

**WRITTEN TESTIMONY OF
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**OVERSIGHT HEARING ON THE
CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)**

**BEFORE THE
COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON FISHERIES, WILDLIFE AND OCEANS
U.S. HOUSE OF REPRESENTATIVES**

MAY 3, 2007

Chairwoman Bordallo, Ranking Member Brown and Committee Members, my name is Michael Wamithi and I am the International Fund for Animal Welfare's (IFAW) Elephant Program Manager. IFAW is a non-profit organization with offices in sixteen countries around the world. We work to improve the welfare of wild and domestic animals throughout the world by reducing the commercial exploitation of animals, protecting wildlife habitats, and assisting animals in distress. Thank you for the opportunity to testify before you today on the upcoming Fourteenth Meeting of the Conference of the Parties to CITES (CoP14) and the proposals affecting elephants.

I have traveled from my home in Nairobi, Kenya to be with you today because of the importance of the issue at hand... namely the devastating impact ivory trade has on elephant conservation efforts. As a former CEO and Director of the Kenya Wildlife Service (KWS), I worked for 22 years on the ground with the KWS and then IFAW. I have witnessed the senseless slaughter of elephants, the violence of poachers, and the dwindling of the herds in my home country. I have dedicated my career to conserving these magnificent creatures.

I. IFAWS Global Work to Protect and Conserve Elephants on the Ground

IFAW realizes that it is vital to work with local people to make elephant conservation within elephant range states a reality. Without the support of surrounding communities, true progress is undoubtedly thwarted. The elephant habitat within my home country, Tsavo National Park (NP), which is the largest park in Kenya and the second largest in all of Africa (Kruger National Park is the first), has recently become a prime focus for IFAW's elephant work. Poaching has become convenient and consistent, in part due to the proximity to the Somali border, posing a real threat to many wildlife populations. After years of human encroachment and habitat degradation, along with the more recent threats of bushmeat trading, the environment and the wildlife, namely the African Elephant, have suffered. In response to this critical situation, IFAW has partnered with the KWS and is dedicating both time and money to a major restoration and enhancement project at Tsavo NP.

IFAW previously partnered with the KWS between the years of 2000 and 2005 to rebuild Meru National Park. Meru national park is one of the conservation units under the greater Meru conservation area consisting of an area of 5,278 square kilometers, arguably Kenya's most unique complete ecosystems. Meru park itself is 870 square kilometers and is the home of Elsa, the lioness of the Born Free fame. In 1999, KWS and IFAW initiated efforts to re-establish efficient

park management, protect wildlife, enhance biodiversity and work with communities to resolve human-wildlife conflict, through a joint five-year project that received \$1.25 million USD from IFAW. As a result, Meru has experienced a drastic reduction in poaching, improved park resources, and increased frequency of wildlife sightings. IFAW is working to replicate this success with its Tsavo NP project. From 1973 to 1989, the population of elephants at Tsavo dropped from 45,000 to 5,063. Since the early 1990 when the worldwide ban on ivory trade came into effect by CITES, the number of elephants has steadily increased, reaching 10,000+ in 2005. Elephants continue to face threats and remain under great distress due mainly to poaching and human settlement. As elephants are gradually pushed out of their natural environments, they are forced into more compact areas, greatly limiting food sources, and in turn, prompting Human-Elephant Conflict (HEC). Urgent action is necessary to conserve and secure viable habitats for elephants within Tsavo. Anti-poaching patrols and park security, high priorities for both the elephants and Tsavo in general, are currently being addressed by IFAW and KWS. Specifically, over the next five years, IFAW expects to donate over one million dollars to restoring the viability of Tsavo NP. Meanwhile, through community conservation education, future generations will be galvanized to steer ecologically sound and humane courses themselves.

IFAW is also working throughout other parts of Africa and Asia to fight poaching and rebuild important elephant habitats. Between March 2005 and August 2006, over 26 tons of elephant ivory was seized worldwide, the highest ever in such a period since the 1989 CITES ban went into effect. IFAW is all too aware that elephants within nations of political unrest, such as those of Central Africa, bear the brunt of much of this slaughter. As these countries struggle to protect their human populations, resources for animal protection are slim and that's why IFAW has been so committed to elephant conservation in Africa.

In Uganda IFAW has assisted the Queen Elizabeth National Park (QENP) since 1987 when the number of elephants was less than 150. The Park is located on the South Western part of Uganda around Lakes Edward and George and is a natural sanctuary of common mammals and home to an exceptional variety of bird life. In the late 1980's IFAW shipped six anti-poaching patrol trucks to the Park and over the years has provided operational funds to enhance security, improve communication systems, buy equipment and address human-wildlife conflicts. We have also contributed to community conservation and educational efforts. This year, IFAW has supported QENP with a grant of USD \$60,000 which will be used to improve the communication system, address conflicts that arise due to human-wildlife conflicts, build capacity of law enforcement staff and implement a fire management plan. I am pleased to report that today, wildlife within QENP has experienced a miraculous recovery and the elephant population has recovered to 1,200. Although the park still relies on our assistance for anti-poaching and upkeep efforts, the Park is now considered Uganda's finest.

In Kidepo National Park, located in northeastern Uganda, IFAW has assisted the Park for several years by providing much-needed funding to maintain the Park's road system and to build the capacity of Park security teams. IFAW has also helped with the establishment of security surveillance posts and the procurement of camping and field equipment. We have provided more than USD \$100,000 to the Park, which because of its location---near the unstable boundaries of Kenya and Sudan---law enforcement work is extremely difficult. In Chad, IFAW has allocated funds for elephant protection in Zakouma National Park through the Department of Wildlife Conservation and Protected Areas. This support included park ranger law enforcement training, the purchase of equipment, horses, and materials, as well as animal feed and healthcare.

IFAW's African Elephant work extends to South Africa as well. Specifically, IFAW is working with the University of Pretoria on the mega-parks for meta-populations concept, which will allow elephants more free space to forage, by creating trans-boundary wildlife areas. By having such space dedicated to wildlife, opportunities for human conflict with wildlife will be diminished.

In addition to its work in Africa, IFAW is also taking the lead with our partner organization in India, Wildlife Trust of India, and working to identify and secure wildlife corridors throughout the country. Asian elephants need secure and viable corridors so they can safely migrate. IFAW and the Wildlife Trust of India produced *Rights of Passage: Elephant Corridors of India*, a book of identified corridors, maps and policy recommendations – accepted by every state in India – that can be used to source the funds needed to acquire vital sections of habitat. In addition, IFAW funding secured India's first corridor purchase between the Biligiri Rangaswami Temple Wildlife Sanctuary and the Ramapuram Forest Range.

IFAW's Asian Elephant Project in the village of Simao in China's Yunnan Province combined environmental protection and innovative micro-credit loans that improved the local economy, trained villagers in loan management and farming techniques, and raised awareness of the need for wildlife protection. Farmers adopted alternative farming methods that increased their income and their ability to withstand damage caused by elephants. And they also volunteered to protect elephant habitat, resulting in a win-win outcome for humans and elephants. The project, which received generous funding from the U.S. Multinational Species Conservation Fund, has been so successful that the concept is now part of China's national elephant conservation action plan.

IFAW also took a leading role in putting together a major workshop in Xishuanbanna aimed at evaluating the Asian Elephant Protection. Scientists from the zoological institute of the Chinese Academy of Science, State Forestry Administration officials, and enforcement officers from Yunnan Forestry Department all participated. The workshop assessed the achievements in environmental education, elephant population monitoring, individual elephant identification, and behavior study.

Finally, IFAW has funded anti-poaching patrols in Shangyong, Mengla, and Mengyang Sub-reserves, where 35 enforcement officers and rangers from the XNRR Management Bureau and Forestry Police Bureau were involved. The illegal trade in ivory has fueled a global poaching epidemic.

II. IFAW's Positions on CITES African Elephant Proposals and Documents

Document 53.1 Trade in Elephant Specimens (The Secretariat)

The Secretariat conducted missions to China and Japan to investigate their legislative and domestic ivory trade controls. At the Standing Committee (SC) 54 in October 2006, Japan was designated a "trading partner", although a number of serious problems with Japan's ivory trade controls were raised by Parties leading the Standing Committee (SC) to request the Secretariat to provide an update at SC55 and "bring to the attention of the Committee any reason for reviewing Japan as a trading partner". The Secretariat has indicated (in Doc. 53.1) that it will submit an updated report concerning Japan at SC55 and hopes to make a recommendation regarding China's position as a "trading partner".

Unfortunately Japan has major enforcement problems with its ivory market as illustrated by a seizure of 2.8 tons of ivory in August 2006, which the Japanese government did not inform the SC54 members until October 2006. In the Secretariat's report to the CITES Standing Committee (SC54 Doc 21.6 (Rev. 1)) it is claimed that Japan is "no longer a significant destination" for illegal ivory and that there seems to be a diminishing interest in ivory in Japan. So why is the largest seizure of illegal ivory in Japan's history conducted at a time of diminished interest? 2.8 tons of ivory is enough to make approximately 80,000 *hankos*, or about 40% of Japan's annual consumption. One consignment alone carrying 40% of an annual consumption is a very alarming indicator that the Japanese domestic ivory market has serious problems.

The seizure was made in August, 2006 but it was not reported until October, 2006 -- AFTER the CITES Standing Committee had agreed Japan should be accepted as a "trading partner" for legal ivory. The CITES Standing Committee could not make an "informed decision." Based on new information, the Standing Committee should insist that Japan explain why it had not reported the seizure at the October, 2006 meeting. The Standing Committee should also reconsider Japan's status as an acceptable trading partner for legal ivory.

Through in-country investigations, IFAW has gathered evidence demonstrating that neither Japan nor China have sufficient trade controls to prevent illegal ivory entering the legal market and should not be designated "trading partners". Illegal imports into China and Japan continue and loopholes in regulations persist. Moreover, SC members were unaware at the time of their decision of the seizure of 3,000 kg of smuggled ivory that had taken place in Osaka, Japan in August 2006. Given the issues at stake, IFAW believes that designation of potential "trading partners" should not be decided at SC55 but at the full Conference, where all range States will be present and able, if necessary, to vote.

During its mission in December 2006, the Secretariat found a "degree of complacency" in the implementation of controls and made suggestions for improvement, but found no evidence of corruption or that ivory of illicit origin was entering Zimbabwe's domestic markets. They conclude that the control systems in Zimbabwe are basically sound, and that no additional measures need be taken at CoP14 in relation to Zimbabwe's ivory trade.

On the basis of findings during an investigation in Zimbabwe in September and October 2006, IFAW disagrees with the Secretariat and urges the CoP to direct the Standing Committee to further assess the situation in Zimbabwe and consider a suspension of CITES trade and/or advocate a transfer of Zimbabwe's elephant population to Appendix I (as provided in RC 11.21 (Rev. COP13) and 9.24 (Rev. COP13)).

In an attempt to improve domestic ivory markets, CoP13 adopted an Action Plan prohibiting unregulated domestic sales of ivory in all African range States (except Zimbabwe and Namibia), and monitoring domestic ivory markets outside Africa. Trade sanctions can be recommended by the Secretariat where Parties or non-Parties are found not to implement the Action Plan or where ivory is found to be illegally sold.

Unfortunately widespread disappointment has been expressed at the lack of implementation of the Action Plan, although in Doc. 53.1, the Secretariat fails to recommend any trade sanctions. Normally, the SC addresses non-compliance; it is unusual for the Secretariat to be given this role. IFAW recommends that the SC would better fulfil this role. IFAW also advocates updating the Action Plan and expanding it to all countries with unregulated ivory markets.

Proposal 14.4 (Botswana and Namibia)

The Botswana and Namibia Proposal 14.4 would effectively allow unlimited commercial trade in raw ivory for themselves as well as South Africa and Zimbabwe, to countries certified as “trading partners” by the Secretariat in consultation with the Standing Committee. The proposal also seeks to change the basis for the Appendix II listing of their elephant populations so that elephants are not considered potentially threatened by trade. IFAW opposes this proposal.

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Proposal 14.5 (Botswana)

In its Proposal 14.5, Botswana is seeking annual export quotas for trade in registered stocks of raw ivory (whole tusks and pieces of up to 8 tonnes) and a one-off sale of whole tusks and pieces (up to 40 tonnes) for commercial purposes. In addition, the proposal would amend the annotation regarding Botswana’s population of *Loxodonta africana* to allow trade in hides, leather goods and live animals for commercial purposes, and hunting trophies for non-commercial purposes. **IFAW urges the U.S. to oppose Botswana’s proposal.**

Proposal 14.6 (Kenya and Mali) and Document 53.4 (Kenya and Mali)

Proposal 14.6 by Kenya and Mali seeks a 20-year moratorium on all trade in raw or worked ivory except for non-commercial hunting trophies and (in the case of Botswana, Namibia and South Africa) ivory exports pursuant to the one-off sale of up to 60 tonnes agreed at CoP12. It further seeks to close loopholes allowing Zimbabwe to trade in worked ivory and Namibia to trade in *ekipas* for non-commercial purposes.

Proposal 14.6 is supported by Document 53.4, submitted by Kenya and Mali and which is supported by Ghana and Togo. Doc. 53.4 recommends a 20-year moratorium on ivory trade and urges Parties whose elephant populations are on Appendix I not to submit down listing proposals during the proposed 20-year moratorium. It also proposes amendments to Resolution Conf. 10.10 (Rev. CoP12) to prohibit domestic sales of ivory in all Parties not certified as ivory importing countries unless the ivory can be proved legally acquired; to strengthen trade controls and enforcement; and to urge Parties designated as ivory importing countries to financially support verification and on-site missions. **IFAW strongly urges the U.S. to support Kenya and Mali’s proposal to restrict ivory trade.**

III. Impact of Lifting the Trade Ban of Ivory and Hides

In 1989, CITES Parties listed the African elephant on Appendix I, effectively prohibiting all international trade in elephants or their derivatives, including ivory. This resulted in a dramatic decline in poaching in the majority of range states and the stabilization of elephant populations in many areas.

In 1997, CITES approved a fateful down listing of African elephant populations in Botswana, Namibia and Zimbabwe and a conditional one-off sale of 50 tonnes of ivory from government stockpiles, exported to Japan in 1999. Then in 2002, CITES conditionally approved

another one-time sale of 60 tonnes of ivory from Botswana, Namibia and South Africa government stocks. This one-off sale has not yet taken place, as the conditions required for approval of importing countries have not been met, nor has the Monitoring of Illegal Killing of Elephants (MIKE) system submitted the required baseline data.

MIKE and the Elephant Trade Information System (ETIS) were intended to provide data to establish sufficient understanding of the relationship between CITES decisions on ivory trade and trends in illegal trade and poaching, but neither mechanism has been able to do this. IFAW believes that these approved sales increase market demand for ivory, re-invigorate manufacturing of ivory products and increase illegal killing of both Asian and African elephants. Furthermore, the re-opening of any market in ivory serves to reduce elephant protection under CITES in general, as it confuses consumers, traders and even poachers who think that ivory trade is legal once again. It also impacts detrimentally on already depleted and fragmented elephant populations in other countries across Africa and Asia, forcing those range states to divert scarce resources in an attempt to secure their elephants. Finally, any reopening of trade in ivory encourages more range states to clamor for permanent down listing of their elephant populations and to ask for more trade through one-off sales and quotas.

The global nature of the illegal ivory trade has placed the survival of certain populations of both African and Asian elephants in a precarious state. Since before CoP12, there has been a steady stream of illegal elephant ivory being smuggled out of Africa. Of particular significance is the June 2002 Singapore seizure of 6.5 tonnes of ivory, the largest seizure of contraband ivory since elephants were listed on Appendix I in 1989. Indeed, seizures of ivory since CoP13 have reached alarming proportions and prices for ivory have increased significantly in several importing countries. Between August 2005 and 2006, the illegal trade in ivory peaked, with the amount seized representing well over 2300 elephants, most of which were African.

The enormity of these seizure quantities provides evidence that there is an elaborate network in the Far East, capable of absorbing millions of dollars worth of ivory in a single delivery. No smuggler would take such a financial risk unless he had a high level of confidence of the existence of facilities able to absorb, manufacture and distribute his contraband, and a market in which to sell it.

Meanwhile, the seizure rate for elephant ivory has quadrupled during the past two years. This intensified trade is motivated by dramatic increases in the prices paid for elephant ivory in the Far East, now up to \$750 per kilogram for quality pieces (up from \$200 per kilo just two years ago). IFAW maintains that illegal ivory markets in the Far East provide a major incentive for elephant poaching. Unless these markets are closed and brought under control, the African and the Asian elephant in many parts of their range will continue to be targeted by poachers.

In addition to the threat of the ivory trade, elephant populations also face extreme pressure from manmade fragmentation and manipulation of their natural habitat. For example, while South Africa's elephant population stands around 17,000 (confined to just 2% of the country's total range), Senegal has just one confirmed elephant left in the wild. But rather than reward individual range states, which have fenced their elephant populations into unnaturally delineated habitats and provided artificial water supplies to increase local densities, all range states must work together to protect all elephant populations across all their range by establishing consistent and effective conservation policies. Until this is done, any trade in ivory will continue to impact adversely elephants and elephant conservation programs in all range states across Africa and Asia.

Examples of poaching incidents/illegal seizures since CoP13 include:

- December 2004: 800 kg seized in Vietnam. Country of origin: Tanzania
- March 2005: 261 kg seized in the Philippines. Country of origin: Zambia
- April 2005: 500 kg seized in Ethiopia. Country of origin: Unknown
- May 2005: 503 kg seized in Hong Kong. Country of origin: Tanzania
- July 2005: 1,000 kg seized in Zimbabwe (10 tusks from government stockpile). Country of origin: Zimbabwe
- August 2005: 253 kg seized in Congo. Country of origin: Unknown
- September 2005: 6,000 kg seized in the Philippines. Country of origin: Zambia
- September 2005: 91 tusks seized in Cameroon. Country of origin: Republic of Congo
- September 2005: 286 kg seized in the Philippines. Country of origin: Kenya
- September 2005: 472 kg seized in the Philippines. Country of origin: Uganda
- April 2006: 185 kg seized in Kenya. Country of origin: Kenya
- May 2006: 7,000 kg reportedly seized in Zimbabwe (believed destined for China). Country of origin: Zimbabwe (3,000 or 5,000 kg believed to be from government stockpile)
- May 2006: 3,900 kg seized in Hong Kong SAR. Country of origin: Cameroon
- May 2006: 1,800 kg seized in China. Country of transit: Macao (origin unknown)
- July 2006: 2,158 kg seized in Taiwan. Country of origin: Tanzania
- July 2006: 3,060 kg seized in Taiwan. Country of origin: Tanzania
- August 2006: 3,000 kg seized in Japan (Osaka). Country of transit: Indonesia (origin unknown)

IFAW urges the U.S. to support the Kenya/Mali proposal and reject the Botswana/Namibia and Botswana proposals. First and foremost, an ivory trade moratorium would suppress demand for ivory and provide countries in the region with the necessary time to tighten up enforcement and bring illegal ivory trade and domestic markets under control. In addition, it would enable parties to develop baseline data on the illegal killing of elephants, which has been prevented because of the one-off sales and other legal trade in ivory. Moreover, it would give countries the opportunity to monitor the impacts of poaching and illegal trade of the ivory permitted to be sold at CoP12 once the agreed conditions are met.

In our view, no trade in ivory, whether as a new one-off sale or annual quota, should be allowed while levels of illegal trade and poaching remain such serious threats to elephants across Africa and Asia, especially considering the escalation that has occurred since 2004 and while domestic ivory markets in many countries remain unregulated. Controls in exporting and importing countries are not sufficient track the flow of ivory across borders and prevent illegal ivory from being laundered into the system. Enforcement capacity in many range states is already overstressed, underfinanced and inadequate to protect elephant populations from increased poaching threats. An ivory trade moratorium would provide Parties with the necessary time to tighten up enforcement on illegal international trade and illegal ivory in domestic markets.

At the same time, the moratorium would enable Parties to effectively monitor the impact that the one-off sale on poaching has on the illegal trade, and it would allow the development of real baseline data on the illegal killing of elephants, which has not yet been possible given that certain amounts of trade have been allowed. Although some range states experience relatively low levels of poaching, Parties should take into account the effects of legalized ivory trade in one country on other countries' elephant populations, particularly those small, fragmented populations in West and Central Africa and Asia.

On the other hand, the Botswana/Namibia proposal for unlimited commercial trade in raw ivory and live animals from certain range states is provocative, especially as the conditions regarding the stockpile sales agreed at CoP12 have not been met. Numerous reports of poaching and illegal ivory trade in Zimbabwe call into question the population size claimed and the ability of Zimbabwe to control trade. Ivory trading nations have not managed to deliver evidence that decisions in 1997 and 2002 to allow one-off stockpile sales have not increased poaching.

Kenya and Mali must be supported in their efforts to provide Parties with the necessary time to increase enforcement capacities, to monitor the effect on illegal trade of a long break in legal trade, as well as to close loopholes allowing trade in worked ivory from Zimbabwe and *ekipas* from Namibia. Kenya and Mali should be supported in their attempt to tighten mechanisms to control internal markets and to ensure that the Action Plan to eliminate the large-scale, unregulated domestic ivory markets that provide cover for the laundering of illegal ivory products is implemented.

Finally, IFAW believes that the moratorium will also change the focus of the debate from trade-centric to one in which the real threats to elephants, their habitats and people's livelihoods are seriously considered in the light of ongoing challenges and opportunities for their harmonious coexistence.

IFAW is convinced that a moratorium on ivory trade as proposed is the right approach because, among other things, it would:

- **give elephants the time to recover.** The total population of African elephants only represents between 10-20% of that in the 1930s and 40s. Ivory trade is the major cause of its decline. "It would take heavily poached populations 20-30 years to recover"¹,
- **suppress demand.** Rather than maintaining a demand through one-off sales of ivory stockpiles, it would reduce demand by sending out a clear message that international trade is banned,
- **simplify enforcement.** The existence of both an illegal and a legal ivory market renders effective enforcement very difficult and costly. This presents a particular problem for developing countries with limited resources, especially elephant range states. The existence of 'legal' ivory fuels poaching and illegal international trade; even countries like Japan or China have not been able to bring the laundering of illegal ivory under control,
- **free up considerable time for other issues in CITES.** A large number of other species are also threatened by international trade. Agreeing on a 20-year moratorium on ivory trade would remove this issue from the agenda for a considerable period of time. The Convention's limited resources could then be better spent focusing on other issues and assisting with solving enforcement problems in the field.

As Director of IFAW's elephant programs, I am all too familiar with the tragedies and victims of poaching. I have seen too many gruesome sights of slaughtered elephants and their bloody bodies and can only imagine the pain and horror these animals went through. So too I

¹ Oryx 1989

have seen the other victims, the babies whose mothers have been slaughtered for their ivory. This is a very sad sight and we at IFAW make special efforts to try and reunite orphaned elephants with their families.

IV. Internet Trade in Endangered Species

There is another proposal at the Conference of the Parties that will also have a tremendous impact on elephant conservation. Germany, on behalf of the European Union, has proposed that the CITES Secretariat step up its work to stem the illegal trade of endangered wildlife over the internet. A huge portion of the illegal items traded over the internet is ivory products and thus the impact of internet sales is most definitely felt on the ground in elephant country. It fuels the terrible poaching and illegal trade I have discussed in detail above. Eventually much of the illegal ivory is manufactured and then sold to unsuspecting customers via the internet. The very nature of the Internet is anonymous and for the most part untraceable, providing anyone with increased opportunities for illegal or unscrupulous conduct. Wildlife crime, estimated to be worth billions of U.S. dollars annually, is one of the most lucrative of these criminal activities, second only to the drug trade and arms trafficking.

The 2005 IFAW report, *Caught in the web: wildlife trade on the Internet*, revealed the findings of an intensive United Kingdom investigation in this online trade. IFAW was astonished to find more than 9,000 wild animals and animal products for sale in just one week.² This figure was all the more alarming since the survey was conducted solely on UK-based Internet sites and restricted to trade in just five categories of endangered species: live primates, elephant products, turtle and tortoiseshell products, other reptile products and those from wild cats. Clearly, we were seeing the tip of an enormous iceberg. A follow-up study investigating the trade in wildlife via eBay sites in eight countries, conducted in February 2007, revealed an alarming level of trade in ivory items. Of those items we investigated, more than 90 per cent were in breach of the (minimal) stated ivory listing regulations of the respective eBay websites.

The Internet is widely recognized as one of the preferred methods 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 authorities. This trade has devastating implications for both wildlife conservation and animal welfare, as whole species become vulnerable to extinction by exploitation on a global scale. As demand for wildlife products increases, traders are encouraged to fill the market with endangered wildlife by any means necessary.

The implications of Internet trade in wildlife reverberate beyond national and regional borders. Despite recognition of the problems associated with wildlife trade on the Internet by international enforcement agencies, governments, non-governmental organizations (NGOs) and the general public, current enforcement schemes have proven insufficient in dealing with the scale of the problem. Further, contemporary international law has fallen behind in its consideration of commercial Internet activity.

Therefore, IFAW urges the U.S. to strongly support and strengthen this proposal, which is contained in Document 28 on the CITES agenda. Several studies, including those undertaken by IFAW, have shown that the volume of legal and illegal wildlife trade on the Internet is increasing drastically. The nature of the Internet allows traders to operate anonymously and to circumvent national and international laws. IFAW believes that the situation calls for the

² IFAW, July 200, see: www.caughtintheweb.co.uk

establishment of a global enforcement task force to address the matter immediately. But even the proposed Workshop would bring together a wide range of experts including governments, enforcement agencies, Internet service providers and NGOs, to assess the extent of the problem and develop mechanisms to deal with it effectively.

I would like to address three more issues of special concern to IFAW – those are proposals relating to tiger conservation, a proposal by Japan regarding scientific review of the classification of whales, and CITES and livelihoods.

V. Tigers

There are many proposals pending at this CoP that will have a major impact on tigers, one of the most critically endangered and charismatic species on the planet. I know that other panelists will cover this topic in greater depth today. I merely would like to say, that from IFAW's perspective, tiger conservation proposals at CITES carry the same urgency as elephant conservation proposals. IFAW urges the U.S. to strengthen and enforce existing regulations and resolutions to ensure that tiger trade is stopped through consistent, intelligence-driven law enforcement, increased public awareness efforts and continued prohibitions – international and domestic – on *all* trade in tiger products from *all* (including captive-bred) sources.

IFAW likewise urges the U.S. to reject any attempt by any range or consumer State to farm tigers for commercial purposes. Farmed tigers have no conservation value and trade in their body parts will only create opportunities for laundering of parts from wild tigers. Farming a tiger for the market can be 250 times more expensive than poaching a tiger from the wild. This high profit margin will stimulate market demand, create law enforcement difficulties, cause more poaching, and eventually wipe out tigers in the wild. The attached report also describes the grave threat that tiger farms pose to the species by providing a legal market that acts as cover for the poachers who kill wild tigers, as well as an opportunity to conduct criminal “laundering” of tiger parts from poached wild tigers.

IFAW agrees with the Standing Committee's recommendation for an independent study of this issue and recommends that the World Bank be asked to lead this research. In addition, an immediate moratorium on breeding of tigers in tiger farms should be instituted.

IFAW also urges the U.S. to oppose consolidation of resolutions related to Appendix I species based on evidence that species-specific resolutions galvanize the attention of governments. Furthermore, any such consolidation will unnecessarily weaken attention to the crisis facing the tiger in the wild, and the need to stop all trade in tiger parts and products—domestic and international.

VI. Whales

Japan proposes two draft Decisions that could undermine the global effort to conserve whales. The first draft Decision seeks the inclusion in the Periodic Review by the Animals Committee (AC) of all cetacean species managed by the International Whaling Commission (i.e. all cetaceans on Appendix I). It also attempts to have the AC review and propose amendments to Resolution Conf. 11.4 recognizing the IWC's competence in the management of whales and adopted at CoP12.

The second draft Decision calls on the CITES Secretariat to write to the IWC to express concern over the IWC's progress concerning the Revised Management Scheme (RMS), which

considers both scientific and non-scientific factors when considering whether to remove certain whale species from the moratorium on whaling.

After commercial whaling devastated many whale populations early in the last century, the IWC took measures to protect the planet's great whales. These include a suspension of all commercial whaling from 1986 to the present, and the establishment of the Indian Ocean Sanctuary in 1979 and the Southern Ocean Sanctuary in 1994. However, more than 30,000 whales have been killed for commercial purposes since the 1986 moratorium, many of these under the guise of so-called "scientific whaling," in abuse of an IWC resolution loophole that allows for lethal whale research. The products from Japan's whaling program are sold in the marketplace.

All 13 species of great whales are listed on CITES Appendix I partly in deference to the IWC's primary authority for the management of whales, and in response to the IWC's species-specific bans on commercial whaling, which were consolidated into the 1986 global commercial whaling moratorium. It is a fact that Japan, Norway and Iceland trade, or plan to trade, whale meat commercially under their Reservations to the CITES Appendix I listing. In 2005 alone, Japan and Norway set a combined catch quota of 1,455 whales. This number was increased to 1,735 in 2006, and is set at 2,525 for 2007 and 3,215 for 2008.

Since 1982, the IWC has worked on developing an effective mechanism for managing commercial whaling. However, due to a lack of agreement from the whaling countries on key regulatory measures, such as the establishment of an international DNA register of all whales killed, work on a management scheme for commercial whaling has now been suspended. Japan and Norway have been submitting proposals to CITES for the down listing of various populations of whales, without success since 1994. By submitting proposals for a review by the Animals Committee, Iceland and Japan, are trying to effectively achieve a down listing through the backdoor of CITES.

The call for the Animal Committee (AC) to conduct a periodic review is inconsistent with the Scientific Committee's recommendation in SC51 Doc. 16, and with the Secretariat's interpretation that cetaceans should be excluded from the Periodic Review selection process (AC21 Doc. 11.1 (Rev. 1) Paragraph 5(ii)). A decision at the 22nd meeting of the AC recommending the inclusion of the Central North Atlantic stock of fin whale in the Periodic Review (which was controversial and force the AC to a vote) is still pending consultation between the AC and the Standing Committee. Such a Decision would interfere with the AC's orderly implementation of the Periodic Review; increase its workload; stress its budget; and politicize the scientific processes of the AC.

The U.S. must strenuously oppose both these proposals. Japan's proposal regarding periodic review prescribes a process that could lead to a transfer from Appendix I to II of species currently protected by the IWC's moratorium on commercial whaling. This violates RC 11.4 and undermines the IWC. With respect to the RMS, CITES should not interfere with the internal decision-making processes of the IWC. The U.S. Commissioner is Chair of the IWC, and thus the U.S. has an even greater interest than ever to protect its processes and its primacy of decision-making about management of cetaceans.

VII. CITES and Livelihoods

This proposal 14 directs the SC to develop tools for Parties to assess, at the national level, the impacts of "CITES trade regulations" on human well-being and the livelihoods of the poor,

and to develop draft guidelines for Parties on how best to consider those impacts, when implementing CITES. The Secretariat is directed to assess how the implementation of CITES could positively address likely negative impacts on the livelihoods of the poor.

IFAW opposes this Document, and notes that the Convention on Biological Diversity is the appropriate forum to address the relationship between biological diversity and livelihoods of the poor. Doc. 14 undermines the core objective of CITES to protect "certain species of wild fauna and flora against over-exploitation through international trade". The proposed guidelines will be impossible to implement for most CITES Parties, and will serve merely to complicate and undermine implementation and enforcement at national level. The proposed assessment by the Secretariat could diminish the effectiveness of CITES processes such as the Significant Trade Review by subjugating them to socio-economic considerations. Differing socio-economic conditions amongst the Parties would lead to varying standards of CITES implementation, weakening efforts to ensure objective, science-based non-detriment findings.

IFAW is concerned that if Doc. 14 is adopted it will undermine RC 9.24 (Rev. CoP13) by discouraging Parties from submitting listing proposals (because such proposals could be made subject to a "human-well being and livelihoods of the poor impact assessment"). Doc. 14 also ignores the positive contributions of CITES wildlife protection to the livelihoods of poor people directly dependent on the conservation of natural resources. Parties should not be expected to come to a consensus about what negatively affects "*human well-being and the livelihoods of the poor*". That is an evaluation best left to each country to solve as part of its broader ecological and development policies at the national level.

Therefore we ask the US to oppose this proposal and ensure consistency in all strategic matter being discussed at CITES CoP14 so the convention is strengthened in its efficiency and effectiveness by re-focusing it on its original conservation mandate to regulate international wildlife trade whenever species may become threatened otherwise.

In closing, IFAW urges the U.S. and in particular the U.S. delegation to CITES to increase its transparency and its efforts to play a leadership role at the Conference of the Parties. At this critical time in the conservation of so many species that are under threat of extinction from the careless activities of one species, the U.S. must exert its diplomatic skill and power to ensure that the precautionary principle with respect to species management. We look forward to working with you at the Conference of the Parties toward this end

Thank you Madame Chairwoman for inviting me here today to share our views with you. I believe IFAW is particularly well positioned to help in the U.S. efforts to stop the illegal trade of ivory. Through our country offices around the world IFAW has worked successfully with many governments in conserving and protecting wildlife. We have worked closely with other non-governmental organizations to achieve significant conservation gains. We are grateful for your leadership on this issue and stand ready to assist the U.S. in protecting elephants around the world.