

HB52_FAV_Alyssa Dangel.pdf

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Position: FAV

Testimony of Alyssa Dangel

January 19, 2022

House Environment and Transportation Committee

House Bill 52

Natural Resources – Wildlife Trafficking Prevention

Wildlife trafficking is a very cruel practice that sells animal products and parts. This bill can stop this and save many animals from extinction. We also can create a status quo; to not abide wildlife trafficking, to not kill an animal so you can wear it as jewelry, or have a pretty bag, to not turn a life into a thing you wear.

Fewer than 7100 cheetahs are alive because of this. All seven species of sea turtles are facing extinction. There are only 68,000 giraffes left in the world. For comparison over 692,000 people live in Baltimore. This means more people live in Baltimore than there are giraffes and cheetahs left in the wild. This bill being passed can save so many animal lives. I can't imagine the world without some of these iconic species.

This is such a cruel practice, to have animals killed for something as worthless as jewelry or bags or chess sets. Animals are killed every day because of it. We need to care about the fact that in a matter of years so many iconic species could be dead. We need to care that there are more people in Baltimore than giraffes and cheetahs combined. We need to care about this bill so we can save so many lives.

This bill can make such a huge difference to the world. It can save so many elephants, and rhinoceroses, and tigers, lions, leopards, cheetahs, jaguars, sea turtles, pangolins, and giraffes. These animals all deserve not to be wiped out to make jewelry that someone will wear once, and probably not wear again. Please pass House Bill 52.

HB 52 Testimony.pdf

Uploaded by: Heidi Osterman

Position: FAV

Wildlife trafficking is the fourth largest transnational crime. Potential buyers may not even realize that they are taking part in this crime when elephant skin boots, turtle shell jewelry, lion skin rugs, giraffe skin wallets and more are just a few computer clicks away or in specialty stores throughout Maryland.

The federal government has cracked down on ivory and some other animal parts, but commerce within the states is not controlled by these regulations. Maryland has no specific law restricting wildlife products, so these items continue to circulate within our state. What's more, Baltimore is one of only thirteen certified antiques ports in the U.S., which means that illegal items disguised as "antiques" flow through our port on a regular basis.

In 2019, the U.S. Fish and Wildlife Service processed 191,492 declared shipments of wildlife and wildlife products worth more than \$4.3 billion. That's only the declared shipments. Illegal wildlife trafficking generates \$20 billion a year for terrorists and other nefarious organizations, and conservation groups have estimated that the authorities catch only 10% of illegal ivory at U.S. borders.

In this anthropogenic age of climate change, we need to think carefully about how our choices affect our grandchildren. Bringing keystone species to extinction for exotic knick knacks cannot be condoned.

We can be part of the solution in Maryland by passing a law that will complement federal wildlife trafficking statutes. New York, New Jersey, and Washington, DC already have laws in place. We must pass a statewide law so that the Port of Baltimore does not become the new hub for illegal wildlife trafficking.

Heidi Osterman
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MD HB52 testimony from Animal Welfare Institute.pdf

Uploaded by: Kate Dylewsky

Position: FAV

**Animal Welfare Institute Testimony in Support of HB 52,
A Bill to Restrict Wildlife Trafficking
Maryland House Environment and Transportation Committee
Hearing Date: January 19, 2022**

**Kate Dylewsky
Senior Policy Advisor, Animal Welfare Institute**

Dear Chair Barve, Vice Chair Stein, and honorable members of the House Environment and Transportation Committee:

On behalf of the Animal Welfare Institute, a national nonprofit animal advocacy organization, and our Maryland members, I want to express our support for HB 52 to restrict the sale of parts and products from elephants, rhinos, tigers, giraffes, sea turtles, and other imperiled species. This bill would neither criminalize possession of items currently owned by Maryland residents, nor impede noncommercial transfer of those products. Rather, it would place commonsense limits on sales of these parts and products, thereby aiding in the preservation of these majestic species.

Current circumstances of the wildlife trade

Elephants

Worldwide illegal ivory trade has more than doubled since 2007 and tripled since 1998, resulting in the decimation of some African elephant populations. As of 2021, the global trade in ivory was worth about \$23 billion annually. A comprehensive survey of Africa's savanna elephants found that their numbers declined by 30 percent between 2007 and 2014, with the rate of decline accelerating over those seven years. As of 2016, there were approximately 400,000 savanna elephants remaining, down from an estimated 3 million in the early 19th century, and the vast majority of this decline is attributable to poaching. As a result, certain populations of African elephants are vulnerable to extinction and may not withstand these poaching thresholds much longer.

The inclusion of mammoth and mastodon in HB 52 is also vital for addressing the elephant poaching crisis. Without specialized training, mastodon and mammoth ivories are difficult to distinguish from those of elephants, which enables sellers to skirt trade restrictions and continue selling the latter under the guise of the former, duping unsuspecting customers into purchasing illicit products. Furthermore, alternatives like mammoth and mastodon ivory simply fuel desire for elephant ivory, normalize its consumption, and keep the ivory market alive.

Rhinoceroses

All five extant rhinoceros species are in tremendous danger due to the demand for their horns. The horns, made of a substance akin to human fingernails, are used in Traditional Asian Medicine to allegedly cure a variety of ailments including cancer, despite conclusive evidence that they have no

curative properties. Black rhinos populations in Africa, for instance, were decimated by poaching, declining 96% over 20 years – from around 70,000 individuals in 1970 to just 2,410 in 1995. Their population is now over 5,000 thanks to conservation efforts. South Africa, which is home to the majority of African rhinos, has seen a staggering increase in poaching numbers in recent years – from a just handful in 2007 to a peak of 1,349 killed in 2015. The dwindling rhino numbers cannot sustain ongoing poaching at this level.

Tigers

Despite a slow recent rise in population numbers, tigers continue to be endangered, with fewer than 4,000 tigers left in the wild. Juvenile mortality rates are high, and about half of all cubs do not survive past two years of age. Tigers have lost roughly 95 percent of their range, further intensifying their conflicts with humans over livestock and space. Poaching is another threat facing tigers, as their pelts are valuable on the black market and virtually all of their parts are used in various traditional medicines and remedies.

Lions

Lions are currently listed as vulnerable across most of their range by the International Union for Conservation of Nature (IUCN), and listed as critically endangered in West Africa. There are an estimated 20,000 left in the wild, according to a survey conducted in 2020. Habitat loss and an unsustainable bushmeat trade in large herbivores has led to a decrease in available prey, causing an increase in human-lion conflict over domesticated animals. Because of this, lions are relentlessly persecuted across Africa and are frequently killed as “problem animals.” Like tigers, lion bones and body parts are frequently illegally traded for use in traditional medicines.

Leopards

Critically endangered amur leopards have seen their last viable population shrink to an estimated 84 individuals as of 2017. They are in dire risk of extinction due primarily to being poached for their spotted fur. Meanwhile, the snow leopard has an estimated population of 3,500-7,000. They are killed by farmers for preying on livestock due to a decrease in wild prey, and they are also threatened by habitat fragmentation. Their fur, bones, and other body parts are illegally traded.

Cheetahs

Cheetah populations are in danger due to habitat loss, declines in prey, and conflicts with humans. Additionally, there is a high demand for cheetahs as pets. They are illegally captured then smuggled around the world, and only one in six cubs survives this process. Their numbers have steadily declined from tens of thousands historically to 15,000 in 1975 to fewer than 8,000 today. Humans have altered more than 90 percent of the cheetah's original habitat and they are extinct in Asia except for a small population in Iran.

Jaguars

Habitat loss and fragmentation, conflict with humans, and poaching have severely impacted jaguar populations. They have been eradicated from 40 percent of their historic range and are extinct in

Uruguay and El Salvador. Jaguars are often killed for their spotted coats, and there is also illegal demand for jaguar paws, teeth, and other products.

Sea Turtles

Six species of sea turtle are classified as vulnerable, endangered, or critically endangered on the IUCN Red List due to entanglement in fishing gear, coastal development that interferes with egg-laying, plastic and other pollution, climate change, and poaching and illegal trade of their eggs, meat, and shells. Hawksbill sea turtle shells are in demand due to their beautiful gold and brown coloring, which can be used to create jewelry and other luxury items. As a result, these turtles have declined by 90 percent over the past 100 years and are now listed as critically endangered.

Pangolins

Pangolins are mammals covered in hard scales who are found in Africa and Asia. There are eight extant species: Chinese pangolin, Indian pangolin, Sunda pangolin, Philippine pangolin, tree pangolin, long-tailed pangolin, giant pangolin, and Temminck's ground pangolin. They are poached and illegally traded for their meat and their scales, which are used as ingredients in traditional Asian medicine despite being made only of keratin. More than half a million pangolins have been poached since 2016, making them the most illegally trafficked mammals in the world. Pangolin populations are in severe decline and are thought to be locally extirpated in parts of both Asia and Africa.

Sharks and Rays

There are at least 1,000 shark and ray species, and a 2014 IUCN study found that a quarter are threatened with extinction. An estimated 100 million sharks are killed by fisheries every year, for their fins (used to make an expensive Asian soup), for their meat, and by accidental entanglement in fishing gear. Meanwhile, rays are targeted for their meat and for their gill plates. Because they reproduce at a slow rate, sharks and rays are highly susceptible to overexploitation.

Giraffes

Giraffe numbers in Africa have plummeted 30 percent over the last 30 years, and there are only an estimated 111,000 giraffes remaining. In some areas of prime giraffe habitat, numbers have dropped by 95% in the same period. Three of the nine giraffe subspecies are now listed as Endangered or Critically Endangered by IUCN. The causes of this decline include habitat and fragmentation, overhunting (including for trophies), and poaching.

Hippopotamuses

The IUCN classifies hippopotamuses as vulnerable to extinction, and estimates that between 125,000 and 148,000 remain in the wild. Hippo numbers dropped during the late 1990s and early 2000s; studies found that hippo populations in the Democratic Republic of Congo declined more than 95 percent during this period as a result of intense hunting pressure. Hippos continue to face threats from habitat loss and degradation, and illegal or unregulated hunting for meat and ivory (which is found in the canine teeth).

Bonobos

There are an estimated 10,000 to 20,000 bonobos left in the wild, although an exact number is difficult to determine due to the remoteness of their habitat and local political unrest, and bonobos are classified as endangered by the IUCN. Bonobos are hunted for bushmeat, the exotic pet trade, and use in traditional medicine. Other threats include disruption from civil warfare in their range states and habitat degradation.

Chimpanzees

At the beginning of the 20th century it is estimated that there were approximately 1 million chimpanzees in the wild, but that number is down to 172,000-300,000 today. They are extinct in four of their 25 range countries in Africa. The threats facing chimpanzees include habitat loss, commercial bushmeat hunting, exotic pet trade, disease, and armed conflict in range states.

Orangutans

All three species of orangutan (Sumatran, Bornean, and Tapanuli) are listed as critically endangered by the IUCN, with an estimated total of 55,000 to 65,000 individuals in the wild. The threats to this species include loss of habitat through deforestation and palm oil plantations, as well as illegal capture for the exotic pet trade. Orangutans are also killed for bushmeat, for traditional medicine products, and so their parts can be sold as souvenirs.

Gorillas

Both Western gorillas, who live in West Africa, and Eastern gorillas, who live in central Africa, are listed as critically endangered by the IUCN. Mountain gorillas, a subspecies of Eastern gorilla, are particularly imperiled, with approximately 1,000 individuals left in the wild. The threats faced by gorillas include poaching, habitat encroachment, armed conflict in range states, and disease.

Poaching for the illegal wildlife trade is a brutal, bloody practice. Animals are shot with military-grade weapons, and tusks, horns, and other parts are harvested by mutilating the sometimes still-living animals. Tight-knit herds of social species are torn apart and babies are orphaned or even killed. The casualties are not limited to animals; more African park rangers are being killed in the line of duty than ever before, most often via ambush. On average, more than 100 rangers are killed each year because they stand between the animals and the poachers.

The harsh reality of the international wildlife trade is that there are, even as we speak, poachers slaughtering imperiled wildlife – and that some of these illegal wildlife products could ultimately end up in the Maryland marketplace masquerading as legal items.

The global poaching crisis undermines our national security

The illegal wildlife trade has implications for more than just the preservation of species. Poaching is not a small or unsophisticated operation; rather, it is intertwined with violent militias, organized crime, and government corruption. Wildlife trafficking now produces profits of upwards of \$20 billion a year,

placing it among the top five criminal markets (alongside narcotics, human trafficking, weapons, and counterfeiting). These groups use poaching as a substantial source of funding, and employ the logistics and supply chains of major container and shipping companies to move their product in a system interwoven with the networks that also enable terrorism, drugs, weapons, and human trafficking.

Several insurgent groups undermining the rule of law are either directly involved in poaching or trafficking, or are likely sharing some of the same facilitators, such as corrupt customs and border officials, money launderers, and supply chains. For instance, the Lord's Resistance Army, an extremist rebel group originally from Uganda, took part in elephant poaching operations in the Democratic Republic of Congo beginning in 2012. Al Shabaab, an Islamist insurgent group based in Somalia that has made direct threats to the U.S., has acted as middlemen in the transit of elephant ivory from Africa to Asia.

This crisis has reached such a scale that these criminal groups are a concern for the stability of some African governments. Well-funded terrorist organizations operating in developing countries can take advantage of governments that lack the capacity to regulate their country's natural assets. A region destabilized by corruption and violent conflict is not only problematic for the nations involved, but also for US security.

At the federal level, there has been broad bipartisan recognition of the risk that wildlife trafficking poses to our nation's safety. President Obama issued an executive order in 2013 that identified wildlife trafficking as a security threat, and subsequently released a National Strategy for Combatting Wildlife Trafficking in 2014. Presidents Trump and Biden both issued executive orders on transnational crime that recognized the ties between wildlife trafficking and organized criminal networks. Congress has acted as well by passing the Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Act in 2016 to enhance national security by providing the federal government with additional tools to curb illicit wildlife trade.

Why is this bill needed in Maryland?

State bills such as HB 52 are necessary to complement federal measures and ensure that commerce in wildlife products is tightly regulated throughout US markets. Any legal market creates an opportunity for illegal products to be laundered as their legal counterparts. These bans are particularly crucial in coastal states like Maryland, due to the potential for illegal wildlife products to enter through the ports.

HB 52 would establish Maryland as a leader in the fight against wildlife trafficking, alongside twelve other states (California, Illinois, Hawaii, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Vermont, and Washington) plus the District of Columbia that have enacted laws to restrict or ban the sale of certain wildlife products within their borders.

The Animal Welfare Institute urges the House Environment and Transportation Committee to aid in the conservation of imperiled species by passing HB 52, and welcomes any questions about this testimony.

Kate Dylewsky
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HB 52 HSUS SUPPORT HOUSE ENVIRONMENT 2022.pdf

Uploaded by: Kathryn Kullberg

Position: FAV

January 17, 2022

Re: Support for HB 52, Wildlife Trafficking Prevention

Dear Chairman Barve and members of the House Environment and Transportation committee,

The illegal wildlife trade is a multibillion-dollar global industry that affects millions of animals and communities around the world. Wild animals such as elephants and rhinos are killed in massive numbers and suffer from horrific cruelty as poachers brutally kill elephants and cut off their tusks, sometimes while the animal is still alive. Conservationists have called the shocking population decline of giraffes due to poaching a silent extinction. Criminal syndicates profit from trafficking of imperiled species products and undermine the rule of law. Market demand for wildlife products drives the killing of iconic animals and provides an incentive for wildlife trafficking.

HB 52 will stop the sale of parts and products of imperiled species within Maryland's borders and ensure that our residents do not contribute to the illegal wildlife trade. HB 52 aligns with national and international conservation measures, as local measures are a critical tool to close the gaps that international and federal authorities do not have the capacity to address. By approving HB 52, Maryland will join other jurisdictions such as the states of California, Hawaii, New Jersey, New York, Oregon, Washington, Nevada, New Hampshire, Illinois, Minnesota, New Mexico, and Vermont, in addition to Washington, DC, that have adopted laws to close their markets to products of imperiled species.

The United States market for illegal wildlife products is significant

The U.S. is a major contributor to the \$20 billion illegal wildlife trade worldwide that pushes many iconic animals to the brink of extinction while increasing global instability. The global community is taking action to combat this egregious trade, and as recently as June 2018, INTERPOL coordinated a global enforcement operation that resulted in the identification of 1,400 suspects and nearly 2,000 seizures of wildlife products in the U.S., Canada and dozens of other countries.¹

Wildlife trafficking has a significant impact on biodiversity worldwide

The International Union for Conservation of Nature (IUCN) estimates that, overall, wildlife is being exploited at unsustainable levels and this exploitation causes population declines—even when that estimate is adjusted for the effects of habitat loss and climate change.² Many species and species groups, including African elephants, rhinos, great apes, big cats, and pangolins, are directly threatened because of the illegal wildlife trade. Additional effects from the illegal wildlife trade include a loss of ecosystem

¹ <https://www.interpol.int/News-and-media/News/2018/N2018-058>

² UNEP (2016). Analysis of the environmental impacts of illegal trade in wildlife. Available at http://www.unep.org/about/sgb/Portals/50153/UNEA/FINAL_%20UNEA2_Inf%20doc%2028.pdf

functions that are provided by the affected species, the spread of disease, the spread of invasive species, and incidental impacts on non-target species.

Each year, as many as 20,000 elephants are killed in Africa to supply the demand for their ivory.³ A recent report⁴ found the population of savanna elephants has declined by 60%, and forest elephants by more than 86% since the 1970s, placing them a step or two away from extinction. Cheetahs have lost an estimated 91% of their historic habitat and fewer than 7,100 remain in the wild.⁵

Evidence shows that the U.S. is a significant destination market for giraffe specimens. Between 2006 and 2015, the U.S. imported approximately 40,000 giraffe parts and products.⁶ All seven sea turtle species are threatened with extinction. African lion populations have declined by 43% since 1993 and are still declining.⁷ Many other species and species groups are directly threatened because of the illegal wildlife trade, and the killing of these animals by poachers is immensely cruel and threatens the economies of many nations dependent on wildlife tourism.

This situation is at a crisis point. We must enact an all-of-the-above approach to ensure the survival of these animals in the wild, and that requires that government entities, even those far removed from the places where these animals live, do whatever they can to ensure that the poaching and wildlife trafficking epidemics come to an end.

Federal law and regulations primarily focus on interstate commerce; the wildlife trafficking and poaching crises require action to disrupt *intrastate* sales of wildlife products

Allowing legal sales of endangered animal products, such as ivory, can exacerbate poaching problems, if illegal products are laundered into the legal market for these products.⁸ Thus, the legal market for these products provides a cover for illegal products to flourish because of the ease of mixing the two. Prohibiting the trade in these items here in Maryland will in fact help prevent poaching from occurring in countries far away. The market for these products is global and interconnected. Any demand for wildlife products, whether in Maryland or elsewhere, stimulates supply.

Federal laws and regulations primarily restrict the importation and interstate trade of products from endangered and threatened species, but generally do not regulate *intrastate* sales. For instance, regarding the “4(d)” rule to the Endangered Species Act concerning African elephants on strengthening federal ivory regulations, the U.S. Fish and Wildlife Service (“USFWS”) says that this rule “... does not reach sale or offer for sale or activities in the course of a commercial activity that occur solely within the

³ [African elephant conservation \(traffic.org\)](https://www.traffic.org/african_elephant_conservation)

⁴ <https://www.iucn.org/news/species/202103/african-elephant-species-now-endangered-and-critically-endangered-iucn-red-list>

⁵ Durant, Sarah M., et al. “The global decline of cheetah *Acinonyx jubatus* and what it means for conservation.” Proceedings of the National Academy of Sciences (2016): 201611122.

⁶ https://www.hsi.org/wp-content/uploads/assets/pdfs/giraffe_esa_petition_2017.pdf

⁷ Bauer, H., Packer, C., Funston, P.F., Henschel, P. & Nowell, K. 2016. *Panthera leo*. The IUCN Red List of Threatened Species 2016: e.T15951A107265605. <http://dx.doi.org/10.2305/IUCN.UK.2016-3.RLTS.T15951A107265605.en>

⁸ Fischer, C., 2004. The complex interactions of markets for endangered species products. *Journal of Environmental Economics and Management*, 48, 926-953; Fischer, C., 2010. Does Trade Help or Hinder the Conservation of Natural Resources? *Review of Environmental Economics and Policy*, 4(1), 103-121.

boundaries of a State.”⁹ Further, “Businesses would not be prohibited by the 4(d) rule from selling raw or worked ivory within the State in which they are located.”

The patchwork of federal laws and regulations creates the potential for loopholes that are exploited by those involved in the international and domestic ivory trade. In addition, federal implementation and enforcement are limited due to insufficient resources. State and local measures are critical to complement federal laws and regulations. Former USFWS Director Dan Ashe has said on this topic, “The ivory poaching and trafficking crisis is a complex problem that requires action on multiple levels to ensure that commercial trade doesn’t contribute to the slaughter of elephants in the wild. ... As we work to make it harder for criminals to launder illegal ivory into international and interstate commercial trade, it’s encouraging to see states taking action within their own borders.”¹⁰

Various investigations conducted in Hawaii,¹¹ California,¹² Oregon,¹³ Maryland,¹⁴ and Massachusetts¹⁵ have found many items for sale made of elephant ivory that did not appear to be antique. Most of the stores or sellers that investigators visited across the state in Maryland in 2017 did not have the documentation to prove the legality or origin of their items – making it impossible to know if the products were imported in violation of federal law. Other sellers seemed to deliberately confuse or mislead investigators.

State and local laws prohibiting the trade in elephant ivory and rhino horn are essential as a backstop against any potential rollbacks at the federal level.

Maryland should take action now

As jurisdictions take action to combat the wildlife trafficking problem within their own borders, the markets for these products inevitably move to other areas with weaker laws and regulations. 12 states and Washington DC have taken action on this issue by passing legislation to ban the sale of elephant ivory and rhino horn within their borders, and many of those state laws include a more comprehensive list of species. As Washington DC’s ivory law just went into effect, the ivory trade can easily shift to Maryland where there are no such laws in place.

Individuals will still be able to possess, and under some exemptions, sell these items

HB 52 proposes to prohibit the purchase, sale, offer for sale, or possession with intent to sell any part or product of the covered animal species with reasonable, narrow exemptions. The eleven types of covered animals are elephant, rhinoceros, tiger, lion, leopard, cheetah, jaguar, sea turtle, pangolin, hippo, giraffe, and great ape species. The extinct mammoth is also covered because it takes very little effort to pass

⁹ <http://www.fws.gov/policy/library/2015/2015-18487.pdf>

¹⁰ <http://news.nationalgeographic.com/2015/04/150407-ivory-trade-vermont-usfws-victor-gordon-cities-nra/>

¹¹ http://www.humanesociety.org/news/press_releases/2016/03/hawaii-ivory-undercover-investigation-030316.html

¹² https://www.nrdc.org/sites/default/files/wil_15010601a.pdf

¹³ http://www.humanesociety.org/news/press_releases/2016/10/oregon-endangered-animal-products-101116.html

¹⁴ http://www.humanesociety.org/news/press_releases/2017/02/investigation-finds-products-020817.html;

¹⁵ http://www.humanesociety.org/news/press_releases/2017/10/investigation-raises-concerns-100217.html

elephant ivory off as mammoth, and as a result, elephant ivory has been found for sale under the guise of legal mammoth ivory.¹⁶

Owners of legal items can continue to possess the items, convey them to beneficiaries, or transfer them, as long as no commercial transactions are involved. Exemptions apply for some items, such as qualifying antiques and musical instruments. Zoos accredited by the Association of Zoos and Aquariums will not be prevented from transferring live animals, nor their bodily fluids or hair, to other AZA facilities under this legislation per their usual business, as this bill pertains to the commercial trade of parts and products of imperiled species.

Thank you for your time and consideration of this important matter. We urge you to support HB 52 to protect wild animals from cruel poaching, wildlife trafficking, and the threat of extinction.

Sincerely,

Jennifer Bevan-Dangel
Maryland State Director
The Humane Society of the United States
jbevandangel@humanesociety.org

¹⁶ <http://www.planetexperts.com/sale-of-mammoth-ivory-may-contribute-to-elephant-poaching-experts-say/>

MSBA Animal Law Wildlife HB52 . KLF . Final.pdf

Uploaded by: Kimberly Fullerton

Position: FAV

MARYLAND STATE BAR ASSOCIATION ANIMAL LAW SECTION

January 17, 2022

Delegate Kumar P. Barve, *Chair*
Delegate Mary Lehman
House Environment and Transportation Committee
Room 252
House Office Building
Annapolis, Maryland 21401

RE: Written Testimony of the Animal Law Section of the Maryland State Bar
HB 52: Wildlife Trafficking Prevention

Dear Mr. Chair, Mr. Vice-Chair, Delegate Lehman, and Members of the Committee:
The Maryland State Bar Association Animal Law Section is in support of HB52, a bill which establishes provisions relating to wildlife trafficking.

I. ZONOTIC DISEASE IS DIRECTLY RELATED TO WILDLIFE TRADE

We must first recognize that zoonotic disease transmission is directly related to the wildlife trade. By prohibiting intrastate trading of certain products derived from the wildlife trade, HB52 would improve biosecurity and biodiversity on a significant scale. HB52 also has far reaching possibilities to improve human health and prevent zoonotic disease outbreaks by prohibiting the trade of certain products sourced through wildlife trafficking.

II. FAILURE TO PROVIDE STATE LEGISLATION ON WILDLIFE TRAFFICKING WILL BE THE ACHILLES HEEL OF BIOSECURITY

We must also acknowledge the common goal of prioritizing biosecurity in supply chains sourced from wildlife trafficking, particularly during the time of COVID.

The limitations imposed by HB52 are reflective of national and global policy making directives. Maryland legislators must lock arms with other policy leaders to ensure that a gap in local legislation does not become the Achilles heel of pandemic biosecurity. Covid-19 has demonstrated that zoonotic disease transmission knows no boundaries, and Maryland must have security in place so that it cannot serve as a black market for the trafficking of wildlife products.

Thank you for the time and consideration that you have dedicated to this written testimony. The Maryland State Bar Association Animal Law Section is hopeful that you will vote in favor of HB 52.

Respectfully Submitted,

/s/

Kimberly Fullerton

Immediate Past Chair

Maryland State Bar Association Animal Law Section

Natural Resources- Wildlife Trafficking Prevention

Uploaded by: Lisa Radov

Position: FAV



MARYLAND VOTES FOR ANIMALS

PO Box 10411
BALTIMORE, MD 21209

January 19, 2022

To: House Environment & Transportation Committee
From: Lisa Radov, President and Chairman, Maryland Votes for Animals, Inc.
Re: Natural Resources - Wildlife Trafficking Prohibition - HB 52 – Support

Chairman Barve, Vice Chairman Stein, members of the Environment and Transportation Committee, thank you for the opportunity to testify before you today. My name is Lisa Radov. I am the President and Chairman of Maryland Votes for Animals, Inc. We champion humane legislation to improve the lives of animals in Maryland, and in this case, beyond. Speaking for Maryland Votes for Animals, our Board of Directors, and our members across the State of Maryland, I respectfully ask that the House Environment & Transportation Committee vote favorably for HB 52.

Maryland is no stranger to taking a stand to protect a species from these activities. In 2013, Maryland was the first state on the East Coast to pass a law banning shark finning. That law, sponsored by then Senator Bryan Frosh, bans the possession, sale, trade and distribution of shark fins. Currently, fourteen other states and three US territories ban that brutal practice. It is time for Maryland to take a similar step forward, not only to protect sharks as we did in 2013, but also to protect these 18 endangered or threatened species whose numbers dwindle precipitously in the face of rapidly expanding illegal poaching.

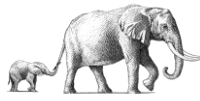
Federal law bans trafficking of these parts between states, but not within each state. With laws against trafficking parts or pieces having passed recently in New York and Washington DC, these activities will migrate to the closest states that allow these activities, such as Maryland. Baltimore is a certified antiques port, so with New York and Washington DC banning these sales we know that it is putting pressure on Maryland and our port as these illegal items are coming here. It's time to close this loophole so that we can protect these species.

I would like to thank Delegate Love for sponsoring this bill and urge a favorable report for HB 52.

Maryland HB 52 2022 letter of support SWT USA.pdf

Uploaded by: Melissa Sciacca

Position: FAV



USA
SHELDRIK
WILDLIFE TRUST

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January 19, 2022

RE: Support for House Bill 52

Dear House Environment and Transportation Committee,

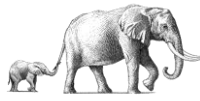
The David Sheldrick Wildlife Trust is writing today to express our strong support for the passage of House Bill 52 that would put important safeguards in place to severely limit wildlife trafficking practices, resulting in further protection at the state level for many of the world's most treasured and iconic species- specifically the elephant and rhinoceros.

The David Sheldrick Wildlife Trust (DSWT) is best known for its work in rehabilitating and hand-raising orphaned elephants and rhinos, largely as a result of poaching. DSWT has a significant presence and following in the United States, with more than 1,000 dedicated supporters residing in Maryland who share our commitment to preserving wildlife.

Ivory tusks that have no purpose to an individual other than to be carved into a statue or trinket, are helping to drive a multi-billion dollar industry in domestic goods, resulting in a staggering 66% drop in elephant population in the last 40 years. The recent Elephant Census Survey conducted over Africa in 2016 revealed that just over 350,000 elephants remain, a far worse outcome and reality than conservationists had imagined. Elephants and rhinos are in grave danger, and we have the ability to put an end to their crisis.

HB 52 will put into place important measures that offer an added level of protection to elephants like tiny "Barsilinga" (pictured right), who at only two weeks old, was found at the side of his mother who had endured fatal gun shots to her chest and legs. Her tragic death is a grizzly reminder of the suffering attached to each piece of ivory that is sold and bought. Barsilinga continues to recover at the David Sheldrick Wildlife Trust, however to this day carries deep emotional wounds and memories related to his mother's tragic passing.





USA
SHELDRIK
WILDLIFE TRUST

As the United States remains a top market for wildlife goods with more than 1/3 of products imported illegally, it is our duty as responsible humans, to offer protection for those that cannot protect themselves from enemies they have no chance of defeating alone. We strongly urge you to support bill HB52 in an effort to safeguard species that have just as much right to inhabit this planet as humans.

If you have any further questions or would like more information about how HB 52 can protect little rhinos and elephants like Barsilinga, please feel free to contact me directly at your convenience.

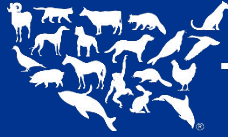
Sincerely,

Melissa L. Sciacca
Executive Director
David Sheldrick Wildlife Trust USA
melissa@sheldrickwildlifetrust.org

HB52 Slideshow.pptx.pdf

Uploaded by: Sara Love

Position: FAV



THE HUMANE SOCIETY
OF THE UNITED STATES

Imperiled wildlife parts and products for sale in Maryland



**THE HUMANE SOCIETY
OF THE UNITED STATES**

In 2017 and again in 2021, the HSUS investigated the sale of elephant ivory and other wildlife products in Maryland.

HSUS found undocumented ivory and other wildlife products for sale across the state, often sold under misleading circumstances.

These images show just some of what HSUS found, more findings are forthcoming.













TIME BOMB

TATTOOS

AND

CURIOSITIES

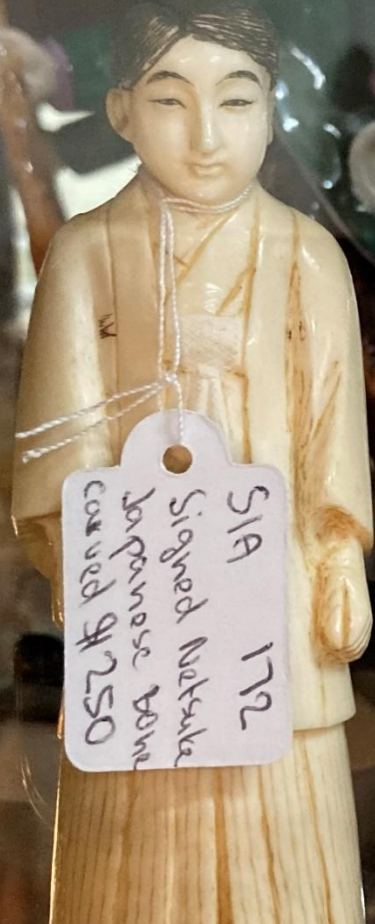
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Kevin Schafer/Alamy





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Paul Hilton/Paul Hilton Photography



THE HUMANE SOCIETY
OF THE UNITED STATES

Support H.B. 52 to ban the
sale of parts and products
from imperiled species in MD

HB52_FAV_Love_Sponsor

Uploaded by: Sara Love

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

January 19, 2022

**Sponsor Testimony for HB 52 –
Natural Resources – Wildlife Trafficking Prevention**
Delegate Sara Love

Mr. Chair, Mr. Vice Chair, Members of the best committee in the House,

For the record, I am Delegate Sara Love here to present House bill 52, prohibiting the trafficking of items made from imperiled species' parts in Maryland.

HB 52 proposes to prohibit the purchase, sale, offer for sale, or possession with intent to sell any part or product of the covered animal species with reasonable, narrow exemptions. The eleven types of covered animals are elephant, rhinoceros, tiger, lion, leopard, cheetah, jaguar, sea turtle, pangolin, giraffe, and great ape species. The extinct mammoth is also covered because it takes very little effort to pass elephant ivory off as mammoth, and as a result, elephant ivory has been found for sale under the guise of legal mammoth ivory.¹

Key provisions of the bill include that:

- A person shall not purchase, sell, offer for sale, or possess with intent to sell any covered animal species part or product;
- Owners of legal items can continue to possess the items, pass them down to heirs, or transfer them as long as no commercial transactions are involved;
- Prohibitions do not apply when the covered animal species part or product is part of an antique, or is a fixed component of a musical instrument, provided that the item is not made wholly or primarily of the covered animal part and the total weight of the covered animal species part or product is less than 200 grams.²

In short, the bill prohibits that sale of items made from the body parts of the animals you see in the slide show. Ash trays made from gorilla hands, pillows made from giraffe skin, and more. The United States is a major importer of these body parts. For example, we are the second largest consumer of illegally poached elephant ivory behind China. And between 2006 and 2015, more than

¹ <http://www.planetexperts.com/sale-of-mammoth-ivory-may-contribute-to-elephant-poaching-experts-say/>

² The 200 gram weight limit follows the same weight limit for the de minimis exemption in the federal proposed rule for the African elephant. The U.S. Fish and Wildlife Service stated that the 200 gram weight limit would cover most musical instruments with ivory trim, "including the ivory veneer on a piano with a full set of ivory keys" and "a broad range of decorative and utilitarian objects containing small amounts of ivory."

40,000 giraffe products were imported into the United States.³ These trafficked items are being sold in Maryland.

Federal law prohibits the interstate sale of items made from endangered animal parts. In addition, twelve states plus the District of Columbia have the same or similar bans to what we are proposing here.⁴ Maryland has no such ban, making us an attractive market for the sale of these parts.

Some of you may be wondering: we are talking about wildlife across the globe; why should we in Maryland care? I have two answers for you. The first is because banning this practice is the right thing to do. These items come largely through poaching – the illegal killing of these animals. Through our commerce, we are contributing to the killing of these animals.

- A recent report⁵ found the population of savanna elephants has declined by 60%, and forest elephants by more than 86% since the 1970s, placing them a step or two away from extinction.
- Cheetahs have lost an estimated 91% of their historic habitat and fewer than 7,100 remain in the wild.⁶
- All seven sea turtle species are threatened with extinction.
- African lion populations have declined by 43% since 1993 and are still declining.⁷
- The pangolin is the most trafficked animal. Two of its species are critically endangered and all are protected by federal treaty. Over a million have been illegally killed for their meat and scales.⁸

The second reason is because the sale of these parts is used to fund international terrorism.⁹ Please see the testimony from Kimberly Fullerton. In addition, I've attached testimony from the last time this bill was heard.

For the foregoing reasons, I respectfully request a favorable report on HB 52.

³ https://www.hsi.org/wp-content/uploads/assets/pdfs/giraffe_ea_petition_2017.pdf

⁴ California, Hawaii, Nevada, New Hampshire, New York, New Jersey, Oregon, Washington, Minnesota, Illinois, New Mexico, Vermont, and Washington, DC have passed laws in recent years restricting the sale of wild animal products within their own borders.

⁵ <https://www.iucn.org/news/species/202103/african-elephant-species-now-endangered-and-critically-endangered-iucn-red-list>

⁶ Durant, Sarah M., et al. "The global decline of cheetah *Acinonyx jubatus* and what it means for conservation." *Proceedings of the National Academy of Sciences* (2016): 201611122.

⁷ Bauer, H., Packer, C., Funston, P.F., Henschel, P. & Nowell, K. 2016. *Panthera leo*. The IUCN Red List of Threatened Species 2016: e.T15951A107265605. <http://dx.doi.org/10.2305/IUCN.UK.2016-3.RLTS.T15951A107265605.en>

⁸ <https://www.wwf.org.uk/learn/fascinating-facts/pangolins>

⁹ <https://www.brookings.edu/articles/wildlife-and-drug-trafficking-terrorism-and-human-security/>



We mitigate the threat of violence and terrorism on wildlife worldwide™
#FightTerrorismSaveWildlife™ #StopWildlifeTerrorism™ #SoThatWildlifeMayLive™
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General Assembly of Maryland
House Committee on the Environment and Transportation
State House on 100 State Circle, Room 250
Annapolis, MD 21401-1991

Phone: (410) 841-3990
E-mail: trish.gagnon@mlis.state.md.us

FOR: TESTIMONY TO THE HOUSE COMMITTEE ON THE ENVIRONMENT AND
TRANSPORTATION

RE: **STRONG SUPPORT OF HOUSE BILL 686:**
An Act Relating to Wildlife Trafficking Prevention of 12 “Covered Animal Species”

TO: **Chair**, Delegate Kumar P. Barve
Vice-Chair, Delegate Dana Stein
Committee Members, Delegates Carl Anderson Jr., Pamela Beidie, Alfred D. Carr, Jr.,
Andrew Cassilly, Jerry Clark, Robert L. Flanagan, William Folden, David Fraser-Hidalgo,
Barbara Frush, Jim V. McCray, Jim Gilchrist, Anne Healey, Marvin E. Holmes, Jr., Jay A.
Jacobs, Jay Jalisi, Tony Knotts, Stephen W. Lafferty, Robbyn Lewis, Cory V. McCray, Herb
McMillan, Charles J. Otto, Shane Robinson, and William J. Wivell.
Assistant to the Chair, Ms. Trish Gagnon

CC: **Sponsor**, Delegate Eric G. Luedtke
Co-Sponsors: Delegates Vanessa E. Atterbear, Alfred C. Carr, Jr., David Fraser-Hidalgo,
Barbara Frush, Marvin E. Holmes, Jr., Cory V. McCray, Andrew Platt, and Shane Robinson.

DATE: February 13, 2017

Dear Mr. Chairman, Mr. Vice-Chair, Honorable Committee Members, Sponsors, and Co-Sponsors:

My name is Allen R. Sandico and I am second-generation alumnus of the University of Maryland at College Park. I am also the CEO (Chief Elephant Officer) of TUSK TASK FORCE—a wildlife conservation non-profit with its global HQ in Seattle. I created Tusk Task Force as a result of an academic dissertation on counter-terrorism entitled—*The Big Ugly Picture: The Endless Loop of Organized Crime Activities through Black-Market Commerce Sustaining Global Terrorism* (2013, unpublished)—when I “connected that dots” between poaching and terrorism, a connection that has existed since 2004. Since then, I joined a consortium of organizations and individuals worldwide, concerned of the global consequences of wildlife trafficking, to abolish this insidious commerce; and today, **I strongly urge the Committee to pass HB 686, to prohibit wildlife trafficking of 12 “covered animal species” in the Great State of Maryland.**

ALLEN R. SANDICO, MPA | FOUNDER, CHIEF ELEPHANT OFFICER (CEO) | ceo@tusktaskforce.org | +1 (206) 384-1100

Tusk Task Force

General Assembly of Maryland

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February 15, 2017 in Room 250 at 1 p.m. EDT

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Representing my organization with our expertise on the trafficking of elephant and rhino parts, I can only testify on those two species of the “covered animal species” mentioned in the bill. As you may already know, the United States is among the world’s top markets for wildlife parts, according to a 2008 joint report by two NGOs. On the number of ivory items available for sale in retail stores, including in Maryland, the United States has the second largest market for ivory in the world, after China. The 2008 report¹ also identified that one third of the ivory for sale in the country is likely imported illegally. More recent market research shows that ivory items of unknown origin or without proper documentation continue to be offered at marketplaces across Maryland.

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 \$19-billion USD black market on wildlife parts² has been known among our own Intelligence Community (IC) and other transnational agencies which includes UNEP, UNODC, WCO, and INTERPOL.** Our analysis has led us to conclude that **ivory profits fund³ terrorists around the world at the rate of USD \$600,000 a month.⁴ 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 \$175,000⁵ USD and rhino horn may fetch as much as \$65,000 USD a pound.⁶** 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 in places like Baltimore, and even here in Annapolis.

These terrorists include (but not limited to) the following:

Al-Shabaab (Harakat al-Shabaab al-Mujahadin) in Somalia, the Sudan, and Kenya

- Designated as a Foreign Terrorist Organization (FTO) by the State Department and proven to be linked to al-Qae’da in Yemen⁷ and responsible for the murders of:
- **148 people and injured 80 at Garissa University in Nairobi, Kenya on 04/03/2015**
- **64 on a bus attack in Mandera, Kenya on 11/14/2014**
- **100+ in Mpeketoni, Lamu in Kenya on June 15-17, 2014**
- **67 people and injured 175 in the Westgate shopping mall in Nairobi, Kenya on 09/21/2013**

¹ “Ivory markets in the USA,” Care for the Wild International/Save The Elephants joint report by Esmond Martin and Daniel Stiles; 04/16/08.

² Statement of John C. Cruden, Assistant Attorney General, Environment and Natural Resources Division, Department of Justice; 02/11/14.

³ “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

⁴ “Ivory’s Curse: The Militarization & Professionalization of Poaching in Africa,” Born Free USA/c4ads joint report; 04, 2014.

⁵ 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 and corroborated by Jenny Stanton, reporter from London’s *Daily Mail* who reported on the story on 03/23/2015

⁶ Mic Smith, “Amid rhinoceros poaching frenzy, dark days for South African society,” *Mongabay Reporting Network*, South Africa, 06/05/2015.

⁷ Under Section 219 of the Immigration and Nationality Act (as amended) and a Specially Designated Global Terrorist (SDGT) entity under Section 1(b) of *Executive Order 13224* (as amended). National Counterterrorism Center (NCTC), Washington, DC; 04/05/2015

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Boko Haram (Jama'atu Ahl as-Sunnah li-Da'awati wal-Iihad) in the Niger, Nigeria, Cameroon, and Chad

- Their name means "Western education is forbidden" in the Hausa language, native to the Niger
- Designated by the State Department as a Foreign Terrorist Organization (FTO) in 11/2013⁸
- **Kidnapped 276 schoolgirls in Borno State, Nigeria on 04/15/2014**
- Reports indicate that these abducted girls have been used for operations that includes suicide bombings, espionage, and unwilling executioners to their enemies⁹
- Pledged allegiance to Da'esh (the more appropriate and correct term for ISIS/ISIL) as the Da'esh West Africa Province, providing them with more resources and influence¹⁰
- Dubbed by intelligence agencies and the *National Consortium for the Study of Terrorism and Responses to Terrorism (START)* as the most dangerous terrorist organization in the world¹¹

Joseph Kony's The Lord's Resistance Army (LRA) in Uganda, South Sudan, CAR, and the DRC¹²

- Designated by the State Department as a Foreign Terrorist Organization (FTO) in 05/2010¹³
- **Since 2005, they are believed to have committed hundreds of attacks resulting in over 5,000 deaths and injuries while using abducted children as soldiers and sex slaves¹⁴**
- **Implicated on the slaughter of more than 130 elephants in Garamba National Park in the DRC (since 04/2014) with 30 killed in just 15 days¹⁵ by using helicopters and sophisticated heavy weaponry¹⁶**

Wildlife conservation is now related to global security since profits from wildlife trafficking, through poaching, has become a primary currency for and by terrorist organizations. In particular, the ivory trade¹⁷ alone is a nefarious evil commerce wreaking havoc in Africa's economy, environment, governance, and security. Unfortunately, it also has spread to India¹⁸ and the rest of the South Asian sub-continent increasing poaching there to 300%. The threat is real and the bottom line is wildlife trafficking funds terrorism. Stop the trade in ivory and rhino horn, to cut off its supply, and it will end a substantial funding revenue channel to terrorists.

⁸ National Counterterrorism Center (NCTC), Washington, DC; 04/05/2015

⁹ Statement by Ms. Elizabeth Donnelly, assistant director of the Africa program at *Chatham House*, the Royal Institute of International Affairs; London, 01/16/2015

¹⁰ "Islamic State accepts Boko Haram's allegiance pledge." BBC report, 03/13/2015

¹¹ *Global Terrorism Index, 2015: Measuring and Understanding the Impact of Terrorism*. Institute for Economics and Peace, New York City.

¹² Central African Republic and the Democratic Republic of the Congo

¹³ Congress passed the "Lord's Resistance Army (LRA) Disarmament and Northern Uganda Recovery Act" (05/2010) which follows the inclusion of the LRA on the Terrorist Exclusion List (2001) and its leader, Joseph Kony, being designated as a Specially Designated Global Terrorist (SDGT) under *Executive Order 13324* (2008). National Counterterrorism Center (NCTC), Washington, DC; 04/05/2015

¹⁴ "LRA Regional Update: CAR, DRC and South Sudan." UN Office of Coordination of Humanitarian Affairs (OCHA). January-March 2012

¹⁵ Statement by Jean-Marc Froment, Director of Conservation of African Parks, whose group co-manages the park. AP report, 03/26/2015

¹⁶ "Poachers Without Borders: New Satellite Imaging and Predictive Mapping to Empower Park Rangers and Combat Ivory Traffickers in Garamba National Park" report for *Satellite Sentinel Project* by the Enough Project, African Parks, and Digital Globe; released on 04/2015

¹⁷ "Half of Africa's savanna elephants may disappear in less than a decade." Society for Environmental Communications, 09/01/2016

¹⁸ "Unabated rhino poaching in Assam irks governor." Society for Environmental Communications, 03/15/2015

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Wildlife trafficking is not just about the wildlife anymore, it's also about national security—our security. I know that this is a complex issue to wrap our heads around so I just decided to simply call it *Wildlife Terrorism*, for it brings so much misery and death to so many people and wildlife. Indeed, wildlife trafficking is 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, which includes:

- U.S. Marine Forces, Europe and Africa task forces has been deployed in Chad and Gabon to help train wildlife park rangers to combat trafficking¹⁹
- Increased collaboration with 5 African countries on anti-poaching operations including deployment of United States Africa Command (AFRICOM) assets since 03/2015²⁰
- Incorporating the threat of wildlife trafficking into the Office of the Director of National Intelligence's *Worldwide Threat Assessment* (p. 9) to Congress on 02/26/15²¹
- 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 security²²
- Congressional briefings by an invited panel of national security experts on worldwide threats by wildlife trafficking on 09/10/2014 following a \$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 06/09/2014²³
- Sending additional forces and military resources by the Department of Defense to increase support against the LRA (03/2014)²⁴

Compelling evidence brought forth by many organizations, as highlighted above, has given this issue a sense of urgency. We must mitigate this by curtailing its supply and demand; and banning their trade in every state is the next necessary step. If more states stop the market for ivory and rhino horn, it will not only prevent the extinction of these majestic animals but also diminish a growing humanitarian crisis of poverty, insecurity, disease, migration, and corruption.

The major terrorist organizations in the Middle East chose Africa as a source of revenue from all sources of illicit enterprise with wildlife trade being a catalyst for arms dealing, counterfeit trade, human trafficking, identity theft, illegal mining, money laundering, narcotics, and sexual/slave labor. With 183 Chinese mafia or "Triad" groups doing the selling and distribution of wildlife parts from Africa and other Asian sources, a substantial portion of these illegal profits are ending up in

¹⁹ Staff Sergeant Bryan Peterson, "U.S. and Gabon officials to work together to combat wildlife trafficking." USMCFEA, 10/05/2015

²⁰ *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

²¹ Director of National Intelligence, GEN James R. Clapper, presented this report to the *Senate Armed Services Committee* on 02/26/15.

²² *National Security Strategy of the United States*. Executive Office of the President; 02/11/2015

²³ Appointed 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

²⁴ National Counterterrorism Center (NCTC), Washington, DC; 04/05/2015

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the hands of terrorist organizations and their affiliates; supplying arms and resources back to poachers. So long as there is any value on ivory and rhino horn, the proceeds ends up in the hands of Da'esh (Islamic State) and al-Qae'da through their affiliates in Africa. In order to stop the flow of money from this violent enterprise of wildlife parts, **Maryland has the tremendous leadership opportunity to "act locally, think globally" and disrupt the funding of terrorism by banning all commerce related to ivory and rhino horn.**

Further, the U.S. Fish and Wildlife Service (USFWS) believes that state measures are needed to complement federal law and help combat wildlife trafficking. **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 states²⁵ that wildlife trafficked parts, "...does not reach sale or offer for sale or activities in the course of a commercial activity that occur solely within the boundaries of a State." **While the covered species in the legislation receives certain level of federal protections, this bill would close federal loopholes and give these imperiled species additional protections that the federal law and enforcement do not have the capacity or resources to address.**

State action to combat wildlife trafficking is especially critical now, given that the U.S. Congress and the new Trump administration have plans to rescind and weaken existing laws to accommodate the trophy hunting and commercial arms industries. In addition, Congress is considering the *Midnight Rules Relief Act of 2017* (H.R. 21), which, if passed, would allow the House to repeal any regulations *en bloc* finalized during the last year of the last presidential term. In the current instance, this would include the federal government's 2016 ivory rule that has already passed Congress. In addition, a separate bill, H.R. 226, *African Elephant Conservation and Legal Ivory Possession Act*, has been introduced to do away with the gains under the Obama administration to curb the illegal ivory trade and to gut the existing protections for all African species in the *Endangered Species Act* (ESA) of 1973.

In 2013, the States of New York and New Jersey passed stringent laws to ban ivory and rhino horn within their jurisdictions. Following their examples, the states of California, Hawaii, Oregon, and Washington passed a ban on wildlife trafficking. **Emphasizing how important this issue is, 71% of Washington state voters overwhelmingly voted for a statewide referendum banning the trade on Election Day, 2015.** Closer to home, Maryland citizens have demonstrated their strong desire to tackle the pernicious endangered species trade. **An overwhelming 83 percent of Maryland residents, participating in a poll from February 2016, support the proposed legislation.** While many of the species covered in the proposed legislation may be in countries tens of thousands of miles away, the polling results demonstrate that Maryland residents care and are concerned about the poaching and trafficking threats facing these at-risk species. North of the border in Harrisburg, the Commonwealth of Pennsylvania is also considering this ban with a hearing next week. Now, it's your turn to push HB 686 through this committee and, eventually, on to the House floor for a vote.

²⁵ Federal Register, Vol. 80, No. 145, published on Wednesday, July 29, 2015, as Proposed Rules.

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The urgency is now, before it's really too late.

Two years ago, my NGO's research team created the world's first and only comprehensive database of wildlife terrorism activities and events all over the globe which demonstrates the link between poaching and terrorism called DATA On Wildlife™ (Database of All Terrorist Activities On Wildlife). It is a dynamic and static project for activities or events happen on a daily basis and our sources are many. 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, 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 on the ground.

Just to give you a glimpse of what we know that has become common knowledge in the African and European media, I have attached a one-page "briefing points" sheet and a "visual matrix" of DATA On Wildlife™ for your quick review. Upon request, I will gladly provide you with more research evidence on the link between wildlife trafficking and terrorism with citations and references.

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 black market has brought upon their lives. This is about the people defending the wildlife who chose a vibrant *wildlife economy* (tourism) as oppose to the violent *extinction economy* that brings havoc on their regional security and well-being. Bryan Christy, the investigative journalist from *National Geographic*, witnessed this first-hand when he was reporting on, "How Killing Elephants finances Terror in Africa," the magazine's cover article published on September 2015:

"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.

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."

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Regardless of the growing proof of the nexus between terrorism and wildlife trafficking, we need not wait for a 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 as a matter of making a point."²⁶

If only it was that easy to convince people of how imperative it is to solve this global crisis.

As a **second-generation Maryland Terrapin with deep ties to our great state**, I thank you so much your time in considering my testimony on this urgent wildlife conservation and national security issue **in strong support of HB 686, to prohibit wildlife trafficking of 12 "covered animal species" in the Great State of Maryland.**

Respectfully,



Allen R. Sandico, MPA
Founder, Chief Elephant Officer (CEO)
ceo@tusktaskforce.org

www.tusktaskforce.org
+1 (206) 384-1100

Tusk Task Force™ is the Seattle-based, federal 501c3 status-pending, global non-profit wildlife conservation NGO mitigating the threat of violence and terrorism on the world's wildlife by providing strategic and tactical resources—advocacy, intelligence, and protection—to all ground forces that defend them so that wildlife may live. ©

²⁶ Statement given to Lisa Miller, Washington correspondent for *ABC Radio Australia* for her report entitled, "US warehouse of 1.5 million stuffed animals stands as reminder of horrific illegal wildlife trade," aired on 04/01/2015.

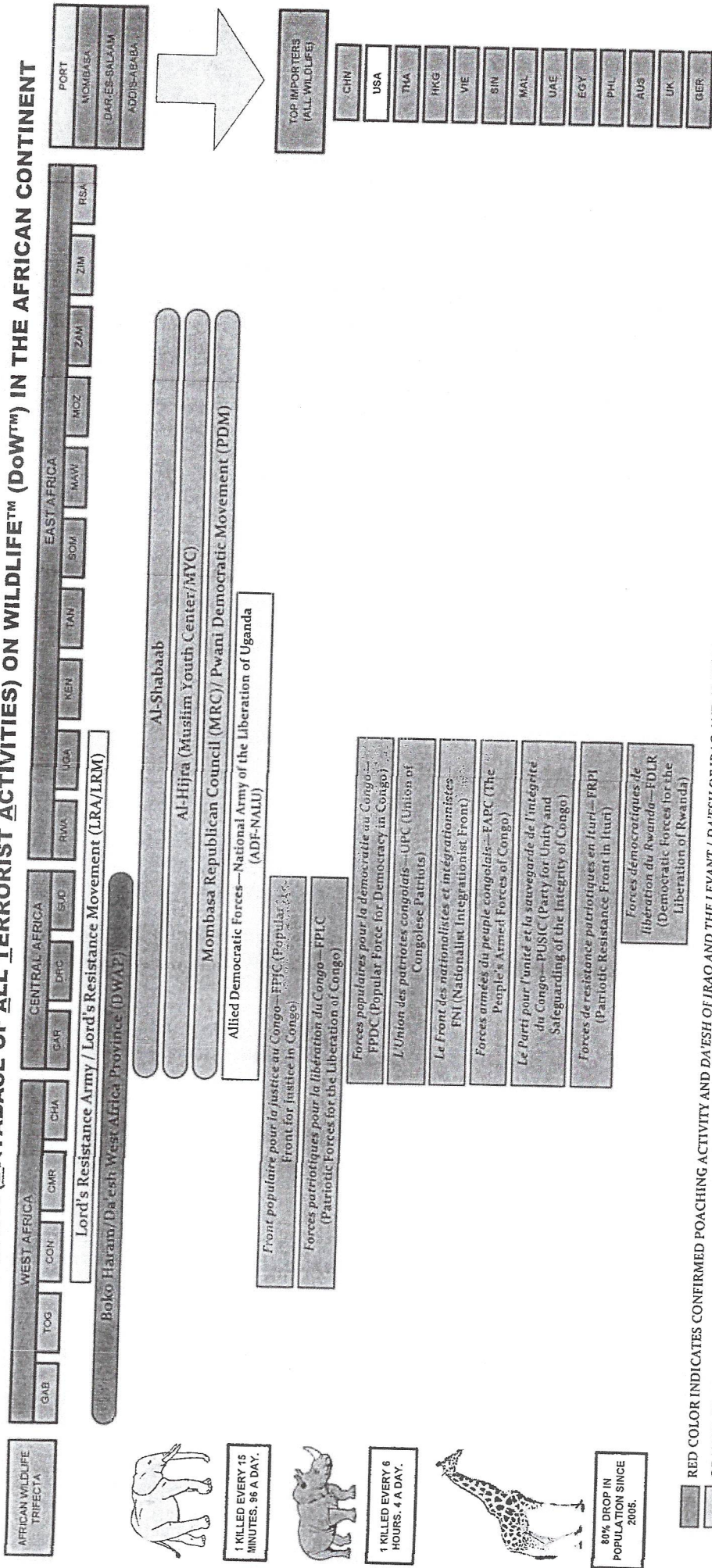
TUSK TASK FORCE'S OUTREACH MISSION IS TO SPREAD THE MESSAGE THAT POACHING WILDLIFE PARTS IS NOT JUST ABOUT THE ANIMALS ANYMORE; IT'S NOW A GLOBAL SECURITY ISSUE SINCE POACHING FUNDS TERRORISM.

- **Every 15 minutes an elephant is killed for its tusk.** That's 4 an hour, 96 a day, 672 a week, 2,880 a month, and 34,560 a year. A total of 35,000 elephants were killed in 2013 alone.
- **Wildlife trafficking has an estimated \$23-billion-a-year market** according to the U.S. Department of Justice's Environment and Natural Resources Division (John C. Cruden, 02/11/14).
- **Rhino population is down at 97% since 1960 and one is killed every 13 hours, every day.** Rhino population figures include Black (<5,000), Southern White (<20,000), Greater One-Horned (<3,000), Sumatran (<100), and Javan (35-45). **The Northern White Rhino is now extinct.** Vietnam and China are the world's biggest consumers of rhino horn due to non-regulation and illicit trade.
- **Individual elephant tusks can sell for tens of thousands of dollars, and reports indicate that the substantial portions of these illegal profits are ending up in the hands of transnational organized crime syndicates that also conduct trafficking of humans, drugs, and weapons** and extremist groups like al-Shabaab in the Sudan and Somalia, Boko Haram in Nigeria, and Joseph Kony's Lord's Resistance Army (LRA) in Uganda that use the proceeds to finance human rights abuses and terrorist activities.
- **Consumer demand, stimulated by the presence of legal domestic markets in many countries around the world, is elevating the price of ivory and driving elephant poaching.** Within the United States, assessed by some to be the second largest commercial market for ivory in the world, studies indicate that illegal ivory is frequently sold alongside legal ivory in shops across the country. It is impossible to distinguish legal ivory from illegal ivory without an expensive lab test. This renders enforcement of existing U.S. law extremely difficult, and **traffickers frequently exploit these regulatory loopholes in order to sell poached ivory in legal markets at the state/local level.**
- A September 2013 report issued by the UN Office on Drugs and Crime identified the **notorious al-Shabaab, the Somali-based affiliate of al-Qae'da** (and has been designated by the U.S. as a foreign terrorist organization) **raises \$600,000 a month from poaching to fund all of its operations that includes the Westgate shopping mall attack in Nairobi, Kenya on September 21, 2013.**
- **Supplies of ivory from Africa and elsewhere are usually purchased and distributed by Chinese mafia organizations** in Hong Kong, Australia, the United Kingdom, and the United States with those funds being recycled to purchase arms for poachers and terrorists to use.
- **Boko Haram, who kidnapped the 200 Nigerian school girls and beheaded hostages, publicly declared that they will directly resort to poaching as a primary source of income since "it is easier than kidnapping and extortion."**
- At a hearing at the UN General Council in September 2013, the Ambassador and Permanent Representative of the United Republic of Tanzania to the United Nations cited the link between terrorism and illegal ivory sales, citing the murder of park rangers and also saying **"Wildlife trafficking is increasingly associated with rebel and terrorist groups such as the Lord's Resistance Army (LRA) and al-Shabaab, an al-Qaeda terrorist cell in East Africa"** making ivory tusks and rhino horn profits as a primary resource of funding for these organizations due to the demand by global markets.

Sources: World Threat Assessment of the Intelligence Community (ODNI, 02/26/15); National Security Strategy (EOPOTUS, 02/06/15); Ivory's Curse: The Militarization & Professionalization of Poaching in Africa (Born Free USA/c4ads, 04, 2014); A Rapid Response Assessment: The Environmental Crime Crisis/Threats to Sustainable Development from Illegal Exploitation and Trade in Wildlife and Forest Resources (United Nations Environmental Programme/INTERPOL, 06/26/14)

IF CURRENT POACHING RATES CONTINUE OR INCREASE DUE TO DEMAND, ELEPHANTS AND RHINOS WILL BE EXTINCT WITHIN TEN YEARS.

VISUAL MATRIX OF DATA (DATABASE OF ALL TERRORIST ACTIVITIES) ON WILDLIFE™ (DOW™) IN THE AFRICAN CONTINENT



We mitigate the threat of terrorism on wildlife worldwide™
 #FightTerrorismSaveWildlife™ #StopWildlifeTerrorism™

- RED COLOR INDICATES CONFIRMED POACHING ACTIVITY AND DA'ESH OF IRAQ AND THE LEVANT / DA'ESH OF IRAQ AND AL-SHAM AFFILIATION
- ORANGE COLOR INDICATES CONFIRMED POACHING ACTIVITY AND AL-QA'EDA IN THE MAGHREB (AQIM) / AL-QA'EDA IN YEMEN (AQIY) AFFILIATION
- AMBER COLOR INDICATES CONFIRMED POACHING ACTIVITY AND INDEPENDENT/NO AFFILIATION
- GREEN COLOR INDICATES SUSPECTED POACHING ACTIVITY AND INDEPENDENT/NO AFFILIATION

Sources: African Parks, BBC, All Africa (Joseph Muraya), Barbara Among (Uganda), Daily Mail (Jenny Stanton), Daily Nation (Rasna Warah), Digital Globe, Elizabeth Donnelly (Chartham House, Royal Institute of International Affairs), Enough Project (Holly Dranginis, Sasha Lezhnev), General Service Unit (GSU, Kenya), Inspector-General of Police David Kimaiyo (Kenya), Interpol, IRIN, Jean-Marc Froment (African Parks), Jeremy Presholdt, John Davis, Kenya Interior Ministry Cabinet Secretary Joseph Nkaissery, New African (Desmond Davies, Mark Kapchanga, Wanjohi Kabukuru), National Security Intelligence Service (NSIS, Kenya), Nick Turse, PNAS (N.G. Patel, C. Torres, D.O. Joly, J.S. Brownstein, R. Boston, M.Z. Levy, and G. Smith), Science/AAAS (S.K. Wasser, L. Brown, C. Malland, S. Mondol, W. Clark, C. Laurie, B.S. Weir), The Independent (Lucy Clarke-Billings), TRAC (Tracking Terrorism), UN Office of Drug and Crime (UNODC), UN Office of Coordination of Humanitarian Affairs (OCHA), UN Security Council, US Fish And Wildlife Service (USFWS, Washington DC), and US National Counterterrorism Center (NCTC, Washington DC).

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Testimony on House Bill 52 (1).pdf

Uploaded by: Diane Hutchins

Position: FWA

MARYLAND ZOO

TESTIMONY ON HOUSE BILL 52

HOUSE ENVIRONMENT AND TRANSPORTATION COMMITTEE

JANUARY 19, 2022

POSITION: FAVORABLE WITH AMENDMENTS

Mr. Chairman and Members of the Committee-

The Maryland Zoo in Baltimore strongly supports the *intent* of House Bill 52.

Created by an act of the Maryland General Assembly in 1876, The Maryland Zoo in Baltimore is owned by the City of Baltimore. It is in year 30 of a lease between the City and the State of Maryland. The Zoo is operated on behalf of the State by the non-profit Maryland Zoological Society, Inc. (MZS) through a sub-lease between the State and the MZS.

The Zoo has provided high levels of care following the best applicable standards of animal husbandry for 146 years. Its mission is to inspire and educate people to join with us in the active support and conservation of wildlife and wild places. As an entity where the staff spends each day working to save animals from extinction, the very notion of wildlife trafficking is anathema to all who work at the Zoo. The practice is antithetical to all that the Zoo stands for and represents.

However, the bill, as introduced, has the potential to be detrimental to The Maryland Zoo in Baltimore. The definition of a “bona fide scientific or educational institution” on page 3 of the bill, lines 4-6, upon first reading appears to encompass the Zoo. However, there is some question as to whether the language would do so as the tax-exempt status belongs to the MZS but the Zoo is owned by a governmental entity, the City of Baltimore. To correct this problem the Zoo offers the following amendment:

On page 3, in line 6, after “**SERVICE**” insert “**OR IS MUNICIPALLY-OWNED.**”

MARYLAND ZOO

Additionally, it is our understanding that there may be an amendment offered that deals with accreditation by and the standards of the Association of Zoos and Aquariums (AZA). The Zoo believes that this amendment is insufficient.

While the Zoo has been accredited by the AZA since 1980, works hard to maintain it, and does not anticipate a change in that status, zoos do lose accreditation. The Salisbury Zoological Park, known as the Salisbury Zoo, had been accredited by the AZA since 1976 and lost its accreditation in 2019. The Columbus Zoo and Aquarium which had also been accredited by AZA since 1980 (and became nationally known during the tenure of its long-time director Jack Hanna), lost its accreditation in 2021. It is possible for an institution to regain AZA accreditation and the organization views the results of accreditation to be proprietary information. The AZA evaluates a plethora of items: animal welfare, care, and management (including living environments, social groupings, health, and nutrition), veterinary program, involvement in conservation and research, education programs, safety policies and procedures, security, physical facilities, guest services, and the quality of the institution's staff. Accreditation also evaluates each institution's finances, its governing authority, and its support organization. Because this examination is so comprehensive, it is difficult to envision how the Maryland Department of Natural Resources would be capable of evaluating and/or enforcing standards of the Association of Zoos and Aquariums.

The Maryland Zoo in Baltimore urges the Committee to give a Favorable With Amendments report on House Bill 52.

HB52- National Aquarium - Wildlife Trafficking Pre

Uploaded by: Ryan Fredriksson

Position: FWA



Date: January 19, 2022

Bill: HB 52 - Natural Resources - Wildlife Trafficking Prevention

Position: Favorable with Amendment

Dear Chair Barve and Members of the Committee:

The National Aquarium respectfully requests a favorable with amendments report for **House Bill 52 - Natural Resources - Wildlife Trafficking Prevention**, which will further protect vulnerable species, including sea turtles. We are seeking the following amendment on page 3, line 6:

(B) "BONA FIDE SCIENTIFIC OR EDUCATIONAL INSTITUTION" MEANS AN INSTITUTION THAT ESTABLISHES EDUCATIONAL OR SCIENTIFIC TAX-EXEMPT STATUS THROUGH DOCUMENTATION FROM THE INTERNAL REVENUE SERVICE, OR A ZOO OR AQUARIUM THAT PROVIDES EDUCATIONAL OR SCIENTIFIC SERVICES AND THAT IS ACCREDITED BY THE ASSOCIATION OF ZOOS AND AQUARIUMS OR IMPLEMENTS STANDARDS THAT EXCEED THE ACCREDITATION STANDARDS OF THE ASSOCIATION OF ZOOS AND AQUARIUMS.

The proposed amendment expands the definition of a scientific or educational institution to include a zoo or aquarium that provides educational or scientific services and is accredited by the Association of Zoos and Aquariums (AZA). This change ensures the National Aquarium is properly classified as educational institution and allows the continued use of legally obtained animal artifacts in our education programs. Additionally, this change ensures AZA institutions are still able to exchange educational resources between institutions.

Saving wildlife and habitats is one of the National Aquarium's three strategic conservation goals, so we appreciate that this bill will prohibit the intrastate purchasing, selling, offering for sale, or possessing with the intent to sell certain parts or products of vulnerable animal species. Specifically, the bill would apply to all six endangered or threatened sea turtle species found in U.S. waters.

Since 1991, the National Aquarium has operated a sea turtle stranding response and rehabilitation program and is the only organization permitted to respond to live-stranded sea turtles in the State of Maryland. The National Aquarium is also involved in several efforts to increase support for sea turtle conservation, including AZA's Saving Animals From Extinction (SAFE) Sea Turtle program. Illegal wildlife trafficking undercuts the efforts of dedicated institutions working throughout our state, country and around the world to protect species like sea turtles from extinction.

By passing HB 52, Maryland will join a growing list of states taking action in their jurisdiction to support the global effort to prevent illegal wildlife trafficking. **We urge the Committee to issue a favorable with amendments report on HB 52.**

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