



THE HUMANE SOCIETY OF THE UNITED STATES

OFFICERS

Anita W. Coupe, Esq.
Chair of the Board
Jennifer Leaning, M.D., S.M.H.
Vice Chair of the Board
Walter J. Stewart, Esq.
Board Treasurer
Wayne Pacelle
President & CEO
Michael Markarian
Executive Vice President & COO
G. Thomas Waite III
Treasurer & CFO
Andrew N. Rowan, Ph.D.
*Chief International Officer
& Chief Scientific Officer*
Roger A. Kindler, Esq.
General Counsel & CLO
Janet D. Frake
Secretary

STAFF VICE PRESIDENTS

John Balzar
*Senior Vice President
Communications*
John W. Grandy, Ph.D.
*Senior Vice President
Wildlife & Habitat Protection*
Holly Hazard
Chief Innovations Officer
Heidi Prescott
*Senior Vice President
Campaigns*
Geoffrey L. Handy
*Media and Online
Communications*
Jonathan R. Loworn, Esq.
Animal Protection Litigation
Kathleen C. Milani
Investigations and Video
Nancy Perry, Esq.
Government Affairs
Kelly Peterson
Field Services
Robert G. Roop, Ph.D., SPHR
*Human Resources &
Education Programs*
Melissa Seide Rubin, Esq.
*Animal Care Centers
& Veterinary Services*
John M. Snyder
Companion Animals
Martin L. Stephens, Ph.D.
Animal Research Issues

DIRECTORS

Jeffrey J. Arciniaco
Peter A. Bender
Eric L. Bernthal, Esq.
Barbara S. Brack
Anita W. Coupe, Esq.
Neil B. Fang, Esq., C.P.A.
Jane Greenspun Gale
Paula A. Kislak, D.V.M.
Jennifer Leaning, M.D., S.M.H.
Kathleen M. Linehan, Esq.
Dwight E. Lowell II
William F. Mancuso
Mary I. Max
Patrick L. McDonnell
Gil Michaels
Judy Ney
Sharon Lee Patrick
Judy J. Peil
Marian G. Probst
Joshua S. Reichert, Ph.D.
Walter J. Stewart, Esq.
Andrew Weinstein
Persia White
David O. Wiebers, M.D.
Lona Williams

September 13, 2011

Ken Salazar, Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Salazar,

I am writing to you on behalf of the more than 11 million members and constituents of The Humane Society of the United States to call to your attention to the increasingly serious threats to the survival of rhinoceroses, and to ask the U.S. to address ongoing trade in rhino parts that is cause for concern for these endangered species.

As you may know, the value of rhino horn in the Traditional Chinese Medicine market has risen dramatically in the past few years. This has led to an alarming increase in rhinoceros poaching in both Africa and Asia. It has also resulted in a spate of rhino horn thefts from museums across Europe, including in France, Germany, the U.K., the Czech Republic and Italy. Since 2009, a minimum of 28 rhino horns have been stolen from European establishments.

Europol identified an Irish rhino horn theft gang with links to drug-trafficking and money-laundering. Police across Europe have warned museums and other private establishments to remove their rhinos from display or replace the horns with replicas.

This kind of activity has not been seen before, not even during the last rhino poaching crisis of the 1980s and early 1990s, indicating that the demand for rhino horn is at an all-time high.

Last year, the U.K. government noticed that rhino horns that had been acquired legally before 1975 (when the Convention on International Trade in Endangered Species came into force, generally prohibiting international trade in rhino horns cultivated after that date) were selling at inflated prices in British auction houses. They subsequently established that these horns were being bought by anonymous buyers using proxies and that the buyers were more interested in the weight of the horn than in the type of horn (a hunting trophy versus an intricate carving, for example). This led authorities to conclude that these horns are being sold into the lucrative Traditional Chinese Medicine market in the East Asia where they fuel further demand.

In response, the U.K. clamped down on sales of pre-1975 rhino horns and

hunting trophies, and the EU followed suit some months later. Exemptions to these new regulations exist for horns used for bona fide research, for household possessions and for works of art whose value exceeds the Traditional Chinese Medicine market value. HSUS commends the U.K. and EU for taking these actions.

Unfortunately, it appears that the U.S. is facilitating trade in rhino horns in a manner that undermines conservation. According to data obtained from the U.S. Fish and Wildlife Service's Law Enforcement Management Information System and analyzed by The HSUS, 41 rhino horns (including carvings) were exported from the U.S. in 2010 alone. Of these, 37 were exported for commercial purposes, and all but one of these items were exported to China. The remaining rhino horn exported for commercial purposes went to Singapore. In addition, two rhino horn carvings were exported to Hong Kong, China, for personal purposes. Most rhino horns exported for commercial purposes, 34 in all, were exported by the worldwide auction company, Christies Inc. Another auction company, Sotheby's Inc., exported two rhino horns for commercial purposes and the Chinese art company, J.J. Lally & Company, exported one horn for commercial purposes.

Rhino horns and products that are intended for human consumption or application are prohibited from sale and export under the Rhinoceros and Tiger Conservation Act. 16 U.S.C. § 5305a. The Endangered Species Act also generally prohibits the export and sale in foreign commerce of rhino parts, regardless of the intended purpose. 16 U.S.C. § 1538(a)(1)(A),(F).¹ Thus, it is imperative that the Fish and Wildlife Service take all actions within its power to carefully scrutinize trade in rhino parts to ensure that rhino parts originating in the U.S. do not enter the Traditional Chinese Medicine markets in East Asia. The Service should contact the aforementioned auction houses to ensure they are aware of the legal restrictions on rhino trade and do not take action that undermines the conservation of these species. We further urge the Department to warn public and private rhino horn holding entities in the U.S. about the potential for theft and to urge them to take precautionary measures.

Thank you for considering this request. We look forward to your response.

Sincerely,



Teresa M. Telecky, Ph.D.
Director, Wildlife Department
Humane Society International
The Humane Society of the United States

¹ The ESA's prohibition on export does not apply to "pre-Act" wildlife (e.g., rhino horns cultivated before the species was listed under the ESA); however, the statute's prohibition on foreign commerce applies regardless of the date of cultivation. 16 U.S.C. § 1538(b). There are five species of rhinoceros, four of which were listed as endangered in 1970, one of which was listed as endangered in 1980. 35 Fed. Reg. 8491 (June 2, 1970); 35 Fed. Reg. 18319 (Dec. 2, 1970); 45 Fed. Reg. 47352 (July 14, 1980); 50 C.F.R. § 17.11.

Enclosures:

- U.K. / EU guidance
- U.K. guidance annex
- HSI briefing document

