

The following comments were submitted by us to US Fish & Wildlife during their request for public comment on a proposed ban on the sale of old ivory already existing legally in the United States:

Those who are opposed to this regulation and those who are for it share a common goal. We both seek a resolution where there are healthy populations of elephants in Africa.

Scientific and proper wildlife management leads to healthy wildlife populations. Historically, wildlife management hinged on a two point system. First, the free market was not controlled or tampered with by the government but was left alone to determine the value of the wildlife products in question. Secondly, and very importantly, the wildlife was scientifically managed at the location/range where the animal or plant existed. This wildlife management system has worked very well in every area where it has been implemented and it worked very well for the African elephant until it was abandoned, gradually, starting in the 1960's. Since then there has been more government control of the marketplace and less control of the actual wildlife management on the ground where the animal lives.

Study No. 1: <http://voices.nationalgeographic.com/2014/09/15/opinion-can-elephants-survive-a-continued-ivory-trade-ban>.

To quote from study # 1: “If China could receive 40-50 tons and Japan 10-15 tons of legal raw ivory annually, the speculators would be put out of business, most ivory factory owners would cease buying poached tusks, raw ivory prices would plummet, and elephant poaching would become much less profitable, greatly reducing the incentive to poach. Uncertainty and speculation would cease. This quantity of ivory could be supplied from a combination of existing African stockpiles, natural elephant mortality and “problem” animal control. Many people are unaware that large numbers of elephants are killed legally every year in human-elephant conflict situations. Not a single elephant life would have to be sacrificed for this legal, regulated trade.”

This study, by Daniel Stiles, whose writings were cited by FWS in their prelude to this proposed regulation, is showing that a legal trade in ivory would displace the existing illegal trade where it exists in the Orient. History shows us that bans do not work. There is a difference between two closely related issues: actually saving elephants and simply being against all use of ivory. A total ban on ivory sales is a false step as it did not work in the past and it won't work now. It will result in more elephants getting slaughtered. This regulation is a step in the direction of a total ban on the use of ivory and is therefore a non-scientific and incorrect step to take.

See these papers, and the above study by Stiles, for in depth analysis based on real research and not just emotionalized arguments, all documenting how counterproductive total bans are:

Study No. 2 : <http://sciblogs.co.nz/chthonic-wildlife-ramblings/2014/05/02/the-raw-and-the-carved-tusk-throughput-in-an-ivory-industry>.

Study No. 3: <http://sciblogs.co.nz/chthonic-wildlife-ramblings/2014/04/22/ivory-crimes-supply-or-demand-shock-2>.

Study No. 4 : <http://sciblogs.co.nz/chthonic-wildlife-ramblings/2013/11/08/grand-empty-gestures-what-does-destroying-ivory-accomplish/>

Also worth noting is that nowhere in any of these analyses (or any others) are pre-ban and antique ivories mentioned as having anything at all to do with supporting the illegal ivory markets. We need to consider the following:

Study No. 6: <http://www.cites.org/sites/default/files/eng/cop/16/doc/E-CoP16-53-01.pdf>

Worth noting in Study No. 6, A UN CITES study, is that the U.S (along with Germany and Australia) is ranked in the lists of countries far down in Group 11, where it's stated that "...there is no evidence of large-scale ivory movements within this group, indicating that none of these countries currently lie along ivory trade routes used by organized criminal syndicates."

November 5, 2014: China continues to be largest buyer of poached ivory
From The New York Times: Chinese President's Delegation Tied to Illegal Ivory Purchases During Africa Visit

At a time when China says it is trying to root out corruption, a report accuses President Xi Jinping's delegation of colluding with corrupt Tanzanian officials to smuggle ivory:

<http://sinosphere.blogs.nytimes.com/2014/11/05/chinese-presidents-delegation-tied-to-illegal-ivory-purchases-during-africa-visit/?mwrsm=Email>.

Our government is currently pressing the idea that by forcing this regulation on the American people we will be sending a message to China and then China will follow suit. China has never looked to us as example setters from which to follow. With this regulation the free citizens of the United States will have greater restrictions upon their personal property than do the citizens of Communist China.

This regulation is not wildlife management. This regulation, in fact, is the opposite of what has been proven to work historically. This regulation places controls on the free market of old ivory in the US and it is doing nothing to better manage the wildlife where it exists in Africa. Those few African nations that are not managing their wildlife well, due to whatever reason: a weak government, underfunded wildlife departments, corruption of wildlife officials, etc. are not being lifted up with any assistance with this. Do we want to risk the survival of this great species by implementing a regulation and a type of thinking that has never been tried before and that is exactly the opposite of what has historically proven to work? Again, what works is a free marketplace linked with scientific wildlife management at the location where the animal lives. This regulation is further controlling the free market and doing no scientific management at the location where the animal lives.

This is another step in the top down, heavy handed type of government control that has been proven to be ineffective these past 60 years in properly managing Elephants in Africa. By their own admission, the ESA and CITES programs have been ineffective so now our government, the UN and the environmental groups are doubling down on a system that does not work. We are now at the point where our government wants to stop the trade of old legal ivory in a nation on the opposite side of the globe in an effort to stop illegal poaching where it exists in Africa. From

a wildlife management perspective this is unscientific and it is ludicrous. This regulation is ideal from the perspective of an out of control government that is working to hurt the good people of this nation through economic and cultural persecution and oppression, and in the conditioning of the American people to accept government control in every aspect of their lives.

The last step, 25 years ago, was to stop the importation of ivory into the US. Presently the FWS is proposing this regulation to stop the trade of old ivory already in the US. The next step will be to confiscate the old legal ivory in this nation. In a few years an emotional case will be made for doing so, just as an emotional case is being made here today to stop the trade of old legal ivory in the United States.

As with any regulation proposal that has a political rather than a scientific bases upon which to pivot, the proposal is prefaced with information that is intended to scare the reader into accepting these new drastic measures. Just as scare tactics were promulgated to obtain the Stimulus Package seven years ago, this regulation reaches out with fear to affect our emotions rather than to reach out with science and common sense to reach our intellect. This is cloaked in science but has sensationalism and emotion as its core.

Historically, for thousands of years, the good people in any trade have worked with the authorities to stop bad people in their trade from continuing in their bad ways. Many, if not most or all of the serious cases presented in the preface to this regulation were cases that were made known to FWS from good people in the legal ivory trade who reported the bad guys. As a person working in legal pre-ban ivory I know this because I and others I personally know in the trade reported the suspicious activities that led to the arrest and conviction of the criminals in several of these actual cases. Of the cases I am not familiar with it is my opinion that most of those were likely bird-dogged by good people in the trade who suspected illegal activity. I have worked with FWS since 1990 by evaluating ivory for prosecution purposes and by reporting any suspicious activity as it relates to this legal trade of old ivory. On average I forward to FWS one email per month that arrives from people in Africa wanting to sell illegal ivory. Simply put, if this regulation is put in place then people like me will be out of business and no longer in a position to birddog such incoming threats of real life poaching situations/rings where the actual killing takes place in Africa.

Banning all U.S. commerce in existing legal ivory relinquishes control of the entire ivory market to the poachers and their Asian clients. While the U.S. uses totally legal and papered ivory already in the country any domestic activity involving poached ivory is minor and insignificant as shown in several of the above studies. Counterproductively, this near total ban will result in higher black market prices and increased poaching since it has almost nothing to do with funding protection on the ground for Elephants in Africa, decreasing foreign trade channels for illicit material, or arresting and convicting those involved in the illegal trade in Asian countries.

Here is info from Ron Thomson. Ron was deeply involved in the management of both Hwange and Gonarezhou National Parks in Zimbabwe. He is the author of many books on conservation in Africa (<http://www.ronthomsonshuntingbooks.co.za>). He is an expert who has lived and managed wildlife. Listen to his words about elephant populations in southern Africa, the animal

rights groups, and the attitude of American government agencies toward the environmental and conservation problems that Africa is experiencing. Here is what Ron has to say:

As someone whose passion is wildlife management - and who has a special interest in elephants and rhinos - whose belief it is that maintaining biological diversity is the ULTIMATE and singlemost important goal of living resource management in a national park, I have to tell you that ALL our southern African national parks are horrifically overstocked with elephants - and that the elephants are busy turning their habitats into deserts.

In 1960 it was agreed by the National Parks Board of that time, that the Hwange National Park's elephant stocking rate was no more than one elephant per two square miles (I still believe that is about right); and Hwange National Park is 5000 square miles in extent. Between 1960 and 1964, therefore, I was involved in trying to reduce the elephant population of Hwange from (then) 3500 to 2500 - by shooting every elephant that crossed the park boundary into the tribal lands beyond. Tim Braybrook and I shot hundreds of elephants during that period, but we never achieved our objective because elephants were all the time invading Hwange from Botswana - attracted by the 60 boreholed game water supplies we provided for our game in Hwange during that same period of time. And, in those days even, the elephants of Hwange were already rendering extinct several species of trees in the Hwange habitats.

Nevertheless, in 1960, lets say the 'desired' number of elephants for Hwange was 2500. Compare that to the numbers today: over 50 000. That means Hwange is currently overstocked with elephants by 2000 percent! The Gonarezhou is now carrying 11 000 elephants - and the habitats have been trashed. The 2000 sq mile Gonarezhou should be carrying no more than 1000 elephants. So the Gonarezhou is over 1000 percent overstocked. Kruger should be carrying no more than 4000 elephants; it is currently carrying between 16 000 and 20 000 (depending on whose elephant assessment you believe). So Kruger is 400 to 500 percent over stocked. Botswana is now carrying in excess of 200 000 elephants; yet in 1960, when irreparable habitat damage was first reported from Chobe National Park, the comparable count was (about) 7 500. So Botswana is carrying, arguably, 27 times as many elephants as it should - and its other wild animal species populations have crashed by up to 60 percent (so far); in some cases by as much as 90 percent. If you care to look at the situation in Namibia you will find the the same kind of elephant overpopulation situation exists there, too.

So where do these damned First World animal rightists get their propaganda figures from? And why is the IUCN et al, not more concerned about elephant habitat damage than they are concerned about elephant numbers? You NEVER hear IUCN so-called "experts" talking about the state of the habitats. They only express positive comments when elephant count numbers are UP; and dismal forebodings (about extinction) when numbers are DOWN. The IUCN is worse than the animal rightists! Elephant population numbers and the health of elephant habitats go hand in hand. They should be considered as one entity. Don't these people understand ANYTHING about the principles and practices of wildlife management? The world has gone crazy with its concern about the predictions of elephant extinctions contained in the animal rightists' false propaganda. Do the figures I have quoted give you any reason to believe that the elephant, as a species, is facing extinction? Nothing could be further from the truth. Yet in America - from Barack Obama's office down through the governments various administrations -

everybody is going cuckoo over the possibility. Aren't the people of America normal, thinking and intelligent people? Don't they understand that the animal rights movement is a confidence industry. The purpose of them propagating such disinformation is to make money - vast amounts of money - from the gullible public.

And all these people are now telling Africa HOW it should manage its wildlife. That idea is preposterous! These people should keep their hands off Africa!

Sincerely ,

David Warther

2561 Crestview Dr. NW

Dover , Ohio

44622