



**The National Tigers for Tigers Coalition
Comments on the National Strategy for Combating Wildlife Trafficking
and Questions on the Next Steps for Tigers**

**In Preparation for the March 20, 2014
Meeting of the Advisory Council of Wildlife Trafficking**

Introduction

The National Tigers for Tigers Coalition strongly supports the National Strategy for Combating Wildlife Trafficking pursuant to the Executive Order 13684 “Combating Wildlife Trafficking,” establishing by President Obama on July 5th, 2013.¹ While Tigers for Tigers supports the national strategy, we wish to provide suggestions and questions to the Advisory Council on Wildlife Trafficking (Council) to advise the Co-chairs of the Presidential Task Force on Wildlife Trafficking, Mr. Secretary of State, John F. Kerry, Madam Secretary of Interior, Sally Jewell, and Mr. Attorney General Eric H. Holder.

The National Tigers for Tigers Coalition is a student-led national organization dedicated to the protection of our majestic, but endangered mascot, the tiger. We are formed the collaboration of student groups from 13 tiger mascot colleges and universities from across the country. Through education, outreach and international programs, Tigers for Tigers works to utilize the power, creativity, and motivation of college students.

I, Sean Carnell, the National Coordinator for the National Tigers for Tigers Coalition am speaking on behalf of the organization.

We wish to pose questions at the upcoming meeting on March 20th, 2014 and ask for the Advisory Council to respond to our suggestions set out in the comments below to the extent that time allows today, and in more detail in writing in the days to follow.

Question:

1. **What can the younger generation/American public do to assist the Administration’s efforts to combat wildlife trafficking?** As students and representatives of educational institutions across the country, we have a plethora of resources that are available to us to promote active change. There are 50 + tiger mascot colleges and universities across the country, with over 470,000 enrolled students. We have tremendous relationships with experts in all disciplines including faculty, staff and alumni. Together we can become a catalyst for these efforts. We are seeking advice as to how we can help ensure that the appropriate measures and initiatives are successful.

Please address directly the plight of tigers and other species in the national strategy

We would like to thank the Administration for the efforts of all involved to date in the development of the Presidential Task Force on Wildlife Trafficking and Advisory Council on Wildlife Trafficking and the strategy recently released.

In reviewing the national strategy, we noticed a large emphasis on addressing the poaching crisis of African elephants and rhinos in African nations.¹ However, there was a lack of attention brought to the poaching crisis of tigers in Asia, as well as other species listed in the Executive Order. We hereby ask the Presidential Task Force on Wildlife Trafficking and its Advisory Council on Wildlife Trafficking to specifically address tigers within the national strategy and the steps taken to implement it.

Over the past 100 years, tiger habitats have declined by 93% and their populations have declined even more, by 97%.² As a result of such crippling losses, it is estimated that only 3,200 tigers remain in the wild.² Prized for their beauty and admired for their strength, tigers are harvested for a variety of purposes, including, but not limited to: traditional medicine, clothing, food, wine and decoration.³ Protecting tigers from poachers and reducing the demand for tiger parts would allow conservation efforts to shift towards a more sustainable approach: preserving the habitats in which tigers are able to thrive.

Please address highly endangered Asian elephants and rhinos

In Asia, elephants and rhinos are under significant pressure to survive. Their populations are small in comparison to African species. With less than 100 javan rhinos, and 500 sumatran rhinos, we need to address their dwindling populations before it is too late.⁴ A poached Asian elephant or one horned rhino has a greater impact on the population than a poached African elephant or white rhino due to the difference in the number of individuals. African elephant populations range from 470,000-690,000, and in contrast, tiger populations are dramatically lower, 3,200 in the wild.^{2,5}

Therefore, it is very important to have the national strategy specifically cover and target the tigers because the killing of one tiger radically affects the population as a whole. We urge you to address tigers within the national strategy as we progress forward regarding the National Strategy for Combating Wildlife Trafficking.

Utilize all authority granted under the Endangered Species Act to provide greater understanding and control of trade

We recommend the U.S. Fish and Wildlife Service (FWS) issue rules for tiger parts or products labeled as such that are at least as extensive as those issued recently for elephant ivory. The Service should be certain to use all of their authority, including the broader authority under Section 9(e) and (f) of the Endangered Species Act to require, in advance of any imports or exports, such complete and detailed descriptions of every wildlife product and the source of it, that is proposed to be imported or exported, and to limit importation and exporting to ports with appropriate capacities, as the Secretary may require. The Secretary should limit such ports so that all products potentially or likely to include tiger or other poached or illegal parts, including pharmaceuticals or health treatments, from any state where tiger is

used as such, come only into one port on each coast of the U.S. So that they can be inspected using the best available staff and equipment to ensure they contain no tiger parts.

We support efforts to address wildlife crimes as a predicate offence to money laundering

We would like to thank the Administration's support to adopt the recommendation to make wildlife crime a predicate offense for money laundering under the Financial Action Task Force. This will provide the opportunity to collect intelligence concerning the individuals linked to wildlife crime, especially the large criminal syndicates that collect and smuggle large amounts of wildlife products from country to country. With greater political support and more powerful mechanisms, we hope that this new adoption will lead to a greater understanding and control of syndicate operations, increased convictions and vastly reduce the illegal trade in wildlife.

Seek congressional support for the Big Cats and Public Safety Protection Act (H.R.1998/S.1381)

We seek the support of the Administration for the Big Cats and Public Safety Act (H.R. 1998/S.1381).^{6,7} The bill seeks to amend the Lacey Act Amendments of 1981 to phase out the captive private possession and breeding of big cats by non-accredited individuals or organizations governed by the Captive Wildlife Safety Act in the U.S. The illegal trade in prohibited wildlife species, as defined in section 2(g) of the Lacey Act Amendments of 1981 (16 U.S.C. 3371(g)), stimulates demand and expands illegal markets.⁷ There are an estimated 5,000 captive tigers in private hands in the U.S., and nearly 11,000 owned privately worldwide, far exceeding the number of tigers in the wild.⁸

The investigation *Operation Cyberwild* led by FWS and the California Department of Fish and Game led to multiple cases of interstate illegal trafficking of endangered species and parts.⁹ If these tiger parts are entering the black market; we are increasing the domestic supply and demand.

If Congress passes these bills with the Administration's support, we will be able to reduce the local supply of tiger parts that could enter the illegal market as in *Operation Cyberwild*. These bills would also require current private owners and exhibitors to register their current exotic animals with the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture. This would allow us to have a greater understanding of the severity of the problem here in the United States.

Increase international law enforcement capacity and technical assistance in tiger range countries

We ask that the US focus much of the future foreign aid, if any, to Asian states historically using tigers and their parts, to reduce supply and demand. The strategy should be very specific about what needs to be done, who should do it, and how much it may cost and eventually save in terms of dollars and in terms of the loss of tigers, and other wildlife, thus increasing the benefits of ecotourism and ecosystem services that tigers and other species provide in the wild or in park in their native lands.

FWS in coordination with the State Department has secured positions to place FWS experts in the Bangkok and Dar es Salaam U.S. embassies to support wildlife enforcement capacity building and to coordinate wildlife trafficking investigations with local authorities.¹⁰ If these efforts are even partially successful, we recommend an increase in priority, resources and space to support personnel in all 13 tiger range countries and transit countries involved in the wildlife trade.

We commend the international efforts and global operation of *Operation Cobra 2* in late 2013 that resulted in over 400 arrests and 350 wildlife seizures in Africa and Asia.¹¹ Once FWS experts are stationed in Bangkok and Dar es Salaam, and if more experts are designated to U.S. embassies across the globe, we recommend a follow up operation to promote cross-border law enforcement cooperation, information sharing and enhanced capacity.

We ask for continued support of USAID's efforts to aid Wildlife Enforcement Networks like ASEAN-WEN and USAID's "Asia Regional Response to Endangered Species Trafficking" (ARREST).^{11, 12}

Impose sanctions utilizing the Pelly Amendment to the Fisherman's Protective Act (22 USC 1978) if necessary

We can reduce the demand for tiger parts utilizing unilateral measures against non-cooperative governments. If U.S. authorities and agencies determine that our collaborations are ineffective, we recommend that the U.S. expeditiously certify China, Vietnam and any other country not confirmed to be free of tiger parts for sale for export or use domestically under the Pelly Amendment to the Fisherman's Protective Act (22 USC 1978).^a Then US agencies should implement an appropriate schedule of trade sanctions for those refusing to take effective action to close down all poaching and sale. This could probably certify India, for example, but would allow the U.S. to tailor only limited sanctions, if any, after consultation with India to determine whether India is doing all it can to control the problem.

The threat of expanded import sanctions in 1992, applicable to some or all of the products of a certified country, helped to vastly reduce the use of high seas driftnets as much as 10 miles long and 40 feet deep in the Pacific and the Mediterranean.

To remind the Advisory Panel and agency staff, we reprint the core of the Pelly Amendment here:

(a) Certification to President

(1) When the Secretary of Commerce determines that nationals of a foreign country, directly or indirectly, are conducting fishing operations in a manner or under circumstances, which diminish the effectiveness of an international fishery conservation program, the Secretary of Commerce shall certify such fact to the President.

(2) When the Secretary of Commerce or the Secretary of the Interior finds that nationals of a foreign country, directly or indirectly, are engaging in trade or taking which diminishes the effectiveness of any international program for endangered or threatened species, the Secretary making such finding shall certify such fact to the President.

(3) In administering this subsection, the Secretary of Commerce or the Secretary of the Interior, as appropriate, shall--

(A) periodically monitor the activities of foreign nationals that may affect the international programs referred to in paragraphs (1) and (2);

(B) promptly investigate any activity by foreign nationals that, in the opinion of the Secretary, may be cause for certification under paragraph (1) or (2); and

(C) promptly conclude; and reach a decision with respect to; any investigation commenced under subparagraph (B).

(4) Upon receipt of any certification made under paragraph (1) or (2), the President may direct the Secretary of the Treasury to prohibit the bringing or the importation into the United States of any products from the offending country for any duration as the President determines appropriate and to the extent that such prohibition is sanctioned by the World Trade Organization (as defined in section 3501(8) of Title 19) or the multilateral trade agreements (as defined in section 3501(4) of Title 19)

Address China's captive tiger breeding facilities and stop tiger farming

The practice of farming tigers, particularly in China, is a major threat to international efforts to reduce demand for tiger parts. There is a lack of evidence to conclude the tiger farming will reduce demand by free market trade or ensure genetic viability of various tiger sub-species.¹³ Recently there have been reports of a breeding center in Northeast China's Heilongjiang Province that wishes to breed 100 Siberian tiger cubs this year.¹⁴ The Environmental Investigative Agency has claimed that these tigers are a cover for tiger farming.¹⁵ Even if these tigers were bred in the name of conservation, the lack of understanding and inadequate resources is likely to make this effort a lost cause unless it is properly overseen from start to finish by authorities with the capacity to control and close the operation. Indeed, from the outset it should prove its worth as a conservation measure from the first design steps and onward to the satisfaction of independent tiger experts worldwide.

It would appear that China is currently violating their CITES agreements and obligations, according to which tigers should not be bred at a commercial scale. However, we believe that China can contribute a lot to tiger conservation efforts if we stop tiger farming. If the IUCN captive breeding specialist group, along with international authorities and non-governmental organizations assist China in re-structuring its efforts to stop tiger farming, we can more effectively reduce the demand for tiger parts.

Implement and improve sophisticated social media and PR campaigns in tiger range countries to reduce demand for illegally traded wildlife

We need to change the perceptions and value of wildlife to ensure their survival and reduce demand. The United States should continue its lead role to fight against wildlife trade through effective media and awareness campaigns.

As stated in the statement of Assistant Secretary of State of the Bureau of Oceans and International Environmental and Scientific Affairs, Dr. Kerri-Ann Jones before the Committee on Foreign Affairs of the House of Representatives on February 26th, we commend USAID's ARREST project to endorse demand reduction public awareness campaigns.^{11, 12} We wish for those to continue in coordination with local stakeholders.

We recommend the State department reach out to large corporations, foundations or public service organizations within tiger range countries to develop effective Public Service Announcements (PSAs)

that focus on reducing demand for tiger parts. We ask that the U.S. State department and other agencies assist organizations like WildAID and others with public awareness campaigns to promote substitutes for tiger remedies. Vietnam's recent demand reduction PSA developed by Education for Nature – Vietnam and FWS is a great example of how we can change the perceptions of tiger parts as a status symbol.¹⁶

Re-authorize the sale of the Save Vanishing Species Stamp (H.R. 262)

The National Tigers for Tigers Coalition seeks Administration and congressional support for re-authorizing the sale of the Save Vanishing Species Semi-postal Stamp (H.R.262) to address the wildlife trafficking crisis and to keep the American public involved and informed of conservation efforts.¹⁷ The Save Vanishing Species Stamp provides crucial funding to support endangered species, without any impact to the federal budget. Citizens have voluntarily purchased more than 25 million stamps in less than 2 years, providing almost \$2.5M to support projects by FWS for tigers, elephants, rhinos, great apes, and marine turtles.^{10, 18} These funds finance the hiring and training of anti-poaching units, provide logistical and technical aid to protected area managers, and educate targeted groups on natural resource extraction and prevention of wildlife crimes.

The support this stamp has received so far serves as a testament to just how much the American public cares about saving species threatened with extinction. Additionally, this bill is bipartisan, does not utilize any tax dollars, and puts much-needed funds in the hands of those who are best qualified to address this crisis.

Define and increase the role of the Department of Defense and the Intelligence Agencies in the Strategy

Lastly, we ask that the committee define the role of the Department of Defense and the independent intelligence agencies in the National Strategy, and increase their involvement to support international wildlife crime. We ask that the Defense and Intelligence agencies of the U.S. immediately brief staff with secret clearances sufficiently high within or seconded to the Departments of Interior, Treasury, Commerce and Customs Service on the capacities for surveillance of poachers and smugglers. They could then devise plans to follow such persons and intercept them in cooperation with INTERPOL, and when appropriate, domestic authorities that US agencies trust. This would include setting up sting operations for financial as well as tiger part transactions. We also suggest that military resources be used appropriately in African and Asian countries and that the Advisory Committee engage the Department of Defense by offering potential military resources to improve the welfare, safety, and operational capacity of forest rangers, park rangers and other law enforcement officials in these countries.

Increase appropriations to address the international poaching crisis

The severity and urgency of the poaching crisis demands swift action on [behalf] (the part of, or by) the Administration and Congress. In order to achieve the goals and objectives outlined within the national strategy, we need to ensure that the programs are adequately funded. The Administration should begin to prioritize the objectives outlined in the national strategy and seek enhanced or redirected funding to support those initiatives fully. In order to be fiscally responsible, the Administration should develop and

implement plans to phase out financial aid and ensure that the local communities and/or authorities will carry out these programs after we assist in their development once they are self-sustaining and the affected populations are recovered.

We appreciate the opportunity to offer comments, suggestions and to raise questions and look forward to your responses.

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a. In 1988 Congress added the following automatic Pelly certification provision for ivory trade now codified in 16 USC 4242:

"If the Secretary finds in administering this chapter that a country does not adhere to the CITES Ivory Control System, that country is deemed, for purposes of section 1978 (a)(2) of title 22, to be diminishing the effectiveness of an international program for endangered or threatened species."