



AWI Quarterly

Fall 2014 Volume 63 Number 4

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ISSN 1071-1384 (print)

ISSN 1930-5109 (online)

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ABOUT THE COVER

Off the coast of Tonga in August, a baby humpback whale surfaces as mom glides below. Come October, mother and calf will head south to Antarctic feeding grounds.

The 65th meeting of the International Whaling Commission (IWC65) took place this past September in Portorož, Slovenia, with AWI in attendance to advocate for greater protection of whales. Among the agenda items: Japan's scientific whaling program in the Antarctic (ruled illegal in March by the International Court of Justice); and a proposal from Argentina, Brazil, South Africa, Uruguay, and Gabon for a South Atlantic Whale Sanctuary.

Other key items under discussion included Greenland's renewed bid for a subsistence quota—despite the fact that much of the meat and blubber is sold commercially, and the increasing international trade of whale products among Iceland, Norway and Japan.

A full report on outcomes both positive and negative from IWC65 begins on page 6 of this issue.

PHOTO BY SCOTT PORTELLI

USDA Slaps SCBT with Historic Second Complaint After Campaign by AWI

On November 4, 2014, US Department of Agriculture (USDA) Animal and Plant Health Inspection Service Administrator Kevin Shea filed a 10-page complaint alleging a plethora of willful violations of the Animal Welfare Act (AWA) by Santa Cruz Biotechnology, Inc. (SCBT), one of the world's largest suppliers of research antibodies. This marks the third AWA enforcement action against SCBT since 2005, including this almost unprecedented second complaint. The first complaint is still pending (see Winter 2013 AWI Quarterly).

In addition to civil penalties and a cease and desist order, the new complaint seeks the suspension or revocation of SCBT's dealer license—a serious potential consequence given that USDA policy requires both a research registration and a dealer license for laboratories to sell animal-derived antibodies.

The complaint cites repeated failures to provide adequate veterinary care, research oversight, and fresh, nutritive food, as well as a failure to ensure that the procedures avoid or minimize animal pain and distress. But the heart of USDA's latest complaint is the grave charge that SCBT willfully refused to even allow USDA inspectors access to an entire site housing over 800 goats from at least March 6 through October 30, 2012. When USDA inspectors were finally allowed access, they reported finding goats suffering and in need of veterinary care. The inspection report from October 31, 2012, states that “[t]he existence of the site was denied even when directly asked” during multiple prior inspections.

AWI supporters joined the organization in waging a relentless campaign calling for USDA to take firm action. Additionally, in an October 30, 2014, letter to USDA raising concerns about SCBT's record, US Rep. Jim Moran (D-VA) advised USDA to take enforcement action “as expeditiously as possible.”

With your help, AWI will continue the call for revocation of SCBT's dealer license and the largest fine allowable by law. We will also urge all researchers to seriously consider a supplier's animal welfare record and make an informed, ethical choice before purchasing a single antibody. 🐾



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Above Left: Predatory plunge—a brown bear chases dinner in Katmai National Park, AK. (Patrick Moody)

Top Right: A rat leans into a friendly scratch. New studies seek to understand the emotional underpinnings of animal behaviors. (Jim Kenefick)

Bottom Right: A Chicago program helps both kids and canines get second chances. (Safe Humane Chicago/Josh Feeney)



Marine Wildlife Trafficker Finally Tanked

A **ONE-TIME SMUGGLER** of marine animals has been collared by authorities in the Philippines, after more than three years on the lam. Olivia Lim Li was arrested in October in Zamboanga City in a coordinated effort by several Filipino law enforcement agencies.

In June of 2011, Li and her husband, Joe Pring, (who remains at large) vanished after customs officials in Manila blocked their attempt to smuggle out of the country two container vans filled with over 400 pounds of sea whips; 7,300 pieces of trumpet and helmet shells; 163 stuffed hawksbill and green sea turtles; and more than 21,000 pieces of black coral. The haul was worth an estimated 35 million pesos (about US\$780,000).

Li's is one of a series of high-profile arrests this year by Filipino officials attempting to crack down on the lucrative market for endangered marine species. 🐾

EU, Canada Approaching Accord on Inuit Seal Products

IN MAY 2014, the European Union's (EU) 2009 ban on imports of commercial seal products was upheld by an appellate body of the World Trade Organization after a challenge from Canada and Norway (see Summer 2014 AWI Quarterly). However, the EU was required to address discrimination against indigenous hunters in the ban's exemption for seal products derived from subsistence hunts.

In October 2014, the EU and Canada agreed to a framework for cooperation that is expected to result in Canadian Inuit resuming the export of seal products to the EU—even if processed, manufactured and marketed by non-indigenous people. Products from seals killed in Canada's massive commercial seal hunts will continue to be banned by the EU. 🐾

AWI AT INTERNATIONAL MARINE CONSERVATION CONGRESS

The **Society for Conservation Biology (SCB)** is a professional society for conservation scientists and practitioners from academia, government, charities, and professional associations. In 2009 its Marine Section held the first International Marine Conservation Congress (IMCC). The organizers wanted the IMCC to be more than a typical scientific conference, where the 15-minute talk format allows for little give or take with attendees. The IMCC was meant to be an opportunity for collaboration among conservation stakeholders, including fishermen, commercial whale watchers, oil and gas representatives, and zoo professionals, as well as non-profits and academics. The output from the IMCC's workshops, focus groups, and symposia would be tangible actions and products that would advance marine conservation.

The third IMCC was held August 12–19 in Glasgow, Scotland. The main theme, "Making Marine Science Matter," was addressed in a number of contexts, including marine noise, overfishing, marine protected areas, and marine tourism. Also, for the first time, the IMCC hosted a symposium on the ethics and welfare of marine mammals involved in research, recreation, education, and human-



A sea lion catches a meal off the coast of Alaska. Competition for food in heavily fished areas sometimes pit these animals against commercial fishermen.

wildlife conflict (for example, when sea lions remove fish from fishermen's lines and nets).

AWI's Dr. Naomi Rose was an invited speaker for the ethics symposium, and while the audience was relatively small, the topic is a new one for many marine scientists and interest should grow. The audience was encouragingly multinational and engaged in the topic. A follow-up focus group discussed producing a peer-reviewed paper or papers covering the issues presented at the symposium. AWI will remain involved in this effort to promote marine animal welfare within the SCB. 🐾

SHARK SPECIES FACE EXTINCTION

It is no secret that there is a worldwide extinction crisis plaguing the world's sharks, and this crisis is fueled primarily by anthropogenic sources. In addition to overfishing, pollution, and climate change, shark finning remains the critical factor in plummeting shark populations. It is currently predicted that 28 percent of shark species will go extinct within a decade or two, and up to 73 million sharks are killed annually for their fins. At current levels, shark reproduction cannot keep up with the number of deaths to meet the demand for shark fin soup.

The loss of apex predators can have disastrous ecological effects on ocean ecosystems worldwide. With fewer sharks to eat them, octopuses and rays can feast on lobster and scallops, triggering collapses of those fisheries. A recent study from the Australian Institute of Marine Science of reefs along Australia's northwest coast suggests shark declines can also trigger coral loss: When sharks are absent, mid-level predators such as snappers increase, while herbivores such as parrotfish decrease. Parrotfish eat the algae that would otherwise overwhelm young corals on reefs recovering from natural disturbances.

While the situation is extremely dire, anti-shark-finning campaigns are gaining traction and building awareness of the damage both nationally and internationally. Last year, Chinese President Xi Jinping—in a bid to cut lavish spending and to spread environmental awareness—banned shark fin soup in official government banquets. Subsequently, sales of shark fins fell by 50 to 70 percent in China, with many polled respondents citing the ban as the key motivator. The dish is also losing popularity in the United States, as state bans on shark fins become more common.

In June, four populations of scalloped hammerhead sharks were listed as endangered under the US Endangered Species Act. And effective September 14, 2014, international trade in oceanic whitetip sharks, three hammerhead shark species (scalloped, great, and smooth), porbeagle sharks, and manta rays will be controlled, per their 2013 listing on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

AWI continues to push for shark conservation among government agencies and state legislatures, build consumer awareness, and encourage restaurants, other companies, and airlines to stop serving, offering for sale, or transporting shark fins. For more information and to find out what you can do to help, see www.awionline.org/sharkfinning. 🐾



DANIEL KWOK

The scalloped hammerhead is one of the many shark species that have seen their populations plummet as a result of a relentless assault by those coveting their fins.

Ghost Fishing Haunts Ocean Ecosystems

IN SEPTEMBER 2014, the National Oceanic and Atmospheric Administration (NOAA) published a new study on a dangerous phenomenon known as “ghost fishing.” Ghost fishing occurs when derelict fishing gear, including lost or abandoned nets and traps, continue to ensnare marine life. According to the NOAA study, which focused on traps, thousands of such devices are lost or abandoned in the United States each year, causing the death of fish, crabs, and turtles that get caught in the gear—including some threatened and endangered species. Researchers found that between 5 and 40 percent of all derelict traps showed evidence of ghost fishing for long periods of time. These derelict traps may even have broader and potentially more harmful implications than floating pollutants such as plastic, abandoned vessels, and trash, because they continue to catch both targeted commercial species and non-target species, and can damage seafloor and sensitive habitats such as coral reefs.

The study authors suggested developing a management strategy for derelict fishing traps that includes (1) targeted studies to estimate mortality of fishery stocks; (2) an assessment of the economic impacts of such traps on fisheries; (3) collaboration with the fishing industry to develop solutions to ghost fishing; and (4) an examination of the regional context and challenges resulting in derelict fishing traps to find effective policy solutions to manage, reduce, and prevent gear loss. 🐾



FIN WHALES, IRISH DEFENSE FORCES

AWI REPORTS FROM IWC65

THE 65TH MEETING of the International Whaling Commission (IWC) opened on September 15 in the picturesque Slovenian city of Portorož. Key issues on the IWC's agenda at this plenary meeting—the first since the Commission went to biennial meetings in 2012—included a proposal for a whaling quota for Greenland, a renewed proposal from Japan to create a new type of commercial whaling, and a resolution from several West African nations on food security in relation to whales. New Zealand sought to enshrine the March 2014 International Court of Justice (ICJ) decision over Japan's lethal research whaling, and a renewed proposal from Brazil, Argentina, South Africa, Uruguay and Gabon sought to create a whale sanctuary in the South Atlantic. Chile proposed a resolution to increase civil society participation at the IWC. Overall it was a successful meeting with major advances made in the arena of civil society participation and on whale conservation.

THE UPS...

Prior to the meeting, a large number of conservation-minded non-governmental organizations (NGOs), including AWI, had written to IWC chair, Jeannine Compton-Antoine, asking for broader participation by civil society at the meeting. On the Saturday before the meeting started, AWI's Susan Millward and two colleagues met with the chair to discuss our letter, and were able to secure a commitment from her to allow the NGOs to speak under each agenda item during the meeting. This process worked extremely well and the value of having NGOs participate was validated by the adoption by consensus of a resolution by Chile on civil society participation and transparency at the IWC on the last day of the meeting. Chile's similar resolution seeking greater transparency of and accessibility

to the IWC's Scientific Committee also passed by consensus after it was revised several times.

New Zealand's resolution on whaling under special permit (so-called "scientific whaling") sought to enshrine the ICJ decision that Japan's program in the Antarctic was not in compliance with the provision of the International Convention for the Regulation of Whaling that authorizes scientific whaling (see Spring 2014 *AWI Quarterly*). This issue predominated the meeting and was not resolved until the final day, with member countries falling into distinct and predictable camps. Japan introduced a document detailing its interpretation of the ICJ ruling and reiterating that it intends to return to the Southern Ocean in 2015 to continue its research program with a plan revised to comply with the ICJ ruling. Several countries, including the United



MICK MCINTYRE, WHALES ALIVE

An NGO reception organized by AWI honored Donna Petrachenko, the outgoing Australian commissioner, for her years of service to whales and the IWC. She is pictured here with Australia Minister for the Environment Greg Hunt.

States, protested—calling for the Commission to use the ruling to curb scientific whaling. Several countries wanted recognition of the Southern Ocean as a whale sanctuary. Eventually a revised version of the New Zealand resolution was proposed on the final day and New Zealand called for a vote. It passed, with 35 yes votes, 20 no votes and 5 abstentions. In explaining its no vote, Japan announced that collection of scientific information is essential to the effective management of whales in accordance with the whaling convention.

Even though commercial whaling by Iceland and Norway were not specifically on the meeting's agenda, several countries took the opportunity to criticize both countries. Italy took the floor on behalf of the European Union and chastised Iceland for its commercial whaling—calling attention to a *démarche* condemning Iceland's actions that 28 EU members and 7 other countries, including the United States, had served Iceland on the first day of the meeting. Several countries spoke up in support of Italy, including Australia and the United States, which also noted the active Pelly certifications under US law of both Iceland and Norway. AWI's Sue Fisher called commissioners' attention to the escalating trade in whale meat between Iceland, Norway and Japan in contravention of the spirit of both the commercial whaling moratorium and the ban on trade in whale products by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

A resolution by Ghana and four other West African nations (Côte d'Ivoire, Mali, Republic of Guinea, Benin) on whales and alleviating food security issues was somewhat of an enigma throughout the meeting. After being introduced, it morphed through four versions before being withdrawn by Ghana on the last day for reintroduction at a later meeting. Japan's proposed Schedule amendment for small-type coastal whaling, which it tried to compare to Greenland's whaling, would have essentially meant overturning the commercial whaling moratorium. After being supported and rejected by the usual groups, Japan eventually called for a vote, which thankfully failed, with 19 yes, 39 no, and 2 abstentions.

THE DOWNS...

The greatest disappointment for AWI and several NGOs who work on aboriginal subsistence whaling was the passage of a whaling quota for Greenland that was not deserved. The quota request—essentially the same as one rejected in 2012 (see Fall 2012 *AWI Quarterly*)—was problematic primarily because of the way in which Greenland calculates need, and the increasing commerciality of the hunt, which is antithetical to the true nature of subsistence hunting. After protests from many countries, principally those comprising the Buenos Aires Group from Latin America, a vote was taken and—to our great dismay though not surprise—the amendment achieved the necessary three-fourths majority (46 votes for, 11 against, 3 abstentions). The United States voted as it did two years ago—in favor of the proposal. More than half the votes in favor were cast by European Union countries that collectively opposed the same proposal two years ago. This time, with the involvement of the European Commission, they felt compelled to support the proposal as it came from an EU member state (Denmark, on Greenland's behalf) and they were under an obligation to vote without breaking ranks.

Unfortunately the South Atlantic Sanctuary Schedule amendment proposal from Brazil, along with Argentina, South Africa, Uruguay, and Gabon, failed after a close vote. After introducing its proposal on the first day, Brazil announced on the last that consensus had not been reached and called for the vote. Needing a three-quarters majority to pass, it fell short, with 40 yes votes, 18 no votes, and 2 abstentions.

Going into the meeting, AWI had been apprehensive about a number of items on the agenda with the potential to loosen restrictions with regard to whaling. Notwithstanding the unfortunate decision on Greenland's quotas, we are pleased overall with the outcome of IWC65. The Commission has made great strides on civil society participation and we look forward to being even more engaged at IWC66 in 2016. 🐾

AWI laments the passing of Frederic Chemay, commissioner to the IWC for Belgium. Frederic was a great friend to whales and a passionate conservationist. He was due to be elected incoming IWC chair at IWC65, but illness prevented him taking up the post. Our thoughts are with his friends and family.



CAN CETACEAN RESEARCH IN RUSSIA ESCAPE CAPTIVITY?

AWI's Dr. Naomi Rose attended the Marine Mammals of the Holarctic International Conference in St. Petersburg, Russia, in late September, in an effort to learn about, and network among, Russian scientists and managers involved in the disturbing trade in wild-caught belugas and orcas.

Russia is still under the long shadow of the Soviet era—it's been more than 20 years since the Iron Curtain lifted, yet some fields, including the marine mammal science field, are still hampered by its influence. Russian dolphinariums have effectively developed in a time bubble—representatives attending the conference reported there are now 30 in the country, virtually all of them 50 years out of date, with makeshift holding pens and heavily chlorinated water. Most mix species from the Arctic (beluga and walrus) with those from temperate water (bottlenose dolphins and California sea lions), while many cetaceans are still caught from the wild (belugas and orcas are legally and illegally taken from the Sea of Okhotsk; bottlenose dolphins are illegally captured from the Black Sea). The quality of the facilities is so poor that they can barely keep their cetaceans alive, let alone get them to successfully reproduce.

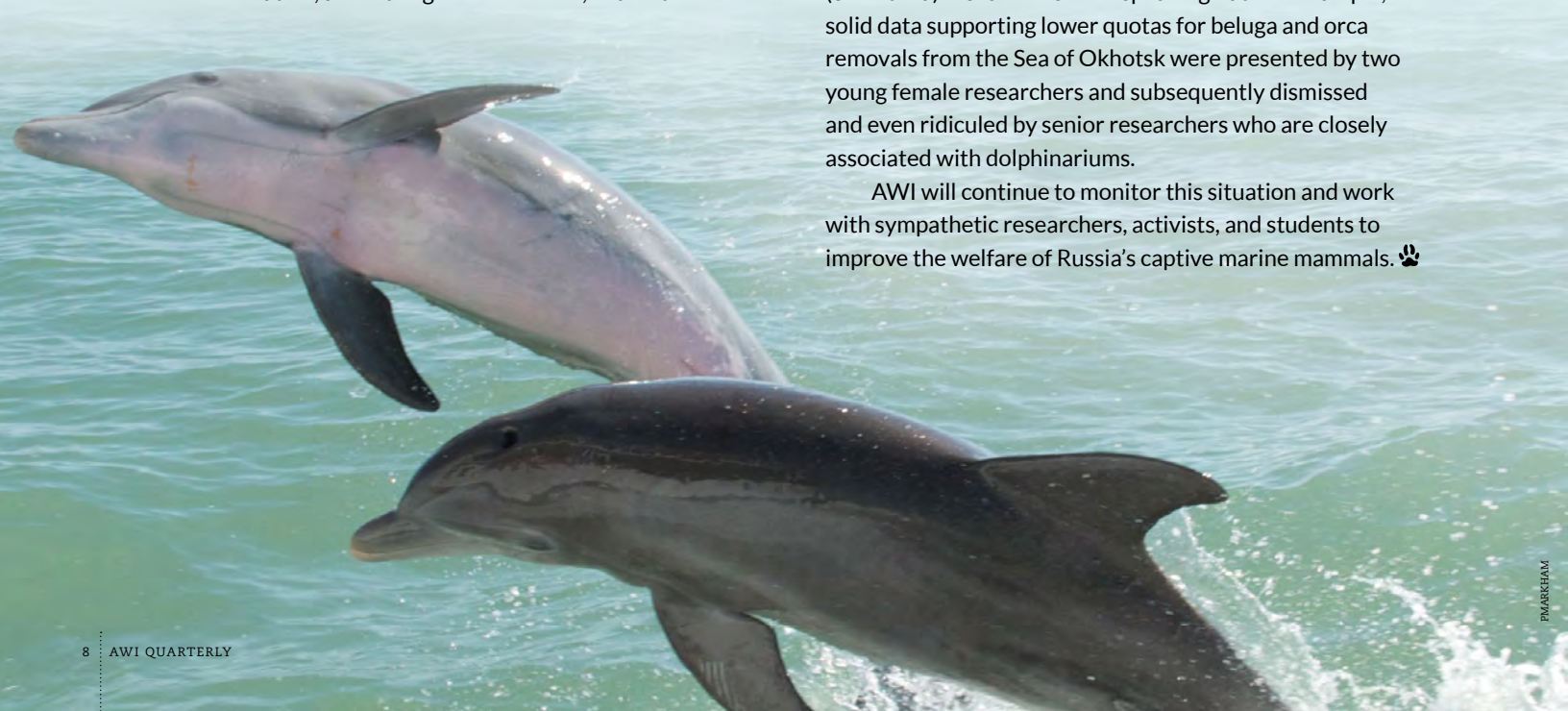
Similarly regressive, the dolphinarium industry is still closely intertwined with the marine mammal science community. In the 1940s and 1950s, pioneering cetacean researchers (including in the Soviet Union and the United States) began studying dolphins in what were then newly established entertainment parks that featured dolphin shows. For the first time, living dolphins could be closely observed, allowing new discoveries into their locomotion, echolocation, and intelligence. However, within three

decades, cetacean science outside the Soviet system had advanced to the point where it was conducted primarily in the wild, with increasingly sophisticated technology that allowed researchers to enter the cetaceans' underwater world. Captive research is still conducted around the world, but now it comprises only a small percentage of the peer-reviewed papers produced by the scientific community and only a few active researchers are affiliated with the industry anymore—except in Russia (and perhaps Japan).

Many of the presentations at the conference were from dolphinariums, but these studies were dated. Rather than addressing key conservation questions, these studies were more about observing stimulus-response behavior without context. (This “if I do this, then that happens” type of study was common in the 1960s.) This work would not be accepted in international peer-reviewed journals today, so it typically appears only in Russian publications. In general, even good Russian marine science is published only in Russian, meaning it reaches the relevant managers but not international researchers.

The close relationship of the dolphinarium industry with the marine mammal science community in Russia presents a serious obstacle to reining in the expanding dolphinarium industry and wild capture operations. In many countries, scientists are allies in this fight, publishing research results demonstrating the unsustainability of capture quotas and the welfare impacts on animals. But in Russia, concerned scientists (usually younger and post-Soviet trained) are often discouraged by older, established (Soviet era) researchers from speaking out. For example, solid data supporting lower quotas for beluga and orca removals from the Sea of Okhotsk were presented by two young female researchers and subsequently dismissed and even ridiculed by senior researchers who are closely associated with dolphinariums.

AWI will continue to monitor this situation and work with sympathetic researchers, activists, and students to improve the welfare of Russia's captive marine mammals. 🐾



NIH FUNDS NO LONGER ALLOWED FOR RESEARCH WITH CLASS B DOGS

The use of random source (Class B) dogs for National Institutes of Health (NIH)-sponsored research is finally coming to an end. As of October 1, 2014, NIH will not allow any new grants to purchase or use NIH funds to support the use of random source dogs. NIH ended funding for research using random source cats in 2012.

Since its inception, AWI has been at the forefront of the fight to stop using random source dogs and cats and shut down Class B dealers. Too often, unscrupulous dealers have mistreated these animals as they flouted the laws and regulations (see Summer 2009 AWI Quarterly). AWI has repeatedly called upon NIH to only allow Class A (purpose-bred) dogs and cats for funded research, arguing that those dealers, which are more likely to adhere to

humane standards, could provide all the dogs needed for research. After a multi-year pilot study, NIH did agree with AWI, stating “The pilot demonstrated that Class A vendors can provide large, mature, socialized, out-bred hounds or mongrels” (NOT-OD-14-034). *Science Online* quotes AWI’s president, Cathy Liss: “We’re very pleased that NIH has taken this action. It’s long overdue.”

Class B dogs and cats may still be used for research, testing or education not funded by NIH. As noted in the *Science Online* article, AWI is urging Congress to pass the Pet Safety and Protection Act, which would effectively outlaw the use of all random source dogs and cats in the United States. “Only then,” Cathy told *Science Online* News Editor David Grimm, “we will eliminate this blight on research.” 🐾

Maternal Deprivation Studies to Be Restarted

IN A HIGHLY CONTROVERSIAL DECISION, the animal care and use committee at the University of Wisconsin has approved an NIH-funded maternal deprivation study on newborn monkeys. This study echoes back to the notorious deprivation studies, done nearly 50 years ago by Harry Harlow, at the same institution. The stated purpose of the research is to use the latest brain scan technologies to attempt to identify changes related to anxiety and depression that occur early in life in the brains of monkeys. The principal investigator believes that data from these scans will bring new medication and psychotherapy strategies for people.

Up to 20 baby monkeys will be taken from their mothers on the day they are born. They will be raised in isolation for three to six weeks and then paired with another maternally deprived baby monkey. Repeated anxiety-inducing tests will be done, followed by brain scans. After six months, the pairs will be split up and matched with new partners. More tests will be done, followed by more brain scans. A second group of 20 baby monkeys will be raised by their mothers and will undergo the same tests. At the end of a year, the 40 monkeys will be killed and their brains examined.

There has been significant uproar about this study and the University of Wisconsin is clearly feeling pressure



Bonded: a mother macaque wraps her baby in a tight embrace. A University of Wisconsin study will strip newborn macaques from their mothers, subject them to isolation and fearful stimuli, then sacrifice them to gauge the effects on the brain.

from the community about proceeding with the study. In a highly unusual decision, the university publicly posted the animal care protocol. Further, the institution opened up to reporters, who published an excellent article in the university newspaper (<http://bit.ly/1mVubH4>) describing the storm around the study. The article explains, “The research ... has drawn unusual scrutiny and dissent from within the university and intensified a debate about the extent to which benefits to humans justify the suffering of animals.” Such scrutiny is necessary, particularly when newborn monkeys are taken from their mothers. 🐾

SHANKAR S.

Animals and Emotions

How many times have you looked at your dog after he or she did something they shouldn't and seen those soulful, apologetic eyes looking back at you? The look of guilt is obvious, but does that mean it is guilt as we understand it? How many times has your cat lain down on your laptop to say "stop ignoring me," or acted aloof after you came back from a vacation? Animal emotions have intrigued and perplexed us for centuries. Now, we are discovering that many animals show a range of emotions that are very similar to our own.

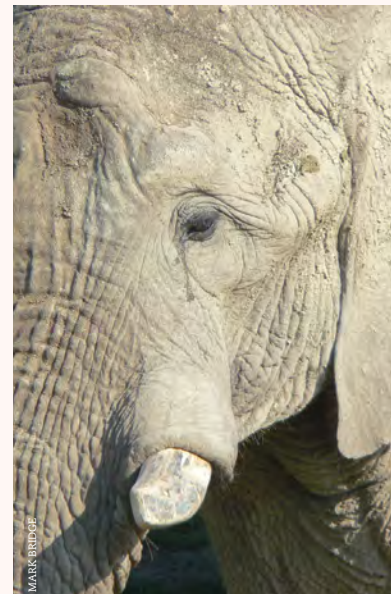
From the earliest Greek and Roman philosophers until well into the 20th century, a prevailing scientific view was that animals were incapable of expressing emotions as humans do. Behaviors we associate with emotions in humans were dismissed as predetermined biological processes—the product of brains "hardwired" to produce a certain series of responses to a given scenario, independent of conscious thought.

Of course, many lay people (and an increasing number of scientists) will tell you differently. Those who interact with and observe animals on a regular basis can see that

dogs, cats, birds, rodents, and even fish do experience basic emotions such as anger, fear, happiness, and sadness, and that more complex emotions, such as jealousy and empathy, are hardly rare.

"Emotion" describes a subjective, conscious experience with both physical and mental changes affecting behavior. Cognition is an important aspect of emotion, as an experience must be interpreted to generate an appropriate response. Emotions tend to be brief in duration and have consistent responses; however, emotions are also very personal and can be affected by numerous other factors. An event that evokes a response in one person or animal may not in another or at a different time or location. The complexity of emotions in humans makes emotions in animals even more inscrutable, as is demonstrated in the following specific examples of animal emotions.

Jealousy describes the negative thoughts and feelings of insecurity, fear, and anxiety that occur when an interloper threatens an important relationship. Jealousy requires the cognitive ability to determine self-esteem and weigh the rival's threats. In a recent study by Harris et al. (*PLoS One*,



Increasingly, science is providing evidence for what many who dwell among animals have long accepted: complex emotions are not the exclusive domain of Homo sapiens.



MIKE SUAREZ

A recent study that examined empathy in pigs found that the distress of one pig will upset her neighbors.

2014), scientists adapted a paradigm from human infant studies to examine jealousy in companion dogs. They had people lavish attention on objects, one of which was a realistic-looking stuffed dog that barked and whined, in front of their companion dogs. The interactions and the dog responses were recorded and analyzed. Nearly all of the dogs pushed at either the stuffed dog or the owner and almost one-third attempted to get between the object and their owner. Significantly, they did not exhibit these behaviors to the same degree when the object of affection was not dog-like. The authors say the results lend credence to the notion that dogs, like humans, do experience jealousy.

In popular culture, happiness and laughter were long thought to be unique to humans, even though scientists dating back to Charles Darwin have documented laugh-like vocalizations in chimpanzees and other great apes. Now, we are discovering that laughter is not limited to primates. In a 2012 article by Rygula et al., entitled "Laughing Rats Are Optimistic" (*PLoS One*, 2012), the scientists were able to elicit specific vocalizations, akin to laughter, when they subjected the rats to playful handling and tickling. They found that the tickling produced positive emotions and the rats were more likely to approach a tester's hand when compared to those rats who were only handled (a finding also reported by AWI Refinement Grant recipients Drs. Sylvie Cloutier and Ruth Newberry in the Spring 2009 *AWI Quarterly*).

Empathy is the capacity to recognize and react to emotions that are being experienced by another. As such, it requires cognition and group interaction. A recent article by Reimert et al. (*Physiology and Behavior*, 2013), correlated a number of behaviors in pigs with positive (i.e. feeding and group housing) and negative (social isolation) events. They demonstrated that a positive behavior in one pig had a positive effect on nearby pigs. Similarly, pigs displaying the negative behaviors affected the surrounding pigs.

The effects were not just limited to visible behaviors, as cortisol levels (i.e., stress hormone) in the pigs' saliva confirmed their emotional state. The pigs were effectively demonstrating empathy toward their pen-mates, a concept that required them to understand the emotions of those around them.

Grief describes a complex set of emotional, physical, social, behavioral, and cognitive responses to a loss, particularly when a bond has been formed. Perhaps the most familiar form of grief is demonstrated by the mental and physical effects due to the loss of a loved one. Elephants have been observed gently touching the bones of dead elephants and carrying them around for days. In his book *Elephant Destiny* (2004), Martin Meredith described a herd of elephants interacting for several days with the body of a dead matriarch. They touched her body, tried to lift her, then threw dirt and branches over her to bury her. Her young calf wept and made crying sounds. Researchers have described many similar instances, even documenting a herd pausing silently at the site where a member died, years after her death. While there is no clear understanding of why elephants do this, the great interest in their dead provides strong evidence that elephants have a concept of death and are grieving in ways very similar to people.

These and other scientific studies confirm what many people already knew: many animal species have rich and complex mental lives. They are not automatons, directed solely by instinct and behavioral responses. Instead, like humans, they use their experiences to communicate emotions to those around them. Acknowledging that animals show emotions can be difficult, since it implies that we must pay more attention to their needs and wants—and to the pain we inflict upon them. Yet, when we do pay attention to those emotions, our interactions with animals become tremendously more fulfilling, and enrich our own emotional lives. 🐾



DAVE THOMAS

A northern long-eared bat clings to a cave wall. USFWS caved to industry groups in putting off a decision on whether to list this species as endangered.

USFWS HIBERNATES ON BAT PROTECTION

The US Fish and Wildlife Service (USFWS) has postponed its decision on listing the northern long-eared bat as endangered under the Endangered Species Act (ESA) until April 2015. The decision was originally due this past October (see Summer 2014 AWI Quarterly), but USFWS capitulated to objections from industry groups and several state natural resource agencies. AWI joined 23 other organizations in a letter to USFWS Director Dan Ashe and Interior Secretary Sally Jewell expressing disappointment in the delay and reiterating the reasons this species warrants protection. AWI and other groups also criticized a US House of Representatives Natural Resources Committee hearing held in September in Harrisburg, Pennsylvania, on the supposed “devastating economic impacts” of such a listing. The committee made no pretense of objectivity: Of eight witnesses, seven opposed the listing. Only one witness addressed the actual devastating economic impacts for the farming and forestry industries if nothing is done to recover this species that consumes so many “pest” insects. Unfortunately, this was one of a series of assaults on the ESA by this Congress, an assault we expect to continue into the next Congress. 🐾

Pet and Women Safety Act Introduced in US House

RECENT EVENTS have moved domestic violence out of the shadows and into public consciousness where it can be addressed as the serious crime that it is. But still hidden from view is an all-too-real obstacle many survivors face when trying to leave their abusive partners: the fear that those partners will harm or kill their companion animals.

Removing this roadblock is essential to the safety of these survivors. Reps. Katherine Clark (D-MA) and Ileana Ros-Lehtinen (R-FL) introduced H.R. 5267, the Pet and Women Safety Act, to help programs provide shelter and housing assistance for the companion animals of victims of domestic violence. The bill also takes the important step of including pets in federal law pertaining to interstate stalking, protection order violations, and restitution, and urges states to allow pets to be included under protection orders.

As many as 48 percent of the battered women responding to surveys reported they had delayed leaving a dangerous situation out of concern for their pets’ safety. In other surveys of domestic violence victims, between 49 percent and 71 percent reported that their pets had been threatened, harmed, or killed by their partners. In a national survey, 85 percent of domestic violence shelters indicated that women coming to their facilities spoke of incidents of pet abuse.

Clearly, if shelters and other service providers are better able to assist domestic violence survivors with finding a safe place for their pets, they will be better able to bring everyone to safety. H.R. 5267 will greatly increase their capacity to meet these many needs. 🐾

IT’S NOT TOO LATE!

Congress is meeting in a short session before the holidays so there is still time to ask your federal representative or senators to support any bills on our Compassion Index that they have not yet cosponsored. Adding cosponsors now will put these bills in a stronger position for the 114th Congress that starts in January.

Visit www.congressweb.com/awi/legislators.

FBI SETS EYE ON ANIMAL CRUELTY IN NATIONAL CRIME STATISTICS

PERSISTENCE PAYS OFF!

In June, after years of effort by AWI staff members, the FBI's Advisory Policy Board (APB) unanimously approved the addition of animal cruelty crimes as a separate entry in the Uniform Crime Report (UCR). The FBI director approved the APB's recommendation on September 11.

As the FBI explains on its website, the UCR "has been the starting place for law enforcement executives, students of criminal justice, researchers, members of the media, and the public at large seeking information on crime in the nation." The FBI has been compiling and publishing these statistics since 1930. The crime data are received from over 18,000 city, university/college, county, state, tribal, and federal law enforcement agencies and submitted either through a state UCR Program or directly to the FBI's UCR Program.

Currently, while most reporting agencies do collect data on animal cruelty crimes, the information is generally rendered of little value because it is housed in a catch-all category—"All Other Offenses"—where it is lost in the mix with a variety of other crimes. As a result of this policy shift, however, the data on animal cruelty crimes will appear in the UCR as its own category and will thus be available for separate review and analysis. Law enforcement officials, policymakers, and researchers will be better able to track and understand animal abuse, identify trends, and allocate resources. AWI's efforts

to bring about this pivotal change received critical support from the National Sheriffs Association, the Association of Prosecuting Attorneys, and the Animal Legal Defense Fund.

The animal cruelty crimes to be reported include simple/gross neglect, intentional abuse and torture, organized abuse, and animal sexual abuse. They will be classified as Group A offenses, a category that includes such major crimes as arson, assault, and homicide. Classification in this category requires the reporting of both incidents and arrests (whereas classification in Group B requires only that arrests be reported—thus yielding far less information).

The APB's recommendation defines animal abuse and neglect as "intentionally, knowingly, or recklessly

taking an action that mistreats or kills any animal without just cause" and includes failure "to provide care ... ; transporting or confining an animal in a manner likely to cause injury or death; causing an animal to fight with another; [and] inflicting excessive or repeated unnecessary pain or suffering." The definition of abuse and neglect excludes "proper maintenance of animals for show or sport; use of animals for food, lawful hunting, fishing or trapping."

With the inclusion of animal cruelty crimes, the UCR will provide a more complete picture not only of overall crime, but also of a serious type of crime that is linked with so many others, such as domestic violence, drugs, illegal weapons, and gang activity. 🐾

Markie the cat, shown here, and his owner fled domestic violence. The new UCR policy will help highlight the connections between animal abuse, domestic violence, and other serious crimes.



HELEN HADEN

AWI COURTS AWARENESS ABOUT ANIMAL CRUELTY

at National Judges' Conference

ONE OF THE important goals of AWI's Animals and Interpersonal Violence program is to reach judges—especially judges who interact with juveniles and families. AWI has enjoyed a good working relationship with the National Council of Juvenile and Family Court Judges (NCJFCJ), which has facilitated AWI's efforts to help judges become more cognizant of the importance of animal cruelty in the home and community—how to recognize it, how to ask questions about it, and what resources are available once it is identified.

At the invitation of NCJFCJ, Nancy Blaney and Dr. Mary Lou Randour of AWI conducted a seminar entitled “Animal Cruelty: Predictor and Early Intervention for Families and Youth,” at the group's national conference, held in Chicago this past July. In this presentation to a sizeable group of engaged and curious judges, Nancy and Mary Lou discussed the well-established science that witnessing violence—including to animals—is a traumatic event, with biological, psychological, and social consequences. In fact, new research indicates that in the case of posttraumatic stress disorder (PTSD), there may even be an intergenerational genetic transmission—i.e., witnessing violence may affect one's children not only via environmental factors such as living with someone with PTSD, but also via inheritance (by playing a role in how certain genes are expressed in the offspring).

Given such evidence, the US Department of Justice recently released a “Polyvictimization/Trauma Symptom Checklist” to court personnel that included witnessing

animal cruelty as a potential cause of trauma. During the AWI presentation, Nancy and Mary Lou suggested some additional questions that could be asked: “Do you have a pet?” “Have you ever had a pet?” “Tell me about them; what happened to them?” “Has anybody ever tried to hurt your pet? What happened?” The information gleaned from these queries could help judges understand the extent of violence in the home, identify children at risk, choose more effective interventions, and protect animals from current and future abuse.

The AWI presentation elaborated on the importance of making proper assessments of the perpetrators of animal cruelty to determine if the behavior is pathological and if so, the level of pathology. Some examples of animal cruelty scenarios were presented for discussion by the group.

AWI also briefed the judges on federal, state and local policy responses to these issues, such as the passage of an amendment to the Animal Welfare Act, of which one section prohibits animal fighting. That section was expanded so that it now includes language that “causing a minor to attend” an animal fight is a separate offense. Another important policy reform has been the rapid adoption by states of laws that authorize judges to add pets to orders of protection. Twenty-seven states now have such provisions, in addition to the District of Columbia and Puerto Rico.

As Nancy and Mary Lou listened to the judges' comments and questions, they themselves learned how AWI might offer the judicial community more resources. One





Through Safe Haven Chicago's Lifetime Bonds program, at-risk youth train, socialize, and care for canines in need of a helping hand.

judge remarked that he did not really know what factors to consider when deciding to place a child in a foster home if there was a dog in the family; an interesting discussion ensued. After the conference, AWI contacted other partners in the legal profession to inquire about developing guidelines for judges making these decisions.

Judges Go to the Dogs

Throughout the day, in another area of the conference facilities, Safe Humane Chicago was showcasing its successful Lifetime Bonds program. The program team consisted of Safe Humane Chicago's founder and director, Cynthia Bathurst, and a number of volunteers, including students, two young men who had graduated from the program, and three dogs. Lifetime Bonds provides opportunities for at-risk youth and at-risk dogs to help one another. Youth in disadvantaged communities learn how to care for, socialize and train shelter dogs by using positive, reward-based training techniques. They also get to participate in positive, beneficial activities with them. By doing this, the young men gain confidence and skills, develop constructive behavioral patterns, and learn about potential work in the pet care industry. The dogs also benefit by becoming better behaved and therefore more adoptable.

The adage that it is never advisable to work with dogs or children—as they draw all of the attention—turned out to be true. Many judges broke away from the conference to hear about the Lifetime Bonds program, with approximately 100 judges visiting throughout the day. But that was the

AWI's Dr. Mary Lou Randour takes a break from the NCJFCJ conference to say hello to one of the shelter dogs who has benefitted from the Lifetime Bonds program.

point: for judges to learn about a positive program for incarcerated or at-risk youth that pairs them with shelter dogs to everyone's benefit. All of the judges who visited expressed curiosity and an interest in learning more. Some were so inspired that they asked for contact information so that they might inquire about how to initiate a similar program in their communities.

The Lifetime Bonds dogs charmed all by their demonstration of behaviors that they had learned—from basic commands such as “sit,” “down,” and “stay” to “roll over,” “shake paws,” “give a high five,” and other gestures of friendship and enthusiasm. The dogs were ambassadors for their species and the program by their friendly behavior throughout the day. One was more lively than the other two and wanted to play; the other two took a more relaxed position and were content to hang out, allowing themselves to be petted (one, without a trace of self-consciousness, rolled over to have her belly petted—which it was, many times).

The two young men who graduated from the Lifetime Bonds program grew more confident as they gained experience making brief presentations to the judges about the program and illustrating with one of the dogs the outcome of their training techniques. One of the young men explained to the judges what he learned from the program: “The dogs are like us. They get hungry. We get hungry. They get tired. We get tired. They want to be loved. So do we.” In those simple statements he summed up the basic message: two-legged animals and four-legged animals are very much alike and we can help one another. 🐾



USDA Finalizes Poultry Slaughter Inspection Regulations

IN THE WINTER 2014 AWI QUARTERLY, AWI reported that the US Department of Agriculture (USDA) had proposed changing the poultry slaughter regulations to allow poultry companies to accelerate their slaughter process by 25 percent, increasing the likelihood of inhumane handling of birds. USDA's proposal had also included removing some government inspectors from the processing line and allowing companies to inspect their own carcasses for defects like bruises, contamination, and tumors. The proposal met with considerable opposition—from slaughterhouse workers who feared increased workplace injuries, to consumer groups worried about higher rates of product contamination and animal welfare organizations concerned that the new rules would increase animal suffering. AWI supporters alone generated more than a thousand letters to USDA in opposition to the plan.

As a result of the outcry, USDA changed course; its final regulations, published in August, lack the anticipated increase in slaughter line speed and also make participation in the new poultry inspection system voluntary as opposed to mandatory, as originally proposed. While the final regulations still allow participating companies to sort their own carcasses for defects, USDA



FARM SANCTUARY

A proposal to allow poultry slaughterhouses to speed up the slaughter processing—increasing the likelihood of suffering for the birds—was shelved after protests by AWI and others.

has indicated to AWI that moving some inspectors “off the line” to conduct food safety testing will increase the amount of time available for monitoring of bird handling practices. AWI has offered guidance on the training of poultry workers to observe for signs of inhumane handling, and we’ll be watching to see what impact the new changes have on bird welfare. 🐾

CALIFORNIA DOWNER BAN SURVIVES CHALLENGE

After an undercover investigation in 2008 showed heinous acts of animal cruelty toward nonambulatory or “downed” animals at the Hallmark/Westland Meat Packing Co., California strengthened an existing law governing the treatment of downed animals. The amended law made it illegal for a slaughterhouse, auction, or market to improperly hold or move a downed animal and ordered that these animals be humanely euthanized immediately (or given veterinary care).

Unfortunately, in *National Meat Association v. Harris*, the US Supreme Court declared that, with respect to those parts of the California law pertaining to slaughterhouses (at least), the state law was preempted by the Federal Meat Inspection Act (FMIA), which has its own, weaker, provisions on the treatment of downed animals. In the

wake of this Supreme Court decision, it was unclear if anything at all was left of the California law—until now.

After a 2012 undercover investigation at a livestock market in Southern California showed employees kicking, throwing, and dragging downed animals, California charged the perpetrators with nine counts of improperly holding and moving nonambulatory animals, and failing to immediately euthanize them. The defendants argued that *Harris* invalidated these state requirements and therefore they could not be charged under the downer law. This spring, the California appeals court disagreed—stating that *Harris* only applied to establishments subject to inspection under the FMIA, and therefore California can still prosecute someone for improper treatment of downed animals at auctions and livestock markets. 🐾

NESTLÉ AND UNILEVER ANNOUNCE NEW COMMITMENTS TO ANIMAL WELFARE

Nestlé recently announced a commitment to farm animal welfare in an effort to “remove the worst [practices], promote the best and improve the rest.” Nestlé stated that it will “support and implement actions to promote animal health and welfare.” The world’s largest food company plans to focus attention on some of the most egregious practices used by the animal agriculture industry such as extreme confinement, tail docking, disbudding, and castration without anesthesia. The company also announced general standards for its 7,300 suppliers, including a commitment to restrict antibiotic use.

Unilever, the company that provides grocery store staples like Hellman’s mayonnaise and Ben & Jerry’s ice cream, made a similar announcement, expanding their current commitment to animal welfare. In September, the company announced it will finance research for in-ovo gender identification (sexing) of eggs to prevent the culling of newborn male chicks by the egg industry. Because male chicks have no role in egg production and therefore no value to the industry, they are routinely subjected to death by grotesque methods, such as maceration using a high-speed grinder. Sexing technology could prevent the hatching and unnecessary killing of large numbers of male chicks every year.

While the Nestlé and Unilever announcements are encouraging and have the potential to positively impact millions, if not billions, of animals worldwide, they are short on details. For example, Nestlé’s announcement does not strictly prohibit any husbandry practices and neither company sets timelines to ensure implementation of their new commitment to higher standards for farm animals. 🐾



KEITH WELLS/USDA

Oregon Supreme Court Recognizes that Animals Can Be Individual Crime Victims

IN 2009, police in Umatilla, Oregon, arrested a man for starving and neglecting dozens of animals. A jury convicted the man of 20 counts of second-degree animal abuse, but at his sentencing hearing the court merged the 20 counts into a single conviction because, according to the court, animals are not victims under the law. The defendant, thus, was given a mere 90 days in jail and three years of probation for his “one” offense.

Thankfully, the state appealed the decision, and the appeals court found that, for purposes of this law, each animal was a separate crime victim. In August 2014, the Oregon Supreme Court affirmed this decision. It is now official: animals can have individualized identities under the law, at least in Oregon. 🐾



GARRETT

California Egg Law Upheld by Federal Court

A US DISTRICT COURT JUDGE has dismissed a lawsuit filed by Missouri’s Attorney General Chris Koster and joined by attorneys general from five other states that challenged a California law addressing the housing of egg-laying hens. The law in question mandates that all eggs sold in California come from hens provided enough space to lie down, stand up, fully extend their wings, and turn around freely. The attorneys general argued that the law would harm their states’ citizens because it would impose new and costly regulations on out-of-state producers, and as such violated the Commerce Clause of the US Constitution. They claimed standing to sue to protect “their citizens’ economic health and constitutional rights.” Federal judge Kimberly Mueller disagreed, saying that “It is patently clear plaintiffs are bringing this action on behalf of a subset of each state’s egg farmers, not on behalf of each state’s population generally.” The law is scheduled to take effect in 2015. 🐾



FARM SANCTUARY

AWI ISSUES NEW REPORT ON THE STATE OF LEGAL PROTECTIONS FOR FARM ANIMALS

IT SHOULD BE A GIVEN that farm animals are protected from cruelty and needless suffering; from being warehoused in cramped, dark living spaces devoid of stimulation or even the ability to move; and from having beaks or tails cut off without anesthesia. Unfortunately, under the current legal framework, these basic assumptions do not hold.

AWI recently reviewed federal and state laws pertaining to the treatment of farm animals in its report *Legal Protections for Animals on Farms*. The report pinpoints where and how current protections are lacking for farm animals and paints a clear picture of the current legal status of the 9 billion land animals killed each year for food in the United States.

Presently, animals on farms have zero federal laws dedicated to ensuring they are not raised in an inhumane manner. State laws provide slightly more protection from abuse and poor living conditions, but are still not enough to ensure farm animals are afforded a life worth living. While anti-cruelty laws may protect farm animals from situations that no reasonable farmer would defend (such as kicking “downed” animals), 37 states

have “common husbandry practice” exemptions to anti-cruelty laws—meaning that any practice the industry deems routine is exempt under the law.

Over the past decade, advocates have tried to chip away at these common but cruel husbandry practices by promoting legislation prohibiting some of the worst abuses on factory farms. In some cases, these efforts have met with success: Four states now regulate tail docking of cattle, eight limit the use of gestation crates for pregnant pigs, seven limit the use of restrictive crates for veal calves, and four prohibit barren battery cages for egg-laying hens.

The impact of these state laws on farm animals is mixed. Anti-confinement laws have helped shine a light on factory farming methods. Additionally, these laws (or the threat that such laws may pass) likely put pressure on the industry to address cruel farming practices: tail docking and veal crates are being voluntarily phased out by the industry and several large companies are phasing out gestation crates. Unfortunately, reforms don’t often reach the states where they are needed most—and the industry is most powerful. At present,

legislation limiting the more abusive animal husbandry practices is far more prevalent in states that do not have large numbers of farm animals—zero, in some cases.

Not surprisingly, the push for farm animal welfare protection has created a backlash from the agriculture industry. In an effort to stifle criticism, the industry is aggressively pushing to criminalize undercover investigations on factory farms across the country. States are also delegating authority over farm animal welfare to state livestock boards, often to give the appearance of oversight while thwarting efforts to improve farm animal welfare in the state.

Farm animals are among the most abused animals in the world. *Legal Protections for Animals on Farms* details the benefits and limitations of using the law to improve their lives. The report is available on AWI’s website at www.awionline.org/on-farmlegalprotections. 🐾

Above: Cows crowd together in an intensive drylot dairy in California. Anxious to appease industrial farming operations, US lawmakers shy away from laws to shield farm animals from pain and abuse.



South Africa to Sell Rhinos

SOUTH AFRICA'S Kruger National Park is taking bids from private landowners for 500 of its white rhinos. Newspaper ads advise parties to "make a written offer to purchase white rhinos in batches of 20 or more." A previous sale this summer for 260 rhinos to private game reserves—where they would have been subject to hunting—was nixed amidst accusations that the (since-suspended) head of conservation for South African National Parks (SANParks) who approved the sale acted outside his authority.

Now, the rhinos are back on the block, although a SANParks board member told journalists that it will conduct background checks on prospective buyers and that buyers must agree to contribute to the conservation of the species and the growth of the rhino population as a whole. Officials did not, however, give any indication that hunting reserves would be excluded from the bidding. 🐾

Rep. DeFazio Introduces Bill to Fight Ivory Trade

RANKING MEMBER of the House Natural Resources Committee, Rep. Peter DeFazio (D-OR), introduced the Targeted Use of Sanctions for Killing Elephants in their Range (TUSKER) Act on September 11, a bill to impose trade sanctions on countries that facilitate ivory trafficking. In introducing the legislation, DeFazio said "As many as 40,000 elephants were slaughtered in 2013 alone for their tusks and over 1,000 park rangers have been killed trying to protect endangered wildlife. The illegal wildlife trade funds the operations of gun, drug and human trafficking crime syndicates. It also funds extremely dangerous terrorist groups that threaten regional stability in Africa and national security in the United States. We need to choke off the access to the market." 🐾

Pachyderm Poachers Headed to Prison Under New Mozambique Law

ONE COUNTRY MAY ALREADY be turning the table on traffickers. On June 20, Mozambique passed a law that mandates a prison term of 8 to 12 years for poaching of endangered species. In the past, such poachers often escaped with a fine. The new law is a significant change of course for Mozambique, one of the world's poorest countries and one in which local police and politicians themselves are thought to be frequent participants in wildlife trafficking operations. Of late, Mozambique has been feeling pressure from neighboring Tanzania and South Africa to crack down on poachers who cross the border into those latter two countries to kill elephants and rhinos.

A recently nabbed gang of poachers could soon feel the sting of the new law. On September 7, Mozambique officials arrested six men in Niassa National Reserve, on the border with Tanzania. The gang's primary marksman admitted during questioning to having killed 39 elephants this year in the reserve. This time, they were caught red-handed with a dozen ivory tusks—the largest of which are believed to have come from an elephant at least 40 years old. 🐾

DRONES DEPLOYED TO DEFEND WILDLIFE

Try as they might, hard-working wildlife officials cannot be everywhere at once. In remote areas, it is a depressingly familiar scenario for such officials to come upon grisly crime scenes strewn with the bodies of wantonly slaughtered animals. By the time they arrive, the killers have long since fled and the damage has been done.

Soon, India and possibly other governments will begin to deploy eyes in the sky—seeking to dramatically extend their vision via unmanned aerial vehicles (UAVs), otherwise known as drones. Lian Pin Koh, cofounder of the nonprofit Conservation Drones, has designed a UAV with a 33-inch wingspan and equipped with a high-powered GoPro camera that allows for a dramatic expansion of ground covered in scanning for trouble. Starting in January 2015, officials in 10 Indian regions where tigers are most at risk will begin a pilot program to police the areas from above. Other countries are said to be considering this option to keep watch over wildlife, as well. 🐾



Predators:

Pivotal Role, yet Increasingly Imperiled

Two distinct, loud “thumps”—that is how, in a September 27, 2014, Facebook post, the president of Lobo Watch, an anti-wolf organization, described the sound when his minivan struck two wolves chasing an elk calf traversing I-90 in remote western Montana. He claimed it was an “accident,” but admits to hitting the accelerator in order to “save that calf.” The outcome was predictable. According to his account, one wolf died on the road shoulder while the other, with a badly broken leg, was observed traversing the ridgeline in obvious distress. The post became fodder for Montana media and the incident was investigated by Montana authorities who, notwithstanding the perpetrator’s own admissions on Facebook and to local media, found no evidence that any wolves were ever struck.

Only days before, on September 24, US District Court Judge Amy Berman Jackson restored Endangered Species Act protections to Wyoming’s wolves when she found that the US Fish and Wildlife Service acted arbitrarily and capriciously in relying on the nonbinding promises of Wyoming officials to maintain a particular number of wolves in the state. Wyoming’s now invalidated wolf management plan permitted a shoot-on-sight policy for wolves in a majority of the state.

Earlier that month, the National Park Service in Alaska—presumably fed up with the state’s anti-predator policies—proposed a ban on the baiting of brown bears, the hunting of wolves and coyotes during the denning and pupping period, and the use of artificial lights to shoot black bear mothers and their cubs at den sites within national preserves in Alaska. Though these unethical practices had been illegal under state law, the Alaska Board of Game recently approved them as part of its decades-long efforts to reduce predators to increase numbers of more popular game animals for hunters.

Humans have conflicting attitudes toward predators. Some view them as vile creatures that kill merely for fun, compete with hunters for game, stalk their children, and kill livestock and pets. Others celebrate the value of predators to healthy ecosystems, their aesthetic beauty, and cultural importance, and routinely dole out funds for their conservation and for the opportunity to see them in the wild. These disparate mindsets create a perfect storm of clashing values.

Meanwhile, predator populations continue to suffer. Grizzly bears occupy a mere 2–4 percent of their historic range in the contiguous United States. Over the same area, gray wolves number only 5,500, and are routinely hunted, trapped, and poisoned for recreation and management control, with little consideration of the impacts to population dynamics, behaviors, or to the ecology of their habitat.

Globally, such threats include habitat loss, degradation, and fragmentation; hunting for trophies, skins, or parts for traditional medicines; international wildlife trade; land use practices; conflicts with livestock; management control actions; human population expansion; and depletion of prey. Notably, on this last threat, human hunting has decimated prey populations and made it nearly impossible for large carnivores to persist in parts of Latin America, Asia, and Africa.

Tigers are on that brink with less than 3,500 remaining in the wild, compared to at least 100,000 in 1900. Wild African lion populations have declined precipitously, with latest estimates of as few as 16,500 remaining—down from an estimated 75,800 in 1980. Many shark species, including hammerheads, oceanic whitetips, and porbeagles have been devastated by the trade in fins and/or meat, with some populations reduced by 99 percent.

In the United States, government decision-makers who dictate predator management rules largely ignore the overwhelming scientific evidence of the ecological importance of predators. State wildlife commissioners and many hunters perceive predators as competition for ungulates—animals preferred by hunters and ones that generate greater revenues for state agencies. Consequently, anti-predator sentiment predominates among those who dictate wildlife policies.

The folly of this long-held attitude has been in evidence for some time. In the early 1900s, on the Kaibab Plateau in northern Arizona, a coalition of federal and state agents agreed to implement a US Forest Service policy to exterminate predators in an effort to protect more desired species like elk, deer, and bighorn sheep. By 1920, the armed agents had eliminated most mountain lions, bobcats, wolves and coyotes from the Plateau. Without predators to constrain their numbers, however, mule deer populations grew exponentially, consumed all of the available food, and then tens of thousands died from starvation.

It was around this time that scientists began to reconsider the value of predators. In *A Sand County Almanac*, Aldo Leopold, considered the father of modern wildlife management, tells of his own epiphany about predators when he watched a wolf, struck by his own bullet, die:

We reached the old wolf in time to watch a fierce green fire dying in her eyes. I realized then, and have known ever since, that there was something new to me in those eyes—something known only to her and to the mountain. I was young then, and full of trigger-itch; I thought that because fewer wolves meant more deer, that no wolves would mean hunters’ paradise. But after seeing the green fire die, I sensed that neither the wolf nor the mountain agreed with such a view.

The Kaibab Plateau should have been a wake-up call for wildlife managers. While it did compel a reconsideration of federal predator extermination policies, it did not end the ongoing war against predators.

What predators do for ecosystems

Ecosystem structure and population dynamics are affected by both “bottom up” and “top down” influences. Sea otters, sea urchins, and kelp provide a classic example of “top down” influences. The otters control urchins, allowing kelp to proliferate and improve coastal ecosystem health and function. “Bottom up” control comes from primary production of lower trophic level species (i.e., phytoplankton or plants lower down the food chain). Natural or anthropogenic impacts to either system can have significant effects on ecosystem structure, function, and species-specific population dynamics. When apex predators are removed, the consequences can cascade through the food chain, potentially disrupting ecosystem function and health and increasing conflicts between other, smaller predators and humans.

Apex predators (i.e., predators that have a disproportionate effect on their environment compared to their abundance), in particular, are critical for ecosystem function and health. Whether aquatic or terrestrial, the ecological services of apex predators include controlling mid-sized predators, maintaining the abundance and richness of lower trophic level species, providing food for

scavengers, influencing disease dynamics, increasing carbon storage, affecting stream morphology, increasing crop production, and even mitigating climate change impacts.

In a seminal 2014 paper entitled “Status and Ecological Effects of the World’s Largest Carnivore,” Dr. William Ripple of Oregon State University and others provide a comprehensive review of much of the published literature on the ecological value of, and threats to, large predators. They also provide a cautionary note of how humans must adopt a model of tolerance and coexistence to “determine the fate of Earth’s largest carnivores and all that depends upon them, including humans.”

African lions and leopards, for example, exert considerable control over mesopredators (middle trophic-level predators). When the big cats are removed, the natural controls on the mesopredators are released. In West Africa, olive baboons increased in numbers as such apex predators declined. As baboon numbers increased, so did their impacts on small ungulates, other primates, livestock, and agricultural crops which, in turn, impacted humans through competition for food.

The dingo is the sole remaining apex predator in Australia. The species is extensively controlled to reduce impact on livestock. Indeed, a 5,500 kilometer dingo-proof fence has been constructed to keep dingoes out of Australia’s most prominent sheep-producing regions. As reported by Ripple et al., where dingoes exist, they effectively suppress introduced herbivores and red fox



Left: An off-duty bobcat in California conserves energy before the next hunt. Right: Absent predators, ungulates like these mule deer in Montana can quickly proliferate and overbrowse sensitive vegetation.

BOBCAT: PHILIP BOUGHARD; DEER: NOMADICLASS

(an exotic mesopredator), benefitting plant communities and smaller native prey. Conversely, where dingoes are suppressed, evidence suggests that this has contributed to the endangerment and extinction of small marsupials and native rodents over much of the continent.

The presence of cougars (a.k.a. mountain lions or pumas) in the western United States can limit mule deer densities, thereby reducing deer impacts on woody plants. This can, in turn, benefit other terrestrial and aquatic species, including wildflowers, amphibians, lizards, butterflies, and aquatic plants, while also stabilizing stream banks. Conversely, the loss of apex predators from the eastern United States has contributed to increases in white-tailed deer, with concomitant impacts to ecosystem functions, including plant recruitment and survival, forest structure, and nutrient dynamics. In a series of cougar studies¹ in Washington, Dr. Robert Wielgus and others from Washington State University demonstrated that heavy hunting of cougars (1) increased human-cougar conflicts, including livestock depredation incidents; (2) failed to reduce cougar numbers or densities; and (3) led to greater cougar predation of less abundant prey, which has contributed to a seismic shift in cougar management in Washington.

There is compelling evidence that the reintroduction of wolves to Yellowstone National Park in the mid-1990s has resulted in significant ecological changes to the park's vegetation. Not only are the wolves directly predating elk, moose, deer, and the occasional bison, but they instilled a sense of fear among the park's herbivores, contributing to their routine movements to evade wolf predation, thereby reducing impacts on park vegetation. Indeed, since wolves have been restored, the park's floral ecology has improved, with the restoration of aspen groves and other plants. These beneficial impacts have had a cascade of effects—increasing wildlife and plant diversity, restoring locally extirpated species such as beavers, and stabilizing stream banks, further benefitting the park. More broadly, as Ripple et al. report, within North America and Eurasia, cervid (deer family) densities were nearly six times higher on average in areas without wolves than in areas with wolves.

In their study on shark removal and coral loss on Australian reef fish, Dr. Jonathan Ruppert of the University of Toronto found that “fishing [for sharks and other species] was significantly associated with declines in shark numbers and was also associated with high abundances of smaller, mesopredators.” This, in turn, adversely impacted the abundance of herbivorous fish and, ultimately, the health of the coral reefs. Dr. Ransom Myers of Dalhousie University in Halifax, Canada, concluded in a 2007 study that intense shark fishing in the northwest Atlantic over the previous 35 years resulted in a trophic cascade whereby, with the loss

of large predatory sharks, the number of mesopredators (e.g., rays, skates, and smaller shark species) exploded and, in turn, wreaked havoc on shellfish populations along the Atlantic coast. Similarly, in a long-term study of predatory fish in the Ligurian Sea, Dr. Gregory Britten, also from Dalhousie University, found “significantly decreasing [ecosystem] stability concurrent with declining predator abundance” and “weaker top-down control, leading to predator-release processes in lower trophic levels and increased susceptibility to perturbation.”

Dr. James Estes, in his 2011 paper entitled “Trophic Downgrading of Planet Earth,” concluded that eliminating large carnivores is one of the most significant anthropogenic impacts on nature. Considering this impact, Dr. Ripple and his coauthors have proposed the establishment of a Global Large Carnivore Initiative (GLCI) to advance public knowledge and recognition of the important ecological role of large carnivores and of their inherent value, and to develop and implement strategies that promote human-large carnivore coexistence. This concept has merit but it should be undertaken with the understanding that an urgent, global campaign is required to save large predators. We must jettison the anti-predator attitude and embrace the scientific evidence revealing that predators are ecological engineers, not evil executioners, and that they must be restored in order to improve ecosystem function and health, and ultimately, to save ourselves. 🐾

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¹For more information about the cougar studies by Dr. Rob Wielgus of Washington State University and others, see: <http://environment.wsu.edu/people/faculty/robwielgus.html>

Wildlife Services Trapper Can't Wriggle Out After Injuring Dog

A FEDERAL JUDGE has ruled that an Arizona animal cruelty case, involving a former employee of USDA's Wildlife Services who trapped and severely injured his neighbor's dog, can go forward. The accused, Russell Files, had sought to dismiss the case, claiming that he was immune from state prosecution because his job with the federal government permitted him to trap animals.

Files was an "urban specialist" authorized by Wildlife Services to shoot pigeons, capture ducks, and trap coyotes. The following events allegedly occurred after Britan and Lindsay Hartt moved into Files' neighborhood with their Australian cattle dog, Zoey, in 2010: Files became upset

when the dog began wandering onto his property. In December 2012, according to the testimony of one of Files' Wildlife Services supervisors, Files requested and was granted permission to trap multiple "feral, free-roaming dogs" in his neighborhood. He then baited a trap and placed it in his yard. Subsequently, Zoey was caught by her front left and back left paws. She lost 17 teeth attempting to free herself. Files later resigned from Wildlife Services.

In denying Files' motion to dismiss the case, US District Court Judge Jack Zouhary ruled that the federal supremacy clause Files hoped to use as cover does not apply because Files was not truthful with his supervisors about his plans. The judge added, "This court is convinced that Files set out to trap Zoey not because he felt it was part of his job to do so, but because he sought to use the tools of his job and the authority of an urban specialist to satisfy a personal problem." 🐾

AWI HELPS COMMUNITIES CHOOSE FERTILITY CONTROL OF DEER OVER DEADLY MANAGEMENT

Deer management is a significant issue across the country, and traditionally has resulted in lethal population control via sharpshooting, hunting with firearms, and bow hunting—despite the latter method's documented inefficiency and potential for animals to be non-fatally wounded and suffer considerably.

While lethal management can result in short-term reductions in population, multiple scientific studies have demonstrated that it does not bring long-term population stability. AWI has worked for many years to encourage research into humane, non-lethal wildlife management.

Recently, AWI contributed funding to the "Deer Spay Project" in Fairfax City, Virginia, a surgical sterilization effort designed to provide one city an alternative to lethal management in a county where the vast majority of deer are killed by bow hunting. Sterilizing the deer will likely provide the double benefit of stabilizing the current population and preventing an influx of new deer, all without resorting to cruel means of control.

AWI also continues to support fertility control techniques such as immunoconceptive vaccines (see Fall 2011 AWI Quarterly). After AWI outreach earlier this year to communities on Long Island, New York, the Village of East



LARRY SMITH

Expanding deer populations often lead to human-wildlife conflicts and government-sponsored deer culls. Fertility control represents a non-lethal, cost-conscious way for communities to keep deer populations in check.

Hampton approved an immunocontraception project to control deer instead of the previously proposed massive deer cull (see Spring 2014 AWI Quarterly). AWI will also be funding a deer immunocontraception study in Hastings-on-Hudson this coming year to improve the efficacy of the Porcine Zona Pellucida (PZP) vaccine. PZP has already been successfully deployed in a number of wildlife management situations. 🐾

Lynx Left in Limbo

ON SEPTEMBER 11, the US Fish and Wildlife Service (USFWS) revised its critical habitat designation for threatened Canada lynx, as well as its definition of the animal's distinct population segment (DPS) protected by the Endangered Species Act (ESA). The move was considered a mixed bag by conservationists.

Canada lynx were first listed as threatened under the ESA in 2000, but the DPS was limited to a few states—meaning lynx outside those states were not protected. The revised DPS now extends ESA coverage to the contiguous United States.

Unfortunately, the Service still scrimped on critical habitat, once again declining to include important areas in the Southern Rockies, parts of New England, and elsewhere. Despite the new coast-to-coast DPS, providing a prohibition on intentional hunting and trapping takes, lynx are still subject to “incidental” trapping takes. Furthermore, outside critical habitats, there will be less stringent reviews of human activities that could damage the dense forests lynx depend on. 🐾



ERIC KILBY

USFWS expanded endangered species protection to the contiguous United States for Canada lynx, but shortchanged the stealthy, seldom-seen cats on critical habitat.

New Jersey, New York Pass Laws to Ban Trade in Ivory and Rhino Horns

THIS SUMMER, New Jersey and New York, two states that represent key ports of entry into the United States for consumer goods (and wildlife trafficking), passed laws to help stem the illegal trade in ivory and rhino horn.

On August 5, New Jersey Governor Chris Christie signed legislation prohibiting individuals from importing, selling or purchasing any ivory or rhinoceros horn products in the state. Assemblyman Raj Mukherji, the bill's prime sponsor in the New Jersey Assembly, is quoted in the press release issued by the governor's office: “Given the role of our ports in wildlife trafficking and the rate at which the ivory trade is driving elephants and other endangered and threatened species toward extinction, these measures will directly contribute to protecting these magnificent species while chopping away at a major funding source for terrorists.”

A similar bill was signed by New York Governor Andrew Cuomo on August 12. The New York law bans the sale of elephant and mammoth ivory and rhinoceros horns, with limited exceptions for products such as antiques demonstrated to be at least 100 years old and containing only a small amount of ivory. New York is thought to be the biggest market for ivory in the United States. 🐾

POLITICAL CLIMATE: USFWS SHOWS WEAK WILL ON WOLVERINES

On February 1, 2013, the US Fish and Wildlife Service (USFWS) announced a proposal to list the North American wolverine as a threatened species under the Endangered Species Act (ESA). At the time, USFWS stated in a news release that “Extensive climate modeling indicates that the wolverine's snowpack habitat will be greatly reduced and fragmented in the coming years due to climate warming, thereby threatening the species with extinction” (see Spring 2013 AWI Quarterly).

On August 12, 2014, USFWS essentially said “Eh... never mind,” withdrawing the proposal and shrugging off the conclusions of scientific organizations, independent peer reviewers, leading wildlife biologists, and the Service's own scientists. The decision to back off appears to be a response by USFWS to pressure from officials in Wyoming, Montana and Idaho—three states where most of the 250–300 wolverines in the contiguous United States live. Rick Piltz, a former senior associate in the federal Climate Change Science Program, says the decision “appears to be another case of the administration setting politically inconvenient science aside.” 🐾

NEW REPORT EXAMINES ICELANDIC FIN WHALING

Slayed in Iceland: The commercial hunting and international trade in endangered fin whales is the result of a joint investigation into Iceland's fin whaling industry by AWI, the Environmental Investigation Agency, and WDC-Whale and Dolphin Conservation. The report provides an in-depth look at the hunt for the majestic fin whale, the second largest animal on earth.

The report describes how Kristján Loftsson, director of the Hvalur hf whaling company, has worked to create a market for fin whale products, including using the resources of another company for which he serves as chair of the board—the Icelandic fishing giant HB Grandi. Since Hvalur resumed whaling in 2006, it has killed more than 500 endangered fin whales and exported more than 5,000 metric tons of fin whale products, undermining both the International Whaling Commission's moratorium on commercial whaling and the ban on international commercial trade in fin whale products imposed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Slayed in Iceland outlines the financial and logistical links between the whalers and some of Iceland's largest companies, and includes recommended actions for governments and corporations to take to ensure that they do not support Hvalur's whaling activities. The report is available on AWI's website at www.awionline.org/slayed. 🐾



Consuming the Earth: AWI's New Brochure Examines Our Outsized Effect on the Planet

The number of humans on Earth has risen dramatically over the past two centuries, and our population—now over 7 billion—continues to grow. Meanwhile, we are consuming more per capita than ever before. The non-profit Global Footprint Network calculates that “it now takes the Earth one year and six months to regenerate what we use in a year”—an ecological overshoot with profound implications for the other residents of the planet. All over the globe, animal and plant species are going extinct at an alarming rate, and we are the primary cause.

According to renowned Harvard biologist E.O. Wilson, “Today as human populations expand and alter the natural environment, they are reducing biological diversity to its lowest level since the end of the Mesozoic era, 65 million years ago.”

Population and Consumption, a new brochure from AWI, looks at the factors that contribute to our enormous impact on global biodiversity, and what we can do to lighten our footprint and become better neighbors to the countless other inhabitants of Planet Earth. The brochure is available for order or download at www.awionline.org/population 🐾

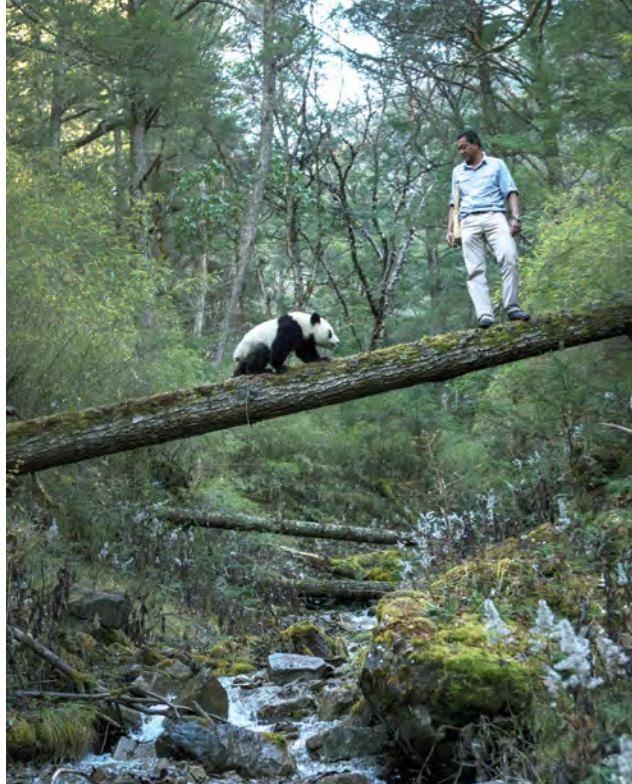


BEQUESTS

If you would like to help assure AWI's future through a provision in your will, this general form of bequest is suggested:

I give, devise and bequeath to the Animal Welfare Institute, located in Washington, D.C., the sum of \$ _____ and/or (specifically described property).

Donations to AWI, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), are tax-deductible. We welcome any inquiries you may have. In cases in which you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.



Dr. M. Sanjayan, host of *Earth A New Wild*, explores how we humans share space with other animals and how we can balance our needs with nature.

EARTH A New Wild

EARTH A New Wild is an upcoming series that will air on PBS and document a five-year, global journey, capturing encounters between wild animals and the people who live and work among them. The five episodes focus on different habitats and aspects of human-wildlife interactions: Home, Plains, Forests, Ocean and Water. The series examines the critical role people can play in restoring the natural world and how people and wildlife—even top predators—can thrive alongside each other and be mutually beneficial.

AWI spoke with Dr. M. Sanjayan, leading conservation scientist with Conservation International and host of the series, to get a first-hand perspective on what *EARTH A New Wild* will offer viewers.

AWI: What inspired the series?

Dr. Sanjayan: It started with a personal quest to answer the question, “Is there a way for 7 billion of us to live on a planet with wild nature, with the things that I love and grew up with and want to be around?”

I’ve given all my life to conservation and sometimes find myself depressed and worried about where things are headed. I do worry about these places that I care deeply about. I know the way that we approach conservation today is probably not going to be sufficient. The quest asks, “Is there another way out of it? Is there a different way we can see and value nature?”

For us, a lot of the reason why we care about something is because of love. Whether it’s our dogs, cats, horses, or whether it’s wild animals, you get to the point where love is not enough. This notion that we can convince enough people to set aside land for nature or convince enough people to create a new national park, especially in poorer countries, is a very difficult proposition. It is not happening fast enough to deal with the erosion of nature. I’m not suggesting that love isn’t important. I’m just suggesting that it cannot be the only path.

What message do you hope to convey to the audience through the series?

I want viewers to take away one key message: we, as humans, are part of nature. When you realize that we are part of nature, what you quickly realize is that saving nature is really about saving ourselves. Even in today’s world, with all our modernization and technology, we are still very dependent on nature. When nature stumbles, we stumble as well.

What do you think is the most important thing we, as humans, can do to lessen our negative impact on animals and habitats?

This is probably the most important time in our lives, as humans on this planet. The next 20 years will probably chart the next 5,000 years. I want the audience to become engaged politically and become involved with conservation organizations. I’d also love to see parents and schools focus a lot more on kids in terms of how they think about the next generation and understand the value of nature early on. I think this is going to play a big role.

How we grow, eat, and prepare our food is probably the biggest impact that we have on land, wild animals, domestic animals, and energy budgets of our planet. We do not pay enough attention to agriculture—how we grow and eat our food. We can make big gains in that spectrum.

We humans need to be a lot more aware of where our water comes from, where our food comes from, where we get our energy. We do these little things in life all the time that we just take for granted. I think that if we were a little more thoughtful and consider what nature provides for us for free, we would be willing to pay for nature a bit more.

Produced by National Geographic Television in association with Passion Planet, EARTH A New Wild premieres February 4, 2015, on PBS. For more information, visit www.pbs.org/earth-a-new-wild/home/. 🐾



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AWI Challenges Wildlife Assault in Ocelot Country

AWI AND WILDEARTH GUARDIANS plan to sue the US Department of Agriculture's (USDA) Wildlife Services program over the program's failure to take steps to ensure that its activities do not harm endangered ocelots. On September 3 the two groups, through their legal representative, the Western Environmental Law Center, gave USDA the required 60-day notice of intent to sue.

Ocelots were listed as endangered under the Endangered Species Act (ESA) in 1982. Historically, the small, secretive cats inhabited southeastern Arizona and the southern Rio Grande Plain in Texas. Once thought extirpated from Arizona, multiple ocelot sightings occurred between 2009 and 2012. In April 2014, a remote camera detected a lone male ocelot in the Santa Rita Mountains, southeast of Tucson, confirming that the species is roaming the area.

Wildlife Services uses lethal, indiscriminate techniques to remove carnivores in and near areas where the ocelot

was sighted. Such techniques including blind sets, baited and scented traps, draw stations, snares, and M-44 cyanide capsule ejectors. The ESA requires federal agencies to consult with federal wildlife biologists to ensure that their activities do not jeopardize the continued existence of a listed species or adversely modify a listed species' critical habitat. The potential of Wildlife Services activities in ocelot habitat to seriously harm or kill these animals triggers that requirement. Wildlife Services failed to consult with the US Fish and Wildlife Service, thus violating the ESA.

A month prior to the April 2014 ocelot sighting, a remote camera captured an image of an endangered jaguar in the same region. Given the presence of these imperiled animals in the region, it is time that the federal government stop allowing one of its own programs to engage in reckless activities that clearly defy the primary federal law that mandates that these species be protected. 🐾

