

**Testimony from Ashley Prout McAvey, Founder,
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Senate Committee on Economic Development,
Housing and General Affairs
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Thank you, Chair Sirotkin, Vice-Chair Clarkson, and Senate Committee Members, for your time. As you have heard from hundreds of Vermonters and experts around the world and state and the children of Vermont for 8 years now, H.99 will ban the sales of animal products from 14 of the world's most majestic and massively vulnerable species. This all rests in your hands and I am deeply grateful for your time to underscore why this matters and more specifically why it matters to Vermont. **In short, continued trade equals continued slaughter.** The crisis for these animals and the humans who depend on them for a vibrant tourism economy could not be worse.

So how bad is it? Recently, 100,000 elephants in Africa were killed for their ivory in just the three years from 2010-2012. Tanzania lost an astonishing 60% of its elephants in just five years from 2009-2014. Over 60% of all shark species are being decimated. Tigers are being slaughtered for traditional “medicine” without any scientific evidence that it works. There are 3,200 left in the wild when just a century ago there were more than 100,000. The giraffe population has plummeted 80% since 2005. (Please see the giraffe bone gun handle at the end of this testimony.) Despite this, you can buy giraffe products at over 52 locations in the US— but no longer in New York State as they just beat us again as they did with banning the sale of ivory and rhino horn 6 years ago— when they recently passed a law specifically against the trade in giraffe parts. **All of these animal parts right now are free and clear for us to buy and sell in Vermont despite the scientific evidence that doing so is causing massive devastation. It is the current trade including the very trade the antique dealers so cherish that is causing this obliteration. And I have ivory from my grandmother— I will keep it and pass it— no one will take it, it will not be destroyed nor confiscated—but I know the second I sell it here in Vermont, even though the elephant died 150 years ago, I am putting a value on it TODAY and that value is met with the current demand TODAY which is the root of the current crisis.** State action is also key because federal laws only restrict import, export, and interstate trade, but NOT trade that happens within a state. That is why states need to act—and 11 states plus DC brilliantly have realized that and the trade in those places has ceased. Federal laws also have broad exemptions and loopholes and some don't even cover many highly endangered species. And in the case of ivory, for example, it is estimated that only 10% is caught at the national border, meaning 90% seeps into the country and winds up free and clear on the state level unless there is a law against it. This is why Vermont must act.

And this is why we need to act now:

1. This is COVID related for all of the reasons listed in the testimony I delivered to the House just before break which I shared with you this morning. This pandemic is from a zoonotic source—with many pointing to pangolin as the intermediary source (pangolins being the most highly-trafficked mammal in the world and a species listed in H.99). This is an irrefutable fact as the genomic structure of this virus can only be zoonotic when viewed under a microscope. Countless viruses are lying dormant and anything we can do to limit our invasion into those wild spaces is critical. HOW we exploit animals and wildlife comes back to us— it is that simple.
2. Our neighbors have acted in NY and NH. In addition to those two states, 9 other states have acted PLUS DC. As trade is shut down in neighboring places as it has in our neighboring states, history shows that it moves to jurisdictions with no laws on the books. We wanted VT to be the 3rd to act. Will we be the 12th this fall or the 48th 3 years from now? How many more animals will be gone then? Every day that goes by with inaction, Vermont is complicit in the evil and horror of this trade that is wiping these animals— and people dying to protect them— off the planet.
3. Every day that goes by with inaction, we are being unfair to Vermont businesses that, unlike the antique dealers who profit from the trade, are pleading to keep their businesses out of this bloody war. I would like to quote a South Burlington independent business owner who is also a Republican, John Martin. Mr. Martin is **IMPLORING** legislators to pass this legislation— he is begging you to do this— as he did for H.297 and he is still asking— because as trade is shut down in neighboring places, it will increase and move to Vermont. John Martin wants no part in the demand end of this bloody trade— he doesn't even want the products to come through his South Burlington business doors. He also knows without a doubt that buying and selling ANY imperiled wildlife part-- no matter the age-- puts value on it today and where there is value, there is demand, perpetuating the present day slaughter. He wants NO part in that and he has asked for your voice on this and for Vermont to act once and for all.
4. The vast majority of Vermonters stand behind H.99. Two UVM students started a petition a few weeks ago to pass H.99 and it already has close to 600 signatures. HUNDREDS of emails from people all around the state and world have asked Vermont to act--- and this most recently from UVM professor Brendan Fisher:
I am working on an article that links developed world markets with wildlife trade such as this. I hope to be able to report that my home state of Vermont is voting on the side of data, science, and the right thing to do. I think it will be a slap in the face if I cannot report that about our state which prides itself on its connections to nature, outdoor life etc.. His words of a "slap in the face" say it all if we don't do this.
5. The bill in its current form has numerous exemptions to bend toward the opposition including all musical instruments and antiques less than 200 grams (which is the standard amount in the state bills and is a key and critical component to the efficacy of the bill). It also has exemptions which go much further than many other states by including firearms and knives PLUS the longest delayed enactment period of any of the 11 states that have already taken action-- 18

months. We cannot do more for danger of then creating a "new lowest standard"-- precisely not what we will allow Vermont's legacy to be on this. While we are ok with the longest delayed enactment period, we would like to include **all** sharks (as once a fin is removed, it's virtually impossible to tell what species it came from) and also we would like to not have guns and knives included— as you can see in the photo below, gun handles are a huge draw for the trade— and if that gun handle or knife is not allowed to be sold in other states, why should Vermont continue the trade here? Also, if we are not allowing barrettes or jewelry, why should guns and knives be exempt? And I own guns and knives and come from a family of hunters. Also, H.99 does nothing to stop international hunts or whether someone can import the “trophy” back to the US. Those rules are decided by federal and international restrictions and have nothing to do with H.99.

6. There is a human cost to the trade that must be addressed. More than 1,000 rangers have been murdered in the last 10 years alone— while we either in our ignorance or callousness continue to buy and sell ivory. The impacts of a wiped out wildlife is catastrophic— tourists won't go and don't go where there is no wildlife. Our actions here have implications thousands of miles away.

In summary, H.99 is about stopping illegal wildlife trafficking (a \$26 billion/year crisis), for when looking at these species, science has proven that the legal market serves as cover for the illegal one. The reasons for state action also include the very real issue of global security (the ivory trade of today feeds crime syndicates and armed militias such as al-Shabaab, Janjaweed, Boko Haram, the Lord's Resistance Army). And most of all, shutting down legal trade works. History has proven so. In 1989, the global ban on ivory trade led to a diminished carving industry in China and a decrease in demand for tusks. (Elephant populations rebounded to the point that one-off sales were allowed which proved to be a disastrous decision, leading to the one-off sales of 1999 to Japan and 2008 to Japan and China which completely reignited the crisis and demand to the epic catastrophe of today.) Another example, China, the largest market for ivory, banned ivory sales beginning in December 31, 2017. So what has happened there since that ban? A recent report has unveiled that the price of raw ivory is plummeting there. Researchers at [Save the Elephants](#) found that the wholesale price in early 2014 was \$2,100 per kilogram where as now that same kilo has dropped to \$730. While China's news is good, however, in no way does it exonerate us for what we still need to finish here. On the contrary, the stakes now could not be higher for our nation's next move. Again, it has been proven time and again that when one jurisdiction closes its markets, trade may flourish in places where it is still open.

In closing, Sen. Raymond Lesniak, the NJ State Senator champion of their complete ban, testified before the Vermont Senate Committee four years ago. He recently emailed me that he wants to do so again whenever you are able to hear him. He wants to see Vermont do the right thing. Until then, a quote from him a year after New Jersey's total ban:

“New Jersey's comprehensive ban on ivory and rhino horns, which only allows currently owned ivory and rhino horns to be transferred through estates or to museums, has been in effect for

nearly a year without a hitch and has given a huge boost to the worldwide effort to save elephants and rhinos from extinction.”

Please pass H.99 out of Committee and know you have taken part in saving what is truly priceless. I close with a quote from Charlotte, Vermont resident Peter Hetz who has devoted his life on the ground in Africa trying to stop the trade that is destroying the planet’s last animals. He recently submitted testimony to the House and said: Selfish interests should never trump the public good and what's best for our diminishing wildlife.

Thank you.

One of the reasons of the giraffe “silent extinction”:



