

**Testimony of Marta Daniels**  
**In Support of HB 5578, “An Act Prohibiting the Trade and Sale of**  
**Elephant Ivory and Rhinoceros Horn”**  
**Environment Committee, CGA, State Capitol, Hartford, CT**  
**March 11, 2016**

Thank you Co-Chairs Sen. Kennedy and Rep. Albis, and members of the Environment Committee.

My name is Marta Daniels from Chester, CT. I’m an antiques dealer of 30 years and a Connecticut shop owner for 25. I am also the author of “Connecticut’s Role in the Ivory Trade,” a research paper recently published by the *Quinnipiac University Law Review*. I am testifying in support of this Bill.

As an antiques dealer who does not sell ivory, I urge you to adopt H.B. 5578—without exemptions—as essential to saving the endangered African elephant, by halting any legal trade of ivory in this state. I believe I am representative of the majority of Connecticut antique sellers who won’t—or don’t—sell ivory and who will be adequately covered by the 20% exemption for antique pieces containing some ivory in this Bill.

**I have three main points to make:**

- 1) **No other state in the nation—and no other nation in the world—matches the ecological and moral debt the state of Connecticut owes the African elephant.** We have no equal. For over 100 years, from 1840 to 1940, we were the world’s largest African ivory importer. At least 500,000 elephants were taken for Connecticut’s prosperity in the piano keyboard trade. Ironically, 500,000 is the same number of elephants that remain today. While we can’t change the past, we can do our part to influence the future.
- 2) **No loopholes or legal exemptions for selling antique ivory should be granted to dealers or collectors, but one should be made for museums and historical societies.** History has shown that any “legal” loopholes are licenses for continuing illicit trade, which means the slaughter of elephants continues. Antique ivory, *in particular*, is the poacher’s delight: new ivory is just too easily faked for old. (The source and age of ivory is nearly impossible to prove without DNA/isotope testing).
- 3) **Legal and illegal sales cannot be separated. As long as there is value in ivory—and it can legally be sold anywhere—illegal trade will be a fallout and the killing of elephants will continue.** As long as you can walk into an antique store and buy ivory, we here in Connecticut are still contributing to, and complicit with, the current

crisis. Legal sales of ivory put value on ivory which creates demand. *Demand is what continues the slaughter.* The USFWS Director, Daniel Ashe, states that “Our criminal investigations and anti-smuggling efforts have clearly shown that legal (antique) ivory trade serve(s) as a cover for illegal (new) ivory trade...and....Illegal ivory trade is driving a dramatic increase in African elephant poaching, threatening the very existence of this species.”

### **A Full Ban on Ivory Is Needed**

History is proof that when you remove value, the trade stops. Having partial legal sales of ivory, a plan advocated by Daniel Stiles,\* and supported by many CT antiques dealers testifying here today, has never worked. The best example is the following: The 1989 Convention on International Trade in Endangered Species (CITES) act that put the elephant on the endangered species list and placed an *international* ban on all ivory sales led to the collapse of ivory demand, ivory prices and elephant poaching. Elephants recovered across Africa and Asia for the next ten years. But the crisis returned in 1997 when CITES downlisted elephants from the endangered species list so African nations could sell them, along with their old ivory stockpiles. This “limited legal exception” triggered a renewed demand, and the illegal trade rebounded. Warnings were made that legal ivory trade never worked in the past, and would trigger renewed poaching if continued, but warnings were ignored, and today’s crisis is the result.

Experts today agree that a complete ban is the only solution because the crisis is critical. Forest elephants will be gone from the wild in 10 years. As Dr. Paula Kahumbu, the President of Wildlife Direct in Kenya states: “We do not have time to politely persuade buyers to give up their addiction for ivory. The only solution is a permanent ban on domestic and international trade in ivory across the world.”

### **Is This Bill An Undue Burden on Connecticut Businesses?**

When opponents of the CT ivory ban speak of the “undue burden on businesses”—**dealers, jewelers, auction houses**—one could suggest that that business owner look into the eyes of the family of an African ranger—the thousand who have already been shot dead trying to protect these animals—and compare his “undue burden” to theirs. It is my opinion, based on 30 years’ observation, that most Connecticut dealers never sell or buy ivory, and those that do are few in number, and are usually very high-end sellers. Furthermore, it would be rare that any dealer would specialize in ivory pieces alone. This Bill would not adversely affect the majority of CT dealers, and its 20% exemption for ivory contained in antique pieces (furniture, silver, decorative pieces, etc) would adequately cover most of us.

As for **collectors**, works of art made of ivory, while beautiful to the collector, represent an obscene carnage for elephant populations. Under this Bill, these works of art can still be viewed and admired in museums and historical societies where they belong. There is no need to continue acquiring ivory into the future with what, for the elephant, has been a

scourge of epic proportions. 100 years of this shameful practice in Connecticut should be enough.

### **With This Bill, Will We Lose Access to Connecticut History?**

When opponents of the ivory ban speak of “losing access to Connecticut history” with this Bill, it is critical to understand that under it, museums and historical societies will have *more* access to old ivory pieces historically significant to our state, not less. Since only they will be permitted to continue to collect these pieces under this Bill, they will no longer have to compete with collectors and dealers for the same pieces.

Ivory acquisition in the future will be for preservation purposes only, not personal profit. This means that historical pieces will be available in museums and public education spaces where they can be seen by all to tell the true story of Connecticut’s past. Some may argue that this change makes it more difficult for CT institutions to acquire desirable ivory pieces, but what is that inconvenience compared to the end of an iconic species? Is personal and commercial interest in ivory so paramount that we would risk a catastrophic extinction of the elephant? If NY and NJ could pass strict ivory ban legislation, why shouldn’t Connecticut?

### **Conclusion**

***If this Bill dies or is made ineffective by amendments and exemptions, and elephants go extinct, no amount of regret will allow us to redo this.*** It is rare that we ever get a chance to do something really useful that will actually change the course of history. That chance is before us with H.B. 5578—if passed without exemptions. It will complete the tri-state wall begun by NJ and NY’s ivory ban legislation of 2014, and prevent Connecticut from *becoming the go-to state for illicit ivory*. Other surrounding states (MA, RI, VT) are also in play. Passing this bill will enable Connecticut, at long last, to repay some of its moral debt to the elephants.

**Marta Daniels**  
**122 Middlesex Ave**  
**Chester, CT 06412**  
[marta.daniels@snet.net](mailto:marta.daniels@snet.net)

## **\*Addendum on Daniel Stiles’ Proposal for Legal Ivory Sales:**

Opponents of this Bill have put forth the “legalize ivory sales” proposal of **Daniel Stiles\***, an anthropologist and researcher in ivory trafficking, who promotes the idea that having some loopholes, legalizing the raw ivory market and allowing a limited legal trade, will *actually help save the elephants*. Stiles’ proposal is to lower the price of ivory and the demand for ivory until it matches natural elephant mortality rates, existing stockpiles and problem kills. History has proven that the legal sales approach is flawed. (See CITES reference above). Stiles’ views are not shared by his own Kenya-based organization, the International Union for the Conservation of Nature, African Elephant Specialist Group, which promotes the long-term conservation of Africa's elephants. His views are also not shared by national and international wildlife conservation organizations, no NGOs, nor even by any of the elephant-dense African countries, who have called for a total moratorium on ivory sales at least for the next ten years. Virtually all experts agree that a total ban is the only solution. Stiles’ proposal presents too great a risk —extinct is forever.

Stiles’ arguments are based on false assumptions which will be disastrous for elephants:

- a. Demand for ivory cannot be controlled or managed. Stiles’ plan assumes that the law is respected, enforced, and any deviation will be punished. Corruption is the currency that greases commerce in most African states, and it will only be fueled by legalization, as shown so disastrously in the past. Ivory prices are so high (up to \$2100/lb in the illegal market) and the demand so great, temptation prevails over and over.
- b. Stiles’ proposed supply of raw ivory to meet his legal trade plan is to come from natural mortality, existing stockpiles and problem killings. But those can never be sustainable, and it assumes that demand will be lower than potential production rates. Once the surplus stocks are traded, then the supply falls back onto poaching tusks from a long-living, slowly reproducing species. The plan could actually accelerate the end for elephants.
- c. Over and over, history has shown that legal trading stimulates illegal trading, which can not be controlled. Stiles’ plan assumes a legal ivory trade will replace the illegal ivory trade. History shows a well-regulated ivory trade that Stiles advocates is a castle in the sky.
- d. Stiles assumes that the economics of legal trading have been worked out. But they haven’t been. The 2014 report by the respected economists Nadal and Aguayo “Leonardo’s Sailors: A Review of the Economic Analysis of Wildlife Trade,” warns against the simplistic economic models used by wildlife legal trade proponents. We can’t afford experiments, and attaching value to ivory—any ivory—is a green light for trade, and a failed legal trade means the end of a species.
- e. The fact that several African countries (including the two that contain the densest number of elephants) have declared ten-year ivory moratoria, and “thereafter until African elephant populations are no longer threatened” illustrates the recognition by African nations that a legal trade is not possible in the current dire situation for African elephants. ~END~

**Submitted to the Environment Committee, March 11, 2016 by Marta Daniels, Chester, CT**