



TO: Co-Chair Kennedy, Co-Chair Albis, and Honorable Members of the Environment Committee
FROM: Elly Pepper, Natural Resources Defense Council
DATE: March 9, 2016
RE: Support for House Bill 5578

On behalf of our 2.4 million members and activists, including almost 7,000 in Connecticut, we are writing to urge you to support House Bill 5578.

The international trade in wildlife is a powerful political and economic force that has driven many species to the brink of extinction and some to disappear forever.¹ The rarer a species becomes, the more people desire it.² This is exactly what has happened with elephant ivory and rhino horn. As demand for these products has boomed, ivory and rhino horn prices have skyrocketed. As prices have increased, so has poaching, with more than 100,000 elephants killed from 2010 through 2012³ and 1,175 rhinos killed in 2015 in South Africa.⁴

While the public seems aware of the huge role Chinese demand for elephant ivory has played in elephant poaching, many don't realize that the United States also contributes significantly to this problem.⁵ For example, a 2015 survey commissioned by the Natural Resources Defense Council of the Los Angeles and San Francisco ivory markets found that up to 90% of the ivory seen in Los Angeles and up to 80% of the ivory seen in San Francisco was likely illegal.⁶

U.S. laws on elephant ivory facilitate an illegal market in two main ways. First, it is very difficult to determine ivory age.⁷ Therefore, sellers often sneak new ivory onto their shelves by staining it, chipping it, and using other means to make it look old.⁸ Second, since it is extremely difficult to determine whether ivory is from an elephant or from a legal source of ivory such as a

¹ Duncan Graham-Rowe. (2011). *Biodiversity: Endangered and In Demand*. Nature 480:S101-S103 (2011).

² Franck Courchamp, et al. (2006). *Rarity Value and Species Extinction: The Anthropogenic Allee Effect*. PLoS Biology 4(12): e415.

³ George Wittemyer, et al. (2014). *Illegal killing for ivory drives global decline in African elephants*. PNAS 111(36): 13117-13121, http://www.haaretz.co.il/st/inter/Hheb/images/PNAS-2014-Wittemyer_1403984111.pdf.

⁴ Rachel Bale. 2016. *Rhino Poaching Numbers Fall in South Africa in 2015*, <http://news.nationalgeographic.com/2016/01/160121-rhino-poaching-statistics-South-Africa-trade-lawsuit/>.

⁵ Esmond Martin & Daniel Stiles. (2008). *Ivory Markets in the USA*, at 5, <http://www.savetheelephants.org/files/pdf/publications/2008%20Martin%20&%20Stiles%20Ivory%20Markets%20in%20the%20USA.pdf>.

⁶ Daniel Stiles. (2014). *Elephant Ivory Trafficking in California, USA*, http://docs.nrdc.org/wildlife/files/wil_15010601a.pdf.

⁷ Martin & Stiles (2008) at 32.

⁸ Stiles (2014) at 9-10.

mammoth, sellers often mix legal pieces with illegal pieces in their stores and claim that illegal elephant ivory actually comes from the legal species instead.⁹ The mixing of ivory from illegal species like elephants and legal species like mammoth, along with bone and resin/plastic pieces, is also one of the primary ways smugglers bring poached elephant ivory *into* the United States. The shipments are labeled as “mammoth ivory and bone” or something similar to escape detection. Even the most advanced forensics laboratories have difficulty determining the exact species an ivory item came from.¹⁰

While there have been no major ivory seizures in Connecticut thus far, the state is in close proximity to a number of states that have either banned their ivory markets (e.g., New York, New Jersey¹¹) or are attempting to do so (e.g., Massachusetts, Rhode Island). Thus, it is reasonable to think that Connecticut may become a hub for illegal ivory in the near future. In addition, banning state markets sends an important signal to China that it must follow through on its recent promise to ban its domestic market.

Further, the federal government believes that a two-tiered enforcement system (state/federal) is the optimal approach to stop the ivory trade in its tracks. This is the case for a variety of reasons, including the fact that federal regulations only control import, export, and interstate trade.¹² Further, due to a lack of resources, among other issues, only 10% of illegal ivory is confiscated at our border, meaning we must enact measures like state bans to crack down on the remaining 90% of ivory that enters our country illegally.¹³

We urge Connecticut to join New York, New Jersey, California,¹⁴ and Washington in banning its state ivory trade by supporting HB 5578. This would be a huge achievement for Connecticut, making the state a leader on ending the poaching crisis.

⁹ Id. at 13, 15.

¹⁰ Humane Society of the United States, *An Investigation of Ivory Markets in the United States*, at 7-8(2002), http://www.humanesociety.org/assets/pdfs/Ivory_Trade_Report.pdf.

¹¹ Elly Pepper, Blog, Aug. 6, 2014, *Governor Christie Signs New Jersey Ivory Bill Into Law*, Elly Pepper, Blog, Aug. 11, 2014, http://switchboard.nrdc.org/blogs/epepper/governor_cuomo_shuts_down_the.html; *Governor Cuomo Shuts Down the Country's Biggest Ivory Market*, http://switchboard.nrdc.org/blogs/epepper/governor_cuomo_shuts_down_the.html.

¹² See Proposed Revisions to the Endangered Species Act 4(d) Rule for the African Elephant: Questions and Answers, <http://www.fws.gov/international/pdf/african-elephant-4d-proposed-changes.pdf>; See also White House, Fact Sheet: National Strategy for Combating Wildlife Trafficking & Commercial Ban in Trade of Elephant Ivory, Feb. 11, 2014, <http://www.whitehouse.gov/the-press-office/2014/02/11/fact-sheet-national-strategy-combating-wildlife-trafficking-commercial-b>; Revising the Special Rule for Importation of Ivory from African Elephants (*Loxodonta Africana spp.*), <https://www.federalregister.gov/regulations/1018-AX84/revising-the-special-rule-for-importation-of-ivory-from-african-elephants-loxodonta-africana-spp->.

¹³ Samuel Wasser, et al. (2008). *Combating the Illegal Trade in African Elephant Ivory with DNA Forensics*. Conservation Biology 22 (4) at 1066, available at http://conservationbiology.uw.edu/files/2010/12/wasser_08_consbio.pdf.

¹⁴ Elly Pepper, Blog, Oct. 4, 2015, *California Becomes Third State in Nation to Ban Ivory Trade*, http://switchboard.nrdc.org/blogs/epepper/california_becomes_third_state.html.