea turtles to the brink of extinction. Other wildlife “commodities” subject to significant trade pressures range from sturgeon and corals to parrots and tortoises.

From the traffickers’ perspective, illegal wildlife trade represents an excellent return on investment. Poachers, middlemen, and retailers all enjoy the opportunity to reap significant monetary gain. Commodities that first sell for the equivalent of nickels, dimes, or dollars in the source country can yield hundreds, or even thousands more dollars at the point of final sale.

Poaching wildlife is viable because the monetary gain often exceeds the income that would be available from legitimate occupations. Last spring, the Associated Press reported that a poacher can earn \$180 for the tusks of a forest elephant and \$6,000 for its meat in an area where they are found and where the average legally earned income is \$1 a day.

The retailer of illegal wildlife enjoys the benefit of exponential markups. In a recent Service investigation, sea turtle skins purchased for \$70 wholesale in Mexico were used to make a pair of sea turtle boots that could be sold for up to \$480 in the U.S. retail market. Wildlife traffickers in India have been quoted in the British press claiming even higher profit margins—examples include selling a snow leopard pelt for 10 times the price paid to the poacher and selling ivory for 100 times the purchase price.

**2. How many wildlife inspectors are currently employed by the U.S. Fish and Wildlife Service? How has this figure changed over the past five years?**

**Response:** The Service’s Law Enforcement program has 114 wildlife inspectors at 38 ports of entry. This figure has grown over the past five years. At the end of FY 2004, we had only 94 wildlife inspectors on the job.

**3. Is trophy hunting one of the major sources of the illegal wildlife trade?**

**Response:** While it has been shown that trophy animals killed illegally both in the United States and overseas enter the illegal wildlife trade, based on our investigations and other information, trophy hunting does not appear to be a major source of the illegal wildlife trade. When undertaken in the context of a scientifically justified, legally sanctioned, and fully controlled program trophy hunting can create needed resources for wildlife agencies in their efforts to control illegal wildlife trafficking.

**4. Is there any evidence that terrorist organizations are planning attacks involving the transmission of diseases through the illegal wildlife trade?**

**Response:** None of the Service's investigations show a definitive link between the illegal wildlife trade and terrorism or other groups that pose a direct threat to U.S. national security, including through the transmission of diseases.

**5. Is there any evidence that terrorists groups are engaged in the wildlife smuggling trade?**

**Response:** Again, none of the Service's investigations show a definitive link between the illegal wildlife trade and terrorism or other groups that pose a direct threat to U.S. national security.

**6. Mr. Pueschel, with the International Fund for Animal Welfare, stated in his written testimony that tiger bone wine being sold in a shop in San Francisco. Is the Service aware of this? Doesn't the 1998 Rhino and Tiger Product Labeling Act prohibit this? What actions is the Service taking to prevent the sale of these illegal wildlife products?**

**Response:** Products labeled to contain rhino or tiger parts would be illegal, whether or not they actually contain these species. Our efforts to prevent the sale of such products include enforcement activities (such as compliance inspection sweeps of retail outlets in some major metropolitan areas) as well as efforts to educate the public about Federal laws and prohibitions. Examples include production of a bilingual (English-Chinese) brochure spotlighting laws that protect tigers and rhinos; development of a formal conservation curriculum for U.S. schools that teach practitioners of traditional medicine; and participation in outreach forums such as the annual convention of the Association of Chinese Herbalists.

We routinely receive information that items purported to be illegal are being sold in a variety of venues throughout the United States; our officers follow up on such reports as resources allow.

**7. In the CRS Report "International Illegal Trade in Wildlife Threats and U.S. Policy" there is an assertion that: "There is limited publicly available evidence of terrorist groups involved in wildlife trafficking." Since there were no footnotes, named sources, documentation or evidence to support this assertion, could the Fish and Wildlife Service share with the Committee any evidence of terrorist activity?**

**Response:** Again, none of the Service's investigations show a definitive link between the illegal wildlife trade and terrorism or other groups that pose a direct threat to U.S. national security. We acknowledged as much in our meetings with CRS staff, and we do not know the source of the information that prompted this assertion.

**8. How much money does Fish and Wildlife spend on activities to combat the illegal wildlife trade? What specifically are the funds spent on?**

**Response:** The FY 2009 budget request for the law enforcement program is \$57.4 million. In general, these funds will be used to investigate wildlife crimes and monitor wildlife trade, both domestically and internationally. We do not track the amount of our budget specifically spent on combating the illegal wildlife trade. While the work of our wildlife inspectors focuses exclusively on both legal and illegal trade enforcement, the caseload of our special agents typically includes investigations involving not only global wildlife trade, but also domestic enforcement issues. Our forensic laboratory and intelligence unit also support both international and domestic enforcement work.

## ATTACHMENT

**LAW ENFORCEMENT-RELATED PROJECTS SUPPORTED BY THE  
MULTINATIONAL SPECIES CONSERVATION FUNDS IN AFRICA AND  
ASIA****FY 2007****THE GREAT APE CONSERVATION FUND—Africa**

Controlling Transportation of Bushmeat by the Cameroon Railway Company (CAMRAIL). In partnership with the Wildlife Conservation Society. USAID/USFWS: \$74,800; Leveraged: \$73,997. Support for increasing public awareness, education and law enforcement to reduce the transport of illegal bushmeat on Cameroon's rail system.

LAGA-MINFOF Collaboration-Wildlife Law Enforcement. In partnership with Last Great Ape Organization. USAID/USFWS: \$79,812; Leveraged: \$112,606. Support for law enforcement, public awareness, and prosecution of wildlife crimes to prevent trafficking of bushmeat, live apes, and other wildlife products in Cameroon.

Great Ape Conservation and Monitoring in the Multiple-Use Forests of the Sangha-Likouala Provinces, Republic of Congo. In partnership with the Wildlife Conservation Society. USAID/USFWS: \$92,239; Leveraged: \$36,750. Support for the protection of apes and other endangered wildlife through collaboration with local communities, anti-poaching patrols, and the development of a wildlife management strategy in the Mokabi timber concession.

Protection Reinforcement to Save Gorillas at Conkouati-Douli National Park, Republic of Congo. In partnership with the Wildlife Conservation Society. USAID/USFWS: \$99,942; Leveraged: \$24,127. Support for anti-poaching activities, illegal bushmeat control, training and equipping of ecoguards to protect apes and other wildlife.

Conservation and Monitoring of Great Ape Populations in Southern Odzala-Kokoua National Park, Republic of Congo. In partnership with the Wildlife Conservation Society. USAID/USFWS: \$65,531. Leveraged: \$23,895. Assess the status of gorillas and chimpanzees and support law enforcement and protection measures in the southern sector of Odzala-Kokoua National Park.

**GREAT APE CONSERVATION FUND—Asia**

Orangutan Protection and Habitat Monitoring Unit in Gunung Palung National Park, Indonesia. In partnership with Fauna and Flora International. USFWS: \$54,084. Leveraged: \$37,503. To patrol orangutan habitat, collect and collate information on forest crime, facilitate processing of criminal cases, provide relevant refresher training, and liaise with government agencies, local communities, and the media.

**RHINO-TIGER CONSERVATION FUND—Asia**

Conservation of Rhino and Tiger in Orang National Park, Assam, India, through Infrastructure Development. In partnership with the Wildlife Areas Development and Welfare Trust. USFWS: \$35,346; Leveraged: \$120,721. To strengthen law enforcement in vulnerable portions of the park by providing anti-poaching camp/watch towers to allow forest officers to remain in these areas on an extended basis.

Conservation of Tiger and Elephant in Pakke Wildlife Sanctuary, through Construction of Three Anti-poaching Camps along the Common Boundary of Pakke Wildlife Sanctuary and Nameri National Park, India. In partnership with the Wildlife Areas Development and Welfare Trust. USFWS: \$51,987; Leveraged: \$75,733. To provide greater protection to these species through strengthened law enforcement.

Mobile Village Tiger Patrols II: An Integrated Approach to Tiger Protection through Education, Conflict Mitigation and Law Enforcement, Indonesia. In partnership with the Wildlife Conservation Society. USFWS: \$54,033; Leveraged: \$63,551. To conduct human-wildlife conflict patrols, conduct wildlife crimes investigations, provide legal aid in wildlife crimes cases, and conduct educational events to raise awareness about tiger conservation.

Continuation of Rhino Monitoring and Protection Units in Ujung Kulon National Park, Indonesia. In partnership with the International Rhino Foundation. USFWS: \$37,094; Leveraged: \$58,181. Patrols will focus on key rhino areas such as saltlicks, wallows and important access routes.

Protection of Sumatran Rhinos by Anti-poaching Units in Way Kambas National Park, Sumatra, Indonesia. In partnership with the International Rhino Foundation. USFWS: \$49,949; Leveraged: \$125,337. To continue to operate five anti-poaching units in the park, remove and destroy all traps encountered on patrols, and apprehend suspected poachers so they may be prosecuted.

Vientiane Capital City Illegal Wildlife Trade Project, Phase IV, Lao PDR. In partnership with the Wildlife Conservation Society. USFWS: \$51,113; Leveraged: \$32,127. To reduce the loss of tigers, their prey, and other wildlife by halting wildlife trade in Vientiane through enhanced law enforcement and public awareness.

Conservation of Tiger and Prey Populations by Improved Law Enforcement, Reducing Human-Tiger Conflict, and Awareness Raising in the Nam Et-Phou Louey National Protected Area, Lao PDR. In partnership with the Wildlife Conservation Society. USFWS: \$50,450; Leveraged: \$81,342. To protect tigers through increased patrolling, continued monitoring of livestock depredation, increased public awareness, and incentives for tiger conservation.

Database on Wildlife Crime. In partnership with Wildlife Conservation Nepal. USFWS: \$56,375; Leveraged: \$27,335. To establish a database to monitor the activities of wildlife poachers, traders, and their associates so as to enhance the capacity of authorities to combat wildlife crime.

Expanding the Monitoring System for Tiger Conservation to Thung Yai Wildlife Sanctuary, Western Forest Complex, Thailand. In partnership with the Wildlife Conservation Society. USFWS: \$51,273; Leveraged: \$56,468. To expand the science based protection system in use at Huai Kha Khaeng Wildlife Sanctuary to the Thung Yai East and West Sanctuary so as to protect tigers and their prey.

Strengthening Tiger Management in Birsky Wildlife Reserve, Russia. In partnership with the Khabarovsk Krai Special Protected Areas and Wildlife Conservation Service. USFWS: \$48,512; Leveraged: \$22,440. To equip anti-poaching patrols with essential non-lethal equipment.

#### **RHINO-TIGER FUND—Africa**

Black Rhino Surveillance and Security. In partnership with Ol Pejeta Conservancy. FWS: \$30,344; Leveraged: \$30,344. This project will provide training and core expenses for security personnel to patrol and protect one of Kenya's key rhino populations, on Ol Pejeta Conservancy in central Kenya.

Black Rhino Anti-Poaching & Monitoring Program in the Chyulu Hills, Kenya. In partnership with International Rhino Foundation. FWS: \$44,162; Leveraged: \$86,529. This project supports antipoaching and water provisioning for a little known population of black rhinos outside the Tsavo National Park system in southwest Kenya.

Security and Monitoring of Rhinos in Lewa Wildlife Conservancy, Kenya. In partnership with Lewa Wildlife Conservancy. FWS: \$45,502; Leveraged: \$156,316. To support and enhance the on-going conservation of Black and White rhinos on and near Lewa Wildlife Conservancy in Kenya through the construction of security housing to enable security personnel to be permanently stationed in the Ngare Ndare Forest. This project will also enhance Lewa's radio communication network through the purchase of new hand-held radios to be used by rhino monitoring teams, and supporting radio-licensing costs for Lewa's extensive radio-network, which links LWC, Kenya Wildlife Service, Kenya Police, Laikipia Wildlife Forum and community conservation areas of the Northern Rangelands Trust to facilitate efficient and effective response to incidents of insecurity across a vast area of northern Kenya.

Support for Training and Equipment for the Greater Mara Community Scout Programme. FWS: \$38,179; Leveraged: \$87,819. In partnership with Friends of Conservation. Continued funding will support wildlife scouts from settlements surrounding the Maasai-Mara Reserve in Kenya. Activities funded by this project include training, workshops, outreach on mediating human/wildlife conflict, providing security radios and transport costs for patrols, and providing veterinary care for animals released found in illegal hunting snares.

Selous Black Rhino Conservation Project. In partnership with International Rhino Foundation on behalf of the Selous Trust. FWS: \$38,000; Leveraged: \$259,800. This project supports security and infrastructure to conserve black rhinos in the relatively undeveloped areas of the Selous Game Reserve in southern Tanzania. Activities will include maintaining basic patrols, locating and regularly monitoring surviving rhinos, and providing capacity building necessary to improve security and knowledge of the rhino population.

Support for Rhino Monitoring Bases, Zimbabwe. In partnership with International Rhino Foundation. FWS: \$9,931; Leveraged: \$44,000. Important black rhino populations in Zimbabwe occur on private land that has been adversely affected by recent land invasions. In response to the new human settlements, rhinos have been translocated further south, to safer areas. As a result, the rangers monitoring and protecting these rhinos need to move to the same area. This grant contributes to refurbishing existing buildings in the new region into suitable accommodation for the relocated rhino security personnel.

### ASIAN ELEPHANT CONSERVATION FUND

Floating Anti-poaching Camp in Kaziranga National Park, Assam, India. In partnership with The Rhino Foundation for Nature in Northeast India. USFWS: \$46,376; Leveraged: \$15,917. Support to build a floating anti-poaching camp that will operate on the Bhrmaputra River which forms the northern boundary of Kaziranga National Park, to enhance protection of elephants and other endangered species that live in the park.

Protection of Threatened Megavertebrates by Anti-poaching Units in Bukit Barisan Selatan National Park, Sumatra, Indonesia. In partnership with International Rhino Foundation. USFWS: \$49,996. Leveraged: \$328,923. Continued support for eight anti-poaching units to be operational throughout the year protecting wildlife including elephants, rhinos, tigers and tapirs, and other species of importance to biodiversity and their habitats in BBS National Park.

### AFRICAN ELEPHANT CONSERVATION FUND

EIA Ivory Enforcement Training Film "Combating Ivory Smuggling: A Guide for Enforcement Officers" In partnership with Environmental Investigation Agency. Country of work: Range States. USFWS: \$11,720; Leveraged: \$21,030. The purpose of this project is to support the filming, production and distribution of a comprehensive, inclusive and practical training tool for enforcement officers to help curtail elephant poaching and the illegal trade in ivory.

Securing Elephants and Habitat through the Hifadhi Network in West Kilimanjaro, Tanzania. In partnership with African Wildlife Foundation. Country of work: Tanzania USFWS: \$67,973; Leveraged: \$61,788. This grant assists local community scouts to conduct anti-poaching patrols and basic wildlife monitoring on land outside of protected areas in northern Tanzania.

Namunyak Wildlife Conservation Trust Communications Project. In partnership with Northern Rangelands Trust Country of work: Kenya USFWS: \$27,132; Leveraged: \$110,021. The Recipient will purchase and install a new radio communications system, including: base radios, handheld radios, and solar panels for recharging batteries to upgrade and improve the communications systems for security personnel in community conservancies in northern Kenya. The communications system will be maintained in order to provide reliable communication between the Northern Rangelands conservancies (including Kalama, Meibae, Melako, Sera and Westgate) and the Kenya Wildlife Service, Lewa Wildlife Conservancy and the Kenya Police.

Operations support for the Wildlife Action Group-Malawi for the Protection of the Thuma Forest Reserve Elephant Population, September 2007-August 2008. In partnership with Wildlife Action Group Country of work: Malawi. USFWS: \$17,031; Leveraged: \$44,411 This project provides support to a local organization to patrol Thuma Forest Reserve (with rangers from Malawi's Department of National Parks and Wildlife staff) in order to prevent inflow of guns, snares, pit traps, and poison into the forest reserve, and to prevent illegal offtake of forest products, while also conducting conservation awareness outreach programs, assisting local people in avoiding conflict with elephants and initiating projects to provide alternative, sustainable income.

Aerial support for security, management and conservation of elephants in Northern Kenya—II. In partnership with Lewa Wildlife Conservancy. Country of work: Kenya USFWS: \$15,000; Leveraged: \$537,197. This project supports aerial patrolling and response to improve elephant security in community, private, and government-owned rangelands in northern Kenya, in collaboration with the national wildlife department and local wildlife scouts.

Protection and monitoring of elephants in West Gate Community Conservancy, Northern Kenya. In partnership with Northern Rangelands Trust. Country of work: Kenya. USFWS: \$49,911; Leveraged: \$35,940. To improve security for elephants and other wildlife in community areas in northern Kenya, this recipient will construct housing facilities for community rangers in West Gate Conservancy.

Responding to elephant poaching crisis in Chad: surveillance plane for Zakouma National Park. In partnership with The WILD Foundation. Country of work: Chad. USFWS: \$30,000; Leveraged: \$120,100. This grant provides funding to support a patrol plane for anti-poaching and surveying elephants. The pilot will liaise with park officials to direct them to the exact sites of any elephant poaching incidents or poachers' camps.

Improving the management and infrastructure of Mamili National Park. In partnership with Namibia Ministry of Environment and Tourism. Country of work: Namibia. USFWS: \$75,274; Leveraged: \$487,500. To improve national park staff's ability to conduct anti-poaching and wildlife monitoring patrols in Mamili NP and, through improved transport, develop improved communication with park neighbors,

this project will develop an overnight patrol camp and provide essential equipment for park operations.

The CHAIRMAN. Thank you, gentlemen, for your testimony.

I am going to ask both of you a question, but, Mr. Perez, I have been told that Fish and Wildlife Service inspectors receive seven weeks of basic wildlife inspection training. Our U.S. Customs and Border control inspectors who are responsible for inspecting shipments for all nondeclared wildlife only receive two hours of wildlife training.

If that is correct, is that really enough for the agency on the front line to keep our country safe?

Mr. PEREZ. Well, the reality of our presence at the Federal Law Enforcement Training Center in Glencoe, Georgia—we have a staff of two agents and one wildlife inspector—is actually somewhat of a success from our perspective to be able to get two hours of training to all these Customs officers on their agenda, which is in fact what we are able to do because we are physically there, so from our perspective of viewing this issue is we are pleased to have at least two hours before all these future Customs inspectors.

Is it sufficient? We actually take very proactive steps at all our ports of entry, in some cases monthly, where our local wildlife inspectors understand that the eyes and ears of all the other present Federal agencies are who is going to help us do our job. In fact, in some cases, they have monthly orientation and training sessions to get the inspectors that are already there and those that are coming out in the field to continue to augment that two hours of training.

So from my perspective, Mr. Chairman, we are very pleased to have two hours on all of these training courses, all of these training classes that are going through FLETC. Obviously, if we could get a whole day, we would orient people and synthesize them to the role that they could play in certainly supporting the U.S. mission in trying to interdict this illegal trade.

The CHAIRMAN. I am sorry. I missed the location of that training base.

Mr. PEREZ. The Federal Law Enforcement Training Center in Glencoe, Georgia.

The CHAIRMAN. Glenville, Georgia?

Mr. PEREZ. Glencoe.

The CHAIRMAN. Glencoe?

Mr. PEREZ. Brunswick. Brunswick.

The CHAIRMAN. OK.

Mr. PEREZ. The southern southeast corner of Georgia.

The CHAIRMAN. Mr. Sellar, in your testimony you state that the illegal wildlife trade presents risks such as the spread of disease and invasive species that could be economically and biologically devastating.

Can you elaborate on what you have seen and what we should be concerned with on this committee?

Mr. SELLAR. Well, I think one has to be proportionate here, Mr. Chairman.

The potential is certainly there. There is a wide range of species and the various range of diseases they can carry. You know, it

goes, for example, from Asian bird flu right down to Ebola, which is a terminal disease that you can do nothing about if it started to enter your country.

Now, Asian bird flu has certainly spread around. Fortunately, we to date don't seem to have any direct evidence of diseases such as Ebola being spread, but the potential is certainly there.

The CHAIRMAN. OK. Thank you.

Mr. Young?

Mr. YOUNG. Thank you.

Mr. Sellar, you mention in your testimony the majority of the wildlife affected by illegal trade is found in developing countries or countries where economics are in transition.

What incentives have been used or could be used in these countries to reduce their dependence on wildlife trade?

Mr. SELLAR. Well, I don't know that there have necessarily been incentives to reduce their dependence on wildlife trade because, you know, if that wildlife trade is conducted under the Convention, then it should be well regulated. It should be sustainable.

Mr. YOUNG. Let me clarify. I agree with you, by the way, about the legal trade of wildlife. I happen to be one who believes that is part of the economy, but we are talking about the illegal trade.

Mr. SELLAR. Right.

Mr. YOUNG. What can we do to make it more attractive not, for instance, to participate in harvesting rhino horns and elephant tusks and all those other good things?

Mr. SELLAR. Well, as the Assistant Secretary of State said, there are initiatives such as ecotourism. In India, there have been very good examples of the type of thing she referred to, where you have in fact taken poachers and you have converted them into guides for tourists or indeed converted them into antipoaching patrol officers.

In the Caspian Sea, we have seen some poachers of sturgeon who have been brought into the fold, if you like, and who have now become legal fishermen, but I think the reality I have to say is that in many of these countries, the condition in rural areas can be really dire, and finding alternatives for some of these people is not easy at all.

And so I think in the immediate term, unfortunately, I think enforcement needs to be our first response, but that can't be the only response. That is never going to be a long-term solution for this.

As somebody made a point this morning, there are several species that are listed in CITES that don't have the time to wait for a long-term solution.

Mr. YOUNG. Our biggest problem I think is, like you say, you are in a country that you may be making 50 cents a day, and if you kill an ivory-bearing animal, you can get maybe \$100 or \$200. Of course, it is worth \$6,000 someplace else, but \$200 is better than 50 cents.

Then if you sell the meat, because they are protein starved. They sell the meat—let us say it is an elephant—for maybe \$1,000. You have 10 years of wages in one animal. That is what we are up against.

Now, again, it is the demand. I am also concerned. Maybe we ought to be going after not the poacher, as much as I despise them,

but the buyer. What is the penalty for buying or having possession of a CITES animal illegally?

Mr. SELLAR. That depends very much which country you are talking about.

Mr. YOUNG. Well, let us say I am in the United States.

Yes, one or the other. Butt in there if you want to. What is the penalty for that?

Mr. PEREZ. Assuming we have a felony, which is on the import of an unlawful item, the maximum exposure for an individual is a five-year prison term and up to \$250,000 fine.

Mr. YOUNG. Now, that is knowingly doing the action, but let us say I am John Q. Citizen. I am 75 years old. I am in an antique store or I am someplace else, and I purchase a species, unbeknownst to me, that is on the CITES list. What is the penalty for that?

Mr. PEREZ. As we evolve an investigation and we make that determination—that it is indeed someone that is not that attuned to the illegal origins of this particular item—then there are lesser included penalties under the Lacey Act or the CITES provisions, so it could be as little as a maximum exposure to a \$5,000 fine and six months in prison.

Typically in those instances if there is a lack of intent on an individual, what is weighed very significantly is the aspect of pursuing the action against the item rather than the individual, so the worst scenario in that case is the individual that would have invested in that item will lose that item, assuming that the forfeiture process is decided on the side of the United States.

Mr. YOUNG. Mr. Sellar, you noted that the Secretariat does not have much accurate information regarding the sale of illegal wildlife and the nature of such trade, yet you list a number of examples where organized crime is involved.

How much of this information provided is examples of factual versus innuendo?

Mr. SELLAR. The 20—I think it is 20—examples that we have given you, we have information behind each of those. Those are not things that we have just imagined. We can back those up with examples from specific instances.

To come back to your previous question, I think it is true. We won't succeed if we simply target the poacher, but I don't know that one necessarily has to target the consumer with enforcement action. I think the consumer you hopefully target with education and awareness raising.

It is the people in between, and those are the people who, as you indicated with regard to prices. Those are the people who are making the big bucks here, and they are the people we need to put in jail. There are some countries such as China that actually have the death penalty for wildlife crime.

Mr. YOUNG. But that is not for consumers. That is for actually killing something in China.

Mr. SELLAR. Killing something in China or, for example, if you were engaged in the ivory trade in China or if you were, for instance, involved in smuggling falcons commercially out of China then you can be sentenced to death.



Mr. YOUNG. My information is that the three primary countries that are consumers of protected species China, India and Taiwan, and to some extent Japan. They are the ones that are the major contributors to purchasing illegal species, primarily for aphrodisiacs or ivory.

These countries are not developing countries. They are countries with great wealth now. Again, if you have a country that doesn't have great wealth and people that are starving and a government that usually is probably involved some way directly or indirectly through some of their ministers cooperating with the other countries, and that is where the real battle comes as far as I am concerned.

How do we make the consumer and of course the provider, but primarily the government sort of condones this. I just don't know how we can solve those problems. That is all.

Anyway, Mr. Chairman, I am concerned on this issue. I don't want it to be cast as an antihunting issue because I think they contribute the most for our conservation, and I do know some of the problems that are faced in these developing countries about just availability of dollars.

If I was over there and was living on 50 cents a day, I think I would be pretty much tempted to be involved in some way to feed my family.

Thank you, Mr. Chairman.

The CHAIRMAN. Anybody wish to comment?

Mr. SELLAR. Well, yes. Perhaps I should. In my role as a United Nations official, maybe I should try and correct what might be a misconception there.

I have never had any reason to think that India is a major consumer state for wildlife. In fact, India has a very strict regime with regards to wildlife trade.

Mr. YOUNG. If I may interrupt? Maybe it is because some of the people involved in the illegal trade are from India. That I know.

Maybe I misinterpreted. They weren't the consumer. They were the provider in these impoverished countries to China and other countries in the Asian market. They are not angels when it comes to this issue.

Mr. SELLAR. That is quite correct. I mean, India particularly for its tigers, for leopards and to a certain extent its elephants. It has been the subject of illegal trade, but most of it is of an export nature, so undoubtedly there are criminals based in India that are engaging in significant levels of illegal trade. But I just wanted to make the point that we don't see India as being a consumer.

Mr. YOUNG. Maybe not, but again it is my information that the parks that hold the last big bastion of tigers have gone from about 5,000 to 2,000 under the protection of the parks and the Indian Government, so again somebody is not doing the job.

That is within this country itself. Don't get me started on this issue.

The CHAIRMAN. Your time has expired. The gentleman from Michigan, Mr. Kildee?

Mr. KILDEE. Thank you, Mr. Chairman.

What is the status around the world in various countries or internationally of declaring as contraband any of these parts where they could be seized at any stage of possession?

Is there any uniformity of laws around the world? Is there any international enforcement of declaring them contraband and seizing them from the possessor? I will start with Fish and Wildlife Service or Mr. Sellar, either one.

Mr. SELLAR. Well, that essentially is why we have CITES. CITES establishes levels of protection for the species that are listed in its appendices. Those in Appendix I are the most endangered, such as your tigers, the rare alcids, rhinoceros, and essentially you cannot engage in international commercial trade in those species.

So if you are a party to the Convention, if you are a signatory to this treaty, then if those species pass across your borders, you are expected to take action and to seize those items and to confiscate them and to penalize the offender.

One of the things that the CITES has is a national legislation project where all the member countries, we look at their domestic legislation and analyze to see whether it is adequate to enable them to adequately implement the Convention and the provisions of the Convention.

The Assistant Secretary of State indicated to you, and I am sorry to sort of contradict her, that there was a good level of legislation around the world. I am afraid the opposite is true. The vast majority of parties to the CITES Convention do not have adequate legislation to implement it. Consequently, when they come across violations, then that is where we face problems.

Mr. KILDEE. So they actually agree to the Convention, but don't have the internal laws to actually enforce them within their country? That is somewhat duplicitous, isn't it, if they are signing the Convention?

Mr. SELLAR. Yes. Well, I think if you look at some of the more recent multilateral agreements, be that environmental agreements or other agreements, then often parties before they accede to a convention or a treaty have to come up to a certain standard.

That is not how it was when CITES was developed back in 1973. You essentially could say yes, we accede to the Convention, and then you could play catch-up with regards to whether you could implement the Convention or not. I am afraid over 30 years later, we are still playing catch-up in many parts of the world.

Mr. KILDEE. I served on the Budget Committee for many years, so I generally ask some budget questions. What is the budget of CITES? What is your budget?

Mr. SELLAR. I am afraid that is not my area of expertise, but it is something under \$5 million a year.

Mr. KILDEE. Under \$5 million?

Mr. SELLAR. If I can best explain it by indicating that we have—I think it is 25 staff. Of those, about 15 or less are at the professional grade in the United Nations system. The rest are G staff, secretarial staff.

You know, 30,000 species listed by the Convention, 172 countries, so you can see that we have a very small secretariat to deal with a major issue.

Mr. KILDEE. What percentage of that \$5 million is from the United States?

Mr. SELLAR. Again, I am afraid this is not my area of expertise, but what I can tell you is the United States of America is the biggest contributor to CITES.

Mr. KILDEE. OK. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from Virginia, Mr. Wittman?

Mr. WITTMAN. Thank you, Mr. Chairman.

A question for Mr. Perez. Can you tell us, of the cargo that comes into the United States that is inspected by U.S. Fish and Wildlife agents, what percentage of those shipments actually get looked at directly?

And then if we were to double or triple that effort, how many inspectors would it take to get us to that level?

Mr. PEREZ. I would split the response. In fact, the inspectors in our program strive to look at at least 25 percent of shipments that we are aware of. In many cases, we are able to accomplish that.

However, there are other eyes out there in Customs and Border Protection that may contribute to a little bit different type of revision for certain cargo, so our goal programmatically is to try to review 25 percent, and clearly if we are able to double that vigilance, we would potentially be more effective in what we are detecting and what we are finding.

The challenge for us is customer service dominates a lot of the time of our wildlife inspectors. We have to provide and facilitate the legitimate trade, and in fact a daily routine for an inspector is to perhaps have some opportunity to do some proactive inspection because we have a significant amount of cargo that comes in that may not require a declaration to us, but in fact we may and certainly have the authority to go view and peruse and look through Customs' manifests and whatnot.

That is the part where we try to certainly focus some priority, but in most cases, probably 60 to 80 percent of our inspectors' time, depending on where they are assigned, is providing that customer service to facilitate the legal trade.

Mr. WITTMAN. So if you were to double the effort, about how many inspectors would it take to get to that level?

Mr. PEREZ. Well, doubling the effort would be—we calculate that on a per inspector basis, so if we could get double the amount of inspectors, they still may be focusing on 25 percent of the shipments, you know, from a ratio perspective.

But it would give us a little bit of breathing room if we could double the staff at a given port like New York where we have 10 or 12 inspectors that are facilitating the legal trade and then measuring that ratio of some dedicated emphasis on the proactive perusal of cargo and facility and even passengers in some cases, so that would lend itself to obviously being more successful at interdicting the unlawful products as they come in.

Mr. WITTMAN. You had mentioned that the shipments that your inspectors go through that were seized or refused, those shipments most often come from Mexico, China and Canada.

Of those, are those products that come from those countries as a source, or are they products that are maybe run through those countries from other source countries?

Mr. PEREZ. It is not exclusive to a source. What happens, for example, I will give you one example. We have a lot of raw skins that are brought in through, for example, DFW in Houston that are en route to El Paso.

In El Paso, there is an easier opportunity for the boot manufacturers, and the particular city in Mexico is León Guanajuato, which is the Mecca of making footwear, where they then take that product into Mexico, so we have a re-export of items that go into Mexico to get made into the products. Oftentimes, that product coming back has irregularities with the permitting and so on and so forth that has to be in place.

The other aspect of that trade is certainly the individual purchasing items that are unlawful, so we factor the seizure rate into the whole spectrum of the individual that brought back a pair of sea turtle boots that they found somewhere and the commercial vendor that is in fact doing the manufacturing and bringing things up.

That is probably where there is the most volume, and obviously the proximity to the southern border is why they are constantly in the advent of NAFTA and the proliferation of that kind of trade.

On the Canadian side, we kind of have a mix of the same thing. There is some imports that go into Canada that transport then into the United States. Not a lot of product goes to Canada for manufacturing purposes, but it is just the access of the border entries and that kinds of things.

It runs the gamut. We have the commercial shipments that are coming in that are improperly documented and the individuals that are bringing back certain types of trophies or whatever areas are associated with them.

The CHAIRMAN. The gentlelady from Guam, Ms. Bordallo?

Ms. BORDALLO. Thank you. Thank you, Mr. Chairman. I have a couple of questions for Mr. Perez.

And I know, Mr. Chairman, you interrupted him and asked about the two hours of training. I have been told that Fish and Wildlife inspectors receive seven weeks of basic wildlife inspection training. U.S. Customs and Border control inspectors who are responsible for inspecting shipments for all nondeclared wildlife only receive two hours. The Chairman made note of that.

Is two hours' training really enough for the agency on the front lines to keep our country safe? Second, what is the reason for this? Is it financial constraints?

Mr. PEREZ. Well, the short answer is no, it is not enough. The specialization that our wildlife inspectors have when it pertains to conducting their job is the two hours that is being referred to here is a Customs and Border Protection agenda that they have absolute control over.

We have the opportunity while these new employees for Customs and Border Protection are being trained to provide at least two hours of training at FLETC, which is what I was alluding to. The comprehension of what it means to understand what CITES con-

trols are and the kinds of documents that they may encounter is clearly not sufficient for their agenda to have that exposure to that.

The view of my practical experience at Customs and Border Protection would be that they are the front line for many of our agencies to be there handling the manifests or sometimes things we never see. Their body of understanding to everything that has to do with imports/exports is significant.

So our involvement not only while they are in actual formal training and in the continuation of trying to get the localized interest and attention in educating Customs inspectors in Los Angeles and New York and Sweet Grass, Montana, is a constant thing that we try to do.

But I do want to add one thing, and I think it has been mentioned by both of you. Very recently, we actually augmented our training for wildlife inspectors. Some years ago, their basic training was five weeks. Now it is seven weeks because of the need to expand their knowledge base, very specialized in the wildlife arena.

We very recently actually in the last year included a follow-up field training evaluation program for wildlife inspectors similar to our agents, so in fact it is seven weeks of training that is basic. They get a lot of their training where they are assigned, but we also have a formal follow-up training that they have to continue to successfully complete, and that is an additional six months back at their duty stations.

Ms. BORDALLO. Thank you, Mr. Perez. I have another question. Is the current staffing of the Fish and Wildlife Service Wildlife Inspection Program enough to deter wildlife trafficking into and out of the United States?

There are 122 authorized wildlife inspectors and 261 special agents, but FWS only employs 114 inspectors and 191 special agents.

Mr. PEREZ. I will touch on the inspectors initially. The inspection program is something that has some capability of recovering reimbursable expenses for the legitimate trade in the kinds of items that are being brought in.

When it comes down to the allocation of funding from the program to that, the 122 authorized positions are in essence just a measure of where we have to take the financial resources that are provided to us and comfortably be able to have 114 inspectors.

We try not to let inspector vacancies sit for very long because of the customer service demand, so the practical answer to trying to have more folks out there interdicting the trade is clearly certainly we would be much more effective in what we do.

I do want to make a comment regarding our inspectors and agents, and that is simply that we have a significant dedicated group of people out there that are in many cases giving more beyond what we would expect from them, and I want to make sure to recognize that. I think our inspectors and agents do an exemplary job in carrying out their duties.

To touch on the number, the 261 number for authorized FTEs for agents, we have never been at that level. The highest and the closest we ever got to that is 238 about five years ago.

What happens to us in the agent arena is we have a mandatory retirement of 57 so our attrition can be very easily calculated, and

this is government rules regarding the position of a criminal investigator.

So the 191 is a number that we are approaching very quickly where we were in the mid-1980s with the fact that we have—from the standpoint of our vacancies—we would have 70 vacancies right now. We are in the midst of hiring 24 agents as we speak. They would be going through training in Glencoe.

So the effectiveness of our force is certainly much more readily felt and I believe recognized when we have more people on the ground doing the work.

Ms. BORDALLO. So what you are saying then, Mr. Perez, is that these authorized numbers are really not—you can get along very well with the current numbers. Is that what you are telling us?

Mr. PEREZ. We deliver the mission. What becomes critical for us as managers within our program is if we had 261 agents right now with the current budget, our budget, we could very likely have 261 agents, but they wouldn't be able to do anything or go anywhere.

So what we have to factor in within our program is the operational margin. The operational margin where we are at now—we certainly are addressing our attrition rate—is probably 12 to 14 percent separate from salaries and benefits, so while we need and perhaps would like more officers on the ground, including inspectors, we have to balance with our financial resources.

Our officers have to be safe, they have to have the appropriate equipment out there, and they have to have the ability to do their job, which in the case of investigators, they have to be out and about. They have to be moving. So we have to factor in realistically what that ratio of operational margin would be to keep them safe and keep them effective to be out there.

One hundred and ninety-one is not a number that we choose. It is a number we have been taken to based on attrition and voluntary retirement. So it is always a balance of trying to keep that number. We would love to be able to have 261 agents, but if we did it with where we are currently funded, then we would have to be sacrificing the ability to have an effective force.

We would like to call it a lean and mean force if need be, but at the same time trying to be as effective as we possibly can. That lends certainly significant attention to how we prioritize what our investigators are focusing on.

Ms. BORDALLO. If I could, Mr. Chairman, I don't quite understand this.

Then your agency is requesting these larger numbers of FTEs—is this what I am hearing—and then you don't fill them?

Mr. PEREZ. I don't believe there has been a request to increase those FTE numbers for quite some time. That is an accumulation of authorizations that we have received in the past based on various funding additions that we have had to our program.

Ms. BORDALLO. I see. Perhaps this should be looked at then, these numbers here.

One other question I have. The President's budget request for Fiscal Year 2009 would reduce law enforcement funding by \$3.2 million below the Fiscal Year 2008 level. Meanwhile, the number of wildlife shipments is increasing. How are we going to address

the international illegal wildlife trade if we do not fund law enforcement adequately?

Do you anticipate that the new inspection fees proposed will help meet all law enforcement needs? Will there be enough funds for Fish and Wildlife Service law enforcement to work abroad training and assisting developing countries?

Mr. PEREZ. I will start with your last part of your question.

The Fish and Wildlife Service Office of Law Enforcement has never been able to have our trainers abroad without the support of our partners. In the practical world that we live in, what we basically provide is the resource, and we don't ask for any support for their salaries and benefits.

Without the support of various funds of money out there—USAID, ITAP, some partners that you are going to be hearing from later—but for that support to get our folks to these foreign locations, we basically don't have funding allocated for that purpose. So we are able to deliver the mission because of the partnerships that we have with various organizations throughout the world.

Getting back to the user fee rule, which in fact we are currently trying to increase, we have a proposal to increase our fees that haven't been increased since 1996 that actually published in the Federal Register on February 25.

The intent of that increase, assuming that we don't have to revise the numbers based on comments that we get from the Federal Register, are to in fact take into account the 122 authorized FTEs and try to in five years have the inspection program, which right now, based on what we collect, pays for about 45 percent of the program in the reimbursable perspective.

In five years, once the rule is final and we get the estimated fees that we are going to collect, our hope is that the inspection program would be self-sustained for the purposes of the current number and also for the purposes of conducting and facilitating the legal trade aspect, our customer service aspect. That is not factoring in the potential for any follow-up or any illegal aspect that then would be handled by a criminal investigator.

So the indirect benefit would be that we would not have to utilize the appropriated dollars directly to fund the inspection program, but in fact would have a self-sustaining inspection program based on current numbers.

Ms. BORDALLO. The cut in the budget.

Mr. PEREZ. Right. The cut in the budget. In essence, the addition of funding that was given to us in 2008 was from Congress. There was not a request for that addition, so the funding that we got in 2008 was not the original request.

Congress gave us I believe a total of \$3 million for two things, increasing—

Ms. BORDALLO. So we were generous?

Mr. PEREZ. Yes, ma'am, and we appreciate that significantly.

For the purposes of bringing on new agents, because of the recognition of our attrition rate, and also for the purpose of maintaining our special operations function, and we have indeed benefitted significantly because we were able to totally commit to the new hiring initiative that we are taking on.

So in fact in 2009, it was not part of the request, but it wasn't that type of a cut per se. Basically the support to continue the same number, that is the specifics of that. The original request in 2008 didn't include that increase, and in fact because we got that increase from Congress, now it is in essence a reduction.

Ms. BORDALLO. So you can live with the reduction?

Mr. PEREZ. We can live with whatever we are provided, and our employees are dedicated to deliver the mission.

Ms. BORDALLO. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from Washington, Mr. Inslee?

Mr. INSLEE. Thank you.

Science tells us that we are in the midst of an extreme extinction event—some people have called it I think the sixth great extinction in the history of the planet—due to human activity. Do you gentlemen think that is correct?

Mr. SELLAR. I can only speak for myself. I am essentially a cop, so I am afraid I can't really respond to that. Sorry.

Mr. PEREZ. I would take that same—I am not a trained scientist. I am not a biologist. I am a law enforcement officer. I can only reflect to you what I hear, so I couldn't necessarily—I can give you an opinion, but it would be personal.

Mr. INSLEE. Well, the reason I ask is the President's budget would reduce law enforcement funding by \$3.2 million below Fiscal Year 2008, and for purposes of this discussion, you can assume that we are in an extreme extinction event where all kinds of animals and plants are going extinct, some because of climate change, some because of pollution, some because of habitat destruction, some because of acidification of the ocean, and all of those stressors are made more manifold by the fact that there is this illegal trade going on of outright killing of these animals.

If that is true, wouldn't you think it would be pretty unwise to reduce the budget for the cops on the beat whose job it is to reduce this additional stress to these already stressed animals?

Mr. PEREZ. I would react or respond in the context of the fact that the Office of Law Enforcement is one program of several programs in an agency of about 9,000 employees. We in fact are about 475 employees.

To the extent that there is some recognition by the experts of these kind of catastrophic issues, including the illegal trade and the impact on species, there are certainly conflicting priorities as far as what financial resources are available and to what entities they will in essence be going toward supporting.

The Office of Law Enforcement, as I explained earlier, benefitted greatly from the generosity of Congress in the money that was given to us in 2008. To the extent that our numbers for 2009 are lower than they were in 2008, we have a functioning group. We go to great lengths to continue the support at the international arena.

We are looked at I believe, and you will hear this with the next panel, very favorably as the experts to try to support the developing countries in the training capacity, so we bring that additional value to that effort that you are focusing on, that animal that is being taken illegally in a foreign country.

Mr. INSLEE. Are illegal shipments increasing?



Mr. PEREZ. Yes, they are.

Mr. INSLEE. So when you have an extinction event going on in the world, maybe unprecedented in world history, at least one of the six or five that have already occurred, and when you have illegal shipments increasing, do you think it is a good idea to reduce the cops on the beat?

Mr. PEREZ. No, I do not think it is a good idea. The offset to that, however, is the fact that the effort that we are able to put if we had three times the amount of resources that we had to operate on, that particular problem is so extensive that it will take, and it already is occurring, a collective effort from many people that you have heard from today, including the organizations that are out there to support, to singlehandedly—

I don't believe there is any amount of increases for the Fish and Wildlife Service to do this, short of the full recognition of the very event that you are referring to from the broad spectrum of law enforcement officials—Customs officials in particular—because they are in essence who are doing this for all the countries.

Mr. INSLEE. I understand that we are not going to solve all the world's problems with this particular budget line item in the budget, but do you agree with me that in the face of these threats, the Administration has acted unwisely in attempting to reduce the appropriation, which in some way or another will reduce our effectiveness in preventing this increase in illegal shipments?

Mr. PEREZ. The reduction of 2008 to 2009 is not what has given us our challenges as it pertains to our ability to deliver our mission. It is basically attrition. The attrition that is occurring with retirements is where our significant challenge is.

Mr. INSLEE. Well, then you are not going to be able to replace these people if you have less budget. You are blaming the attrition. If you have a budget, you can go out and replace these people—they are not the only people in the world who can do this job—couldn't you?

Mr. PEREZ. That is a possibility. We are not the only ones, and we certainly need a collective to continue to be able to do this.

Mr. INSLEE. Well, I am dissatisfied. Anyway, you get my point. Thank you.

Mr. PEREZ. Yes, sir.

Mr. KILDEE. You know, I know you are part of the Executive Branch of government and therefore you have to be careful in criticizing the Chief Executive and his budget, but it is the Congress that determines how much money shall be spent.

We have rolled the President. I have rolled six Presidents in my 32 years. You know, it is the Congress that spends the money. The President can't spend a dime. He can propose. We dispose.

I am not chastising you. I know your situation. You are in the Executive Branch. It says no money shall be drawn from the Treasury in consequence of appropriations made by law. The President has no power to make a law at all. He can sign it or veto it. We make the law.

I appreciate the gentlelady from Guam's comment there. The President proposed a certain amount of money a few years ago, and we gave you more because all wisdom does not reside at that end of Pennsylvania Avenue.

I have seen six Presidents, some better than others. I have seen 16 Congresses, some better than others, but the appropriations is a Congressional prerogative, not a Presidential prerogative. He can either sign the bill or veto the bill. He doesn't have line item power either. We resisted giving him that.

So I understand your position, but if you had extra money, you would have some flexibility within your Department. You certainly have my gratitude, by the way. I really like the way you run your Department, but if you had some extra money from the Congress, you might have some flexibility to address several of the problems, including your staffing problem. Isn't that true?

Mr. PEREZ. That is correct, Congressman. In fact, the primary way for us to affect our problems and our challenges is with more people.

Mr. KILDEE. Right. You know, that really is true. You have to have good people, enough people, and when you have a shortage of people—even on my level, my staff level, I need a certain number of people to accomplish my job each day. I need that. When you have fewer people, you just can't carry out the responsibilities in the same fashion.

First of all, I am a great custodian. I carry this. I never leave home without this, the Constitution of the United States. I know exactly how much power they have at that end of the avenue and how much power we have at this end of the avenue. I love to look at the President's budget and say, "where did you get this?" We are the appropriators, and, by golly, under my watch we are going to stay as the appropriators.

Thank you very much, and thanks for what you do. Thank you.

The CHAIRMAN. Do you have a comment?

Mr. SELLAR. If I may, Mr. Chairman, from the international perspective?

Clearly, I don't want to comment on your budgetary issues in the United States, but, to try and emphasize or illustrate a point I made in my opening remarks, money is not always the answer. There are sort of two sides to the coin, if you like.

If you will allow me, I will court examples from a country in Central Africa where they have the resources, and to give you a practical example, I was talking to the head of a wildlife enforcement unit there, and I was staying in a hotel, and ivory was openly on sale in this good-quality hotel.

I said to the head of the unit, how can you allow this to happen? Why aren't you doing something about this? They said, well, we have tried, he said, but when we do, the general manager of this hotel phones the mayor and says, why do I have wildlife enforcement officers wandering around my hotel disturbing my tourists? This is ruining our tourist trade.

The mayor then phones the head of the wildlife division, and the wildlife division phones the head of the unit and says, back off. Stop interfering with these people.

Then the other side of the coin, the same officer was telling me that he had been invited to talk to 30 Customs officers drawn from our own nation, and he was to raise their awareness of illegal trade in wildlife. He described to me how half of this class of 30 had sat there, and he could see that they were, if you like, converts. He

could see that they understood that this was an important subject, and it was one that deserved attention. He saw the possible role for them.

But he told me, you know, Mr. Sellar, the other half, I could see them sitting there thinking aha, there is money to be made here, and that is the problem with some of the training and awareness that we try and do, and that is why I said earlier if we don't have the political will, then it doesn't matter how much money you have. It doesn't matter how many people you have.

This is why the U.S. Fish and Wildlife Service and your Department of Justice is really the envy of the world. You don't know how lucky you are. When you go to some of these other countries, the problems they are facing are immense.

Mr. KILDEE. Pardon me. I appreciate your remarks, Mr. Sellar.

We certainly need the political will, and the political will is based upon a certain morality, but, you know, when I go to church on Sunday, I pray, but I also throw money in the collection plate. The church needs both.

The CHAIRMAN. OK. On that note, we will excuse this panel. Thank you, gentlemen. Thank you for your testimony and for the work you do.

Our second panel is composed of Mr. Steven Galster, the Director of Field Operations, Wildlife Alliance, Thailand; Mr. John A. Hart, Scientific Director, the Tshuapa-Lomami-Lualaba Project, Congo; Mr. William Clark, Illegal Wildlife Trade Expert; Dr. William E. Moritz, the Director of Conservation and Acting Director of Governmental Affairs, Safari Club International, USA; and Mr. Peter Pueschel, the Illegal Wildlife Trade Program Director, International Fund for Animal Welfare, Germany.

Gentlemen, we welcome you to our Committee on Natural Resources. We recognize many of you have traveled a great distance, and we certainly appreciate that.

As with previous witnesses, we have your prepared testimony, and it will be made a part of the record. You are encouraged to summarize.

We will start with Mr. Galster.

**STATEMENT OF STEVEN R. GALSTER, DIRECTOR OF FIELD OPERATIONS, WILDLIFE ALLIANCE**

Mr. GALSTER. Thank you, Mr. Chairman. My name is Steven Galster, and I am Director of Field Operations for Wildlife Alliance in Southeast Asia.

I currently run a U.S. Government sponsored program to train a 10 nation wildlife enforcement network in Southeast Asia. It was referred to several times in the hearing as ASEAN-WEN. Our trainers include U.S. Fish and Wildlife Service special agents and U.S. Department of Justice officials, along with Wildlife Alliance and TRAFFIC officers. The regional effort is led by the Government of Thailand.

From my vantage point, and I am sure that of others, wildlife criminals are running roughshod over authorities in developing countries and are unraveling globally important ecosystems. Just a few snapshots illustrating how big and damaging this crime has become:

In the past two years, Asian authorities have seized over 20 metric tons of elephant tusks from organized crime. That is over 2,000 dead elephants, and that is only what was detected.

Every month, we are witnessing literally tons of turtles, tortoises and reptiles being shipped across Southeast Asia's borders.

Key ecosystem predators like tigers, leopards and sharks are being killed and smuggled in unsustainable volumes. This shipment, seized by Thai authorities just 36 days ago, was one of many organized by a cross-border syndicate operating across six countries.

This is not just an Asian story. American criminals and, unwittingly, American consumers, are behind many illicit wildlife shipments operating overseas. Foreign criminals are also breaking American laws by smuggling rare and endangered species into U.S. markets. Often these wild animals are falsely labeled as captive bred, indicating some level of corruption on the export end.

Most field officers overseas, however, are not corrupt and are working very hard under dangerous conditions to fend off poachers and traffickers. They are crying out for assistance, actually.

Americans should be concerned about all this for a number of reasons. First, when one species is removed from an ecosystem, it obviously has a knock-on effect to other species, including eventually onto us, people. As a nation, we woke up slowly to the reality of global warming. Let us not stand by as wildlife crime threatens to wipe out many species from this planet.

We should also be concerned that wildlife crime strengthens transnational organized crime. Professional criminals like this corrupt Russian police officer have trafficked both in wildlife and women. Some brothels in Vietnam and Myanmar now offer young girls, while serving up wild animal parts as aphrodisiacs to their customers.

Some drug traffickers are using wild animals to conceal narcotics. Some wildlife sanctuaries are being used to manufacture and smuggle drugs. Two years ago, we came across these facilities involved in methamphetamine production inside a Cambodian protected forest.

The U.S. has both a moral obligation I believe and the technical and financial wherewithal to lead a global effort to curb wildlife crime. First, we should definitely strengthen the U.S. Fish and Wildlife Service Office of Law Enforcement to protect our own wildlife and prevent a massive influx of illegal trade from overseas.

Fish and Wildlife agents are very effective, but there are just too few of them. I think their small force of about 200 special agents could easily be doubled to catch up with the wildlife crime problems in and related to the United States.

Second, the Fish and Wildlife Service and other agencies like NOAA and the Department of Justice should be mandated and supported to engage their overseas counterparts to jointly fight wildlife crime, just as the DEA works jointly with our allies to curb international drug trafficking.

Specifically, the U.S. should post wildlife law enforcement officers to our overseas regional missions to train and work closely with their counterparts to investigate wildlife criminals. We should

direct our national security related agencies to lend their support too.

The U.S. military and its allies, for example, use satellites, aerial surveys and joint patrols to look for insurgent groups and other security threats. Let us ask them to look for wildlife poachers and traffickers too.

The U.S. should also engage China, the other major global wildlife consumer, as an ally in helping to conserve the world's remaining wild animal and plant species through consumer reduction campaigns and other measures. I think most of America's allies, and perhaps even some of our enemies, would welcome such support and collaboration. Wildlife conservation is something that all countries, cultures and religions can agree on.

Just to end up, the U.S. is spending significant funds to secure finite, nonliving resources, fossil fuels, on which we depend for our economy. We should consider spending a fraction of that amount to protect the earth's living and potentially sustainable resources that we will always depend on. We will always need healthy ecosystems, and wild animals and plants are the blood of those healthy ecosystems.

I think the U.S. can play the role of global environmental leader, helping to roll back wildlife crime around the world and, by doing so, we can help protect our own natural resources from being targeted by increasingly strong and sophisticated transnational wildlife criminals.

Thank you.

[The prepared statement of Mr. Galster follows:]

**Statement of Steven R. Galster, Director of Field Operations in Southeast Asia, Wildlife Alliance, Chief of Party, ASEAN-WEN Support Program**

Thank you Mr. Chairman. My name is Steven Galster, I'm Director of Field Operations for Wildlife Alliance in Southeast Asia. I have been involved in investigating, and designing programs to reduce wildlife crime in Russia, Africa, and Asia for the last 17 years. As a security analyst I spent years investigating human trafficking, arms trafficking, and drug trafficking in various parts of the globe. I've witnessed firsthand the connections between wildlife trafficking and all of these other forms of organized crime.

I currently run a USAID- and State Department-sponsored program to train and support the new Association of Southeast Asian Nations Wildlife Enforcement Network (or ASEAN-WEN), which consists of Police, Customs and CITES authorities from 10 countries, with technical support from Wildlife Alliance and TRAFFIC. Our trainers include U.S. Fish and Wildlife Service Special Agents and U.S. Department of Justice officials.

Wildlife crime is a threat to international environmental stability, the rule of law, and civil society. From my vantage point and that of my colleagues working in Asia, Russia and Africa, wildlife criminals are running roughshod over authorities in many countries. Wildlife crime has become a multi-billion dollar, organized, transnational crime that is unraveling globally important ecosystems. It is driven by global demand for exotic pets and food, medicines, and ornaments. It can no longer be contained at a local or national level. This growing crisis calls for an inter-agency, international response. The United States is part of this problem, and can be a big part of the solution.

Here are some examples of how big and organized wildlife crime has become. In the past two years we have seen over 20 metric tons of poached elephant tusks (more than 2000 dead elephants) seized from hidden compartments of cargo containers, on their way from Africa to Hong Kong. That's only what was detected. The confiscated shipments—which may represent only 10% of the real volumes being smuggled—were orchestrated by a mafia group operating between Cameroon, the Philippines, Taiwan and Hong Kong.

Every month, we're witnessing tons of turtles, tortoises and reptiles being shipped across Southeast Asia's borders, organized by dealers in Indonesia, Thailand, Malaysia, China and the United States

We're finding that key ecosystem predators, like tigers, leopards and sharks, are being illegally slaughtered in unsustainable volumes to feed a large market in China. The shipment of tigers and leopards in this photo, confiscated at the border between Thailand and Laos, was organized by a cross-border syndicate operating in six countries, with payment arranged by Vietnamese organized crime. These photos were taken 36 days ago. Shipments like this are often mixed with the highly prized pangolin, or scaly anteater, and are happening every week.

If this story sounds like it mainly relates to Asia, please think again. American criminals and—unwittingly—American consumers are behind some very significant illegal wildlife shipments into the United States from Indonesia, Thailand and other countries. Furthermore, foreign criminals are breaking American laws every day by smuggling rare and endangered species into U.S. markets under the very thin U.S. wildlife law enforcement radar.

We're seeing exotic reptiles, primates, and other types of rare and endangered species being shipped illegally out of Southeast Asia into Europe, Japan and the United States every week, sometimes smuggled in personal luggage, sometimes shipped in large air cargo containers, or in personalized boxes delivered by express mail services to dealers on the East and West coasts of the United States and in Middle America. Sometimes, these wild animals are falsely labeled as captive-bred animals to be "laundered" as legitimate imports.

Most of these animals were in fact taken illegally from the forest, and some overseas government officers are working hand-in-hand with wildlife dealers to legitimize the shipments, which are rapidly contributing to the demise of many species. Neither the U.S. Government nor American consumers should be accomplices to this level of corruption and environmental destruction.

Of course most field officers are not corrupt, and are crying out for our help. One Filipino law enforcement officer was shot dead last year when he attempted to investigate a major wildlife crime case. Rangers we support in Cambodia were attacked with grenades during an anti-poaching patrol, and thankfully survived. Other rangers have been caught in jerry-rigged traps intended to snare tigers and elephants, with potentially deadly results. An Indian investigator I used to work with was knifed to death by rhino poachers. The injury or killing of conservationists and wildlife law enforcement officers is common across the world, especially in developing countries.

Why should Americans be concerned about wildlife crime, including its international dimensions? The obvious reason is the knock-on effect—that when one species is removed from an ecosystem, it has a knock-on effect to other species, including eventually onto us, people. There are over 30,000 species of wild plants and animals listed by the Convention on International Trade in Endangered Species. As a nation, we woke up slowly to the reality of global warming and its serious implications for society. Do not underestimate the dangers of letting wildlife crime wipe out thousands of species from this planet.

Americans should also be deeply concerned about wildlife crime because it strengthens transboundary criminal elements, corrupt government officials, and other enemies of the rule of law and civil society.

Wildlife crime, due to its high profit margins and low risks of arrest and punishment, is attractive to professional criminals. In Russia I came across two separate gangs that were trafficking women to China and Japan, while smuggling bear and Siberian tiger parts to these same countries.

We've recently come across brothels in Vietnam that offer young girls while serving up wild animal parts as aphrodisiacs to their customers.

We are also seeing some links between wildlife trafficking and drug trafficking. Some black market traffickers are involved in both wildlife and drugs, even using wild animals to conceal narcotics. Some wildlife sanctuaries and national parks are being used as bases to manufacture and smuggle drugs. Two years ago, during aerial anti-poaching patrols in western Cambodia, we came across these large makeshift facilities used to extract chemicals to make methamphetamines, located inside protected forests. The illicit materials are then moved into neighboring countries for production before being shipped to international markets.

All of these linkages between wildlife crime and other transnational crime point to a lack of effective patrolling and investigations, due to scarce resources and political will, and a fear of revenge. Simply put, government agencies tasked with protecting wildlife and forests in most developing countries are seriously out-gunned. The result: important ecosystems on which everyone on the planet depends are being seriously damaged. Like most professional crooks, wildlife criminals do not

stop until they're caught. When they deplete one species, they move on to the next. We have seen organized poaching and trafficking rings move from tigers and other highly valuable species to smaller cats, pangolins, snakes and reptiles—as the most valuable species are extirpated from the forests. The final frontier—thankfully still rich in biodiversity—may be the United States.

### **Recommended Response**

The U.S. is one of the biggest consumers of wildlife in the world. It also has arguably the best-equipped and best-trained wildlife law enforcement agencies in the world. Our country has both a moral obligation and the technical and financial wherewithal to lead a global effort to curb wildlife crime before the situation becomes irreversible.

First, we should make sure that our national leader in the fight against wildlife crime, the U.S. Fish and Wildlife Service Office of Law Enforcement, is strong enough to protect our own wildlife and prevent a massive influx of illegal wildlife trade from overseas. Their wildlife confiscation repository outside of Denver has over a million items in it and keeps growing—a living testimony to how big the illegal trade coming into the U.S. still is. FWS agents are very effective, but there are just too few of them. Their small force of about 200 Special Agents could easily be doubled to catch up with wildlife crime problems in and related to the USA.

Second, the U.S. Fish and Wildlife Service and other USG agencies like NOAA and the Department of Justice should be mandated to seriously engage their overseas counterparts to jointly fight wildlife crime, just as the DEA and their overseas counterparts have joined up to curb international drug trafficking. An international effort to curb wildlife crime can work in tandem with, and be more effective than, our anti-drug trafficking efforts. We have already been approached by the United Nations Office on Drugs and Crime (UNODC) to develop a joint program to combat trafficking of people, drugs and wildlife along porous border points in six Asian countries.

There are many similarities between wildlife trafficking and drug trafficking, especially the relationship between supply and demand. Enforcement cannot operate in isolation; there must be parallel efforts to curb demand. But those efforts can take time.

The fight against drug traffickers is very difficult because they can replace a confiscated shipment of cocaine, heroine or methamphetamines relatively easily. They can reproduce their stock. The stock of rare and endangered species, however, is limited. Even if you don't catch the big wildlife dealers in the act of smuggling, they lose a great deal of time and money in their illegal trade when their stock is confiscated.

But currently, wildlife criminals feel very confident they won't lose a shipment or get caught. And if they are—outside of a few countries in the world—they won't see any jail time or receive any substantial penalty. They're in this business because of its high profits and very, very low risks.

Imagine, though if these same wildlife criminals were suddenly to have their stocks confiscated, investigations were mounted against them, and they were actually put into jail. Suddenly, the business of wildlife crime would become more difficult and perceived as far less attractive by organized criminal elements. As the profit margins dip, and the risk factor is raised, the flow of trade will be reduced accordingly.

The U.S. is spending an awful lot of money—and American lives—to protect non-living, limited resources—fossil fuels—because we currently depend on those resources for our daily livelihoods. We should consider spending at least a fraction of that money—and no American lives—to protect the earth's living and potentially sustainable resources that we depend on for our daily livelihood. We will always need healthy ecosystems. Wild animals and plants are the blood of healthy forests and waters. Without that blood, the ecosystems will eventually cease to function and serve our many needs.

The U.S. is the one country that can help stem the huge tide of illegal wildlife trafficking here and abroad, and in doing so can help secure natural living resources around the globe.

Specifically the U.S. can:

- Post wildlife law enforcement officers to our overseas regional missions to train their counterparts and work with them to investigate criminal groups breaking U.S. and other laws. For example, two FWS Special Agents should be posted next fiscal year to the U.S. regional mission in Bangkok to cover enormous wildlife crime needs in Southeast Asia, where we know local criminals are teaming up with Americans to ship large quantities of illegal wildlife into the United

States. They are even starting to smuggle U.S. species back into Southeast Asia.

- Engage our own traditional national security related agencies in lending their machinery, expertise, and technology to help stop wildlife criminals everywhere in the world. For example, the U.S. military and its overseas counterparts conduct joint surveillance and anti-terrorism exercises in forest, high seas and border areas. They use satellites and aerial surveys to watch for border violations, insurgent groups, and other security threats. Let's ask them to look for poachers and traffickers too, and report these violations to the appropriate agencies.
- Continue to provide resources and technical capacity to combat crimes against nature in cooperation with willing partners in developing countries, which has proven to be a cost-effective and welcome form of international assistance with substantial benefits for wildlife and forests.
- Engage China, the only other country in the world consuming more wildlife than the United States, as an ally in helping to conserve the world's remaining wild animal and plant species. A superpower relationship, if you will, in which our two countries could reduce our respective country's consumption of rare and endangered species, while providing overseas technical support to developing countries in need of more protection.

Most of America's allies—and perhaps even some enemies—would welcome such support and collaboration. In my experience, wildlife conservation is something that all countries, cultures and religions can agree on. And it brings people together to protect our common home.

If this sounds too idealistic, it's already happening on a very small scale and with a very positive response. This week the US-sponsored ASEAN-WEN Support Program, with the assistance from U.S. Fish and Wildlife Service, is finishing a wildlife crime investigation course for Indonesian Police, Forestry and Customs officers at a police training center outside of Jakarta. The trainees have shown deep appreciation for the course and want more. Other such trainings are being planned for the region, including one this month at the US-sponsored International Law Enforcement Academy (ILEA). China has expressed interest in joining these courses and already participated in two.

The U.S. can play the role of global environmental leader, helping to scale back wildlife crime around the world and by doing so, can help protect our own natural resources from being targeted by increasingly strong and sophisticated transnational wildlife criminals.

[NOTE: The PowerPoint attachments have been retained in the Committee's official files.]

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#### **Response to questions submitted for the record by Steven R. Galster**

##### **Questions from Hon. Nick J. Rahall, II:**

##### **ASEAN-WEN:**

Yes, international law enforcement training exercises have indeed improved detection of wildlife trafficking. I can list numerous examples:

Following an ASEAN-WEN investigations training of Thai Customs, Police and CITES officials in August 2006, Customs began seizing highly endangered tortoises coming into Thailand from Africa, part of a very sophisticated and lucrative ring that has been operating in this region for years, and which by the way, is penetrating the U.S. market too. The tortoises are "Madagascar radiated". Confiscations began within 10 days of the investigation course. USFWS was part of our training team.

- Thai police launched a successful 6 month investigation into a major Tibetan antelope wool (shahtoosh) smuggling ring operating between Kashmir and Bangkok. The arrest of four members was made in July 2006, following initial training of Thai police on general wildlife crime issues under ASEAN-WEN. The shahtoosh ring leader was prosecuted in 2007. A USFWS forensics expert also joined the investigation to authenticate the shahtoosh as being from real Tibetan antelope, and she also trained the Thai police and government scientists to conduct similar tests on their own in the future.
- Three major enforcement actions resulted from last month's ASEAN-WEN investigations training course in Indonesia, including seizures of orangutans, bears, as well as turtle eggs and 23,000 sea horses. The interdictions were made between March 3 and 16 in Jakarta and South Sulawesi by Customs, Police and Forest Police.



The above are just a short list of many examples of increased interdictions across Southeast Asia since ASEAN-WEN was formed.

**Violence Against Law Enforcement Officials:**

I'm afraid that another speaker talked about Somali war lords, that was not me.

**Engagement with China:**

I recommend that the U.S. Government engage China as an ally in combating illegal wildlife trade through direct diplomatic channels, rather than through NGO's or other channels. A mix of USG representatives, including White House, State Department and USTR officials and U.S. Congressmen could approach Chinese officials with a common message, which would essentially be: "Our two countries are the biggest wildlife consumers in the world. We are in the same corner. Together we can help protect the world's biodiversity by (a) conducting nation wide consumer reduction and law enforcement campaigns; and (b) providing technical assistance to developing countries that are losing their wildlife populations. In sum, China and the United States can play the role of global environmental superpowers, working together to protect the earth's biodiversity." I believe China would respond well to this approach. To date, they have felt cornered and isolated as the main culprit, which causes them to react negatively to the subject matter in question.

In terms of mechanisms for bringing up the topic with China, one is the Strategic Economic Dialogue (SED). Also, the State Department helps lead a global effort to protect wildlife called the Coalition Against Wildlife Trafficking (CAWT).

**Questions for me from Hon. Don Young (R-AK):**

1. To post 2 U.S. Fish and Wildlife Service Special Agents to Southeast Asia for one year would cost less than \$200,000. One officer could train counterparts, while the other focuses on joint investigations. The U.S. could post 2 more officers each to central Africa, South America, and Eastern Europe (in that order of priority) for about \$100,000 per officer. This assumes that salaries are already paid by USFWS.

Cost of capacity building support for developing countries could range from the "regional" costs listed above (which amounts essentially to on-the-job training and support by U.S. FWS agents for an entire region), to \$100,000 per country, which could cover full costs of a major wildlife crime investigation training course for local officers; to much higher costs, covering equipment for anti-poaching and anti-trafficking units. One unit could be outfitted for less than \$100,000, some as little as \$50,000.

2. U.S. law enforcement efforts would benefit greatly from posting USFWS Special Agents overseas. These agents would be save the USFWS time and money in tracking criminals and illegal shipments through proactive investigations at the source of the crime, rather than waiting for the point of penetration into the United States. Less than 5% of wildlife shipments coming into the United States are actually inspected. Interdictions of illegal shipments are made possible usually through tip offs or luck. The better real time intelligence the U.S. has on shipments and criminals coming into the US, the better the interdiction rate will be.

3. Other options for curbing wildlife trade should actually be considered not as alternatives, but as supplemental actions. Wildlife law enforcement must be accompanied by public awareness and consumer reduction. U.S. citizens can help reduce wildlife poaching and trafficking by reducing their own consumption of rare and endangered species. Also, alternative livelihood support for poor poachers helps to reduce poaching. We have a "poachers to protectors" program in Southeast Asia that works well. Poachers are engaged by law enforcement officers and local NGO's to become trained in micro-enterprises in their villages, including organic farming on small plots of land.

4. Yes, efforts have been made to address the cultural and religious factors behind the dependence on products derived from illegal wildlife trade. Chinese NGO's, international organizations, the Chinese State Forestry Administration, and the Chinese community of traditional Chinese medicine practitioners have held meetings and conducted local campaigns to address the need to stop using endangered species in medicines, foods and as ornaments. Most of these efforts have been surprisingly successful, but too far and few between in frequency. Also, the Dalai Lama came out about 2 years ago, asking the people of the Tibetan Autonomous Region to stop buying and using products made from tigers and leopards. This led to many Tibetans throwing their tiger and leopard skin dresses away, even into bonfires in Lhasa, which was recorded on video and broadcast on the internet. This ironically led Chinese authorities to get upset about his intervention on this issue.

5. What incentives have been used or could be used in these countries to reduce their dependence on illegal wildlife trade? By "these countries" I will assume you mean China and the Southeast Asian nations I spoke about in my testimony. As

I mentioned in point 3 above, some poachers are offered alternative livelihoods. This works well and could be expanded. Also, on a national level, countries could be offered a sort of biodiversity credit scheme (similar to carbon credits). A forest without animals is a dead forest. So why not reward countries for protecting rich populations of wild animals, just as we do for protecting their forests? Your idea of legal and regulated hunting could fit in with this, but should obviously be restricted to areas where wild animal populations are rich and where good enforcement structures are in place. Safari hunters recently have tried to open up legal hunting in western Cambodia. This would not work because the prey base there is extremely low and anti-poaching units are almost non-existent.

I hope these answers are useful. Please feel free to call on me for additional assistance.

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**STATEMENT OF JOHN A. HART, SCIENTIFIC DIRECTOR,  
TSHUAPA-LOMAMI-LUALABA PROJECT**

Mr. HART. Thank you very much. I am going to speak very briefly here and summarize several points I made in my written testimony.

Just to introduce myself, I have been involved through the international NGO community in the Democratic Republic of Congo with my wife over the last 20 years, including setting up through CITES the monitoring program for illegal killing of elephants. I have also been involved with USAID's Central African Regional Program for the Environment since its inception.

What I am going to talk about though is our experience over the last decade where I have been leading field programs and field surveys with Congolese Nationals into some of the most remote remaining wildlife range. This has given me a perspective on the role that the illegal killing and illegal trade plays in destabilizing Central African states.

There are a number of problems with illegal wildlife trade. The one that I think I have a special perspective on is just the role that this has played in making Central Africa an unstable part of the world.

The poaching and illegal trade weakens states that are already fragile, and it allows the development of smuggling rings and particularly the movement of arms and ammunition in areas to insurgents, to rebel groups, some of whom are based in the national parks. This has allowed persistent instability in the region.

These groups are using wildlife themselves to support themselves, and this is the beginning of a chain that others have described leading out, including the movement of ivory, and even within Africa destabilizing as you have cross-border movement of wildlife products from Congo into Uganda, between Congo and Sudan and into the Central African Republic.

What can be done about this? This is moving beyond my own area of expertise. I am a biologist by training. However, I think that there are a couple points I would like to mention here and reflect the President's recent trip to Africa. One has to do with the role of our State Department.

I believe that the international NGO's based in Central Africa are able to develop particular insights and even ability to put political pressure, but we often need support, and having our Ambassadors engage actively, especially where we have been able to uncover egregious cases of abuse within national and police and military, can be very helpful in tilting the balance.

The second reflects the direct support that America will I believe increasingly provide in Africa in developing security and in training the security services. All of us would be appalled if we discovered that funding that we are giving is going to police forces that have been involved in human rights abuses, but we should also be appalled and we should fight against use of funds to support services where funding is going into continuing poaching of endangered species and illegal wildlife trade.

So I think we should be working with allies and with collaborators in the region to foster an investigation of wildlife crimes, to develop a perspective that will allow wildlife issues and illegal trade to be brought in front of national authorities in the region and work in this way I believe to stabilize a part of the world in which we have and will have increasing interest.

I will conclude my remarks there and take any questions.  
[The prepared statement of Mr. Hart follows:]

**Statement of John A. Hart, Scientific Director,  
The Tshuapa-Lomami-Lualaba Project, Democratic Republic of Congo**

Chairman Rahall, Ranking Member Young, and members of the Committee, I am John Hart, a wildlife scientist and conservationist based in the Democratic Republic of Congo (DRC). I have been involved with a range of wildlife conservation and natural resource management projects in Congo and Central Africa over the past 20 years. I am grateful for the opportunity to present information to help the committee develop a perspective on what, in my opinion, is a problem of growing international significance.

My experience in Central Africa includes developing a regional monitoring program for illegal elephant killing for CITES (Convention on International Trade in Endangered Species) across five nations, training park guards and national wildlife research staff, and establishment and management of protected areas. I have been involved since its inception with the U.S. initiated Central African Regional Program for the Environment (CARPE), funded through USAID to develop the institutional basis for conservation and forest management in some of the most important remaining tropical rain forest landscapes in Central Africa. Pertinent to the subject of this oversight hearing, over the past decade I have led teams of national wildlife biologists in DRC into some of the most remote and important remaining wildlife areas of the country. This has given me first hand knowledge of the extent and threats posed by illegal wildlife trade.

**An entrenched problem**

There is a long tradition of the use of wildlife products in Central Africa. Bushmeat remains an important subsistence food for many communities which have little access to domestic sources of meat. Over the last two decades, however, the use of wildlife has left the realm of local subsistence needs in many areas and become an increasingly lucrative trade commodity.

In Central Africa, wildlife trade ranges from the poorly regulated provisioning and sale of bushmeat through local trading networks to illegal poaching of elephants and smuggling of ivory across international borders. The traditional actors in the wildlife trade include local subsistence hunters and small scale market traders. Their ranks have been joined by growing numbers of professional hunters and large scale traders. Many of the professional hunters are associated with national security forces that provide them with arms and ammunition. Direct economic benefits of wildlife trade, including payoffs in the illegal trade in ivory, implicate highly placed public figures in the administration and national security forces in many African countries. Recent and ongoing rebel and insurgent activities are linked to occupation of national parks, poaching and illegal wildlife trade in DR Congo, Central African Republic, Chad, Sudan and Uganda.

The diversity of wildlife species entering the illegal trade, the often unclear boundary between subsistence hunting and commercial scale poaching and the failure to recognize the national and regional significance of illegal wildlife trade, represent some of the greatest challenges in managing and controlling hunting in Central Africa. These challenges increase with growing demand from distant markets. Commercial trade of a wide range of wildlife and other wild harvested products in-

cluding plants is growing and diversifying as African economies are opened to growing global trade.

I would like to state that at no time in my experience in Central Africa have I ever documented a direct link between illegal wildlife trade and an immediate threat to American security. Nevertheless there is increasing evidence that the internal and international trade in wildlife and wildlife parts, including a number of endangered species, poses threats to entire ecosystems and also increases the potential of disease outbreaks. The illegal wildlife trade is one of the most strongly corrupting influences of national administrations and particularly national police and security forces, many of whose members are directly involved in fostering and permitting poaching and illegal trade in a number of the countries where I have worked over the past two decades.

I would like to touch on several of these themes briefly, providing evidence, based on my experience. I will conclude with observations on what I see is an important role for U.S. leadership in combating illegal wildlife trade in Africa.

#### **Undermining the potential for wildlife to contribute to sustainable development**

Central Africans, including both rural and urban communities remain strongly dependent upon local natural resources for their subsistence and economy. Poaching and illegal wildlife trade undermines this economic base. Two recent cases in DRC, both with regional implications, illustrate the potential significance: Illegal killing of hippopotamus over the past ten years around Lake Edward, on the Ugandan-Congolese border, reduced populations from over 10,000 to just a few hundred. The hippos are a key component in the food chain linking adjacent terrestrial savannas with the lake, through their fertilization of the lake waters after nocturnal grazing. The elimination of the hippos, combined with unregulated and illegal over fishing, has led to a collapse of one of Congo's most productive fisheries, undermining a regional economic base. There is now a growing demand to protect the remaining hippos, including ending the trade in poached hippo meat, and control the illegal fishing practices to permit the recovery of the fisheries.

The second case involves the internationally celebrated mountain gorillas who occupy a range of volcanoes straddling three national borders in what is arguably one of the most dangerously unstable regions in Africa. These gorillas constitute the basis for a unique and economically important tourism in the region. Earlier this year the Congolese side of the volcanoes was occupied by a renegade military general turned rebel and a number of gorillas were killed, with additional suggestions of trade in gorilla babies. The response has been international mobilization for protection of the gorillas and their mountain homeland, including an unprecedented agreement among the three countries to cooperate in increasing security and patrolling of the massif. This is a positive first step.

While not all places or wildlife can have such high prominence, commercial scale hunting and illegal wildlife trade often benefit only a few while depleting local subsistence resources used by and supporting many. In Central Africa, the commercial bushmeat trade almost always breaks important links between wildlife and livelihoods and undermines conservation efforts and investments to establish sustainable use of fragile natural environments.

#### **Illegal wildlife trade and emergent diseases**

Illegal trade in wildlife has been implicated in recent outbreaks of hemorrhagic fevers in Central Africa, most notably Ebola in Gabon and N Congo. Infected gorillas and chimpanzees were killed, handled and consumed by local villagers in the affected area, leading to a widespread disease outbreak with high mortality. The potential for recurring epidemic is present. Indeed a focus on potential disease links featured in a recent publication by one of the two primary Ugandan daily newspapers on an outbreak of hemorrhagic fever in western Uganda. The article went on to strongly support a ban on the trade of wild meat.

While the likelihood of the spread of Ebola to America is remote, other global pandemics have emerged through human-wildlife contact, including HIV-AIDS, which the evidence suggests moved from chimpanzees to humans quite possibly, as with the case of the Ebola outbreak, through handling and consumption of bush meat. Recent global outbreaks and threats of bird flu were associated with illegal trade in poultry and other possibly other birds and wildlife. Increasing international traffic of bushmeat including illegal importations into the USA, represent an unknown but potentially significant source of new infections.

#### **Wildlife trade and persistent insecurity in Africa**

Poaching and illegal wildlife trade in Central Africa weakens already fragile states by spreading military weapons into the hands of local insurgents, allowing

the development of smuggling rings and favoring the corruption of officials, including the military and national police. Hunting and trade of bushmeat and ivory directly support rogue military gangs and provide economic support for several persistent pockets of rebel activity in DRC. These include Rwandan Hutu rebels implicated in the 1994 Rwandan genocide, a major group of whom remain based in the Kahuzi-Biega National Park. Factions of the Ugandan Lord's Resistance Army retained bases in DRC's Garamba National Park during their standoff—hopefully coming to an end—with the Ugandan government.

During Congo's recent civil war (1998—2003) illegal bushmeat and ivory were among commodities exchanged for arms and ammunition. In a three year investigation of elephant poaching and illegal ivory trade in DRC's volatile Ituri Region, from 2002—2005, we documented an estimated 14 tons of ivory leaving the area of the Okapi Wildlife Reserve, a UNESCO World Heritage Site. At least two major shipments left by international helicopters chartered by the Congolese rebels. At the time of this investigation, Viktor Bout, an international arms trafficker wanted by Interpol, was operating in the region, and according to investigations done by a Belgian journalist, ivory was among the commodities Bout traded and transported. All sides in the DRC conflict were involved in the ivory trade which also implicated business men in Congo and Uganda.

While Congo's conflict has currently receded, illegal military arms continue to circulate in some areas and are used to kill elephants. Many of the poachers have contact with military hierarchy and national police who move the arms and ammunition. Large areas of DRC remain outside of effective national administrative control; some areas are in the hands of criminals. Generalized low level insecurity persists. Over the past decade our surveys, and those of colleagues, have documented direct support of DRC's military and police in major poaching and illegal trade of wildlife in all of the major wildlife ranges we have surveyed, including all five of DRC's World heritage Sites. This illegal activity continues in many areas despite the end of the Congo's decade long conflict in 2003. It persists, even as the country attempts to reorganize its military and police. Part of the problem, but certainly not all of it, has been the perceived need for the national army to incorporate former rebel combatants into the ranks. These have included well known poachers and wildlife traffickers who use their military position as cover for continued poaching and who have in some cases implicated their authorities in the process as well.

#### **What can be done?**

We have a direct role to strengthen efforts to control arrival of illegal wildlife products, including bushmeat, into USA. Coordination with neighboring countries, in particular Canada, to ensure that third party imports are not happening may be part of the process. The need to control illegal trade in wild products, including plants is likely to grow. As the globe's biota is diminished we are increasingly seeing today's legally traded commodity become tomorrow's illegally trafficked endangered species. Illegal wildlife trade will need to be regularly monitored.

A unique opportunity to deal with security concerns raised by illegal wildlife trade presents itself with the development of the proposed United States African military command (USAFRICOM or AFRICOM). The expressed vision of AFRICOM is responsibility for U.S. military operations in and military relations with 53 African nations. While focus has been on security concerns in the Horn of Africa, and in west central oil producing region, nevertheless the fragile states across the continent are also recognized as a major concern.

AFRICOM's mandate will include training of national military and security forces. This is one point where American intervention to stem the illegal hunting and trade makes sense. American training and support should be used to foster an evaluation, corrective measures, if required, and continued monitoring of military and police involvement in illegal hunting and wildlife trade.

In DRC there is a precedence to suggest that such an approach can work. In the past, national park's staff was also implicated in illegal hunting and wildlife trade in the parks. International NGOs supporting the parks worked hard on the ground to document the abuses and put pressure on park hierarchy to bring these to an end. While it is difficult to ensure and measure compliance in all the remote areas where park staff operates, monitoring on the ground did lead to reductions in some of the worst poaching and illegal trade. Recently publicized crackdowns on notorious poachers with military links in the Salonga National Park suggest that the political will for further controls may be present. But this needs to be followed by further action.

I can not over estimate the importance of having these efforts reach the ground, where all of the illegal hunting and illegal trade have their start. U.S. supported

programs such as CARPE can be vehicles for developing a basis for this, and improving overall prospects for good governance in use of wildlife.

The American diplomatic community should be briefed on the issue, and while I recognize that there is a limit to what can be expected of our diplomatic staff, nevertheless, they should be encouraged to monitor, and where possible provide diplomatic support to control egregious cases of poaching and illegal wildlife trade, especially where there is evidence of involvement of security forces and international trafficking rings.

The U.S. can and should lead, but we can not and should not go alone in this endeavor. Broad based support is needed nationally in Africa, and internationally if better controls are to be brought to bear. Clarifying and bringing focus on the disease and security related links of some of the trade in illegal wildlife will be important assets in publicizing and bringing illegal wildlife trade under control.

It is important for national governments to understand the health and security dangers of illegal trade. America has every interest in a stable and well governed Africa. Rule of law is intimately linked to controlling illegal wildlife trade in many areas. Security is strengthened by bringing an end to the associated trafficking in military weapons used for hunting, and controlling cross border wildlife smuggling.

I would like to close by thanking the Committee for its interest and concern with this issue, and to commend it in taking leadership to develop a constructive and effective response to a growing global concern. I would be happy to answer any questions members of the committee may have.

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**Response to questions submitted for the record by John A. Hart, Scientific Director, The Tshuapa-Lomami-Lualaba Project, Democratic Republic of Congo**

Chairman Rahall, Ranking Member Young, and members of the Committee. Thank you for this opportunity to respond to your further questions.. I write to you from Kisangani, in the Democratic Republic of Congo (DRC) as I prepare to return to our elephant and bonobo conservation project in the Lomami Basin. The questions you raise are directly related to my immediate concerns.

I would like to thank the committee for taking on this subject and for bringing together an informed panel. I am pleased and honored to have been part of this process, and would be happy to provide any further contributions you would wish to ask of me.

Your questions and my responses follow:

**1. How did bushmeat move from a subsistence food to a lucrative trade commodity? Is it due to rural populations moving to cities or due to other factors?**

Bushmeat has had long history of use in Central Africa. As an economic commodity, taste, and developing purchasing power continue to influence demand. Bushmeat is increasingly a luxury commodity for urban or town people with disposable income. The current bushmeat crisis in DR Congo is exacerbated by a decade of war that has weakened national wildlife protection institutions and permitted the wide dispersal of military weapons and ammunition.

**2. You make a number of references in your testimony to illegal hunting. By your definition, isn't illegal hunting really poaching? Is it your contention that illegal sport hunting is supporting rogue military groups in Central Africa?**

My comments pertain to DR Congo (DRC). At present sport hunting is all but nonexistent in DRC and so we can not yet provide an evaluation of its impact. But in any case any sport hunting that occurs is not associated with the poaching. The most serious problem in DRC, and more widely in Central Africa, is poaching associated with military and police. This is facilitated by lack of control by the national security hierarchy. Low salaries, often paid late, render military at a low level (those likely to be directly involved in hunting) open to poaching as an alternative source of income. Yet some higher level authorities are also involved, and usually with impunity.

The problem is present in many countries, but most acute in CAR, Chad, DRC, all fragile states. In DRC and CAR, The same impunity and lack of control has been associated with other abuses by police and military, in particular abuse of human rights and involvement in armed robberies and contract killings.

My own perspective, is that sport hunting, and possibly even some exploitation of bushmeat, are potentially important tool for wildlife management and conservation in Central Africa. The potential management of bushmeat exploitation has

some similarities to controlled fur trapping in North America, which allows for economic use of an animal resource. Key elements include licensing and linkage with management that ensures sustainable populations of important species. Some species will not be exploited for ethical or cultural reasons, and there may be debate on this. But the basic fact remains that most wildlife must have an economic standing as well as a cultural, ethical and ecological value.

**3. Page 2 of your testimony, you state that “At no time in my experience in Central Africa have I ever documented a direct link between illegal wildlife trade and an immediate threat to American security.” Since Central Africa is ground zero for wildlife poaching, if there were terrorist links, is it likely you have heard about them?**

Elephant poaching, illegal trade in ivory and to a lesser extent bushmeat (including elephant meat) have been and remain directly implicated in regional militia activities and mafia-type trade networks in Democratic Republic of Congo, neighboring CAR and Sudan. Ivory trade moves out of Central Africa into a wider illegal trade network on a global scale, but I have no direct information at this level. Elephant poaching and ivory trade contribute to chronic regional instability and international criminality.

We have found the following links:

Ivory was one of the commodities used by militias in DRC’s recent civil war to fund operations, including purchase of weapons and ammunition. Some militia activity continues to the present, and wildlife remains a source of revenue for these armed insurgents and rural bandits where wildlife resources still exist.

We have evidence that ivory was among the commodities transported and exported by known international arms dealers (notably Viktor Bout, recently arrested in Thailand).

Ivory and bushmeat are hunted and transported by Janjaweed hunters during seasonal forays into DRC’s northern borders from Sudan. Both meat and ivory are transported back to Sudan.

Other armed nomadic groups also exploit bush meat and ivory in Congo’s northern frontier including Mbororo pastoralists from CAR and Chad, who this year have even penetrated the rain forest zone to hunt ivory. The associated trade networks which these peoples provision are poorly known and documented. Congolese park guards and national police fear the nomads and may become accomplices to the transport of meat and ivory.

As a commodity, ivory is often readily depleted, since current elephant populations are small and localized. Bushmeat is mainly exported from Congo for local consumption in neighboring countries.

Despite its rarity, ivory can command high prices, and is still regarded as a prestige item. Ivory trading networks into Sudan from DRC are old and well established, even though the volumes may be declining as elephant populations are depleted. The value of the commodity is not declining.

Bushmeat continues to be used by Rwandan Hutu rebels based in eastern DRC, and especially in two parks, Maiko and Kahuzi Biega.

Other DRC commodities notably minerals (gold, diamonds, tin ore and coltan) are involved in poorly regulated, if not strictly illegal trade. This uncontrolled trade weakens police and security operations at the expense of gangs and militias that operate across borders. In central Africa the ivory and bushmeat trade are part of the larger illegal trade that continues to destabilize the region.

**4. How would you describe the state of elephant populations in Southern African countries like Botswana, Namibia and South Africa? How do these healthy populations compare with those in Kenya? Do you think the sport hunts in these Southern African countries, which support local conservation efforts, have helped o protect these elephant populations?**

Elephants occur over a wide range of conditions in southern Africa, including some very small and constrained populations on fenced reserves. Overall populations in a number of southern African countries are stable or rising. Elephant numbers must be reduced in some areas to maintain range conditions. Culling and sport hunting play a key role in this scenario. The important point is to link hunting and culls to direct support for local conservation efforts. Hunting has a number of economic and social advantages over culls, but must be regulated. The linkages have to include benefits to rural communities who are impacted by elephants. Without this support, these communities become bases for poaching which can very quickly lead to elephant depletion and criminality.

**5. With so much instability in many parts of Africa, is it possible to get the illegal wildlife trade under control prior to achieving stability with the governments?**

Ultimately development will provide alternatives to poaching and illegal wildlife trade in Central Africa. Economic development alone will not eliminate these activities, but it will provide a basis for their control which is not possible where a large part of the population has few economic options. Economic development is likely to also foster political development, including rule of law. This will create a basis to control widespread involvement in illegal trade, though it can not entirely eliminate it.

While one can be hopeful for this scenario, it is not going to happen quickly. Yet wildlife losses can happen quickly, and future options can be destroyed, depleted or lost. Thus a strategy to hold key resources is needed. This will require a combination of economic, legal, political and social initiatives at local and national levels, and supported internationally. These must be deployed in key areas and for key species otherwise irreplaceable.

The vision for the future is that these protected areas and their fauna will provide the basis for restoration of depleted areas. Yet all these efforts are vulnerable to unexpected events including disastrous loss. Multiple sites are needed. These must be large enough to encompass the key resources, but small enough and buffered enough from demographic expansion and human wildlife conflict to be able to be managed and protected.

**6. You mention the international and local response to gorilla massacre on the Congolese side of the volcanoes. While this was a horrific event that should receive this type of response, how can this model of response be used for other species?**

Gorillas are what we term a flagship species. These are species which can be evoke concern and interest across a wide of society. These species play a key role in the development of a conservation ethic that covers many other species and their environments. This appreciation can cross cultural boundaries, as seen in the case of the gorillas which are a global conservation symbol. Not many species can achieve this status. And conservation flagships must be actively protected.

Recent developments in the conservation of Congo's mountain gorillas suggest how significant flagship status can be. Just this week, the Congolese National Parks Service arrested one of its high level staff on allegations that he was directly involved in the massacres of the gorillas earlier this year to cover up an illegal trade in charcoal made by cutting the park's forests, a trade in which he was allegedly involved. This arrest is unprecedented, and could not have occurred for anything less than a flagship species. It sends an important message to other people in authority who would use their position as a base for poaching and illegal trade to further their private commercial interests.

**7. Were the three countries that came together—Uganda, Rwanda, and the Congo? Is it possible for other African countries to come together in this way to protect other species in Africa?**

In the case of the Virunga gorillas, the three collaborating countries were Rwanda, Uganda and Congo. Cross border protected areas that encompass shared resources and key environments, as well as migratory species crossing borders are also cases where international collaboration might be possible. For conservation to happen, it is important to develop institutional platforms and invest in these. Models such as the treaties regulating migrant birds are useful. To work, there must be benefits for all partners. These arrangements for the Mountain Gorillas need constant reinforcement since the three countries are otherwise highly suspicious of each other. This is a role for the international community as well.

Piggybacking broader wildlife management on key regional resources such as fisheries which are shared across borders also represents a potential model.

**8. CITES has been around for over 30 years, with many nations not complying with the Convention's enforcement or reporting mechanisms. How can the world be mobilized to fully implement the recommendations of CITES?**

Like drug trade, controlling the illegal trade in wildlife will require multiple approaches to succeed. Control of the trade will remain one of the tools. Illegal wildlife trade is even more complicated than the drug trade since wildlife is so varied. A key component will be reducing demand. This requires education and controls in consuming societies as much as controls in the producing areas.



The CHAIRMAN. Thank you.  
Mr. Clark?

**STATEMENT OF WILLIAM CLARK,  
ILLEGAL WILDLIFE TRADE EXPERT**

Mr. CLARK. Mr. Chairman and Committee Members, thank you for this wonderful opportunity to address the subject of illegal trade in wildlife. My name is William Clark. I am employed by the Israel Nature and Parks Authority. The directors of the Kenya Wildlife Service and Lusaka Agreement Task Force have asked to be associated with this testimony.

I have been actively involved with CITES since 1979. I have been assigned to Interpol's Working Group on Wildlife Crimes since 1994, and I am currently its chairman. Other credentials are included in my written testimony.

I am convinced by abundant evidence that there are substantial links between organized crime and illegal trade in wildlife. I am further convinced that these links are resulting in serious corruption, violence and instability.

Illegal trade in wildlife today is a very sophisticated and high profit global criminal enterprise. It carries in many jurisdictions a disappointingly low risk. This illegal trade involves a diversity of offenders, from common criminals with records in drug trafficking and murder to cosmopolitan merchants who control multinational crime syndicates.

It also involves violent militant groups such as Somali warlord factions and the Sudanese Janjaweed, lately associated with genocide in Darfur. Specific cases are cited in my written testimony.

But it is important to bear in mind that all of these cases which reflect a multi-billion dollar criminal industry are anecdotal. A critical first step in meeting the challenges of wildlife crime is to define precisely what it is. We really need to know the magnitude, the structure and the dynamics of this criminality. Lots of resources have been focused on drugs, weapons and that, but wildlife crime we really don't know that well.

Today, Interpol has Ecomessage, which provides the only nominal database on international wildlife crime. Although Ecomessage has great potential, it needs more development.

Violence, corruption and other criminalities are associated with wildlife crime today because they facilitate illegal trade, making it less risky and more convenient. Illegal trafficking in wildlife is also linked to fraud, smuggling, conspiracy, robbery, health violations, drug trafficking, weapons trafficking. There are also significant money launderings involved, and of course tax evasion and other financial crimes involving billions of dollars.

It is important to put the known facts into context, particularly with reference to causations and remedies. The proximate cause of most wildlife crime and its consequences is greed. The ultimate cause of most wildlife crime is simple vanity. Remedies can be applied to the approximate causes, the greedy merchants behind the illegal trade.

Improving capacities among wildlife agencies in developing countries is very important. More training programs and equipment are essential. The United States is already engaged in some of this, but

the intensity and scope of poaching and trafficking today warrants significantly expanded efforts. Applying remedies to these proximate causes will be frustrated if the ultimate causes are not also addressed.

The ultimate cause for most wildlife crime is found in the lucrative consumer markets in the industrialized countries, including the United States. That is where the money is. So long as wealthy consumers are prepared to pay good dollars, euros and yen to purchase protected wildlife, the fundamental financial incentives for wildlife crime will remain a powerful influence, and all the consequent problems of violence, corruption and instability will continue unabated.

Mr. Chairman, I have no doubt that most developing countries could provide effective protection for their native wildlife if they had to control poaching for their domestic markets only, but it is unreasonable and unfair to expect wildlife agencies in developing countries to withstand the sustained assaults of criminals motivated by the profit incentives of industrialized societies.

The solution is partnership. The United States should expand its efforts, (A) to assist wildlife law enforcement agencies in developing countries, improve their capacities, and (B) to encourage other industrialized countries to pursue greater cooperation, more effective policies and efforts to suppress international criminal syndicates.

Specific recommendations are included in my written text. I thank you.

[The prepared statement of Mr. Clark follows:]

**Statement of William Clark, Illegal Wildlife Trade Expert**

Mister Chairman and Committee members, thank you for the opportunity to address the subject of illegal trade in wildlife. I also thank 18 colleagues who helped me to prepare for this hearing. Nevertheless full responsibility for the accuracy of facts and the merit of opinions expressed in this testimony is mine.

My name is William Clark. I am employed by the Israel Nature and Parks Authority. The directors of Kenya Wildlife Service and of Lusaka Agreement Task Force have asked to be associated with this testimony. I have been actively involved with CITES since 1979. I have been assigned to Interpol Working Group on Wildlife Crime since 1994, and am currently its chairman. Other credentials are included in my written testimony.

I am convinced by abundant evidence that there are substantial links between organized crime and illegal trade in wildlife. I am further convinced that these links have resulted in serious corruption, violence, and instability worldwide. Illegal trade in wildlife today is a very sophisticated, high-profit global criminal enterprise that carries, in many jurisdictions, a disappointingly low risk. This illegal trade involves a diversity of offenders, from common criminals with records of drug trafficking and murder, to cosmopolitan merchants who control multi-national crime syndicates. It also involves violent militant groups, such as the Somali warlord factions and the Sudanese Janjaweed, lately associated with genocide in Darfur.

Specific cases are cited in the written text of my testimony. But it is important to bear in mind that all of these cases, which reflect a multi-billion dollar criminal industry, are anecdotal. A critical first step in meeting the challenges of wildlife crime is to define precisely what it is. We need to know the magnitude, structure and dynamics of this criminality. Today, Interpol's Ecomessage provides the only nominal database on international wildlife crime. Although Ecomessage has great potential, it needs more development. It also needs U.S. participation.

Violence, corruption and other criminalities are commonly associated with wildlife crime today because they facilitate illegal trade, making it less risky and more convenient. Illegal trafficking in wildlife is also linked to fraud, smuggling, conspiracy, robbery, health violations, drug trafficking and weapons trafficking. There is also significant money laundering involved and, of course, tax evasion and other financial crimes involving billions of dollars.

It is important to put the known facts into context, particularly with reference to causation and remedies. The proximate cause of most wildlife crime, and its consequences, is greed. The ultimate cause of most wildlife crime is simple vanity.

Remedies can be applied to the proximate causes—the greedy merchants behind the illegal trade. Improving capacity among wildlife agencies in developing countries is very important. More training programs and equipment are essential. The United States is already engaged in some of this. But the intensity and scope of poaching and trafficking today warrants significantly expanded efforts.

Applying remedies to proximate causes will be frustrated if the ultimate causes are not also addressed. The ultimate cause for most of wildlife crime is found in the lucrative consumer markets in industrialized countries, including the United States. That's where the money is. So long as wealthy consumers are prepared to pay good dollars, euros and yen to purchase protected wildlife, the fundamental financial incentives for wildlife crime will remain a powerful influence, and all the consequent problems of violence, corruption and instability will continue unabated.

Mr. Chairman, I have no doubt that most developing countries could provide effective protection for their native wildlife if they had to control poaching for their domestic markets only. But it is unreasonable, and unfair, to expect wildlife agencies in developing countries to withstand the sustained assaults of criminals motivated by the profit incentives of industrialized societies.

The solution is partnership. The United States should expand its efforts;

- A. To assist wildlife law enforcement agencies in developing countries improve their capacities, and
- B. To encourage other industrialized countries to pursue greater cooperation and more effective policies in efforts to suppress international criminal syndicates.

Specific recommendations are included in my written text.

Thank you.

\* \* \*

Introduction: Mister Chairman and Committee members, thank you for the opportunity to address the important subject of illegal trade in wildlife. I also want to thank 18 colleagues who helped me to prepare for this hearing. I nevertheless accept personal responsibility for the accuracy of facts and the merit of opinions expressed in this testimony.

My name is William Clark, and I am employed by the Israel Nature and Parks Authority, Division of Law Enforcement. Mr. Julius Kipng'etich, director of Kenya Wildlife Service (KWS) and Mr. E.S. Kisamo, director of Lusaka Agreement Task Force (LATF) have requested that their respective agencies be associated with this testimony. Both Mr. Kipng'etich and Mr. Kisamo extend their respects and greetings to this Committee. The text of a KWS report is attached to this testimony and headed "Nature of Illegal Wildlife Trade in Kenya."

I have been involved with nature conservation and wildlife law enforcement for more than 30 years including active involvement with CITES since 1979. I have been assigned to the Interpol Working Group on Wildlife Crime since 1994, and I currently serve as chairman of that Interpol Working Group. I hold a Ph.D. in wildlife conservation. I am a U.S. citizen and honorably discharged after six years service with the U.S. Marine Corps.

I have received a number of relevant voluntary appointments among governmental, inter-governmental and non-governmental organizations. A few of these include honorary pilot/warden for Kenya Wildlife Service, liaison officer for Lusaka Agreement Task Force, technical counselor for Senegal National Parks, and executive committee member for INECE (International Network for Environmental Compliance and Enforcement).

I hold several professional honors, membership in professional associations, and have published in prominent peer-reviewed journals. Details are available upon request.

Fundamental Challenges: Illegal trade in wildlife today is a very high profit enterprise that, in many jurisdictions, carries a disappointingly low risk. This illegal trade involves a broad diversity of offenders, from common criminals with histories of drug trafficking and murder, to very sophisticated merchants who control multinational organized crime syndicates from the relative security of safe havens. It is also important to note that several militant groups, such as Somali warlord factions that have been accused of trafficking drugs and weapons, and Sudanese Janjaweed militias that have been implicated in the Darfur genocide, have also been linked to commercial poaching and illegal trade in wildlife.

Corruption, violence and other lawlessness are commonly associated with wildlife crime today because they facilitate illegal trade, making it less risky and more con-

venient. It is much easier to move several tons of ivory through customs control if there is a customs officer prepared to accept a bribe. It is much easier to defend a crooked dealer in court if potential witnesses for the prosecution are intimidated and too afraid to testify.

Illegal trafficking in wildlife is linked to many more crimes than just corruption and violence. There are also strong links to fraud, smuggling, theft, robbery, conspiracy, health and veterinary violations, drug trafficking and weapons trafficking. There is also significant money laundering involved and, of course, tax evasion and other financial crimes.

There are three main reasons why illegal trade in wildlife has achieved globally-important proportions:

- One reason is that wildlife law enforcement agencies in habitat countries, which for the most part are also developing countries, often do not have adequate enforcement capacity—in terms of training, structure and equipment—to meet the challenges by themselves. Habitat countries tend to have relatively weak enforcement capacity.
- The second reason is that the major markets for commercially valuable wildlife are in industrialized countries, including the United States. Industrialized economies provide very powerful financial motivations which sometimes eclipse a developing economy's power to resist. Market countries have relatively strong market incentives.
- The third reason is that illegal trade in wildlife is a very high-profit enterprise with exceptionally low risks. Despite the extremely serious nature of this criminality, most successful wildlife crime prosecutions result only in small fines. Prudent prosecutors sometimes ignore the wildlife offenses, knowing courts are unsympathetic, and seek convictions on related charges, such as smuggling or conspiracy.

The Honorable Bakari Mwapachu, Tanzania's Minister of Public Safety and Public Security, addressed the Interpol Working Group on Wildlife Crime at our meeting in September, 2007. In his opening remarks, Minister Mwapachu told the meeting that "organized criminal networks are engaged in a wildlife trade whose sophistication and scope surpasses the capacity and resources of enforcement agencies in the region."

This is a key to understanding an essential dynamic of illegal trade in wildlife today. Criminal syndicates are motivated by very substantial profits that can be made by acquiring commercially valuable protected wildlife in developing countries, and then selling this contraband in industrialized countries. The profit margin is so great that these syndicates can afford to invest in important measures designed to defeat and surpass the efforts of enforcement agencies in habitat countries.

To date, the response by the international community has been very disappointing. In all the world, there are only two officers employed full time to address the challenges of international wildlife crime. One of them is totally dependent upon voluntary NGO support.

Interpol provides an ageis for national wildlife agencies seeking to cooperate, but so far, the only available budget has been modest NGO contributions. National agencies normally support the participation of their own officers, and this works well for officers from industrialized countries. However, developing countries, which provide the most important habitat for commercially valuable species, have been under-represented simply because there is not adequate funding to support their participation.

Interpol has created Ecomessage, which today is the world's only nominal database on international wildlife crime. Although Ecomessage has great potential for being able to define the magnitude, structure and dynamics of international wildlife crime, it needs more development to reach the point where it is comprehensive and statistically reliable. It also needs U.S. participation.

Motivation: The underlying motivation for most of this criminal "sophistication and scope" is the market demand in industrialized economies. There are wealthy buyers with dollars, euros and yen who are prepared to pay premium prices for contraband wildlife products. This is mostly a vanity market where nearly all products are devoid of any substantive benefit for human health, welfare or security.

Markets in industrialized countries are the ultimate cause of most international wildlife crime. That's where the money is. Most habitat countries could very easily contend with poaching and trafficking for the domestic market. But it is unreasonable, and unfair, to expect wildlife agencies in developing countries to withstand the sustained assaults of criminals motivated by the profit incentives of industrialized nations.

The United States is aware of this situation, and has made good-faith efforts to address it, via various grant programs to protect endangered species, the inter-

national law enforcement involvements of the U.S. Fish and Wildlife Service, and initiatives such as the Coalition Against Wildlife Trafficking. Despite the very admirable work done so far, it is nevertheless inadequate. There are clear indications that illegal trade in wildlife is on the increase, and outpacing efforts to suppress it. There are clear indications that the attractions of the U.S. economy are, in large part, responsible for this.

Criminals make enormous profit by cooperating shrewdly and extensively on an international scale. Illegal networks and syndicates work very closely with each other, often approaching the finesse of multinational corporations. Law enforcement is far behind, shackled by bureaucratic procedures, handicapped by inadequate budgets and resources, and stymied by shifting political priorities.

If law enforcement is to have any realistic chance of counteracting illegal trade in wildlife, there is no option other than to improve systems of international cooperation dramatically. There is need for industrialized countries, including the United States, to extend much greater cooperation and support to wildlife agencies in developing countries. There is need for industrialized countries, including the United States, to participate more vigorously within the international community, in a global effort to solve a global problem.

Organized Crime: Illegal trade in wildlife must be well-organized to be successful at the global level. Certainly there are many freelancers and minor operators, as with most other types of crime for profit. But lately there has been a conspicuous increase in the frequency of seizures of large consignments. Many of these seizures have been characterized by enforcement authorities as "the largest of this type in history." During recent years, this phrase has been applied to seizures of coral, snake skins, conch shells, ivory, shahtoosh, abalone and other wildlife contraband.

The shift toward larger consignments being seized is a reflection of a trend toward larger consignments being entered into illegal trade. This, in turn, reflects the greater wealth and risk-taking proclivities of the criminal interests behind those consignments. Ultimately, it reflects a greater involvement of organized crime, which has the financial and organizational capacity to assemble large consignments of contraband and absorb the losses of an occasional large seizure.

Forensic evidence provides a very useful indication of the involvement of organized crime. Important work is being accomplished by Professor Samuel Wasser at the University of Washington, who has created a DNA "map" of African elephants. With this map, it is possible to assign a specific location of origin to any sample of ivory. This technology is now being applied by analyzing ivory from various seizures. The analysis identifies which populations of elephants were poached to provide that ivory.

These analyses are yielding important results. For example, one analysis of ivory sealed in a container in Malawi, exported via South Africa and seized in Singapore revealed that the ivory came from a specific location in eastern Zambia. DNA evidence indicates the elephants were closely related. Another analysis of ivory exported from Cameroon and seized in Hong Kong revealed the ivory came from a specific location in eastern Gabon and a neighboring part of Congo. Again, it produced evidence that all the ivory came from closely related elephants in a particular location. More analyses of other seizures are presently being conducted.

Conversely, there is no indication of any illegal dealers purchasing ivory opportunistically from scattered sources as a method of organizing a large commercial consignment. Rather, there is evidence of specific elephant populations being intentionally targeted to supply ivory for planned shipments. This indicates that poaching contractors are hired and they receive a "purchase order" for a specific quantity of ivory. The contractors then organize teams of poachers that work cooperatively to kill a particular number of elephants in a specific area. The contractors then arrange the logistics of transporting the ivory over long inland distances before export. This inland transport includes significant organized smuggling across national frontiers in Africa, so it can be exported from a country other than where the elephants were poached. This type of disciplined and careful planning is an indication of organized crime.

In the Cameroon-Hong Kong seizure, a total of three containers with false compartments were discovered by law enforcement agencies. As these false compartments have specific volumes, and as the seizure in Hong Kong had its false compartment packed to capacity, it is probable that the poaching gangs are given specific instructions regarding the precise amount of ivory they were to provide. The smuggler does not want to waste space, nor does the smuggler want to receive more ivory than can be packed into a particular consignment. This type of inventory management indicates the discipline of organized crime.

Professor Wasser's DNA analysis also provides evidence that the country of poaching is different from the country of export. This is very likely a protective strategy

used by the smuggler, who thereby distances himself from the country where the violence of intense ivory poaching is being conducted. This can be considered yet another mechanism indicative of organized crime.

Inspection of the containers themselves revealed a sophisticated hidden compartment system that required good planning and metallurgical know-how. False walls were deftly created and camouflaged, and inspectors standing inside empty containers were at first not aware they were within arm's length of the hidden compartments. This level of care and preparation is indicative of organized crime.

Investigations of persons accused of being responsible for the Cameroon—Hong Kong seizure provide evidence of at least 15 containers having been shipped along the same route with the same declared contents during recent years. Further investigations link these persons to the export of at least 16 similar containerized consignments from Nigeria in the 1990s. There is also evidence that one of the Nigerian consignments contained 1,453 kg. of contraband elephant ivory, seized in Taiwan in 1998.

It is reasonable to assume that all 31 containers carried contraband ivory. If the average weight of the two seized consignments—2,678 kilograms—is representative and is multiplied by 31 known containers, there is indication that this syndicate trafficked in more than 83 tons of contraband ivory (costing the lives of about 8,300 elephants). Using a modest wholesale rate of \$600 per kilogram, it is possible to estimate this syndicate alone trafficked in nearly U.S. \$50 million of contraband ivory during the past decade. A U.S. \$50 million criminal enterprise is another indication of organized crime.

Two seizures out of 31 consignments is consistent with estimates of many customs officers that current capabilities produce a seizure rate of less than 10% of “general goods” contraband in trade. Wildlife products are counted as “general goods.”

Recently, most ivory has been seized in transit. Authorities have seized ivory transiting Singapore, The Philippines, Taiwan, and Hong Kong. In Taiwan, a computer program sounded an automatic alarm when two containers passed through the port of Kaohsiung two times during the same voyage. That indicated something suspicious. Customs officers inspected the containers and discovered five tons of contraband ivory which was in the process of being re-exported to The Philippines. Containers are being shuffled back and forth across the ports of Asia in a kind of “shell game,” likely in an effort to obscure their trail, and this also suggests the involvement of organized crime.

This “shell game” is analogous to the “layering” stage of classical money laundering, a means of distancing the contraband from the source before entering the “integration” stage where the contraband is entered into a legitimate economy—another indicator of organized crime. Cases involving other species of commercially valuable wildlife share similar indications of organized crime. There are strong evidence of organized crime involvement in caviar, shahtoosh, exotic birds, traditional Asian medicines and other wildlife.

On 27th January 2008, a gang of five bird smugglers was arrested in Trinidad. Of those, four had prior convictions, mostly on drug and weapons offenses. Two of those arrested had outstanding arrest warrants for murder. This is yet another indication that persons implicated in wildlife crime are often career criminals who work cooperatively.

Much trade in traditional Asian medicines that contain prohibited wildlife ingredients reflects skillful organization. Investigations have revealed that this trade is often controlled by major Asian import companies that pack the contraband as part of larger, containerized consignments. The wildlife contraband is frequently concealed, misdeclared, or not declared at all. Enforcement authorities in New Zealand discovered important documents upon serving a search warrant at one such import company. These documents, when translated, were found to provide specific instructions to the exporter in China concerning how to conceal the contraband and what to write on the shipping documents. This provides further evidence of high-level of organization.

Organized structure is certainly important for the acquisition, transport and smuggling of large-consignment contraband. But it is also vital once such contraband reaches the market country. The August, 2006, seizure of 2.8 tons of elephant ivory in Osaka, Japan, is an example. This consignment involved the seizure of 2,409 kilograms of raw elephant ivory, plus 17,928 ivory hanko signature seals, weighing 385 kilograms. How can a smuggler retail this volume of contraband if not via well-organized criminal interests?

It is unlikely that the 17,928 hanko signature seal part of this consignment could have been entered directly into illegal retail trade only by the individual charged with smuggling. Rather, the marketing and retailing process certainly required a network—some organizational structure to get the contraband items from the smug-

gler's premises to places where they could be sold to retail consumers. It is also unlikely that the smuggler attempted to import this volume of ivory on mere speculation that he would subsequently find a market. Rather, it is much more likely that the smuggler was already linked to an existing market capable of absorbing and processing this very substantial volume of contraband.

The 2,409 kilograms of raw ivory in this seized consignment presents a greater problem. A typical hanko signature seal, the most common ivory product in Japan, weighs about 20 grams. Even calculating a generous 25% wastage rate in the carving process, the 2,409 kilograms could have produced about 96,360 hankos, with a retail value of about U.S. \$9.6 million. This estimate is corroborated by Japanese Customs, which claims the consignment was worth one billion yen—about U.S. \$9.4 million.

But some very considerable manufacturing lies between 2,409 kilograms of raw ivory and 96,360 finished hanko cylinders. This requires the existence of an illegal factory, or several factories, with many employees using power saws, lathes and polishing machines. The operation would have required a management team for the factory—control of inventory, a production department, a marketing department, delivery vehicles, and a sophisticated finance department capable of providing payment for illegal workers and laundering millions of dollars in criminal profit. These are all very strong indicators of crime with industrial organization.

The one person charged in this case received a small fine and a suspended sentence.

There are levels of sophistication, from disciplined poaching operations providing prescribed amounts of illegal products from specifically targeted wildlife populations, through the logistics of intra-regional smuggling in Africa so the contraband can be exported from a country other than the one where it was poached, and then through the “shell game” shuffle of multiple transit ports, all suggest a level of intricate planning and complex execution that is characteristic of organized crime. The smuggling of tons of contraband requiring the existence of illegal factories, marketing and money laundering systems also provide evidence of organized crime.

Violence: About 100 rangers are killed in the line of duty every year in Africa alone.

In late December 2007, two Tanzanian rangers were killed in the line of duty in the Dodoma Region. At least 120 rangers have been killed in Virunga National Park in the Democratic Republic of Congo during recent years. More than 20 more have fallen in Zambia. Kenya has buried 37 of its own.

During 2007, Chad lost seven rangers in and around Zakouma National Park, the last significant elephant habitat remaining in that country. Abakar Zougoulou, Chad's wildlife director, told me that all of the killings were conducted by Janjaweed militias infiltrating from nearby Sudan. These are the same militias implicated in the Darfur genocide. Three of those rangers died in a 15 May 2007 during a Janjaweed attack that sought to capture Chad's national stockpile of seized and recovered ivory, which was being kept in a strongroom at Zakouma headquarters. The attempt failed and the attack was repelled, at the price of the lives of the three Chadian rangers. Chad's President Deby subsequently intervened by incinerating that one-and-a-half ton ivory stockpile, so that it could never again attract criminal attacks.

The same Janjaweed militias are accused by Chadian authorities of having been responsible for the slaughter of many hundreds of elephants around Zakouma during the past couple of years. Elephants are relatively secure inside Zakouma's 3,000 square kilometer boundaries. But they become extremely vulnerable when the seasonal rains arrive and the elephants scatter across the 50,000 square kilometer Salamat region outside the park. This scattering is important, as it provides the park opportunity to recover from heavy elephant browsing during the dry season. But Chadian rangers do not have the capacity to provide adequate protection once the elephants scatter. A patrol airplane would be useful.

Three nights after the Chadian rangers were killed, a unit of seven Kenya Wildlife Service rangers engaged a gang of Somali poachers at a Tana River crossing point. The poachers were very heavily armed and fired more than 300 rounds of ammunition in an intense, close-range battle at 1:00 a.m. Three of the KWS rangers were killed and another was seriously wounded. But the surviving rangers stood their ground, killing four of the poachers and forcing the remainder to retreat.

The surviving rangers reported that the poachers were very professional, using military deployment and small unit tactics as they approached the river crossing. The entire gang marched “in step” so as to make sound of only a single footfall as they walked. The KWS rangers did not have night vision equipment, nor did they have protective body armor, or any similar items that might have prevented or re-

duced their tragic losses. “Former generation” equipment, obsolete to the U.S. military, could have been a life-saver to the Kenyan rangers.

Given the assault weapons carried, the abundance of ammunition and the disciplined military field tactics, it is most likely that these poachers were working at the behest of one of Somalia’s warlords, just as there is evidence that many previous poaching gangs had links to these warlords.

One important incident occurred in Kenya’s Tsavo East National Park during 10 and 11 May 2003 when a gang of poachers from Somalia ambushed a KWS unit on patrol in the park. The gunfight ran for two days during which two KWS staff were killed; Corporal Maina Ngara (KWS serial number 5776) and Ranger Mohammed Sombwana (KWS serial number 7630). During that incident, KWS recovered two firearms from the poaching gang. One weapon was a German-made G3 NATO standard 7.62 mm assault rifle, serial number G844485. The second rifle was a U.S.-made M-16A1 rifle, serial number 5412260, along with 186 rounds of 5.56 mm. ammunition.

This particular M-16 had been supplied by the United States to the Somali Defense Ministry during the administration of President General Sa’id Barre in the 1980s. General Barre appointed his son-in-law, General Mohammed Sa’id Hirsi (aka General Morgan), as his Minister of Defense. After General Barre’s deposal in 1991, General Hirsi became a warlord using the remains of the Somali National Army to form the Somali National Front militia. It is very probable that this M-16, along with many others, was part of the arsenal that accompanied the transition. General Hirsi today remains a Somali warlord. A 2004 report of the Monitoring Group established by the U.N. Security Council pursuant to Resolution 751 (1992) and Resolution 1519 (2003) links General Hirsi to drug smuggling and weapons trafficking.

In yet another incident in Tsavo East National Park, a gunfight resulted in the death of the leader of a poaching gang from Somalia. A search of the gang leader’s belongings resulted in the discovery of a hand-written notebook which kept record of much of the gang’s activities, including which gang member was assigned which weapon and how much ammunition, how they had entered Kenya, their route of march and resting points, and various other details, including contact telephone numbers in both Kenya and Somalis. Notations in the journal clearly linked the poaching gang directly to General Hirsi and his militia. There is a hypothesis that warlords are using the profits of poaching to support their militias and their political ambitions.

Armed conflicts have had very serious impact on wildlife. The most serious impact came when the Soviet Union provided large numbers of Kalashnikov AK-47 rifles to various regimes. The Soviet Union has since collapsed and its satellite regimes have disintegrated—but most of those Kalashnikov rifles are still available, and many are being used to poach wildlife. Because of their availability and efficiency, the Kalashnikov is the “weapon of choice” for many rebel groups, militias and similar armed organizations. Some of these groups have taken refuge in national parks and other wildlife habitats. Ugandan rebels now operate within Garamba National Park in the northeast of the Democratic Republic of Congo. Other rebel groups have repeatedly over-run Virunga National Park in eastern D. R. Congo.

Civil strife also creates refugees, and some of these unfortunate people also have a detrimental impact on wildlife. Angolan, Burundi and D.R. Congo refugees living in the Maheba Refugee Camp in Zambia are persistently implicated in poaching in West Lunga National Park. There are more than 280,000 refugees in 11 Tanzanian camps right now, and a TRAFFIC report in late January 2008 says many of them are engaged in severe bushmeat poaching.

Violence is clearly intrinsic to much wildlife crime. But sometimes the mere threat of violence is also a serious factor and obstructs justice. For example, in one wildlife case involving a persistent offender, at least three important Thai witnesses refused to travel to provide testimony to a New Zealand court because they feared for their personal safety after returning home to Thailand. Threats, blackmail, and intimidation are common techniques used by criminals involved in the illegal trade of wildlife.

Corruption: Corruption is frequently cited in cases involving illegal trade in wildlife. Corruption facilitates the illegal trade and protects the criminal trafficker. Corruption is very rarely prosecuted, and cases that do enter prosecution are frequently hush-up or simply left unresolved.

Wildlife law enforcement sometimes distinguishes between two types of corruption. One involves lower-level corruption—such as a ranger pocketing receipts at the gate of a park. There is a significant measure of this corruption around the world—people who handle money, or who are responsible for issuing various wildlife permits, or management of an agency’s supply inventories or highway check points. Each act of corruption hurts the agency, as well as the wildlife it is charged to pro-



fect. Effective campaigns can be conducted against this type of corruption, and there are useful resources available for agencies with problems.

A more serious level of corruption involves senior officers and politicians. This level of corruption is much more difficult to stop. There are persistent reports of ministers and directors being involved in irregular issuance of wildlife permits, timber concessions and various other schemes. Some have been removed from office amid serious allegations, although those allegations are hardly ever prosecuted.

The former director general of Thailand's Royal Forestry Department was accused by Thailand's National Counter Corruption Commission of improper involvement in the transfer of 100 tigers to China. Allegations of corruption accompanied the suspension of a senior ports officer in Mozambique when 400,000 cubic meters of illegal timber had been improperly exported to China. In November 2006, the Department of Environment and Natural Resources of The Philippines filed a complaint against 21 persons linked to the "pilfering" of six tons of ivory seized in Manila Harbor. Thirteen of those accused are customs officers. In late January 2008, the director general of Peru's National Institute for Natural Resources (Inrena) was dismissed amid allegations of corruption. Shortly before, the Director of Forest Technology Administration and Wildlife was also dismissed under similar allegations. Allegations regarding corruption in the caviar industry sometimes seem inexhaustible. There are credible reports of corruption among senior officials in certain island nations of the Pacific, particularly the Solomon Islands, with compelling evidence of them facilitating illegal trade. There are numerous other examples.

High level officials often complain publicly about perceived corruption. For example, Malawi's environment minister complained vigorously about customs officers who authorized a 2002 export of 6.5 tons of illegal ivory, but were never prosecuted. And just this past November, Filipino Senator Juan Miguel Zubri protested that corruption was behind the illegal export of five tons of coral seized in Argentina.

The persistent reports of corruption associated with illegal trade in wildlife are impossible to ignore. However, the most typical response is to acknowledge the problem and do very little about it. Serious allegations only rarely become formal prosecutions. There is need for a global campaign against corruption. Suppressing corruption will very significantly enhance any efforts to suppress illegal trade in wildlife.

#### **Conclusions:**

1. Much wildlife crime, and particularly illegal trade in large volume consignments of commercially valuable wildlife, conforms to conventional definitions of organized crime. Involvement of organized crime is obvious. Other crime often associated with organized crime, e.g. violence, corruption, fraud and financial crime, are commonly associated with wildlife crime. (Also see Attachments 1, 4 and 7).

2. Wildlife crime exploits the many benefits of globalized trade and modern communications. It has made extensive use of the Internet and tourism as a means of diminishing risks associated with smuggling. (Also see Attachments 1, 2 and 3).

3. There is evidence that violent militant groups, including those accused of genocide, drug trafficking and weapons trafficking, have been involved in wildlife crime.

4. Wildlife crime tends to be exceptionally violent. Many park rangers are killed every year by very well organized and heavily armed poaching gangs. Violence is exacerbated by access to and use of military weapons. Violence, and the threat of violence, permeates many facets of wildlife, including even intimidation of potential witnesses for the prosecution.

5. "Organized criminal networks are engaged in a wildlife trade whose sophistication and scope surpasses the capacity and resources of enforcement agencies in the region." Many habitat countries do not have the capacity to counteract wildlife crime motivated by powerful financial interests of industrialized countries. (Also see Attachment 5)

6. Many industrialized countries consider wildlife crime to be relatively insignificant. The United States is unique as it has a record of passing substantive sentences to criminals convicted of wildlife crime. There is compelling need for the U.S. to persuade other consumer countries that they need devote greater resources to fight wildlife crime, and to impose penalties that are commensurate with the gravity of the crime. (Also see Attachment 4).

7. Legal wildlife trade is frequently used as a cover for illegal trade, and is sometimes difficult to distinguish from it. (Also see Attachment 9).

8. Both legal and illegal wildlife trade, for the most part, exploits Nature in developing countries to supply fashion and vanity demands of consumers in industrialized countries. This trade has negligible health, welfare or security benefit for society. Major profits of both legal and illegal wildlife trade are banked in industrialized countries. (Also see Attachment 8)

**Recommendations:**

1. The United States should be a more assertive and conspicuous leader in the global fight against wildlife crime. The United States has the diplomatic, professional and financial resources needed for such leadership. The United States should be actively engaged in helping to target major international criminals and criminal syndicates implicated in commercial-scale poaching and illegal trade in wildlife.

2. The United States should become substantially more engaged in assisting habitat countries in the developing world to improve their wildlife law enforcement capacities. Although some U.S. initiatives have been well-conceived and productive, they are not yet being conducted on a scale required to produce decisive impact.

U.S. assistance should include:

a. Professional training, with particular emphasis on the basics of wildlife law enforcement, including investigations and intelligence. Such training should seek to establish a basic world standard for competency, professionalism and ethics.

b. Advice, including the need for inter-agency cooperation, and "best practices" for organization, procedures and deployment of wildlife law enforcement agencies.

c. Equipment for both uniformed field units as well as plain clothes investigation and intelligence units. Field patrol equipment is of particular importance as such patrols often are important for their deterrent value. Light aviation support is highly recommended. Much of this equipment can come as excess U.S. Government property.

Improving the capacities of habitat countries to protect their own commercially valuable wildlife from poaching and illegal trade should result in diminished pressures on U.S. enforcement. As a major consumer, the United States has a moral obligation to invest major resources in efforts to assist financially disadvantaged habitat countries to protect their wildlife from illegal exploitation.

3. The Congress should provide improved support for U.S. involvement in efforts to suppress illegal trade in wildlife at the international level by assuring a proper budget for its own wildlife law enforcement agencies.

4. The United States should devote some of its intelligence capacity toward determining more clearly the relationships between wildlife crime and militant organizations. Anecdotal evidence indicates such links exist, including to groups accused of inciting genocide, civil war and other violence. At present there is inadequate information concerning how profound the relationship is and how the illegal sale of contraband wildlife may be part of the financial support for such groups.

5. The United States should become more engaged in wildlife law enforcement operational cooperation at the international level, working in partnership bilaterally with individual countries, or multilaterally with regional agencies such as LATF or international organizations such as Interpol. Although there have been a number of encouraging recent successful international cases, such as with sea turtles and conch shells, there is conspicuous need to expand this cooperation.

The United States should cooperate with Interpol in developing Ecomessage, the worldwide database on wildlife crime. The U.S. should also participate in supporting the wildlife officer position at the Interpol General Secretariat.

The United States has a long and respected history of extending its efforts at suppressing criminality to locations far beyond its borders, indeed, "to the shores of Tripoli." Cooperative initiatives, with friendly foreign law enforcement agencies, provide synergistic benefits that are good for society around the world. Thus, it is much better to cooperate with friends and reach even to the most distant lands in order to target drug production facilities in Asia or Latin America rather than wait for the contraband to be smuggled into schoolyards in the United States. The same concept applies also to the illegal wildlife trade.

6. The United States should do more in helping to create and support regional wildlife law enforcement agencies. Good work with ASEAN-WEN is a promising first step. But there is opportunity, and need, to do much more.

There is need to establish regional enforcement agencies in regions where they do not presently exist, such as the Caribbean. And there is also need to provide training, equipment and financial support to existing regional enforcement agencies, such as the Lusaka Agreement Task Force, with an emphasis on regions that have important wildlife populations but presently lack financial and technical resources. LATF in particular works without adequate equipment and resources in some of the poorest countries in the world.

7. It should be the public policy of the United States to discourage trade in animals and plants taken from the wild for frivolous purposes, such as fashion accessories or exotic pets. Progress is being made in this direction, such as with the provisions of the Wild Bird Conservation Act, Marine Mammals Act and others. But there is much more that can, and should, be done. Such policy would also address

the ultimate motivation for wildlife crime, and seek to diminish the vanity markets that provide the financial incentives for trafficking.

8. The United States should create a special fund into which would be contributed all fines and other assets recovered from criminals involved with illegal international trade in wildlife. This fund could be used to assist wildlife law enforcement agencies in developing countries.

9. The United States should establish a system whereby repeat offenders who violate wildlife laws are not eligible to receive any export or import licenses, or to engage in wildlife trade domestically. The United States should propose a similar policy to the next meeting of the Conference of the Parties to CITES.

10. The United States should engage with other industrialized countries in an effort to share the burden of the capacity-building exercises recommended above. Particular effort should be made to enlist former colonial powers such as Britain, France, Netherlands, Belgium and Spain as many developing countries still have legal systems based on that of the former colonial power. Furthermore, many former colonies still have the language of the colonial power as their legal national language—an important consideration when planning enforcement cooperation and training programs.

11. The United States should engage with its own non-governmental organizations which have demonstrated interest in improving wildlife law enforcement capacities around the world. Many of these NGOs, such as IFAW, the International Fund for Animal Welfare, already have important and useful contacts in priority countries. They have existing programs that are able to support specific capacity building initiatives. They also have useful research capacities that could be directed toward particular initiatives such as seeking overviews of illegal trade on the Internet, or specific challenges of illegal wildlife sales to tourists traveling abroad. In fact, the NGO community presently supports most of the wildlife law enforcement capacity building in developing countries today. NGOs, much more than government agencies, are providing important training, contributing supplies and otherwise supporting hard-pressed wildlife law enforcement agencies in countries which have the most serious problems.

12. Money laundering and related financial crimes are certainly integral to illegal trade in wildlife. The United States should provide financial crime and anti-corruption training and expertise to appropriate law enforcement offices in developing countries where wildlife crime is a serious challenge. Interest can be further stimulated by proposing cooperative initiatives that include sharing of recovered assets.

In recent years, most countries have enacted new laws against money laundering. But training has mostly focused on countries where drugs have been the primary problem. Efforts should be expanded to embrace wildlife crime.

13. The United States should engage diplomatically with friendly foreign countries to encourage them to accept that illegal trafficking in wildlife is an international problem, in need of international solutions. U.S. diplomatic resources should encourage other countries to identify wildlife crime as a more serious priority. The U.S. should encourage other countries to prosecute wildlife crime more vigorously, including via creation of specialized prosecution units, as is done in the U.S. Efforts should be made to urge countries to apply penalties for conviction on wildlife violations that are commensurate with the gravity of the violations, similar to those defined in the U.S. Federal Sentencing Guidelines. Efforts should be made to urge countries that provide safe haven for persons accused of wildlife violations to be cooperative in finding solutions that are responsible and just. Efforts should be made to encourage all countries to require that their citizens report global income. Efforts should be made to overcome the negative consequences of diplomatic isolation.

[NOTE: Attachments have been retained in the Committee's official files.]

#### **Response to questions submitted for the record by William Clark**

##### **Questions posed by Honorable Nick J. Rahall, II, Chairman**

##### **I. Top recommendations on what can be done to reduce illegal wildlife trade:**

##### **1. The U.S. Fish and Wildlife Service, Office of Law Enforcement, should be provided with the resources required to engage vigorously in international efforts aimed at suppressing international illegal trade in wildlife. Some specific engagements would include:**

- a) Secondment of a U.S. Fish and Wildlife Service Special Agent for a three year term at the Interpol General Secretariat in Lyon, France. The wildlife post at Interpol is presently filled by a New Zealand officer entirely supported by

donations from U.S. conservation charities. His three-year term expires in March, 2009, and there is no prospect for further funding. The Interpol post is vital to the coordination of international efforts to suppress syndicates involved with illegal trade in wildlife.

- b) Training for wildlife law enforcement officers in developing countries. Some of this is already being done via special legislation such as the African Elephant Conservation Act, and via special institutions such as the law enforcement training facility in Botswana. But overall, the system is inadequate. Only a small minority of the special legislation funds goes to law enforcement, and only a minority of seats at special institutions go to wildlife officers. There is need for a more systematic approach that focuses exclusively on wildlife law enforcement. There is need to create a comprehensive international basic standard for wildlife law enforcement competencies and professionalism. Illegal trade in wildlife has globalized, and dramatically so. Any efforts to confront this challenge must also be global—but presently, the “weakest link” syndrome is frustrating international efforts to achieve fruitful cooperation. Foreign wildlife law enforcement agencies with inadequate competency should be brought to a basic international standard. This will provide the U.S., and others, competent partners, especially in important habitat countries. I am prepared to provide specific information concerning training priorities if there is an inclination to pursue this option. There will be numerous case-by-case needs. For example, half of Africa speaks French, so perhaps it would be useful for U.S. F&WS to cooperate (perhaps under NAWEG) with French-speaking Canadian colleagues to bring a good level of training to agencies in French-speaking Africa.
- c) Equipment. There desperate need for law enforcement equipment in many developing countries. They simply do not have the budget to acquire their own. Three examples:
  - (1) Senegal National Parks has an annual operational budget equal to about U.S. \$104,000 total—to operate six national parks and eleven wildlife reserves, plus a national headquarters. This is for everything other than salaries (which are paid by the civil service budget). If they want to pay the light bill, phone bill, buy gasoline, buy a vehicle, or buy rain gear for all the rangers—it all must come from this budget, or be donated. Africa’s most endangered elephant population lives in Senegal’s Niokolo Koba National Park (which at 2,256,000 acres is larger than Yellowstone or any other U.S. national park outside of Alaska). Senegal also has populations of chimpanzees, giant elands, African wild dogs, scimitar-horned oryx antelopes and other commercially valuable endangered species. They have too few resources to protect too many living treasures.
  - (2) A few years ago, I had the pleasure of speaking personally with the President of Ghana. Bluntly, I asked him to increase the budget of Ghana’s Wildlife Division. Bluntly, he replied that he would be very pleased to do just that—very shortly after he could assure a basic primary education for every Ghanaian child, and just a small health clinic with a practical nurse for every Ghanaian community. Point made. The Ghana Wildlife Division annual budget today is about \$400,000—including all salaries.
  - (3) A ranger working for Chad’s wildlife and protected areas agency earns the equivalent of U.S. \$54 per month, and no insurance or benefits. I have seen Chadian rangers go on patrol wearing flip-flops and carrying water in rinsed-out motor oil bottles.

Globalization has brought some new wealth to many of these countries, and you can see modern cars on the streets. But virtually none of that wealth has found its way into governmental wildlife conservation agencies. They function on inadequate budgets. Check the CITES website for “national contacts” and you will see, particularly among the Africans, government wildlife agencies will have a “yahoo” or “hotmail” email address. These agencies do not have computers or email access—so the officials make occasional visits to the nearby internet café, pay a few francs, and check their commercial emails.

The U.S. can provide much of the needed equipment at a minimal cost. Excess U.S. Government property can be contributed to agencies in need—items such as “former generation” night vision equipment, no longer useful to the U.S. military, would be a treasure for agencies that persistently suffer fatalities in night-time shoot-outs (Kenya Wildlife Service lost three rangers killed in a 1:00 a.m. shootout on an overcast night of 19 May 2007. NVGs likely would have prevented these tragic fatalities). Other excess property such as ponchos, mosquito nets, etc. would be

very valuable and appreciated by the rangers in the field. Outdated computers disposed of in the U.S. are very likely superior to the ones people pay for in internet cafes in Bamako or N'Djamena. Old field boots that the U.S. Army discards would be treasured by African rangers in the field. Trinidad's wildlife department is in need of boats to patrol the mangrove swamps around the island. There is widespread need for motor vehicles, especially 4x4 pickups. (In 1991, I delivered two U.S. M880 pickups from Germersheim, Germany to N'Djamena, Chad. These excess U.S. Government vehicles were the first motor vehicles ever registered to Chad's wildlife and protected areas agency.) And there are many other options for economic and practical acquisitions of equipment to benefit agencies in developing countries that are charged with protecting commercially valuable wildlife.

In this regard, I want to make special emphasis on the utility of light patrol aircraft. Virtually any law enforcement agency that can afford it acquires patrol aircraft. Even city police departments use aircraft today. Aircraft are particularly useful in wildlife law enforcement, especially in countries that have national parks measured in the multiple thousands of square miles. Most importantly, patrol aircraft are valuable deterrents. Just like a conspicuous police cruiser patrolling the interstate, a conspicuous patrol aircraft deters most violations. Experience suggests that just one conspicuous patrol flight in a period of 5 to 7 days is enough to suppress about 80% of poaching in a particular habitat. Let the patrols go beyond 7 days and the poachers start to slip back in. Flight schedules must be irregular and routes properly planned.

For the minority of offenders who are not deterred, the patrol aircraft provides an extremely valuable law enforcement resource. A good patrol pilot can scout and track effectively from the air. Often, aerial observation is more successful than ground tracking, not only because of its speed, but also because it is frequently easier to see "down" into high grasses and scrub brush habitats than to look horizontally from ground level. Once gangs are located, an air crew and radio details such as numbers of poachers, weapons carried, direction of march, etc. to ranger units on the ground for interception and arrest. Air crews can also guide those ground units to positions from which arrests can be executed with the greatest safety. Light aircraft also resupply ranger units on extended patrol—letting them walk into remote and waterless areas. They are also used to evacuate sick and injured persons (in Africa, malaria claims more ranger lives than poacher bullets do—and the poacher bullets claim more than 100 every year). Light aircraft fly many other useful law enforcement missions—such as monitoring the location of herds of commercially valuable animals (so park managers can deploy ground units more effectively), monitoring park borders for illegal access, locate illegal agriculture (including growing marijuana) in large national parks, search for missing persons (staff, tourists, etc.)

The United States Government acquires several light aircraft every year. Some are seized from drug runners. Some are seized from wildlife offenders who use them for "land and shoot" or "same day" hunting violations. And some are seized for various other reasons. Also, the U.S. military sometimes has light "liaison" aircraft rendered "excess." And there are other sources. Appropriate legislation authorizing the donation of such aircraft to wildlife agencies in developing countries would be a very practical and inexpensive contribution.

Actually, contributing some new U.S. manufactured light aircraft would be an exceptionally useful donation to wildlife agencies that otherwise could not afford them.

2. The United States should create a special fund into which would be contributed all fines and other assets recovered from criminals involved with illegal international trade in wildlife. This fund should be used to assist wildlife law enforcement agencies in developing countries. Instruments such as the Lacey Act Reward Fund do exist, but they are underused, and often resources are diverted to forestry or fisheries agencies which tend to be better funded anyway (because they generate much more income for a government.) There needs to be a comprehensive review of what exists, and what is needed to create the equivalent of the EPA's "Superfund"—which can be focused at assisting the most seriously disadvantaged wildlife agencies.
3. The United States should engage with its own non-government organizations that have expertise and experience in appropriate areas of law enforcement training. Certainly, it would be inappropriate for an NGO to begin teaching law enforcement questioning techniques. However, it would be entirely appropriate to partner with an NGO to teach protected species identification. In December, 2007, I joined with IFAW in a training program that involved officers from four Caribbean countries. A brief test at the beginning of the program revealed that most officers participating could not identify most of the local species commonly in trade. Imagine a room with 25 National Parks Service rang-

ers and finding 15 of them could not identify an American bald eagle! One vital element of wildlife law enforcement is being able to identify the wild species that are being trafficked. And there are other areas where NGO resources can be applied in a cooperative effort to improve the capacities of enforcement agencies in developing countries.

4. Persons who have repeated violations of wildlife legislation, such as the Endangered Species Act, CITES implementing legislation, etc. should be prohibited from receiving any wildlife licenses or permits for a long period of time. Repeat offenders should be disqualified from engaging in legal wildlife trade because of their abuses.
5. The United States should provide authorization and line-item budget support to appropriate intelligence agencies to provide them with the capacity to gather information on illegal trafficking in wildlife, particularly elephant ivory and rhinoceros horn. There are numerous individual reports of militant groups such as Sudanese Janjaweed, Somali warlord factions and Bangladeshi Islamic militant groups engaging in commercial scale poaching and trafficking of wildlife—particularly wildlife with durable, high-value parts such as ivory and rhinoceros horn. There is compelling evidence of opportunity and motivation. It would be useful to seek verification of this presumed link. It is reasonable to assume that if such militant groups are engaged in illegal trafficking, the proceeds are being used to support violence.
6. One of the “great unknowns” of the illegal ivory trade is verification of the market. During recent years, more than 20 tons of ivory have been seized on an annual basis—mostly “in transit” in the Far East. Customs often estimates that a 10% seizure rate for “general goods” (e.g. elephant ivory) is quite good. It is reasonable to estimate that 200 tons (i.e. the ivory of 20,000 elephants) has been in trade annually during recent years. This provides an explanation of why most African elephant populations have not been able to recover despite the existence of CITES Appendix I controls.

Major legal ivory markets, such as Japan and China, claim to have effective enforcement. Other countries say their domestic markets are much too small to account for such a large volume of ivory. So where is all the ivory going???

The United States has the best intelligence capacity on earth. Perhaps some of that could be focused on identifying the markets for illegal ivory. This might also provide important information to help identify the persons and organizations at the supplier end, noted in item 5, above.

7. The United States should provide financial and technical support to the Lusaka Agreement Task Force, a multi-national wildlife law enforcement agency in Africa. At present, there are six countries that have full membership in LATF: Congo, Kenya, Lesotho, Tanzania, Uganda and Zambia. Many other countries would be eager to join—but they cannot afford the modest cost. (Recall, Senegal National Parks with its \$104,000 budget. Where would they find funds to pay annual membership in LATF?)

U.S. partnership might be able to find an economical approach. For example, ECOWAS membership could bring in 17 countries perhaps at a negotiated reduced rate.

LATF has been particularly effective, given its relatively small size and resources. Expansion would go a long way in providing law enforcement resources in the habitat countries that urgently need such assistance.

8. The United States should use its diplomatic resources to fight wildlife crime. Persons identified as commercial wildlife traffickers presently sit in “safe haven” countries where there is no risk of extradition to countries that have issued arrest warrants for them. The United States can assume a leadership role in working cooperatively with other countries in finding alternative methods of seeking justice—such as implementing any of the numerous financial laws and agreements enacted since 9/11. Criminals in safe havens may be susceptible to prosecution under any of the recent money laundering, financial transfers, assets reporting and other laws. These people may no longer reside in the countries where they violated wildlife laws, but it is very likely they are presently benefiting from the ill-gotten profits of those violations.
9. The United States should use its diplomatic resources to encourage other countries to apply meaningful penalties to persons convicted of serious wildlife crime. Persons convicted of serious violations—such as smuggling multiple tons of ivory valued at several millions of dollars—should be penalized with more than a suspended sentence and a small fine. Large volumes of unprocessed wildlife products (such as raw tusks, unprocessed skins, etc.) indicates the existence of major criminal enterprises in the importing countries—enterprises required for manufacturing and process of the contraband, its marketing and dis-

tribution to large numbers of retail outlets. This is an indication that the convicted smuggler is linked to and supplies a major criminal syndicate. Therefore, small fines and suspended sentences are inappropriate. Trafficking of this nature also reflects an enormous loss to the habitat countries—not merely the endangered animals lost, but also the lives of wildlife rangers, and all the consequent criminalities: fraud, smuggling, corruption, weapons violations, etc., etc.—and because of the persistence of this problem, the cost of law enforcement. A small fine and a suspended sentence for a major violation with major international implications merits a very sharp international response.

## **II. What is the Interpol Working Group doing to reduce illegal wildlife trade?**

Interpol's Working Group on Wildlife Crime has:

1. Championed and achieved the creation of a wildlife post at the Interpol General Secretariat in Lyon, France. Interpol Wildlife then raised funds required to support that post for three years (2006—2009). This post is extremely important in coordinating many international responses to wildlife crime.
2. Created a forum for bringing wildlife law enforcement officers from around the world together on a regular basis to exchange information, create mechanisms for mutual assistance, and pursue cooperative projects. In 2007, the meeting also provided one day for stakeholders to participate (NGOs, scholars, et al.) to improve transparency and accountability. 2007 also marked the start of simultaneous interpretation, which means officers from non-English-speaking countries could fully participate.
3. Initiated training programs. In early 2006, one training program in East Africa brought about senior 34 officers for specialized law enforcement training. This program included volunteer instructors from around the world, including the United States (U.S. F&WS S.A. Salvator Amato and U.S. EPA attorney Andrew Lauterback). Another exercise was conducted in early 2007. More training is presently being planned for wildlife law enforcement officers in West Africa and Southeast Asia.
4. Aviation support. The Interpol General Secretariat has provided grant support to an Interpol Wildlife project that is supplying a fully-restored patrol airplane (PA-18 Piper Super Cub) to an East African wildlife agency. The benefits of aerial patrol are noted above.
5. Project teams. Interpol Wildlife has several protect teams that focus on specific challenges of wildlife crime. Some are species oriented, such as the reptiles, shahtoosh and ivory teams. Others are more function oriented, such as the prosecution technical assistance team. Generally, these teams seek to pool resources and expertise in their efforts to target specific problems in illegal international trade in wildlife.
6. Projects. Interpol Wildlife conducts specific projects. Currently, one project is the preparation of an anti-smuggling guide that identifies approximately 30 common techniques used by wildlife smugglers, along with information on best practices on how to identify these techniques in the field, and what to do when a violation is identified. (N.B., this can be quite specific. For example, a suspected egg smuggler should be approached in a manner that prevents him from throwing himself on the floor or against a solid object—as professional smugglers would want to crush and intermingle all the eggs, thus preventing DNA analysis from verifying an endangered species and the consequent sentencing). The guide will be distributed to wildlife law enforcement and customs officers world-wide, and particularly in countries where training in these subjects is not particularly good.
7. Operations. Interpol Wildlife members cooperate in coordinated law enforcement operations against international syndicates involved in illegal wildlife trade.

## **III. Elephant Poaching—links to the Janjaweed militias in Sudan.**

I have worked with wildlife officials in Chad for more than a decade, including field work in Zakouma National Park, located in the southeastern part of the country about 200 miles from the Sudan border. Sudan's Darfur region lies just east of the border. Many Darfur refugees inhabit the land between Zakouma and the Sudan border.

I have worked at providing equipment (motor vehicles, computer, field supplies, even a small patrol airplane) to Zakouma. I have also provided training programs and collected about four thousand dollars from friends and colleagues to be distributed among the widows and children of Zakouma park rangers killed in the line of duty. The rangers have no insurance.

I have cultivated cordial relations with Chadian wildlife authorities over the years, and we discuss matters in a frank and friendly manner. My information concerning the Janjaweed comes from Mr. Abakar Mahamat Zougoulou, presently director of wildlife and protected areas in Chad (Direction de conservation de la faune et des aires protégées, Ministère de l'environnement et de l'eau, B.P. 905, N'Djamena, Tchad)

Mr. Zougoulou's telephone number is 011 . 235 . 628-6448

His email address is abakar—zougoulou@yahoo.fr (Note: Chad's wildlife director is one of those many Africans who must rely on a local internet café for email communications).

Mr. Zougoulou informed me that Janjaweed militias from Sudan and allies among Chadian rebel groups had penetrated into the Zakouma National Park area, using motor vehicles and automatic weapons. They had killed "many hundreds" of elephants in 2006 and 2007 and taken the ivory back to Sudan. During 2007, they had also killed seven rangers posted to Zakouma.

I am uncertain where the ivory goes after it enters Sudan. Sudan has its own port on the Red Sea. It also has a border with Egypt where formerly there had been serious problems with ivory trafficking. Given the porous borders in the Horn of Africa, there is possibility of smuggling into Eritrea or onward to Somalia, where there is no functioning central government and consequently no effective customs controls on exports. And there are other possibilities.

The core problem for Chad is the dynamics of the rainy season. During the dry season, nearly all the elephants in the region concentrate inside Zakouma's approximately 1,200 square mile habitat and they are reasonably well protected there. But when the rains come (in mid-year) the elephants naturally disperse across the 10,000+ square miles of the Salamat Region. The Zakouma rangers do not have the resources to provide effective coverage over such a large terrain, especially during the rainy season when there is wide-spread flooding.

The patrol airplane that I delivered to Zakouma in 1998 has recently become un-airworthy, the victim of decade of regular hard service in a very harsh environment. The Zakouma elephants are now more vulnerable.

One of the attacks occurred on 15 May 2007 when a gang of militants attacked Zakouma park headquarters. Chadian authorities believe the militants were trying to gain access to the 1.5 tons of ivory stockpiled at headquarters (this was ivory recovered from both natural mortalities and law enforcement seizures). The attackers were repelled by the defending Zakouma rangers, three of whom were killed in the battle. Chad's President Idriss Deby subsequently incinerated the ivory to prevent it from attracting another attack.

The area between Zakouma and the Sudan border has many Darfur refugees living there. Some estimate one million people. It is not difficult for Janjaweed and/or their Chadian rebel allies to circulate in this region and hide among those refugees.

**Responses to Questions for the Record posed by Honorable Don Young (R-AK)**

**1. How stringent are the laws in Israel?**

Israeli wildlife law is very stringent and enforcement is energetic. Below, I am copying a copy of the CITES Notification to the Parties which reports significant Israeli laws and policies that go beyond the requirements of CITES—often referred to as "Stricter Domestic Measures."

Israel is a very small country (about the size of New Jersey), but nevertheless it supports important populations of wildlife. Among the large carnivores, there are populations of grey wolves (300+), striped hyena (200+) and leopards (several dozen). There are also large populations of small carnivores—jackals, foxes, mustelidae, mongooses, et al. Among the ungulates, there are about 8,000 mountain gazelles, and nearly 1,500 dorcas gazelles. There are several hundred free-ranging reintroduced white oryx antelopes, Asian wild asses, Mesopotamian fallow deer, roe deer and ostriches. There are about 3,000 Nubian ibexes. There are good resident populations of raptors, including golden eagles, fish eagles and griffon vultures (nearly the size of California condors) and many smaller raptors. More than one million raptors migrate through Israel twice a year, and they are all fully protected and very well documented.

Israel has 327 nature reserves and national parks. Most are very small. But together, they comprise more than 21% of the total land area of the country. The Israel Nature and Parks Authority is responsible for all reserves and parks in the country, and all wildlife, regardless of where it might be found.

All wildlife shipments, including non-CITES species, imported to or exported from Israel are subject permit authorization. Israel approaches a 100% inspection rate for



live wildlife imports and exports (regardless of CITES classification), and a very high rate for inspection of “parts and derivatives” of wildlife.

Israel Nature and Parks Authority rangers are law enforcement officers with police powers. There is extensive basic and in-service training.

Israel cooperates on a bi-lateral basis with wildlife agencies in many developing countries and has sent rangers abroad to teach courses as diverse as tactical radio communications, field hygiene, flight safety and proficiency, and use and care of night vision instruments.

Following are Israel’s “stricter domestic measures” for CITES:

**CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA**

**NOTIFICATION TO THE PARTIES**

International Environment House—Chemin des Anémones—CH-1219 Châtelaine, Geneva—Switzerland

Tel: +41 (22) 917 81 39/40—Fax: +41 (22) 797 34 17—Email: [cites@unep.ch](mailto:cites@unep.ch)—Web: <http://www.cites.org>

No. 2004/025 Geneva, 30 April 2004

**CONCERNING ISRAEL**

Stricter domestic measures concerning import and export of wild fauna and flora

1. The Secretariat has been requested by the CITES Management Authority of Israel to inform the Parties of its new regulations that impose stricter domestic measures concerning the import and export of wild fauna and flora, in accordance with Article XIV, paragraph 1, of the Convention. These measures include the following points.
2. Israel prohibits the import of any animal that, in the opinion of the Scientific Authority of Israel, may become an invasive species and represent an ecological risk to its native fauna and flora.
3. Israel prohibits the import for commercial purposes of wild-caught specimens of species included in Appendix II or III. Exceptions may be made inter alia when appropriate documentation shows that such an import is not detrimental to the survival of the wild population in the exporting country.
4. Israel treats all Appendix-I species in accordance with the provisions of Article III of the Convention and does not apply the special provisions of Article VII, paragraph 4.
5. Israel prohibits the export of specimens of its native wildlife. Exceptions might be made inter alia for scientific or educational purposes.
6. Israel does not allow falconry.
7. Israel prohibits the import of specimens of wildlife for circus activities.
8. Israel prohibits the import and export of primates as pets.
9. Israel prohibits the import of poisonous animals or plants except under rare circumstances.
10. All applications for import and export are considered on a case-by-case basis.
11. The Parties are requested to take note of the above information and to assist in ensuring that all wildlife trade to and from Israel is in accordance with these measures.
12. This Notification replaces Notification No. 2000/003 of 31 January 2000.

**2. Concerning the caviar case mentioned by Mr. Sellar.**

I am unaware of the details of this particular case. Perhaps this question is better posed to Mr. Sellar.

**3. How would I describe Kenya’s wildlife conservation program?**

Kenya has a very good wildlife conservation, particularly under the circumstances that have existed in recent decades.

Yes, Kenya did prohibit sport hunting and most other wildlife trade in 1976. Trying to protect the supply does not necessarily mean they can stop the demand. It is the responsibility of countries in the industrialized world, which provide the financial incentives, to stop the demand created by their own citizens. I think the U.S. does a very good job with law enforcement, and makes credible efforts to suppress illegal imports. However, I also think the U.S. does not do enough to educate its population not to purchase protected wildlife that evades enforcement controls.

I do not agree that Kenya has one of the worst wildlife conservation programs on the continent, and I do not think that the ban on hunting has much to do with the commercial poaching that goes on in Kenya. Rather, I think the factor of greatest

influence is its proximity to countries such as Somalia and Sudan, and the intrusion of heavily armed commercial poaching gangs.

Despite persistent challenges from foreign poaching gangs, and the loss of many KWS rangers in gunfights with these gangs, Kenya provides reasonably good protection for its wildlife. Elephants, a preferred target of the Somali poaching gangs, have increased their numbers in Kenya in recent years—doubling their population since the crisis times of 1990. I think a very commendable job has been done in the face of serious challenges and inadequate support.

#### **4. Concerning Interpol's Ecomessage.**

Ecomessage is a format-oriented report that supplies environmental (including wildlife) law enforcement data to Interpol's computerized database. It is the only international "nominal" database on environmental crime—meaning it includes the names of both persons and business/organizations. There are multiple benefits to Ecomessage:

- A. When a country files an Ecomessage with details of a particular case, the data is automatically cross-referenced in Interpol's computers. "Hits" are reported back immediately. Thus, if the U.S. sent an Ecomessage reporting Mr. A being arrested for smuggling wildlife, that information would be cross-referenced and, if Mr. A was in the database—for example if he had been convicted three years ago for smuggling other contraband into another country—that information would be reported back to the U.S. This facility is attractive to prosecutors, who have particular interest in repeat offenders.
- B. The Ecomessage database can also be analyzed to help target particular international syndicates involved in criminal activities. Through recent years, the Ecomessage database has been analyzed to target syndicates dealing in reptiles, live primates and elephant ivory. These analyses have produced arrests and convictions, as well as the break-up of syndicates.
- C. Ecomessage is also a good way to compile wildlife crime data that can provide a global perspective. Generally, wildlife law enforcement around the world tends to be under-staffed and under-funded. This means it should rely more heavily on intelligence-led policing (economy of resources). Ecomessage is the only existing mechanism for doing this on an international scale. As wildlife crime has "globalized" dramatically in recent years, there is compelling need to create an annual international wildlife crime estimate that maintains a credible monitor on the magnitude, structure and dynamics of wildlife crime. This would be the best way to establish global priorities and to seek the cooperation of specific international partners.

#### **5. How would Ecomessage work better than CITES reporting?**

CITES has discontinued its TIGERS database on wildlife crime, leaving Ecomessage as the world's only nominal database on wildlife crime.

Ecomessage has better prospect of success for several reasons:

- A. The Interpol Wildlife Group rewards countries that submit good Ecomessages. In conjunction with each CITES Conference of the Parties, Interpol presents an Ecomessage Award—a nice plaque and a non-cash \$30,000 award which can be used for equipment and/or training. The most recent Ecomessage Award was presented to Cameroon and Hong Kong for their good cooperation on an ivory seizure. The financial part of the award went entirely to Cameroon and a training program is presently being planned.
- B. I hesitate to use the term "peer pressure"—perhaps the concept of "peer encouragement" is better. When significant wildlife seizures are made, friendly encouragements are made to countries involved to submit an Ecomessage reporting the details. This is done in a friendly, if sometimes pro-active and persistent, manner. And many of the persons responsible for Ecomessage gather annually at the Interpol Wildlife annual meeting when notes are compared and further encouragements made.
- C. Ecomessage is produced by law enforcement offices, via their respective Interpol National Central Bureaus. These often are not the same persons who participate at CITES, where a CITES management authority is represented by an administrative official. Some CITES administrators see Ecomessage reports as just another bureaucratic form to complete. But law enforcement officers sometimes view Ecomessage reports as the exchange of vital information that will help them with their jobs. Law enforcement officers tend to be better motivated in such exercises than their administrative colleagues.

#### **6. Only two officers employed full time—**

This is in Mr. Sellar's testimony, and not mine. And I have a somewhat different perspective.

It is true that John Sellar is CITES' only wildlife law enforcement officer, and that Peter Younger is the only wildlife law enforcement officer at the Interpol General Secretariat.

However, there many other persons around the world who are involved with wildlife law enforcement at the international level. The U.S. Fish and Wildlife Service certainly invests significant time and effort on international cases and international training, and has had numerous successful prosecutions involving nationals of various countries. Several other national wildlife agencies also contribute significantly to the international effort.

More than three-quarters of my own time at the Israel Nature and Parks Authority is focused on international wildlife law enforcement—mostly on projects of the Interpol Working Group on Wildlife Crime.

There are also regional wildlife law enforcement agencies, such as the Lusaka Agreement Task Force in Africa, and the ASEAN-Wildlife Enforcement Network in Southeast Asia that have full-time secretariats.

And there are others engaged in efforts to suppress international wildlife crime—including many NGOs that conduct international training programs. In fact, to date, only NGOs have provided financial resources to support the Interpol staff position, and only NGOs have provided financial resources required to bring officers from developing countries to Interpol Wildlife meetings.

That said, NGOs are charities with very limited budgets, especially when compared to the resources of governments. There is very great need for governments to assume greater share of the burdens of international law enforcement.

**7. Concerning the CITES Enforcement Expert Group reviewing the use of international officers to address global wildlife crime and recommend measures to fund this type of enforcement.**

I enthusiastically agree!

**8. Other options.**

There is need for initiatives in several areas:

- A. Substantive assistance to wildlife law enforcement agencies in developing countries. This needs to be both with training and equipment. Wildlife rangers and wardens are the first and most important line of defense for wildlife. Once the poachers get past them, the animals concerned are already “ecologically dead”—whether captured dead or alive, these animals are no longer functioning parts of their ecosystems and no longer an asset to Nature.
- B. Greater cooperation with Interpol and other international law enforcement agencies that address issues of wildlife crime—including regional agencies such as LATF and ASEAN-WEN. Wildlife crime has globalized. The supply usually comes from developing countries, and the market is usually in industrialized countries. There are multi-national criminal syndicates (some involved with politically-inspired violence) that instigate important parts of this trafficking. The U.S. should cooperate more vigorously internationally, just as it cooperates vigorously to confront other international criminal challenges, such as drugs or organized crime.
- C. The United States should use “peer encouragements” with other countries, applying diplomatic persuasion to encourage those that do not apply meaningful enforcement—including penalties for persons convicted of serious wildlife crime—to make appropriate reforms.
- D. The United States should use its skills and leadership in fighting financial crime and apply them against individuals and syndicates involved in major wildlife crime. Estimates invariably set the “value” of wildlife crime in the billions of dollars annually. Yet hardly any international financial instruments are applied against these criminals at either the prosecution level or the asset recovery level.

The CHAIRMAN. Thank you.  
Dr. Moritz?

**STATEMENT OF DR. WILLIAM E. MORITZ, DIRECTOR OF CONSERVATION AND ACTING DIRECTOR OF GOVERNMENTAL AFFAIRS, SAFARI CLUB INTERNATIONAL**

Mr. MORITZ. Good morning. My name is Dr. William Moritz, Director of Conservation for Safari Club International Foundation,

SCIF, and Acting Director of Government Affairs for Safari Club International, SCI. Thank you for the invitation to appear this morning.

SCI is the leader in protecting the freedom to hunt and promoting wildlife conservation worldwide. SCIF funds worldwide programs dedicated to wildlife conservation, outdoor education and humanitarian services.

Mr. Chairman, the most important point we would like to make today is that poaching is not hunting. All too often, media accounts use the terms interchangeably. The illegal wildlife trade by its very definition involves only poachers, not hunters.

We would also like to make clear that SCI and SCIF do not tolerate or condone violations of the law, whether in the U.S. or abroad. Hunting is a sporting activity that is bound by law, regulations and ethics. Hunters are conservationists. Because we abide by the rules established by wildlife management agencies and because the fees and taxes that we pay for hunting licenses and equipment are the single largest source of funding for conservation worldwide, we condemn poaching in the strongest possible terms.

We go beyond rhetoric to action. SCIF and SCI engage in many efforts to oppose poaching because poaching is contrary to conservation. In many countries, sport hunters are accompanied by government wildlife officials. The cost of this is borne by the hunter gladly and willingly.

The United States has a very potent weapon to deal with the illegal taking of wildlife, the Lacey Act. The Lacey Act has been extended to cover the importation of or commerce in wildlife taken, transported or sold in violation of the laws of other countries.

The penalties under the Lacey Act are very significant: \$10,000 for civil penalties and up to \$100,000 for misdemeanors and even \$250,000 for felonies committed by individuals. Fines for organizations are even higher, and jail time is possible as well.

SCI and SCIF have long supported the vigorous enforcement of wildlife laws. In relation to CITES, SCI provided \$50,000 for the development of an identification manual for customs officers and provided technical assistance in the preparation of the manual, and we have just completed a three year donation to support a wildlife enforcement officer position in Interpol. We recognize and appreciate the hard work of the Fish and Wildlife Service in the work that they do in this arena.

Where regulated sport hunting is legal, it is a consistent form of revenue for local communities, and wildlife populations flourish. Many communities have begun community-based natural resources programs which are successful because they create a financial incentive to the rural communities to actively conserve wildlife.

Here are some facts and figures on the positive impact of hunting in Africa: Hunting generates \$200 million annually in remote rural areas of Africa in 23 countries. Private hunting operations conserve wildlife on 540,000 square miles, which is 22 percent more land area than is found in the national parks of Africa.

According to the National Geographic, hunting is of key importance to conservation in Africa by creating financial incentives to promote and retain wildlife as a land use over vast areas.

Particularly in Africa, the financial incentive to co-exist with wildlife is the central reason why so many species are now recovering, especially elephants, rhinos and lions. In 23 southern African nations that permit regulated hunting, we see a trend of positive species population growth. In countries like Kenya where sport hunting does not exist, population levels are unsurprisingly very low.

Let me end by reiterating our main point. Poaching is not hunting, and sport hunters do not poach. Sport hunting remains one of the few ways to generate money for wildlife management in other countries, and it is an important incentive for the conservation of wildlife.

Through the presence of hunters, hunt operators and government officials in the field, and particularly through the economic stability that it can bring to remote rural areas, sport hunting plays a key role in combating the negative effects of poaching.

Where poaching does exist, the Congress has already created substantial penalties for those who engage in the illegal wildlife trade. SCI strongly supports vigorous enforcement of these laws, and if law enforcement agencies need more resources to enforce these laws, let us make sure they have them.

Thank you, and I will be happy to answer any questions at the end of the panel.

[The prepared statement of Mr. Moritz follows:]

**Statement of Dr. William Moritz, Director of Conservation, Safari Club International Foundation, and Acting Director of Governmental Affairs, Safari Club International**

Good morning. My name is Dr. William Moritz, Director of Conservation for Safari Club International Foundation (SCIF) and acting Director of Governmental Affairs for Safari Club International (SCI). SCI protects the freedom to hunt and promotes wildlife conservation worldwide. SCIF funds and manages worldwide programs dedicated to wildlife conservation, outdoor education and humanitarian services.

Mr. Chairman, the most important point that we would like to make to the Committee is that poaching is not hunting. All too often, media accounts of poaching magnificent animals such as the mountain gorilla refer to the activity as "hunting." Hunting is a sporting activity that is bound by law, regulations, and ethics. Poaching is not a sporting activity; it is unlawful and therefore unethical. SCI and SCIF would like to commend the U.S. Fish and Wildlife Service for their commitments towards reducing poaching.

Poachers are not hunters. Poachers kill or capture wildlife indiscriminately, without limits or controls, in violation of law and with complete disregard for the welfare of the wildlife species. Hunters are conservationists. SCIF and SCI engage in many efforts to oppose poaching because poaching is contrary to conservation. If these efforts enhance the security interests of the United States or of any other peace-loving country which is home to sport hunters, then the hunting community is serving many purposes.

The U.S. has a very potent weapon to deal with the illegal take of wildlife—the Lacey Act. The Lacey Act has been extended to cover the importation of or commerce in wildlife taken, transported or sold in violation of the laws of other countries. The penalties under the Lacey Act are very significant—\$10,000 for civil penalties, and up to \$100,000 for misdemeanors and \$250,000 for felonies committed by individuals. Fines for organizations are even higher and jail time is possible as well.

In the world of sport hunting, we are dealing with the sustainable take of a few animals, from a few species, under strict legal, administrative and ethical limitations. Sport hunting makes a positive contribution that helps to limit or eliminate illegal wildlife trade by being the eyes and the ears of the enforcement community and by economic contributions to wildlife management and local communities. As I just pointed out, in many countries sport hunters are required to be accompanied by government officials such as rangers. The cost of the ranger is borne by the

hunter. Additionally, the continual presence of the hunt outfitter in the hunting area assures that roads are kept open and that people will see and report illegal activity observed during wildlife management activities. Many hunt outfitters have programs and fund activities to combat poaching and to eliminate the presence of poachers in their hunting areas.

Sport hunters have a long and proud tradition of supporting wildlife conservation, including the enforcement of hunting seasons and quotas for harvest. Through the Pittman-Robertson Act in the United States, federal excise taxes on hunting licenses and equipment paid by hunters have been distributed to all fifty states for more than seventy years. Funds used by the states for matching grants under Pittman-Robertson are largely funded by license fees.

The story overseas is similar. Although there is no analogue to the Pittman-Robertson program in any other country, the money spent by sport hunters goes to provide operating funds for wildlife agencies in many countries. Perhaps more importantly, the benefits of sport hunting that flow to local people provide incentives for them to resist the presence of poachers. Through jobs, direct payments to villages, the provision of funds from hunting for civic projects in rural villages, and the provision of meat from game animals, sport hunting provides many benefits and gives value to the wildlife. The rural people who live in association with this wildlife are more likely to refuse to tolerate poaching if they understand that the poachers are robbing them of something of value.

SCI and SCIF have long supported the enforcement of wildlife laws. In relation to CITES, SCI provided \$50,000 for the development of an identification manual for customs officers and provided technical assistance in the preparation of the manual. We have just completed a three-year donation to support a wildlife enforcement officer position for Interpol. We have also signed on as a supporter of Countdown 2010, an effort by the international conservation community to meet many biodiversity goals by the year 2010.

Let me go back to the role of sport hunting today in many developing countries. It is these countries where wildlife tends to persist due to the very lack of development that makes those same countries subject to the negative effects of poaching. Using southern Africa as an example, sport hunting has been one of the main economic engines in rural communities that co-exist with wildlife on a daily basis. In many countries of southern Africa, agrarian or pastoral economies cannot flourish due to limited cultivatable or grazing land. In these areas, regulated sport hunting has been a consistent form of revenue for local communities. To take better advantage of sustainable wildlife use, many governments have begun Community Based Natural Resources Programs. These programs, in essence, devolve power from the central government so that locally created community councils can regulate and manage wildlife in their areas. These councils have the mission to utilize wildlife so that it remains a sustainable resource for their community.

Successful programs have been developed across Africa including, but not limited to, Communal Areas Management Program for Indigenous Resources, otherwise known as CAMPFIRE in Zimbabwe, Living In a Finite Environment, known as LIFE in Namibia, and other programs headed by the Zambia, Botswana and Tanzania.

These communal programs have been successful because they effectively create a financial incentive for the rural communities to actively conserve wildlife. Revenue retention schemes ensure money generated from sport hunting ends up in the hands of indigenous people. In the case of sport hunting in southern Africa, communities in the most rural portions of countries reap the benefit of living communally and sustainably utilizing wildlife through Community Based Natural Resource Programs.

Here are some facts and figures on the positive economic impact that sport hunting has in Africa.

1. Trophy hunting by 18,500 hunters generates U.S. \$200 million annually in remote rural areas of Africa in 23 countries. Private hunting operations conserve wildlife on 540,000 square miles, which is 22% more land than is found in the national parks of Africa. (Lindsey, Conservation Biology, 2007)
2. "Trophy hunting is of key importance to conservation in Africa by creating [financial] incentives to promote and retain wildlife as a land use over vast areas..." (National Geographic News, March, 2007)
3. In Namibia, 29 conservancies involve almost 150,000 rural individuals through trophy hunting, conservancy management or secondary industries.
4. The Zambian Wildlife Authority works with safari operators to ensure that as part of their contract they must develop and manage roads, employ Zambian Professional Hunters or Apprentice Hunters, ensure that a minimum of 80% of labor comes from neighboring communities, develop local infrastructure, no-

tably schools, clinic and wells, and employ Zambian game scouts to manage both wildlife and poaching

5. CAMPFIRE has taken strides to restore natural resource use rights to 600,000 of the poorest people in Zimbabwe.
6. Sport hunting employs approximately 3,700 people annually ([www.tanzania.go.tz/](http://www.tanzania.go.tz/)) and supports over 88,000 families (Hurt & Ravn 2000) in Tanzania.

Particularly in Africa, creating an incentive to coexist with wildlife has been a central reason why so many populations of species are now thriving, especially elephants, rhinos and lions. Of the 23 southern African nations that have regulated hunting, a trend of positive species population growth has been reported. The growing population of white rhino has been one of the most notable success stories. Unsurprisingly, in countries like Kenya, where wildlife utilization by indigenous people is extremely limited and where sport hunting does not exist, wildlife population levels continuously decline and are low. Trophy hunting in Kenya was banned in 1977 and this ban has resulted in an accelerated loss of wildlife due to the removal of incentives for conservation (Baker 1997; Lewis & Jackson 2005). Some reports have alluded to a loss of nearly 60% of Kenya's wildlife since the start of the ban.

In recognition of the important role of sport hunting in wildlife conservation, our organization was recently granted non-government observer status by the United Nations and the United Nations Economic and Social Council (ECOSOC). SCIF also participates in the deliberations of the CITES treaty on wildlife trade and the Convention on Biological Diversity

Let me end by reiterating our main points: poaching is not hunting, and sport hunters do not poach. Sport hunting remains as one of the few ways to generate money for wildlife management in other countries, and is an important incentive for conservation of elephants and other species. Through the presence of hunters, hunt operators and government officials in the field, and particularly through the economic stability that it can bring to remote rural areas, sport hunting plays a key role in combating the negative effects of poaching.

SCI and SCIF in partnership with the hunting community will continue to work toward outright elimination of illegal poaching. Thank you for the opportunity to contribute to this important conversation.

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**Response to questions submitted for the record by William E. Moritz,  
Director of Conservation, Safari Club International Foundation & Acting  
Director of Governmental Affairs, Safari Club International**

**Questions for the record from The Honorable Don Young (R-AK)**

- (1) **Dr. Moritz, you've testified that SCI is very involved with wildlife management in Africa. Are there any instances where SCI has worked with the actual governments of Africa and especially with their ministries of natural resources?**

Safari Club International has many years of experience working with various African governments, especially those in sub-saharan Africa. Our efforts take two basic forms: improving the information about wildlife species through financial support of field surveys, and through increasing the management capacity of governments through training, educational brochures, and multigovernmental collaboration.

Most recently, we have financially assisted governments in the development of regional lion and elephant management strategies as well as provided technical assistance to the governments of individual countries including Zimbabwe, Namibia, Botswana and Tanzania in developing national strategies for lion. We are assisting the government of Mozambique with the development and execution of a national lion population survey.

For the past 6 years, we have sponsored a forum where governmental officials from up to 14 African countries come together to discuss various issues of wildlife management. This forum also includes representatives from CITES, TRAFFIC, IUCN, Campfire, and the hunting community so that stakeholders are involved in the discussions and recommendations that arise. In 2007, nine countries, six professional hunting organizations, CITES, TRAFFIC, and SASUSG assembled to discuss the updated elephant status report, CITES issues, and approaches to human/lion conflicts outside of wildlife preserves.

**(2) Dr. Moritz, you made references to community based conservation in your talk, can you explain more about the program?**

The object of community-based conservation is to incorporate improvement to the lives of local people through the conservation of wildlife and their habitats. If local communities see local animals as a way to improve their lives, then the community will make efforts to protect those animals from poaching, land fragmentation, and land clearing. If animals have no value to the community, then individuals are more likely to put their own personal interests ahead of the community and make personal decisions that negatively affect wildlife, such as poaching. With protection at the local level in several linked areas, species will persist and grow.

Community based conservation includes local people in both the development of conservation approaches (participatory management) and in the economic benefits derived. Wildlife managers have reported that individuals are more likely to adhere to preset quotas if they are involved in the establishment of quotas and see the tangible benefits to the community. Wildlife benefits because local people often have a better knowledge of local population status and will make more informed decisions about sustainable uses of those resources. In countries where government stability is uncertain, investments in local communities add stability to wildlife management decision-making.

**(3) Why is it important that wildlife have an economic value and what are the benefits of legal sport hunting?**

In many countries around the world, people and communities cope with survival on a daily basis. In developing countries in particular, where there are often higher numbers of wildlife than in more developed areas, governments do not have sufficient funding to deal with social welfare issues or with wildlife conservation. Infusions of hard currency through forms of sustainable ecotourism, such as regulated hunting and wildlife photography, improve the quality of life through employment, infrastructure development, and education.

Regulations that limit development and wildlife utilization effectively eliminate incentives for local people to manage in a sustainable manner. When legal markets are restricted, people resort to illegal uses of animals or alternative land-use decisions which may have irreversible impacts to the wildlife occurring on the landscape.

Legal sport hunting begins with the requirement that quotas are established to ensure offtakes are sustainable and consistent with population goals. Seasons are set and licensing is required, so that the amount of effort to take wildlife is limited. License and trophy fees provide revenue to governments, to fund wildlife conservation, and in many countries a share of the revenue also goes to local people to improve livelihoods or living conditions. The opportunity to harvest a limited number of a highly desired species creates a market demand that, when correctly used, generates necessary revenue for management of the species and for community enrichment. Safari Club International has supported these approaches to conservation for many years.

**(4) Dr. Moritz, in your testimony you assert that hunting actually increases wildlife populations in other countries, which may seem counterintuitive to many people. Is that also the case here in the United States? Can you explain that further?**

Hunting has served as a management tool to keep wildlife populations in balance with habitat, and ecosystem health has been protected. In areas where hunting has been eliminated as a management tool, managers struggle to keep species such as white-tailed deer in balance with the habitat and the subsequent degradation of habitat. Once the habitat is degraded, the carrying capacity of the habitat for many species may be negatively affected. Wildlife benefit from careful management of the size of animal populations.

In the late 1800's and early 1900's, hunters demanded and received restrictions on wildlife harvest that included the end of commercial use, fees to support conservation efforts, and even a luxury tax on the equipment used for hunting. That system is enshrined in the Pittman-Robertson Act and similar federal laws which make matching grants to state wildlife agencies for wildlife conservation. The matching money for those grants comes primarily from hunters, in the form of hunting license and tag fees. Thus that original spirit of conservation continues today, with hunting fees providing the single largest source of funding for conservation of wildlife and wildlife habitats. In addition, sportsmen's groups such as SCI carefully monitor Pittman-Robertson and the other similar laws and their implementation, to assure that they are not modified in a harmful way and that they are implemented as intended.



Hunters are also active at the state level, where they interact directly with the state wildlife agencies to support scientifically-based limitations on hunting, re-introductions, wildlife disease management, and habitat improvement activities. This combination has led to many of our nation's wildlife conservation success stories, including some of today's most populous species such as white-tailed deer, Canada geese, and black bear. The white-tailed deer, for example, was nearly extinct in the U.S. in the early 1900s, along with the beaver, elk, moose and wild turkey. The support of hunters for scientific wildlife management by the states through funding mechanisms such as Pittman-Robertson, the payment of license fees, and political support for the necessary conservation actions have been largely responsible for the resurgence of wildlife populations in the U.S.

Quoting from the Economist (March 8, 2008 page 87), "In essence, there are two sorts of possible response to the question of how to conserve endangered species: apart, that is, from doing nothing. One is the command-and-control mechanism: trade bans are examples of these. They can work, but they tend to be inefficient because they fail to take into account the response of human beings to economic incentives. The alternative is to try and harness the incentives that command-and-control ignores. Economic incentives may include removing subsidies for conversion to agricultural land, differential land-use taxes, conservation subsidies, individual transferable quotas, and communal property rights. They are all part of a growing economic toolkit for encouraging conservation while minimizing the cost of doing so."

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The CHAIRMAN. Mr. Pueschel?

**STATEMENT OF PETER PUESCHEL, ILLEGAL WILDLIFE TRADE PROGRAM DIRECTOR, INTERNATIONAL FUND FOR ANIMAL WELFARE**

Mr. PUESCHEL. Thank you. Mr. Chairman and Members of the Committee, thank you for conducting this investigation into the global illegal wildlife trade. My name is Peter Pueschel, and I am the Director of the Illegal Wildlife Trade Program from the International Fund for Animal Welfare.

We have been working to stop detrimental exploitation of animals and wildlife for almost 40 years. The illegal wildlife trade has become a massive global industry with profoundly negative impacts for protecting endangered species, for maintaining ecosystem integrity, for conserving biodiversity and for securing human livelihoods.

It is believed to be a major worldwide criminal enterprise on par with drug trafficking and arms trade, if not in terms of total revenue produced then in gravity. Often the same criminal circles are involved in illicit trade in drugs, weapons and even humans, as well as in wildlife, as we have heard from others as well.

That these links exist may be less surprising when recognizing how profitable and with how little risks this dirty business can be conducted. Various governmental and nongovernmental agencies have estimated that the illegal wildlife trade may be worth in excess of \$20 billion U.S. annually, and some even estimate it perhaps a little bit higher.

The profitability on a global scale, the sheer volume of the trade and the need for international networks is drawing in highly organized criminal and militant organizations of all kinds, possibly even terrorist troops.

Examples of the varying complexity of the criminal networks involved include elephant poaching in China tied to Sudan's Janjaweed militias or poaching of rhino and other wildlife in Kenya linked to Somali warlords, worldwide bear poaching connected to multinational organized crime syndicates and tiger and other big

game poaching in South and Southeast Asia linked to local and regional militant groups, just to name a few.

Organized syndicates trade in high numbers and massive shipments. Just one example is ivory. In 2006 and 2007, over 47 tons of ivory were seized in large scale shipments alone. This reflects an unprecedented high volume since the international trade in ivory was banned in 1989 and a market value of about \$40 million.

But this also reflects the death of 20,000 or more adult elephants a year, and it reflects the loss of biodiversity and the loss of natural habitats in many countries in Africa. With it goes the loss of livelihoods and future security.

It is no secret that all along armies, rebels, militant groups, like in Africa, have funded actions using revenue generated from culling mass numbers of elephants and selling the ivory. Officials are concerned that Central and West Africa, a well-known problem area for poaching and large-scale illegal wildlife trade trafficking, may become a, as they say, hotbed of crime and potential terrorism.

Similarly, Janjaweed militants and Somali warlords in East Africa, two groups that have been associated with terrorist activity, have been involved in poaching in China and Kenya to benefit from the tremendous profits from trading in ivory, rhino horn and other wildlife products.

The links between the wildlife trade and organized crime and military conflicts are clear. The links to terrorism have yet to be clearly determined, possibly because no one is really looking at the issue. The tremendous consequences may have been much underestimated. With this I mean the ecological and social consequences from losing wildlife on the one hand and those from bringing unregistered billions of dollars in profits to dubious and dangerous organizations on the other. This is what I believe is the real issue.

One obvious question for those involved in tracking and analyzing the illegal wildlife trade and other international criminal activity is where does that money go? The United States and other governments and responsible international bodies should allocate the resources necessary to combat illegal wildlife trade from poaching to trade in consumer countries like the United States from improved enforcement to public education and the development of economic alternatives.

It is important for us to study how strong the connections between wildlife and crime are to determine what threats those connections may pose and to develop strategies for confronting these threats.

I apologize if I had a few repetitions with other speakers already, but I think that lies in the nature of the issue, and I would refer for more details also to my written testimony.

Thank you again, Mr. Chairman, for calling attention to this very important issue. I look forward to answering any question you or other Committee Members may have.

[The prepared statement of Mr. Pueschel follows:]

**Statement of Peter Pueschel, Illegal Wildlife Trade Program Director,  
International Fund for Animal Welfare (IFAW)**

Mr. Chairman, Ranking Member Young, and Members of the Committee, thank you for conducting this investigation into the global illegal wildlife trade. My name

is Peter Pueschel and I am the director of the illegal wildlife trade program at the International Fund for Animal Welfare.

IFAW has been working to stop the commercial exploitation of animals and wildlife for over 40 years. From our 16 offices around the globe, we do our utmost to eradicate the cruel and ecologically unsustainable illegal trade in wildlife and protect animals from all threats imposed by commercial exploitation. To achieve this IFAW focuses on three overarching and interdependent spheres of activity.

First, IFAW concentrates on strengthening international agreements such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and on improving national legislation to provide a sufficient legal framework for action by national governments.

Second, IFAW focuses on achieving better compliance with and enforcement of existing legislation, as legal protection represent little more than words on paper unless they are backed up by action. IFAW promotes partnerships with and among governments to create an effective wildlife enforcement response in-country. In collaboration with national governments, IFAW organizes and conducts wildlife trade enforcement seminars to train relevant officials in the technical aspects of wildlife enforcement.

Finally, IFAW drives change through concerted, ongoing and committed public awareness campaigns, with the aim of educating consumers so that market demand decreases. Underscoring each activity is the notion that wildlife has an indispensable role to play for humanity. Decreasing the conservation and welfare problems created by the illegal wildlife trade is part of IFAW's institutional effort in creating a better world for animals and people.

By all accounts, the illegal wildlife trade is very big business. Second only to the international trade in illegal drugs and arms, the illegal trade in wildlife is believed to be worth billions of dollars each year. Driving the trade is human consumption and greed, which together are devouring the Earth's living resources at an alarming rate. Globalization and worldwide economic growth is creating a level of consumer demand that is simply—and in short order—unsustainable.

The African elephant is under threat of extinction because poachers, driven by a thriving black market in souvenir items such as carved ivory chess board pieces, slaughter thousands of elephants annually for their tusks. Wild tigers, numbering fewer than 5,000, wind up in traditional medicine, as trophies mounted in weekend hunting cabins, and in trendy "tiger bone wine" fermented with whole carcasses.

In all too many cases, this human consumption has driven entire species to the verge of extinction. The loss of a species is more than just an emotional issue. It is also one of human survival. Balanced ecosystems influence our air, water, food and medicine, and any disruption to the balance threatens to deprive us of the elements critical to our very existence. Loss of biodiversity also impacts on us by jeopardizing the supply of raw materials necessary in the creation of life-saving drugs, thus limiting our ability to respond to new diseases.

In reality, each souvenir made of ivory represents a dead elephant, and a luxury shahtoosh shawl for sale might represent the last Tibetan antelope. But unlike the more bloody events surrounding the whale or seal hunt, or the more heart wrenching issues associated with household pets in crisis, poaching of wildlife for commercial profit derived from luxury, non-essential items such as ivory figurines or rhinoceros bone for the most part occurs behind the scenes. Confronting the issue of illegal trade in wildlife is all the more challenging because the unsustainable slaughter and sale of vulnerable wildlife populations gets little attention compared to other high profile agendas.

The impact of wildlife trade on animals is just easy to ignore. The impact of the illegal wildlife trade on humans, however, may not be so easy to ignore. The fact is, the illicit trade in wildlife is not only a serious global environmental crime with profoundly negative impacts for endangered species protection, ecosystem stability, and biodiversity conservation, but it is also a real and increasing threat to national and global security.

An alarming proliferation in recent years of wild animals and animal parts taken illegally and exchanged through the black market across international borders has left law enforcement officials worldwide searching for ways to both stem an increasingly prolific area of international crime and stop the trade before it is too late for many endangered animals.

No longer a problem localized to parts of the world where many lack access to basic resources, the illegal trade in wildlife has grown to become a massive global industry. It is believed to be on par with drug trafficking and the arms trade, if not in terms of total revenue produced for criminal enterprises, then in gravity.

In fact, various governmental and non-governmental agencies such as INTERPOL have estimated that it may be worth in excess of \$20 billion U.S. annually, or more.

Much of this is in clandestine undertakings interwoven into a criminal industry that generates enormous levels of undocumented, untraceable revenue, the full scale of which may never really be known.

Also anonymous are the perpetrators, as they conduct their nefarious activities in the shadows, behind locked doors, and often in conjunction with other dangerous criminal elements. The obvious question for those involved in tracking and analyzing the illegal wildlife trade and other international crimes is “Where does the money go?” The answer to that question may be more serious, and more insidious, than people think.

The global illicit trade in wildlife is a dauntingly complex problem. Often folded into other illegal activities, its general low priority on the enforcement agenda provides additional incentive and less risk for criminals. But its impacts are well above the scale of mere petty crime. The trade feeds the black-market by taking advantage of the earth’s rich biodiversity, pillaging wildlife resources beyond their sustainable capacity and turning them into commercial products.

Big cat pelts, rhinoceros horns, elephant tusks, meat from primates and other bush species, pangolin scales, tortoise shells, bear gall bladders, shark fins—traffickers have a large variety of commodities to exploit depending on their resources, motives, and location in the world.

The supply chain from animal source population to consumer is complicated, and uses for wildlife parts are broad, covering food (often expensive delicacies), traditional medicines, pets, decorations (including trophies), clothing, and fashion items. Species from across the animal kingdom are victims in this trade: fish, reptiles, birds, mammals, and amphibians.

At times concealed under the rubric of legal trade or sheltered by intricate wildlife trade laws that may vary from country to country and differ according to national environmental policies, the illicit wildlife trade provides unique opportunities for criminals and imposes extra challenges for law enforcement. The global reach, the multitude of species and products involved and the expansion of the global marketplace as a result of the Internet make these criminal activities difficult to understand, trace or enforce.

In recent years, a steady stream of worldwide media and governmental reports have begun to relay disquieting new details of the illegal trade in wildlife—its ties with violent crimes, large trade rings all over the world, and brazen attempts at smuggling animals and their parts over large distances. Wildlife traffickers have at their disposal an incredibly efficient and adaptable pipeline through which they can move wildlife and their derivatives from poacher to consumer.

For example, in the summer of 2006, customs officials stopped a container of 2,849 pangolins, a medium-sized, scaly mammal that resembles an armadillo, and 2,600 large geckos, originating in Malaysia, from illegally entering China. For the seven month period from October 2005 to April 2006, the illegal trade in pangolins from one trafficking ring was valued at \$3.2 million US. Early in 2008, two shipments with over 1,200 African grey parrots were seized from traffickers leaving Cameroon on their way to Bahrain and Mexico.

There are numerous other incidents on record of massive shipments of illegal wildlife transported internationally, in some regions daily. This includes massive shipments of illegal elephant ivory, which I’ll discuss in more detail later.

Beyond the individual crimes being reported randomly in the news, often by small-scale collectors or drugs and arms smugglers trading in wildlife on the side, large-scale illicit trade in wildlife is where the big profits are being made. This high-value, high-volume illegal trade is occurring globally and requires the networks and skills of major organized crime to succeed.

Some high-value illegal wildlife commodities are no longer available in massive quantities, and their value has increased with their scarcity. The illegal trade in ivory, rhino horn, and tiger parts, for example, continues to be highly profitable—perhaps more so because of the increasing rarity of the species that are poached for their parts.

Elephants, rhinos and tigers are more challenging to capture and transport and their protected status is generally known, making every stage of this trade relatively more dangerous. For instance, any international trade in tigers or tiger parts is illegal. The trade is exclusively black-market—from killing the tiger to production and sale of its parts and derivatives, to the sale of tiger bone wine in a shop in China or San Francisco.

In spite of the proven links with criminal syndicates, the enormity of scale and the potential for harm to both global biodiversity and public health, national and international legal frameworks and penalties are often slight or non-existent compared to those that address the illegal trade in drugs and weapons. The skills and networks required to illegally trade in wildlife, coupled with the lucrative profits,

makes this type of trafficking highly attractive to serious criminals as a relatively easy method for generating funds, whether they be in parallel to or in support of other illicit trade dealings.

The global scale of this trade in terms of profits, volume and an extensive network is drawing in criminal syndicates of all kinds. And now, in the wake of the events of September 11, 2001, concerns have been raised that a new profiteer from the illegal wildlife trade could be emerging, according to the worldwide news media, international intelligence agencies, and global police forces: local, regional, and global terrorist organizations.

These reports, though at times vague or anecdotal, indicate that an increasing number of poaching incidents could be tied to organized crime or militias that, in turn, have ties to terrorist groups. Examples include elephant poaching in Chad tied to Sudan's Janjaweed militias, poaching of rhino and other wildlife in Kenya tied to Somali warlords, illegal shark finning operations off the coast of Costa Rica and worldwide bear poaching connected to multinational organized crime syndicates, and tiger and other big game poaching in South and Southeast Asia linked to local and regional militant groups, to name a few.

Many wildlife trade policy and enforcement experts from around the world agree on two things: 1) More resources are desperately needed to fully understand and ultimately combat the illegal trade in wildlife, and 2) If criminal elements, including terrorist groups, are not already using the wildlife trade as a source for revenue, they likely will be soon.

Compared to other criminal activities and penalties, the low risk of detection and minimal consequences for perpetrating wildlife crime are attractive incentives to professional criminals. The degree of organized criminal involvement and methodology varies widely, depending on the species, its population size, market demand and geography.

The legal trade in wildlife is itself used as a vehicle for the illicit trade—transporting illegal species instead of the legal ones or together within the shipments, using falsified documents, bogus species identification permits or false numbers. An Indonesian wildlife smuggler explained in a 2006 interview that they routinely pack a layer of legal turtles on top of the shipping crates and put thousands of illegal turtles underneath. Conversely, shipments of cocaine have been found concealed beneath legal shipments of live lizards into the Caribbean.

In addition to incidents of drugs being smuggled within wildlife shipments, sometimes even sewn into animals' bodies, there are rising reports of illegal wildlife products being traded directly for other illegal commodities—namely drugs or weapons. A 2007 Wall Street Journal article reported mass quantities of illegally harvested abalone from South Africa being exchanged directly for methamphetamine from buyers in Hong Kong where abalone sells for over \$200 U.S. a pound.

As outlined by experts like John Sellar, CITES Senior Enforcement Officer, there are clear factors connecting groups and individuals in organized crime to operations in the illicit wildlife trade. These include: detailed planning, significant financial support, use or threat of violence, International management of shipments, sophisticated forgery and alteration of permits and certifications, well-armed participants with the latest weapons, opportunity for massive profits, and capacity to launder enormous amounts of cash.

A United Nations report from 2003 on trafficking in protected species of wild flora and fauna explains, "Even when organized crime, as such, is not fully involved, much of the trafficking is highly organized."

The trade in sturgeon caviar, for instance, has become so entrenched in illegal harvesting and trade that in 2007, officials representing CITES and the United Nations Environmental Programme (UNEP) World Conservation and Monitoring Centre decided that a database designed just to monitor the permits and certifications of caviar was needed. The UNEP report noted, "Perhaps no sector of the illegal fauna and flora trade has been criminalized to the extent of that of sturgeon and caviar."

The U.S. Federal Bureau of Investigation (FBI) defines organized crime as:

"Any group having some manner of a formalized structure and whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use of actual or threatened violence, corrupt public officials, graft, or extortion, and generally have a significant impact on the people in their locales, region, or country as a whole."

By all accounts the global illegal trade in wildlife is organized crime. The stage this global black-market has reached in terms of networks, profits and operators, as well as its links to other trafficking syndicates, poses a substantial threat to international law and stability.

Able to reach remote areas and wildlife habitats difficult to access, militias and military personnel have discovered that trading in valuable wildlife parts and derivatives generates extra income to fund military endeavors, including rebel militias. Leading up to the international ban on trade in ivory in 1989, when global attention focused on plummeting elephant populations, some African governments were known to have funded invasions and military quests using revenue generated from culling mass numbers of elephants and selling the ivory.

Although international treaties such as CITES and domestic laws in elephant range-states make elephant poaching and dealing in ivory illegal, the model of using this trade to fund militias persists. In some cases, elephants are even being poached by rebels and militias using sophisticated weapons manufactured for human wars. In 2005, an African tour guide told the British Broadcasting Company that he had witnessed elephants being slaughtered with anti-tank weapons.

Militias and military figures are able to illegally harvest and profit from wildlife with ease because governments and enforcement officials cannot contain them, or turn a blind eye to the problem, thereby empowering corruption in general. Global trade, technology and transportation are constantly becoming more sophisticated, providing and even facilitating the formation of the networks required to move illegal wildlife products like ivory from forest or savannah to market.

With the ever-increasing purchasing power of the Chinese middle class and the seemingly insatiable appetite in Japan for ivory products, the burgeoning demand for elephant ivory shows no sign of abating. Studies of ivory seizures reveal that since the ivory ban was instated in 1989, large seizures of a ton or more increased in frequency and size, with more than 40 tons seized in 2005 and 2006 alone. And, this may just be the tip of the iceberg.

East, Central, West and even Southern African countries are heavily implicated as the source of most of this illicit market, with well-established supply chains and routes particularly to China and Japan among other Asian markets. In 2007, National Geographic reported that recent heavily-organized elephant poaching in Chad's renowned Zakouma National Park was reminiscent of the situation in the Central African Republic during the 1980's, when hundreds of armed men from Sudan, now associated with Janjaweed militias, went on a killing rampage of elephants and rhinos for the profit they would earn from the ivory and rhino horn.

According to a January 2008 report out of Assam, India, devastating increases in rhino poaching in Kaziranga National Park over the past year have offered every indication that militants are involved. Rhino horn is believed by some to be bartered for arms by militant groups in northeastern India working with poaching syndicates. The black market value for rhino horn is staggering, worth tens of thousands of dollars per kilogram. Prohibited in international trade by CITES, rhino horn has long been highly prized in Asia, for its purported medicinal qualities, and in the Middle East, where it is used to make ornamental and ceremonial daggers.

A former rhino poacher now working with the Forest Service recently identified the Karbi tribal militant groups and other entities identified with radicalism, violence and terrorism, as key perpetrators of rhino poaching in Kaziranga.

But perhaps the most foreboding criminal element playing a role in the global wildlife trade may be the most important to U.S. and international policymakers, as well as the most threatening. Over the past several years, the global news media and police agency reports have mentioned—initially almost in passing but recently with increasing regularity—that poachers have been connected to localized militant and terrorist groups responsible for attacks within communities.

Even more recently, well-funded and well-armed poachers have taken an almost guerilla warfare-style approach to their activities in places like East, Central and North Africa—an approach reminiscent of the recent human conflicts between governments and rebel groups, warlords, and regional militias, some of which have been linked to terrorist attacks in the region.

In some cases, according to news reports, those same rebel groups, warlords, and militias have entered protected areas and engaged in large scale poaching—areas like the famed wildlife parks of Kenya and the Zakouma National Park in Chad. Somalia-based warlords and Sudan's Janjaweed militias are two groups thought to engage in poaching in these areas. Though much remains unknown about this new twist to the ongoing assault on wildlife in Africa and other places around the world, experts are beginning to question whether the illegal wildlife trade will (or has already) become a source of revenue for terrorist groups.

There are known cases, for example, where poachers have direct links to military weapons and markets also accessible to terrorist groups. Whether the poachers are connected directly to terrorist groups or their activities is not known. Warlords or militant groups that have been connected to specific instances of terrorist activity have also, separately, been connected to instances of poaching.

My colleague Michael Wamithi, Director of IFAW's elephant program, reports that elephant poachers in many parts of Africa use weapons that can be acquired only from military sources, and African wildlife agencies are starting to recover western military weapons as well—including American-made M-16s and German-made G3s. Whatever the source of these weapons is, the fact that poachers, whoever they are, can obtain these weapons is cause for concern.

"The appearance of these weapons is very alarming because it means an improvement in the range, accuracy and firepower available to the poaching gangs, and this has a direct impact both on the animals and the rangers that are targeted by such weapons. Kenya Wildlife Service has recovered RPGs (Rocket Propelled Grenades), which Somali poachers sometimes carry to use against the rangers or to discourage KWS patrols from pursuit in the first place," Wamithi says.

And, although tenuous, a geographic nexus exists between the illegal wildlife trade and terrorism activity as well. United States and United Nations officials are concerned that Central and West Africa, a well-known problem area for poaching and large-scale illegal wildlife trafficking, is also fast becoming a "hotbed" of crime and potential terrorism, to use their words.

Janjaweed militants and Somali warlords in East Africa are thought to receive support from al-Qaeda. In September, 2007, al-Qaeda's second-in-command Ayman al-Zawahiri urged Sudanese militants to rise up against the African Union and U.N. peacekeepers in Sudan's region of Darfur in a video posted on the Internet.

During the past year, there have also been reports of militants affiliated to al-Qaeda tapping into the illegal wildlife trade in India, Nepal, Burma and Thailand. Individuals based in Bangladesh who are believed to have ties to local terrorist groups are reportedly hiring local trappers and infiltrating organized crime syndicates around India's Kaziranga National Park to poach in the park and nearby protected areas. Kaziranga and other wildlife preserves in the area are vulnerable and therefore attractive to criminals. Kaziranga park wardens report that sophisticated weapons and tranquilizer guns are being used to poach within the Park.

Indian officials and local traders and poachers say that Bangladeshi militants have turned to the wildlife trade for financial support because the profits from poaching and wildlife trafficking are untraceable, undetectable and readily exchanged—characteristics that are necessary in a post-9/11 world where the money laundering and banking schemes previously used by terrorist groups have been disrupted.

Illegal wildlife commodities like rhino horn, ivory, and tiger pelts and parts are the most coveted, with assured high-value on the black-market. And, rare wildlife commodities with established high black-market values can be used as collateral, just like gold, by those seeking fast cash resources...0

In piecing together what little information exists about the suspected poacher-terrorist nexus, disturbing questions arise about what little we know, as do even more disturbing questions about what we do not know.

The U.S. and other governments and international bodies, though publicly acknowledging the possibility of a connection between the global illegal wildlife trade and terrorism, in my opinion have yet to allocate the resources necessary to understand how strong the links are, to determine what threats those links may pose, or to develop strategies for confronting these threats.

The resources dedicated by the U.S. and other nations to understanding and disrupting the global illegal wildlife trade are insufficient in comparison to those allocated for combating the two other large illegal industries, arms and drugs, both of which are also known to provide support for organized crime, militancy and regional instability, and globalized terror.

Until recently, the major arguments for working to combat the wildlife trade have focused on the resource itself—protecting against extinction, preventing the spread of animal borne diseases, stopping animal cruelty, supporting local wildlife tourism, protecting biodiversity, and sustaining rural economies and livelihoods. In the post 9/11 world, however, the illegal wildlife trade is no longer only a conservation or animal welfare issue. It is a national and global security issue, as well, and should be treated as such.

The impacts of the illegal wildlife trade are perhaps most apparent on the ground in places where highly imperiled—and highly valued—wildlife species cling to life, guarded by a brave and dedicated few. In recent years, hundreds of park rangers in Africa and around the world charged with protecting wildlife from poachers have lost their lives. In 2004, over 100 rangers were killed in the line of duty in the Democratic Republic of Congo (DRC) alone. India lost five rangers in 2006, and seven Chadian rangers were killed in 2007 protecting elephants in Zakouma National Park. The Kenya Wildlife Service has erected a permanent monument to the 19 rangers killed in the line of duty in recent years. These tragic deaths serve as

a stark reminder that the illegal wildlife trade does not just affect the security of animals.

A report from the World Bank issued in 2005 on the illegal wildlife trade in South and East Asia summarizes a key theme in this global crime, stating, “Wildlife is not traded in isolation. It is part of a larger network of organized crime that involves drugs, guns, and people-smuggling.”

Significant attention and greatly increased resources are needed to fully understand the pathways of the illegal wildlife trade and connections to other illicit activities—drug running, military weapons, human smuggling, illegal logging, militancy, and terrorism—all of which profoundly affect both the communities where wildlife resources are depleted and the communities where wildlife resources are ultimately consumed.

All of the links in the supply chain, from local source villages in wildlife-rich places to large cities where consumers purchase wildlife products, legally and illegally, are impacted by these crimes and the violence and upheaval that can often come with them.

There is a relationship between exploiting natural resources, including the illicit wildlife trade, and exploiting people, whether it’s based on religious or political ideology or just simple greed. Removing an opportunity for criminal profiteering by addressing this illegal wildlife trade crisis will result in a safer world for animals and for people.

Thank you again, Mr. Chairman, for calling attention to this very important issue. I now look forward to answering any questions that you or other Members of the Committee may have.

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#### APPENDIX: EXAMPLES AND CASE STUDIES

##### **SHARKS**

An example of an entire industry utilizing a chain of corruption wherein loopholes and differences in laws are knowingly exploited by criminals is shark finning. With China’s expanding middle class, demand for shark fin soup as a delicacy and status symbol has been rising for years. Dried shark fins sell for hundreds of dollars per pound. One bowl of shark fin soup can fetch as much as \$100US.

The Taiwanese mafia has set up large finning operations in Ecuador and Costa Rica.<sup>1</sup> Although the meat could be consumed by source countries, only the fins are worth enough in Asia to warrant investment in processing and shipping them back. Fishermen, who are paid to obtain as many fins as possible, use the practice of quickly cutting off a shark’s fins on the boat and throwing the carcass back in the water, resulting in massive numbers of sharks being killed in a short amount of time and considerable waste of the animal.

Figures on the number of sharks being finned annually are staggering.<sup>2</sup> Almost difficult to imagine, the World Conservation Union’s (IUCN) Shark Specialist Group estimates tens of millions of sharks are killed globally every year for this trade.<sup>3</sup>

There has been some recognition of the brutality and unsustainable nature of this practice. After reviewing the implications for the fishing industry and conservation, the United States National Marine Fisheries Association officially banned this practice, making shark finning illegal in U.S. waters. Fifteen additional countries have also banned shark finning.<sup>4</sup>

But, with profits continuing and disjointed enforcement, the bans alone have proven inadequate to compete with the demand in China and Southeast Asia and with the established system of organized crime groups facilitating the shark finning trade.

##### **BEARS**

Criminals looking to profit off of the trade in bear gall bladders and bear bile often exploit the complex system of national and international laws governing hunting and trade in a range of bear species. Bear bile (stored in the gallbladder) is used in traditional medicines in Asia, where demand for gall bladders and bile is high.

Bear farming in China, Korea and Vietnam was permitted by the governments of these countries intending that this would supply the black market demand and spare wild bears. In fact, it has served to stimulate the market and put wild bears everywhere at risk.

Cases of bear poaching to supply the trade going to Asia are occurring in Russia, Canada and the United States. In Canada, the trade in bear gall bladders is reportedly run by a small cartel of just five individuals, and bear smuggling rings are being identified in other parts of North America.<sup>5</sup> One report from Canada highlighted the tenacity of the criminals involved:



“Bear gall traffickers appear to stop at nothing. One wildlife supplier, believed to be selling fake galls, was found murdered in his New York apartment. In Russia, the family of an officer was murdered when he came too close to uncovering the mafia’s role in the wildlife trade.”<sup>6</sup>

Allen Hundley of the U.S. Fish and Wildlife Service has been involved in addressing this trade, noting that “any time an unregulated market puts a price on the head of wildlife, as it has on bears for their gallbladders, the future of that wildlife is in serious jeopardy.”<sup>7</sup> So far in the United States, 34 states have passed laws to ban the trade in bear organs in response to this crisis.

### **BUSHMEAT**

The commercial bushmeat trade targets monkeys, apes, hoofed mammals and rodents, among others. These species are being taken out of the forests in unprecedented volumes, often facilitated by roads created by the logging industry. While bushmeat is defined simply as the meat derived from wildlife, characterizing the bushmeat trade is more difficult.<sup>8</sup> It can include several components, among them:

- Illegal hunting methods,
- Protected species,
- Hunting from restricted areas,
- Unsustainable harvest, and
- Commercial exploitation by professional hunters for distant urban markets.<sup>9</sup>

“Historically, local communities have consumed modest amounts of bushmeat,” says Dr. Heather Eves, Director of the Bushmeat Crisis Task Force. “The growing commercial trade in bushmeat, however, is fed by demand from markets in big cities in Africa and around the globe and Africans living abroad.”

No longer simply a means of subsistence, bushmeat as a commodity, fueled by urban demand, brings with it the opportunity for large-scale illegal profit-making. In some parts of the world, including Central Africa, this commodity is being exploited not just for profit, but for the profit necessary to support sometimes violent upheaval and warfare:

“The [Democratic Republic of Congo] saw an explosion of poaching in the early part of this decade, much of it due to the rising demand for bushmeat in urban areas. Rebel militias and other militant groups saw an opportunity and took control of large parts of the country’s parks, using bushmeat, ivory and other wildlife resources for both sustenance and to pay for weapons and other supplies. It’s still going on. In the past few years, hundreds of hippos in Eastern DRC were slaughtered for their meat near the headquarters of the Mai Mai rebels. The hippo population has declined from more than 20,000 in the late 1980s to less than a few hundred today.

“Less than a year ago, rebels killed several rare mountain gorillas, which was widely reported in the global press. The gorilla killings illustrate just how difficult and complex the problem really is—the gorillas were executed not for bushmeat, but as a dire warning to rangers and international conservationists to stay away.”<sup>10</sup>

### **CAVIAR**

The market for caviar has always supported high-prices, but with decreasing availability after decades of over-harvesting and unregulated fishing, caviar prices have skyrocketed. Criminal syndicates, including the “caviar mafia,” are lorded over the caviar trade.

The groups involved are known to use violence to protect their practices. Recently, one of the more extreme acts of terrorism served as a shocking example of the danger involved. As reported in *The London Observer Service*:

The caviar mafia is thought to have been behind a terrorist bomb attack in the town of Kaspiysk that killed 67 people, including 21 children, and destroyed a nine-story apartment building. Most of the victims were Russian border guards and their families. The guards, who patrol Russia’s new boundaries, had begun to produce results in regulating illegal traffic and, in doing so, made dangerous enemies. More than 100 people lived in the bombed building, including the commander of the locally based border guards unit, Lt. Col. Valery Morozov. Morozov reportedly had told a Russian newspaper, *Rossiysky Vesti*, that he had been threatened by the “surgeon pirates.”<sup>11</sup>

### **ELEPHANTS**

Elephant ivory has been a treasured commodity for much of human history, but tragically, the run on “white gold” has escalated over the last few centuries and has put all elephant populations in a precarious position.

By 1989, the African elephant population was shattered, from around 1.3 million to just over 600,000; today, there are fewer than 450,000 wild elephants in Africa and a mere 50,000 in Asia. At least 20,000 elephants are killed annually in Africa

for their ivory. Unfortunately pursuit of an ivory trinket necessarily coincides with the death of an elephant.

Elephant ivory, derived from the tusks of adult elephants, can only be obtained from a dead animal, as the tusks are deeply embedded into the elephant's skull. While it's true that ivory is also a product of an elephant that has died a natural death, the quantities of seized ivory worldwide in the past decades far exceed any reasonable mortality rates.

Demand for ivory—in the form of decorative carvings, signature seals and a host of other superfluous indulgences—peaked in the 1970's and 1980's, when poaching elephants for their tusks decimated the remaining elephant population. By 1989, the African elephant population was shattered, from around 1.3 million to just over 600,000; today, there are fewer than 450,000 wild elephants in Africa and a mere 50,000 in Asia.

In response to growing concern over the impact of unregulated international trade on the endangerment of wildlife, including elephants, the international community established the United Nations-backed Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which came into force in 1975.

Since then, CITES has recognized most elephant populations as endangered, and has strict prohibitions against international trade in ivory. In fact, in 1989, CITES banned all international trade in ivory and as a consequence, poaching stopped almost completely.

In 1997, CITES approved a one-time, ill-fated sale of ivory stockpiles from a number of African countries. This creation of a market in ivory from the ivory stockpiles sent out the message to poachers, criminal syndicates, poor villagers and corrupt governments that there was money to be made in killing, and African range countries experienced a renewed surge in poaching and smuggling of ivory.

This illustrates how any legalization of wildlife products “and ivory in particular—creates a loophole for the laundering of illegal products into legal stocks. It is impossible to distinguish between legal and illegal ivory once it's on the shelf.

While elephant populations in some Southern African countries may appear to be somewhat healthy, much of this is caused by governmental policies that cause fragmentation and manipulation of elephants' natural habitat. For example, while South Africa's elephant population stands around 17,000 (confined to just 2 per cent of the country's total range), Senegal has fewer than ten elephants left in the wild.

And many less developed nations in Central, East and West Africa are struggling to protect their elephants from poaching. Few elephant range states possess the capacity to patrol the ranges, police their borders or, just as critically, stem the growing tide of smuggled illegal ivory. The global reach of the Internet and the ready availability of international courier services simply add urgency to an already intractable crisis.

Today, at least 20,000 elephants are killed annually in Africa for their ivory, fuelled principally by demand in Japan, China, Thailand, Korea, the U.S. and Europe. This cycle of crime and brutality represents one of the more immediate and critical threats to the survival of the elephant.

## **TIGERS**

Over the past century, the plight of the tiger has captured the world's attention, so much so that the tiger has come to be the very symbol of the threat of extinction. In the last 50 years alone, three sub-species of tigers have gone extinct in Asia. And whereas as many as 100,000 tigers may have roamed the vast Asian continent just a century ago, fewer than 5,000 tigers are left today, mainly in India and the Far East of Russia.

Yet despite this critical level of vulnerability to the species, the human behavior driving the tiger to extinction continues unabated. Tiger populations are at risk when human settlements encroach upon their natural habitats. The most comprehensive scientific study of tiger habitats ever done (July 2006) concluded that tigers now occupy 40 per cent less habitat than they were thought to inhabit a decade ago. Starvation due to prey loss is another major threat to tigers, as humans often hunt for the same species of herbivores that are tigers' prey.

But one of the most insidious threats to tigers is the systematic slaughter of tigers to supply the illegal trade in tiger bones and skins. Tiger skins and body parts poached from animals in the wild wind up as ingredients in traditional medicine, as fashion items and as household décor.

And all of this is illegal. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) affords the highest level of protection for tigers, banning all international trade in tigers, their parts and derivatives. International law is buttressed by domestic trade bans in almost every tiger range or consuming country. Nevertheless, weak enforcement of these international and do-

mestic laws allows tigers and tiger products to surface on the black as well as the open market.

Chinese media have also uncovered a disturbing loophole to the Chinese ban on tiger products—the “farming” of captive bred tigers to supply the illegal market. So-called “tiger farmers” proactively promote the use of tiger bone in traditional medicine, and, to expand their markets, are developing a “luxury tiger wine” industry—a trendy and growing black market commodity—produced from fermenting tiger skeletons.

Already, many facilities stockpile tiger carcasses in the hope that tiger trade will soon be legalized. At the same time, investors of these facilities feed into public sympathy for tigers by misleading the public into thinking that these genetically compromised farmed tigers can be released into the wild, and thus are good for tiger conservation.

### **THE INTERNET TRADE**

The Internet has revolutionized our lives by opening up enormous opportunities for business and communications. It offers us a marketplace for the exchange of goods and services, a venue for social networking, and a means of personal enrichment, all on a global scale. But there is a dark cloud behind every silver lining: the Internet provides criminals with increased opportunities for illegal or unscrupulous conduct. Wildlife crime is taking full advantage of these new “opportunities” afforded by the World Wide Web.

The Internet is widely recognized as the preferred method for trading in protected and endangered species. Techniques for subverting the law or avoiding detection are becoming increasingly sophisticated, creating overwhelming challenges to law enforcement efforts. This trade has devastating implications for both wildlife conservation and animal welfare, as well as the loss of human livelihoods, as whole species become vulnerable to extinction by exploitation on a global scale.

And as demand for wildlife products increases, traders are encouraged to fuel the market by any means necessary. Not all buyers and sellers are knowingly breaking the law. Consumers may be unaware of the registration requirements attached to certain controlled items, while compliance among sellers with these requirements in many countries is sorely lacking.

Professional traders ignorant of the law may also be unwittingly purchasing illegal goods from organized criminals seeking to launder their products to the open market. Meanwhile, traders and criminal syndicates aware of the legal restrictions can easily find ways to maneuver around them with little risk of detection.

But deliberate or not, the detrimental impact on wildlife is the same. In August 2005, IFAW launched the report, *Caught in the Web: Wildlife trade on the Internet*, detailing the results of an intensive investigation into the online trade. In the course of just one week, IFAW was astonished to find more than 9,000 wild animals and animal products for sale in the UK alone. This figure was all the more alarming because the survey was conducted on English language sites and restricted to trade in only five categories of endangered animals: live primates, elephant products, turtle and tortoiseshell products, other reptile products and wild cat products. The more recent follow up investigation, *Bidding for Extinction*, confirmed that wildlife trade via the Internet is continuing and even thriving as a result of inaction by Internet Service Providers, particularly eBay.<sup>TM</sup>

The implications of Internet trade in wildlife reverberate beyond national and regional borders. Yet contemporary international law has fallen behind in its consideration of commercial Internet activity. Despite recognition by international enforcement agencies, governments, non-governmental organizations (NGOs) and the general public of the problems associated with wildlife trade on the Internet, current enforcement schemes have proven insufficient in dealing with the scale of the problem.

Recognizing that Internet Service Providers (ISPs), site owners and the major marketplaces such as eBay<sup>TM</sup> have a vital role to play in combating a problem that is not going away, IFAW has been working with a number of web-based global marketplaces to develop and enforce a clear code of practice for users. IFAW is also playing a leading role in working to improve coordination and response among governments and law enforcement agencies. Finally, IFAW focuses on elevating consumer awareness to break the chain of consumption that fuels the illegal markets.

### **ENFORCEMENT**

Many of the countries and regions where IFAW works are facing tremendous challenges in human population expansion, economic poverty, in sufficient legal systems and political instability. But even if such adequate legislation exists, its implementation and enforcement is an overwhelming challenge.

To comply with CITES, an enforcement framework aimed at combating illegal international trade in wildlife to, from and through the borders of all member states is required. By signing CITES, State Parties have agreed to comply and implement decisions of the convention through national legislation and to take adequate enforcement action.

Among the obligations accepted by all Parties to CITES is to establish national management and scientific authorities to oversee, monitor, control and document trade with species protected by the convention and to have sufficient enforcement mechanisms and capacity in place. While many countries do their best and even have stricter domestic measures for greater conservation benefits, unfortunately, compliance is uneven at best. Currently, the national legislation in 53 per cent of CITES Parties fails to meet the legal requirements set forth by CITES.

And legislation is just the first step in a long voyage that requires education of all relevant enforcement authorities, a wide range of training and sufficient resources for operation and the provision of rangers with the necessary tools for effective action. Of course, effective enforcement relies on the commitment of dedicated people, and IFAW works to support those rangers who readily risk life and limb as part of their daily routine.

Nevertheless, faced with the need to patrol thousands of square miles of conservation lands, few African range countries possess adequate funding for personnel and equipment. This affords sophisticated crime syndicates and poachers the upper hand in operating freely and across national borders.

Indeed, many African countries are ill equipped to meet even the most basic of CITES reporting requirements, let alone the basic needs (like vehicles or water supplies) of their rangers. Some reports even circulate regarding rangers hunting the very animals they are charged to protect to meet theirs and their families' food requirements. Further complicating the issue is the explosion of trade via the Internet—literally hundreds of anonymous postings vie for the attention of consumers—both those unaware of national or international restrictions on wildlife trade and those who knowingly flout the law.

Increased demand for wildlife products puts enormous pressure on enforcement authorities, particularly range states. Because of the global nature of wildlife trade, enforcement shortfalls in one country affect the situation in others. And as the global demand for tiger skin and bones, antelope pelts and elephant tusks skyrockets, criminals and poachers hunt down any and every wild animal that might bring in money on the international black market.

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- <sup>6</sup> Ibid.
- <sup>7</sup> Jane Raloff, "A Galling Business: The inhumane exploitation of bears for traditional Asian medicine." Science New, Vol.168, No. 16, October 15, 2005. (<http://www.sciencenews.org/articles/20051015/bob10.asp>)
- <sup>8</sup> Dr. Heather E. Eves, "The Bushmeat Trade in Africa: Conflict, Consensus, and Collaboration." Gaining Ground: In pursuit of ecological sustainability, 2006.
- <sup>9</sup> Ibid.
- <sup>10</sup> Personal interview with Dr. Heather E. Eves, Director, Bushmeat Crisis Task Force, February 6, 2008. See generally [www.bushmeat.org](http://www.bushmeat.org).
- <sup>11</sup> Simon Cooper, "The Caviar Kings: Inside the cartels that built empires and destroyed species." Seed Magazine, November 2003. ([http://seedmagazine.com/news/2006/01/the\\_caviar\\_kings.php](http://seedmagazine.com/news/2006/01/the_caviar_kings.php))

**Response to questions submitted for the record by Peter Pueschel,  
International Fund for Animal Welfare**

**Questions from The Honorable Nick J. Rahall, Chairman, Committee on  
Natural Resources**

**Confiscated Wildlife**

**What happens to confiscated wildlife illegally taken when found alive? Who takes them? Are they returned to the wild? Is the difficult process of finding homes for confiscated animals a deterrent to enforcement of wildlife laws?**

Most source countries do not have the resources or facilities to care for confiscated wildlife that have been illegally sourced from the wild. Most countries also lack the capacity to rehabilitate them and release or reintroduce them back into the wild. Animals often have a better chance of rehabilitation and release back to the wild when they are confiscated before they leave the borders of the source country because it greatly reduces the time and cost it takes to transport the animals home, and the stress on the animals from longer periods of confinement and travel, and the overall distance back to their home ranges. Unfortunately even better resourced countries usually are not willing to invest in necessary facilities. To increase the chance that animals are detected before leaving their home country IFAW assists particularly poorer countries to improve their enforcement capacity and capability.

However, when animals are confiscated after they have left their native country either during transit or when they arrive at their destination to be traded, reintroduction entails a series of efforts of a scale and magnitude both with regard to expenses and endeavor that can challenge all parties involved. For example, IFAW has been involved in the rehabilitation and repatriation of four western lowland gorillas back to their native Cameroon from where they were illegally captured and traded through Nigeria to a zoo in Malaysia. Now the gorillas have a safe sanctuary in Cameroon and are being integrated with other rescued gorillas, but it is unlikely, after over 6 years of captivity, that they can ever return to the wild. Similarly, IFAW was involved in the rehabilitation and repatriation of star-tortoises back to their habitat in India from Singapore and Malaysia, where they were confiscated in transit. Such efforts, however, are few of a kind in the history of confiscation of illegally traded wildlife, and they have only been possible because NGO's have raised money and rallied governments on both sides (source & destination) to implement such missions.

Particularly problematic are animals found in large numbers, such as confiscations of thousands of reptiles or birds; dangerous animals like poisonous snakes or big cats, or animals that are not usually able to be rehabilitated and released, like infant gorillas, pangolins, or tiger cubs. The truth is that in most cases these animals are just as likely to die after they have been confiscated as they are if they had stayed in the illegal trade. Plus, many countries do not have adequate legislation preventing species from being legally traded once they are in the market, even if they were illegally taken from the wild and confiscated. Large confiscations still end up fueling the market and creating incentive for more poaching, while making it less likely that officials will rigorously enforce wildlife trafficking laws.

Oftentimes, the fines and penalties for wildlife trafficking are minor compared to other trafficking offenses such as drugs or weapons. One remedy for this situation would be to levy significant fines and prison terms for wildlife traders, who are often part of criminal networks with large bank rolls. Such fines could help pay for the high costs of care, shelter, rehabilitation, and release back into the wild for confiscated animals. Another remedy might be for countries that permit trade in live wildlife to build appropriate facilities and provide trained rehabilitation personnel at points of entry. Further, some countries need legislation prohibiting the sale of animals that have been taken illegally from the wild and were confiscated. In an effort to strengthen measures to deal with confiscated wildlife, IFAW has assisted governments (e.g. Kuwait, Russia, China) in designing such facilities and supporting some of their efforts in the past. Governments of wealthier nations could aid the often poorer source countries for illegal wildlife in not only providing resources for enforcement, but also rehabilitation and release back to the wild. If these animals are confiscated and rehabilitated at their source, they stand a better chance of making it in the wild than if they are confiscated thousands of miles away at U.S. or other international ports.

**Questions from The Honorable Don Young (R-AK)**

- (1) On Page 4 of your testimony, you talk about tiger bone wine being sold in a shop in San Francisco. Are you aware that in 1998, Congress enacted and the President signed into law the Rhino and Tiger Product Labeling Act? It is now ten years later and you are testifying that individuals can still buy these products in the United States? How do we stop these sales and prosecute those benefiting from the destruction of these highly endangered species?**

Unfortunately, tiger bone wine and other substances made from endangered animal parts are still available in the United States. The United States, in fact, is the world's second largest consumer of illegal wildlife products. These products are not generally sold out in the open, but instead in back rooms or hidden among other legal wildlife products. Oftentimes illegal wildlife specimens, endangered turtles for example, are imported in large numbers mixed in with legal shipments of non-protected species. To make matters worse, the Internet is fast becoming the tool of choice for criminals looking to move illegal wildlife products quickly and anonymously. Fish and Wildlife enforcement officials were having a hard enough time policing the myriad physical shops and other physical locations places illegal wildlife products were being traded across the country. The Internet makes enforcement exponentially harder.

One problem is that with wildlife products, the burden of proof lies with the enforcement officer instead of the wildlife trader. For most wildlife species, a criminal offense only occurs when a product claiming to contain a substance from a protected species, such as bear bile wine, is found to actually contain that substance. Wildlife traders can take advantage if this by selling massive quantities of "fake" endangered wildlife products and mixing in smaller quantities of "real" endangered wildlife products. The Rhino and Tiger Product Labeling Act was a step in the right direction because it made it a crime not only to sell products containing rhino and tiger parts, but to sell products claiming to contain rhino and tiger parts, even if they did not. This model should be expanded to cover all illegal wildlife products.

- (2) You mention bear gall bladders in your testimony. How large of a problem is the trade in bear viscera from American black bears? How many cases have been documented?**

The U.S. Fish and Wildlife Service (USFWS) and state wildlife enforcement agencies are much better situated to answer specific questions about the exact scale of this problem and specific instances of black bear poaching in the U.S. where gallbladders have been removed.

- (3) Do you disagree with the assessment of the Law Enforcement Division of the U.S. Fish and Wildlife Service that "the poaching of American black bears for their gallbladders or other parts to supply the demand of the Asian medicinal market for these products is not a significant problem and does not occur on any large scale? What is the source of your data?"**

I do disagree with the statement that black bear poaching in the U.S. is not a significant problem. Even if black bear poaching is not widespread in the U.S., the fact that it does occur and that it occurs in part to feed an ever growing market for bear bile products both in China and other Asian countries as well as in the United States represents, in our view, a significant problem. In my testimony, I refer to large criminal rings thought to control the illegal bear trade in North America, some of which are known to be violent. These rings exist because of a thriving market for bear gallbladders, which is fueled by parts from both legally and illegally killed bears. Previous estimates from the USFWS and other law enforcement agencies have said that for every bear that is legally killed in the U.S. another, and possibly two, are killed illegally. If you include Canada, this could amount to 40,000 to 80,000 black bears being killed illegally every year. Black bears are becoming increasingly rare in Asia, and are highly endangered in parts of the South and South-eastern United States. As supplies fall in Asia, and demand increases at home and abroad, it stands to reason that black bears in North America will become more and more threatened by the global illegal trade in bear viscera. It is vitally important that the U.S. and other range nations have clear laws prohibiting the trade in bear viscera for the protection of domestic black and other bear species populations, as well as for more endangered bear populations around the world.

Again, the U.S. Fish and Wildlife Service (USFWS) and state wildlife enforcement agencies as well as Canadian authorities are much better situated to provide data about the exact scale of this problem and specific instances of black bear poaching where gallbladders have been removed.

- (4) While there is considerable evidence that organized crime elements are involved in the international illegal wildlife trade, please share with the Committee real, not anecdotal, examples where law enforcement agencies or governments have conclusively proven that terrorist organizations are profiting from this trade?**

Information about cases in which law enforcement agencies or governments have conclusively proven that terrorist organizations are profiting from the trade in wildlife should come from those law enforcement agencies or governments. It is clear, however, that significant attention and greatly increased resources should be devoted by such law enforcement agencies and governments to fully understand the pathways of the illegal wildlife trade and connections to other illicit activities—drug running, military weapons, human smuggling, illegal logging, militancy, and possibly terrorism—all of which profoundly affect security worldwide, particularly in the communities where wildlife resources are depleted and the communities where wildlife resources are ultimately consumed. The links between the wildlife trade and organized crime and military conflict are relatively clear, but the links to terrorism have yet to be clearly determined, possibly because no one is looking at the issue.

The U.S. and other governments and responsible international bodies should allocate the resources necessary to combat illegal wildlife trade from poaching to trade in consumer countries, from improved enforcement to public education and the development of economic alternatives. It is important for us to study how strong the connections between wildlife and crime are, to determine what threats those connections may pose, and to develop strategies for confronting these threats.

- (5) How would you describe the state of elephant populations in Southern African countries like Botswana, Namibia and South Africa? How do these healthy populations compare with those in Kenya? Is it just a coincidence that Southern African countries allow legal sport hunting and Kenya has outlawed trophy hunting since 1977?**

Elephant populations in Botswana, Namibia and South Africa are generally on the increase, but the rates of increase vary considerably across both space and time, as do the numbers of elephants across Southern Africa range states, which is home to approximately 70 percent of Africa's elephants. According to the IUCN's 2007 African Elephant Status Report, South Africa is home to approximately 17,000 elephants, Namibia has 12,000 and Botswana has over 133,000.

Similarly, elephant populations in Kenya are generally on the increase. The population stands at about 33,000 today, and the population growth has been on average 5 percent nationally. Tsavo National Park, which has the largest elephant population in the country, has seen its elephant numbers increase from slightly over 5000 in 1989 to 11,696 in 2007. The joint mass of Tsavo East and Tsavo West National Parks forms one of the largest national parks in the world and covers a massive 4 per cent of Kenya's total land area. The smaller Meru National Park has seen an increase in elephant population from only about 250 in 1990 to 703 in 2005, according to the Kenya Wildlife Service.

Kenya outlawed hunting in 1977 because of corruption and abuse by both government officials and individuals from the hunting industry, resulting in virtually unregulated hunting that nearly decimated Kenya's wildlife. Since the ban, elephant populations and those of other species have rebounded dramatically. The prohibition on trophy hunting has been and continues to be an important component in the overall effort to conserve Kenya's amazing wildlife heritage. The major poaching threat to Kenya's wildlife these days comes from outside Kenya's borders, with heavily-armed, criminal gangs from Somalia and other neighboring countries infiltrating Kenya's famed parks and poaching elephant, rhino, and other species.

- (6) Does your organization support the CAMPFIRE and other similar programs in Africa? Do you agree or disagree that unless wildlife has an economic value, there is no incentive for local indigenous populations to effectively conserve their wildlife populations?**

IFAW believes that in order for indigenous populations to effectively conserve their wildlife populations over the long term, they must recognize the intrinsic value of each species and each individual animal. These intrinsic values go well beyond the short-term economic gains that may be derived from purely exploitative programs such as commercial or trophy hunting, which often serve only to reinforce the faulty notion that wildlife can be valued only in economic terms and perpetuate the destructive cycle of mass killing followed by either continued, slow decline or short term recovery and a new period of mass killing. Exploitative programs typically provide only nominal, short term economic benefits to local populations, and instead often exist for the benefit of foreign special interests with no real stake in the long-

term health and vibrancy of the indigenous communities. Hunting-based conservation programs like CAMPFIRE rarely accomplish long-term conservation goals, especially when they are reliant on foreign subsidies or highly-specialized foreign special interests like trophy hunting, and they can often exacerbate the overall declines in species populations and health. Lion hunting programs, for example, are thought to have contributed to the current crash in lion populations across Africa by creating a large market for trophy hunting programs in other in areas and countries besides those designed strictly for conservation purposes. Programs designed help local communities both recognize the intrinsic value of wildlife and maximize the long-term economic value of protecting individual animals and whole populations are better suited to support the overall cultural, economic, and spiritual values held by local communities. IFAW supports programs in Africa and around the world that share these values.

**(7) You discuss the urban demand for bushmeat in Africa and in cities outside Africa. Have there been any attempts to bring alternative domesticated meats to these African cities to reduce the demand on bushmeat?**

According to the Bushmeat Crisis Task Force ([www.bushmeat.org](http://www.bushmeat.org)), there have been attempts to bring alternative sources of protein to African cities. However, these sources can often be higher in price than bushmeat, which can be taken out of the local ecosystems for little or no cost to skilled hunters, or purchased by poor individuals at prices that are much lower than many farm-raised sources of protein. Thus, solutions to the bushmeat crisis must include ensuring that consumers have access to alternative protein sources that are both palatable and priced competitively with bushmeat. Unless people have economically viable alternatives they will continue, not surprisingly, to demand wildlife as an affordable and tasty source of meat.

Evidence suggests that many poor families initially consume more bushmeat as their incomes rise. Consumption only begins to drop when families become wealthy enough to switch to eating more expensive cultivated sources of protein. Bushmeat consumption, therefore, appears to follow an inverted U pattern with income. Thus, changes in livelihoods of rural and urban families will not necessarily decrease their consumption of bushmeat, depending on where they are on the income axis. Though people have eaten bushmeat on a subsistence basis for millennia, only recently has it become such an important source of income for so many people.

Also, much of the global bushmeat trade is fueled by an increasing demand for expensive “delicacies” instead of basic protein. More affluent urban communities in Africa and around the world are beginning to consider eating various types of rare or exotic bushmeat to be symbolic of their status within the community, much in the same way ordering fine wines or rare, expensive beluga caviar might be a symbolic of status. Far from the source and removed from the on-the-ground impacts of poaching and wildlife trafficking, affluent members of urban communities have little reason to change their behavior without both education and strict enforcement of wildlife trade laws.

**(8) For years the focus has been on law enforcement efforts to reduce the illegal trade of wildlife products. What actions can be taken to reduce the demand for these products?**

Education is best way to reduce the demand for wildlife products. Many consumers of wildlife products either don't know that their products come from endangered wildlife or don't know that some of the methods used to obtain those products are cruel or damaging to wildlife populations. For example, a survey conducted by IFAW in 1998 in China on the use of bear bile shows that 84 percent of the public would refuse products such as tonic or medicine containing bear bile if they knew the cruelty involved in obtaining it. IFAW is working to raise consumer awareness about impacts that the illegal wildlife trade has on conservation and animal welfare. Consumers of wildlife are at the core of wildlife trade, and expanding economies and increased purchasing power worldwide have resulted in increased demand for wildlife products. IFAW believes that once educated, consumers will reject wildlife products, resulting in a reduction in wildlife consumption as a hole and an increase in the number of voices advocating for wildlife protection.

For example, IFAW's recent Think Twice campaign targeted tourists flying in and out of the UK, the Netherlands and Germany on their way to South Africa and other African destinations and urged them not to buy ivory and other wildlife souvenirs during their trip. IFAW continues to promote the campaign to local media outlets, airlines, conservation organizations, and the travel industry, and to develop partnerships with key members of the worldwide travel industry such as PADI, the



world's largest Sport Divers Association. Think Twice also offers solutions that redirect money from tourists to a local souvenir economy (e.g. hand woven textiles, beaded work, ceramic and tile art) better representative of local cultures and customs. IFAW started a similar campaign just this year in Dubai.

In addition, the Internet is a rapidly expanding global marketplace for wildlife products. Its anonymity and unregulated nature provides an opportunity for criminal activities to thrive undetected. In support of its Internet campaign activities, IFAW offices, collectively and around the globe, routinely conduct "snapshot" surveys to assess the levels of illegal wildlife trade on the Internet. The results of these investigations continue to indicate that the illegal sales of wildlife via the web rising at an alarming rate.

Recognizing that eBay represents the largest online market for Internet sales of wildlife globally, IFAW is working with eBay representatives to advise them on how to best to be compliant with international wildlife trade law. In May, 2006, eBay Germany adopted stricter policies on ivory sales and adopted more stringent enforcement measures. In the first two weeks following the policy change, ivory offers dropped by over 98% on the eBay Germany site. An IFAW investigation in China brought the issue to the attention of the Chinese government, which subsequently banned all sales of ivory over the Internet. IFAW is now in negotiations with eBay in many other countries to develop and/or clarify their policies on wildlife trade and as a first step towards the global elimination of ivory on all eBay sites. This includes working with both Internet providers and Internet users to educate them about the impacts that their transactions in wildlife products could have on wildlife populations on the ground.

**(9) Is it even possible to make inroads on the cultural or religious foundations which drive the demand for some of these wildlife products? Do you have any examples of alternative products being used for cultural or religious purposes instead of the wildlife product?**

It is possible to reduce the demand for wildlife-based TCM, and it can be accomplished in a way that fully respects the religions foundations and cultural traditions of practitioners and users of traditional medicines. IFAW and many Traditional Chinese Medicine (TCM) practitioners, for example are in complete agreement in their preventative approach to pursuing health for both people and the planet. Traditional Chinese Medicine emphasizes the prevention of illness as much as its treatment, founded in the principle of achieving harmony, both within the body and with the external world. In fact, TCM practitioners around the world, represented by the World Society for Traditional Chinese Medicine, are voicing their concern about seeing the TCM reputation soiled by its contribution to biodiversity loss, animal suffering, and one of the largest international criminal activities—the illegal wildlife trade.

Western science and medicine have progressed to a point where they are capable of fulfilling most therapeutic needs of humans worldwide. Seeking to regain the balance offered by TCM, practitioners in China are now looking to combine science from Western medicine and experience from TCM. They have identified and are now using many equally effective alternative ingredients in place of the more expensive and difficult to obtain wildlife-based ingredients. The book "Mending the Web of Life" Chinese Medicine and Species Conservation" is the result of a collaboration between IFAW and TCM practitioners in the U.S. It provides a framework for TCM practitioners to incorporate conservation values into their profession, which includes using suitable replacement substances where the use of wildlife derivatives contributes to the destruction of the natural balance upon which TCM is based.

Although the demand for wildlife species from legitimate TCM practice has reduced, many unscrupulous businessmen and women from China are unfortunately still working to stoke demand, promoting non-essential, unlicensed and even counterfeit products and advertising false claims of the curative powers of wildlife species. The rarer and more exotic, the higher the price. For instance, products made with bear bile on the market in China include tea, power drinks, shampoo and toothpaste. To promote tiger-based products, the Chinese tiger farming industry is claiming falsely that these products cure insomnia, SARS and even leprosy. The result is a blatant deception that targets people's belief of curative powers of animals while exploiting a system without any regulatory checks on drug safety, truth in advertising or prevention of extinction or cruelty to animals.

**(10) Can you provide any substantive proof of a correlation between illegal wildlife trade and terrorism?**

Please see answer to question 4.

The CHAIRMAN. Thank you, gentlemen, for your testimony.

I am going to start out with a question for Mr. Hart, and if I leave during the response, please understand we have votes on the Floor of the House, but Ms. Bordallo will take over the Committee chair while you are responding to my questions. She probably will have questions of her own as well.

Mr. Hart, in your testimony you state that hunting and trade of bushmeat and ivory directly supports rogue military gangs and funds rebel activity in the Congo. Could you please elaborate on how these militant groups are profiting at the wildlife's expense and how they impact the quality of life for citizens in the Congo?

Mr. HART. Well, many of the militant groups are setting themselves up in wild areas, including national parks, where they are able to maintain their bases. Some of these are along Congo's border with Sudan, but even in the interior of the country, and they have in almost all cases access to arms and munitions through networks that link them to the national police and military hierarchy, sometimes directly benefitting them.

We have documented several cases, most recently in the Salonga National Park in Central DRC where after killing the elephants, some of these gangs actually turn on villages in the area and are becoming local terrorists within their own area.

In addition, what we have seen is that the key link to break here is the wildlife products, many of them are consumed nationally—some move out of Congo—is the beginning of a chain. These people are not themselves involved with further links up the chain and out of Congo, but many of them nevertheless have links with businessmen in Congo and in neighboring countries to move some of these products.

The result is then there is palpable recognition on the part of many local communities that this is undermining for them their traditional use of wildlife and their natural landscapes.

Ms. BORDALLO [presiding]. Thank you very much.

Mr. Clark, if you are wondering why I am not voting, I represent a territory. We only vote in committee, not on the Floor, and for amendments also.

I have another question for you, Mr. Clark. We have heard from other agencies that there have been multiple attempts to implement computerized systems tracking the illegal trade of wildlife.

Why do you think the Ecomessage will be successful, and do you know why the United States does not participate in the database, Ecomessage?

Mr. CLARK. Thank you, Madam Chair. I think the primary reason why Ecomessage has promise is the enthusiasm of the people behind it who are working on it.

We have improved it over the past three years so that the number of submissions to the Ecosystem process have quadrupled. That is substantial. We are working on a mechanism to make it more user friendly.

It is presently a little bit of exercise, administrative exercise, but the electronics age is catching up to us, or we are catching up to it, and there will be a lot of drop-down menus and it will be a lot easier and quicker to file an Ecomessage.

I have had discussions quite recently, and the United States is perhaps reconsidering its situation and likely will be participating more actively in the Ecomessage initiative. Thank you.

Ms. BORDALLO. Thank you, Mr. Clark, and thank you for the comments. It is good that we are working together and it may happen in the very near future.

I also have a couple of questions. In your testimony, you discuss a brutal battle between law enforcement officers and Somali warlords. Can you speak to the violence that wildlife law enforcement officers face on a regular basis?

And I understand that you have some personal stories that lend credence to the link between safety and stability and wildlife crime, so could you also share one of those with us, please?

Mr. CLARK. Yes, Madam Chair. With all due respect to my distinguished colleague from Safari Club International, I think it is not Kenya's hunting policy which is reflecting in the loss of wildlife in that country, but rather its proximity to borders of countries like Somalia and Sudan and other northeastern Horn of Africa countries where there are very heavily armed groups.

In the written testimony, you will find specifics on several. You asked for an example. One might be the recovery in Tsavo East National Park of a U.S. manufactured M-16 rifle that was supplied to Somalia during the regime of President Barre, legally supplied to the military there.

At that time, the president had a defense minister by the name of General Hirsi. He also happened to be his son-in-law. When Somalia collapsed, General Hirsi formed one of the warlord faction groups called Somali Front. He took part of the Somali army that was within his own plan and many of the weapons with him.

Those weapons are sometimes being recovered in Kenya national parks during engagements which result in the fatalities of Kenya Wildlife Service rangers. Large volumes of ammunition are also recovered. Thirty-seven KWS rangers have been killed in recent years, mostly in these confrontations with armed gangs coming from Somalia.

They are coming in for a reason—ivory and rhino horn. That is brought back to Somalia, which has no centralized government, consequently no customs agency to speak of or anything else to restrict its export from their ports. From there it goes out to—it is anybody's assumption. No records.

Thank you.

Ms. BORDALLO. Mr. Galster, you also spoke of violence with Somali warlords. Do you have anything to add to that?

Mr. GALSTER. Actually, I was focused on Southeast Asia, but I would just add that it is a similar situation there. I think globally, wildlife law enforcement officers are probably in more danger than their urban counterparts, maybe by virtue of the fact they are out in forested areas.

In Cambodia, for example, some rangers we have supported there in a place called Bokor National Park, which was featured on a CNN story also. Those rangers were attacked with grenades. They lived, but one of the pictures I showed up during my presentation was of another incident which the guy didn't live, so—

Ms. BORDALLO. Would you say, gentlemen, that this might be tied to terrorists, terrorist activities, or is it just something out there on its own?

Mr. GALSTER. I am not seeing terrorists poach or traffick in wildlife, but I wouldn't be surprised if they are now or in the future going to get attracted to it unless they have a policy of conservation, which some insurgent groups, you know, funny enough have had.

What we are seeing is opportunists, people who want to make quick money fast and recognizing that the agencies they are up against are badly armed and resourced, and it is pretty easy.

Ms. BORDALLO. Thank you very much.

Mr. Moritz from the Safari Club, it is my understanding that the Safari Club International Foundation has provided significant financial support to Interpol's program addressing illegal wildlife trade. Do you have plans to continue this effort?

Mr. MORITZ. We have been involved with Interpol for the last three years, I believe, and we are currently evaluating continued commitments to that. We are in our third year of support.

Ms. BORDALLO. So what you are saying is that you will continue?

Mr. MORITZ. We are currently evaluating how best to work on this critical issue of poaching and looking at several alternatives. I don't believe a final decision has been made for the next funding year.

Ms. BORDALLO. Thank you.

Mr. Pueschel, in your testimony you state that in the post 9-11 world, the illegal wildlife trade is no longer only a conservation issue. It is a national and global security issue.

Have terrorists increasingly been involved in wildlife trade? It is much like the other question that I asked the other gentleman.

Mr. PUESCHEL. Madam Chair, we refer to anecdotal information. We are an animal and wildlife organization and have to indeed accept the alerts that are coming from some official and some media sources, and our concern is that nobody currently is really looking at that issue in terms of the involvement or possible involvement of terrorist organizations. Obviously, there are reports about it, and we are not the right organization to do those kind of investigations, but governments like from the United States of America is.

We are here currently and really would like to encourage to put more attention to the whole arena of criminal organizations, organized crime and possibly terrorism to look into as the whole range of organizations and groups majorly interested in having unregistered, massive amounts of money to be used for further criminal activities on the cause of wildlife and on the cause of biodiversity.

Ms. BORDALLO. Thank you.

I do feel when money, large amounts of money, are involved with whatever reason, whether it is wildlife or whatever, there is a strong possibility that terrorists could be involved obtaining money for other purposes, so that is why I guess the Committee is interested in that question.

Mr. Galster, what has Wildlife Alliance been doing in Southeast Asia to urge consumers not to buy illegal wildlife? What more could the United States do in this area of consumer education?

Mr. GALSTER. We are working behind governments there, particularly the Government of Thailand, which has taken the lead to develop a wildlife law enforcement network, but parallel to those enforcement efforts, they have also come out as high as the prime minister level and made pronouncements to the public asking people to stop buying endangered species and, if they see somebody selling, to call the authorities. It is a very simple formula.

I think what the U.S. could do is recognize that it is one of the biggest consumers of wildlife in the world and approach China, which is clearly the biggest, and say look, we are both in the same corner here and having an effect on all the plant-animal species. Let us come out as superpower allies and do a campaign to reduce consumption and perhaps jointly go out and build capacity. I see that as the most efficient way for it.

If you want the State Department to focus on something, and I think they have done a great job, but they could scale up their efforts in a big way with your support, is to engage China in that kind of a superpower relationship.

If I may add, I know the T word is dominating a lot of policy and direction in Washington these days, but I really feel that the bigger and longer term threat here is that massive illegal wildlife trade, no matter who is driving it, is unraveling ecosystems, and that is the threat to this country and every other one in the world. Thanks.

Ms. BORDALLO. Thank you.

Do all the witnesses agree that this illegal wildlife trade is increasing? All right. Mr. Hart?

Mr. HART. Yes. Thank you. I agree that it is increasing. I just want to give one perspective from Central Africa that I think is pertinent.

We have been talking quite a bit about the movement of illegal trade out of producing countries and into a consuming public which is sometimes far away. We are finding in the Democratic Republic of Congo that there is a lot of illegal trade in bushmeat that is regional and within Africa and that that will take a different focus and a different attention.

In my written testimony, I mention the fact that we, and this was reiterated on President Bush's last visit, will be supporting the development and training of security forces in Africa, and I would like to reiterate again that it is very important that the bushmeat issue and illegal trade in wildlife be on the agenda for the trainers, just as human rights abuses are.

I think this is very important to start sensitizing political leaders in these countries to this problem. We found that there is the ability to develop political will, so we have to, in addition to taking the really broad international perspective, we have to recognize there are regional perspectives that are important to develop as well.

Ms. BORDALLO. That is an excellent point. Thank you very much.

Mr. Clark, did you have a comment to make? Please.

Mr. CLARK. Very briefly. Two points that the United States might consider that hadn't come to my mind, diplomatic initiatives the U.S. might take.

One is to focus on the problem of safe havens. Many of these wildlife criminals, the big ones, sit in safe havens—for example,

Taiwan—where there is no extradition because there is no diplomatic relations.

The U.S. could use its diplomatic clout to speak in a friendly manner to suggest that perhaps Taiwan can go after these people on financial crimes bases—money laundering, importing more than \$10,000 at a go and various other financial crimes.

These are the people who are moving large volumes of ivory. One fellow sitting there moved more than 50 tons. Pardon me. He moved more than 83 tons of ivory. This might be a useful U.S. initiative.

The second is penalties. Many of America's partners have disappointingly low penalties for major violations of wildlife law. One example that comes to mind immediately is in Japan, where three tons of ivory was recently illegally imported. The fellow was caught. He was convicted. He was given a suspended sentence and a small fine.

Had that same violation occurred here in the United States, Federal sentencing guidelines would have said 46 to 78 months in Federal prison. There is a big disparity there.

When someone has a consignment of three tons, mostly raw ivory, that suggests something very important—large organized crime participation—because you cannot take three tons of ivory and go out on the street and sell it. That means there are factories there. That means there are distributors, marketing, retail, an entire organization. That is organized crime.

If the penalties for supplying that organization are so meaningless, there is no deterrence and the price of that will be not only more poaching, but a lot of fatalities in Africa. More than 100 rangers are killed every year.

Ms. BORDALLO. Really.

Mr. CLARK. There are widows, orphaned children, and the consequent criminality of corruption and fraud and all of the rest of it comes part and parcel. It is not just a bit of contraband wildlife products on someone's table. It is part of a much broader perspective.

Thank you.

Ms. BORDALLO. Thank you very much, Mr. Clark.

These closing remarks from our witnesses are all good points that will be shared with our Chairman, Chairman Rahall, and he will be made aware of this.

I want to thank all of you. We have heard from Mr. Steven Galster, the Director of Field Operations, Wildlife Alliance, Thailand; Mr. John A. Hart, Scientific Director of the Tshuapa-Lomami-Lualaba Project in Congo; Mr. William Clark, the Illegal Wildlife Trade Expert; Dr. William E. Moritz, the Director of Conservation and Acting Director of Governmental Affairs, the Safari Club International Foundation of the United States; and Mr. Peter Pueschel, Illegal Wildlife Trade Program Director, International Fund for Animal Welfare, Germany.

We certainly appreciate your being here with us today to share all your expertise in your various fields.

Members may have additional questions which will be sent to you in writing. The hearing record will remain open for an additional 10 business days to enter any additional materials.

If there is no further business, the hearing of the Committee on Natural Resources is adjourned.

[Whereupon, at 12:13 p.m., the Committee was adjourned.]

[Additional material submitted for the record follows:]

[A statement submitted for the record by Peter T. Jenkins, Director of International Conservation, Defenders of Wildlife, follows:]

**Statement submitted for the record by Peter T. Jenkins, Director of International Conservation, Defenders of Wildlife**

Mr. Chairman and Members of the Committee, on behalf of Defenders of Wildlife, I am pleased to have the opportunity to submit this statement for the record of today's oversight hearing on "Poaching American Security: Impacts of Illegal Wildlife Trade." Founded in 1947, Defenders of Wildlife has over 1 million members and supporters across the nation and is dedicated to the protection and restoration of native animals and plants in their natural communities.

Defenders of Wildlife commends Chairman Rahall and the Committee on Natural Resources for drawing attention to the critical issue of the illegal trade in wildlife and the impacts this trade may have on international and national security and stability. The illegal wildlife trade is estimated to be worth more than \$10 billion annually. According to Interpol, illegal wildlife trade ranks third in criminal revenue behind the illegal trade in drugs and arms. Many of the species exploited in this illegal trade are already suffering from habitat loss, pollution, global warming, and other factors. Add to these threats the further pressure of unsustainable exploitation, in particular to supply the illegal markets in wildlife and wildlife products, and the result is many species being driven to the brink of extinction. Some of the wildlife most affected by illegal trade includes elephants and rhinoceroses, the Tibetan antelope, bears, tigers, primates, parrots, sea turtles, corals, sturgeon, and rare hardwood trees and ornamental plants. The decimation of wildlife through illegal trade has severe implications not just for biodiversity and ecosystem health, but also for the economic stability of countries that depend on wildlife as a source of revenue and protein.

In addition to the concerns outlined above, new evidence suggests illegal trade in wildlife has become even harder to combat. According to Traffic International and other sources quoted in the recent Newsweek article, "Extinction Trade," (in issue dated March 10, 2008), illegal wildlife trade has changed from the type of crime committed by small, unorganized groups of individuals to one involving large, sophisticated syndicates that also engage in various other illegal endeavors, including supporting militia activities. As such, illegal wildlife trade may play a critical role in financing activities that threaten national and international security and stability. The illegal trade in drugs and arms has already received considerable attention as a funding mechanism for other illegal activities, such as terrorism. In contrast, illegal trade in wildlife, which can follow the same trade routes and involve some of the same criminals, has received relatively little attention for its potential to proliferate other crimes and security threats.

Illegal wildlife trade may also pose threats to national and international security by introducing harmful invasive species or emerging infectious diseases. As demonstrated in a 2007 report by Defenders of Wildlife, *Broken Screens: the Regulation of Live Animal Imports in the United States*, even the legal and intentional trade in wildlife poses severe risks to our nation's ecosystems and to human, wildlife and domestic animal health. Further, illegal shipments of some wildlife products, such as bushmeat, pose new health risks requiring urgent attention.

Within the United States, we rely upon the Fish and Wildlife Service's Office of Law Enforcement (OLE) to investigate unlawful exploitation of wildlife resources, to inspect wildlife imports, and to collaborate with other agencies on both the international and domestic levels to promote effective law enforcement. Although the OLE has achieved important successes, including reducing illegal harvest and trade in caviar, it is severely understaffed to meet the rapidly growing enforcement and inspection tasks it faces. Inadequate budgets and low special agent numbers have damaged OLE's ability to conduct the relatively cost-intensive, but nevertheless vital, undercover sting operations needed to break up wildlife smuggling rings. In recent years, the number of special agents has been reduced from a high of 238 in 2002 to less than 200, and an additional 20 to 25 are expected to leave for retirement in the coming year. The number of wildlife inspection officers is even lower,

with only 112 staff members at the end of FY 2006. With this few inspectors, the OLE is unable to visually inspect all shipments of wildlife and wildlife products that cross U.S. borders. On average, the proportion of shipments inspected ranges from approximately one-quarter of fish shipments to approximately two-thirds of bird shipments. The number of wildlife inspectors is inadequate to face the challenge of enforcing compliance with federal wildlife laws and international treaties to which the United States is a party, such as the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).

Congress appropriated \$59.6 million for the OLE in FY 2008. While a modest increase, this level still is insufficient to meet the growing threats of the illegal wildlife trade; moreover, the Administration proposed a \$2.3 million decrease in its FY 2009 budget, which would reverse the FY 2008 increase. Defenders of Wildlife recommends an increase for FY 2009 of at least \$9.9 million to hire and train additional special agents, port inspectors, and scientists for the forensics laboratory, and to ensure full funding of fixed costs. In addition, Defenders of Wildlife recommends increased funding for the Fish and Wildlife Service to engage in international law enforcement capacity building. Better international coordination is crucial in the effort to reduce the illegal trade and prevent the decimation of wildlife species. Ecosystem and economic health are at stake, particularly in developing countries.

Defenders of Wildlife recommends further investigation of the links between illegal wildlife trade and national and global security, including its role in the financing of terrorism. A multi-agency task force should be established to share information to effectively address the impacts of this illegal trade on our national and global security in a coordinated, proactive and preventative manner.

Illegal trade in wildlife is a threat to the planet's biological diversity and ecological integrity. It is also a potential threat to our nation's security and to global security. Thank you, Mister Chairman, for holding today's hearing on this critical issue and for the opportunity to submit this statement for the hearing record. Defenders of Wildlife stands ready to assist you in crafting solutions to address this growing threat. If you or other members of the Committee have any questions, please contact me at 202-772-0293 or [pjenkins@defenders.org](mailto:pjenkins@defenders.org).

