

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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LAND
STATE PARKS

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the Senate Committee on
JUDICIARY AND LABOR

Wednesday, April 10, 2013
10:00 AM
State Capitol, Conference Room 016

In consideration of
**SENATE CONCURRENT RESOLUTION 149, SENATE DRAFT 1/
SENATE RESOLUTION 108, SENATE DRAFT 1
URGING HAWAII RESIDENTS AND BUSINESSES TO COMPLY WITH THE
CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF
WILD FAUNA AND FLORA AND NOT TO BUY OR SELL IVORY OF UNKNOWN
ORIGIN THAT MAY HAVE BEEN ILLEGALLY SMUGGLED INTO THE STATE**

Senate Concurrent Resolution 149, Senate Draft 1/Senate Resolution 108, Senate Draft 1 urge Hawaii residents and businesses to comply with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and not to buy or sell ivory of unknown origin that may have been illegally smuggled into the state. **The Department of Land and Natural Resources (DLNR) supports these resolutions.**

DLNR supports compliance with CITES as it relates to the ban on the sale of ivory products in the State and the contribution this ban will have on protecting African elephants and rhinoceroses from extinction. The United States instituted the Code of Federal Regulations (CFR) Title 50 § 23 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to regulate international trade in wildlife and plants, including parts, products and derivatives, to ensure trade is legal and does not threaten the survival of the species. In addition to elephants and rhinoceroses, ivory comes from whale teeth, walruses, hippopotami, warthogs, mastodons, and mammoths. Many of these animals are listed under the United States Endangered Species Act (ESA), including the African elephant, the Asian elephant, the northern white rhinoceros, the Sumatran rhinoceros, the black rhinoceros, the Javan rhinoceros, and the great Indian rhinoceros. Whales and walruses are protected under the Marine Mammal Protection Act, and some species are also listed or are proposed for listing under the ESA. In June 1989, the United States banned the import of all worked and raw ivory.

While these protections exist, it is legal to sell jewelry and antiques, if it was imported before the 1989 ban or if the ivory is at least one hundred years old at the time of import. Urging residents and businesses in Hawaii to not buy or sell ivory of unknown origin will contribute to protecting all species in the ivory trade.

Hearing of SENATE CONCURRENT RESOLUTION 149
Wednesday April 10 2013, 10:00am, Room 016

LATE TESTIMONY

8 April 2013

Dear Senator Hee and the Judiciary Committee:

Please accept the following testimony for SCR 149 from an individual scientist specializing in protected species and also ivory issues.

For the last five years, I have served as a research scientist at the Pacific Islands Fisheries Science Center here in Honolulu focused on improving the plight of the Hawaiian monk seal. However, this January (2013) I left NOAA to work on issues surrounding the illicit ivory trade for “Save the Elephants”, a Kenyan organization. Indeed, I will be departing Hawaii this May (2013) for Kenya. My new position has allowed me to work once again with the African elephant—the animal that I had the opportunity to spend countless hours observing in the wild for my doctoral research between 2001-2008. I researched the long term impacts of poaching on surviving elephants then and discovered that there are long-lasting negative behavioral and physiological consequences for this highly social species when elephant families are devastated by poachers.

I commend you for prioritizing Senate Concurrent Resolution SCR 149/SR 108 that urges Hawaii residents and businesses to comply with CITES and not trade in ivory of unknown origin that may have been smuggled into the state. Raising awareness here in Hawaii and requiring compliance in all States is needed if the situation for the elephant is to improve. I just returned from the CITES CoP16 in Bangkok and I am very versed in the full extent of the damage that the reckless and rampant illegal trade in ivory is causing to elephant populations, African ecosystems, rangers and their families, as well as African economies.

Over 38 tons of illegal ivory was reported seized in 2011 globally; the tonnage for 2012 has yet to be finalized but looks to be even worse. Seizures likely only catch 10-20% of the underground trade; this means 25,000-40,000 elephants are being killed each year to supply the unfettered, unregulated and merciless trade. This translates in an annual offtake that is unsustainable and will lead to local extinctions in the coming years if it continues.

Most of the illegal trade appears to be occurring in China and Thailand, but it also occurs in the USA. Indeed, I myself, detected illegal ivory on sale at a stall in Honolulu’s China town New Year’s celebration this February (see attached picture). Generally-speaking, an immense amount of trade in illicit ivory is occurring via the internet; I myself, have posed as a buyer from Honolulu inquiring about purchasing ivory products and having them shipped to Hawaii to a few ivory selling sites online. I was told that it is no problem. One was a Chinese-based company and one an auction/collector’s site out of Las Vegas.

This means that illegal ivory is here and more can easily come -- Hawaii is not immune to this scourge. Large shipping containers of tusks will likely not be seized here but transport of the contraband in personal luggage or in the mail is entirely possible. Vigilance, especially by Customs, and compliance is needed here in our State. I urge Senators to go beyond the current SCR 149 and to take bolder action, such as to commission a review of illegal ivory sales touching our State in local markets and on the internet and reviewing and updating the laws and penalties for dealing in illegal ivory here. I have also included a brief report by Campaigns Against the Cruelty to Animals and The Animal Conservation and Welfare Foundation that serves as an example of a simple investigation on illegal ivory trade on the internet that could be replicated here in Hawaii or better yet, together with other states such as California and New York.

Customs agents too can be mobilized to better screen for illegal wildlife products. Public awareness campaigns can be apart of the solution as well; many of my friends and neighbors here in Hawaii did not realize that ivory carvings only come from dead elephants (tusks cannot be harvested from live elephants). Lastly, direct engagement with Chinese and Thai counterparts on the issue in order to affect the needed change in consumer behavior can be a goal of each Congressman and woman listening to this testimony today.

The volume of illegal ivory may not be large in Hawaii, but it is nonetheless important--Hawaii has the opportunity to serve as a model on this issue for other states by taking extra measures and precautions to remain in CITES compliance. Thank you again for giving this issue time and attention now, when it is most needed for elephants.

Sincerely,

Kathleen S. Gobush, PhD
Ivory Crisis Strategist
Save the Elephants
Honolulu, Hawaii

Please see photo next page- illegal ivory carvings on sale in Honolulu's Chinatown. The vendor admitted not knowing the origin when asked. The carvings are small but represent a dead individual elephant. February 2013.

