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FORMAL TESTIMONY IN SUPPORT OF H.99:
AN ACT RELATING TO TRADE IN COVERED ANIMAL PARTS OR PRODUCTS

Via Electronic Mail

24 February 2020

Vermont State House
House Committee on Natural Resources, Fish, and Wildlife
115 State Street, Ethan Allen Room
Montpelier, VT 05633-5301
UNITED STATES OF AMERICA

Representative Amy Sheldon

Chair, House Committee on Natural Resources, Fish, and Wildlife

Representative Paul Lefebvre

Vice-Chair, House Committee on Natural Resources, Fish, and Wildlife

Members:

Representatives Trevor Squirrell, Christopher Bates, Katherine Dolan, Matthew Hill,
James McCullough, Leland Morgan, Carol Ode, Harvey Smith, and Thomas Terenzini

Marc Grimes, Committee Assistant

E-mail: mgrimes@leg.state.vt.us

Dear Representative Sheldon and Members of the Committee,

I am writing on behalf of my organisation to submit this formal testimony for strong support to pass H.99: An Act Relating to Trade in Covered Animal Parts or Products to stop the proliferation of wildlife trafficking in the State of Vermont. Please allow this formal testimony to accompany my "Letter of Commentary" submitted last Wednesday, February 19. While I am grateful for your time in reading my letter, I feel that it was inadequate in support of this important bill so I am submitting this proper testimony for the hearing on Wednesday, February 26 at 10:30 a.m.

Since 2015 in support of [H.297](#) and again in 2019 for this bill, I have testified for my organisation along with a consortium of many organisations and individuals nationwide, concerned about the global consequences of wildlife trafficking, specifically the impact of Vermont's domestic wildlife trade in endangered species as a conduit to the Extinction Economy worldwide.

These organisations and individuals include Ms. Ashley McAvey Prout of [VermontForWildlife](#) who has led this campaign tirelessly since 2012. This year, our growing consortium includes thirty-four (34) of your colleagues on the House floor who signed-on as co-sponsors of this bill. We are also joined again by Ms. JoAnne Bourbeau, Senior State Director for VT/NH of the Humane Society of the United States (HSUS), and Dr. Laurel Neme, author of the ground-breaking book [Animal Investigators: How the World's First Wildlife Forensics Lab Is Solving Crimes and Saving Endangered Species](#) (2009), who will be testifying in person with their strong arguments. Along with many who are also concerned about this issue in our state, we all support the legislative agenda's consideration to end wildlife trafficking in and out of the State of Vermont once and for all.

Statement of Testifier's Interests

[Tusk Task Force](#) is the wildlife conservation NGO on a global security mission to abolish all exploitation of wildlife and end the Extinction Economy worldwide, incorporated and chartered in Seattle USA and registered in the European Union. As a multifaceted organization that engages an asymmetrical global threat of exploitation, terrorism, and violence to wildlife and people, our strategic plan has five scalable and sustainable key elements: Conservation, Partnerships, Intelligence, Science, and Engagement. We accomplish our mission through our three-pronged methodology of influencing public policy, developing economic alternatives, and augmenting existing on-field protection operations worldwide with our allies and stakeholders. Our recent victories, as abolitionists, includes successful lobbying in multiple state legislatures in the United States of America; and successful consultations with the European Council of the European Union and its member states, with the Government of the Republic of South Africa, and with the British Commonwealth realms in Australia, Canada, New Zealand, and the United Kingdom.

Our Position in Support of the Bill

We urge the Committee to vote in support of this bill to end wildlife trafficking in the State of Vermont supported by the following general points:

- As you may already know, the United States is among the world's top markets for wildlife parts, according to a 2008 joint report¹ and its role in wildlife trafficking has only grown due to the lack of domestic laws against wildlife trafficking within individual states in the Union.

¹[Ivory markets in the USA](#). Joint report by Esmond Martin and Daniel Stiles for Care for the Wild International and Save The Elephants; 04/16/08.

- On the number of ivory items available for sale in retail stores, including in Vermont, the United States has the second largest market for ivory in the world, after China. The report also identified that one third of the ivory for sale in the country is likely imported illegally.
- More recent market research may show that ivory items of unknown origin or without proper documentation continue to be offered at marketplaces across Vermont via “black markets” from New York, Massachusetts, and Quebec through auctions, antique shops, and online. These outlets contributes to the unabated surge in African (*Loxodonta Africana*) and Asian (*Elephas maximus*) elephant² poaching and ivory trafficking—driven by the continued growing demand from many markets in the United States.
- Never mind that in all of Africa, non-destructive tourism is the second-largest hard currency earner after oil; and that being complicit by allowing intra-state trade of wildlife part in Vermont contributes to the to the near elimination of the greatest natural asset sub-Saharan Africa has going for it. Thus, we believe that banning wildlife trafficking in Vermont would improve the expansion of photographic tourism—the form of wildlife “economy”³ that neither subtract nor destroy—which brings in much significantly higher financial returns⁴ through sustainable employment and much greater benefit to local communities.
- Aside from Africa, the demand for wildlife parts has also spread to India⁵ and the rest of the South Asian sub-continent increasing poaching there to 300%.
- Certain species are more vulnerable to extinction, with local wildlife trafficking adding to their demise, so a complete and immediate ban on these species outlined on the bill (particularly the elephant,⁶ rhino,⁷ and the giraffe⁸ since they are my organisations focused species) must be made.
- For the record, we see all wildlife as the same regardless of species classification under the International Union for the Conservation of Nature (IUCN) *Red List* or as listed in this bill. For we believe that all wildlife are worthy of the right to live without conflict or duress regardless of any human intervention, positive or negative.
- Vermont’s leadership on this issue would encourage the rest of the country (who has not made a position on this issue before) to take this conservation issue a serious one for wildlife trafficking also

² There are two species of elephants: the African Elephant (*Loxodonta africana*) and the Asian Elephant (*Elephas maximus*). There are two subspecies of African elephant, the bush elephant and the forest elephant. There are three subspecies of Asian elephant, the Indian, Sumatran and Sri Lankan elephants.

³ Tusk Task Force coined the terms on non-destructive wildlife tourism as the “Wildlife Economy” and “Wildlife Terrorism” which refers to all types of wildlife trafficking that brings havoc and destruction to the communities it affects.

⁴ Naidoo, R., *et al.* [Estimating economic losses to tourism in Africa from the illegal killing of elephants](#). *Nat. Commun.* 7, 13379 (2016).

⁵ [“Unabated rhino poaching in Assam irks governor.”](#) Society for Environmental Communications, 03/15/2015

⁶ Maisels, F., Strindberg, S., Blake, S., Wittemyer, G., *et al.* (2013) [Devastating Decline of Forest Elephants in Central Africa](#). *PLoS ONE* 8(3)

⁷ Haas T.C., Ferreira, S.M., (2016). [Combating Rhino Horn Trafficking: The Need to Disrupt Criminal Networks](#). *PLoS ONE* 11(11)

⁸ Strauss, M. K. L., Kilewo, M., *et al.* [Food supply and poaching limit giraffe abundance in the Serengeti](#). *Popul Ecol* 57, 505-516 (2015)

contributes to the global climate crisis⁹ by putting the world's biodiversity¹⁰ at risk while undermining global security and global stability.

- If more states stop the market for wildlife parts, it will not only prevent the extinction of these majestic animals and their benefits to biodiversity¹¹ but also diminish the growing humanitarian crisis of organised crime, the murder of civilians and wildlife rangers in Africa and Asia, endangering regional security, creating instability in governance, increasing corruption, exacerbating poverty, diminishing economic opportunities, and destabilizing migration and border controls.¹²

In summary, compelling evidence brought forth by many experts and studies over many years has already given this issue a sense of urgency in many committees all over the world. We must mitigate this by curtailing its supply and demand; and banning their trade in every state is the next necessary step to stop this evil commerce in the United States. To be blunt, we can all discuss the endless data and science against this travesty and deliberate endlessly until all the rangers and wildlife are dead or we can just do one thing now: To end Vermont's contribution to this madness by being complicit and allowing wildlife trafficking in the state. It's really that simple.

Supporting Arguments on the grounds of Global Security

Five years ago, Tusk Task Force created a comprehensive database of wildlife terrorism activities and events all over the globe which demonstrates the link between wildlife trafficking and terrorism called DATA On Wildlife™ (**D**atabase of **A**ll **T**errorist **A**ctivities on Wildlife). It is a dynamic and static project for activities or events happen on a daily basis and our sources are many and varied. We corroborate each source using "triangulation" methodology to make sure that the original source is as legit as possible. Our sources may include one or all of the following, at any given time: intelligence operatives from national and transnational agencies, government and NGO officials, think tanks, military officials, open-source intelligence and analysis, investigative journalists, scientists, park rangers from many countries and private firms, and from our own tactical operational partners and affiliates on the ground.

Our data findings are consistent with the massive documentation that leads to a fulcrum that wildlife conservation is indeed related to global security.¹³ Profits from wildlife trafficking, through poaching and in some cases by trophy hunting,¹⁴ has become the primary currency for and by terror and illicit crime organisations worldwide. In particular, the ivory trade¹⁵ alone is a nefarious evil commerce wreaking havoc in Africa's economy, environment, governance, and security.

⁹Malhi, Y., *et al.* [Mega fauna and ecosystem function](#). Proceedings of the *National Academy of Sciences*, Jan 2016, 113 (4) 838-846

¹⁰Berzaghi, F., Longo, M., Ciais, P. *et al.* [Carbon stocks in central African forests enhanced by elephant disturbance](#). *Nat. Geosci.* 12, 725–729 (2019).

¹¹Doughty, C.E. [Herbivores increase the global availability of nutrients over millions of years](#). *Nat Ecol Evol* 1, 1820–1827 (2017).

¹²Interpol. (2015). [Interpol Strategic Report: Environmental Crime and its Convergence with other serious crimes](#). General Secretariat Environmental Security Sub-Directorate (Lyon, France).

¹³Cathy Haenlein and M. L. R. Smith, eds. [Poaching, Wildlife Trafficking and Security in Africa: Myths and Realities](#). Whitehall Paper 86. Royal United Services Institute for Defence and Security Studies (RUSI), London (2016)

¹⁴Bennett, E. L., Milner-Gulland, J., *et al.* (October 2002). [Hunting the world's wildlife to extinction](#). *Oryx*, 36(4)

¹⁵"[Half of Africa's savanna elephants may disappear in less than a decade](#)." Society for Environmental Communications, 09/01/2016

Truth be told, the threat is real and the bottom line is wildlife trafficking funds terrorism. Stop the trade of wildlife parts (where governance is still stable) to cut off its supply and it will end a substantial funding revenue channel to illicit crime syndicates and terror groups depending on it. Unfortunately, wildlife trafficking and its scourge on the survival of many wildlife species and its impact on global security is nothing new. In fact, the USD \$19B black market on wildlife parts¹⁶ has been known among our own Intelligence Community (IC) and other transnational agencies all over the world.

My organisation's own analysis has led us to conclude that even just ivory profits alone fund¹⁷ terrorists around the world at the rate of USD \$600,000 a month.¹⁸ As an example of how big this is, a single elephant tusk may be traded for 18,000 bullets or valued at or up to USD \$175,000¹⁹ and rhino horn may fetch as much as USD \$65,000 per pound.²⁰ In short, a substantial portion of these illegal profits are ending up in the hands of terrorist organizations and their affiliates; supplying arms and resources back to poachers. Thus, a cycle of violence ensues and profits go back to terrorists with many players getting into the take: poachers, guides, middle men, mules, corrupt officials, kingpins, carvers, merchants, dealers, and finally the consumer or "collector" in places like Burlington, and possibly even here in Montpelier.

This leads us to conclude that wildlife trafficking is not just about the wildlife anymore, it's also about [national security](#). I know that this is a complex issue to wrap our heads around so we coined a simple term to describe it for it brings so much misery and death to so many people and wildlife: *Wildlife Terrorism*. Indeed, wildlife trafficking has become such an urgent global security issue threatening our national security that the *Obama White House* implemented initiatives in addressing this issue during its second term six years ago, which included:

- U.S. Marine Forces, Europe and Africa task forces has been deployed in Chad and Gabon to help train wildlife park rangers to combat trafficking²¹
- Increased collaboration with 5 African countries on anti-poaching operations including deployment of United States Africa Command (AFRICOM) assets since 03/2015²²
- Incorporating the threat of wildlife trafficking into the Office of the Director of National Intelligence's *Worldwide Threat Assessment (p. 9)* to Congress on 02/26/15²³

¹⁶ [Statement](#) of John C. Cruden, Assistant Attorney General, Environment and Natural Resources Division, Department of Justice; 02/11/14.

¹⁷ "It's changing from a conservation issue to a global security issue. It's about illegal groups generating funds for terrorist activities," according to Ms. Coleen Schaefer, Director of the USFWS National Wildlife Property Repository. [Australian Broadcasting Corporation interview on 04/01/2015](#)

¹⁸ "[Ivory's Curse: The Militarization & Professionalization of Poaching in Africa](#)," Born Free USA/c4ads joint report; 04, 2014.

¹⁹ Statement by Mr. Sasha Lezhnev, associate director of policy at the Enough Project, an organization which works to end genocide and crimes against humanity, from an interview of an LRA defector. Confirmed through e-mail on 04/05/15 by Tusk Task Force and corroborated by Jenny Stanton, reporter from London's *Daily Mail* who [reported on the story on 03/23/2015](#)

²⁰ Mic Smith, "[Amid rhinoceros poaching frenzy, dark days for South African society](#)," Mongabay Reporting Network, South Africa, 06/05/2015.

²¹ Staff Sergeant Bryan Peterson, "[U.S. and Gabon officials to work together to combat wildlife trafficking](#)," USMCFEA, 10/05/2015

²² *Senate Committee on Foreign Relations*. 115th Cong. 1st sess. "[United States Africa Command 2015 Posture Statement](#)," by GEN David M. Rodriguez, USA, Commander, United States Africa Command; 03/06/2015

- Inclusion of wildlife trafficking as an urgent agenda item supplement to the President's *National Security Strategy* with regards to the other non-conventional threats facing our nation's and the world's security²⁴
- Congressional briefings by an invited panel of national security experts on worldwide threats by wildlife trafficking on 09/10/2014 following a USD \$45M appropriation on anti-poaching in 01/2014
- Recommendations Submitted to the President by members of the *President's Advisory Council on Wildlife Trafficking* on 06/09/2014²⁵
- Sending additional forces and military resources by the Department of Defense to increase support against the Lord's Resistance Army (LRA) on March 2014²⁶

Further, the U.S. Fish and Wildlife Service (USFWS) believes that state measures are needed to complement federal law and help combat wildlife trafficking. As you may already know, federal regulations and laws primarily restrict the importation or interstate trade of products from endangered species, but they do not regulate intrastate sales. For instance, regarding the recent rule strengthening federal ivory regulations, the USFWS stated, "...does not reach [the] sale or offer for sale or activities in the course of a commercial activity that occur solely within the boundaries of a State."²⁷ While the covered species in the legislation receives a certain level of federal protections between states, this bill would close federal loopholes in Vermont and give these imperilled species additional protections that the federal law and enforcement do not have the capacity or resources to address.

This principled urgency is especially profound now considering the current White House Administration has forfeited its global leadership on this issue. State action to combat wildlife trafficking is especially critical now, given that the current presidential administration has rescinded and weakened existing federal laws from the previous administration which indirectly exacerbates wildlife trafficking now. As an example, last year the White House cancelled the previous administration's Presidential Task Force²⁸ on national strategy against wildlife trafficking from 2014.

As outlined above, former President Obama's previous adoption of this national strategy²⁹ was executed to mitigate the growing global security implications³⁰ of wildlife trafficking³¹ as a conduit to human trafficking, narcotics trade, weapons dealing, and slave labor. Now, that is no longer the case

²³Director of National Intelligence, GEN James R. Clapper, presented this [report to the Senate Armed Services Committee on 02/26/15](#).

²⁴[National Security Strategy of the United States](#). Executive Office of the President; 02/11/2015

²⁵Appointed pursuant to Section 5 of *Executive Order 13648* to implement the [National Strategy for Combating Wildlife Trafficking](#). Executive Office of the President; 02/11/2014

²⁶National Counterterrorism Center (NCTC), Washington, DC; 04/05/2015

²⁷[Federal Register, Vol. 80, No. 145](#), published on Wednesday, July 29, 2015, as Proposed Rules.

²⁸*Executive Order 13648* to implement the [National Strategy for Combating Wildlife Trafficking](#). Executive Office of the President; 02/11/2014

²⁹[National Security Strategy of the United States](#). Executive Office of the President; 02/11/2015

³⁰[Defining transnational organized wildlife crime](#) (25 December 2017). United Nations Office on Drugs and Crime (UNODC), Vienna, Austria

³¹[World Wildlife Crime Report](#) (2016). United Nations Office on Drugs and Crime (UNODC), Vienna, Austria

due to the complacency of the current White House on this issue. However, all is not lost. With your leadership here, Vermont now has another opportunity to “plug this hole” on the state level regardless of the malaise on the federal level.

In 2013, the States of New York and New Jersey passed stringent laws to ban ivory and rhino horn within their jurisdictions. These laws have since been amended to include other species for more protection against wildlife trafficking. Following their examples, the states of California, Hawaii, Illinois, Nevada, Oregon, and Washington³² also passed or voted a ban on wildlife trafficking since then. Emphasizing how important this issue was, 71% of Washington state voters made a huge statement by overwhelmingly voting for a state-wide referendum banning wildlife trade during the 2015 election. Right now, New Mexico’s comprehensive ban on wildlife trafficking with a high penalty is on Governor Michelle Grisham’s desk for her signature, as we continue to deliberate here. Can Governor Scott be next? That is actually up to you.

Conclusion

In the end, however, this issue must really focus on the people, not just wildlife, which are affected by this violent bloody trade. It is about the people of Africa and Asia suffering from the poverty and insecurity this illicit commerce has brought upon their economy, governance, environment, and ultimate their lives. This is about the people defending the wildlife who chose a vibrant *Wildlife Economy* (tourism) as oppose to the violent *Extinction Economy* (trafficking) that brings havoc on their environment, regional security, and well-being.

Again, we would like to reiterate the consequences and effects of wildlife trafficking towards the diminished security and stability where it occurs due to the rise of corruption and violence this bloody trade allows. Fortunately, we can still do something about this. Passing bills all over the country to ban this practice are a good start in refining the process towards eliminating the further destruction of so many species and human lives by the Extinction Economy, and the consequences thereof to the global community.

Bryan Christy, the award-winning *National Geographic Fellow* investigative journalist, witnessed this first-hand when he was reporting on, “How Killing Elephants finances Terror in Africa,” the magazine’s cover [article](#) published on August/September 2015. Not surprisingly, his observations from five years ago still resonate:

“In central Africa, it’s a war. You have rebel militia and terrorist groups killing elephants for ivory, taking that ivory, trading for arms, or trading it for medicine. And one of the important things I learned in this project is, in many of these lawless states in central Africa, park rangers are the only protection that people on the ground have. So for me, this news story isn’t about elephants, it’s about violence, and these rangers represent the front lines between terrorists and people.”

³²Tusk Task Force also provided testimonies to the legislatures of California, Hawaii, Illinois, Oregon, and Washington to abolish wildlife trafficking in those jurisdictions.

Rep. Amy Sheldon *et al.*

Formal Testimony on H.99: An Act Relating to Trade in Covered Animal Parts or Products

24 February 2020

Page 8 of 8

Meanwhile, as leaders in Europe, the Middle East, and the U.S. strategize about how to stop the ever expanding network of international terrorist organizations. Somewhere in Africa a park ranger stands his post, holding an AK-47 and a handful of bullets, manning the front line for all of us.”

Regardless of the growing proof of the nexus between terrorism and wildlife trafficking, we need not wait for the growing pile-up of evidence to act on this issue as challenged by those opposing this bill. As such, I would like to close my testimony with this quote from the former Assistant Secretary of State for the *Bureau of International Narcotics and Law Enforcement Affairs*, Ambassador William Brownfield:

“I don’t think we have to link it to terrorism. I think that illegal wildlife trafficking is in and of itself so repulsive, so repugnant that we don’t need to tie it to something else [more sinister] as a matter of making a point.”³³

If only it was that easy to [convince people](#) of how imperative it is to solve this global crisis.

On a personal note, I am a *cum laude* graduate of Norwich University and I couldn’t escape the thought that this hearing is held in a room named after one of my favourite heroes during the American War of Independence who is still guarding the entrance of this hallowed place, Major General Ethan Allen. I admired General Allen for his courage and for his decisiveness to do the right thing “under fire” and it just occurred to me that he would choose to do the same, if he were to be included in our deliberations. I hope you will too, for the security of all species—both wildlife and human—is truly at stake here.

Together with my global team of abolitionists working to end the Extinction Economy, I thank you so much for your time in considering my testimony on this urgent wildlife conservation and global security issue.

Respectfully submitted,



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³³ Statement given to Lisa Miller, Washington correspondent for *ABC Radio Australia* on her report entitled, [“US warehouse of 1.5 million stuffed animals stands as reminder of horrific illegal wildlife trade.”](#) aired on 04/01/2015.