

# AWI

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Cover: Canada Lynx photographed in Montana near Glacier National Park by Leonard Lee Rue III D.Sc., the most frequently published wildlife photographer in the United States. Author, columnist, and video maker, his photos have appeared on 1800 magazine covers.



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Native Forest Council

*Zero Cut Only  
Solution for  
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Marcy Parrish-Hanson

*Family Pet Victim of  
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# THE ANIMAL WELFARE INSTITUTE QUARTERLY

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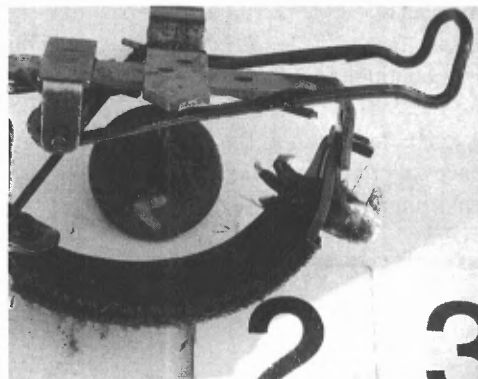
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# The New Administration Stands Four-Square for Animal Welfare

American advocacy for the prevention of cruelty to animals has been elevated morally and politically by the excellent statements of President Clinton, Vice President Gore and Secretary of the Interior Babbitt.



**President Clinton** wrote "I have always loved and respected animals and abhorred any cruelty toward them. Please be assured that a Clinton Administration would be extremely sensitive to these issues and concerns."

**Vice President Gore**, co-sponsor of Senator Akaka's bill to end the use of steel jaw leghold traps in the 102nd Congress, is concerned about laboratory animals, too. He wrote a constituent:

"I certainly agree that steps should be taken to protect animals from cruel treatment. Public attention continues to grow about the misuse of animals in biomedical research and testing. As you may know, the LD<sub>50</sub> test, which requires the death of 50 percent of the animals involved, is increasingly under fire as is the Draize eye irritation test performed on laboratory rabbits. I believe both these tests should be eliminated.

"While I believe some animal testing is essential to biomedical advances, I also believe very strongly that one important way to measure the true maturity and compassion of a society is by observing how that society treats all living things, including animals. As you may know, during my years in Congress, I have consistently worked for the protection of all Earth's natural gifts. My religious faith teaches me that we must be good stewards of the earth, not just hold dominion over it.

"I assure you that I will continue to support measures which reduce the unnecessary use of animal testing and that I will do all I can to increase awareness of better techniques employed by biomedical researchers. I have in the past supported measures to ensure the welfare of the animal population, and you may be assured that I will continue to work for the humane treatment of animals in the future."

His recent book, *Earth in the Balance*, contains many references to protection of animals in the course of his discussion of the environment as a whole. (See *AWI Quarterly*, Vol. 41, No. 4.)



**Secretary of the Interior, Bruce Babbitt**, in his address to last year's convention of the Humane Society of the United States, condemned the steel jaw leghold trap:

"There's an initiative to ban steel jaw traps on the ballot in Arizona. Had that initiative

come ten years ago, it would have had a very narrow constituency. But it comes now in the context of broad support from the

entire environmental movement but with a deep understanding that a society which can allow animals to innocently get caught in steel traps and die an agonizing death under the desert sun, attempting to chew their way out of a trap, crying out in a nonresponsive universe, a society that can allow that to happen can't possibly have the spiritual strength to deal with all of the issues of habitat and biodiversity and living thoughtfully and lightly on the land."

He spoke, too, of the 1973 Endangered Species Act, which he said: "... was an extraordinary achievement, probably the most revolutionary environmental law of this entire century, because it explicitly says when a species begins the downward slide toward extinction, the response will be a habitat protection plan which will make it a criminal offense to take either that species or its habitat. It's been a resounding success across the last 20 years. Of course, it's not enough. We ought to be dealing with these issues before a species reaches the emergency room. We ought to be dealing with these issues in a much more aggressive way. It has, nonetheless, been an extraordinary success. It has led to the revival of many, many species at the brink of extinction. One thinks of the bald eagle, the peregrine falcon, the American alligator, the black-footed ferret, many, many others, and the successes are never advertised."

Of the United States' ability to give international protection to animals, he said:

"And that leads us really to the issue of how do we extend our reach around the world? How do we react to the slaughter of elephants in Africa for ivory signature stamps in Japan? The ravaging of the white and black rhino populations for dagger handles for young men in Kuwait and Oman and the Middle East? The near extinction--the looming extinction--of tropical parrots and macaws in South America being captured for buyers in the United States who will pay up to \$30,000 for a hyacinth macaw, and the consequent, absolutely unspeakable abuses. You can stand on docks outside of Manaus and the other towns in the Amazon and see these confiscated crates with blue and yellow macaws, their feet taped, their beaks wired, stacked up like cord wood in boxes, with a fatality rate of 50% by the time they're smuggled into Miami, Florida. And the question comes, what's our responsibility and what can we do together to stop this incredible onslaught of destruction and violence all over the world?"

Turning to the Marine Mammal Protection Act, he said:

"... a young kid named Sam LaBudde, who lived in San Francisco, at the instigation of a group called the Earth Island Institute, went to a store and bought a video camera, went down to Encinitas, hired on to a Panamanian tuna boat posing as a fisherman, went to sea for three months and filmed a lot of pretty gory, awful stuff involving the use of purse seine nets to catch tropical yellow fin tuna. The nets, as they come up, of course, have trapped vast numbers of dolphin which are drowned in the process. They are air-breathing mammals, and some extraordinarily gory scenes of the dolphins, just strangled, just being dumped overboard as the catch comes in. He brought those films back. They played on NBC some months later and created an outcry from the American people. It's just one of those funny things. Sometimes people seem to have an endless capacity to tolerate brutality and suffering of animals, but other times something comes in at exactly the right moment and creates a reaction.

"In the wake of that, the lawyers went to court and forced the Commerce Department, over the objections of the President of the

United States, to close American markets to tuna exports from any nation using purse seine nets, destroying dolphin in the process of tuna fishing. And, kicking and screaming, the Administration finally locked down the trade embargo. Now, what that really means, is when you buy a can of tuna which says "Dolphin Safe" on it, the American people, through this process of legislation, court action, backed up by public understanding, have changed the fishing practices of every nation in the world because of the power of our markets. Purse seine fishing is on the way out because nobody is going to violate these standards if they're denied access to American markets.

"Now, the reason I tell you that little parable is because it seems to me to open up some extraordinary possibilities for us in the rest of the world. And those possibilities are simply this. Whether it's elephants, walrus, marine mammals, macaws, the destruction of tropical forests, we in the United States have the power to stop it through one simple device, and that is, displaying the leadership for,

say, American markets are not going to be open to people who brazenly and blatantly violate common, accepted standards of conduct. That's the challenge in the wake of the failure at Rio. You have to understand that we still have the power. All we need is public demand, leadership.

"Now, that's a large, large agenda, and we're not going to be able to do it in the rest of the world unless we have the moral high ground at home. It's risky stuff, getting in front of the process of dictating standards to the rest of the world, but I think we have the capacity to do it if we have the moral high ground and say, Americans have a policy that's not selective, it's not species specific. It's a policy that is deep in the wellsprings of human nature which says, we're going to live on this planet in harmony with the rest of creation. We are going to be outraged and indignant at senseless cruelty to animals. And in the process of exerting that moral authority, plus the shock of closing our markets, we'll bring the rest of the world along."

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## Judge Richey Rules in Favor of Decent Treatment for Lab Dogs and Primates

US District Court Judge Charles R. Richey issued a ruling February 25, 1993 upholding the Congressional Mandate for exercise for laboratory dogs and an environment adequate to promote the psychological well-being of laboratory monkeys and apes as required by the Improved Standards for Laboratory Animals Amendments to the Animal Welfare Act. "The court finds that the Defendants' regulations regarding dog exercise are arbitrary and capricious under The Administrative Procedures Act," he wrote criticizing the extreme vagueness of the regulations and their delegation to the on-site veterinarian. He stated that the regulations:

...do not provide the minimum requirements mandated in the Act. "A dog is man's best friend" is an old adage which the Defendants have either forgotten or decided to ignore. Hopefully the new Secretary will ensure that the bureaucracy he inherits and the special interest groups with which he must contend will be forced to remember this sentiment and comply with the law.

With regard to primates, the Judge wrote:

The Administrative record shows that the agency and the commentators on the proposed guidelines agreed that social deprivation is psychologically debilitating to non-human primates.... In March, 1989, the agency found that non-human primates "need greater space than that required under current regulations, so they can engage in species-typical activity that is necessary for their psychological well-being." The agency also specifically disagreed with some of the space requirements used in the National Institutes of Health (NIH) Guide, which governs non-human primate care in research facilities funded by the Department of Health and Human Services. However, in the final regulations the agency changed course and concluded that the existing space requirements used by the NIH were adequate.

The judge found the final regulations arbitrary and capricious. Commenting on further delay till February 1994, he stated:

The Court simply does not agree and notes that, while this is typical of much Executive Branch inaction in matters of grave national concern, the Article III Courts were not created by our founding fathers to rubber stamp such failures to act over indefinite periods while bloated bureaucrats contend with each other and the special interest groups who transfer their efforts from the Legislative Branch to the Executive Branch, after a bill has passed. In fact, former Judge J. Skelly Wright of our Court of Appeals once said, in essence, that the regulators in Washington are regulated by the regulated. This may well be the case here. If this is so here, then something needs to be done to change the process.

Finally, Judge Richey examined the so-called "innovative" provision in the regulations which allows institutions to make cages even smaller. He ruled this, too, to be arbitrary and capricious.

In the matter of Freedom of Information Act access to the "plans" for dog exercise and primate well-being which research facilities show to USDA inspectors, the Judge ruled against the plaintiffs because the plans are not technically subject to the Freedom of Information Act. However, he stated:

The Court is hopeful that Congress and the new and distinguished Secretary of Agriculture will take another hard look at this issue in light of the legislative history of the Animal Welfare Act and its finding that it is essential to enact regulations to "insure that animals intended for use in research facilities and for exhibition purposes... are provided humane care and treatment."

The Order states:

This action is remanded to the Defendant United States Department of Agriculture for promulgation of new regulations subject to Notice and Comment, without unnecessary delay, under the Improved Standards for Laboratory Animals Act, 7 U.S.C. 2243 *et seq* and in accordance with the Opinion of this Court on this date; and it is

FURTHER ORDERED that the above captioned case shall be, and hereby is, dismissed from the dockets of this Court with the understanding that the Plaintiffs may make further application to this Court in the event that the Defendants do not act with all deliberate speed in accordance with this Court's Order and Opinion of even date herewith.

The suit was brought by the Animal Legal Defense Fund (ALDF), Society for Animal Protective Legislation, Drs. Roger Fouts and Bernard Migler and William Strauss. Valerie J. Stanley, an attorney with ALDF, represented the plaintiffs and began working on the case in 1988 during the initial rulemaking stages.

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**Action:** Send a brief letter to Secretary Mike Espy asking him to say "no" to the special interest groups who want the Department to engage in further delay by appealing Judge Richey's decision. Address letters to:

Secretary Mike Espy  
US Department of Agriculture  
14th Street and Independence Avenue, SW  
Washington, DC 20250

# Whales and Dolphins - The Turning Point

by Allan Thornton

A turning point has come in efforts to conserve the world's whales, dolphins and porpoises, collectively known as cetaceans. With the new administration of President Clinton intent on conducting a major review of United States policy at the International Whaling Commission (IWC), there are high hopes for a renewal of US leadership in the global efforts to conserve all cetaceans.

Sadly, in the last two years, the US Commissioner to the IWC, Dr. John Knauss, implemented a shocking reversal of US conservation policy by drawing increasingly close to pro-whaling views of countries like Japan and Norway.

The challenge to President Clinton and Vice President Gore is not only to reassert US leadership in cetacean conservation efforts, but to provide the much needed international framework to address the mass of emerging environmental threats which are daily enhancing the prospects of extinction for a growing number of whales, dolphins and porpoises.

Human knowledge of the seriousness of the impact of global pollution, the effects of ozone depletion, climate change, the proliferation of toxic algal blooms in the world's oceans and seas, increasing incidence of "die-offs" of whales and dolphins, the massive destruction of cetacean populations from the use of drift and gill nets have become disturbingly clear since 1982 when the IWC voted overwhelmingly in favor of a cessation of commercial whale hunting to take effect in 1986.

There is a need for a change in the emphasis and direction of policy and scientific study within the IWC: It is time for the IWC to develop into an International Cetacean Conservation Commission (ICCC) which will respond to proliferating worldwide threats to large and small whales, dolphins and porpoises.

The IWC, in a throw-back to a long gone era, still spends most of its time responding to the increasingly shrill demands of two of the world's wealthiest nations that their narrow and short-term commercial gains must take precedence over international conservation concerns for the future well being of the world's 76 species of cetaceans.

The Clinton-Gore Administration should implement a simple three-point plan to ensure the survival of the world's cetaceans and transform the IWC into an ICCC:

- Seek a permanent ban on commercial whale hunting. Redirect the IWC's Scientific Committee's work towards helping whales survive, and away from mathematical guesses as to how many

whales it would be "safe" to kill. The Scientific Committee is presently dominated by pro-whaling scientists from, or paid for by, nations that want to kill whales. Conservation, and not killing, of cetaceans must be made their sole priority. In view of the danger and uncertainty created by multiple environmental threats, killing whales for commercial purposes must be ruled out permanently.

- Bring all whales, dolphins and porpoises under the jurisdiction of the IWC/ICCC. Japan and Denmark have steadily resisted efforts to implement conservation programs for even highly endangered species of small whales, dolphins and porpoises, including the vaquita off Mexico--the most endangered cetacean in the world. Developing countries in particular, but also wealthy industrialized nations, need technical and scientific assistance to address the growing threat of extinction or severe depletion facing many such species.
- Emphasize the ecological and economic benefits of benign study of



Earthviews, Richard Sears

*A breaching minke whale.*

whales, dolphins and porpoises. Whale and dolphin watching is growing rapidly all over the world, providing thousands of sustainable jobs and hundreds of millions of dollars in income to coastal states, both rich and poor alike.

The Clinton-Gore administration has a unique opportunity to address at a stroke the severe threats facing some of the world's most beloved creatures--whales and dolphins--and also to focus public concern on environmental deterioration in atmospheric and marine ecosystems.

Discussions could be initiated with countries like Japan and Norway, which continue to thumb their noses at the rest of the world that doesn't allow whales to be killed. Japan wants a seat on the United Nations Security Council, and President Clinton is willing to consider changes in the way the United Nations runs to accommodate Japan.

By changing course and following IWC policies banning commercial whale hunting, Japan could demonstrate a respect for international public opinion and the kind of international cooperation the United Nations represents.

## Action:

**Support the boycott against Japanese and Norwegian goods. Encourage your friends and associates to do the same.**

Allan Thornton is President of the Environmental Investigation Agency.

## Ministry of Fisheries Charged With Violation of Norwegian Anti-Cruelty Laws

A complaint against Norwegian government authorities for animal abuse, forbidden by Norwegian law, has been filed by six prominent Norwegians. They include Professor of Zoology Kaare Elgmork; Dr. Svein Conradi, of Sunnaas Hospital; retired businessman Hans A. Egelund; Knut Kloster, a ship owner who heads Gaiaship, an environmental organization; Viggo Ree, biologist; and Ivan Notnes, a former "Whale Receiver."

The legal charges, formally against the Ministry of Fisheries,

also target researchers in charge of killing 95 minke whales for scientific purposes last year. "Only about half the whales died instantly. A large number of badly wounded animals suffered horribly while they struggled in order to break free from the harpoon lines lodged in the wounds," the group said.

Paragraph 9 of the Norwegian Animal Protection Law states: "The slaughtering of animals must be done in such a manner that it does not subject the animal to the possibility of needless suffering."

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# Chairman Studds Wins Unanimous Vote for Ban on Commercial Whaling

On February 16, 1992, Representative Gerry Studds presented House Concurrent Resolution 34 opposing any resumption of commercial whaling. The resolution was adopted by a roll call vote of 382 to 0. Following are excerpts from the proceedings:

**Mr. Studds (D. MA).** Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution calling for a continued US policy of opposition to the resumption of commercial whaling, and otherwise expressing the sense of the Congress with respect to conserving and protecting the world's whale, dolphin, and porpoise populations, as amended.

The clerk read as follows: H. CON. RES. 34

Calling for a continued US policy of opposition to the resumption of commercial whaling, and otherwise expressing the sense of Congress with respect to conserving and protecting the world's whale, dolphin, and porpoise populations, as amended.

Whereas there is significant widespread support in the international community for the view that for scientific, ecological, and educational reasons, whales should no longer be hunted for profit;

Whereas there is concern that efforts will be made at the 1993 Annual Meeting of the International Whaling Commission to overturn the Commission's existing moratorium on commercial whaling of large whales;

Whereas there are species of small cetaceans that are currently subject to direct commercial harvest;

Whereas there are unique regions of the world's seas which serve as important feeding grounds for many species of whales, and where the impacts of environmental threats are unknown: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of the Congress that--

(1) the United States policy should promote the conservation and protection of whale, dolphin, and porpoise populations;

(2) the United States should remain opposed to any resumption of commercial whaling, and should work toward a moratorium on the direct commercial harvest of dolphins and porpoises;

(3) the United States should work to strengthen the International Whaling Commission by reaffirming its competence to regulate direct commercial harvest of small cetaceans and should encourage the Commission to consider the expertise of its Scientific Committee;

(4) the United States should support the establishment of appropriate international sanctuaries where whaling is prohibited; and

(5) in promoting the conservation and protection of the world's whale populations, the United States should make the fullest use of diplomatic channels, appropriate domestic and international law, and all other available means.

**Mr. Studds.** In today's world, the concept of killing whales for profit is simply an anachronism. There was a time when our ancestors - including the Yankee whalers from my home state of Massachusetts - hunted whales for their oil and whalebone, but those times are now long gone. The human race has progressed, and we no longer light our lamps with whale oil, nor make combs and other toiletries from whalebone.

Those advances almost came too late for the whales. By the middle of this century, more than 200 years of relentless killing had brought many of the world's whale species literally to the verge of extinction. Fortunately, nations from around the globe recognized the extent of the slaughter and came together in 1946 to sign a landmark conservation treaty: The International Convention for the Regulation of Whaling. The treaty's success in slowing, if not entirely stopping, the slaughter over the past 47 years has been nothing but remarkable. Although still menaced by marine pollution and global climate changes that threaten to destroy their habitats, the great whales have slowly begun to repopulate the oceans of the world.

During the past few decades, no other group of animal has so captured the hearts of people around the world. In the United States, in Canada, Argentina, and Australia we no longer kill whales for profit. In Massachu-

setts, the whale watching industry brings over \$70 million a year to the state's economy, proof that living whales are a far more valuable resource than dead whales could ever be. They are an educational tool and a symbol of the conservation movement, proof positive that humans and wildlife can coexist on this small planet.

Under these circumstances, some of my colleagues may find it surprising that this resolution is necessary. But a few shortsighted nations are now seeking to overturn a 6-year-old global moratorium on commercial hunting of large whales, and a number of nations continue the practice of commercially harvesting dolphins and porpoises. Two of these nations - Japan and Norway - have even hired lobbyists and public relations firms to convince the American people that commercial whaling is fine. House Concurrent Resolution 34 will make clear to them that the American people have chosen to look forward, not backward, on this issue. I urge my colleagues to support it.

**Mr. Saxton (R. NJ).** Mr. Speaker, let me say at the outset that I wish to commend the chairman of the full committee, the gentleman from Massachusetts [Mr. Studds], for the very thoughtful statement, as well as to say that I think it is very important to recognize that the chairman has seen to it that this bill reach the floor in a very quick manner.

This is a very important subject, one that is very important to the chairman and to others who care about these types of issues. To have it on the floor as one of our first measures of business in this session I think is quite commendable.

...The for-profit harvesting of whales is an unnecessary and primitive behavior that has no purpose in an increasingly interdependent world.

I urge my colleagues to once again support this resolution and put an end once and for all to commercial whaling today.

**Mr. Gilman (R. NY).** ...Since the government of Norway has informed us that there are ongoing negotiations between Norway and the United States, with regard to this issue, and since there is some conflicting scientific data with regard to the necessity of protecting the minke whale, in my view, we should hold hearings on this vital subject allowing our committees to more closely examine its international implications. Furthermore, it is my understanding that there are now ongoing international discussions among several IWC Commissioners on this issue. We should not unduly prejudice these discussions by precipitous action on our part....

Ray Androtte of the Oceans and Environmental and Scientific Affairs Bureau of the State Department stated today that there are not currently any formal negotiations with the Norwegians on the issue of whale harvesting; however, the United States IWC Commissioner [Dr. John Knauss] and the Norwegian IWC Commissioner have met several times to discuss the issue informally. The International Whale Commission has its formal meeting the last week of April and first week of May, and this issue will be discussed. The United States Whaling Commissioner plans to go to an informal meeting of IWC Commissioners this week to discuss this and other issues.

**Mr. Studds.** Let me say to the gentleman that I think he is going to have to live with the distinct possibility that the Norwegians are just plain wrong, and the people of the United States, in this country, and the peoples of most of the rest of the world are right in their impassioned insistence that we not resume commercial harvest of whales period. I realize that that may lead to difficult negotiations with Norway and possibly with Japan, but I do not think we should for 1 minute hesitate to reaffirm what has been the Commission's position and the position of this country for as long as I can remember, and hopefully, and I am confident will remain its position with the new administration. We do not have an Assistant Secretary, as the gentleman well knows, and I do not know from what sub-Cabinet level or sub-agency or department level the gentleman gets his information, but as soon as they have a boss, I am sure that those concerns will be straightened right out, very promptly.

In any event, I would urge Members to reaffirm in the clearest and the strongest possible terms the objection of this Congress and of this country to the resumption under any circumstances of the commercial harvest of whales.

# Japanese Whale Watching vs. Whale Killing

by Chris Stroud

At International Whaling Commission (IWC) meetings, the Japanese government constantly plays on the image of suffering coastal communities whose only financial recourse is to resume commercial whaling. The facts show that nothing could be further from the truth.

There is a quiet revolution taking place in the attitudes of fishermen and coastal communities towards whales in Japan. It is the kind of revolution that comes with growing understanding and respect for these magnificent creatures that many of us in the west take for granted.

World-wide, whale watching, or the "non-consumptive use of whales," is worth more to coastal communities than whaling ever could be. The Whale and Dolphin Conservation Society (WDCS) recently published figures which showed that, in 1991, approximately 4 million people went whale watching in 30 countries world-wide. The 317 million US dollars that this generated has meant benefits for whole communities and not just the whale watching operators. In ex-whaling towns cameras have replaced harpoons and respect for these amazing creatures has replaced indifference. Animals that were once only looked upon as a resource for expensive restaurants and a privileged few, are now the financial saviors of struggling coastal fishermen.

Yukio Tokuhiro



Tourists engrossed in whale watching in Japan.

The Japanese government would have us believe that its people are a nation of whale-eaters who only care about how tender their whale steaks are. However, a public opinion survey, commissioned by WDCS in 1991, showed that 80% of the Japanese public thought that it was unnecessary for them to eat whale meat.

The town of Ogata lies 750 km to the southwest of Tokyo, on the southern coast of Shikoku Island. Its 10,600 inhabitants have had to rely mainly on farming and fishing for their livelihoods, but now they have discovered "the whales," and the renewed financial vigor they can provide for this rural community.

Ogata's fishermen had followed closely the expansion of whale watching in other Japanese towns such as Ogasawara and Zamami during the late 1980's. When the nearby coastal town of Muroto began surveying its coastline for whales in 1989, Ogata went searching for whales also. They did not have to look far. A group of Bryde's whales had set up home in the very bay that the fishermen

used every day. The Bryde's whale is a 12.5 meter, dark grey baleen whale which appears remarkably similar to the larger sei whale.

The fishermen had been reporting whale sightings for over ten years but when they decided to find out more about them they found what appeared to be a group of between 10-18 whales living all year round in the local fishing grounds off Ogata's beautiful sandy beach. The family of whales that they discovered included an estimated three calves, leading them to believe that the whales could be breeding off Ogata.

In 1992, WDCS asked the Japanese government about their support for the growing whale watching industry in places such as Ogata. The Ministry of Fisheries replied that Japan was not, and would not be, a whale watching nation. One of the reasons they gave was that the majority of whales off the Japanese coast are not 'spectacular enough' to warrant watching. The Ogata fishermen and their families are proving them wrong.

With no support forthcoming from the government, the fishermen and the local town hall had set about organizing whale watching trips in 1989. That year, nine of the fishing boat owners decided to alternate their fishing trips with visits to the whales. They took their families, children and the occasional interested Japanese tourist who was sent their way by the town hall staff to see these new neighbors. By the end of 1989 some 400 people had seen the whales, and that was incentive enough to expand the whale watching for the fishermen for whom a love affair with whales was already starting.

When I visited in 1992, there were 44 boats and 6,500 visitors and the name Ogata was making a regular appearance in the Japanese press. The whale watching bug had bitten, the only ones not hooked were the Japanese government. The impact on the town has been enormous. From the local fisherman who said to me that "You can forget to fish when the whales are around, you just can't stop watching them," to the mayor of the town who proudly showed me around his town and introduced its citizens, all of whom are benefiting from the boom brought by this new industry.

Japan's true coastal culture is being preserved in places such as Ogata, where whale watching has meant that fishermen can continue to live in harmony with the sea.

While their government rushes around the third world desperately trying to elicit support for whale killing in the IWC through "trade deals," a new industry is bringing lasting prosperity to Ogata's small close-knit community, and in return, the fishermen are beginning to speak out for the whales.

There is a change for the better in Japan. I just hope that the Japanese government is wise enough to realize it.

Chris Stroud is Campaign Manager for the Whale and Dolphin Conservation Society.

## Fishermen Try to Keep Dolphin Killing Hidden

Japanese fishermen killed 280 dolphins after dark and out of public view, fishery officials said last week.

Katsunobu Matsuoka, a Fisheries Agency official, said his office had advised fishermen to keep dolphin killings out of public view. So Dec. 2, fishermen at Futo, southwest of Tokyo, waited until after dark to kill dolphins they had forced ashore. They pierced their hearts with knives.

From *The Chicago Tribune*, December 15, 1992:



# Japanese Fishermen Weigh in Against Whales

## Government of Japan Demands Commercial Whaling

Fisheries organizations in Japan exert a powerful influence on the Government, and all of them, from the Council of Whale Meat Dealers, the Overseas Purse Seine Fishery Association, and Japan Deep Sea Trawlers Association to the National Federation of Fish Market Associations and the unions associated with these and other fishing groups, have banded together to force the International Whaling Commission (IWC) to accept commercial whaling. The annual meeting of the International Whaling Commission is scheduled for May 10-14 in Kyoto.

The advocates of commercial whale-killing plan to raise 100 million yen to advertise in "the leading foreign mass media," and Japanese public opinion leaders are being dispatched to influence members of the IWC. When the delegates arrive in Kyoto, they will be greeted with demonstrations at both the railway station and the conference hall. Next on the program, according to a US State Department cable, is "a reception where fish and whale meat will be served while local cultural events including whale dancing will be presented. Citizens of Kyoto will host an event to familiarize delegates with whale culinary culture."

Japan's Ministry of Foreign Affairs has established a special office to deal with the Kyoto IWC meeting. The Fisheries Agency of Japan had already followed the industry's lead with a 17-member "Headquarters to Deal With the Kyoto IWC Meeting."

Both industry and government have been energized by their success at the recent meeting (also held in Kyoto) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) when they forced Sweden to withdraw its proposal to list the bluefin tuna on Appendix I (Endangered) (see *AWI Quarterly*, Vol. 41, No. 2). The reasoning appears to be that what worked for tuna will work for whales.

If Japan succeeds in bullying the IWC nations into approving resumption of commercial whaling, there will be no possibility of controlling the killing of whales. The uncontrollable nature of commercial whaling has been proved over and over again. A permanent ban on commercial whaling should be established by the International Whaling Commission, and the efforts of Japan and the other two whaling countries, Iceland and Norway, to get back into "business as usual" must be firmly rejected.

**Action:** Please write to President Clinton and Vice President Gore urging them to do everything in their power to end commercial whaling forever.

The President  
The White House  
Washington, D. C. 20500

The Vice President  
Old Executive Office Building  
Washington, DC 20501

### Whale "Delicacies"

"More than 100 whale-meat lovers defied ecologists and held an annual party in Japan to enjoy 36 exotic dishes. The delicacies included blubber soup, roasted tongue, fried testicles, and for dessert--whale brain sherbet."

—From *The Atlanta Journal/The Atlanta Constitution*, October 24, 1992

### Japan's Fisheries Agency Launches "Eat Whale Meat" Campaign

"An all-out campaign to get whale meat back on the Japanese dining tables and restaurant menus is being launched by the country's official fisheries agency.... As part of a campaign on television and in schools, an association of 76 whaling interests is to declare the ninth day of each month a 'day of eating whale meat.'"

—From *The Guardian*, February 2, 1993.

## Norwegian Whaling, the Historic Record of Destruction

by Allan Thornton

Norwegian whalers have killed over 725,000 whales since 1910--more than any other nation in the world according to the Bureau of International Whaling Statistics and International Whaling Commission (IWC) annual reports.

Norwegian whaling has never been conducted on a sustainable basis. Norway has played a greater role than any other nation in the destruction of the world's whale populations.

Modern whaling began off the coast of Norway and spread across the north Atlantic to the south Atlantic, Pacific, Indian and Antarctic waters. Norwegian whalers destroyed the great whale stocks off of northern Norway by 1904, when catches were prohibited. The same pattern of over-exploitation marked Norway's turn of the century expansion of whaling into Spitzbergen, Iceland, Newfoundland, the Faroes, Shetlands, Hebrides and Ireland. In each of these countries, Norwegian whalers severely depleted the great whale populations.

Norwegian whalers spread to Alaska, Australia, East Asia and the north Pacific. Off South Africa, Angola, and the former French Congo, Norwegian companies quickly depleted the humpback whales that formed the basis of the industry.

In New Zealand and Australia, off Chile, Peru, Brazil, Colombia, Ecuador and Mexico, Norway over-hunted local whale populations and, during the early 1900's, expanded into the Falklands, South Georgia, South Orkney, South Shetlands and the Kerguelen Islands.

In 1930 alone, Norway caught 19,262 blue whales. Norway then over-hunted humpback and fin whales with their catch of the latter species dropping from 10,906 in 1948 to 1,229 in 1950 to 137 in 1960 because they couldn't find the whales to kill.

In 1957, the IWC, concerned by the serious decline in great whale populations, proposed a lowering of quotas, but Norway rejected this and withdrew from the IWC, concentrating on the catching of minke, bottlenose and orca whales.

Norway rejoined the IWC in 1960 in time to oppose a proposed ten-year ban on hunting humpback whales.

Two slaughtered whales were often reported as one by the 80 to 90 Norwegian whaling boats formerly operating in the minke whale hunt. Protected orcas and bottlenose whales were also killed.

According to the British Foreign Office and the Ministry of Environment, European Community (EC) regulations will prevent Norway from catching or landing any whale or products from whales should it negotiate accession to the EC.

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# The Revised Management Procedure and Reasonable Doubt

by Rick Spill

## Introduction

Several past International Whaling Commission (IWC) management efforts have been abysmal failures, resulting in a successively spiralling depletion of targeted cetacean species, including: (1) the catastrophic slaughter of great whales under the "whaler's club" regime of the ill-conceived Blue Whale Units; (2) the incredibly inept and nearly fatal misapplication of the pseudo-scientific New Management Procedure; (3) the unmitigated hypocrisy of killing minke whales for dinner entrees under the banner of scientific research; (4) the sadistic torture of pilot whales, so easily trapped because of their benign social instincts.

The Revised Management Procedure (RMP) is the latest in this disastrous procession. It is purely conceptual in nature, unproven, not readily comprehensible and non-persuasive. Carrying on a tradition of management failure, the RMP is potentially the most damaging of all.

The vast majority of nations and their citizens believe in the non-lethal utilization of the great whales, indeed of all cetaceans. How these countries actually vote on the RMP at the 1993 IWC meeting in Kyoto, Japan, will tell much about the future prospects of our planet.

The RMP represents the last hope for that small yet rich and powerful cadre of nations who insist on their right to keep killing cetaceans. It includes the catch limit algorithm (CLA), which sets catch limits when only a single whale stock is involved and there is absolutely no uncertainty about the stock identity. (Such an ideal scenario hardly ever occurs, since complex multi-stock situations are the norm.)

The RMP was developed by a group of mathematicians, computer scientists, and statisticians operating within their particularly insulated microcosm, often creating their own reality. Initially, the RMP appears monolithic, unassailable and overwhelming. Upon further review, however, its seams and cracks are clearly visible. The RMP is vulnerable because it is incapable of performing as intended.

If the nations which favor preservation of cetaceans remain resolute in the face of economic and political pressures, the killing will stop.

As mentioned in the last *AWI Quarterly*, (Volume 41, Number 4) the Animal Welfare Institute is conducting a comprehensive review of the RMP. This study concludes that the RMP is definitely not "the best we can get," especially if nations vote in accordance with the convictions of their citizens. Ironically, the major weaknesses of the RMP are in six relatively basic areas.

## Sightings

Population abundance estimates are often seriously flawed. The raw data is tainted by inconsistencies and inaccuracies, making the projected numbers highly suspect and of little use.

The IWC itself recognizes this problem. The Commission responds to requests for information on whale numbers by sending out a table of figures, along with an explanatory letter. This table, headed "Estimates of Total Population Sizes of Each Whale Species," is annotated as "indications of the orders of magnitude of the total population sizes, based on the latest estimates published in the scientific literature," and the reader is warned about the uncertainty of these numbers.

Present limitations in knowledge and technique make each sighting survey a singularly unique event with non-replicable procedures and non-comparable results. The "confidence intervals" so blithely accepted by the scientific elite fill the average conservation-minded person with anything but optimism. In fact, *there is great potential for error in sighting surveys*. One representative example is an estimate of minke whales in Southern Hemisphere Management Area III, which places the population between 52,000 and 150,000 (with a 5% chance still remaining that the correct number is outside this range).

It is even more disturbing to review the findings of two separate surveys which cover the same stock, the same area and the same time frame, yet resemble each other about as much as a bowhead whale resembles a

Ganges River dolphin. The 1991 Subcommittee on North Atlantic Minke Whales reported four population abundance estimates for the existing Northeastern area (43,500; 54,900; 81,500; and 114,000) which are widely divergent even when reduced by modeling (30,200; 38,200; 56,600; and 79,200).

The following chart illustrates the stark differences between results achieved by the passing and closing survey modes for minke whales in various Southern Hemisphere Management Areas (IWC 1990):

Area	Year	Survey Method	Total Population	Exploitable Population
II	1986/87	Passing	121,549	79,979
	1986/87	Closing	69,558	45,769
III	1987/88	Passing	102,984	67,763
	1987/88	Closing	51,820	34,097
V	1985/86	Passing	303,284	199,520
	1985/86	Closing	211,150	138,909

In a **passing** mode survey, the sighting activities for estimation of whale population abundance are conducted along a pre-determined track line.

In a **closing** mode survey, sighting efforts include temporary diversions from the track line to confirm the numbers and species of whales sighted.

*There are scores and scores of variables which can adversely affect sighting efforts, irrevocably bias procedures, and destroy the veracity of results. No provision has yet been made for establishing an international protocol for monitoring the validity and reliability of future survey endeavors. Such an initiative is especially crucial in light of the temptation for overestimation on the part of those with vested whaling interests.*

## Boundary Determination

Given the potential for multi-stock scenarios, it is important (1) to identify/differentiate individual stocks, their location within areas, their movement and their possible mingling; (2) to avoid having two or more stocks treated as one, or a single stock treated as two or more; and (3) to place stock boundaries appropriately.

In 1992, the Comprehensive Assessment Workshop on Management Procedures found that "primary consideration needed to be given to the desire that extinction of a stock be avoided." According to the Scientific Committee: 1) "The problem is not so much how to define a stock, but how to delineate it" (1990); 2) "The Committee has not been able to determine minimum stock levels for each stock" (1991); and 3) "The existing stock definitions and boundaries... did not provide an adequate basis for assessments" (1992).

*According to the Scientific Committee, "uncertain stock identity remains a major problem" (1991). It is, therefore, incomprehensible that any rational body could so negligently ignore its own findings and recommend such a flawed procedure.*

## Catches

Historically, reported catch levels have severely under-represented the number of whales actually taken. There is little reason to believe that undercounting kills is a phenomenon limited to the past, so *prospects for factually recording all instances of harvesting by whaling nations under the RMP are not promising.*

## Robustness

Robustness trials primarily tested the impact on the RMP of modifying various process factors on an individual basis. Eventually the Scientific

Committee perceived that the real world is not one-dimensional. Rather, it is also "necessary to examine the effects of simultaneous occurrence of the single factors being examined in each individual trial. While *any two factors by themselves may not cause problems for a management procedure, in combination they may be deadly*" (IWC 1990). [emphasis applied]

### Functional Concerns

*The RMP raises far more issues than it resolves.* We can only guess at the number of sightings required to track variations in net productivity over time and identify the depletion status of even one whale stock. Nor do we know what empirical evidence indicates the actual response of a cetacean population to harvesting. In addition, a number of authorities believe that the concepts of maximum sustainable yield and carrying capacity are invalid.

### Unaddressed Contingencies

Nearly all international conservation regimes are founded on the principle of integrated ecosystem management. The only exception is the International Convention for the Regulation of Whaling, which employs a single stock approach instead of focusing on the preservation of complex marine ecosystems. Carrying this insular, short-sighted posture forward, *the RMP makes no provision for the probable negative effects on other facets of the ocean environment caused by the harvesting of whales.*

### Conclusion

Obscured in the IWC reports, behind the loud calls for resumption of minke whaling, are *intensive efforts to secure the renewal of fin whale harvesting.*

In 1990, the Scientific Committee identified the following as priority stocks (in addition to minkes) to be assessed pursuant to the development of the RMP: North Atlantic fin and sei whales; North Pacific Bryde's whales; eastern North Pacific gray whales; and bowhead whales of the Bering, Chukchi and Beaufort Seas. The Scientific Committee held a Special Meeting on North Atlantic fin whales in Reykjavik, Iceland, from February 25 to March 1, 1991.



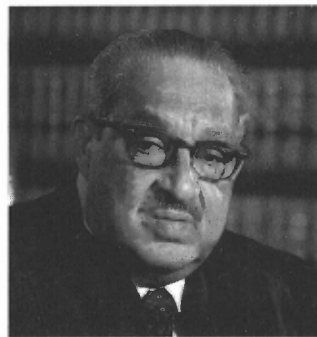
*Harvesting of fin whales could resume if the RMP is adopted.*

Forging aggressively ahead at the IWC's 43rd Annual Meeting, Iceland proposed that an additional inter-session should be held to look further into the North Atlantic fin whale trials initially discussed at the Special Meeting. In addition, *Iceland sought to get an early start by actively seeking catch limits on minke and fin whales off its coasts even before the RMP was enacted.* A tentative management scheme for the Iceland coastal whale fishery--the so-called "safe management procedure"--was presented because there was no guarantee that revised management procedures would be ready for implementation before 1992 or 1993 for North Atlantic minke whales and "even much later for fin whales" (IWC 1992).

Such initiatives underscore the importance of seeing the RMP for what it really is -- an unfounded, purely theoretical exercise. This summary of findings clearly demonstrates the dubious viability of the proposed Revised Management Procedure. Certainly there is much more than enough reasonable doubt to justify "a vote of 'No' in Kyoto!"

Rick Spill is completing graduate studies at The Rosenstiel School of Marine and Atmospheric Science at the University of Miami.

## Justice Thurgood Marshall's Legacy for Whales



The death of Justice Thurgood Marshall is an immense loss to the country. His broad and powerful sense of justice embraced animals as well as people. To honor his memory, we quote from the minority opinion of the Supreme Court, June 30, 1986, which he wrote.

The District Court and Court of Appeals had both ruled against the federal government

stating that it failed to prevent Japanese whalers from diminishing the effectiveness of an international conservation treaty as mandated by Congress under the Pelly and Packwood-Magnuson Amendments. But the Reagan Administration refused to take no for an answer and pressed on to the Supreme Court where five of the justices astonishingly expressed confidence in "the certainty of Japan's future compliance."

Justice Marshall understood the real situation. Japan continued its whaling practices, disregarding and thereby diminishing the effectiveness the International Whaling Commission's prohibitory treaty. Justice Marshall wrote the prophetic dissent for himself and three other justices:

Since 1971, Congress has sought to lead the world, through the repeated exercise of its power over foreign commerce, in preventing the extermination of whales and other threatened species of marine animals. I deeply regret that it will now have to act again before the Executive Branch will finally be compelled to obey the law. I believe that the Court has misunderstood the question posed by the case before us, and has reached an erroneous conclusion on a matter of intense worldwide concern. I therefore dissent....

The Secretary would rewrite the law... the Secretary has settled for continued violations until 1988, and in 1988 all that Japan has promised is to withdraw its formal objection to the IWC moratorium; I see no indication that Japan has pledged to "cease commercial whaling by 1988"... or to "dismantle its commercial whaling industry"....

The sole support that the Court offers for its position is the unobjectionable proposition, in a House Report, that "[a]n isolated, individual violation of a convention provision will not ordinarily warrant certification under this section." *Ante*, at 15 (quoting H.R. Rep. No. 95-1029, p. 15 [1978]). Petitioners indeed have a respectable argument that the Secretary was left with some inherent discretion to ignore violations of a *de minimis* nature. Such an argument, however, has no relevance to this case. It is uncontested here that Japan's taking of whales has been flagrant, consistent and substantial. Such gross disregard for international norms set for the benefit of the entire world represents the core of what Congress set about to punish and to deter with the weapon of reduced fishing rights in United States waters. The Court's decision today leaves Congress no closer to achieving that goal than it was in 1971, before either Amendment was passed.

In conclusion, Justice Marshall wrote:

I am troubled that this Court is empowering an officer of the Executive Branch, sworn to uphold and defend the laws of the United States, to ignore Congress' pointed response to a question long pondered: "whether Leviathan can long endure so wide a chase, and so remorseless a havoc; whether he must not at last be exterminated from the waters, and the last whale, like the last man, smoke his last pipe, and then himself evaporate in the final puff." H. Melville, *Moby Dick* 436 (Signet ed. 1961).

# PROVITA Nurtures Endangered Fledgling Parrots Confiscated from Smugglers

by Franklin Rojas-Suarez

In October 1992, under the hot sun of the arid zone of Macanao (Margarita Island), we witnessed an event of great beauty: seven yellow-shouldered parrots (*Amazona barbadensis*) that were kept in captivity since they were very young were liberated into their natural habitat.

These birds were confiscated from smugglers two or three years ago when they were just a few days old, and kept by our team in large cages located in their natural habitat, away from human disturbance. Now, after a detailed medical examination that indicated the good health of the birds, a group was liberated provided with radio-collars. These transmitters will allow us to monitor the process of adaptation of the parrots to the wild population.

Caribbean islands are known for their beautiful parrot species, most of them endemic. Nevertheless, many of them are either extinct or under severe danger of extinction. Among the extinct species are seven macaws, four parakeets and three parrots.

The list of extinct subspecies and populations is much longer, in fact, the yellow-shouldered parrot (one of the seven species of the genus *Amazona* with the highest risk of extinction), became extinct in Aruba in 1947, and a similar story probably took place in Curacao and in the oriental portion of Margarita Island.

Currently, this parrot only survives in a few isolated patches along the Venezuelan coast and on the Islands of Margarita, La Blanquilla and Bonaire. Our studies have estimated populations of only 80 birds on La Blanquilla and around 800 on Margarita.

The main threat to this species is the capture of fledglings for commercial purposes. In fact, most of the juveniles are taken by smugglers before they are able to fly, using methods that are cruel and destructive. Fledglings are taken from nests using metal hooks or bromeliad leaves, frequently killing them. Nests are also damaged, as tree-holes are cut up with axes and machetes to give access to the fledglings, often destroying the nesting holes forever.

These factors are magnified in the very small population that survives in La Blanquilla, where almost all of the fledglings are captured every year.

About 20 parrots have been confiscated from smugglers and given to PROVITA. They are kept in large cages located in their wild habitat until they reach adult age and are then liberated.

The case of Margarita's blue-crowned parakeet is more serious. Only 180 individuals survive in the wild, and the total reproductive success (birds that reach flying age) is practically nil: 89% of the fledglings are taken by smugglers at an average age of 16.74 days, and the remaining 11% are eaten by rats or die from the damage they suffer during their capture.

In addition to the factors already mentioned, the blue-crowned parakeet is also being affected by habitat destruction. Many zones of its home range and feeding sites are being cleared by sand mining and by the current accelerated construction of touristic villas.

The case of the blue-crowned parakeet requires additional research, and urgent action must be taken to stop the factors that have been detected and quantified. Unfortunately, the fact of having a National Park that includes all its reproductive area has not contributed significantly to its conservation. In some cases we have even



An endangered yellow-shouldered parrot rescued from smugglers.

observed harassment by tourists and boatmen that increase pressure on this species.

The yellow-shouldered parrot and the blue-crowned parakeet are facing severe extinction threats. We invite your help.

Franklin Rojas-Suarez is Technical Director of PROVITA. Donations can be made to the PROVITA account at:

Banco de Venezuela International  
500 Park Avenue, 8th Floor  
New York, NY 10022  
Account No. 251-333423

Our postal address is: Apartado Postal 47552, Caracas 1041-A, Venezuela. Please feel free to contact us for any additional information you may require. Thank you for your support!

## Matthew Block Pleads Guilty to Felony

On February 9, 1993, Miami animal dealer Matthew Block pled guilty to felony conspiracy in connection with the smuggling of six baby orangutans, who became known as the "Bangkok Six." Bangkok Airport authorities confiscated the animals on February 20, 1990. They had been shipped in unventilated crates labelled "Birds," half of them upside down. Three of them later died.

Block admitted to conspiring with animal smugglers operating in Singapore, the Netherlands and Yugoslavia, all of whom were also indicted.

An initial plea-bargain in the case would have reduced the charges against Block to misdemeanors. However, Judge James W. Kehoe rejected this plea-bargain as "contrary to public interest" on December 12, 1992.

Block could receive a sentence of up to five years in jail and a fine of up to \$250,000. Sentencing will take place on April 15, 1993.

**Action:** Please express your appreciation to Judge Kehoe for his wise, humane decision to reject the weak plea-bargain that was first offered by Matthew Block and his lawyers. You may address him as follows:

His Honor Judge James Kehoe  
301 North Miami Avenue  
Miami, FL 33218

## Dead on Arrival

by Greta Nilsson

On the 29th of March, 1991, a shipment of 19,120 finches and parrots from Indonesia arrived in Los Angeles, shipped to Alex Perrinelle, a major importer. From the hold of the Garuda Airlines plane, the ground crews unloaded box after box of dead birds--a total of 10,607 birds died during that flight, the highest death toll of any single flight since 1982. The birds had been packed in only 35 crates--an average of 546 birds per crate! Current humane shipment regulations in the US mandate that no more than 50 perching birds be shipped per crate. Garuda Airlines had previously agreed to stop shipping wild birds, but were pressured by the pet industry to resume shipments. The international publicity this tragic shipment received caused the airline to reinstate its embargo. For years prior to this, the pet industry had been asserting that mortality of birds being transported for the cage bird trade had been declining as a result of greater care given to birds during transit. Yet this shipment was not the only example of high mortality, as the statistics discussed below reveal.

In spite of their poor record on preventing mortality in transporting birds, the pet industry is attempting to undermine proposals now being put forward to limit the size of shipments. For many years it has been clear that the more birds included in a shipment, the greater the likelihood of high mortality of birds in transit. The pet industry is presently attempting to persuade international authorities considering limits on shipment size that large shipments do not necessarily mean large numbers of birds arriving dead (DOA). The International Air Transport Association (IATA) establishes the guidelines for the transport of animals, with detailed recommendations on crate size and design and other facets of shipment. These guidelines have been adopted into law by many countries and have influenced domestic legislation in others. IATA will meet at the end of March, 1993, to discuss the adoption of guidelines recommending small shipment size. Switzerland has limited the size of imported shipments for many years for reasons of disease control, and the "Humane and Healthful Transport of Wild Mammals and Birds to the United States" regulations that went into effect in September, 1992, limit numbers of birds per crate to reduce mortality. The Convention on International Trade in Endangered Species (CITES) Working Group on the Transport of Live Specimens will meet in April to consider similar proposals on recommending smaller shipments.

AWI has recently examined four years of US import data and found a definite correlation between large shipments and high mortality. During this four-year period, 1,340,374 birds were imported, according to US Department of Agriculture quarantine forms (17-13) provided to AWI under the Freedom of Information Act. Of these, 58,427 were DOA, for an average mortality of 4%. Examination of the data reveals that the 100 largest shipments, totalling 691,933 birds, or 52% of all birds imported, had 46,804 birds DOA or 80% of all birds arriving dead at US ports of entry. These 100 shipments were only 2% of the 4,611 shipments that arrived during this period. Thus, over half of the birds shipped to the US are transported in very large consignments of over 2,000 birds, and these shipments incur four-fifths of all transit mortalities. These large shipments also meant poorer treatment in quarantine. How, in fact, can one look after 10,000 or more birds properly?

While imports declined during the period 1988 through 1991, mainly as a result of the majority of airlines withdrawing from transporting birds, transport mortality did *not*, however, decline in kind. The total number of birds dying in transit in 1988 was 10,768, or 3% of

imports. Transport mortality rose, however, to 4% in both 1989 and 1990. In 1991, mainly as a result of the single shipment in which over 10,000 birds died, 18,069 birds, or 8%, died during transit, nearly tripling the mortality rate. Thus mortality is *increasing* in spite of a decline in the number of imported birds.

At the other end of the spectrum, 416 shipments of birds had a total of 100 or fewer birds, and only 75 of 13,208 birds were DOA, a mortality of only 0.6%. Fully 383, or 92%, of these small shipments had no mortality at all. Studies in the UK by the Royal Society for the Prevention of Cruelty to Animals, likewise, have shown that reducing shipment size to 55 psittacines and 100 non-psittacines significantly reduces mortality and makes identification easier.

As shipment size increases, so do the numbers of birds that die in transit. The size of shipments from the African countries of Tanzania and Senegal average well over 2,000 birds and usually far more than that. Fourteen shipments during this period had over 1,000 birds DOA. Of these, all but two shipments originated in Tanzania or Senegal. These two countries are known, not just for the high mortalities incurred by their exported wild birds, but also for the extremely inhumane treatment that the birds suffer. Hundreds of small finches are crammed into each crate, with inadequate food and water (see *AWI Quarterly*, Spring 1992, "A Deadly Trip for Wild-Caught Birds").

Current US regulations do not limit the size of the entire shipment, only the number of birds per crate within each shipment. Thus recommendations made by IATA and the CITES working group on animal transport would be very significant in persuading both importing and exporting countries to limit shipment size. For the many thousands of wild birds still captured for pets that have no protection from the cruelty of the cage bird trade, much more stringent regulations are needed.

### U. S. BIRD IMPORTS & TRANSIT MORTALITY

Year	Total Received	Dead on Arrival	Mortality Rate	#Shipments
1988	365,018	10,768	3%	1,432
1989	461,716	17,471	4%	1,515
1990	290,924	12,119	4%	1,004
1991	<u>222,716</u>	<u>18,069</u>	<u>8%</u>	<u>660</u>
TOTALS	1,340,374	58,427	4%	4,611

Source: USDA Quarantine Forms 17-13

## Campaign to End Taiwan's Destruction of Endangered Species

Taiwan is the main culprit in the illegal trafficking of rhino horn and parts and products from other endangered species such as tigers. Following years of inaction by the international community, animal welfare and conservation organizations are calling on all Americans to send a strong and clear signal from the US to Taiwan.

The Animal Welfare Institute, Environmental Investigation Agency, Humane Society of the United States and Earth Island Institute have launched a nationwide boycott of Taiwanese brand-name goods to protest that country's flagrant violations of international wildlife laws.

The "Boycott Taiwan" coalition is demanding that the government of Taiwan comply with CITES regulations, which call on Taiwan and other consumer countries to acquire and destroy stocks of rhino horn. The coalition will also urge Taiwan, which has one of the largest reserves of foreign exchange in the world, to compensate some of the rhino range states which have spent millions of dollars trying to save their national heritage.

**Action: Refuse to buy merchandise marked "Made in Taiwan" and urge your friends to join the boycott, too.**

# Giant Forest Trees Sliced into Disposable Plywood Panels

*Mori no Koe* is the highly informative and authoritative quarterly periodical of a Japanese organization established two years ago, the Sarawak Campaign Committee. Sarawak, Malaysia, is the single largest source of imported tropical timber for Japan.

The October 1992 issue of *Mori no Koe* provides a wealth of information on the wasteful destruction of rainforests for manufacture of plywood for the Japanese construction industry. Some especially significant passages follow:

## The Japan-Tropical Timber Connection

Japan is the world's number one importer of tropical timber. Its imports account for 30% of the world trade in tropical timber, equalling imports of the entire EC. Japan, which has tended to import intensively from one or two countries at a time, played a major role in the virtual logging out of the Philippines in the 60's, and contributed to degradation of Indonesian forests on a massive scale through the 70's and early 80's, until an Indonesian ban on log exports forced Japan to switch to timber from the Malaysian states of Sabah and Sarawak, current suppliers of around 90% of Japan's tropical log imports. Blockades of logging roads by Penan and other tribal peoples in Sarawak focused international attention on the plight of forest-dwelling people, whose survival and cultural integrity have been threatened by shortsighted 'development.' With Malaysian forest reserves dwindling, Papua New Guinea, Brazil, and Indochina are being targeted as the new suppliers. Approximately 80% of the imported tropical logs are converted to plywood, used primarily in the construction and furniture industries. Plywood panels used as forms for molding concrete (*konpane*), which are discarded after a few uses, account for some 20% of plywood consumption....

## Disposable Plywood Forms in Japan: A Search for Alternatives

Approximately 84% of the tropical logs imported into Japan are turned into plywood, the largest single use of tropical wood. If imports of tropical plywood from Indonesia are also included, plywood as an end-use accounts for more than 75% of all imported tropical timber....

Tropical logs are an extremely important and indispensable raw material for Japan's plywood manufacturing industry as evidenced by the fact that 96% of ordinary plywood is made from tropical logs. Although Japan did in earlier years export some of the plywood it produced in order to earn foreign currency, nowadays virtually all is consumed domestically

within Japan. Due to the fact that plywood is employed in a wide variety of uses, and that the construction industry and public works projects use about half of all plywood produced, it is obvious that the plywood manufacturing and construction industries must be forced to change their wasteful ways and seek alternatives to plywood made from tropical wood in order to ensure that the tropical forests of Southeast Asia, particularly Sarawak, Sabah and Indonesia, do not continue to be destroyed....

Perhaps the most wasteful and infamous use of Southeast Asia's valuable tropical forests is that as disposable plywood panels for molding wet concrete (*konpane* in Japanese). According to the Japanese Plywood Manufacturers' Association, in 1989 *konpane* accounted for 22.8% (237,168,000 square meters = 237.2 square kilometers!) of the total area....

At the present time, tropical plywood molds are used for more than 90% of the concrete molding work carried out in Japan....

**If all the plywood produced in a year in Japan were connected lengthwise, it would make it to the moon and back 2.3 times.**

**If all the plywood produced in one year in Japan were piled in a stack, it would reach a height 1043 times that of Mt. Fuji.**

...a plywood panel, from its beginnings in a tropical forest until it is finally burned in an incinerator or disposed of in a Japanese landfill... [is] treated as a disposable, throwaway commodity....

## Mitsubishi Corporation & The Tropical Timber Trade

Mitsubishi Corporation remains the target of an international campaign to protect the world's tropical forests. Contrary to what the company claims, it is involved in the destruction of tropical forests, particularly in Sarawak, Malaysia and Indonesia, the sources of most of its tropical hardwood imports. It is also involved to varying degrees in the destruction of other types of forests, from the vast boreal forests of Canada and Russia, to the native temperate forests of Chile. The company's continued attempt to claim innocence and shirk responsibility concerning forest destruction has been perhaps best illustrated by the chapter on the Environmental Affairs Department in a cartoon book describing the activities of Mitsubishi Corp. The hard-covered comic book, which was distributed free of charge to over 5500 high schools throughout Japan and then 'recalled' by the Ministry of Education after protests by the Sarawak Campaign Committee and the Japanese Tropical Rainforest Action Network, places the blame for tropical forest destruction in Southeast Asia on shifting cultivators, while virtually exonerating the company from any blame....

Mitsubishi Corp. is increasing its imports of processed wood products, such as plywood and sawnwood, presumably to compensate for decreased log imports and because the company is anticipating decreased log exports or a log export ban being imposed by the Sarawak government in the future. The overall result is that the company will be able to ensure a stable supply of tropical hardwood products, although in the form of processed wood rather than logs. This policy will not reduce overall consumption, but merely shift the pressure away from the forests of Sarawak to those of Indonesia or elsewhere. Mr. Kyosuke Mori, General Manager of Mitsubishi Corp.'s Environmental Affairs Department (EAD), when asked 'when the logs run out in Sarawak, which they probably will within the next ten years, where will you get your timber then?', replied 'Probably we would like to seek another source.' (Interview with Granada TV (U.K.); autumn 1991.) This statement seems to suggest that Mitsubishi plans to exploit the tropical forests of Sarawak (and Indonesia) until they are depleted of commercially valuable timber, and then perhaps replace them with imports from other areas, such as Papua New Guinea, Brazil and Siberia.



Penan Protest. The Penan fiercely fought logging of their native forests in Sarawak. Here they gather in opposition to a logging road.

## What You Can Do

Rainforest Action Network is campaigning to stop Mitsubishi's destruction of rain forests. Here are its recommendations:

1) Do not buy any products that are made by companies in the Mitsubishi family or partnerships. These include all Mitsubishi autos, televisions, VCR's, Nikkon cameras, and Kirin beer. Do not buy Mitsubishi autos under the Chrysler name. These include the Dodge Stealth, Intrepid, Ram 50, and Colt; Plymouth Laser and Colt Vista; Eagle Talon and Summit Wagon. Hyundai autos should also be avoided because of their connections with Mitsubishi.

2) Contact the Rainforest Action Network, 450 Sansome, Suite 700, San Francisco, CA 94111, (415) 398-4404, and request a copy of the Organizer's Manual for the Mitsubishi campaign.

3) Write or fax your messages to both the following Mitsubishi executives:

Mr. Kazue Naganuma, CEO	Mr. Takashi Kiuchi, CEO
Mitsubishi Motor Sales of America 6400 West Katella Avenue Cypress, CA 90630-0064 Fax: (714) 373-1019	Mitsubishi Electric Sales Of America 5757 Plaza Drive, PO Box 6007 Cypress, CA 90630-0007 Fax: (714) 289-3866

Dear Mr. \_\_\_\_\_:

While I am fully aware that your company is not directly involved in the destruction of rain forests, you are a member of the Mitsubishi family of corporations and partially owned by or doing business with Mitsubishi Corporation, the trading company. As such, I feel you have a responsibility to demand that the Mitsubishi Corporation's Timber Department cease all logging in natural forests around the world. Until this occurs, I will not purchase any Mitsubishi products and I will strongly urge my friends and associates to do likewise.

4) Call the Corporate Communications Department for Mitsubishi Electric Sales (714) 372-2500 and Mitsubishi Motor Sales (714) 372-6000 and give the above message to the operator.

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## National Forests, National Disasters

by Tim Hermach

William Dietrich, in his superbly researched book, *The Final Forest*, recounts an ironically telling event. Shortly after the catastrophic eruption of Mount St. Helens, a concerned President Jimmy Carter flew across southwest Washington to view the devastation. Skimming over the crests of barren, lifeless hills, the president expressed his horror at the extent of the destruction. State officials awkwardly explained that they had not yet reached the site of the volcanic eruption. What Carter was viewing was human-caused. The president was seeing the results of clear-cut logging.

Like most Americans, Carter had been spared the sight of the blight infecting our national forests. Many people still believe that national forests, like national parks, are protected from logging by law. They are not. They are, however, typically remote and inaccessible, which has facilitated their demise. Whole mountain ranges can be stripped in isolation, free from public scrutiny, exempt from public concern.

"Clear-cutting" is the practice of cutting, then burning every living thing in 40 to 80 acre increments. Scorched-earth forestry. Decades of it have brought this once dominant forest ecosystem to near-total ruin. Ninety-five percent of the original forests that once carpeted the entire eastern half of the nation, much of the Pacific Northwest and portions of California, Montana, Idaho, Wyoming, Utah, Arizona, New Mexico and Colorado are gone. What remains is primarily in the Northwest, much of it badly fragmented, stressed

from years of overcutting, victimized by outdated management practices that subordinate all other forest values to commodity timber production.

The problems are well documented: loss of biodiversity; destruction of wildlife habitat and fisheries; increased flooding; soil erosion; reductions in clean water and fresh air; carbon release which speeds global warming; spreading desertification; destruction of public property.



Scorched-earth forestry.

But perhaps equally galling to the average taxpayer is the staggering economic inefficiency of the Soviet-style management practices of the United States Forest Service, the agency charged with the care of our national forests. Over the last decade, the Forest Service has lost more than \$5.6 billion of taxpayer money on timber sales. Additionally, its accounting system fails to calculate the cost of environmental damage and simply passes it on to the public and future generations. Under the current system we lose habitat, money and resources. Bad economics and bad ecology have converged on our national forests.

For about a decade, environmental activists have battled the Forest Service, the timber industry and its captive politicians to save the last of our national forests. A decade-long search for middle ground has effectively yielded nothing. Congress continues to dance around the issue, the forests continue to fall. Only court injunctions, issued as a result of the Forest Service's disdain for existing environmental laws, have measurably slowed the process.

But increasingly, activists are becoming suspicious and disenchanted with the crisis/compromise model of environmental problem resolution. With only five percent left, can we afford to cut the baby in half again? Besides, legislation has proven unreliable because of the government's unwillingness to abide by its own laws. While there is no shortage of environmental legislation that mandates sound resource management, in practice its intent is lost in a torrent of vague regulations, negotiated exemptions, discretionary compliance and arbitrary enforcement.

What if there was a better way? One that didn't merely slow the rate of destruction or shift it from one region of the country to another, but provided both economic and ecological solutions. The

(continued on page 16)

Native Forest Council is promoting just such a resolution. It is elegantly simple, easily grasped, and provides little opportunity for careless or corrupt interpretation: The Zero Cut Solution.

If closing the national forests to timber extraction seems extreme, it is largely because many people still labor under the misconception that the current system is in their best interests. But by selling below-cost timber, the federal government unfairly competes with the private sector and encourages the continued liquidation of national forests. These lands contain most of the remaining relatively-intact forest ecosystems. Moreover, flooding the market with cheap subsidized federal timber, depresses overall timber prices and the value of private timber lands. Private holdings comprise 72 percent of all timber-producing land in the US and are much better suited for intensive forestry. But private woodlot owners simply can not compete with the government which provides thousands of miles of free logging roads and other services at taxpayer expense.

We are, in effect, liquidating the nation's natural resources at below their replacement cost and benefit value to the public. The money currently spent on logging public lands--wasteful employment that consumes much more than it produces--could be applied toward forest rehabilitation. There are jobs to be had, wages to be earned, and taxes to be paid in rebuilding our forests and restoring them to their native condition. There are millions of trees to be planted, tree farms to be thinned for the purpose of restoring a native species mix; thousands of miles of streams to mend, riparian zones to heal, and over 300,000 miles of logging roads to undo. There are more jobs in restoring the forests than in cutting them down.

We certainly don't need federal timber for domestic consumption. Each year we export more logs than the entire cut from our national forests. In the Northwest, for example, two out of every four trees cut are exported; one as a raw log, the other minimally processed. Such practices--providing raw materials for the benefit of others--deprive American workers of higher paying, value-added jobs and encourage the rapacious exploitation of our natural resources.

In a little over a century and a half, (a short time in the life of a forest) we have managed to dispatch all but five percent of our native forests. Clearly, there is nothing sustainable in that. Our national forests were set aside for the public good, to be protected, nurtured, and preserved as a part of our national heritage. We cannot afford so-called "compromise" or "balanced" solutions that guarantee piecemeal destruction. Restoring economic and ecological sanity to our nation's forest policy will require embracing a Zero Cut Solution.

Tim Hermach is Executive Director of the Native Forest Council. For more information and a complimentary copy of *The Forest Voice*, write or call: The Native Forest Council, PO Box 2171, Eugene, OR 97402 (503) 688-2600.

#### Kalimantan Still Burns

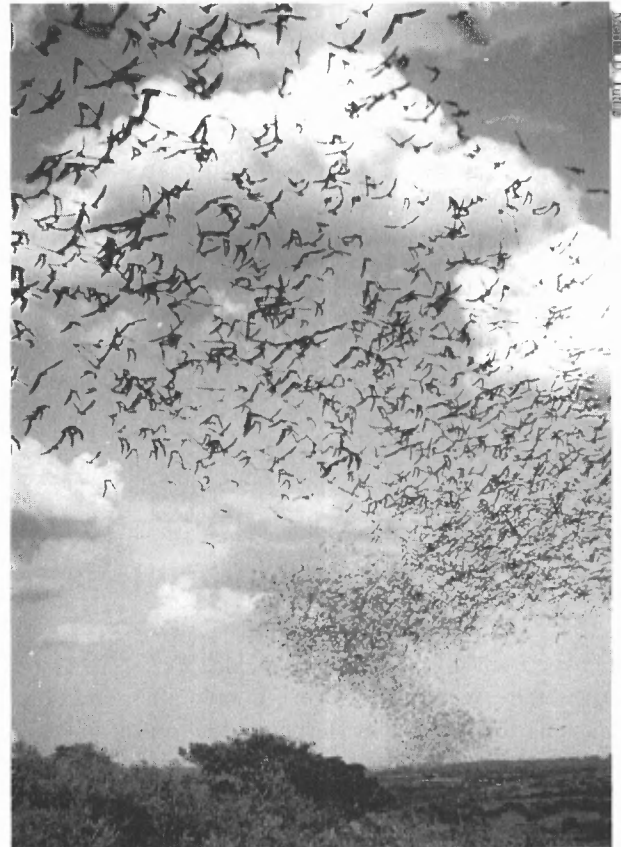
"Forest fires are still destroying protected areas in Kalimantan, Indonesian Borneo.... According to the International Campaign for Ecological Justice in Indonesia, the main cause of the fires is debris left behind by logging companies and there is still no sign of changes in forest practice. Last year timber worth more than \$4.45 million was burnt in East Kalimantan alone, along with unaccounted for losses of other forest products and wildlife."

—From *Oryx*, October 1992

## Pest Management Makes a U-Turn on Bats

For years, pest control companies have been targeting bats with cruel and dangerous pesticides, especially Rozol, which has also caused severe and dangerous illness in humans. But now, led by the world's foremost expert and friend of bats, Dr. Merlin Tuttle, the journal of the National Pest Control Association, Inc., *Pest Management*, May 1992, endorses the bats themselves as master managers of insect pests, worthy of being included among the pest control operators (PCO's).

The lead article, by Tuttle and Eileen Smith is titled "Bats: Nature's Own PCO." By controlling vast numbers of night-flying insects, bats form an integral link in ensuring environmental health."



Millions of nature's own "pest control operators" on the wing.

A second article in the same issue is entitled "Common House Dwellers: Knowledge about bat species will help PCO's exclude bats from buildings." Dr. Tuttle describes the habits of several bat species that he says pest control operators should be familiar with because they often roost in buildings.

Finally, Tuttle and Smith authored "Evicting Unwanted Tenants: The secret to controlling bats is knowing how to exclude them."

This bat-friendly series concludes with a photograph of Marshall Hanks standing on a ladder labeled "Bat-Proofing Specialist." It ends with the following statement:

Hanks has never used chemicals against bats and encourages other pest control operators not to use them for that purpose (in most states it is now illegal). He makes the point that exclusion is the only safe, permanent solution for bats in buildings. He also advocates building bat houses, especially the larger designs, to provide bats with alternative housing.

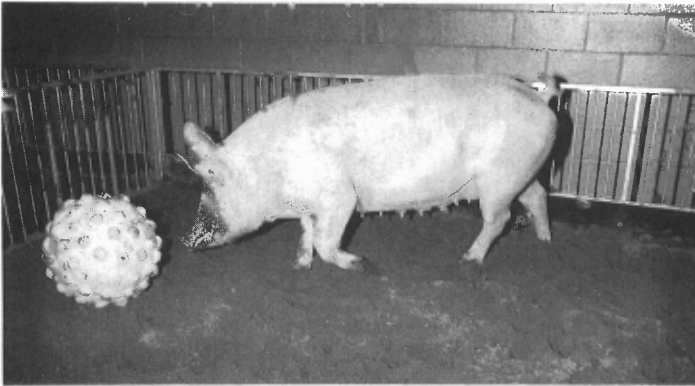


# Wanted: A Humane Manufacturer to Produce the Edinburgh Foodball

by Ruth Harrison

The launch of the Edinburgh foodball towards the end of last year was decidedly good news for the animals! It has been developed by animal behavior scientists in collaboration with agricultural engineers at the Scottish Agricultural College to encourage and permit confined animals to exercise their foraging behavior. The idea is deceptively simple. The "foodball" is a large sphere with an ingenious inner mechanism which releases food randomly when the animal roots the ball around in its pen or enclosure, thus mimicking what happens when animals forage in the wild. The device is robust, waterproof and easy to clean.

Ruth Harrison



The new "foodball" relieves the deadly monotony of factory farm life.

The first potential beneficiaries--the animals for which the foodball was initially developed--are sows and gilts kept under commercial conditions. While under semi-natural or wild conditions pigs spend around 70% of their active time in foraging for food, under intensive housing conditions this basic behavior is severely frustrated. The position for pregnant sows and gilts is further exacerbated by the practice of severely restricting their food intake during the weeks immediately prior to parturition in order to avoid farrowing problems. The meagre ration is consumed in just a few minutes each day and the hungry pigs are left with an obsessive urge to forage, the frustration of which leads to prolonged bouts of stereotyped behavior. The foodball is designed to ameliorate this problem. Its internal mechanism can be adjusted so that the required quantity of food is released over a long period. The pigs' foraging

behavior is thus rewarded and encouraged, and they spend nearly as much time foraging as they would under natural conditions. We are still left with the problem of hunger, a problem which can only be solved by modified breeding programs and this should be addressed separately. What the foodball does is to make an intolerable situation more tolerable.

The foodball is intended as an addition to, rather than a substitute for, straw. Straw offers many benefits to pigs. The UK Code of Practice covering pigs strongly recommends its use. "Given the opportunity," it says, "the pig eats fibrous material, also roots about and makes a nest and uses a separate dunging area. Bedding, and especially straw, contributes towards the needs of the pig for thermal and physical comfort and satisfies some of its behavioral requirements." While the provision of straw does allow rooting, the behavior is reinforced by the reward provided by the foodball. It is designed to be used by sows and gilts kept with a bedded lying area and an unbedded exercise yard. It would be impossible to use the foodball in conjunction with perforated or slatted floors, as the food would be lost.

The pigs obviously enjoy this new "toy," and its welfare advantages are enormous. Not only is its foraging behavior elicited and behavioral problems reduced, but the added exercise could lead to healthier pigs with fewer leg problems and possibly even to larger, healthier litters.

The foodball can easily be adapted for other species. A smaller version is already available for dogs. At the launch, the dog which was brought to show its potential was so excited by the cameras and all the friendly people to greet that it had little time for the foodball, but it is not difficult to see the ball's potential in the barren conditions of dog kennels. Nor would it be difficult to envisage the joy it would bring to cats in catteries. Consideration is also being given to its use to enrich the environment of zoo animals. It has endless possibilities.

What is now needed is an enterprising manufacturer who is alive to such possibilities. Mr. Hugh Stirling of the British Technology Group is looking for a Licensee and can be contacted at 101 Newington Causeway, London SE1 6BU, England.

Ruth Harrison is the author of the classic treatise on factory farming, *Animal Machines*, now being readied for a new edition. She is an expert advisor to the Council of Europe on farm animals.

## The Necessity for Validation of Non-Animal Tests

by Ethel Thurston

**"Within Two Years, We Might Identify Combinations of Non-Animal Tests to Replace Many Important Animal Toxicity Tests."** This is the view of Bjorn Ekwall, M.D., Ph.D., assistant professor of toxicology at the University of Uppsala in Sweden, and managing director of MEIC (Multicenter Evaluation of Invitro Cytotoxicity).

About 400 new, non-animal product tests have been developed during the last fifteen years, but few of their scientist creators have the equipment to evaluate them sufficiently. The tests must be able to discriminate between large numbers of harmful and harmless substances, and reliably discriminate grades of harmfulness for risk assessment and labelling purposes. Evaluation must be unbiased.

Since 1985, animal activists attempting to assist the validation process and see some good tests used as replacements, have had an

extremely frustrating time. Industries have managed to quiet much public concern by claiming that they are "developing alternatives." But when someone asks them why animal tests continue almost everywhere, year after year, with all the suffering--and product tests often involve serious suffering--the answer is: "There are no validated non-animal tests." But are industries making a sufficient effort to validate these tests? Many industries, as well as most governments and universities, have used expensive advertising, to tout their interest in non-animal tests, but at the same time are slow and weak when it comes to goal-directed action for replacement.

Goal-directed efforts to investigate the possibility of real replacement do exist. The Scandinavian Society for Cell Toxicology initiated MEIC, an international, multi-laboratory, multi-test project to evaluate all it could of replacements for animal toxicity tests--to

(continued on page 18)

MEIC continued from page 17

provide unbiased scientific evidence, once and for all, as to which non-animal tests do and do not work. MEIC is financed mainly by animal protection. MEIC's directors, Drs. Ekwall and Walum, write:

"All international laboratories developing or using non-animal methods to test toxicity were invited to participate in a contest-like program, each laboratory to test the same reference chemicals in their various new, alternative tests. The MEIC Committee compares all incoming test results with human data from the Swedish Poison Center for the same chemicals. In that way, the best combinations (batteries) of non-animal tests can be selected. As another essential element of the project, the effectiveness of the best batteries will be compared with the known predictive power of the conventional animal test [as reported in the literature--MEIC uses no animals] for the same chemicals. Non-animal test batteries may thus be proved to predict human toxicity better than the conventional animal tests in some areas.

"At present 84 laboratories from all over the world, including nearly 20 North American laboratories, have joined the study, with over 200 different, and potentially valuable non-animal toxicity tests... MEIC's preliminary results indicate that the basic strategy is sound, and suggest a high possibility for the non-animal tests to be not only more economical, but more effective than the conventional

methods. We think it can lead to a shift from animal to non-animal toxicity testing within years rather than decades.

"...MEIC evaluation has tentatively pointed out that the tests we already have must be supplemented with about ten new tests which can provide essential missing information. If the missing tests are not developed, this will stand in the way of practical use of batteries of non-animal tests, because the batteries will not be complete. Each new test will form part of several batteries. Tests are needed for about ten areas of missing information including chronic toxicity, absorption in the gut and reversibility of injury.

"The bright side of the situation is that development of these necessary new tests can be guided by positive indications of missing data noticed during the evaluation process."

The MEIC directors think that most missing tests could be ready by the time their validations are finished in 1994. Provided that MEIC is supported well enough, batteries of non-animal tests to replace animals in product testing could be positively identified by the end of 1994.

Ethel Thurston is Trustee of American Fund For Alternatives To Animal Research. Contributions to assist development of the missing tests may be sent to AFAAR, 175 West 12th Street, Suite 16G, New York, NY 10011. Please write on the check "for MEIC."

## Powerful Corrosives Eat into Conscious Rabbits' Inner Organs During Testing

The United Nations regulations which member countries have agreed to follow before a corrosive substance can be shipped, either within a country or internationally, are shown in the box on this page. The United States Department of Transportation has adopted these guidelines for the US.

The photographs document the test on the skin of rabbits whose fur has been shaved off. The first photo shows no destruction of skin tissue within four hours, so the substance is classified as non-corrosive. But the second photograph shows the horrifying results of a test of a substance which has eaten away not only the skin but muscle and fat and invaded the rabbit's inner organs. Strong acids, caustic alkalis and other chemicals bite into the animal's flesh, and the current regulations require that the rabbit must be kept alive for 48 hours, which is longer than a rabbit can be maintained under anesthesia.

These appalling tests are being conducted in order to meet Department of Transportation regulations, and, in addition, compliance with United Nations guidelines must occur by October 1, 1993.

It is vitally important that our government act immediately to specify a carefully validated alternative, in place of the animal test.

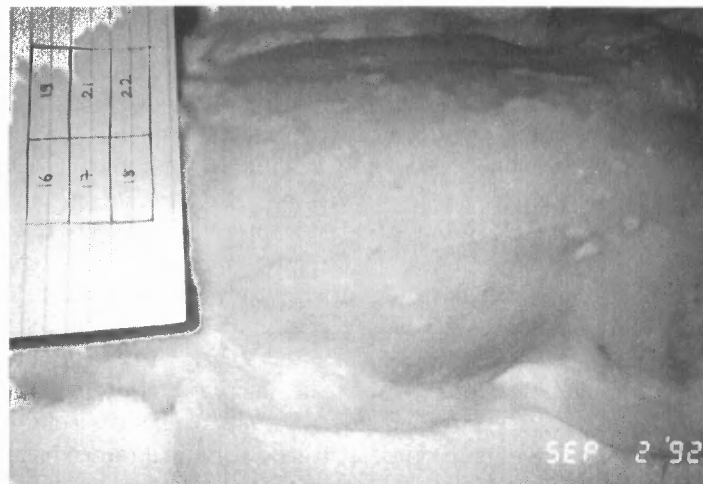


Photo 1: This rabbit was fortunate. The substance applied to his shaved skin was non-corrosive.

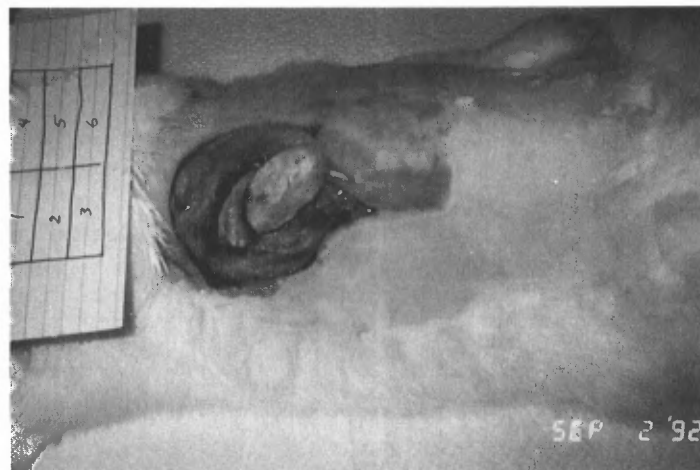


Photo 2: A powerful corrosive eats into an unanesthetized rabbit's body cavity. This torture can be stopped (see page 19).

Packing Groups are assigned to chemicals if death of tissue occurs after the following exposure times:

Packing Group I: Up to three minutes

Packing Group II: Greater than three minutes and up to one hour

Packing Group III: Greater than one hour and up to four hours

Noncorrosive: Greater than four hours

The UN regulation requires that the most severe Packing Group be assigned to a chemical if that packing group's criteria occurs in two out of six rabbits.

# Advances in *In Vitro* Technologies Provide Substitutes for Painful Tests on Animals

by Virginia Gordon, Ph. D.

*In vitro* methods are rapidly becoming a viable alternative to *in vivo* testing approaches. The science behind today's *in vitro* methods offers far greater objectivity, reproducibility, quantification and cost effectiveness than *in vivo* tests alone.

Today, *in vitro* tests are allowing companies to more accurately and reliably assess product safety and quality which can significantly reduce product liability concerns for proactive companies. Certainly, though, caution must be exercised in employing *in vitro* methods. Each *in vitro* method has its strengths and weaknesses which must be taken into consideration. However, *in vitro* technology, such as In Vitro International's (IVI) Target Biomacromolecular systems, can effectively be used, alone or in a battery, to complement and enhance current *in vivo* testing programs.

The first Target Biomacromolecular system developed was EYTEX. EYTEX mimics the protein perturbation causing corneal opacity by using a highly ordered matrix which becomes cloudy when exposed to irritants. This cloudiness is measured spectrophotometrically rather than through subjective evaluation, as is done with the Draize test. Scoring is calculated by computer software which generates complete assay and protocol reports.

After extensive research and testing, including independent evaluation performed in the laboratories of S. C. Johnson & Son, Avon and others, worldwide distribution of EYTEX began in early 1989. Validation studies throughout the past few years have shown that EYTEX has between an 85 to 98 percent correlation to the historical Draize test.

In late 1989, IVI introduced its second test, SKINTEX™, a dermal toxicity assay consisting of a keratin/collagen barrier membrane and a reagent of globulin and protein sensitive to chemical irritants. The assay has gained wide acceptance by companies in the cosmetics and household products industries. Testing on an extensive variety of substances has demonstrated an excellent correlation between SKINTEX with not only the Draize test, but, more importantly, the human patch test.

Today, IVI's tests are used by such companies as Estee Lauder, Yves Rocher, Revlon, Avon, Rhone-Poulenc, Mobil and Dow Chemical. Significantly, a growing number of companies have

reduced or eliminated the use of *in vivo* testing utilizing SKINTEX and EYTEX technology.

As SKINTEX and EYTEX have become well established, IVI has continued to develop new areas of *in vitro* testing. Three solar safety evaluation tests have been developed.

SOLATEX-PI™, a system to determine the potential for photoirritation of chemical compounds, and SOLATEX-SPF™, designed to measure the sun protection factor (SPF) levels in formulations, are beginning sales in the US and Europe. SUNTEX™, a quick, easy formulation test which assists researchers in optimizing sun protection development in formulations, is in alpha site product evaluation.

One of the latest tests which has created significant interest throughout the chemical industry is CORROSITEX™. This test determines whether or not a chemical is corrosive and into what United Nations Packing Group a chemical should be classified (I, II or III). Presently, these classes are determined through *in vivo* rabbit tests.

CORROSITEX is the only *in vitro* test method on the market today which can determine corrosivity and assign appropriate Packing Groups. Based on a simple, color change concept, this breakthrough *in vitro* technology included a Dermal Biobarrier and Chemical Detection System (CDS).

In brief, the test sample is applied to the Dermal Biobarrier. If and when full thickness destruction of the Dermal Biobarrier occurs, the chemical then enters the Chemical Detection System which results in a simple color change.

The length of time it takes for this color change to happen, determines the UN Packing Group--a simple, fast and accurate color test for determining corrosivity.

*In vitro* testing methods have gained widespread recognition over the last few years and are increasingly being utilized by a variety of industries. The advantages, as indicated above, are certainly the primary reason why this growth has occurred. Such advantages have encouraged industry to extend the applications of *in vitro* technologies making this science an even greater contributor to accurate and humane product safety testing and evaluation.

Dr. Virginia Gordon is Vice President of In Vitro International.

## John Gibbons Nominated for Director of OSTP

**John H. Gibbons**, Director of the Congressional Office of Technology Assessment (OTA) was nominated by President Clinton to be **Director of the White House Office of Science and Technology Policy (OSTP)**. At Senate hearings on his confirmation, Dr. Gibbons made a number of praiseworthy statements relating to alternatives to experimental animals according to *Science and Government Report (SGR)*, February 1, 1993, Dr. Gibbons stated:

"Animal experimentation is justified when there is no alternative, but technology is providing non-animal methods that should be encouraged." Gibbons also expressed concern about insufficient ethical attention to the use of animals in research."

SGR further reports:

On the passion-ridden issue of animal rights, Gibbons, in response to a question by Senator Burns, gave a lengthy and obviously heartfelt reply (presented here almost verbatim):

"I'm particularly interested in the native American concept of the use of animals," Gibbons said. "When the American Indian killed an animal for food and

shelter, the Indian always said a prayer of thanksgiving to that animal for having given up its life so that the person might live."

"I think we sometimes don't give enough attention to that notion of the ethical use of our power over the rest of the world," he continued. "And to that extent, I feel very strongly we should be thinking much more strongly like the native American as we use animals. I do use animals. I've raised cattle, I understand and appreciate very much the importance of the use of whole animals in doing whole-body research."

"You have to think about the whole organism in developing medical science, in understanding how these things work," Gibbons stated. "At the same time, as we showed in an OTA study several years ago, there are an enormous number of technologies that now make it possible to do the kind testing and research and teaching without having to sacrifice animals as we do. And in fact, the marketplace is now responding to that, because it not only turns out to be more effective, but less expensive. Technology is setting aside a lot of the traditional uses of animals in such things as testing foods and cosmetics and the like. And I applaud the application of thoughtful high technology to substitute for animal use."

He concluded the reply by emphasizing: "I do not believe that we should forbid using animals entirely. I think that's simply not defensible."

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## Books and Films

### *Prey*

by Kenneth Goddard (Tom Doherty Associates, New York, NY), 1992, 335 pages, \$21.95.

A thriller in the James Bond tradition, this novel by the Director of the US Fish and Wildlife Service's Forensics Laboratory, Ken Goddard, takes the reader into the heart of undercover investigations by the Service's Special Agents.

Illegal hunts, featuring such equipment as guns that cost \$100,000 and \$17 million helicopters, are guided by a murderous trio of brothers from the Louisiana bayous for fat cats whose hearts are set on making Boone and Crockett record trophy kills regardless of how many federal and state laws are broken to guarantee their gruesome successes.

But what makes this novel most frightening is the fierce confrontation between the undercover team of Special Agents and "Guys who don't think the laws apply to them. Guys who don't like to lose." Specifically, "Senators, congressmen, high-level bureaucrats, federal judges, CEO's, lawyers, cops. The kind of guys who can make an agent's life downright miserable."

Although Goddard assures us in "A Cautionary Note" at the beginning of the book that, to his knowledge, there has never been an "Operation Counter Wrench" within the US Department of the Interior, the organization he describes crystallizes in fictional form events and attitudes well known to everyone who has been trying to defend animals and the environment.

To use the words ascribed to the organizer of the anti-environmentalist project, the enemy is Greenpeace, Earth First "and any of the other environmental activists. No--" he paused, holding up one hand in a theatrical gesture "--let's use a more accurate word for these people. Call them what they really are. *Terrorists.*"

Without giving away the intriguing twists and turns of the plot, the light it throws on some of the otherwise incomprehensible failures of the Fish and Wildlife Service's Law Enforcement Division are worthy of note. For example, the solution suggested by the leading female villain of the piece to getting rid of inveterate poachers who must be silenced to protect her own misdeeds, is "relocation out of the country. As a matter of fact, South Africa strikes me as the perfect solution. A place where they could hunt and guide to their heart's content."

The sadistic "rush of adrenalin" which motivates more than one of the characters is accompanied by a solid monetary foundation: "Commitments for at least five billion from the private sector," according to the dark, alluring beauty whose political instincts were honed in the Bronx.

The novel is a fast-moving guide to the illicit hunting that has gone out of control, something dedicated wildlife protectors will want to read. It could have done with Mrs. Samuel Clemens' salutary influence over the bad language she persuaded Mark Twain not to use to heighten the realism of some of his characters' speech. But it excels in bringing the seriousness of organized wildlife crime to a wide audience. The ending is particularly impressive.

Christine Stevens

### *Since Silent Spring: Our debt to Albert Schweitzer and Rachel Carson*

by Ann Cottrell Free (Flying Fox Press, Washington DC), 1992, 17 pages, \$3.50.

Ann Free's speech at the 1992 International Albert Schweitzer Symposium focuses on Schweitzer's and Rachel Carson's deep concern regarding the perils of the scientific advances that threatened and continue to threaten the planet, earth. She firmly, yet delicately delineates the paths their individual consciences dictated and shows the incredible impact of a distinguished celebrity, almost an icon, and an obscure government writer/researcher who has become one of the most famous women of our time.

To those too young to know the story, to those still laboring to improve conditions on earth, and, especially, to all who may have lost heart in the face of relentless exploitation that has permeated the philosophies of so many countries, this is a book to read. We can take courage from the fact that two individuals, facing antagonism, apathy, and anger could still be inspiring us after more than three decades. Copies of the book are available from AWI.

John Gleiber

### *"Homeward Bound: The Incredible Journey"*

Walt Disney Pictures, 1993.

Sheila Bumford's classic story, *The Incredible Journey*, is the basis for this animal film drama in which the audience hears the feelings and thoughts of two dogs and a cat as they struggle against nearly insurmountable odds to get home again. Don Ameche's deep, impressive voice emanates from the old dog, Shadow, who movingly expresses the devotion to human beings for which dogs are rightly famous. But the half-grown stray dog, Chance, who has suffered on the streets and in the pound before he was adopted, is portrayed as having a justifiably cynical view of people. Michael J. Fox gets the most out of his role as Chance's voice.

Children will love this film, as will adults who have not completely forgotten their childhood. The magnificent immensity of the mountains through which the animals bound adds to the aesthetic impact, and the three children, each desperately longing for the return of their particular animal friend, are convincingly portrayed.

The numerous recorded instances of individual dogs and cats returning to their homes over long distances and periods of time make "Homeward Bound" readily understandable, if not precisely scientific. It carries a strong message to all animal owners not to give up the search but to continue calling and advertising if a pet is lost. The duplicated reward notice sent out by the hundred played a key role in the film's final happy reunion.

**Correction:** The Pardubice steeple chase described in the last issue of *The Animal Welfare Institute Quarterly*, Fall 1992, Volume 41 Number 4, takes place in Czechoslovakia, not in Austria as stated.

## *Echo of the Elephants, The Story of an Elephant Family*

by Cynthia Moss and Martyn Colbeck, (William Morris and Co., Inc., New York), 1992, 192 pages, profusely illustrated, \$30.00.

In the foreword to *Echo of the Elephants*, Sir David Attenborough wrote:

Today, elephants are in great peril. They are the biggest of all living land animals and as such they need great areas in which to roam and much vegetation on which to feed. In the increasingly crowded continent of Africa, there are more and more competitors for such things. To make matters worse, elephants carry in their jaws a treasure so valuable that there is a great deal of money to be made by killing them. If elephants are to survive, human beings will have to be convinced that these magnificent, intelligent creatures are entitled to retain some share of the living space left on earth. There could be no more persuasive argument for them than that provided by Cynthia Moss--and Echo--in this brilliant, perceptive and enchanting book.

The televised version of this book is scheduled for March and April showings on PBS. It should be aired repeatedly because the true-life adventures of this elephant family are so compelling.

During the year and a half in which Cynthia Moss and Martyn Colbeck followed the group almost every single day, the elephants had ample opportunity to display the warmth of their affection for one another, their joy on meeting other elephant families with whom they were acquainted, their suffering during the drought, and their remarkable abilities to withstand the conditions to which they have become accustomed during the course of their long evolution.

The outstanding courage of an infant elephant who very nearly succumbed is described in moving terms, and the reader is kept on



*Echo watches over Ely as he struggles to stand.*

### Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute'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, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), located in Washington, DC, the sum of \$ \_\_\_\_\_ and/or (specifically described property).*

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

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Washington, DC 20007

tenterhooks as he tries to get up again and again and at last succeeds with the constant help and the enormous patience of the members of his family.

The author herself remarks that her 20-year-long scientific study, which has included 1,200 individual elephants, has formed a unique body of knowledge, and she adds, "It also makes watching them as fascinating as following a soap opera or reading an intricate family saga." Readers of the book and viewers of the PBS documentary will surely agree.



*Ely in full health!*

## *Elephants Calling*

by Katharine Payne, (Crown Publishers, Inc., New York), 1992, 36 pages, 57 photographs, \$14.00.

Katharine Payne's musical background led to her recording of elephant sounds, many of which were inaudible to humans. Having studied the songs of the humpback whale with her family before turning to the mysterious rumblings of the largest land mammal, she was attuned to unexpected sounds. She writes:

Nobody knew that elephants use infrasound until just a few years ago, when I happened to notice something in a zoo. I noticed a throbbing in the air near the elephants' cages. It reminded me of something from my childhood, when I used to sing in a church choir. My place was in front of the organ pipes that made the very deepest, lowest notes. When the organist played these notes, the air around me would throb and flutter. The lower down the notes went, the less I could hear them, and yet I could still feel the air throbbing. I was reaching the bottom of what human ears can hear.

The elephants of Amboseli gave her the opportunity to extend her research, and in this delightful picture book designed to be read or listened to by young humans, they can identify with the baby elephant, Raoul.

Elephant infants rest and sleep in the space between their mother's four legs: "Before he was one day old, Raoul could stand up in his house and that's where he is standing now. The roof is the underside of his mother's belly, and her four strong legs are the corners. Only a very young baby fits in that house." The great sensitivity of these enormous animals prevents the calves being stepped on. The house provides shade from the powerful African sun and protection from predators.

At the very end of her book, she writes:

People use oil that they get from whales and ivory that they get from elephants. These things are worth a great deal of money. But they cost more than money--they cost life itself. I think that is too great a price to pay for oil and ivory, so I try to help people understand what the world is losing. It is losing deep voices--and some of the richest sounds that have ever been heard are in the songs of whales. It is losing great listeners and the most intense listening I have ever observed is the listening of elephants, which unites and bonds their peaceful society.

## Letters

The following letter was received from Tom Krause, pictures of whom appeared in the last *AWI Quarterly*, Vol 41, No. 4. It is reprinted in full below, as requested by Mr. Krause.



# AMERICAN TRAPPER<sup>®</sup>

*Official Publication of the National Trappers Association*

Editor/Ad Manager

Tom Krause  
P.O. Box 513  
3200 Lewis Road  
Riverton, WY 82501

Ph. (307) 856-3830  
FAX: SAME NUMBER

2-1-93

Dear Ms. Liss:

I regret that you authorized an unsigned editorial in the Fall, 1992, publication from the Animal Welfare Institute (page 18) in a blatant attempt to discredit me. Your use of copyrighted photographs of myself are a breach of etiquette as well as copyright law, and the purpose to harm my ability to serve as chair of the Technical Advisory Group is an affront to the dignity of the committee of US experts.

If you wish to prevent further damages from occurring, I expect this letter to be printed in a conspicuous manner in the next *AWI* magazine without editing or other editorial commentary. Failure to do so will result in an action.

Ms. Liss, as a 12 plus year member of the National Trappers Association, surely you are aware we change photographs of officers regularly. Recent changes to photographs of my regular column head reflect only a recently adopted NTA dress code, and are approved before printing by the NTA Publications Committee.

As chair of the US Technical Advisory Group (TAG), it is my duty to report the decisions of the TAG regardless of my personal wishes. I cannot speak to an issue without relinquishing the chair, and I have no opportunity to vote except in the event I determine to break a tie vote. As TAG Chair, my duty is to represent the United States, and certainly not the best interests of trappers or any other interest group.

In a blatant attempt to damage my credibility, your report mentions I am a trapper who uses the steel jaw trap. Yes I do, for certain species and in addition to other types of trapping equipment. You should know there is ample evidence steel jaw traps are needed and can be used humanely both as restraining devices and in humane killing systems.

The critical mention of the "Injury Scale" is an abuse of your readers. You must recall the Injury Scale was rejected at the meeting of participating ISO countries in the June, 1992, Brussels meeting, and that a committee studying the problems of measuring trapping experiences has yet to report its findings and recommendations.

You err in allowing the statement "The trappers have been busy discussing how much injury a "humane" trap can inflict." That leads your readers to believe that trappers have the ability to determine acceptable levels of injury in a humane trap standard. That is a totally false and misleading perception.

The current make-up of TAG includes 18 members. Their primary responsibilities include assignments as 1 impartial chairman, 4 research scientists, 4 game managers, 4 federal government representatives, 2 manufacturers, 2 trappers, 2 veterinarians, and 2 animal welfare representatives. (Several members assume 2 responsibilities). List enclosed.

Ms. Liss, I must ask you to consider whether you want to continue as a TAG member. If you cannot act positively in a process to discover betterment and more humaneness in the trapping of animals in the world community, then I must ask you to refrain from attempts to discredit honorable and significant scientific progress.

As a current TAG member, you certainly have a responsibility to the integrity of the committee and its charge. If it is against your agenda to respect the differing views of these honorable experts, then you should certainly consider whether your resignation is appropriate.

Sincerely,

Tom Krause, Chair US TAG

## A First-Hand Report on the Agony of a Cherished Pet

To: Animal Welfare Institute, October 25, 1992

From: Marce Parrish-Hanson

On August 18, Sheba disappeared. She seldom wandered far from home, so each night that followed brought tremendous apprehension and haunting fears of what might have happened.

The night of September 6 brought a burst of short-lived joy. The surprise came when my dad opened the front door to let their dog wander out to his favorite bush. While standing on the porch, dad heard faint meows and when he looked closer through the darkness by nearby shrubs, he saw Sheba's two frightened eyes peering from beneath a branch. He immediately scooped up the tiny cat and rushed her into the house, thrilled to be able to present the furry package to my mom.

Once inside the lightened living room, the delight of the reunion turned to horror. The once fluffy cat resembled a striped skeleton and her struggle to walk brought tears to everyone's eyes. All that remained of Sheba's left hind leg were three bones protruding grotesquely above where her paw had been. In her effort to escape from a steel-jawed trap, she had been forced to

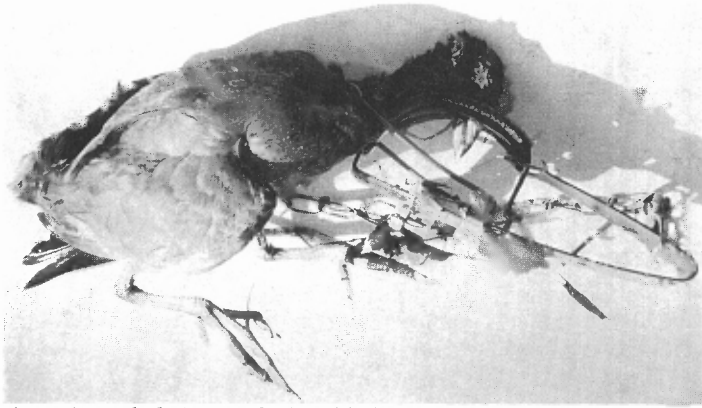
chew through her own flesh--an escape filled with more pain-racked hours and days than I can bear to imagine. God only knows how she managed to crawl home.

Medical wizardry could not undo the savage damage done to Sheba's small frame. Maggots had infested the gaping wound and the effect of starvation and the elements had taken their toll. Surgery was not feasible and at 8:53 am on that Sunday morning lit by golden rays that filtered through windows and warmed rugs for luckier cats, Sheba drew her last breath. A lethal injection ended her suffering.

The next time you hear about traps being used to capture animals for their fur or wildlife unfortunate enough to venture into populated areas, think about the grim reality of this act. Better yet, go outside and slam a car door on your arm. Then wait and pray for someone to free you from pain. Once you've escaped, please realize the power you have to make a difference. No living thing should be forced to suffer this way. We can be more than the jury. We can be the judge. Write some letters or take a few moments to make a call to let your feelings be known. There's no defense for this one.

# Documentation of Painful Injuries Caused by "Padded" Traps

The principal device used by American trappers to capture animals for the fur trade is the steel jaw leghold trap. The leghold trap, whether "padded" or unpadded, is inherently cruel. The bone-crushing impact of the steel jaws on the victim's limb, snout, abdomen, or other body parts inflicts excruciating injuries. Further injury caused by being trapped in the vise-like grip of the jaws, include gangrene from lack of circulation to the trapped appendage, injuries sustained from chewing the trap jaws, lurching in the trap with resultant hip or shoulder injuries and "wring-off," the gradual amputation of a foot through pulling, circling and jerking or actually chewing through the trapped foot.



*An unintended victim of a "padded" trap. Such traps catch any creatures unlucky enough to spring them.*

A 1983 Canadian Fish and Wildlife Service report entitled "Comparison of Standard Leghold Trap to 'Cushion' Leghold Trap" included the following statements regarding injuries from "padded" leghold traps:

- "hemorrhaging in fascia of muscles from left shoulder to paw, muscles pale, nails of right forepaw worn from scratching, edema, dirt in mouth, G.I. tract empty, lungs congested and collapsed (mink)."

- "Fresh breaks in teeth..."

- "Found dead, stomach empty, blood and some vegetation in intestines and colon, dislocation at carpal/radial joint, bruised tissue in carpal area, slight edema (fox)."

- "Broken legs on opossum, rabbit and skunk, and chewing of feet by raccoons was documented."

Repeated instances of "wring-off" and other serious injuries inflicted upon commonly trapped species was elicited, but the data was eliminated from the final reports. These injuries included "broken legs" and "chewed-off feet."

Further documentation of injuries caused by "padded" traps were revealed in the course of a lawsuit after New Jersey banned the steel jaw leghold trap.

Records obtained pursuant to *South Jersey Fur Farmers, Inc. v. New Jersey Fish and Game Council* listed the following:

10/28/84	raccoon and skunk - self-mutilation
12/13/84	raccoon - chewed off foot
12/19/84	coon - chewed third and fourth toes
12/20/84	raccoon - chewed foot
12/28/84	coon - slightly chewed toes
01/16/85	raccoon - chewed foot
02/06/85	raccoon - chewed foot

Obviously the use of "padded" leghold traps is not sufficient to relieve the suffering of animals unfortunate enough to be victimized by these devices.

## State Bill Against Steel Jaw Leghold Traps Advances in Arizona

Following a highly misleading campaign by pro-steel jaw trap interests leading to defeat of a trap ban referendum, Arizonans for Safety and Humanity on Public Lands (ASHPL) has reorganized and returned to the battlefield. The hardworking group is against the taking of wildlife in devices that are non-selective and result in prolonged suffering. They want to ban use of steel jaw traps whether they are "padded" or not.

The Arizona group is now focusing on state legislation which has the support of Governor Fife Symington and Attorney General Grant Woods. Legislation to prohibit use of all steel traps on public land, H.B. 2286, was introduced in the House of Representatives by Representative Sue Grace.

On February 11th a hearing on the legislation was chaired by Representative Grace before the Environment Committee.

Joe Melton, Chair of Arizonans for Wildlife Conservation, spoke in opposition to the bill. He claimed trapped animals "relax and die" when trapped. Then he complained about footage being shown by animal welfare organizations saying it is not supposed to be out in the public domain because it relates to the trap standards process. In response to a question, Melton confirmed that the number of trappers in the state is down from 1,200 to 200.

Barry Arons, Director of Public Information, Office of Governor Symington, reiterated the Governor's full support for the legislation.

Steve Williams, Arizona Department of Natural Resources, threatened that ranchers would not be interested in leasing land for grazing if the legislation is passed, thereby depriving the government of the income.

Dr. Carl Gustavson presented authoritative evidence on the efficiency of the taste aversion tests he has developed for preventing coyotes from killing lambs. The coyotes receive a strong and highly unpleasant but non-lethal emetic wrapped in meat and lambswool. They lose all desire to kill sheep as a result, making use of the leghold trap for predator control unnecessary.

Dr. Kathy Ingram, a practicing veterinarian and wildlife rehabilitator, described her personal experiences treating both target and non-target animals. She began to treat a raccoon whose front leg was so severely injured as to require amputation. But when she found that every tooth in his mouth had been broken off during his struggle to escape from the painful trap, euthanasia became the only option.

Following the testimony and a poignant statement by Representative Grace, the legislation was voted out of the Environment Committee (6-5).

In a July 1992 survey of public opinion in Arizona, 82 percent of those polled agreed with the statement that "steel-jawed traps represent a cruel and inhumane method of taking wildlife." May the will of the people prevail.

## Help Fight the Steel Jaw Leghold Trap

As readers of *The AWI Quarterly* know, the European Community (EC) passed a regulation banning use of steel jaw leghold traps within the EC by 1995 and prohibiting imports of fur from beaver, otter, coyote, wolf, lynx, bobcat, sable, raccoon, muskrat, fisher, badger, marten and ermine from countries which have not banned the leghold trap or adopted "internationally agreed humane trapping standards."

Trappers, furriers and their allies are now attempting to subvert this good regulation by creating false "humane trapping standards" being developed under auspices of the International Organization for Standardization. Your help is needed to fight these deceptive standards. Please fill out the following petition and return it to AWI as soon as possible; if you are able to obtain more signatures, we will be glad to send additional petitions to you.

**Please return completed petitions to: Animal Welfare Institute  
PO Box 3650, Washington, DC 20007**



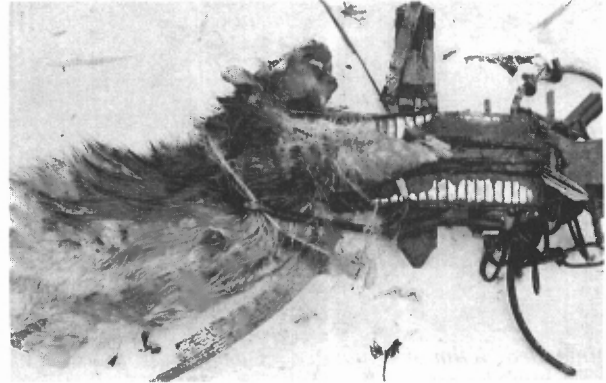
**To: The Secretary-General  
International Organization for Standardization (ISO)**

Anything less would be an official endorsement of cruelty to animals.

We, the undersigned, believe that the trapping standards currently under consideration by ISO Technical Committee 191 are false and deceptive, because the word "humane" is used to describe and recommend animal traps which inflict extreme pain and suffering, broken teeth and bones, forcible drowning, gangrene and other injuries.

More than 60 countries have prohibited use of the barbaric steel jaw trap. The so-called "padded" version, agonizing despite a cosmetic strip of hard rubber on the jaws, would meet the intolerably weak standards—and therefore be recommended as "humane."

We strongly urge the ISO to remove the word "humane" from the trap standards currently being drafted by ISO Technical Committee 191 and its Working Groups.



*Muskrat caught in "padded" steel jaw leghold trap.*

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# AAUW Quarterly

Spring 1988 Volume 42  
Number 1



**Cover:** President Clinton with Socks on his shoulder chats with a companion from Arkansas. Friends of cats will instantly recognize Socks' self-confident demeanor, proof positive of the President's benign attitude toward animals in general and Socks in particular. The dark line on the right is the leash that keeps the White House cat safe. The photo was taken by Paul Richards of Agence France Press.



AFP photo

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## US Stands Firm on Whale Protection

The Clinton Administration deserves enormous credit for reclaiming the moral leadership of the United States at the recent annual meeting of the International Whaling Commission (IWC). Dr. Michael Tillman was the administration's wise choice to lead the US delegation to victory. Tillman is a scientist with long experience at the often tempestuous meetings of the IWC, but during the last administration he was given little opportunity to exercise either his considerable diplomatic powers or his seasoned scientific judgment. US prestige sank further at each meeting as the former US Commissioner withdrew needed resolutions and supported weak compromises.

The splendid progress made at the 1993 meeting in Kyoto is described with gusto by Dave Currey in our lead article, "The Evolution of the IWC." The Clinton Administration stood firm against the intense lobbying pressure of the whaling nations. We are profoundly grateful to President Clinton and Vice President Gore.



Craig Van Note

Dr. Michael Tillman headed the US delegation to the 1993 International Whaling Commission meeting

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# THE ANIMAL WELFARE INSTITUTE QUARTERLY

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SPRING 1993

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Dick Randall

*This fawn was an unintended victim of the cruel and indiscriminate steel jaw leghold trap.*



All Nippon Airways

*A huge Japanese passenger plane painted to simulate a whale in the sky will soon be winging its way between cities in Japan. The 747-400D, in its new guise, celebrates the 500 million passengers All Nippon Airways has carried. ANA sponsored a contest for a new color design for the plane's exterior by students under 15 years of age. Yukie Ohgaki, a 12-year-old, triumphed over some 20,000 other contestants with her whale, adorned with a variety of sea creatures.*

# The Evolution of the IWC: A report from Kyoto

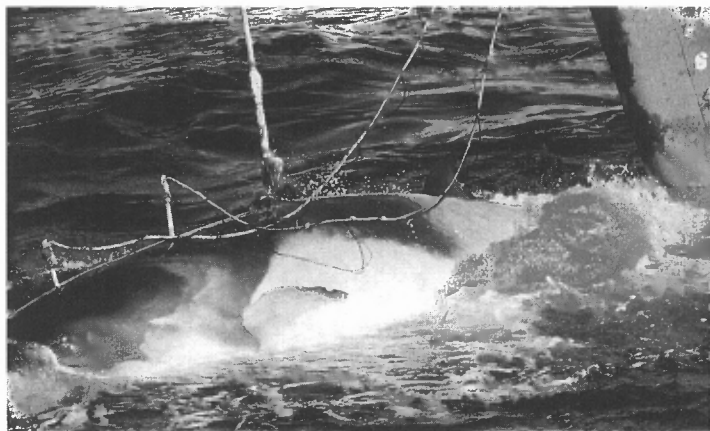
by Dave Currey

The International Whaling Commission (IWC) came of age in Kyoto, demonstrating that it really can adapt to a modern and concerned international community. All this happened in a strained and inhospitable climate where threats, money and downright lies were pumped out relentlessly by a powerful whaling industry propaganda machine. Countered by the fiercely conservationist UK and USA, the whales found sanctuary for another year.

## The Whalers' Hype

Millions of dollars had been spent to persuade the Japanese people that whale meat was their traditional and cultural right. Unprecedented public relations campaigns had been launched across the globe by the Norwegian government. Caribbean states, some renowned for their conservationist ethics, had been coerced by the whalers with Japanese aid.

The pro-whaling machine unashamedly flaunted itself in front of the Japanese press as the obedient hacks reported their masters' voice. This was the best chance the whalers would ever have to resume whaling, and they milked it for all it was worth.



Minke whale harpooned by Japan's "research whaling" program.

As at every IWC meeting since the 1970s, delegates had to walk the gauntlet of demonstrators outside. But this year the atmosphere was quite different. Instead of hundreds of individuals who had given up their time to shout anti-whaling slogans, we were faced with hundreds of uniformed pro-whaling troops divided into two factions. First the fishing lobby all dressed in the same "Love whales" (to eat) jackets organized by a man with a megaphone. Second, a far-right nationalist group in paramilitary uniforms with the rising sun burning out of their arm bands and their black buses pumping the air with nationalist propaganda through amplified loudspeakers.

But individualism was not dead. A hundred yards down the road, an individual had his say, more powerfully and with true bravery since he had received many threatening telephone calls. A lone Japanese demonstrator camped out in his tent, on hunger strike to save the whales.

## The Real Japan

Despite two decades of propaganda, the whalers have failed to convince younger Japanese. A recent Asahi Shimbun poll revealed that the majority of Japanese people below the age of 35 are opposed to the resumption of whaling. The majority over that age are pro-whaling. Times are changing.

In some small fishing communities, local fishermen have started whale watching tours which are over-subscribed and earning the communities unprecedented income. All this without a single yen of support from the central government. Extraordinary, considering the Japan Fisheries Agency's (JFA) internationally proclaimed support for fishing communities, or is it?

The local communities are not what interests the JFA. It is the big whaling companies, owned by huge fishing corporations, that are determining JFA policy. These companies see the potential of huge profits in coastal and Antarctic whaling at the end of this expensive propaganda tunnel. The JFA is the industry's puppet, cynically exploiting the terms "traditional" and "cultural." It is reported that they have even threatened local whale watching communities to keep their mouths shut, or else. But triggered by a fear that resumed whaling will kill their local prosperity, some have spoken out.

## The IWC Battle

We all knew that the IWC meeting in Kyoto was going to be the biggest fight since the moratorium was agreed to in 1982, but few of us could have dreamed of the outcome.

Conservationists gained enormous ground at this meeting as the whalers were given a stern international warning. On all counts the whalers failed to make headway despite bringing in new tiny island states to mimic every Japanese gesture.

The Japanese government, by backing the whaling industry, shamed its international image and undermined its claim to be a leader in environmental aid. Its abuse of aid was clear to everyone present—Dominica, Grenada, St Lucia and St Vincent bowed to every Japanese demand—lackeys to this economic power, this spoiled child.

Japanese international credibility took a serious nose-dive. How could the UN contemplate offering Japan a seat on the Security Council, one of Japan's strongest wishes, when Japan so brazenly flouts international ethics at a high profile international convention?

Norway dealt with the situation differently. It had already resumed its whaling program in the name of "science"—exploiting a well-worn loophole. By hiding behind its original objection to the moratorium, it announced its determination to resume commercial whaling whatever the IWC decided. A threat its parliament has since endorsed by setting a "quota" of 136 minke whales for "science" and 160 for commercial whaling. It remains to be seen how the US and the EC react to Norwegian Prime Minister Brundtland's pre-election posturing.

## The Results

*Revised Management Scheme:* This is the system being developed by the Scientific Committee to calculate quotas and allow whaling again. AWI consultant Rick Spill presented a paper to the meeting pulling apart the mathematical models in the scheme. Japan and Norway attempted to make progress by adopting the procedure devised by scientists and sort out all the other aspects at an inter-session meeting paving the way for quotas next year. But the move was totally rejected [6Y(es), 18N(o), 6A(bstentions)].

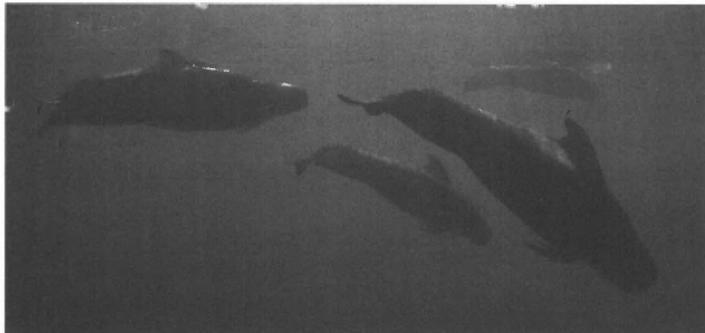
*Small Cetaceans:* The small whales and dolphins were the subject of a report by the Environmental Investigation Agency (EIA) this year. As a result of intense lobbying, four new resolutions were adopted:

1. Proposed by Finland and co-sponsored by most of the other range states (except Denmark), this resolution sought to identify problems with the killing of harbor porpoises and reduce the mortalities. It broke new ground in three ways—it was proposed by range states—it was adopted by consensus—it adopted management advice on a species mainly caught incidentally in fisheries.

2. Proposed by the USA, this resolution asked Japan to accept the management advice of last year's Scientific Committee and set zero quotas in the striped dolphin hunt. It was adopted [12Y, 7N, 12A]. Japan proposed an alternative resolution, in itself a historic event (only four years ago Japan refused to even talk about small cetaceans), which attempted to weaken the US resolution but was withdrawn.

3. Brazil proposed a resolution which furthered the efforts of a working group examining a framework for small cetaceans in the IWC and called for funds to help coastal states [23Y, 3N, 6A].

4. The UK proposed a resolution expressing concern at the inadequacy of Faroese legislation and asking for new information on the Faroese pilot whale drive hunt. This was very strongly opposed by Denmark, and threats were made that if it was adopted the Faroese may refuse to cooperate in any way in the future. Despite this it was forced to a vote and was adopted [12Y, 8N, 11A].



J. Stafford-Deissch/EIA

*These graceful pilot whales are victims of the brutal Faroese drive fishery.*

**Environmental Threats:** EIA produced a report on the environmental threats to whales in the northwest Pacific, the Norwegian and Barents Seas and the Antarctic Ocean. This report supported a strong resolution proposed by the USA and the UK which agreed to a workshop within the next two years to consider all the other factors affecting the marine ecosystem such as pollution, ozone depletion, radioactive waste dumping and overfishing. A second resolution, proposed by Norway, concerning environmental threats was also adopted by consensus.

These resolutions carved out new ground for the IWC, widening the Scientific Committee's remit to consider other environmental issues and provide new data for the IWC to advance from its "number crunching" science based on its 1946 concept. It has evolved to consider present day scientific knowledge and ethical concepts and could herald the start of a new and positive conservationist direction for the IWC.

**Whale Watching:** A resolution proposed by the UK pushed the narrow remit of the IWC into open water. This resolution has introduced the concept that whales can have value alive and that the IWC has to consider these interests. Adopted by consensus, this resolution was another example of the IWC's evolution.

**Antarctic Sanctuary:** It was clear that this initiative, which required a three quarters majority, would not be agreed to at this meeting. To keep it on the agenda, Brazil proposed an interim working group to help make a decision at the next meeting. This was adopted [19Y, 8N, 4A].

**Humane Killing:** In tandem with the pilot whale decision, this resolution reconvened a humane killing workshop for 1995 and was adopted by consensus.

**Coastal Whaling:** Japan presented a case for an interim quota of 50 minke whales for its coastal communities. This blatant attempt to circumvent and undermine the moratorium was rejected [10Y, 16N, 6A]. To prevent Japan from losing face with its own constituency, the Commission adopted by consensus a resolution recognizing the needs of coastal communities, but the resolution gave them nothing.

**Scientific Whaling:** Resolutions proposed by the USA were adopted asking both Norway [14Y, 7N, 10A] and Japan [14Y, 8N, 9A] to withdraw their "scientific" whaling programs. An alternative resolution proposed by Japan which attempted to get endorsement for "scientific" whaling was defeated [10Y, 12N, 9A].

## The Future

It remains to be seen how long the Japan Fisheries Agency can justify to its Treasury and Ministry of Foreign Affairs huge expenditure with no gain. The losses are pretty substantial including millions of dollars, an increasingly suspicious Japanese public, international embarrassment and world press attention on this very public issue. Norway faces different pressures which will probably isolate it at home sooner or later.

This IWC meeting on Japanese soil proved to the environmental community that it still had world support for its cause to save the whales and to extend this to all the small whales and dolphins. The strength that this has given the movement must be equal to the loss it would have suffered if the meeting had gone to the whalers. This was a fight for environmentalism and happily the fight was won for another year.

The decisions made in Kyoto give cause for real celebration. The Commission now has a mandate to move forward and consider the whales as part of a highly threatened ecosystem. It can take into account the interest of those that would rather watch live whales than harpoon them for profit. In short, it has the mechanism now, if it wishes to use it, to build itself into an informed and forward looking body to identify marine problems and give advice on how best to conserve whales and dolphins. The Japanese Commissioner complained at the end of the meeting that the IWC was becoming the International Whale Protection Commission. Add dolphins and I think he's almost there!

Dave Currey is Executive Director of EIA and represented AWI at the 1993 IWC meeting.



Robert Pitman

*The IWC's Scientific Committee advised against Japan's continued hunting of striped dolphins because their numbers are severely depleted.*

## Whale Wars

A British Broadcasting Corporation film, produced and directed by Paul Cleary, which documents the undercover work by the Environmental Investigation Agency on trade in whale and dolphin meat in Japan. First showing May 6, 1993, (50 minutes).

*Whale Wars*, which was completed only two weeks before last month's crucial meeting of the International Whaling Commission (IWC), is a shocking documentary on Japan's true cetacean policy. Touting its fisheries management system as the best in the world, the Japanese government argued before this year's IWC (as it surely will next year) that it deserves a quota to resume commercial whaling. The government has also consistently opposed attempts by some countries to gain more IWC protection for dolphin populations which live off the coast of Japan and around the world.

In *Whale Wars*, EIA's undercover team reveals the true picture behind Japan's policy. Posing as sympathetic journalists, John Kaye, Junko Motoyama and Steven Galster gained the confidence of people in the dolphin and whale meat trade and documented the uncontrolled slaughter and trade of Dall's porpoises and different whale species. In the northern part of Japan, the EIA team witnessed unregistered catches of Dall's porpoises, the swiftest animal in the sea. They followed the carcasses to several factories, some of which turned out to be Japan's major whaling companies. Kaye, Motoyama and Galster gained access to the factories and filmed what was going on inside: hundreds of Dall's porpoises being quietly processed along with whale meat. Factory workers admitted to the team that the dolphin meat was mixed with, and sometimes passed off as, whale meat. This business was occurring all along the Iwate Coast. It was clear that these companies had survived the moratorium on commercial whaling by decimating Japan's dolphin populations.

EIA also documented the fact that whale meat is still being smuggled into Japan. Again they gained the confidence of whale meat dealers who admitted that meat is being smuggled into the country from Taiwan and elsewhere. One dealer even showed the investigators some whale meat he had purchased from Iceland in September. It is illegal to import whale meat from Iceland as it left the IWC last June. EIA also followed the trail of a Japanese pirate whaler in the Philippines. Posing as a trader, one of the investigators got the pirate to explain his future plans, which consist of whaling under the guise of tuna fishing and using Japan's commercial whaling quota (if they get it) as a channel to launder his poached meat.

Visually impressive, *Whale Wars* shows us the beauty and athletic prowess of cetaceans in their own element and contrasts their joyous natural lives with the ugly dismemberment of their smooth and shining bodies. To see a power saw slice through the head of a Dall's porpoise in the butchering establishment of a big whaling company brings home the basic meaning of the issue.

But this remarkable film actually succeeds in showing that the long struggle is being won—whale and dolphin watching brings smiles and wonder to the faces of the many Japanese who delight in the living animals. The deep sincerity of a young girl who says simply, "That is very beautiful," explains why whale watching is taking root in Japan. Several coastal towns have even become economically dependent on this non-consumptive use of whales. *Whale Wars* takes the viewer through a number of coastal towns.

One citizen went so far as to say that if the Japanese government were allowed to go commercial whaling again, the whale watching industry in Japan would collapse within a year. "For the government

to claim that there is widespread support for commercial whaling is to neglect the realities of rural peoples in Japan," he fumed.

Takeshi Hara, one of Japan's top science news editors emphasizes the lack of balance in reporting on the whaling issue. "About 90% of the coverage was there to justify whaling. Many countries had views against whaling, but these views were not covered by the mass media," he said.

The government's claim that traditional culture in Japan demands whole killing rings hollow in the face of *Whale Wars*' broadcast-based documentation. Everyone interested in this vital, long-contested issue should view the film.

*Whale Wars* met with great approval in the UK. It got the highest rating in the history of BBC's "Nature" program. American environmental group representatives joined in praising the new video. "It is the most impressive piece that has ever been done on the Japanese whaling situation," stated David Phillips of Earth Island Institute. "The investigators at EIA deserve a lot of credit." Phillips said the video had a positive impact on the IWC proceedings. "Many delegates were struck by the fact the Japanese villagers and opinion leaders were speaking out against commercial whaling. That story just doesn't often get out in Japan."

## Commercial Whaling Starts in Norway

On July 16, Norway killed the first of the 160 minke whales it plans to sell for commercial profit. Norway's intransigent insistence on defying International Whaling Commission decisions is bringing increased pressure on Norwegian business as well as the government. An Associated Press report published in *The Japan Times*, May 29 states:

The hunt could threaten the government's plan to join the European Community, since the EC Parliament resolved Thursday that whaling is incompatible with membership, news reports said.

"When the whaling decision threatens Norwegian jobs, it is time for the government to come to its senses. It is time to turn back", the national newspaper *Dagbladet* said in an editorial Thursday.

Boycotts announced this week could cost many times the 59 million kroner (\$7.3 million) expected from whaling. One German company alone said it was boycotting Norwegian products worth up to 100 million kroner (\$14.6 million).

**Action: Don't buy anything that comes from Norway, and boycott the 1994 Winter Olympics until Norway stops killing whales for profit.**

Write to the following importers. Urge them to boycott Norwegian products:

<i>Salmon/Cod</i>	<i>Petroleum Products</i>
Charles B. Dillon, President <b>Frionor</b> 40 Herman Melville Blvd. P.O. Box 2087 New Bedford, MA 02741	Rodney F. Chase <b>BP Oil</b> 200 Public Square Cleveland, OH 44114
<i>Cheese</i>	<i>Canned Sardines</i>
David Brohel, President <b>Norseland Foods, Inc.</b> 1290 East Main St. Stamford, CT 06902	Masaomi Inoue, President <b>Nozaki America, Inc.</b> 1325 Avenue of the Americas, 26th Floor New York, NY 10019

Write to the President of the Lillehammer Olympic Organizing Committee telling him you refuse to attend the Winter Olympics (February 1994).

Gerhard Heiberg  
President, Lillehammer Olympic Organizing Committee  
Elvgt 19, P.O. Box 106, N-2601  
Lillehammer, Norway

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# Nightwork in Japan

by Ben White



The author

Marine World Africa of Vallejo, California, had already helped subsidize this latest “drive fishery” by buying four pseudorcas or false killer whales.

Back in the late 1970s, the world found out about the “drive fishery” at Iki Island through gruesome pictures of bays full of blood. Hundreds of panicked dolphins were driven up against a beach and lanced to death. Just predator control, the fishermen said. “Dolphins eat fish, leave less for us.” But the global outcry was huge, the brutality so garish.

The Japanese drive fishery nearly folded in the early 1980s but was rescued by an unlikely financial infusion. Marine parks around the world wanted performers. They agreed to pay the fishermen for the effort of splitting off a few of the prettier animals into a separate bay and closing it with a net. Those not chosen were slaughtered.

The transaction evolved into something more sophisticated, with a broker set up to take orders for dolphins of a certain sex, species and age. When enough orders were in hand, a drive fishery was called. The fishermen pocketed thousands for each dolphin captured, killing all the rest driven ashore.

My insider contact said the dolphins were being held near Katsumoto, a fishing village on the island of Iki, in southwest Japan. Two trainers, Scott Rutherford and John Kirtland, had been sent to Iki from Marine World to prepare the pseudorcas for the trip to California and their new, greatly abbreviated home. My task was to get to Iki and find, without asking for information or being seen by the American trainers, the pen holding the captives. I carried an old clunky video camera and a 35mm still camera to document the scene. I was a little concerned about drawing attention to myself. It’s tough being inconspicuous on an island where gaijin (white foreigners) are such a rarity. I saw not one other the whole time I was there.

The night I arrived on the island, I came much closer to seeing the trainers than I wanted. Coming into Katsumoto village about 10pm, after rather timorously navigating the drive-on-the-left, narrow roads, I found the town virtually shut up tight. Nothing resembled a hotel. Not relishing spending a chilly night in the tiny car, I stopped in front of the only store open. The proprietor bowed and smiled as I shrugged and asked “hotel?” Amazingly she made calls for me, found a vacancy, closed the shop and led me by moped to a traditional Japanese inn two blocks away. The innkeeper met us at the door and ushered me into a heavily lacquered foyer, complete with a place to put my boots and a choice of bright cloth slippers. I said “good-bye” and “thanks” to my guide and was led upstairs to my room. I admired its simplicity, no phone or television, just shoji screens and tatami mats, with a kerosene heater providing warmth. As my host rolled out my futon and thick bedding, she asked me if

“Dolphins are dying at Iki Island again,” the caller said. “Some have been caught for aquariums and are being held in a polluted bay. Can you go?” Three days later, on April 10, I was en route to Narita Airport near Tokyo. Ostensibly, my mission as an investigator for In Defense of Animals (IDA) was to look into the connection between the Iki slaughter and American theme parks. One,

I was an American. I nodded and she lit up with excitement. “Oh, we have two others staying here,” she indicated, certain that I would like to meet two fellow expatriates so far from home. Then she put her hands together and bobbed them in an unmistakably dolphin-like pantomime. Are you here for the dolphins too, she signed? “No, not me,” I lied. Damn! Just what I need, to pick the one guest house also lodging the two trainers from Marine World Africa. With surprise, she accepted my insistence at paying in advance and we bowed our thanks and goodnights. Through the night, I would wake with a start, slide open the screen and push my face against the window in the hall, looking for the first morning light. Finally, I gathered my things, padded down the hallway, reclaimed my boots, slipped the lock holding the front door and stepped out into the cool morning.

Once back in the car, finding the dolphin compound was absurdly easy. Throughout the town, street signs in both English and Japanese direct the traveller to “Dolphin Park” with a happy, smiling, jumping dolphin. Obviously somebody had high hopes for creating a tourist attraction. Soon I found it.

Tucked between two steep peaks was a long bay fortified with concrete sides and divided into three sections with nylon fishing net. The float line bobbed on the top and the lead line rested on the rocky bottom. Grey bottlenose dolphins thrashed around the perimeters of the pens. A baby, not more than three feet long, sailed out of the water alone and then quickly returned to a large dolphin’s side, coming up breathing in perfect syncopation.

A different sort of dolphin shared the center pen with more bottlenose dolphins. These were darker, with smaller, more hooked dorsal fins and very blunt snouts: pseudorca. It was these particular animals that had prompted my trip to this little island so far away from my own home and family. The pseudorca were behaving differently than the bottlenose dolphins. They seemed to be surfacing much more frequently, their exhale punctuated with a whooshing blow. They also stayed very tightly packed together as they whirled around the pen. They seemed so frightened that they didn’t want to lose the reassurance, the touch, of what was left of their family.

After assessing that these were indeed the animals I had come to help, I spent very little time watching them. As many times as I have seen captive dolphins, it never fails to depress, such clear proof of my species’ capacity for great acts of casual cruelty. Besides, I had work to do.

Remembering the trainers that would be showing up for work soon, I raced for the rental car and pulled out the old RCA camcorder and the little 35mm still camera I had purchased at the airport. With the film running I scanned the bay, watching through the viewfinder to try to catch the more obvious aspects of cruelty of the scene before me: the babies that were caught along with their mothers, the fishing net that was far deeper than the bay (endangering the captives with its loose folds) and the dead end bay providing no way to rinse out the huge volume of waste produced by so many large animals in such a small space. While I quickly shot pictures I tried to memorize every detail of the holding pen. What the nets were made of, how they were attached, where a guard might sit or sleep, if any homes overlooked the compound, where I might leave the car so it couldn’t be seen from the road, what path to take to and from the pens so as to make the least noise.

Over by a platform, tethered at one end of the bay and presumably used for feeding the prisoners, I noticed something floating in the water. It was a dead dolphin; its right pectoral fin sticking awkwardly and immobile into the air. A white sort of fungus grew from one eye and the skin was peeling in dark patches. This dolphin

had not just died. I took pictures, wondering what kind of person would leave a dead dolphin floating for days in a pen with live ones.

It was time to go; any minute the American trainers might return. Having seen the situation, there was no way I could just turn my back and fly back to Virginia. I would return that night and cut the nets. Now my concern was to get as far away from the holding pens as possible. The Americans could easily surround the place with so many guards that I would not only be prevented from effecting a rescue, it might be many months in a Japanese jail before I too tasted freedom.

Jumping into the rental car, I steered away from the still, deserted compound, pulling the collar of my jacket up to my nose to obscure my beard, perhaps the only human facial hair on the island. I discovered a back way to get to the dolphin pen without having to drive through the town of Katsumoto in the middle of the night. Finding the main highway after several obscure little roads, I turned the car around and measured the distance between each intersection, memorizing the details of the roadside so that I could find my way back in the dark.

Fifteen kilometers from Katsumoto I found Guonoa, the largest town on the island and, fortunately, another port of exit where I could catch a ferry back to Fukuoka. After some elaborate picture drawing, smiling and bowing, I found out there was a ferry leaving the next morning at 7:00, loading at 6:30. Perfect. I found a hotel and lunch and bought trinkets for the kids back home. A little, old man squatted in the market with a fan of beautiful cutlery spread out in front of him. I chose one, slipped its cardboard sheath and tested its edge against my forearm. It shaved like a razor. Thousands of yen changed hands and I carried away my prize, hidden deep in my shopping bag.

At the hotel, I laid out my gear on one of the beds: wetsuit top, weight belt, nylon mesh gear bag, wire cutters, two knives, neoprene booties and hood. I separated to one side my mask, snorkel and fins. I wouldn't be using these. A mask reflects light. The quietest, most invisible approach is to swim free, vertical in the water. All that's visible is a head. At night, with a hood, down in the water, I would be tough to see. Once, a partner and I spent an hour cutting chain link fencing at a dolphin enclosure not 25 feet from two armed guards looking directly into the pen.

I slept fitfully until finally rising at 2am. I put on my wetsuit top and swimsuit, covering them with a sweater and pants. I split my gear into bags and loaded what I would need on my mission topmost.

Arriving near my target, I backed the car down a ramp to the beach, obscuring it from traffic. Wary of the trunk light, I pulled out my gear and softly walked along the concrete embankment, avoiding pebbles that would skitter and make a racket. Out to sea, the bright lights of squid fishermen dotted the view, making the water seem more densely populated than the land. A cool breeze blew as I walked to the compound and the waning moon gave plenty of light, even obscured by the clouds. Years ago I discovered with delight that the night is far friendlier and lighter than we have learned to think of it. Now any trace of nervousness was gone. I had decided on a plan. I was ready and the night seemed perfect.

First, I followed the walkway around the bay to the far side and continued to the end of the stone jetty, where the bay opened up to

the sea. The outermost net was tied up out of the water to iron stanchions. I slipped into the dark water. A sudden chill leaked under my artificial blubber as the bay water flowed against my chest.

Gathering all of the net in a fat bundle on top of my legs, I used my knife to slice through the layers: float line, nylon strands then, finally, the lead line. Stowing my knife in my gear bag, I looped the float line to the back of my weight belt, tying it tightly in a square knot. Hand over hand, using the floats as hand holds, I crawled along the net towards the end still attached. The net doubled on itself as I progressed and opened up an increasingly wider escape route. It was a lot of work and for a moment a wave of fatigue washed over me. Then it was gone, replaced by exaltation. For me, direct action provides the antidote for the great sadness of my species' resolute war against nature. The perception that there is nothing that can be done is crippling. Taking a risk, feeling afraid yet persevering, refusing a personal acquiescence to injustice fuels the soul.

The lead line kept sticking against the jagged bottom and I had to use one hand on the float line and the other one to pull it off with all my might. I kept working my way across the bay until the accumulated mass of net behind me got just too heavy. Now and then, I would feel loose netting enveloping me, snagging on my back or my weight belt. I stopped and disentangled myself. Every 15 minutes or so a fishing boat passed the jetty at the entrance to the bay—quite close. I stopped and hunkered down, heart racing.

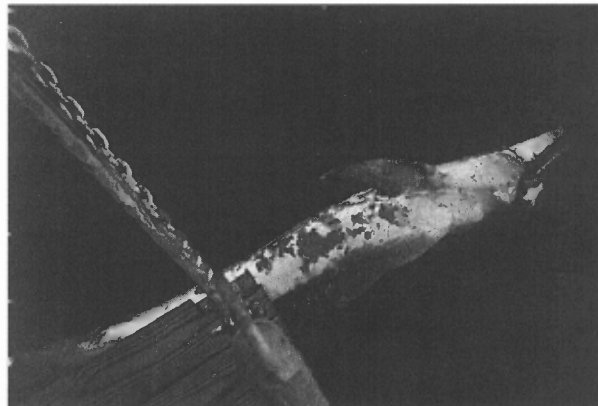
Having pulled the first net over half the way across the bay, I transferred the loose end of the float line from my belt to a float on the still attached half, securing the net. It was enough, a gap of free water about 40 feet wide separated the net from the far side of the bay.

One down, two to go. I swam under water towards the dead end of the bay and was immediately reminded of the dolphins, momentarily forgotten in my concentration on the task at hand. Once submerged, I could hear them echolocating me as I swam. Under the surface was a cacophony of clicks, squeaks and whistles. I felt the ripple of sound against my body. What amazing creatures! Of all wildlife, people seem to have the greatest empathy and affinity for dolphins. Maybe they can finally assist us in breaking the rigid, wrong and lonely mindset that only people matter.

The dolphins kept their distance. They were scared, obviously not yet accustomed to people. Still wild animals, they were not yet seduced by the easy handouts of dead fish, a good sign that they might swim free once the nets were open. Behind me, four pseudorcas, still tightly joined, exhaled with a simultaneous chuff, their black backs shining in the moonlight before they dove again.

Back to work. I cut the remaining two nets the same way, starting at the same side. When finished about a half hour later, a road to freedom about 40 feet wide ran along one side of the bay. I swam all the way through in a straight line, from the end of the bay to its mouth. Follow me, this is the way out, I pleaded. The dolphins appeared not to notice, but I could hear them "watching" my exit.

Job complete. I climbed back up the rocky jetty at the mouth of the bay, gathered my gear together, and slipped off my neoprene hood. Starting back to the car I glanced back and saw one mother and baby previously in the outermost pen surface now on the seaward



Ben White

*The Cost of Captivity: Decaying dolphin in holding pen at Iki Island.*



side of the last net—*heading out*. Heart soaring, I left the compound.

As I crept along the concrete breakwater toward the car, one fishing boat was very close to shore. Aware of how well sound travels over water, I moved as quietly as possible, rolling my feet into place, using the skills of silent motion I've practiced since a child playing Indian.

The car clock said 4:00am. I had time to spend before getting in line for the ferry in Guonoo. On a whim, I followed signs to Monkey Rock, a pinnacle jutting 300 feet straight up from the sea just beyond the abrupt end of land. The top of the rock looked, even in the barely lightening pre-dawn sky, just like the face of a baboon. Stone monkeys carved over centuries as offerings were lined up. I made prayers as my medicine man teacher taught me long ago. With a handful of dirt I gave thanks to the father sky, mother earth, the four directions. I thanked the wind for having brought me to this place. I asked the roar of the surf to inform my dreams as to my next direction. I requested safe passage back to my family. I visualized the dolphins feeling the pull of freedom and finding the gate open.

Slowly the trees took on shape and the sky grew light. At peace in my soul, I walked almost in a trance to the car. Soon I was aboard the ferry to the mainland. Hours later I was on the plane from Fukuoka back to Tokyo, my dive bag dripping in the cargo hold below. After a brief stop at Tokyo's Narita Airport and phone calls home to tell friends the job was done and I was safe, I boarded the first plane to the US. Landing in Chicago twelve hours later, I was disoriented, tired and happy.

The Monday following, I went to the Office of Protected Species of the National Marine Fisheries Service (NMFS) and delivered a statement of what I had seen at Iki (as opposed to what I had done). Citing the numerous violations of a permitted capture: a cruel drive fishery, babies caught with mothers, confinement with loose netting, foul conditions including a decaying dolphin in the enclosure, I petitioned the agency to refuse to allow the importation of pseudorcas held for Marine World Africa and any other cetaceans caught as part of the drive fishery. They listened politely, giving no promises.

Two days later I got the news. A Japanese reporter had called the Iki fishermen's union to find out if anything interesting had happened. "Well, yes, our nets were damaged and forty dolphins being held for aquariums escaped." I whooped with joy. The news was picked up by the *Japan Times* and *Asahi Shimbun*, Japan's largest newspaper. The great escape had worked. Now the task moved to another level, making sure that never again will American aquariums finance the Japanese drive fishery holocaust and bring the victim remnants to the States as unwilling performers.

After a flurry of activity, with threats of lawsuits back and forth for almost two weeks, NMFS told Marine World Africa that they would not allow their pseudorcas (apparently held in another bay) into the United States because of technical violations of the terms of capture. NMFS banned the importation of the four because the place and method of capture deviated from that allowed in their permit issued by NMFS. The agency specifically sidestepped the issue of whether the drive fishery *per se* is cruel and inhumane. They left the door open to not only the immediate capture of four more pseudorca but even the possibility of continuing to allow the importation of dolphins caught as part of a drive fishery. Clearly my work to keep dolphins wild and free is far from over.

Ben White is a certified arborist, owner of Growing Earth Tree Care, and founder in 1990 of Dolphin Rescue Brigade.

## Senate Opposes Commercial Whaling

In February, 1993, the House of Representatives passed H.R. 34 opposing any resumption of commercial whaling by a vote of 382 to 0 (*AWI Quarterly*, Vol.42, No.1). On May 4, 1993, the resolution was adopted in the Senate by unanimous consent. The American people's abhorrence for a resumption of commercial whaling is now mirrored in the official position of our legislative bodies. Chief Senate spokesman, Senator John Kerry (D. MA) stated:

The purpose of this concurrent resolution is to encourage the continuation of the moratorium on commercial whaling declared by the International Whaling Commission [IWC] in 1982 and also to urge the establishment of sanctuaries where whaling will be permanently prohibited.... [It] reflects a continuation of US policy and underscores the importance of that policy to the American people. Since the passage of the Marine Mammal Protection Act in 1972, our Nation has opposed commercial whaling and advocated its suspension or termination at meetings of the [IWC].

### *The Marine Mammal Protection Act 1972-1992*

The Marine Mammal Commission has assembled a comprehensive document including the full text of the Marine Mammal Protection Act of 1972 and all of its amendments through the passage of the Marine Mammal Health and Stranding Response Act by the Senate, in September, 1992. This compilation is an invaluable reference for anyone concerned with the upcoming reauthorization of the MMPA. For copies write to the Marine Mammal Commission, 1825 Connecticut Ave., NW #512, Washington, DC 20009.

## GRAY WHALES DE-LISTED

The California gray whale, hunted nearly to extinction by Captain Scammon in the 19th Century, has benefited greatly from protection along its migratory route from Alaska to Mexico. In 1992, the National Marine Fisheries Service pronounced the species "fully recovered," and despite the objections of the US Marine Mammal Commission the species has lost its protective listing under the Endangered Species Act. Major environmental threats from both US and Mexican industries loom ominously in the whales' path.

Captain Scammon, whose portrait shows him to be an arrogant and self-satisfied whaler, called the gray whales "devil fish" because they had the courage to attack his whaling ships when the harpooner struck a baby whale with the deadly iron. The mother whales rushed to defend their young against cruel destruction, and the whalers took advantage of this maternal affection by harpooning the large mothers, who had, all along, been the target of Scammon's strategy.

He almost succeeded in rendering the gray whales extinct in the 19th Century. Secretary of the Interior Walter Hickel placed them on the US Endangered Species List in 1971. Their numbers have continued to rise, and their attitude towards human beings has changed markedly. Young gray whales often approach inflatable rafts and permit humans to touch them. But the gray whales that once swam past the coasts of Japan and China are gone. Off the coast of the CIS a so-called "aboriginal quota" has been subverted. (See page 10.)



*Captain Charles Scammon*  
Editions Robert Laffont S.A.

# Gray Whales Harpooned for Commercial Fur Farm Feed in CIS

by Sergei Golubchikov (translated by Eric Sievers)

For thousands of years the gray whale of the northern Pacific has been the food and energy base of the native peoples of the Far North. Eskimo, Chukchi, and Aleuts whaled not only to nourish their people, but also to provide light and heat for the long polar nights. Baleen was used to make runners for dog sleds, filaments for nets, fishing lines, plates and harpoon points. Tendons were used for thread. Whale bones were excellent building material, taking the place of wood, unavailable in the North. The frames of native reindeer skin tents were also constructed of whale bone.



The IWC authorized killing of 169 gray whales in Russia for aboriginal subsistence. Instead, the meat is illegally channeled to commercial fur farms.

Starting in the mid-1950s, the USSR initiated colonialistic policies with native peoples. Under the pretext of being concerned about the welfare of these peoples cast about over the tundra in small settlements, large and centralized farms and working collectives were established. Chukchi and Eskimo relocated to these villages which were called "native" but were really just reservations for people separated from their ancestral land and way of life. They were forced to adopt new occupations, which could bring some sort of benefit to the Soviet Empire. What kind of connection does this have to the gray whale? A direct connection since in the '50's large fur farms were established for grey fox, arctic fox, and mink with the goal of earning hard currency for the country. The low-cost food for these animals was the supply of sea mammals nearby—walrus, seals and gray whales.

Currently, there is one whaling vessel in Chukotka—the Star. Its yearly quota is 169 gray whales. This is supposedly for native hunting, but in reality the majority of these animals, as well as over 8,000 other sea mammals killed annually in the region, go to feed animals of fur farms (sovhoz). The President of Chukotka, V. Yetilen states that Chukotka really only needs 50 to 60 whales a year if they were rationally used and processed. Under today's practices, two-thirds of the whale is thrown away. He continued, "The Chukchi, killing whales for their survival, never took more than they needed. Of course, they didn't kill 169 whales a year as is done now, but two to three times less. After all, Chukchi never had fur farms...."

I visited the largest fur farm in Chukotka, where all the arctic fox, almost 12,000 of them, died last year from food poisoning. Nevertheless, more than 2000 arctic fox were flown in by helicopter from neighboring farms, and the sovhoz expects to make a profit off their pelts in the future. Evgeni Kuznetsov, the director of the

sovhoz, despite a strict quarantine, allowed me to photograph the arctic fox who live in long cages two meters off the ground. I looked into the sad eyes of these unhappy, beautiful creatures regarding me with curiosity.

These animals are accustomed to living in the broad, free tundra. So it was terribly difficult to see these gracious animals in their cramped cages, from which they will be freed only as fur hats and collars. It is hard to believe that these small animals consume powerful, immense whales, for whose salvation, in other areas and under other circumstances, people expend incredible effort and expense. I'm remembering back to the huge expense involved in the 1988 rescue of two gray whales by the Soviet icebreaker, "Admiral Makarov." This effort cost the Soviet Far East fleet over 100,000 rubles (equivalent to about 130,000 US dollars at the official exchange rate) according to the *Polyarnik* newspaper of Provideniya, Chukotka (August 2-4, 1990).

The French marine biologist Jacques Cousteau, meeting the Soviet polar explorer, G. Bardin, in 1973 at the Bellingsgauzen station in Antarctica said, "... Instead of being prey, the whale should become a teacher and guide to the underwater world which is only now opening to people." Alas, I need not add anything, only strive to adhere to those beautiful words.

Sergei Golubchikov is a correspondent for the journal *Severniye Prostrani* (Northern Spaces).

## BURSON-MARSTELLER'S "GREENWASH"

Three important new articles document the role of Burson-Marsteller as image doctor for corporations that damage the environment. According to Joyce Nelson, in "Great Global Greenwash" (*Covert Action*, Spring 1993):

Burson-Marsteller... rode in like the cavalry to issue-manage for corporations in crisis. It handled: Babcock & Wilcox, whose nuclear reactor failed at Three Mile Island. A. H. Robins' international PR woes resulting from its Dalkon Shield IUD. Union Carbide in the wake of the Bhopal disaster.

Here, and in John Dillon's "Poisoning the Grassroots," *Covert Action* provides extensive references to other publications—as well as to an interesting interview in which Harold Burson states that Burson-Marsteller "promoted Romania as a good place to do business during the reign of Nicolas Ceausescu."

Ominously, Burson-Marsteller played a significant role in the UN Earth Summit in Rio de Janeiro. A Burson-Marsteller press release for the Business Council for Sustainable Development (BCSD) said BCSD was formed by Stephan Schmidheiny, a leading Swiss industrialist and key adviser to Maurice Strong, Secretary General of the United Nations Conference on Environment and Development (UNCED): "Schmidheiny was appointed principal advisor for business and industry to Strong to ensure that the world's business community participates in policy planning prior to the start [of the Earth Summit]."

Equally disturbing is Burson-Marsteller's role in negotiations on the North American Free Trade Agreement (NAFTA). As reported in *The Nation*, June 14, 1993, Burson-Marsteller was paid \$5.4 million in fees by the Mexican Ministry of Commerce and Industrial Development, a NAFTA advocate. The article details an enormous public relations effort to bring the United States into NAFTA. Important local and national environmental laws could be invalidated by the international agreement.

# NAFTA Threatens US Animal Welfare and Conservation Legislation

It is with great fear that the animal protection community monitors the ongoing negotiations concerning the environmental supplemental agreement to the North American Free Trade Agreement (NAFTA). US animal welfare and conservation laws are threatened because "free trade" (as defined by NAFTA) means that the US can not protect species outside its terrestrial boundaries or refuse importation of products based on the process by which they were made.

Following are eight major animal protective laws which will be subject to challenge if the current North America Free Trade Agreement is accepted:

- The Marine Mammal Protection Act which restricts harassment and killing of marine mammals



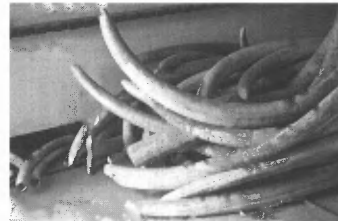
Jeff Foort

- The Lacey Act which prohibits importation of wildlife in violation of the laws of the wildlife's country of origin



John Brookland

- The Endangered Species Act which prohibits commercial importation of species listed as Threatened or Endangered under the Act



Linhbad/WF

- The recently enacted Wild Bird Conservation Act which prevents importation of species most threatened by the commercial pet trade



Dr. Noel Stryker

- The Driftnet Fishery Conservation Act which provides US sanctions to enforce the United Nations driftnet ban



Tom Campbell

- The International Dolphin Conservation act which establishes a global moratorium on methods of tuna fishing which kill dolphins and requires imported tuna to be "dolphin-safe"



NMFS

- The Pelly Amendment to the 1967 Fisherman's Protective Act which authorizes embargo of wildlife products from nations that diminish the effectiveness of international conservation agreements



EIA

- The Federal Humane Slaughter Act which mandates humane slaughter standards equivalent to US law for meat imported into the US



## Inadequate mitigations in the proposed supplemental agreement

The toothless and vague supplemental agreement on the environment recently proposed by US Trade Representative Mickey Kantor does not even address animal welfare issues. No free trade agreement will be acceptable to the American public unless federal and state governments can maintain existing animal protective laws against foreign challenges. These laws have taken years of patient effort to enact; they could be overturned quickly under NAFTA, obliterating three decades of progress.

Congress, after careful deliberation, enacted these laws. In their final form, most of them were passed unanimously by both the US Senate and House of Representatives, establishing the will of the people. The United States must not risk losing this whole fabric of laws that represents an important advancement of our civilization.

## US-Canada Free Trade Agreement exemplifies problem

A battle currently rages under the provisions of the US-Canada Free Trade Agreement concerning Canada's recently issued regulations restricting importation of puppies from the US. The regulations denied import of "puppy mill" puppies by random source dealers acting as "middlemen." The puppies, collected from various places, suffer increased exposure to contagious diseases and spend many hours in transit from the breeder's facility to the middlemen and then on the journey from the dealers to Canada.

Canada followed the provisions of the bilateral agreement, including submitting the regulations to the Animal Health Technical Working Group, which agreed that such regulations were the best way to prevent importation of sick and diseased puppies. The US Department of Agriculture, having failed to enforce its own existing regulations protecting puppies, stated that the US would seek trade sanctions if the regulations were adopted. Canada already has agreed to weaken their new regulations. This type of conflict will arise constantly under NAFTA unless specific language is added protecting animal welfare and conservation laws.

# Pro-Steel Jaw Leghold Trap "Experts" Meet Behind Closed Doors To Produce a Final Draft of "Humane" Trap Standards

The International Organization for Standardization is moving toward establishing "humane" standards which could be used to justify European Community importation of furs caught in steel jaw traps.

"Humane" Trap Standards were the subject of working group meetings held in Canada in April. Though observers, including Cathy Liss of AWI, were able to attend such meetings in the past, *all observers were prohibited* from attending. Neal Jotham, Chairman of the International Organization for Standardization (ISO), Technical Committee 191 (ISO/TC 191), stated in part, "Please advise everyone that should anyone take it upon themselves to show up at the meetings in hopes of attending as an observer, they will not be invited to do so.... The Working Groups have some significant issues to deal with and I am hopeful that decisions resulting from their deliberations will advance our standard[s] substantially. Having several observers at the meetings, as in the past, cannot contribute to this process."

Members of the Working Groups are called "experts", and the US "experts" permitted to attend include two representatives of the National Trappers Association, an employee from Woodstream Corporation (the largest manufacturer of steel jaw traps), and an employee of the Department of Agriculture's Animal Damage Control Program which uses thousands of these cruel traps.

In a *Vancouver Sun* article (April 18) titled "Trapping methods, by any standard, are simply cruel," the author, Nicholas Read, accurately described the activities of the so-called humane trap standards process under the aegis of the ISO as "legitimizing cruelty." He further stated, "The meeting is a government sponsored and supported committee of people—some of them trappers and trapping industry representatives—who are trying to establish a set of standards by which trapping cruelty can be measured.

"Then, if these standards can be realized, they will be presented to the European Community in hopes of getting the EC to reconsider its scheduled 1995 ban on pelts and manufactured products obtained from animals caught in a leghold or other inhumane trap....

"Neal Jotham, the coordinator of the humane trapping program for the Canadian Wildlife Service, chairs the ISO technical committee on humane trapping. He says whatever standards the committee sets will be fair and impartial because committee participants represent a broad spectrum of interests, including the animal welfare movement.

"But when I asked him to identify those participants and their backgrounds, he refused to do so....

"Among the ways these ISO committees have considered measuring cruelty is with something called the Olsen scale. According to this scale, points are accorded different injuries. For example, a claw pulled off warrants two points. Broken teeth warrant 10. Broken tendons, 20. Fractured ribs, 30. And broken bones, 50 to 75."

None of these painful injuries would disqualify a trap from being called "humane."

## British Veterinary Association Speaks Out

The ISO continues to meet to create standards for "humane" trapping, despite the protests of the British Veterinary Association (BVA). Apparently in response to criticism, ISO, a non-governmental body, has closed its meetings and is restricting access to its draft standards. The BVA, when queried about an earlier draft of the "Humane" Restraining Trap Standards, stated that,

It has been BVA policy for a number of years that animals killed by man should be slaughtered humanely i.e. either killed instantly or rendered unconscious, and insensible to pain, then slaughtered without delay.

The BVA believes that the same standard should apply to animals slaughtered in the wild for their pelts.... If wild animals are to be killed for their pelts they must be killed instantly or rendered insensible to pain and then slaughtered.

It therefore follows that the BVA would neither support the draft Standard "Humane Animal (Mammal) Traps, Restraining" nor Table 1 "Injury Scale for Restraining Traps." These documents describe procedures which are inhumane. The title of the documents is misleading as the procedures described are likely to cause suffering and the word "humane" should be deleted.

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*"The phrase acceptable injury/suffering is not concomitant with the Veterinary Hippocratic oath. It is an unsupportable oxymoron."* British Veterinary Association

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In the words of one of our members, "if trapping is unavoidable then a trap that does not cause injury is ESSENTIAL. The phrase acceptable injury/suffering is not concomitant with the Veterinary Hippocratic oath. It is an unsupportable oxymoron. Please convey to the Committee that what is suggested is totally abhorrent."

## An American Trapper's Perspective

In the most recent issue of *The American Trapper* magazine, Tom Krause of the National Trappers Association interviews himself regarding the trap standards (that is, he asks himself questions which he answers). The "interview" reveals Krause's confidence that many models of steel jaw traps will meet the "humane" standards. And he looks forward to the benefits to trappers from the standards stating, "The public will accept trapping and furs more when they are assured furbearers are taken with humane methods. That should result in better and more stable markets for furs."

## Your Help is Needed

Draft standards should be available this summer. If you are interested in a copy so that you can submit comments on them, please write to AWI. Also, if you have not yet returned a signed petition against use of the term "humane" in describing the trap standards (*AWI Quarterly*, Vol.42, No.1), we urge you to do so now. Additional petitions are available from AWI.

## INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)

ISO, headquartered in Geneva, Switzerland, is a private non-governmental organization composed of 91 member non-governmental national standardization organizations.  
Dr. Lawrence Eicher (USA) is the Secretary-General.

### ISO/TECHNICAL COMMITTEE 191 (TC 191)

ISO/TC 191 is a subgroup of ISO, comprised of nine national standardization organizations, charged with developing "humane" trapping standards.

Neal Jotham (Canada) is the Chair.

Members of ISO/TC 191 are:

Instituto Argentino de Racionalización de Materiales (Argentina)

Institut belge de normalisation (Belgium)

Standards Council of Canada

Suomen Standardisoimisliitto SFS (Finland)

DIN Deutsches Institut für Normung (Germany)

Standards Association of New Zealand

Standardiserings-kommissionen i Sverige (Sweden)

British Standards Institution

American National Standards Institute

**The American National Standards Institute (ANSI)** is the United States non-governmental standards body participating in the "humane" trap standards process (see ISO/TC 191).

The committee accredited by ANSI to participate in development of US positions on "humane" trap standards is the **US TECHNICAL ADVISORY GROUP (TAG)**. Tom Krause of the National Trappers Association heads the group and lists his title as "impartial chair."

#### WORKING GROUP 1

Drafted Initial Nomenclature  
Chaired by Neal Jotham (Canada)

#### WORKING GROUP 2

Drafted "Humane" Killing and  
"Humane" Drowning Trap Standards  
Chaired by Jan Jofriet (Canada)

#### WORKING GROUP 3

Drafted "Humane" Restraining Trap  
Standards  
Chaired by Fred Gilbert (Canada)

### "Humane" Trap Standards Could Be Finalized Within 9 Months

<i>STAGE 0/PRELIMINARY STAGE</i>	Completed
<i>STAGE 1/PROPOSAL STAGE</i>	Completed
<i>STAGE 2/PREPARATORY STAGE</i>	Completed
<i>STAGE 3/COMMITTEE STAGE</i>	Called the "3 months vote." Plans are to begin this stage by July or August, 1993 and complete it by October. This stage consists of comments and votes by the 9 national bodies of ISO/TC 191.
<i>STAGE 4/APPROVAL STAGE</i>	If ISO/TC 191 approves any or all three trap standards (restraining, killing and drowning), they are sent to all 91 national bodies for a "6 months vote." If 2/3 of the voting bodies approve the standards, the process moves to the next stage.
<i>STAGE 5/PUBLICATION STAGE</i>	This final stage consists of printing and distribution of the final standards. Promoters of this process hope to publish final standards by the Summer of 1994.

## Endangered Species Bills Announced

At a press conference on May 6, 1993, US Senate and House leaders of the Endangered Species Act reauthorization spoke to a packed hearing room eager for news on endangered species and the controversies the law has inspired.

Gerry Studds, Chairman of the House Merchant Marine and Fisheries Committee, pointed out:

In 1973, we thought there were probably 100 species threatened with extinction. Now we list that many each year. More than anything else, this tells us our *other* environmental laws aren't working as well as they should. Real, honest-to-goodness environmental protection—protection that maintains a healthy environment for all creatures—is still a goal, not a reality. Until we can achieve this goal, more than ever before, we need the Endangered Species Act.

Senator Max Baucus, Chairman of the Senate Environment and Public Works Committee, announced that the Western Governors' Association has approved the Senate bill. "No one knows better than these governors," he pointed out, "how important it is to solve problems before they reach deadlock status." He noted that the spotted owl's plight had been brought to the attention of the west coast states in the '80s. Neither they nor the Congress did anything about it, though the warnings were repeated year after year. Secretary of the Interior Babbitt is advocating an ecosystem approach to protect animal and plant life before species become endangered.

Senator John Chafee, the Committee's ranking Republican, speaking from long experience with the law, showed his enthusiasm by calling it a wonderful Act of which we can be very proud. "The lesson," he said, "of the last 20 years has been that the longer we wait to protect species, the more difficult and costly it is." He pointed out that "more than half of all medicines today can be traced to wild organisms.... The presence of one or more endangered species in an area may indicate that an entire ecosystem—consisting of hundreds or possibly thousands of species—is in decline."

Chairman Studds noted that the overriding importance of the Endangered Species Act is that it leaves open possibilities:

When a life form ceases to exist, its potential to contribute to the richness of our world forever vanishes. We all now know that the Pacific Yew Tree has proven effective in the fight against ovarian and breast cancers. But how many are aware that scientists discovered a tree in the Malaysian rainforest that contains a compound that, in laboratory tests, has been effective in preventing the replication of the HIV-1 virus? Tragically, when they returned to the rainforest to collect material for further testing, the tree was gone and they were unable to find any others.

The tree, whose Latin name is *Calophyllum lanigerum* var. *austrororiaceum* (Guttiferas), was found in Sarawak, a part of the world so severely decimated by the plunderers of the rainforests that a special Japanese group has been formed to attempt to protect it. As noted in the last *AWI Quarterly*, Mori no Koe has initiated a campaign against the Mitsubishi company because of its ruthless exploitation of these forests.

### Whaling at the Norwegian Tax Payers' Expense

Under the title, "Expensive Whaling," Norway's national newspaper, *Dagbladet* reported, May 15, that it costs \$15,000 a day to operate the four "scientific whaling" vessels that have been at sea for 30 days. So far, they have harpooned four whales. *Dagbladet* notes, "This yields a sky-high price per kilo, and the scientific catch is definitely operating with an enormous financial loss.... The four whaling vessels will now dock for a few weeks before the scientific expedition starts in June. Meanwhile the other vessels will be made ready to resume commercial whaling."

## Canada Bans Beluga Capture: But Trade could Continue

Fisheries Minister John Crosbie announced that the Canadian Government will no longer allow beluga whales to be captured from Canadian waters for export. Belugas, known as "Canaries of the Sea" for their varied and expressive communications, are captured by ruthless pursuit with speed boats that round up the terrified whales, separating family members from one another and subjecting them to intense stress. The announcement came after four animals captured from Hudson Bay were transferred to the Shedd Aquarium in Chicago. Two of the whales died after receiving worm medicine from a veterinarian who was not licensed to practice in Illinois.

Although the ban is a step in the right direction, celebration is premature. Peter Hamilton of the Vancouver-based chapter of Lifeforce sees the ban as more of a public relations coup for the government than anything else. Hamilton explains, "Belugas can still be exported to other countries from Canadian aquariums. These facilities will continue to live-capture, loan, trade and sell the whales under the guise of breeding and research. Future live-captures also could be 'influenced by Native land claim agreements.' Inuit generally support continuation of captures and exports." The Local Government District of Churchill, Manitoba has already called for the beluga ban to be lifted. Churchill is situated on the Hudson Bay near where the four belugas transferred to the Shedd were captured.

Jean Doré, the mayor of Montreal, has said that he will not allow belugas to be held at the city's Biodome until at least 1994. The city has established a committee to examine the maintenance of belugas in captivity. However, it is unclear whether the mayor has jurisdiction on this issue, and, as was seen with the recent overturning of the ban on exotic animal acts in Toronto, these municipal rulings may quickly be reversed.

On a related issue, Lifeforce continues to work for the freedom of four Atlantic bottlenose dolphins held at the West Edmonton Mall in Edmonton, Alberta. The dolphins have little privacy from shoppers and are forced to perform to be fed. The Ghermezian brothers who own the West Edmonton Mall are also co-owners of the Mall of America in Bloomington, Minnesota. For more information and postcards to send to the Ghermezian brothers calling for an end to the dolphin's misery, write: Lifeforce, Box 3117, Main Post Office, Vancouver, B.C. V6B 3X6.

### Our Borders Are a Little Safer

Endangered species have a friend in Bill Myers. He is the only US Fish and Wildlife Service inspector along the California/Mexico border. Myers has taken his job to heart and sees his work as the "last line of defense" in the regulation of trade in endangered species. In 1992, he handled 450 cases, which is more than all other West Coast inspectors combined.

Myers is tough on tourists who have bought products made from endangered species. His conquests include taking \$300 sea turtle boots off of people's feet and crocodile-skin wallets out of their pockets. "I gave him a rubber band and told him to take all his stuff out of [the wallet]," recalls Myers.

The returning travellers are often not pleased to relinquish their souvenirs and are unaware of US wildlife protection laws, but they have none-the-less contributed to the depletion of endangered animals. Myers says "I think the key word is educate. And it may not be by giving a lecture or handing out pamphlets. It may be when they lose a pair of boots off their feet." Keep it up Bill!

# Boycott Taiwan to Save the Rhinos and Tigers

The fate of the infant rhino pictured below, whose mother was killed by poachers, is like that of every remaining rhinoceros in the world: their lives depend on strict law enforcement. Both the rhinos' native countries and those nations where rhino horn is regarded as a cure-all, must make a serious, concentrated effort to end the killing.



Orphan rhino in Daphne Sheldrick's Sanctuary

That law-enforcement can work is shown by the success of Kenya where, according to the official United Nations Environment Program study by rhino specialist, Esmund Bradley Martin, poaching of rhinos has completely stopped. But the rhino horn consuming countries have failed to enforce the ban on rhino horn trading. Until they do we need to boycott goods made in those countries; the main perpetrator of the trade is Taiwan.

Our "Boycott Taiwan" campaign has already seen results. Shortly after the campaign was launched on March 1, our coalition—AWI, Environmental Investigation Agency, Earth Island Institute, Humane Society of the United States—presented our case to the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) Standing Committee, which was

about to consider the benefits of legalizing the rhino horn trade. After hearing our case for sanctions rather than legalization, the Standing Committee issued a formal—and unprecedented—warning to Taiwan, as well as China, South Korea and Yemen that if they did not destroy their stockpiles of rhino horn and immediately implement the Appendix I trade ban, the 117 CITES member countries would suspend trade in wildlife products with them. The deadline of the ruling is September, 1993.

Secretary of the Interior Bruce Babbitt wrote to Taiwan and the People's Republic of China on June 1 to notify them that the US intended to certify them in 30 days time for their "continuing involvement in rhino horn and tiger bone trade." Babbitt said, "The killing of these grand creatures continues unabated today, even though they are clearly on the brink of extinction." Under the Pelly Amendment to the 1967 Fisherman's Protective Act the President is authorized to bring trade sanctions against nations that diminish the effectiveness of international conservation agreements.

Meanwhile in Africa, eight African states are meeting in Nairobi in late June to discuss a new international agreement to set up a multinational investigative "Task Force" to combat illegal trade in rhino horn and ivory. The draft "Lusaka Agreement" which would set up the Task Force arose from an international enforcement conference held last December under the auspices of Zambia's Government Ministry of Tourism. The meeting is planned to take place immediately prior to the United Nations Environment Program "Rhino Donors Conference" to seek new funding for protecting rhinos.

Progress to save the rhino has been made, but CITES and the US government must implement sanctions against Taiwan and China. You can help save rhinos and tigers. Taiwan is a major exporter of electronic equipment and other consumer products to the United States. **Till Taiwan puts an end to sales of rhino and tiger products, refuse to buy anything "Made in Taiwan."**

## Monkeys—Gods or Pests?

by Iqbal Malik Ph.D.

There are about 300,000 free-ranging rhesus monkeys in India. 55% are found near human dwellings where they are either revered and over-fed or repelled and ill-treated. In Hindu countries, monkeys are considered gods, but when man-monkey conflicts arise, the gods become pests.

Two major reasons for the conversion of forest monkeys to urban monkeys are loss of forest cover and haphazard trapping over the years. Rapid industrialization, conversion of forest into agricultural lands and building in open scrublands have greatly decreased the green cover of the country. With forests being destroyed, monkey habitat is dwindling. The problem is accentuated by the fact that rhesus captured for export prior to a ban in 1978 and current trapping for biomedical research within India breaks up rhesus troops. At Tughlabad, one year of indiscriminate trapping increased the number of monkey groups from 5 to 10. Each new

troop requires a home range, and, when the newly formed groups branch off, most reach human habitations.

Initially, monkeys, being fresh from the forests, are shy and non-aggressive and are welcomed/tolerated by humans. Being highly adaptive, monkeys soon become bold and start demanding food.



Dr. Malik in Tughlabad with resident rhesus monkeys.

This is followed by rhesus groups invading settlements, often destroying cars, gardens and even furnishings.

At this stage, the municipal corporations are contacted by the residents. The trappers engaged by the government use inhumane hand snare traps and have never been able to trap a complete group from an area. There is an urgent need for a rational and scientific management plan. No drastic measures like shooting or stoning should ever be contemplated. Monkeys are a very important part of our ecosystem.

If not gods, monkeys can at least be looked upon as beautiful creatures closely related to man. They deserve a peaceful co-existence with their human cousins.

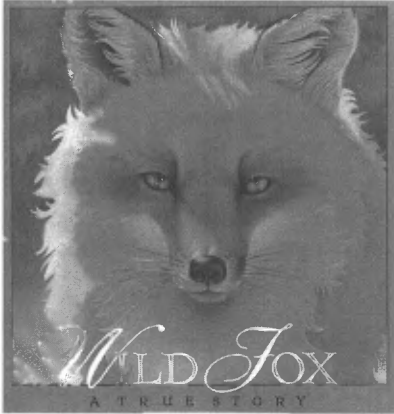
Iqbal Malik is an Ethologist/Ecologist and Associate Professor at SUNY Buffalo in the US and IHE Delhi University in India.

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## Wild Fox

by Cherie Mason, illustrated by JoEllen McAllister Stammen (Down East Books, P.O. Box 679, Camden, ME 04843, 800-766-1670), 1993, 32 pages, \$15.95.

JoEllen McAllister Stammen



This is a touching and true story of a wild fox who escaped from a steel jaw leghold trap at the cost of one front foot. He nearly starved to death in the cold Maine winter, but fortunately Cherie Mason saw him trying to reach the suet she had put out for the birds and she laid food outside for him day after day. Slowly, he became accustomed to her and even to visitors. He

actually came to the kitchen door for his favorite treat, blueberry muffins.

His pitifully dangling dead foot finally dropped off, and the bare bone that had been broken by the cruel trap healed at last. Once, just once, he allowed his benefactress to touch him. He was always free, never confined—a wild fox with no human claims upon him.

Cherie Mason, who is known for her Maine Public Radio broadcasts on the environment, has told the story with an audience

of children in mind, but everyone who aspires to friendship with wild creatures will feel the happiness and the worries that her mysterious visitor brought her and relive her experiences in imagination. The delightful illustrations capture the intense eyes with which this lovable fox expressed himself to his human friend. She never heard his voice.



Cherie Mason

## The Raggedy Red Squirrel

by Hope Ryden, (Dutton, New York, NY), 1992, 48 pages, \$16.00.

## The Beaver, The Bobcat, The Bald Eagle

by Hope Ryden, (Lyons & Burford, New York, NY), 1983, 1985, 1986, new editions, 1992, 63 pages each, \$9.95 each.

There is probably no writer in the country today who has a greater empathy for wild animals than Hope Ryden.

Her most recent title, *The Raggedy Red Squirrel* tells the simple tale of a single parent (Nature's Way) who copes with raising two young, slightly nervous infants. It is written with such quiet elegance that the book demands two readings, one to see what happens and one to enjoy the masterly story telling.

Further good news is that an enterprising publisher is reissuing three of her classic works; *The Beaver*, *The Bobcat* and *The Bald Eagle*; for junior high age youngsters. They are informative texts designed to whet the appetite for further reading and research.

In all Hope Ryden's books, the glory lies in her photography. Through the course of her distinguished career, she has developed an uncanny use of the camera to capture her subjects in significant moments either in action or repose. The reader feels that, somehow, he or she is in the photograph watching some fellow creature.

In the case of *The Raggedy Red Squirrel*, all the photographs were taken in the author's country garden. It must have required the patience of Job, the skill of Steichen and, certainly, the love of animals that is so evident in her craftsmanship. Read the text, look at the pictures with your children, your grandchildren or, in an extreme emergency, a borrowed child. You'll all have a wonderful time. You can even read it to yourself, all alone.

The reprints for the older students are sturdily bound in heavy duty paper stock, handsomely printed and inexpensive (well, relatively).

All four would be choice vacation reading.

### Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute'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, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), located in Washington, DC, the sum of \$ \_\_\_\_\_ and/or (specifically described property).*

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

Animal Welfare Institute  
Post Office Box 3650  
Washington, DC 20007

### New Editions of Landmark Animal Books

The Centaur Press has begun a new series called The Kinship Library. Jon Wynne-Tyson is the leading spirit. He states: "The implications of Albert Schweitzer's perception that 'until he extends the circle of his compassion to all living things, man will not himself find peace' are vital to any real growth in education."

Important eighteenth and nineteenth century writers, including Lewis Gompertz, founder of the Royal Society for the Prevention of Cruelty to Animals, Humphry Primatt, who taught kindness to animals as a duty which he preached from the pulpit, and Henry Salt, who was a friend of Bernard Shaw's and almost as prolific, are represented among the newly reissued books from The Kinship Library.

The 1964 classic, *All Heaven in a Rage*, by E. S. Turner, newly introduced by the author, was published in 1992 by Kinship. Those who are interested in the philosophical roots of the animal protective movement may write for a free catalog to:

Centaur Press Limited  
Fontwell, Arundel, West Sussex  
BN18 0TA, England.



## ***Into the Blue***

by Virginia McKenna, (Harper San Francisco), 1992, 144 pages, profusely illustrated, \$30.00.



Mail on Sunday

*These common dolphins demonstrate their camaraderie and joy of life.*

This magnificent book can be enjoyed for its beauty alone. Paintings and photographs in full color adorn every page. The grace of the swimming and leaping dolphins in their own element weave a spell accentuated by the varying shades of blue in the depths of the sea and on its surface.

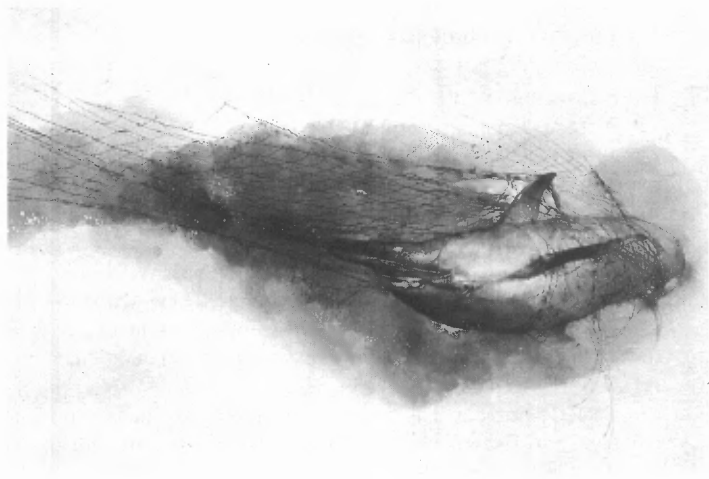
Quotations from ancient Greek and Roman authors remind us of the long-standing bonds between "music-loving dolphins," as Aelian called them, and human beings. Oppian wrote, "The hunting of Dolphins is immoral." He warned that "those who share the same roof" with a man who "willingly devises destruction for Dolphins" becomes polluted, too.

Plutarch praised the nobility of the dolphin, saying "To the dolphin alone nature has given that which the best philosophers seek: friendship for no advantage."

Numerous instances of friendly dolphins fraternizing with people are described, but these dolphins are always in danger of

being killed by dolphin haters. Even the famous "Pelorus Jack" who guided ships through a dangerous passage had to be saved from death by the wife of the captain on the very first ship he escorted, and later he was seriously wounded by a drunken passenger on a ship called "The Penguin." When Pelorus Jack recovered, he guided many ships past the hazardous rocks again but refused to assist "The Penguin." (It later sank.)

Virginia McKenna describes the terrible cruelty of the drive fisheries in which herds of dolphins are driven toward shore where they are clubbed, speared or slashed with knives. She tells of the deaths of millions of dolphins in purse seines and driftnets and writes feelingly of the captives languishing in dolphinariums throughout the world. The report by Ben White on page 7 of this issue adds urgency to this section of *Into the Blue*.



*Victor Ambrus' painting of a dolphin drowned in a driftnet.*

The main body of the book constitutes a hymn of praise to the dolphins. The sad parts are reserved for the last. Its message is skillfully enveloped by poetry, paintings, artistic photography and elegant prose. It would make a perfect gift, a welcome addition to any library.

## ***Walker's Mammals of the World***

by Ronald M. Nowak (Johns Hopkins University Press, Baltimore, MD), 1991, two volumes, 1629 pages, \$89.95.

The fifth edition of Ernest Walker's *Mammals of the World* has been published by Johns Hopkins University Press. This classic reference work is succinctly and accurately described by Roger Tory Peterson as "An absolute treasure trove—a 'must' for the working naturalist as well as for any person who has curiosity about the world's mammals."

Ernest Walker, assistant director of Washington's National Zoological Park and a trusted friend of the Animal Welfare Institute, spent over 30 years compiling the first edition. After his death, the editorship passed to Ron Nowak, an outstanding scientist with the US Fish and Wildlife Service, who shares Walker's deep sympathy for animals.

Dr. Walker donated hundreds of the splendid photographs he took of a huge variety of mammals to AWI. His dedication, scholarship and professionalism are being maintained at a high level. Scientists will find the volumes invaluable. The rest of us will find them fascinating.

## ***Beyond Dissection***

by Laura Simon, Ed. (The Ethical Science Education Coalition, P.O. Box 16736, Stamford, CT 06905), 1992, 36 pages.

Laura Simon, a graduate of the Yale School of Forestry and Environmental Studies, has edited a small paperback which augurs well for the future of humane science teaching programs.

*Beyond Dissection: A Sampling of Innovative Teaching Tools for Biology Education* covers the waterfront in a mere 36 pages. She details various ways a classroom can use alternatives to animals. Her arguments for humane teaching and against the discredited curricula of the past are very effective. A listing of the cost of dissection animals should make every school board realize that a fresh look at their science teaching program is in order.

The Animal Legal Defense Fund (ALDF) has also produced handbooks for elementary school, high school and college-age students. Each booklet outlines proven methods for students to communicate to teachers and school administrators their desire not to dissect as well as comprehensive lists of dissection alternatives. Free copies of these informative handbooks are available by calling ALDF's Dissection Hotline: 1-800-922-FROG.

## SUSTAINABLE YIELD QUESTIONED

"Biologists Fear Sustainable Yield Is Unsustainable Idea" is the headline for a *New York Times* article by William K. Stevens, April 20, 1993. The subhead is more bluntly stated: "Scientists can't predict it, and human greed is insatiable." The April second article in *Science* on which Stevens' news story is based severely challenges the facile acceptance of "sustainable utilization," which has become such a fashionable phrase among exploiters.

In *Science's* "Policy Forum," Donald Ludwig, Ray Hilborn and Carl Walters refer to "a number of spectacular failures to exploit resources sustainably." Citing examples from fisheries and forestry, the authors state, "It is more appropriate to think of resources as managing humans than the converse: the larger and the more immediate are prospects for gain, the greater the political power that is used to facilitate unlimited exploitation."

Dr. Ludwig, Dr. Hilborn and Dr. Walters lay out five principles of effective management:

1) Include human motivation and responses as part of the system to be studied and managed. The shortsightedness and greed of humans underlie difficulties in management of resources, although the difficulties may manifest themselves as biological problems of the stock under exploitation.

2) Act before scientific consensus is achieved. We do not require any additional scientific studies before taking action to curb human activities that effect global warming, ozone depletion, pollution, and depletion of fossil fuels. Calls for additional research may be mere delaying tactics.

3) Rely on scientists to recognize problems, but not to remedy them. The judgment of scientists is often heavily influenced by their training in their respective disciplines, but the most important issues involving resources and the environment involve interactions whose understanding must involve many disciplines. Scientists and their judgments are subject to political pressure.

4) Distrust claims of sustainability. Because past resource exploitation has seldom been sustainable, any new plan that involves claims of sustainability should be suspect. One should inquire how the difficulties that have been encountered in past resource exploitation are to be overcome. The work of the Brundtland Commission suffers from continual references to sustainability that is to be achieved in an unspecified way. Recently some of the world's leading ecologists have claimed that the key to a sustainable biosphere is research on a long list of standard research topics in ecology. Such a claim that basic research will (in an unspecified way) lead to sustainable use of resources in the face of a growing human population may lead to a false complacency: instead of addressing the problems of population growth and excessive use of resources, we may avoid such difficult issues by spending money on basic ecological research.

5) Confront uncertainty. Once we free ourselves from the illusion that science or technology (if lavishly funded) can provide a solution to resource or conservation problems, appropriate action becomes possible. Effective policies are possible under conditions of uncertainty, but they must take uncertainty into account. There is a well-developed theory of decision-making under uncertainty. In the present context, theoretical niceties are not required. Most principles of decision-making under uncertainty are simply common sense. We must consider a variety of plausible hypotheses about the world; consider a variety of possible strategies; favor actions that are robust to uncertainties; hedge; favor actions that are informative; probe and experiment; monitor results; update assessments and modify policy accordingly; and favor actions that are reversible.

## Bears Win in Colorado

A referendum vote brought 70% of voters to the aid of black bears. They supported Coloradans United for Bears' (CUB) petition to end the Spring hunt and to prohibit baiting and hunting with dogs.

The Colorado Wildlife Commission lost by more than one million votes an attempt to retain and even lengthen the spring bear hunt when lactating mother bears are killed by trophy hunters and the young cubs starve.

New York's Governor Cuomo vetoed a similar proposal this year (see *AWI Quarterly*, Vol.41, No.3).

## Chico Mendes' Murderers Escape

Darci and Darly Alves da Silva, the convicted murderers of renowned Brazilian activist Chico Mendes, escaped from their loosely guarded prison in Rio Branco. On February 14, 1993, after serving two years of a 19 year sentence, the prisoners sawed through the bars of their cell and walked away. Darly Alves da Silva was facing trial on an additional murder charge when he escaped.

Chico Mendes was a leader in the protection of rainforests. His life, work and tragic death have been extensively reported in the *AWI Quarterly*, (see Vol.40, No.1; Vol.39, No.3; Vol.38, No.1).

The conviction of Mendes' killers reduced the harassment and threats which the rubber-tappers and rural union leaders had faced on a regular basis. The escape of Darci and Darly Alves da Silva threatens the progress that has been made and the people who have been responsible for it. As recently as April 30 and May 2, two Brazilian activists, Paulo Vinha and Arnaldo Delcidio Ferreira, were murdered.

**Action:** Write to Brazilian President Itamar Franco expressing your concern over the escape of the murderers of Chico Mendes. Urge the President to encourage a full investigation of the circumstances surrounding the assassination of Mendes and the escape of his killers. Address letters to:

Exmo. Sr. Presidente, Itamar Franco  
Presidente da Republica, Palacio do Planalto  
70.150 Brasilia, DF  
Fax: 011-55-61-226-7566

## TEDs Mandatory on Shrimp Trawlers

The National Marine Fisheries Service (NMFS) has finalized new regulations that require all shrimp trawlers, inshore and offshore, to use turtle excluder devices (TEDs). Ten years of advice from scientists and environmentalists has finally been heeded by the service. Shrimp trawlers without TEDs were responsible for more sea turtle deaths than all other sources of human-caused mortality combined.

This long overdue action came only after previous regulations (which permitted TEDs to be used on a seasonal basis and attempted to limit the length of time they could be towed) failed to reduce sea turtle mortality.

# Dying for a Mitsubishi? You're not the only one.



Mitsubishi may make some of the best electronic and automotive products on the market. But in doing so, they're not just making a hefty profit—they're making a killing. Because the production, sale and use of these goods help cause the senseless death of millions of acres of rainforests across the globe, at the hands of Mitsubishi.

You see, Mitsubishi sells more than cars and television sets. They sell plywood, paper and fancy veneers that are actually made from rainforest wood. And profits from many of Mitsubishi's holdings go to underwrite the killing of the world's last great forests.

When you buy from Mitsubishi or any of the nearly 160 companies in the Mitsubishi "Keiretsu" [family], you support their unethical and often illegal

practices from Alberta to the Amazon. You support the blatant destruction of thousands of plant, insect and animal species—in fact, entire ecological systems. And you support the persecution and exile of hundreds of native communities.

But now there's something much better for you to support: The Rainforest Action Network Mitsubishi Campaign. In addition to fighting the destructive practices of American companies like Georgia Pacific and Weyerhaeuser, we need you to help us "green" Mitsubishi.

First, don't buy any Mitsubishi products or services. Including their TVs and cars [as well as Mitsubishi-made Chryslers], Value Rent-A-Car, Bank of California, Nikon cameras and Kirin Beer.

By boycotting these companies, we can persuade

Mitsubishi decision-makers to find safer, less-destructive means of production.

Second, join the Rainforest Action Network (450 Sansome St., Suite 700, San Francisco, CA 94111). Because while a major reason for the destruction of our environment is lack of awareness, you can help us inform the public and develop constructive alternatives.

Lastly, please call the following number today to send an urgent telegram in your name directly to the President of Mitsubishi, the Prime Minister of Japan and the Premier of Alberta urging them to put an end to Mitsubishi's destructive rampage.

Please join us in this campaign.

With your help, the people killing the earth in the name of television sets will finally get the picture.

**Rainforest Action Network**  
**1-800-874-4888**

\$9.76 per call. Buys you three Western Union telegrams and can be charged to your home phone or credit card.

*This is a reprint of an advertisement that was run by the Rainforest Action Network in the New York Times on May 10, 1993.*

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# USDA Investigation Nails Dog Thieves

Brenda Linville combed the newspapers looking for dogs being offered "free to a good home." Then, sometimes bringing along her young child to add to the effect, she would pose as someone who wanted a nice family pet. People were impressed by the loving home they believed Linville would give, so she had no difficulty acquiring countless dogs in this manner.

Linville promptly sold the animals to a local dog dealer and his wife, David and Tracy Stephens of D&T Kennels, who in turn sold them to laboratories for experimentation. David Stephens stated that he was selling 25 to 30 animals a month to research facilities in California and Nevada. The business was earning \$70,000 to \$80,000 per year.

The US Department of Agriculture (USDA) is responsible for enforcing the Animal Welfare Act which provides for inspection of the records and the premises of dog dealers. The Act was passed with the specific purpose of preventing theft of dogs for experimental laboratories. Stephens and Linville conspired in giving false sources to the government. Linville helped her father with janitorial services at the Department of Motor Vehicles where she would steal names, addresses and identification numbers. These were used by D&T Kennels as sources of their dogs in records subject to review by USDA.

USDA investigator Gregg Nelson cracked the case. He began visiting people listed in the records of D&T Kennels. He found that the Stephens were fraudulently listing their names, but it wasn't until he visited an 89 year old woman who showed him her driver's license that he realized that the names all came from people who had recently renewed their licenses.

The case was solved in time to save a number of dogs housed at D&T Kennels, including a golden retriever-Irish setter mix named Bo. In a victim impact statement submitted to the court, Mike Kirk said, "We thought we had chosen the perfect family to adopt Bo. Brenda told us everything we wanted to hear about what kind of life Bo would have. This was all a lie. She took him directly to the kennels to be sold. Luckily when the kennel was raided he was still there alive...."

Other dogs were not so lucky and were killed following their use in research at the University of Nevada at Reno, Sepulveda Research Corpo-

ration of California, and Cedars Sinai Medical Center and the Veteran's Administration Medical Center, both of Los Angeles.

One dog named Charlie was found alive at a research facility, but he was being used for a five-year ulcer study. His body had been surgically altered. The Oregon Humane Society reported that "...the facility was reluctant to part with Charlie preferring to purchase or euthanize him. The owner asked for help from the Society to reclaim Charlie. The owner had given two dogs to Linville, one was Charlie, the other had already been killed in the course of a research project.... Two weeks of careful negotiations gained us access to Charlie." Finally, following two surgeries to undo what the researchers had done to him, Charlie was on the road to recovery.

USDA-APHIS



USDA investigators Dr. Robert Willems and Gregg Nelson with Bo whom they rescued from professional dog thieves.

In the sentencing memorandum the US Attorney's office, aggressive in their pursuit of justice, requested that each of the defendants receive the maximum incarceration. "The actions of these three defendants have brought a great deal of pain to many people. Certainly the dog owners mentioned in the indictment have suffered immensely. Many other dog owners victimized by these defendants do not know that their beloved animal(s)

was obtained from them by fraudulent means, only to be sold for profit and utilized for experimental research. Still others who have learned of this tragedy from their friendship with dog owners, contact with the Oregon Humane Society or through the media generally, have shared in this pain. Certainly those who suffered the most, however are Rusty, Trumper, Fredrica, Penny, Chelsea, Boots, Zecke, Casey and the many other unknown dogs who were obtained fraudulently from their owners, only to pay the ultimate price after their bodies had been utilized for research purposes."

David Stephens and Brenda Linville were sentenced to prison for 10 months and 8 months, respectively. Both were sentenced to 3 years of supervised release, preceded by 2 months of electronically monitored home detention. Tracy Stephens was sentenced to 3 years probation. All have filed appeals; however, D&T kennels is no longer licensed to buy or sell dogs.

Sharon Harmon of the Oregon Humane Society stated, "Dr. Robert Willems and Gregg Nelson... are exemplary representatives of the USDA. Without their dedication and hard work, the two Stephens and Linville might still be in business."



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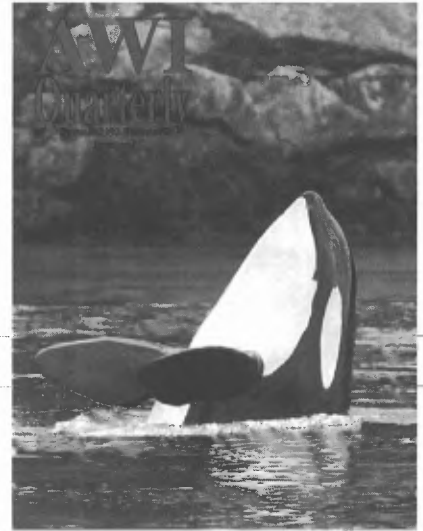
# AWI Quarterly

Journal of the  
American Wildlife  
Society



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**Cover:** In 1993, Lifeforce founding director, Peter Hamilton, photographed this killer whale (Orcinus orca) who is one of the 19-member J-1 -pod family which lives off the British Columbia and Washington State coast. Peter Hamilton is widely known for his graphic photographs and film of animal suffering in laboratories. As part of the Lifeforce "Freedom—Not Captivity Campaign" his orca photograph collection is on view in Lifeforce's Ecology Centre in Vancouver, B.C.. Some of the images illustrate his soon-to-be-released book, *Orca—A Family Story*, a fictional story of the survival of one orca family who was nearly destroyed by the aquarium live-capture industry.



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### Free Willy Sweeping the Country

The film, *Free Willy*, is the ultimate save the whales adventure story. Jason James Richter plays the 12-year-old boy whose mother abandoned him. Keiko plays the orca, abducted by his exploiters, to eke out a lonely existence in a cramped display pool. The two form an indestructible bond which leads the young hero to inspired activism. The pair's wild adventures reach a spectacular happy ending as million-dollar Willy leaps over the breakwater and swims off to join his family pod.

Over the August first weekend, *Free Willy* moved from fifth to fourth place in national popularity. It has reportedly taken in more than 50 million dollars at the box-office and continues its well-deserved success.

### You Can Help Free Corky, the Real-Life Willy

The new movie *Free Willy* has brought attention to Corky, the longest lasting orca in captivity. Since she was captured at four years of age in 1969, Corky has been a captive entertainer. She now spends most of her time swimming in endless circles at Sea World, San Diego. Left where she is, her prognosis is poor. Sea World lists her in declining condition. Indeed, she is the only survivor of fifteen northwest orcas owned by Sea World. (See page 7.)

Dr. Paul Spong has developed a plan to release Corky back to her family, slowly and carefully. Anheuser-Busch, Sea World's owner, refuses.

This struggle brings the Save the Whales movement home to the aquarium and theme park near you. Whales are currently treated as commodities by the billion-dollar-a-year captive display industry and have no lobby—except you. Here's what you can do:

1. Boycott Anheuser-Busch theme parks and products until they begin retribution by freeing Corky. Write:

August Busch III  
 CEO, Anheuser-Busch Inc.  
 Busch Place  
 St. Louis, MO 63118

2. Join Us. Write the Corky Project care of AWI.

4072



# THE ANIMAL WELFARE INSTITUTE QUARTERLY

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SUMMER 1993

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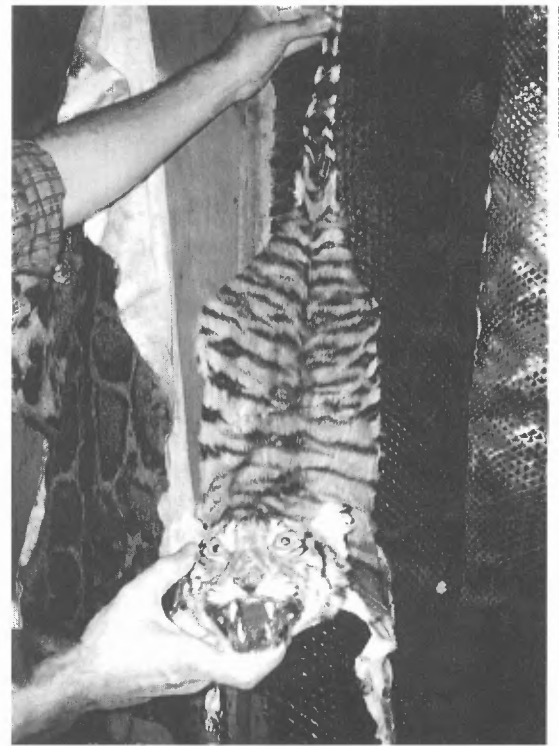
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Earth Island Institute

*Even baby tiger rugs are for sale in Taiwan (see page 9).  
Boycott Taiwanese Products.*



World Society for the Protection of Animals

*A hot-iron brand has just been burned into this young Mexican steer's face so he can be sold in the United States (see page 12).*

# Climbing the Walls Over Corky

by Ben White

As soon as we reached the top of the fire escape and walked onto the roof of the Anheuser-Busch brewery, I started worrying that we had picked the wrong building to hang our banner.

The roof was flat black asphalt, soft in the noon sun. There was almost nothing to attach a climbing line to, just a couple of short ventilation pipes. Around the edge of the roof ran a brick wall about 4 feet high.

What worried me though, was the open door facing us in the wall of the brewery that continued up from the roof, and the guy in the dusty window next to it, stooping over to watch us as we walked towards him.

My old tree climbing buddy, Mark Heitchus, was with me, hobbling along on a knee recently torn up by a bike wreck. The day before we had met with Brad Andrews, Vice President of Sea World, and two of the officials of the Busch Entertainment Corporation. These are the folks that think they own Corky (the orca performing as Shamu at the San Diego Sea World). We had polite conversation for an hour and a half. They patiently explained that setting Corky free was just not on their agenda. Our meeting ended with them asking how we planned on spending our next few days in St. Louis.

"Oh, I thought we'd hang a banner off the St. Louis Arch to protest Sea World," I said. They all laughed.

Today our mission was to make good on my promise, with a twist.

Mark and I walked across the roof carrying two gym bags. One held the banner—a fifteen by fifteen beauty of canvas and oil paint professionally emblazoned in red, white and black:

**AUGUST BUSCH III  
TOO MANY WHALES HAVE DIED  
IN YOUR SEA WORLD  
FREE CORKY (SHAMU) I.D.A.**

An orca breached from the lower left-hand corner.

The other bag contained our climbing gear: tightly coiled 1/2" climbing lines, carabiners and nylon webbing.

It just so happens that only one of the old brick buildings housing the Budweiser brewery in St. Louis has a fire escape all the way to the ground. It is the same building with a hundred foot high wall facing Interstate 55 with fifteen foot letters, in cursive, saying:

*Anheuser-Busch—Come Visit Us*

with a line of Clydesdales marching across the bottom.

Our job was to climb over the short wall surrounding the roof, rappel down to a point just below the "Anheuser" and attach the banner to the steel standoffs anchoring the huge metal letters.

As Mark and I walked across the roof we were muttering under our breath:

"You see that guy?"

"Yeah."

"This is going to be a bitch!"

"Yeah, let's just see what happens."

"Nowhere to attach. . ."

"Let's try those pipes."

"Here he comes."

We kept walking straight toward the side of the building facing the interstate. Ten feet below the edge of the roof the letters began, anchored about 18" off the brick wall. A hundred feet down on the concrete apron a truck driver was filling up his long shiny tanker truck with some stinky brown liquid.

Looking down on the huge letters, I saw plastic owls tied on crookedly between the letters and the wall.

The brewery worker was slowly walking over.

"Watcha doin'?" he asked.

"Oh, it's these damn owls," I gestured. "They keep falling over. We've got to put them back up to keep the pigeons from pooping on your sign."

I turned to Mark, "You know pardner, we've got to get ourselves a real job one of these days."

"And leave all this fun? Never!" He grinned as he finished wrapping his line around a ventilation pipe with a clove hitch.

The brewery employee just shrugged.

But then we took out the banner and began to string it, still rolled up, between us.

"Now, what's that for?" he asked.

"Oh, some damn ad for Sea World," Mark explained. "You know, you folks own Sea World now, I guess this is some kind of promotion."

By then we were already easing ourselves over the lip of the roof, our makeshift climbing saddles nothing more than a double loop of nylon webbing fastened in the front by a carabiner. A short length of line connected the carabiner to the standing line with a fist-like knot that slid down when pulled and gripped when let go. Our standing lines, hitched to the short pipes sticking out of the roof, ran up and over the short wall and down the side of the building to the concrete below. We had guessed at what length to bring. I was happy to see they just reached the ground.

Mark was worried, with good reason, about the pipe he was tied onto and whether his line might be working its way to the top.

"Could you check my line for me?" Mark yelled up at the (now) two faces looking down at us from the brewery roof. The faces disappeared and I heard a dragging sound.

"It's OK," one said. "I put a pallet on top of it to keep it down."

Both of us relaxed a little. We would be able to pull this off after all. The only way they could stop us now is to cut our lines. Most people would choose a little bad publicity over a murder rap.

Scrambling around these 15' tall letters was great fun (if it is all right for an activist to admit to fun).

We realized we had our own sign turned inside out, with the words facing the wall. We met over the "n" and turned it around.

We lashed the top of our beautiful banner to the steel standoffs holding the bottom of the big letters. With a hard shake, the banner unfurled, all except for a little flap at the bottom where the new paint was sticking together. We rappelled down on either side and below, looking for a place to attach the shock cords that would hold the bottom of the banner taut. I was lucky. Right next to me two copper mesh lightning rods ran up the brick face. I tied off my end, pulling the wrinkles out of the fabric. Finished with my task, I looked down at the workmen far below.

Now they knew something was up. One big burly guy was on the phone at the loading dock, looking up and mouthing the words, "Too many whales. . ."

People driving by were stopping to look. Some laughed, some shook their heads, some took out cameras. We dangled.

Mark had nowhere to attach the bottom of his side of the banner except to his own climbing line, his weight holding it taut. We had talked earlier about exploring the possibility of hanging the banner,



rappelling to the ground and just walking away. But considering the growing crowd below, that exit looked increasingly unlikely.

So, to keep bodily damage to a minimum in case we fell, we slid ourselves down our lines to within about 20' of the ground. There we waited.

We were starting to see why people rarely use homemade climbing saddles of nylon webbing. After a few minutes stationary it cut off circulation to our legs. We turned and twisted, finally putting a bowline loop in the line below to stand in to take pressure off our squeezed legs.

By now a crowd had gathered. A bunch of Anheuser-Busch security guards watched us but no one said anything. Finally a portly guy in a suit and a red tie came and starting tossing off instructions: get that truck out of here, close those gates, etc. Photographers from the newspaper squatted across the service drive in the shade of a little ash tree.

The Mr. Suit and Red Tie came over to the wall and bellowed up at us, squinting into the sun.

"When are you guys going to come down?" he asked.

"Whenever I'm told to by a police officer," I said.

"Or right now if you'll let us walk," Mark added.

"Okay, come on down," he said.

"You're saying we can walk away?" I tried to pin him down.

"Yeah, come on," he said.

After a little work to loose my knot that had tightened its grip on my climbing line I slid on down to the concrete and unclipped from the line. Mark did the same.

"What's your name?" I asked Red Tie.

"Mike," he volunteered irritably.

"Mike what?" I pressed.

"Just Mike," he answered, biting off his words.

"Well, Mike," I said, "I do have a last name, my name is Ben White."

"Yeah, yeah, I know," said Mike. "You'll have to wait with these officers."

"What about walking?" I argued. "Did you lie to us?"

"Just wait here," he said, and began yanking on Mark's line to try to pull the banner down. It didn't work.

Eventually a St. Louis detective arrived, friendly and mildly amused by the whole affair. He and his partner put us in the back seat of the regulation Buick, kindly leaving off the wrist-strangling cuffs.

At the closest precinct they took everything out of our pockets, took our shoelaces, my medicine necklace, and checked our weight, hair and eye color and looked for scars and tattoos.

Then we were put in a cell. The electric door rolled shut with a clang unlike any other sound on God's green Earth.

After a couple of hours we were taken from the cell to be transported "downtown" to the central jail. We were handcuffed to two scary looking characters. One was a big guy with a long scar running across his face. He had just been maced by the police during some domestic dispute. The other was a kid no more than eighteen with a huge smile that belied his flinty eyes. He had just been released from jail at 3:00 that very afternoon. It was 5:00 and he was

back in for beating the hell out of somebody with a brick for questioning the quality of his "product."

At the main city lockup we were paraded from one bored bureaucrat to another, fingerprinted and booked, and told to stand against the wall until called. I looked around the room, wondering how any sane person would agree to work in such a painful place. A soot encrusted metal grate covered the windows, old calenders hung crookedly, a sign said "Try to escape - ten year sentence." On the edge of a peeling plywood desk a huge cockroach squirmed, impaled through the back to the edge of the desk.

The four of us were shuffled into another cell, the door clanging with finality.

The big guy with the scar, still wiping his sweating, maced face, turned to me and asked the question I had been dreading.

"Watchu guys in for?" he said.

"You wouldn't believe it," I said.

"Try me," he persisted.

"Well, we climbed the Anheuser-Busch brewery to hang a banner protesting the taking of whales from the wild to do tricks at Sea World."

He sat up, suddenly interested.

"I know about that stuff," he said, "I used to live in Orlando and my girlfriend worked at Sea World. Didja know that those whales only live a little while in those tanks and that they all are called Shamu so nobody knows when one dies. And every time one of those whales is born they make a big deal out of it

but you never hear when they die a couple of months later."

"All that's true," I said, lifting my eyebrows at Mark, amazed at what this guy knew.

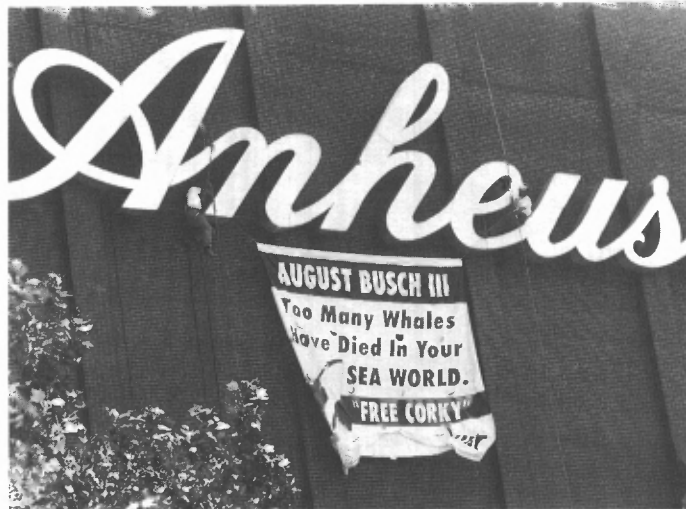
"Hey, these guys are right on," he said to the young kid, who was totally uninterested. "They activists."

Time passed. I was watching the sky darken beyond the window grates, trying to concentrate on someplace far away, green and cool. I imagined swimming underwater with a pod of orcas off Vancouver Island, them shouldering each other as they played, rubbing their bellies on the smooth rocks. I could almost see it.

Only Mark and I remained in the cell, both of the others were apparently considered less of a threat to society and had been released. I had already read all of the writing inscribed by cigarette lighters across the institutional green walls and ceiling. The turnkeys down the hall turned on loud rap music that reverberated against the sheet metal walls. They said that we might be in all night or even all weekend. I found my good humor waning.

I had just finished ripping the bottom inch off my FREE CORKY Opus T-shirt to use as earplugs and blindfold when the guard came to our cell and called our names.

Fifteen minutes later we were out on the street breathing the sweet smell of freedom. Meanwhile in San Diego, I knew that Corky swam in endless, repetitive loops in the concrete tank at Shamu Stadium, still in jail, perhaps imagining the same green waters of her youth that I had envisioned to try to keep my own soul free.



The author and Mark Heitchus unfurling the Free Corky banner.

Ben White is founder of the Dolphin Rescue Brigade.

# CAPTIVE ORCAS IN SLINGS AND CRATES FLOWN FROM ONE AQUARIUM TO ANOTHER



Peter Hamilton of Lifeforce photographed the removal of Haida, Nootka and Junior from Sealand of the Pacific, Canada to two Sea World aquariums in the US.

On the opposite page are photographs he took of orcas in the wild.



*The whales are lifted out of the Sealand prison.*



*An orca is lowered into her transport crate.*



*The crates are stowed in a Federal Express plane.*

ORCA FAMILIES SWIM TOGETHER IN THEIR OWN "PODS." LONG-TERM OBSERVATION HAS ENABLED RESEARCHERS WHO STUDY WILD POPULATIONS TO IDENTIFY THEM BOTH BY SIGHT AND BY SOUND.

## Wild Orcas in Their Native Haunts



*Orcas swimming freely near a whale sanctuary in Johnstone Strait, B.C..*



*A burst of speed in a cloud of spray. Captive orcas are forever denied opportunities for this behavior.*

## Corky Shudders

For the first time in 24 years Corky heard the voices of her family. Corky was captured from the group of orcas that Dr. Paul Spong and other scientists who have studied the whales in the Pacific Northwest have designated as the A5-pod. She was purchased by Sea World whose parent company is Anheuser-Busch, brewers of Budweiser beer. Despite persistent efforts (see pages 4 and 5) to persuade Anheuser-Busch to permit her to go back to her family, Corky remains imprisoned in the San Diego Sea World pool. Sea World even refused to allow Corky to hear recordings of the voices of her family until "Prime Time" brought Corky's plight to a national television audience.

"Prime Time's" Judy Muller went out on a boat with Dr. Spong, viewed the A5-pod and listened to their voices. Then she travelled back to Corky with recordings of the whales' calls. Corky shares a pool with three other orcas, and as "Prime Time's" cameras rolled, all four whales lifted their heads out of the water and listened intently to A5-pod's vocalizations being played in a boom-box at the side of the pool. After a few moments, a powerful shudder shook Corky's body and she dove down under the water leaving the other whales to continue listening.

The deep emotions that spontaneously shook Corky's massive frame cannot easily be fathomed but the obvious depth of her feelings must be respected.

Dr. Spong's plan to reintroduce her to her native waters, where she could be cared for and fed till final release, should be carried out. The A5-pod swims in these waters, and Corky should be allowed to communicate with them and, in due course, rejoin them.

**Action:** Please write Mr. August Busch III (address on page 2) urging him to make a truly generous and grateful gesture to Corky. She richly deserves recognition for her performances which have brought such large profits to Sea World. She has been captive for 24 years, bearing six offspring all of whom died. It is time that she be allowed to retire while she can still enjoy the life she was born for. The stature of Anheuser-Busch would be greatly enhanced by taking its obligations to heart. Corky is 29 years old. She should not be forced to die in captivity far from her family.



Alexandra Morton

*Corky with one of the doomed infants to whom she gave birth in captivity. The little orca lived only 46 days.*

# Zambian Initiative for New Wildlife Law Enforcement Agency in Africa

by Allan Thornton

A series of important wildlife conservation meetings recently took place in Africa to encourage the creation of a new multi-national African wildlife law enforcement agency.

In the ten years prior to the 1989 international ban on ivory trading, poaching gangs and criminal syndicates destroyed half of the African elephant population. Moving from one country to another to avoid detection or arrest, poachers and smugglers evaded wildlife law enforcement and supplied a huge international market. In the same way, as much as 95% of Africa's rhino population has been destroyed to provide horn for the Asian market.

To address this problem, wildlife law enforcement officers from eight African nations met in Nairobi, June 26, 1993, to produce a new draft of a proposed new international agreement, known as the "Lusaka Agreement" after an earlier conference in Lusaka, where it was first proposed. This agreement intends to set up an African-based investigative body to combat the poaching of rhinos, elephants and other wildlife and the smuggling of horn, ivory and other wildlife products. Establishing an international task force comprised of an enforcement officer from each member country, the agreement would permit task force members to cross borders from one country to the next to pursue criminals who trade poached ivory, rhino horn, or other illegal wildlife products.

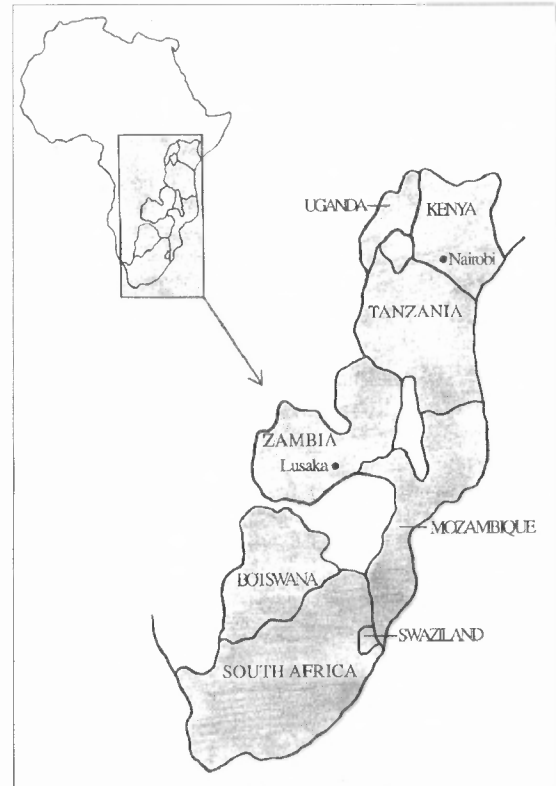
The idea of this international Task Force to fight poachers evolved from a Conference on African Wildlife Law Enforcement Cooperation held in Lusaka, Zambia in December, 1992, sponsored by the Environmental Investigation Agency and the British charity, Tusk Force, and led through an initiative of Zambia's Minister of Tourism, General Christon Tembo. This Conference was attended by law enforcement officials from the national parks, police, customs and armies of eight eastern and southern African countries—Zambia, Kenya, Tanzania, Uganda, Botswana, Mozambique, Swaziland and South Africa. Also attending were representatives of the Convention on International Trade in Endangered Species (CITES) Secretariat, Interpol, the US Fish and Wildlife Service (USFWS), the UK Overseas Development Agency and the Foundation for International Environmental Law and Development (FIELD).

Building on the work of the Lusaka conference, the Nairobi conference of June 26 (which met in preparation for the Nairobi United Nations Environment Program (UNEP) Conference of June 28) consisted of law enforcement officers from the eight African countries which had developed the Lusaka Agreement, and observers from USFWS, the CITES Secretariat, and legal experts from UNEP and FIELD. This group redrafted the Lusaka Agreement, which was then presented to the UNEP rhino meeting the following week.

## The United Nations Environment Program Conference

At the UNEP Conference on financing rhino conservation (held in Nairobi, Kenya from June 28 to July 1) the proposed Lusaka Agreement was warmly welcomed, and a resolution was passed calling on UNEP to take up the political coordination to facilitate the negotiations to establish the Task Force.

Zambia, Kenya, Tanzania and Uganda requested UNEP to assist in future negotiations to conclude the agreement, and a positive response has been received from the new Executive Director of



*A map showing the African countries (shaded) that developed the Lusaka Agreement: Kenya, Uganda, Tanzania, Zambia, Mozambique, Botswana and South Africa together with the cities where the conferences took place: Lusaka and Nairobi.*

UNEP, Elizabeth Dowdeswell. Funding to continue the negotiations is being sought from the US Fish and Wildlife Service and other donor countries. The conference was attended by several dozen states, including virtually all countries which still have rhinos, and donor states such as the US, Germany, Netherlands and the European Community.

In addition to endorsing the Lusaka Agreement, the UNEP meeting focussed international attention on efforts to save the rhino. Dr. Reuben Olembo, Deputy Executive Director of UNEP opened the conference and received endorsement for a new UNEP facility to raise funds and coordinate assistance to rhino and elephant range states. This new facility is intended to carry forward work to assist rhino and elephant range states with measures to save rhinos and elephants and ensure adequate financial aid is available to fund such efforts.

Zimbabwe, South Africa and Traffic International—the companion organization of WWF—attempted to promote a study of legalized trade in rhino horn on the basis that the CITES ban on rhino horn trade has failed. The Conference rejected the proposal, which encountered strong hostility from almost all other African and Asian range states.

Dr. Esmond Bradley Martin, UNEP's Special Rhino "Envoy" had earlier dismissed the idea of legalized rhino horn trade in an article for *BBC Wildlife Magazine*: "The advocates of legal trade must understand that their proposal is only distracting attention at this critical stage when solutions are needed immediately."

# New Exposé Intensifies Pressure for Sanctions on Taiwan and China

## The Campaign to Save Rhinos, Tigers and Other Endangered Species

by Allan Thornton

As Taiwan and China try to avoid international trade sanctions for their continued trade in poached rhino horn, which is threatening the world's remaining rhinos with extinction, a new exposé reveals that these two countries also carry on a massive illegal trade in other highly endangered species, such as tigers, leopards, Asiatic black bears and orangutans.

In March, the governing body (or Standing Committee) of the 118 member nation Convention on International Trade in Endangered Species (CITES) told China and Taiwan that it would bring sanctions against them in six months if they did not crack down on rhino horn trading. CITES also demanded they destroy their existing stocks of rhino horn. Taiwan and China are thought to hold as much as ten tons of rhino horn each, accounting for the deaths of many thousands of rhinos. US Secretary of the Interior Bruce Babbitt wrote to China and Taiwan in June warning of trade sanctions if they did not take action to stop illegal trade in rhino horn and tiger parts.

EIA investigators working with the Animal Welfare Institute and the World Society for the Protection of Animals discovered ongoing illegal sale of rhino horn and tiger parts in Taiwan and China.

Traders in Taiwan illicitly import large amounts of rhino horn via South Africa and Asian states. Taiwanese dealers sell the rhino horn to businessmen on the Chinese mainland. The horn is shipped to Hong Kong on fishing boats and is then taken by truck into the People's Republic of China. There, state owned medicine factories stockpile tons of rhino horn for its speculative investment. Chinese and Taiwanese businessmen believe the rhinos will become extinct and the rhino horn—which can sell now for as high as \$60,000 each will become even more valuable.

Rhino horn dealers, pharmacists, doctors, conservationists and even government legislators in Taiwan confirmed the easy avail-

ability of rhino horn. After intensive publicity from the AWI/EIA rhino horn campaign, rhino horn must be bought through a "contact" who knows the dealer. EIA surveyed 24 pharmacies in five cities throughout Taiwan. Of the 24, five said that they had rhino horn and would sell it, 14 said they had horn but would not sell to strangers and only five said they did not have any horn at all.

In the People's Republic of China, the investigators found huge stocks of rhino horn with a single dealer hoarding as much as one ton. In addition, the team found massive evidence of a vast and open trade in many other highly endangered species, including tiger parts, gall bladders from protected Asiatic black bears, clouded leopards, snow leopards, Amur leopards, rare gibbons and orangutans.

Bear farming in China has become a major industry since the mid-1980s when the government encouraged the setting up of such operations. Although they are endangered and protected by CITES, the Chinese government has allowed hundreds of Asiatic black bears to be taken from the wild and imprisoned in tiny cages. A metal pipe is implanted surgically to "milk" the bile from the gall bladder of the bears. The bears are left in cages for three years at a time. When they are ten, they are killed and sold off as exotic food. The owner of one bear farm admitted that although bears were protected by Chinese law they could obtain wild caught Asiatic black bears with permits for US \$1,000 each. China has a huge internal demand for bear gall bladder and bile, but the farming of bears is stimulating the market and increasing even farther the pressure on the wild bear population of China and surrounding countries. Thousands of tourists from Taiwan and Hong Kong visit the bear farms and buy the bear gall bile which is then illegally taken out of the country.

Leopard skins and tiger parts are widely available in both countries. Extremely rare gibbons are also easily found and, in Taiwan, hundreds of endangered orangutans have been illegally imported as pets.

### A Substitute for Ivory

The leading producer of the personal seals (*hankos*) used to sign documents in Japan has found a new substitute for ivory: a wood so hard and dense that it sinks when placed in water. It is a species of birch called *ono-ore kamba* (which means "axe-breaking birch"). If survey results by *hanko*-users prove to be positive, *ono-ore kamba* seals could compete successfully with the ivory ones, thus removing any incentive to re-open the international ivory trade. The recession has already reduced the market for ivory *hankos*. A change to the hard wood of the birch would go far to ensure that no more elephants are slain for Japanese name seals.

A recent seizure of ivory cut into small blocks for this market underlines the current danger to elephants from any relaxation of the ban on international commerce in ivory. The ivory had been dipped in brown paint to make it look like wood. The air waybill stated that the goods were "unfinished wooden pen cover (walnut) wood carving." The blocks looked so similar to wood that the only reason the customs officials were alerted was because some of the blocks were cylindrical and hollow. The ivory had originated in the Congo and was being taken from Brazzaville on Air Afrique via South Africa to Singapore. The final destination was Hong Kong.

The smuggler is known to have made two previous trips carrying, in total, 250 kgs of painted ivory blocks. On both occasions he had flown Air Afrique from Brazzaville to Singapore via Belgium. A further arrest involving the smuggling of 890 kgs of painted ivory from the Congo was made on June 24, 1993.



Tigers, rhinos and other endangered species are killed to make traditional medicines sold in Taiwan and China.

The evidence gained during the investigation has been provided to the US Fish and Wildlife Service, which is responsible for making recommendations to the Secretary of the Interior on whether sanctions should be brought against China and Taiwan. The evidence will also be made available to the governing body of CITES to press for sanctions against Taiwan and China.

Allan Thornton is President of the Environmental Investigation Agency.

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# *Time* Asks “Can Animals Think?”—Alex and Arrow Answer

*Time* magazine’s cover story, “Can Animals Think?”, by Eugene Linden (March 22, 1993), includes a fascinating report on Alex, the well-known African grey parrot whose communication skills have been studied for years by Dr. Irene Pepperberg, an ethologist at the University of Arizona.

Both Pepperberg and Linden use scientific caution in how they describe Alex’s comments. Linden writes:

At some level, Alex apparently understands language as a so-called interaction and uses it to maintain contact and get attention. . . . When the parrot, who lives with Pepperberg, became sick a few years ago, she had to take him to a vet and leave him overnight in a strange place for the first time in his life. As she headed for the door she heard Alex calling in his plaintive child’s voice, ‘Come here. I love you. I’m sorry. Wanna go back.’

Non-scientists are free to interpret Alex’s well-chosen words more anthropomorphically. A very interesting report of an African grey parrot named Arrow appeared in *Bird Talk* (June, 1993). Dotty Hart’s stories about Arrow do not pretend to be scientific but they have the ring of truthful anecdotes. The author and her husband have a number of parrots about whom Arrow frequently expresses her

views. Returning from a weekend out of town, Mrs. Hart put an Amazon named Fred on a playpen “but he continued to scream. Arrow said ‘Quiet Fred! I’m going to cover you!’ This threat had no effect on Fred. At her wit’s end, Arrow said ‘Fred do you want a bath?’”

Mrs. Hart writes further on the subject of Arrow’s quick learning abilities:

I wanted Arrow to learn the names and species of the other birds in our family. I quickly taught her Fred is an Amazon and Max is a macaw. The problem came with Whitney Joe the cockatoo. She would not say ‘Whitney Joe is a cockatoo.’

After a week of working on ‘Whitney Joe is a cockatoo,’ she had had enough. She came down from her perch to the edge of her cage, leaned toward me with a glare in her eyes and said ‘Whitney Joe is eagle!’

Let me explain why she thinks this. Whitney Joe is my husband’s bird, and each evening they spend time together in the den. When my husband takes Whitney Joe to the den, they always pause at Arrow’s cage. My husband says, ‘Eagle,’ and Whitney Joe spreads his wings.

Arrow is prepared to argue with her owner—in English!

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*Daniel S. Greenberg, publisher of Science and Government Report, and creator of that fascinating character, Dr. Grant Swinger, has provided his definitive answer to the question, “Can Animals Think?” Reproduced below by permission of the author is his July 17, 1993 piece in The Washington Post.*

## Yes, Dr. Johnson, Animals Can Think

Science, inherently suspicious of the obvious, dotes on measurement, even of what’s easy to see. As a result, the study of animal intellect has attained a respectability on a par with physics, chemistry and other traditional disciplines. The news media tag along.

A periodic favorite on TV, the subject of animals’ capacity for thought received cover treatment in *Time* magazine awhile back. It’s certain to be back again soon in some prominent place because of the appeal of porpoises, dogs and other winsome creatures in friendly association with scientists. The public is fond of them individually. In combination, they’re irresistible.

The question of whether animals can think is especially appealing to people who know little about animals and won’t bother to learn from simple observation. Samuel Johnson, renowned for wit and learning that still radiates from the 18th century, often alluded to dogs to make a point. He is best remembered for his relentlessly over-quoted, smart-alecky assertion that “a woman’s preaching is like a dog’s walking on his hinder legs. It is not done well; but you are surprised to find it done at all.”

But the great sage can also be faulted for another foolish reference to dogs, this one concerning an easily tested proposition, “Did you never observe,” Johnson asked, “that dogs have not the power of comparing? A dog will take a small bit of meat as readily as a large, when both are before him.”

No great skill is required to devise an experiment to settle this matter in a scientifically objective manner. Such was performed with Walter, a black Labrador retriever resident in our household until his death at an advanced age several years ago, and recently with Ben, age 5, also a Labrador.

Raw hamburger, much favored by these beasts, was formed into shapes approximating Ping Pong balls and tennis balls. In a series of experiments, these objects were placed at various distances from

each other on the floor of a room. Observation revealed that when the dogs were admitted to the test area, they first consumed the nearest meatball, small or large. But if the lures were equally distant from the starting point, they invariably went for the larger one first.

While Johnson cannot be excused for failing to research the simple question of canines’ “power of comparing”—a key element of thought—modern research has mobilized excessive scientific firepower for what is, after all, a settled matter.

Walter Labrador, for example, thought his way to preferred food by prying open the refrigerator door and helping himself to choice items—bypassing dull cheese in favor of roast beef. He refrained from this thievery only after a booby trap arrangement tipped a can of water on his head when he budged the door.

Ben, on the other hand, is a law-abiding Labrador, but insistently makes his desires known by staring you in the face and issuing gurgling sounds from deep in his throat. When he feels that he has locked on for attention, he takes communication to the next level by banging his bowl for food, standing at the door for a walk, pointing to an inaccessible spot for a plaything beyond his reach and so on.

Labradors have prodigious strength, and use it when they’re playing with adults. But with small children, they’re as gentle as a kindly nurse. They will modulate their natural boisterousness when a dear one is sick or low, and turn it on again when spirits are high.

The real question, of course, isn’t whether animals can think. That’s settled. Rather, the problem that remains to be examined is *what* do they think? My own feeling is that they think their human colleagues are, by and large, pretty foolish and misguided about what’s important in life.

Is there a basis for that feeling? Yes. Anyone who has spent time being thoughtfully observed by a dog will understand.

## African Grey Parrots Being Decimated by the Commercial Pet Trade

The remarkable abilities of African grey parrots means they are a prime target for the pet trade. Indeed, despite recommendations for bans on trade, thousands of parrots continue to suffer as they are pulled from the wild, smuggled across borders and crammed into crates for transport to the US and other consumer countries.

At present, Air Afrique is the only commercial airline still carrying wild-caught birds from Africa to the United States. Air Afrique flies into New York, but New York State law wisely prohibits sale of wild-caught birds. So the dealers have to hire cargo planes to send the parrots to Chicago, Miami and Los Angeles.

A firsthand account by the Environmental Investigation Agency (EIA) of a 1992 shipment (see *AWI Quarterly*, Vol.41, No.2) reported that hundreds of African grey parrots were included among the more than 10,000 birds carried by Air Afrique from West Africa. The baby parrots were too young to feed themselves. The entire night was spent in the quarantine station removing the crated birds, many of whom were sick or injured. There were so many birds that the task was not completed when the EIA team was forced to leave at 5:00 a.m.

Air Afrique, the carrier of the shipment, is facing fourteen charges for breaches of the federal humane transport regulations over the last two years but continues to ship regularly. In another Air Afrique shipment, only 281 parrots out of 900 were still alive when they arrived in New York. Working undercover in the Ivory Coast, EIA was told repeatedly by dealers that the African grey parrots were smuggled illegally from Ghana. Members of the Air Afrique staff were also aware of this. The head of Ghana's wildlife department, Mr. Gerry Punguse, has called for international pressure on Air Afrique to stop these shipments.

**ACTION: PLEASE HELP GHANA TO KEEP ITS WILD-LIFE.** Write to Air Afrique expressing your disgust and dismay with their crass profiteering. The airline is a willing accomplice to the cruelty and illegality of the trade. The large majority of airlines have made it a policy to refuse carriage of wild-caught birds. Please urge Air Afrique in the strongest terms to join their peers in adopting this policy. Here is the address: Ms. Marie Jose Neptune, Air Afrique, One Crossland Plaza, Rosedale, NY 11422.

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## Law Enforcement Bill Reintroduced by Congressman Lehman

A bill to elevate the Fish and Wildlife Service's Office of Law Enforcement to the directorate level (H.R. 2360) has again been introduced in the US House of Representatives by Richard Lehman (D-CA).

Lehman cited the Office of Law Enforcement's low status within the agency and inadequate resources to carry out its responsibilities and stated, "To win the war against poachers, we need to have increased coordination between law enforcement agencies, adequate funding, and increased emphasis for Fish and Wildlife Service's law enforcement mission." He pointed out:

The illegal trade in wildlife... is often associated with other criminal activities such as narcotics, money laundering, weapons dealing, and tax fraud.

Study after study in 1970, 1976, 1981, and 1990 has provided overwhelming evidence that the United States Fish and Wildlife Service is ill equipped to enforce the 11 federal statutes and 5 international treaties Congress has passed to deter the problems associated with poaching. My legislation would prove that Congress is serious about enforcing these laws and protecting wildlife.

## Richard Furzer Pleads Guilty to Smuggling African Grey Parrots Worth a Million Dollars

On August 2, 1993, Richard Furzer pled guilty to a one-count indictment returned by a Miami Grand Jury charging Furzer with conspiring to illegally smuggle African grey parrots into the United States and to defraud the US Fish and Wildlife Service by filing false importation documents on six different shipments of parrots, in violation of the Lacey Act and the smuggling statute. The defendant faces a maximum penalty of five years in jail and up to \$250,000 in fines on the conspiracy count. The defendant pled guilty in Los Angeles, where he was also charged with and pled guilty to four additional counts involving the smuggling of African grey parrots into Los Angeles.

According to the Miami indictment and public documents, between September 1988 and October 1990, the defendant conspired to import approximately 1,478 "Congo" African grey parrots which had been illegally taken from their wild habitat in Zaire, where the commercial trade in grey parrots had been completely banned. The parrots were smuggled from Zaire to Senegal, where the African suppliers obtained false Convention on International Trade in Endangered Species (CITES) export documents to accompany the shipments to the US. The CITES export documents falsely stated that the parrots originated in Guinea or the Ivory Coast, countries where the "Congo" African grey parrot does not occur in the wild. These shipments are estimated to have a retail market value of between \$800,000 and \$1.4 million.

Furzer is one of the world's biggest dealers in wild-caught exotic birds. Government statistics show that thousands of his birds have died en route from jungle to pet store.

## Hearings to Confirm Mollie Beattie as Director of the Fish and Wildlife Service

If confirmed by the US Senate, Mollie Beattie, President Clinton's choice for Director of the US Fish and Wildlife Service, will be the first woman and the first non-hunter to fill this important post.

At a hearing on July 28, 1993 before the Senate Committee on Environment and Public Works, Ms. Beattie was enthusiastically introduced by Senator Patrick Leahy (D-VT) who emphasized how rarely he endorses a candidate. "President Clinton deserves great credit in making this nomination," he said.

Senator Baucus (D-MT), who chaired the hearing, led generally friendly questioning by Senator Chafee (R-RI), Senator Graham (D-FL) and Senator Durenberger (R-MN). Senators Simpson (R-WY) and Faircloth (R-NC) criticized some of the Fish and Wildlife Service positions, but the outlook for confirmation of Ms. Beattie is favorable.

To quote from the statement she presented, "Contrary to the Northeast's urbanized image, the place I have lived for the last decade is a house Rick and I built ourselves a mile from the last power pole, and a half-mile from our only neighbors, and, in the winter, a half-hour from our tiny village. So I know about rural economies and ways of life. And much of my knowledge of wildlife is from its constant companionship: the moose in the driveway, the geese on the pond, the wild turkeys at our birdfeeder and, this spring, the bear in my apiary."

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## Goodall's Humane Education

Jane Goodall, whose careful scientific studies of chimpanzees have earned her international fame and respect, has started a project for humane education throughout the world: Roots and Shoots.

It began in Dar es Salaam, Tanzania, in 1991. Dr. Goodall explains:

Children and students are the fertile ground where seeds, once planted, grow. The roots creep out secretly and quietly. They reach into every nook and cranny, making a firm foundation, and the shoots, new and tender, are yet strong enough to move rocks, break slabs of concrete, in order to reach the light.

Members of Roots and Shoots, through meetings and magazines, through the sharing of information between members from around the world, will strive to give young people a better understanding of animal and human nature, and of the many problems which human greed has inflicted on the environment. The chimpanzee, our closest living relative, bridges the supposed gap between 'man' and 'beast,' showing many characteristics once thought to be unique to our own species. The JGI [Jane Goodall Institute] young naturalists will follow the chimpanzee into the amazing world of nature, realizing that we humans have more in common with non-human beings than once was thought, yet learning in just what ways our own species is, indeed, unique.

Our members will become involved in projects to help animals and the environment, as well as each other and their communities. They will learn the interdependence of life on earth. They will learn as a result of each other's successes—and failures. Above all, they will learn the great importance of each individual, the great power of joining hands for a common cause.

Roots and Shoots clubs have been established in schools in Tanzania, Burundi, Congo, the United Kingdom, Germany, Hungary and the United States.

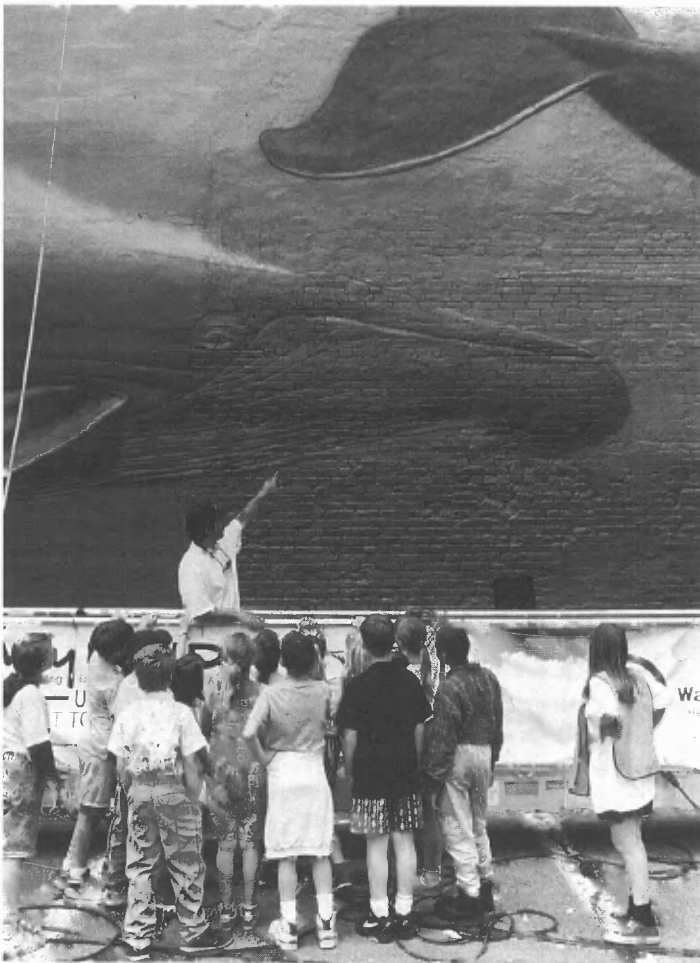
The International Roots and Shoots Day will take place on the third Saturday in February each year.

Dr. Goodall sums up by saying: "Perhaps the most important message of Roots and Shoots is this:

**"Every individual matters, whether human or animal.**

**"Every individual has a role to play.**

**"Every individual can make a difference."**



Wyland spreads art and education this summer during his 17-city, 17-week, 17-mural whaling wall project. The tour began in Portland, Maine on June 1 and will be completed in Key West, Florida on September 27. Here, a class of school children watch him put the finishing touches on a whale mural.

## Confinement of Hens in Battery Cages Ruled Cruel

On February 24, 1993, Tasmanian Magistrate, Phillip Wright, ruled that confinement of hens in battery cages is cruel. The case was brought against Golden Egg Farms Pty. Ltd. by Pam Clarke, who has been working for over a decade to outlaw battery hen farming in Australia.

Magistrate Wright commented that "if a bird is unable to move without affecting, physically, others in the cage nor to lay or rest without affecting itself deleteriously, the cruelty is constant and continual and without relief and, I have no doubt, caused stress in all these birds."

The judge noted that the only explanation for such suffering is increased profitability of egg production. Wright said that it is his "strong view that all these birds have been treated with unjustified and unnecessary cruelty, constituted by great indifference to their suffering and pain."

Golden Egg Farms was found guilty on all seven counts of violations to the Cruelty to Animals Prevention Act of 1925 and penalties are pending.

### Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute'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, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), located in Washington, DC, the sum of \$ \_\_\_\_\_ and/or (specifically described property).*

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

Animal Welfare Institute  
Post Office Box 3650  
Washington, DC 20007



## Judge Richey Rules that an EIS Is Required for NAFTA

Before negotiations on the North American Free Trade Agreement (NAFTA) had even started, Public Citizen, the Sierra Club and Friends of the Earth went to court to request that an Environmental Impact Statement (EIS) be done. But at that time (over two years ago) US District Court Judge June Green ruled that the suit was premature because the NAFTA agreement had not yet been finalized.

The day the NAFTA negotiations ended, the plaintiffs refiled the case which was heard by US District Court Judge Charles R. Richey. On June 30, 1993, he ruled that "the Defendant Office of the United States Trade Representative has acted contrary to law under the Administrative Procedures Act by failing to prepare an Environmental Impact Statement on the North American Free Trade Agreement as required by the National Environmental Policy Act."

Judge Richey concluded his decision with the following statement: "The Court notes that this agreement was negotiated by President Bush and his Trade Representative Carla A. Hills, and thus this lawsuit should not be construed as a failure of the present Administration. However, such an impact statement is essential for providing the Congress and the public the information needed to assess the present and future environmental consequences of, as well as the alternatives to, the NAFTA when it is submitted to the Congress for approval."

Unfortunately, the Clinton Administration has appealed this landmark decision.

Members of Congress are circulating a group letter asking the Administration to complete an EIS before bringing NAFTA to Congress.

## Massive Suffering of Animals in Cross-Border Trade with Mexico

In March, 1993, the World Society for the Protection of Animals (WSPA) issued an investigative report on livestock transportation between the United States and Mexico. The report estimates that in 1993 almost five million animals from the US will be slaughtered in Mexico. Nearly 85% of the Mexican demand for meat will be met by US exports.

The US transports an increasing number of sheep and goats, including full-term pregnant ewes in weak condition, thousands of miles to Mexico for slaughter. The report includes photographs of tiny lambs born in transit and emaciated sheep. The investigators also photographed the rotting bodies of dead sheep discarded along the road. The animals had metal ear tags indicating that they were from the US.

At the Producers Livestock Market in San Angelo, Texas, the WSPA investigators report sheep in poor bodily condition including cases of leg fractures, excessive hoof growth, swollen vulvas and mammary gland tumors. Although Mexican livestock health importation regulations require that US cattle and swine must be slaughtered at a "Plant of Federal Inspection Type," which necessitates stunning before slaughter, no such requirements exist for sheep and goats. Including sheep and goats in these regulations would prevent the needless slaughterhouse cruelty that these animals are forced to undergo after their grueling trip.

For example, at a municipal slaughterhouse in Monterrey, sheep are slaughtered without pre-stunning. The animals are held by a plant worker, their throats cut with a knife, and they bleed to death.

*continued on page 14*

*The following editorial which appeared in The New York Times July 12, 1993 gives strong support to Judge Richey's decision.*

## Nafta, Meet the Environment

A Federal judge in Washington has startled the Clinton Administration and everyone connected with the North American Free Trade Agreement by declaring that Nafta needs an environmental impact statement to be valid.

As the Administration pursues an expedited appeal, Judge Charles Richey is widely denounced as a reckless activist, a meddler bent on dashing America's hopes for dropping trade barriers with Canada and Mexico just when labor unions, protectionists and other opponents are gathering strength in Congress.

The critics are mistaken. Judge Richey has merely read the plain language of the law. The 1970 National Environmental Policy Act calls for an impact statement for every "recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment." Legal issues aside, it is sound policy to factor environmental considerations into international agreements.

An environmental impact statement, a familiar factor in Federal public works projects, is designed to inform Government, the public and private industry of the range of effects that a project may have on a region's air, water, wildlife and resources. The duty to prepare such a statement healthily forces its supporters to confront environmental effects and lay them on the table to inform the public debate over them. A statement may be a pain to prepare and a weapon for opponents, but the product serves democracy.

Few dispute the Nafta has the potential to affect the environment in the United States, indeed the hemisphere — for good as well as ill. Some charge that the trade agreement will suck industry south of the border, enticed by Mexico's lax environmental enforcement, thus creating more smoke-stacks along the Rio Grande. Others speculate that Mexico might cite American

health and safety standards as unfair restraints on trade, thus triggering political pressure in this country to weaken the standards.

Drafting even a voluminous impact statement need not cripple the process of submitting the agreement to Congress. If much of the agreement's environmental impact is unknowable, the impact statement can say just that.

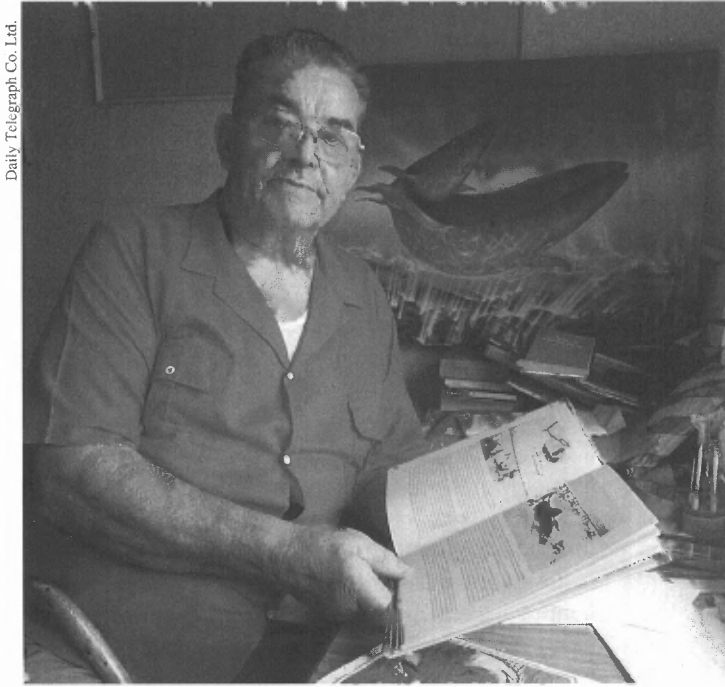
Negotiators from the Bush Administration assembled environmental data, and President Clinton, who is insisting on an environmental side agreement anyway, knows that he must provide some estimate of environmental impact in the coming House and Senate debates. Even if the Administration expects to win the case on appeal, it would be foolish not to prepare the best impact statement it can.

The U.S. Court of Appeals and the Supreme Court, most of whose judges are Reagan and Bush appointees, are more favorably disposed to executive power than Judge Richey, a maverick appointed by Richard Nixon. They may be tempted to rule that the lawsuit by Sierra Club, Friends of the Earth and Ralph Nader's Public Citizen is an intrusion on the executive's power in foreign affairs. But they are also dealing with Congress's undoubted right to regulate interstate and foreign commerce. Indeed, the entire fast-track trade agreement procedure under which Congress will approve or disapprove Nafta is a creation of Congress itself.

Whether Judge Richey is affirmed or reversed, he has not wrecked the trade agreement process. He has issued a wake-up call, telling the Clinton Administration it had better prepare a world-class statement on Nafta's environmental implications. Nations ought to consider the environment before ratifying such far-reaching agreements.

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## Frank Robson 1912-1993



Frank Robson at work in his study.

Whales, dolphins and all conservationists lost a great friend last month when New Zealander Frank Robson died. Robson was a man with a tremendous awareness of the dolphin psyche. He first became well-known throughout New Zealand for his ability to communicate with dolphins and later became famous worldwide as an expert on whale and dolphin strandings.

Robson's involvement with dolphins began in the 1960s as a trainer at the Marineland aquarium in New Zealand. His dolphin training method was unique, to say the least. Instead of relying on the traditional reward and punishment method he used mental telepathy. By concentrating on the dolphin's mind, creating an image in his own mind of what the mammal was thinking and perceiving, he was able to convey the desired performance to the dolphin who complied with Robson's wishes. Although there were many skeptics at first, his abilities were verified every time the dolphins performed. Robson eventually became head trainer and director of Marineland.

Just prior to 1970, Robson began to question the whole idea of keeping dolphins in captivity. That year he resigned from his position at Marineland over a disagreement with officials regarding the treatment of dolphins in captivity. He became an advocate for leaving dolphins in the wild, not capturing them for marine parks.

In 1978, Frank Robson truly became a household name in New Zealand. During that year a dolphin called "Horace" came to visit the Napier coast where Robson lived. The dolphin remained in the area for two years and Robson became his closest companion. On countless occasions Robson embarked on his boat with several passengers for a visit with Horace. He used the same mental telepathic talent that served him so well as a trainer to communicate with this wild dolphin. He amazed his passengers by asking them what they would like Horace to do, after a few moments of concentration by Robson, to their amazement, the dolphin always responded accordingly.

Robson's talents also achieved international recognition for his work with stranded whales and dolphins. The Napier coastline of

New Zealand is a place infamous for such strandings. On numerous occasions Robson worked for days on end, either directing efforts to save the marine mammals or performing autopsies on those that had already died. His efforts were successful in saving many stranded cetaceans and in heading off strandings before they occurred. The knowledge he gained gave him insight into the reasons why whales and dolphins do beach themselves. He developed theories behind such strandings which have been widely accepted by the scientific community.

He received many honors; of special note was the gold medal from Queen Juliana of the Netherlands for services to marine studies.

He wrote several books on whales and dolphins including *Thinking Dolphins: Talking Whales* and *My Friends the Dolphins*, which documented his unique experiences with the cetaceans and his unusual ability to communicate with them. He also wrote *Strandings: Ways to Save Whales, A humane conservationist's guide*, a how-to book for rescuing stranded whales and dolphins (available for purchase from AWI).

I met Frank Robson on a visit to New Zealand in 1989. Despite health problems that limited his work, he was still a fierce advocate for marine mammal protection. His books represent only a fraction of his knowledge and work on marine mammals. Perhaps some day the governments of the world will agree with the goal that Frank Robson fought so hard to achieve: total protection for all whales and dolphins.

Frank Robson is survived by his wife Sally and two children.

Henry Herbermann

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### *Cross-Border Trade (continued from page 13)*

As for the annual importation of over one million cattle into the US from Mexico, the United States Department of Agriculture (USDA) requires that Mexican cattle destined for slaughter receive agonizingly painful hot iron face branding with a letter "M" on the right jaw. In many cases the animals are even forced to undergo the cruel branding a second time if the USDA declares the original brand "indefinable."

In a letter to the Animal and Plant Health Inspection Service (APHIS) of the USDA, WSPA field officer, Neil Trent, requested consideration of freeze branding as a humane alternative to hot iron face branding. APHIS responded that "freeze brands do not become readable until 2 to 3 weeks after application" and are therefore not feasible. WSPA's report, however, notes that most cattle are branded at their point of origin, on the Mexican ranches. These Mexican ranchers, needing time to arrange transportation, prepare tuberculosis test papers and health certificates signed by a Mexican veterinarian, have time to freeze brand the cattle well in advance of transport. This would help assure that the freeze brand is visible at the time of arrival.

Clearly, there are practical options which would prevent animals from being subjected to repeated, grueling transport and cruel hot iron face branding. The United States Department of Agriculture must require humane conditions for animals transported to and from Mexico.

**ACTION:** Write to Secretary Mike Espy, US Department of Agriculture, 14th Street and Independence Avenue, SW, Washington, DC 20250, urging him to require humane methods of slaughter for sheep and goats and use of freeze branding in place of hot iron branding.

## Norway Certified for Commercial Whaling

The US Commerce Department announced August 5, 1993 that it has certified to President Clinton that Norway's resumption of commercial whaling is undermining the effectiveness of the International Whaling Commission's Conservation Agreement. This constitutes grounds for an embargo of Norwegian products into the United States. Under US law, following such a certification, the President has 60 days to determine whether imports from the offending nation should be prohibited. Vice President Gore will make the final recommendation to the President.

Norway resumed whaling for profit on June 15, 1993. A total of 296 minke whales are slated for death.

## Stellwagen Bank Named Marine Sanctuary

On June 26, 1993, the Stellwagen Bank, lying north of Cape Cod and east of the Boston Harbor, was officially dedicated as a marine sanctuary. The National Oceanic and Atmospheric Administration (NOAA) will manage the 840 square mile region surrounding the fertile bank, which is home to humpback whales and great numbers of other marine mammals as well as fish and birds. The area is a favorite spot for whale watching tours.

Although the creation of the sanctuary does not immediately affect industrial activities in the region, it does increase NOAA's ability to deal with potential threats. As Representative Gerry Studds (D-MA) said at the dedication ceremony, "This does not forever guarantee the sanctity of the region, but it does throw the spotlight on it. Things people might contemplate in the future won't be done in the dark of the night."

## Fate of a Labelling Law for Tropical Timber

According to the Japanese organization, Mori No Koe, Sarawak Campaign Committee, a leading fighter for the conservation of rainforests, "Campaign efforts to reform the tropical timber trade were dealt a blow by the revocation of an Austrian law requiring labelling of tropical timber. The law, which would have required all tropical timber products sold in Austria to carry a label stating so, was acclaimed by environmental groups worldwide as setting a precedent for government regulation of the tropical timber trade. It was revoked in March '93 after the Malaysian and Indonesian governments threatened to call for a boycott of Austrian products."

The Vice-Chancellor of Austria, referring to a letter from the Sarawak Campaign Committee, wrote that "Austria had aimed to set an example for other governments with this law, but that this objective could not be achieved since no other governments followed the Austrian example."

The concept behind the failed law is sound and should be given wide consideration. Meantime, immediate action must be taken to end the logging in Sarawak and Sabah states of Malaysia. If logging continues at the present rate, the rainforest will be gone by the year 2000. The native people (the Penan) and the native animals will lose their home. Rainforest Action Network recommends that Japan, Malaysia and the United States form a joint commission to enforce a moratorium on logging.

**ACTION:** Write the newly elected Prime Minister of Japan pointing out that 90% of Japan's logs are imported from Sarawak and Sabah. Urge him to join with the United States and Malaysia to institute and enforce a moratorium on logging these rainforests. Also write to the new Director General of the Environmental Agency, the first woman to hold this position.

His Excellency Morihiro Hosokawa  
Prime Minister of Japan  
2-3-1 Nagata-cho  
Chiyoda-ku, Tokyo 100, JAPAN

Wakako Hironaka, Director General  
Environmental Agency  
3-1-1 Kasumigasei  
Chiyoda-ku, Tokyo 100, JAPAN

## How to Save Stranded Dolphins

A report from New Zealand, where the government's Department of Conservation is alert to marine mammals in trouble, gives details from the 7:10 a.m. discovery of two stranded dolphins to 10:45 a.m. when the pair were able to join the group of dolphins swimming offshore.

According to Project Jonah, whose members rushed to the scene, the two female dolphins, probably mother and calf, were high and dry, and the small one was shaking uncontrollably. They were carried into the water on a large piece of canvas and held upright, for neither dolphin could stay afloat or swim unaided.

Tanya Jones and her cohorts talked softly to the dolphins, stroked them, and took them for "walks" in the water at 20-minute intervals. Both dolphins tried to swim, moving their flukes as they were propelled through the water, but they still needed support to keep their balance. The calf continued to go through bouts of shivering, and the volunteer dolphin rescuers decided to call a veterinarian.



G. Rinke-Project Jonah

*The stranded dolphins being steadied by Project Jonah volunteers who helped them to recover.*

Meantime, a group of some 20 dolphins were sighted about 100 meters offshore. One broke away and swam within 20 meters of the rescuers, causing loud vocalizations and struggling on the part of the two dolphins. But the calf continued to fall over to one side. Half an hour passed, and the lone dolphin messenger returned, this time swimming closer, just 10 meters away. The decision was made to release both dolphins to rejoin the main group offshore.

The *Project Jonah Advocate* describes the wonderful behavior of the pair:

The larger female swam around in a large right hand circle, the smaller calf in a large left hand circle. They stopped, touching and brushing against each other, then swam out towards the other group offshore. Just before reaching them they circled around, and swam directly towards the volunteers who were standing in knee deep water. They swam together up to Colin Henderson and Tanya Jones of Project Jonah, who had spent the most time in the water. The larger female rubbed up against Tanya's legs, then swam over to Colin who stroked her head. Both dolphins then turned and swam directly out to sea to rejoin the others offshore.

It was 10:45 when they headed towards deeper waters, both dolphins swimming strongly and with no apparent problems.

An inflatable boat was launched and the coastline was searched for any sign of re-stranding, but there were no further sightings.

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# Cruelty to Animals Linked to Murders of Humans

Cruelty to domestic animals frequently precedes attacks on human beings. The most recent horrific example was reported in *People* magazine (June 21, 1993), which quotes from the "confession" of one of the three teenagers recently arrested for killing three second graders. The confession "describes such cult-like rituals as eating the meat of a freshly sacrificed dog."

One of the suspects carried a cat's skull; another explained, "We go out and kill dogs and stuff." An abandoned local cotton gin is "strewn with animal carcasses," according to the article.

Criminals convicted of serial murders have been shown to have begun with the killing of small animals.

Dr. Stephen Kellert's scientific analysis of violent criminals, conducted in prison interviews, demonstrates the correlation with cruelty to animals by the inmates themselves and often by their fathers as well. ("Childhood Cruelty Toward Animals Among Criminals and Noncriminals," by Stephen Kellert and Allen Felthouse, *Human Relations*, Vol.38, No.12, 1985. Reprints available from AWI.)

There is a grave danger to society at large of underestimating the seriousness of cruelty to animals wherever and whenever it occurs.

Neighbors apparently took no action when Jeffrey Dahmer impaled frogs and cats. Nor did the cat killings of serial murderer Theodore Bundy come to light till he had killed at least 30 human victims.

Another serial murderer, Donald Evans, as a child tied firecrackers to the tails of his grandmother's cats.

According to *The Washington Post*, November 22, 1992, Michael Cartier treated his numerous girlfriends with ferocity and terrible cruelty. The two kittens unfortunate enough to be kept by them met their death after suffering unspeakable cruelty. He burned one kitten with the hottest water from a shower then shaved all its hair off with a man's shaving razor. The kitten survived the ordeal, but later he hurled it out of a fourth floor window. Subsequently, torture and death were the fate of Kristin Lardner at the hands of Evans.

A list of mass murderers who, before they were discovered, had abused animals is kept by Dr. Randall Lockwood, Director of the Humane Society of the United States' Higher Education Division.

Under the heading of "Cruelty and Criminality Linked," Dr. Lockwood cited:

... Boston Strangler Albert DeSalvo, who killed 13 women, had, in his youth, shot dogs and cats with bow and arrows. James Huberty, who killed 21 people in an attack on a San Ysidro hamburger stand, as a boy had shot a neighbor's dog. Letter carrier Patrick Sherrill, who killed 14 postal workers in Oklahoma, tied up animals with wire and mutilated them. Brenda Spencer, who killed two schoolchildren and wounded nine others, set tails of dogs and cats on fire. Carroll Edward Cole, who was executed in 1985 for five of 35 murders of which he was accused, told police his first act of violence was strangling a puppy.

## AVMA Declares Steel Traps Inhumane, Senator Akaka introduces bill against their use

Resolving a long-standing debate on the issue, the American Veterinary Medical Association (AVMA) has now taken a firm stand against the steel jaw leghold trap. The AVMA House of Delegates voted on July 18, 1993 to issue a statement on behalf of the profession: "The AVMA considers the steel jaw leghold trap to be inhumane."

Former AVMA president Walter L. Martin, Jr., an outspoken critic of the trap, said, "The Executive Board and House of Delegates deserve a lot of credit for clearing up an issue that has clouded our profession."

On August 3, 1993, Senator Daniel Akaka (D-HI) reintroduced his bill (S. 1343) to end the use of steel traps within the United States. "Steel jaw leghold traps are needlessly cruel and inhumane devices which can cause trapped animals to gnaw off their foot to gain freedom from the trap," the Senator said. He cited the AVMA position and that of over 60 countries that have banned these traps. S. 1343 states, "It is the policy of the United States to end the needless maiming and suffering inflicted upon animals through the use of steel jaw leghold traps by prohibiting the shipment in interstate or foreign commerce of the traps and of articles of fur from animals that were trapped in the traps."



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**Cover:** Rex was one of 13 dogs retrieved by their owners from the Mayo Institute after the many advertisements of lost dogs in the local paper led the wife of the Mayor of Austin, Minnesota to the laboratory. Mayo bought the dogs from a USDA licensed dealer who got them from his "buncher." Cathy Liss, AWI Executive Director, photographed each dog and interviewed the owners in 1984. Nine years later, major newscasters are questioning laboratory dog dealers. See below.



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### Missing Pet Found on Dog Dealer's Premises

Jerry Vance, a USDA licensed dog and cat dealer in Mississippi, is supposed to buy dogs only from other licensed dealers or from people who can prove that they raised and owned their dogs. But when Bogie and Phoebe, two local dogs, disappeared from their families' yards last year, their trail led to Vance's kennels. Bogie's owners showed up at Vance's kennels with a news team and the local sheriff—and Vance, who alleged that he had "bought Bogie from a dealer in Arkansas" released the dog to his owners for a \$15 fee.

Vance, a random source dealer who sells dogs for research, strongly denies that he knowingly purchased stolen pets. In fact, the burden of proof falls upon his shoulders. The USDA requires all dealers to keep complete records on the acquisition and sale of each dog. Vance has never been charged with pet theft, but many questions have been raised about how he runs his business.

Reporter Roberta Baskins, at a dog auction covering a story on pet theft for *Eye to Eye with Connie Chung* recently, asked Vance "How can you make sure the pets aren't stolen, Mr. Vance? What do you do to make sure that it's legal?"

"Get proper information like the USDA says to do," he answered. But Vance, who didn't appear too enthusiastic about discussing his business, rebuffed Baskins' continued probing, shoving the camera—and Baskins—out of the way. "That's all I got to say."

Vance may have to say a lot more now. The USDA, after a lengthy investigation of Vance's operations, has determined that he has not been keeping proper records "like the USDA says to do." In a complaint filed with the Secretary of Agriculture on November 30, the USDA charges Vance with "willfully violating the Animal Welfare Act."

Vance's catalogue of alleged violations includes not keeping complete records of acquisition, destination, or disposition; making inaccurate reports and falsifying both sales and acquisition records. He is also charged with not providing proper veterinary care, housing and waste disposal for animals under his care. The complaint cites a total of 28 record-keeping and 9 standards violations involving 528 animals between the period of October 31, 1992 and July 13, 1993.

His record-keeping violations suggest a lot more than mere oversights or slip-ups. *Eye to Eye* reporter Baskins brought attention to Vance's sloppy record keeping. "By his own account, 253 dogs simply disappeared," she reported, referring to a USDA inspection of Vance's operation on January 1, 1993.

Vance also recorded dogs as being dead when in fact they were alive and made false entries about the identities of two people whom he claimed sold dogs to him.

The current USDA allegations do little to inspire public confidence in Vance's claims that he never knowingly purchases stolen pets.

The USDA is calling for the suspension of Vance's license together with other civil penalties.



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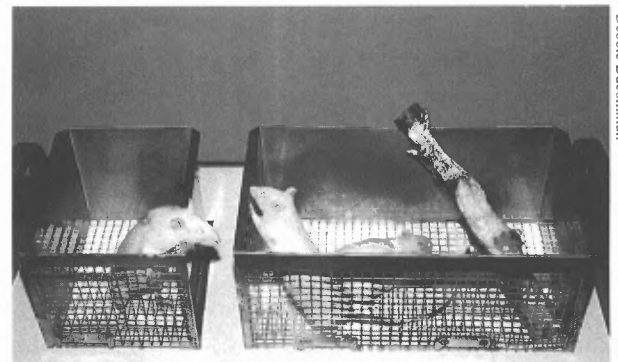


EarthViews

All species of tigers are listed on Appendix I of the Convention on International Trade in Endangered Species, making any commerce in their parts illegal, but they continue to be smuggled into China and Taiwan for use in "Traditional Medicine," the largest single threat to the future survival of tigers. Their total worldwide population has shrunk to less than 5,000 individuals.

**STOP PRESS**  
**Massachusetts Judge**  
**Says No to Use of**  
**"Soft Catch" Traps**

See Page 12



Debbie Deconium

The rat on the left would much rather be with the other two rats in the larger double-sized cage furnished with a branch than in the small single cage.

# Tigers Imperiled by Illegal Trade in China and Taiwan

by Courtney Stark

China and Taiwan share an exotic taste for the parts and products of endangered wildlife, especially tigers and rhinos. With a per-capita income greater than any other nation in the world, Taiwan is addicted to the fruits of liberalized and unhindered trade, where the exploitation and consumption of tiger parts and products has left the few remaining species of tiger teetering on the edge of extinction.

## The CITES Process

In September 1993, the Animals Committee of the Convention on International Trade in Endangered Species (CITES) convened in Brussels to determine an appropriate course of action to address the dire situation in China and Taiwan. What resulted was a list of recommendations and measures to halt trade in and conserve rhinos and tigers. These decisions of the Animals Committee represent the minimum criteria to be met for adequate implementation of protective measures within the major consumer countries: China and Taiwan. Specific recommendations include the identification, consolidation and where possible, seizure of all private and state-controlled stocks of wild-caught tiger specimens, including stocks held by pharmacies and manufacturing companies. The Committee also requires detailed information to prove that existing domestic legislation is adequate to control sale and internal and international trade effectively.

## The Pelly Amendment

On September 7, 1993, Secretary of the Interior Bruce Babbitt certified Taiwan and China under the Pelly Amendment to the Fishermen's Protective Act for illegal trade in rhino and tiger parts and products which diminished the effectiveness of the Convention on International Trade in Endangered Species. The Pelly Amendment empowers the President to embargo *any* product from a nation certified as undermining an international conservation treaty.

On November 8, 1993, President Clinton announced in a letter to Congress that the United States would defer the decision to impose trade sanctions. The President stated, "I hope that both [China and Taiwan] will demonstrate measurable, verifiable, and substantial progress by March 1994. Otherwise, import prohibitions will be necessary. . . ." The few remaining tigers will be subject to extreme poaching pressure in the intervening period. It is vitally important that President Clinton impose the powerful sanctions of the Pelly Amendment by March 1994, or before.

As part of the Pelly process, an interagency task force was established to evaluate the progress of China and Taiwan in fulfilling those criteria that must be met in order to avoid sanctions. These criteria are composed of recommendations offered by the Animals

Committee of CITES, the environmental community and the president's report to Congress. As part of the international CITES process, a high-level delegation will similarly evaluate the necessary progress of these nations. In the meantime, the few remaining tigers in the wild must endure another season of poaching. Only 200-300 Siberian tigers exist and reports from Russia indicate that 3 have already been illegally taken.



*Tigers are dismembered and auctioned from tooth to tail for folk medicines, delicacies, charms and aphrodisiacs.*

The next CITES Standing and Animals Committee Meetings will take place in Geneva (March 1994) and Beijing (May 1994) respectively. The next Conference of the Parties (COP) is scheduled for Fort Lauderdale, Florida (November 1994).

Courtney Stark is Congressional Liaison for Earth Island Institute.

## 1.9 Million Sparrows Seized

The Dutch news agency, ANP, reported that customs officials confiscated 1.9 million frozen sparrows in the port city of Rotterdam, Netherlands that were en route from China to Italy. The birds are legally protected in the Netherlands and in Italy, where they were to be sold as food. Such local laws would be subject to challenge under the Uruguay Round of the General Agreement on Tariffs and Trade (GATT).

## Exotic Fare Imperils Wildlife

Charlene L. Fu recounted the following in *The Washington Times* on November 11, 1993:

No one knows how many endangered animals are killed each year in China to satisfy diners and medicine makers, but a recent report in the official newspaper *Legal Daily* hinted at the size of the problem.

It reported that a single restaurant in Canton served 183 monkeys, 112 hawks and 8.73 tons of pangolins, boas and pythons and giant lizards in a six-month period.

Inspectors who visited 136 hotels and restaurants in Canton found that nearly half were serving endangered wild creatures, the paper said.

Additionally, *China Daily* reports that in a recent survey of Nanning, capital of Guangxi Zhuang Autonomous Region, 52 of 139 hotels and restaurants offered rare animal meat.



# New Petition to Prevent Extinction of Asia's Endangered Wildlife

by Richard Schweiger

On the very day that President Clinton delayed trade sanctions on China and Taiwan for their continuing trade in rhinoceros and tiger parts, seven environmental and animal welfare groups—led by the Environmental Investigation Agency (EIA), Animal Welfare Institute and World Society for the Protection of Animals (WSPA)—petitioned the Department of Interior, citing these same countries with rampant, illegal wildlife trade in a host of other endangered species.

The groups have asked Interior Secretary Bruce Babbitt to recommend to the President that he ban the import of all wildlife and pharmaceutical products from these countries due to the devastating effect that these industries are having on the survival of these species. Recent investigations by several conservation groups have confirmed that wildlife consumption for the booming traditional Chinese medicine industry and for use as luxury items is rampant throughout Asia. Chinese and Taiwanese nationals are undermining the effectiveness of conservation programs under the auspices of the Convention on International Trade in Endangered Species (CITES) by promoting and marketing the parts and derivatives of wild bears, leopards and primates in Asia.

China was cited in the petition for widespread illegal bear trade, a major threat to the survival of all of Asia's endemic species. Asian demand for bears is so strong that brown and black bear carcasses are being found in North America and Russia, shot dead with only their gall bladders and paws removed.

China has an enormous internal demand for bear bile as medicine, and also exports great quantities of bear gall, bear bile and other bear products. This demand diminished the supply of galls from wild bears so much that in the mid 1980's the Chinese government officially mandated the "milking" of bears in order to ensure a steady supply. Bear farms were supposed to reduce the pressure on wild bears by providing "farmed" bile. The actual effect appears to have encouraged the market to expand, giving it, in China at least, a facade to cover the devastation, cruelty and illegal trade.

It's estimated that 8,000 bears are currently being milked for their bile in China, and the government has set goals to ultimately have up to 40,000 bears under production. They are kept in tiny cages after a catheter-like tube has been surgically inserted into their gall bladders. Typically, about 3 kg of bile is milked from each bear annually. During milking, bears are often winched into the corner of their cages, making any movement impossible. In July 1993, investigators from EIA and WSPA reported seeing bears held in farms with scars and sores on their heads where they had rubbed their hair away from continually pushing against the bars in boredom or frustration.

"China is like a giant vacuum, sucking in all of Asia's wildlife for use in medicines and as luxury items. All of these species will be

lost to Chinese cooking pots or pharmaceutical companies in the next few years if the Chinese Government doesn't embark on a comprehensive program to eradicate their commercial use," said Allan Thornton, President of the Environmental Investigation Agency.

Taiwan imports a startling number of bear galls from China, which are sold in local pharmacies. The director of the Taipei Chinese Medicine Association—with 800-plus members—noted in 1991 that bear gall was a staple medicine in *every* traditional pharmacy that belonged to his group.

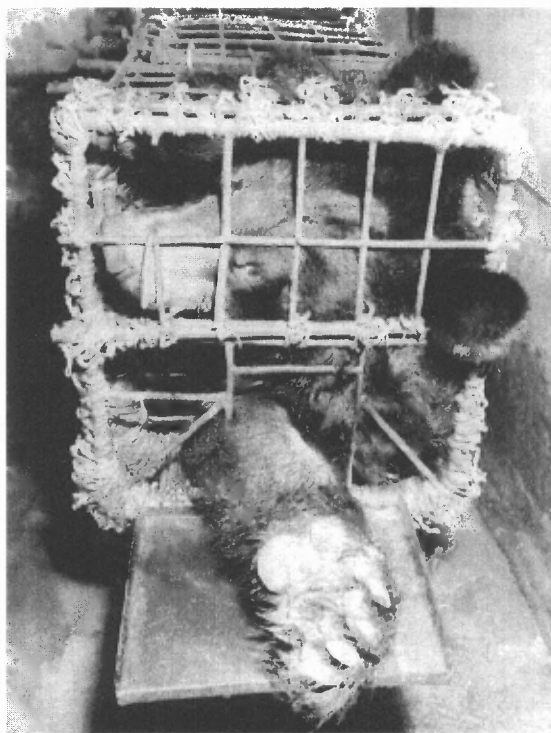
Many Chinese factories produce tiger bone medicines and products, often for the Taiwan market. The bones of leopards have been reported as substitutes for tiger bones, fueling leopard and snow leopard poaching throughout the Himalayas. Just two months ago, India's Ministry of the Environment and TRAFFIC-India made the largest bust ever of leopard bones and bear parts from Tibetan dealers who were amassing the cache to smuggle into China. Officials in Nepal have recently reported finding sacks of leopard bones in a local post office, and other people in Nepal have been found carrying bones towards the Chinese border in Tibet.

Southeast Asia has become the world's highest priority for endangered species protection in the world. Vietnam and Laos lose scores of Malayan sun bears, Asiatic black bears, clouded leopards, gibbons and other primates to Chinese and Taiwanese traders. Clouded leopard merchandise has been seen on display in various markets and stores in

Vientiane, the capital city of Laos, and the local clouded leopard population is seriously affected by the souvenir and medicinal trade. The trade from these regions in endangered wildlife often parallels the illicit drug trade.

In Russia, underground dealer networks have been established to take advantage of the high prices paid by Chinese dealers. Populations of Kamchatka brown bears and Asiatic black bears are declining because of poaching. The highly endangered Amur leopard may not survive to the end of this winter. Russia also loses snow leopards and ungulate species in this devastating trade. According to Russian ecologists, Russia has now become the main source of wildlife parts for Oriental medicine. Wildlife deals which can amount to thousands of dollars for each transaction are often a sidebar to timber and mineral operations being carried out in Siberia by Chinese, Japanese and Koreans.

While CITES and corresponding domestic laws in most of these countries forbid this cross border trade, demand for endangered species by Asia's economic powerhouse fuels poaching to catastrophic heights. If radical action is not taken now to stem this demand, many species will not make it past the end of this decade.



Bears are crammed into tiny cages to be milked for bile until they are slaughtered for use in exotic dishes.

Reuters

Richard Schweiger is Endangered Species Campaigner for EIA.

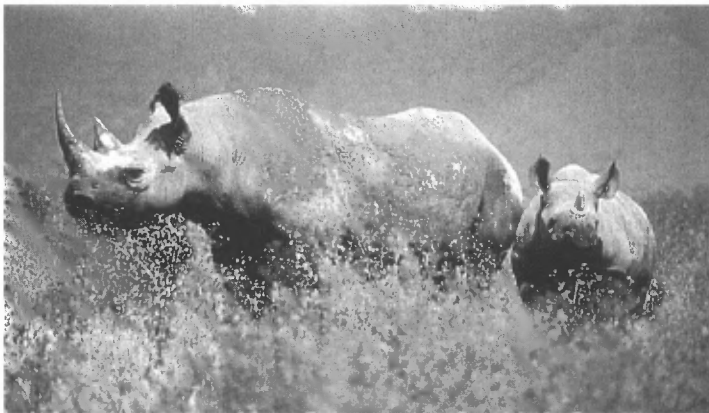
# Hong Kong—at the Heart of the Rhino Trade

by Steve Trent

Hong Kong by virtue of its location and status as a free port, has played a key strategic role in the trading history of the Far East. Nestled on the border with Deng's China, Hong Kong acts as a conduit for all kinds of illegal contraband. It is therefore perhaps not surprising to find that Hong Kong is both a major retail market and entrepot for the lucrative trade in wildlife.

This trade has recently become the focus of an urgent international campaign to save one of the world's most endangered species—the rhino. After more than 40 million years on earth and now reduced to less than 10,300 animals, this magnificent animal is on the verge of extinction.

Demand for the rhino's valuable horn for use in traditional Chinese medicine is the driving force behind this catastrophe. A deep rooted belief in the healing powers of rhino horn and the economic boom in the Far East have combined to accelerate the decline of the rhino. Now with a retail value higher than gold for some varieties (Asian horn has reached up to \$60,000 per kilo) dealers are stockpiling horn and speculating on the extinction of the species.



Leatherwood/EarthViews

*African white rhino and calf.*

The two main consuming centers for the rhino horn trade are China and Taiwan, but investigations by the Environmental Investigation Agency (EIA) have identified Hong Kong as a major player in this lethal market.

Hong Kong has long boasted the most comprehensive legislation banning the rhino horn trade of any country in the Far East. Under Hong Kong law not only is any trade in rhino products prohibited, but also the sale of any counterfeit or claimed rhino parts, thereby removing the need for expensive forensic tests. Furthermore Hong Kong Government's Agriculture and Fisheries Department (AFD), responsible for enforcing the legislation, has repeatedly contended that the ban is strictly enforced—at least until now. . . .

Between January and July 1993, the AFD looking for rhino and other endangered species parts, carried out 432 surprise checks on Hong Kong pharmacies, resulting in the seizure of 4 small vials of medicine claiming to contain rhino horn. Indeed since the end of 1989 there had been no prosecutions in Hong Kong relating to rhino horn—everything seemed to be under control.

But, in June 1993, as part of a wider operation to identify those behind the rhino horn trade, EIA conducted an undercover survey, revealing that 59 out of 90 (66%) Chinese pharmacies visited in Hong Kong had rhino horn, hide or patent medicines for sale. Rhino horn was found in 20% of pharmacies surveyed, rhino hide in 32% and patent medicine containing rhino horn in 47%. Moreover, EIA's

investigators, working in China and Taiwan, were collecting evidence to show that Hong Kong businessmen were buying for Taiwanese dealers and providing a major route for rhino horn, particularly between China and Taiwan. Clearly the AFD was not doing its job.

In October 1993, I travelled to Hong Kong with EIA's Executive Director, Dave Currey, to release our findings. Our aim was to persuade the Hong Kong Government to establish an Endangered Species Enforcement Unit, under the auspices of police and customs. The need for this was clear. Only professional enforcement officers with access to intelligence and an undercover capability could, in our assessment, deal with the scale of the trade in Hong Kong, the organized crime involved and the logistical problems posed by Hong Kong's Free Port status. Furthermore, by taking such action Hong Kong would set an example to the entire region.

Our press conference attracted massive attention, and newspapers and television across the region featured EIA's information prominently. We were even able to lead reporters, complete with camera crew from Reuters TV, to a pharmacy we knew had rhino horn where the manager, happy to oblige EIA's agent posing as a buyer, held up an Asian rhino horn as the journalists were signalled and burst in on the scene to record it.

In the following week, acting on EIA's information, the AFD raided 29 Hong Kong pharmacies and seized 2 horns, 2 horn scraps, 4 kg of rhino hide and more than 1,000 small packets of medicine. Other raids have since been conducted, seizures have been made and some prosecutions are now pending.

However, sadly, the Hong Kong Government still appears to be reluctant to recognize its responsibility and take decisive action. Despite our representations to AFD, police, customs and the Hong Kong Government, and despite the evidence EIA has provided and the media coverage it has generated, the authorities have not established a specific Endangered Species Task Force.

At best the Hong Kong authorities may be looking to see if any alternatives to an enforcement unit exist. At worst they are fumbling and fudging and all the while the rhino horn trade continues and the rhino edges one step closer to extinction. If Hong Kong is to avoid the censure of the international community and prevent the damning legacy of the extinction of these living dinosaurs they must act to control this trade now.

Steve Trent, EIA's Deputy Executive Director, has just returned from Hong Kong and China where he was investigating the illegal trade in rhino horn and campaigning for new measures to end the trade.

## Thai Elephants Tortured by Loggers

As reported in the July 24, 1993 issue of the *China Daily*, Taiwanese elephants are no longer revered as a member of the family but are being drugged, tortured and overworked so badly that some are maimed for life. Illegal loggers who use the animals to move heavy logs are the culprits. After the Thai government revoked concessions in 1989, loggers began to work at night to avoid detection, often feeding amphetamines to their elephants to keep them awake.

Dr. Preecha Pongkam, a veterinarian who runs a hospital and rehabilitation clinic for the injured elephants says "the future of the Thai elephant is in danger. We have even found that a trend of elephant owners abandoning their useless and overworked elephants is on the rise."

# Rampant Hunt Tourism Is Decimating Wildlife

by Eric Sievers

The Turkmenistan Minister of Nature Use and Environmental Protection, N. Ashirov, issued Resolution 91 on July 13, 1993 "On the Opening of an International Hunt for 1993-94."

In accordance with CITES [Convention on International Trade in Endangered Species] regulations on trade in endangered plants and animals and with the goal of fulfilling contractual obligations with international hunt tourism agencies, I order. . . hunts on endangered species will be permitted and foreign hunters will be granted licenses.

The Department for the Protection of Fauna and Flora and Use of Natural Resources will extend every means of cooperation to arriving foreign hunters and their parties and assist them through customs, arrange their visas, give them permission to carry weapons and ammunition in and out of the country, and also help them get licenses to export trophies out of Turkmenistan. . . . Nature reserves are required to turn over their equipment in working condition, with gasoline, spare parts, and drivers.

All of the animals in the resolution are endangered, listed in the Red Data Book and require complete protection. There are only a few dozen leopards left. The bag limits above were not derived from scientific research and inventory but from the input of hunters. Worse, the hunt will even be permitted in nature reserves, where officially no human presence is allowed. This resolution is the latest wound to nature reserves in a several year long campaign to convert them from protected wilderness into sources of state income.

What is happening in Turkmenistan is representative of conditions in the rest of Central Asia; the difference is that Turkmenistan does not yet realize that such escapades must be covert. Even so, I received Resolution 91 anonymously from someone fearing repercussions from the government. Within days of receiving that resolution, I received an advertisement from Uzbekistan, whose source also asked to remain anonymous.

. . . The rich diverse animal life of Uzbekistan has formed over a long historical period. Here one can see representative mountain dwellers, like keklik [*Alectoris kakelik*], Himalayan Ular [*Tetraogallus himalayensis*], quail, Siberian ibex, screwworm goat, roe deer, wild boar, tolai hare [*Lepus tolai*], and snow leopard.

We offer you magnificent hunting and sportfishing tours in the Tien Shan mountains, the Amu Darya and Syr Darya River deltas, and the Aral Sea basin where you will feel that you are the first discoverers and conquerors. . . . The program includes permission to shoot wild animals without limit."

These examples illustrate a growing trend; very little stands in the way of poaching in this part of the world. A snow leopard was recently poached in Kazakhstan—in the zoo in Almaty! No one was ever caught. Snow leopards and Turkmen leopards have ranges in all five countries of the area but they are on the very verge of extinction. We have already missed our chance with other native large cats of Central Asia: the Turan tiger and the Central Asian cheetah are gone. The survival of the remaining species depends on international interest and persuasion aimed at the new governments of the region.

In the Soviet era, endangered species were researched and protected through a system of red books, stern environmental protection laws and nature reserves. In Central Asia, hundreds of species were given protected status, laws limited hunting and 30 nature reserves covering 2.3 million hectares provided habitat. Although technically many of these measures are still in effect, nature protection authorities have ceased to function in many areas, scientific work is at a standstill, poaching is rampant and nature and hunting reserves are being mauled for their natural resources.

Although Russia claims authority for the CAR regarding the Convention on International Trade in Endangered Species, there is no reason now for the republics to heed Russia. None of them have become parties to CITES.

If native biodiversity could be transformed into color, it would almost always be a rainbow. This rainbow over the Central Asian Republics (CAR), Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, is losing some of its brightest colors. Central Asia is one of the most remarkable places in the world for biodiversity. Although it is only 17% of the total area of the former Soviet Union, it contains over half of the region's native biodiversity. Therefore, it is simply disheartening that while the world rivets its attention on and takes action for the wildlife of other areas, Central Asia remains unknown. There is a rising amount of poaching, a decreasing amount of protection and a growing trade in the endangered species of Central Asia.

The highlight of all these trends is a booming new business in hunt tourism, which ignores hunting seasons, bag limits and protected status. Government agencies in the CAR sponsor these excursions, and as long as the hard currency keeps coming in, and the international attention stays away, these practices will continue. Yet something must be done if animals like the snow leopard, the muflon and the keklik are to survive.

**ACTION:** Write to the heads of state listed below and request them to join the Convention on International Trade in Endangered Species. Urge them to enforce their laws for protection of wildlife. To ensure safe arrival of your letters, mail them to ISAR Attn: Almaty Office; 1601 Connecticut Ave., Suite 301; Washington, DC 10009. The letters will be delivered by pouch to assure their arrival.

Nursultan Nazarbayev  
President of Kazakhstan

Askar Akayev  
President of Kyrgyzstan

Akbarsho Iskandarov  
President of Tajikistan

Saparmurad Niyacov  
President of Turkmenistan

Islam Karimov  
President of Uzbekistan

Eric Sievers is Central Asian Coordinator for ISAR.

## RICHARD LEAKEY ON ELEPHANTS

Richard Leakey, Director of the Kenya Wildlife Preserve, is a strong supporter of the ban on international trade in ivory. In an interview by Fiammetta Rocco after his near-fatal plane crash, he spoke of animals that have "less ability to comprehend sadness or grief. But elephants are a highly intelligent species. They really do have a capacity to think about life, about themselves and about their surroundings and their families. They require a different moral code."

"Not surprisingly," Fiammetta Rocco wrote, "Leakey keenly supports research into contraception for managing elephant populations." Leakey is a scientist who comes from a very distinguished scientific family, but he made clear:

The scientists didn't achieve the ban. The ban was purely a political decision. The scientific backing for it was so pooh-poohed by the opposition to it that it didn't mean anything. The number of elephants being slaughtered was unbelievable. There was blood all over the floor. It was clear that unless we knocked down the price of ivory, we were going to lose elephants in most of Kenya. We didn't need a scientist to tell us that.

# Animals Teach Important Lessons at Principia

When St. Louis's Principia Lower School students (grades one through six) arrive at school each morning they are welcomed by two greeters—Lower School principal Bob Clark and his golden retriever, Honey.



*Principal Bob Clark and Honey greet Lower School students each morning.*

Honey comes to school every day with Bob, just as his German shepherd Dakota did 15 years ago when Bob and his wife Sandy team-taught sixth grade at the Nishimachi School in Tokyo.

"There is something about having a dog around that really relaxes people," Bob observes. "When I have kids in my office for disciplinary reasons, Honey seems to know right away why they're there, and she goes over, sticks her head in their laps and licks their hands.

"A couple of times I've had kids in my office because of disputes on the playground. I have them sit on opposite sides of the couch, and Honey goes to first one and then to the other. And pretty soon they're both laughing.

"I think animals' innocence communicates directly with children's innocence," he adds. "I also think the kind of caring and compassion children experience in seeing and meeting animals' needs is a real good way to teach little children more about seeing and meeting people's needs."

Pre-schoolers, first-graders and second-graders have long been learning such lessons from their furry and feathered tutors. Dean of these auxiliary teachers is Indian pony Poco Pico.

"Poco helps the children to be good

listeners," says Pre-School supervisor Bess Goodspeed. "When they're in a classroom, they are told over and over to listen. But when they are down in the corral on Poco's back and have to make Poco 'listen' through the use of reins, it's a different story. They learn *why* listening is so important, why obedience is so important."

According to riding instructor Rodger Peterson, "Two things that are remarkable about Poco are his love for the kids and how he recognizes people. He really checks each one out when he's picking them up, and he makes different demands on the seniors than he does with the younger children.

"He is very careful with the nursery children. He will walk slowly with the juniors. And when he is with the seniors, it's as if he were one of them, and he'll play with them."

One day Rodger overheard two Pre-School seniors talking about the downside of being promoted to first grade—having to give up Poco Pico sessions. So he arranged for a new early-fall tradition for first-graders, the annual "Last Hurrah"—"a last brushing, and combing, and hugging and crawling all over Poco, and one final ride around the ring."

Over the past 20 years Pre-School nursery teacher Carol Freund has had the help of four different rabbits to teach gentleness and consideration. Her current lop-eared is Papillon.

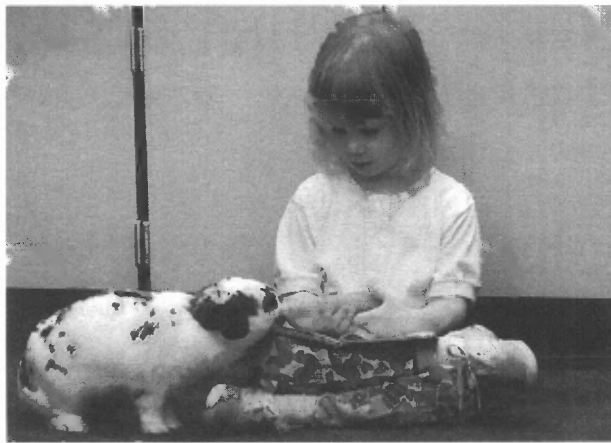
"When we've visited the younger children at the Central Institute for the Deaf, and we've made a circle, Papillon has gone to every single child, all on her own. She would even go across the circle and make sure every child had a chance to pet her."

Papillon has been known to withhold the petting privilege, though, such as when a pre-schooler has been overly boisterous during the day. Carol tells of such an instance where she and Papillon were saying good-bye to each child who, in turn, would take Papillon's right paw, shake it gently and say, "Good-bye, Papillon." When Carol and Papillon got to one boy who had been overactive during the day, Papillon wouldn't interact with him, but continued to let all of the other children shake her paw and say good-bye. That, says Carol, "really made an impression on the little boy."

In addition to Poco Pico and Papillon, pre-schoolers enjoy the company of two fish, two newts, two crabs, two parakeets and a gerbil. Their caterpillars turned into butterflies.



*Pre-schoolers give Poco Pico a bath.*



*Pre-school rabbit Papillon takes a carrot break.*

First-graders help care for two rabbits (available to any Lower School student during recess by appointment), three fish and a canary. They also use their classroom incubator to hatch baby chicks each spring and watch a tadpole turn into a frog each fall. Most influential in first grade, though, is Spud the turtle.

Ask the first-graders, what's so special about Spud, and they'll tell you: "He helps us work better," and "he's kind of a symbol, to stick your neck out when you're doing something hard."

First grade teacher Angie Wohlfarth explains, "In order for a turtle to take a step, he has to stick his neck out. Spud teaches us to stick our necks out, to be willing to make a mistake, to try out new things, to be a risk-taker, to make progress.

"We see Spud working so hard and know we can do the same. Going from Pre-School to Lower School, many of the children have concerns, and Spud helps them to say, 'Yes, I can.' And they help each other to remember, 'Yes, I can.'"

"Spud is also the inspiration for our good news," she adds. "We try to end our day feeling grateful for something and singing our song, 'All things are possible.'" One senses that Spud is teaching the first-graders well and that they are doubly pleased with his success.

Just next door, in second grade, reside the odd couple, Harry the guinea pig and Trisha the cockatiel. While Harry does an admirable job of being cuddly and requiring twice-daily care from eager second-graders, it is Trisha who puts in the extra hours.

Besides traveling to other schools with second grade teacher Rachel Crandell about once a month when she gives talks on tropical rainforests, Trisha has free run of the room most of the time. Sometimes she can be seen in her cage, door open. Most of the time, she is likely to be just hanging out on someone's head or shoulders.

"Trisha just loves the children," Rachel said. "One time I forgot to put her back in her cage and lock her in when we left, she wanted to go, too. Although she can fly, she more often walks. So she walked out of the classroom, down the hall and into the office looking for us."

According to Rachel, Trisha's speciality is helping the children learn about thresholds—that point where individual animals and people no longer feel comfortable or safe and will likely let you know so, if pushed beyond it.

For example, if a student is not being gentle with Trisha—or even if Trisha just wants to be by herself—she'll indicate it by giving a little peck. Sometimes, a student will want to play with her anyway, and somebody will say, "It's time for Trisha to be by herself."

"They're looking out for her. And any time we can get children to think about somebody else's needs before their own, we've made another step in the right direction."

Reprinted from *The Principia Purpose*.

## Spaying and Neutering of Juvenile Dogs and Cats Found to be Safe

*The Journal of the American Veterinary Medical Association (JAVMA)* (January 1, 1993) has published a careful and thorough study entitled "Surgical techniques for neutering 6- to 14-week-old kittens." It shows that early neutering, if carried out with proper technique and humane care, is very successful. The work was conducted at the Angell Memorial Animal Hospital of the Massachusetts SPCA by veterinarians Michael G. Aronsohn and Alicia M. Faggella.

The anesthetic techniques are as important as the surgery itself. The authors point out that young kittens require "special handling and precautions to ensure a successful outcome." They add, "None of the requirements for anesthesia should be major obstacles, and neutering of kittens at a young age can be incorporated with little difficulty as a routine procedure in private and shelter practices."

Dogs also benefit from sterilization at an early age. A report in the *JAVMA* on April 1, 1991 showed that "the effect of neutering pups at 7 weeks old was similar to that of neutering pups at 7 months old."

In support of early-age spay/neuter, Gloria Binkowski, D.V.M. states:

One of the benefits of early-age sterilization is its role in reducing the overpopulation of dogs and cats and the destruction of millions of healthy, but homeless, individuals each year. Dogs and cats can reproduce as young as four months of age, younger than many veterinary clinics have been willing to sterilize them. Many dogs and cats adopted from shelters are at the puppy and kitten age, and it has been shown that, if the decision to sterilize is left to the adopting person, many animals will not be altered and will be allowed to reproduce, compounding the problem adoption was intended to ameliorate. It has been well-documented, however, that once shelters begin to perform early-age sterilizations, the numbers of dogs and cats being destroyed at those shelters declines dramatically.

Dr. Leo Lieberman, a veterinarian who has been working for years to achieve support for early-age sterilization says that the new American Veterinary Medical Association and American Kennel Club support for "neuter before adoption" programs "offers a basis for shelters, animal welfare organizations and veterinarians to work together for the good of animals and each other."

Early spaying and neutering technique should be taught in veterinary colleges. It will contribute to the feasibility of local ordinances requiring fertility control for pets (see below). The Animal Welfare Institute supports these practical, humane moves against pet overpopulation.

### Laws for Pet Fertility Control

Dallas, Texas passed an ordinance in January 1993 stating, "A person commits an offense if he breeds a dog or cat in the city that is not currently registered with the city as an unspayed or unneutered dog or cat." Similar ordinances which strongly promote responsible ownership of pets by encouraging spay/neuter procedures have been passed in Denver, Colorado; Lake County, Colorado; McKinley County, New Mexico; Montgomery County, Maryland; Pacific Grove, California; Rock Island, Illinois; Ruidoso, New Mexico; Santa Barbara, California; Santa Rosa, California and Tacoma, Washington.

# MARINE MAMMAL PROTECTION ACT UNDER ATTACK

The Marine Mammal Protection Act (MMPA) passed in 1972 is one of the world's most powerful animal protective laws. It must be reauthorized by Congress in 1994, and its enemies are using this opportunity to destroy it if they can.

Already the Senate Commerce Committee has reported out a bill, S. 1636, that would:

- allow issuance of permits to kill threatened, endangered and depleted marine mammals. The US position in numerous international treaties would be severely weakened by such disregard of species threatened by extinction. Our position in the International Whaling Commission would be completely undermined. Even the magnificent singing humpback whales, now protected by the Cartagena Convention on migratory species, would lose that protection if the Marine Mammal Protection Act is weakened.

- rely on commercial fisheries to report to the government how many marine mammals they seriously injure or kill. But the industry has been telling monstrous falsehoods for the past five years about this very matter. National Marine Fisheries Service (NMFS) observers aboard the fishing boats found that in the course of fishing operations the fishermen actually caused the deaths of six marine mammals for every **one** they admitted killing! But under the proposed bill, the **mandatory** federal observer program would no longer exist. It would be made **discretionary**. The public would never know how many sea mammals were destroyed by the giant fishing industry.

- repeal the requirement for fishing vessels to register and pay a \$35 fee to the National Marine Fisheries Service. Confusion from the patchwork of state, tribal and federal data is bound to result, and NMFS would be deprived of a source of funds just when they need it most.

- reverse the burden of proof which the MMPA established when it was enacted in 1972. If the new Senate bill is passed, it will



Richard Ellis

*Portrait of a seal by Richard Ellis.*

be up to the government to demonstrate "significant adverse impact" on a population of marine mammals. Very substantial funds over a long period of time will have to come from the taxpayers' pockets, and even then, even if the best scientists could be hired to attempt the multiple studies that would be required, and even if the adverse impact is clearly demonstrated, the Secretary of Commerce would be authorized to issue emergency regulations **only after** taking economic impacts on the industry into account! What's more one of the "regional fishery management councils" named in the bill could request delay, slowing down any action to protect the marine mammals.

- authorize intentional killing by NMFS of "nuisance" seals and sea lions that are attracted to aquaculture operations or natural salmon runs. Damming of rivers, logging and other human caused pollution seriously threaten some salmon populations, but the industry is eager to place the blame on the pinnipeds despite the fact that they have co-existed with the salmon since time immemorial without harming fish populations.

The proposed changes would cause a disastrous relaxation of US conservation policy. Any weakening of the MMPA would critically lessen the ability of the United States to restrict the killing of whales, dolphins and seals by other nations.

The Marine Mammal Protection Act must not be emasculated. Reversal of the burden of proof, authorization of the killing of threatened, endangered and depleted species and consent to the intentional slaughter of pinnipeds directly contradicts the spirit of the MMPA. A complete registry and sufficient observer coverage of fishing vessels by objective government personnel must be maintained. The MMPA must continue to protect the animals, as American citizens desire and expect it to do.

## South Carolina Bans Public Display of Cetaceans

In 1992, South Carolina passed a law making it unlawful for a person or corporation to publicly display whales and dolphins within the state's borders. This legislation is the first of its kind and was lauded across the country as a landmark measure. However, the ban was vigorously opposed by Anheuser-Busch, owner of the four Sea Worlds, who hired the state's former Lieutenant-Governor to plead its case and mounted a major campaign to repeal the law.

On October 26, 1993, a public hearing was held in Columbia, SC for advocates and opponents of cetacean captivity to express their views. Representatives from the Society for Animal Protective Legislation, Humane Society of the United States and Free Corky Campaign joined local environmental and animal welfare groups in support of the legislation.

After a full day of testimony from both sides, the members of the South Carolina Senate Agriculture and Natural Resources Committee indicated overwhelming agreement that holding cetaceans in captivity is destructive and cruel, and provides no demonstrable educational or conservation benefits. Governor Carroll A. Campbell, Jr., has indicated that he will veto any effort to overturn South Carolina's law on the public display of whales and dolphins.

### All Species Connected

When US Fish and Wildlife Service Director Mollie Beattie addressed the Service's 600 Washington office employees, she told them, "...the American people must understand that all species, including human beings, are connected. . . . People need to understand that the choice between people and animals, between the economy and endangered species, is a false one." She said Americans "cannot eliminate the habitat of their fellow species and expect our own to survive."

## Sea Turtle Slaughter by Mexico

A coalition of environmental and animal protection organizations have petitioned Secretary of the Interior Bruce Babbitt and Secretary of the Interior Ron Brown to certify Mexico under the Pelly Amendment to the Fishermen's Protective Act for the violation of several international treaties calling for the protection of endangered sea turtles. The petition cited:

- Lack of enforcement for the use of turtle excluder devices on shrimp trawlers: The trawlers are responsible for the deaths of thousands of sea turtles each year. Recently, eleven of the remaining 400-700 nesting females of the most endangered turtle, the Kemp's Ridley in the Caribbean, were drowned in trawlers' nets.

- The continued slaughter of turtles for their skins: Turtle products continue to be readily available.

- Illegal egg poaching: It is estimated that one million eggs are stolen from nests each year.

Certification is a first step that could lead to trade sanctions against Mexican products entering the US.

Todd Steiner, Director of Earth Island Institute's Sea Turtle Restoration Project, says "the reports emanating from Mexico are frightening and threaten sea turtles with extinction. We have repeatedly reported these violations to the Mexican government and they have failed to act to end these atrocities, despite numerous promises to the contrary."

## Driftnet Vessels Still Operating

The State Department submitted the 1993 US report on Large-Scale Pelagic Driftnet Fishing to the United Nations in August. In December, the Department announced the signing of a Memorandum of Understanding between the US and China to ensure full and effective implementation of the UN anti-driftnet resolution.

US Coast Guard aircraft sorties and cutter patrols in areas of former large-scale high sea driftnet fishing activity have detected four vessels equipped for large-scale driftnet fishing operations. One vessel was observed retrieving driftnets with fish on deck, and another vessel was observed with uncovered driftnets on deck. Three of the vessels were either currently or formerly registered in the People's Republic of China. After consulting the Chinese government, US Coast Guard officers boarded and inspected the vessels and found a total of 54 nautical miles of driftnets on board. According to the State Department, a fourth vessel, registered in Honduras, left the area before the Coast Guard was able to board it.

The US was a principal co-sponsor of the UN Resolution which created a global moratorium on all large-scale pelagic driftnet fishing on the high seas, and on March 8, 1993, announced the steps the US intends to take to enforce the moratorium.

Since 1990, it has been unlawful for any United States national or fishing vessel to engage in large-scale driftnet fishing within the jurisdiction of the United States as well as beyond the exclusive economic zone of any nation.

Further legislation includes the Driftnet Act Amendments of 1990 to secure a permanent ban on the use of destructive fishing practices, in particular large-scale driftnets, by persons or vessels fishing beyond the exclusive economic zone of any nation.

In 1992, the High Seas Driftnet Fisheries Enforcement Act denied port privileges to driftnet fishing vessels and prohibited importation into the United States of fish and sport fishing equipment from any nation that conducts large-scale driftnet fishing.

## President Clinton Delays Sanctions Against Norway

When Norway resumed commercial whaling, Secretary of Commerce Ron Brown responded by certifying it under the Pelly Amendment to the Fishermen's Protective Act for undermining the effectiveness of the International Whaling Commission (IWC). Norway's slaughter of 256 minke whales over the summer violated the IWC moratorium on commercial whaling reaffirmed at the last meeting of the IWC by a vote of 18 to 6. The Pelly Amendment requires the President to decide whether to sanction the imports of the offending country and to report to Congress within 60 days.

In his October 4, 1993 letter to Congress, President Clinton affirmed that "the United States is deeply opposed to commercial whaling. . ." and he continued,

I believe that Norway's action is serious enough to justify sanctions as authorized by the Pelly Amendment. Therefore, I have directed that a list of potential sanctions, including a list of Norwegian seafood products that could be the subject of import prohibitions, be developed. Because the primary interest of the United States in this matter is protecting the integrity of the IWC and its conservation regime, I believe our objectives can best be achieved by delaying the implementation of sanctions until we have exhausted all good faith efforts to persuade Norway to follow agreed conservation measures. It is my sincere hope that Norway will agree to and comply with such measures so that sanctions become unnecessary.

Inevitably, President Clinton's decision to delay sanctions has encouraged the whaling nations. Already Iceland is threatening to begin commercial whaling again. Worst of all, forces within our own government are working against the whales. Reportedly, the National Security Council and the State Department are pressuring the White House to weaken the US commitment to whale conservation and to support the adoption of the so-called Revised Management Procedure (RMP) at the next meeting of the IWC (See *AWI Quarterly*, Vol.42, No 1). The RMP is designed to *legalize* whale slaughter for commercial profit!

There have been reports of Taiwanese (rogue) driftnet vessels sighted in Singapore. According to the *Hawaii Star-Bulletin* (June 4, 1993), the *Sea Breeze* and the *Titan I* were "flying Honduran flags. . . According to Earthtrust investigators, the boats had been fishing in the Indian Ocean and were planning to move into North Pacific squid and tuna grounds."



Giant driftnets entangle and drown marine mammals.

## Double Talk about Steel Traps

As readers of the *AWI Quarterly* are aware (see Vol.40, No.3; Vol.41, No.3 and 4 and Vol.42, No.1 and 2), trappers, furriers and trap manufacturers are trying to obtain a stamp of approval for steel jaw leghold traps from the International Organization for Standardization (ISO) by classifying them as "humane."

Animal protective organizations throughout the world are strongly objecting to this flagrant "doublespeak" and humane scientists back them up. AWI scientific advisor, Samuel M. Peacock, M.D. stated, "Any device causing pain, stress and/or fear is, by definition, inhumane." Professor John R. Baker, D.V.M. of the University of Liverpool, stated, "Foot and leghold traps and body gripping traps, however used and maintained, are *always inhumane* and should never be used."

### Nordic Animal Welfare Council condemns use of the word "humane" in trap standards

The Nordic Animal Welfare Council, consisting of major Scandinavian animal protection groups, passed the following resolution at its meeting in Stockholm on August 21, 1993:

The Nordic Animal Welfare Council is strongly opposed to the development of so called "humane" trapping standards carried out by ISO Technical Committee 191. It finds totally unacceptable that this committee intends to classify as "humane" traps that make animals undergo painful death struggles, fracture their bones and cause other injuries, or kill them by drowning hence causing extreme cruelty to these animals.

The Nordic Animal Welfare Council therefore condemns the use of "humane" in the title of these standards and urges that it be removed.

### But National Trappers Association tells trappers to keep their steel jaw leghold traps

According to *Fur Age Weekly*, the National Trappers Association (NTA) meeting this August provided an opportunity to reassure trappers about the so-called "humane" trapping standards. Tom Krause, editor of the NTA's *American Trapper* magazine, told his fellow trappers that the "current drafts are more acceptable" to the National Trappers Association. "The sky is not falling, and don't throw away any traps," he said.

### AWI continues to seek a sound resolution at ISO

AWI has collected thousands of signatures urging the ISO to eliminate the word "humane" from the trapper-dominated recommendations on trap standards. Cathy Liss, AWI Executive Director, is travelling to Geneva to join Madron Seligman, a leading member of the European Parliament, and representatives of international animal welfare organizations in a meeting with ISO officials at their headquarters building.

## From Cruelty to Animals to Murder of Humans

Richard Allen Davis, charged with the murder of Polly Klaas, exemplifies the syndrome of sadistic persecution of animals in childhood, followed in later years by murder. According to *USA Today*, December 14, 1993, "Neighbor Zak Beckett, 38, recalls Davis as a 'rotten kid. When he was little, it was animals,' he says, referring to Davis' reputation for torturing neighborhood pets. 'When he got bigger, it was people.'"

*People* magazine, December 20, 1993, reports: "Davis was clearly a troubled youth. He doused cats with gasoline and set them on fire, says neighbor Ruth Baron. And he used dogs as targets for knife-throwing practice."

## STOP PRESS

### Massachusetts Judge Says No to Use of "Soft Catch" Traps

Massachusetts banned use of the steel jaw leghold trap or any device that would cause continued suffering to animals in 1974. But the Division of Fisheries and Wildlife promulgated regulations in 1989 to permit use of the so-called "soft catch" trap, which is, in fact, a steel jaw leghold trap with thin strips of hard rubber on the jaws. Humane organizations, including Citizens to End Animal Suffering and Exploitation, the Massachusetts Society for the Prevention of Cruelty to Animals, and the Society for Animal Protective Legislation, challenged these regulations. On December 27, 1993, Judge King ruled in favor of the plaintiffs. He determined that regulations promulgated by the State Division of Fisheries and Wildlife violated Massachusetts law. Judge King wrote:

It is apparent from the operation of the Woodstream 'soft catch' trap that it will cause injury to many animals caught in its padded jaws. For example, the violent force brought to bear by the jaws on an animal's leg is demonstrated by what occurs when a wooden pencil is used to spring the trap: the pencil is crushed and broken in two... there is nothing to prevent much smaller and fragile creatures, including the family cat or dog, from encountering its crushing grip.

## Animal Sacrifice and the Law

In 1993, the United States Supreme Court decided *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, a case involving the right of local government to regulate the use of animals in religious rituals. The Court found that the ordinances involved were not neutral and sought to ban practices in the context of religious rituals that were not otherwise prohibited. The Court determined this to be in conflict with the First Amendment prohibition of interference by the government in the free exercise of religion. This decision has been widely misconstrued by the media, law enforcement officials and animal control officers as an absolute prohibition against regulation of religious practices involving the torture and/or killing of animals. This is not an accurate interpretation of the ruling.

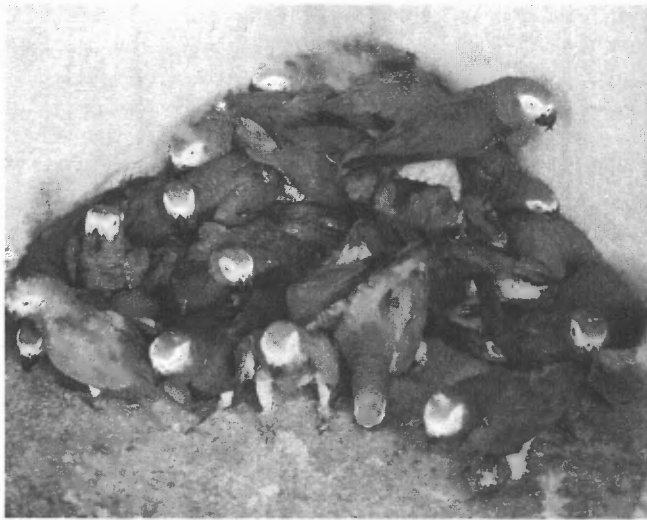
In November 1993, the United States Congress passed, and President Clinton signed into law, the Religious Freedom Restoration Act (RFRA). This law raises the judicial standard a state must meet to enforce "neutral" state statutes against an individual practicing his or her religion to a "compelling state interest." Senator Kennedy, the Senate sponsor of the bill, provided legislative history detailing that this bill does not reflect the intent of Congress to interfere with the enforcement of state anti-cruelty or humane slaughter statutes.

Senator Kennedy said, in part, that "there clearly is a compelling Government interest in avoiding the needless slaughter of animals. . . It is certainly not the intent of Congress to stifle the enforcement of religious-neutral laws that protect animals."

Every state has an anti-cruelty statute and many have humane slaughter laws. Anti-cruelty statutes have a long and distinguished history in the United States dating back to the Massachusetts Bay Colony in 1641. They represent the states' commitment to the prevention of animal cruelty as a fundamental and essential aspect of governing. Neither the *Hialeah* case nor the passage of RFRA creates any barrier to the enforcement of state anti-cruelty statutes against individuals who unnecessarily and deliberately cause harm to animals. These statutes, which protect animals and set base standards for morality in this country, should continue to be vigorously enforced.

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Currey/EIA

Grey parrots huddle fearfully in an "aviary" of a licensed Senegalese bird exporter.

## Parrot Smuggling Conspiracies Uncovered

On December 7, 1993, a Miami Grand Jury indictment was unsealed charging Elias K. (Louie) Mantas with six counts of conspiring to illegally smuggle African grey parrots into the United States and filing false importation documents on seven different shipments. Mantas could face up to five years in prison and \$250,000 in fines on each of the six counts. The charges against Mantas stem from his alleged conspiracy to smuggle approximately 1,992 "Congo" African grey parrots taken from the wild in Zaire where commercial trade is completely banned.

As reported in the last issue of the *AWI Quarterly* (Vol.42, No.3), major bird dealer, Richard Furzer, pled guilty to five felony offenses in connection with his alleged smuggling of African grey parrots.

### Bequests to AWI

To all of you who would like to help assure the Animal Welfare Institute'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, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), located in Washington, DC, the sum of \$ \_\_\_\_\_ and/or (specifically described property).*

We welcome any inquiries you may have. In cases where you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

Animal Welfare Institute  
Post Office Box 3650  
Washington, DC 20007

## NAFTA & GATT

### Global Threats to Animal Welfare

The passage of the North American Free Trade Agreement (NAFTA) could result in foreign challenges to, and subsequent weakening of, numerous US humane laws (see "NAFTA Threatens US Animal Welfare and Conservation Legislation," *AWI Quarterly*, Vol.42, No.4).

During the NAFTA debate, some Members of Congress recognized animal protection concerns under NAFTA and recalled the harmful effects of the existing General Agreement on Tariffs and Trade (GATT). Congressman Bilirakis (D, FL) noted "that in 1991, Mexico successfully challenged United States tuna import restrictions under GATT. Under NAFTA, Mexico or Canada would be able to lodge similar challenges to other United States environmental laws. Some of our laws that could be challenged include the Marine Mammal Protection Act, the Endangered Species Act, the Wild Bird Conservation Act, the Sea Turtle Conservation Act, and the High Seas Driftnet Enforcement Act."

Congressman Waxman (D, CA) expressed concern, too. In a letter to President Clinton outlining his reasons for voting against the trade agreement, the Congressman noted that "the NAFTA includes by reference the GATT language interpreted to prohibit such 'process-based' trade restrictions." These US restrictions, which led to the infamous tuna-dolphin ruling, are now at risk under both the GATT and the NAFTA because they govern the way in which products are made or harvested, enabling the US to protect species and individual animals from cruelty and destruction.

Unlike NAFTA, no pretense is made that the seven-year-old Uruguay Round of the GATT is at all "green." During a briefing on NAFTA, a United States Trade Representative official, responding to an AWI representative's inquiry, said that protecting US animal welfare laws from foreign challenge was not even considered by the negotiators.

### Surinam Airways Bans Transport of Wildlife

On September 20, 1993, Surinam Airways announced that it would abstain from transporting all wildlife despite the recent decision by the Government of Surinam to permit the airline to begin charter shipments of wild-caught birds to Holland. The airline cited the high mortality rate of animals during transportation as the reason for their voluntary ban. Rudy Westerborg of the airline stated "it was never [Surinam Airways'] intention to have a hand in activities which are damaging to the environment."

Surinam Airways joins over 100 major international carriers in banning the transport of live wild-caught birds. The carrier deserves praise for their decision regarding the transport of birds and extra kudos for extending the ban to all wildlife.

## Interior Department Petitioned to Halt Bird Imports from Senegal and Indonesia

The final regulations implementing the Wild Bird Conservation Act (WBCA) were published in the *Federal Register* November 16, 1993. "This final rule establishes prohibitions and requirements of the WBCA and permit issuance procedures for four types of permits established by the WBCA," said Marshall Jones, chief of the Office of Management Authority, US Fish and Wildlife Service (USFWS).

Petitions proposing the suspension of wild bird imports from

Indonesia and Senegal were published in the November fifth *Register*. The Senegal petition was written by Greta Nilsson, AWI Wildlife Consultant. Peter Knights of the Environmental Investigation Agency submitted the petition on Indonesia. In summarizing the petitions, USFWS noted that "Senegal is the world's largest exporting nation of wild-caught birds. It exported over 4 million birds from 1985 to 1989."

# Humane Care of Laboratory Rats

by Debbie Ducommun

For eight years I've worked in the psychology department laboratory at the California State University in Chico caring for the rats. During those eight years, I've discovered just how intelligent, friendly and personable rats are, and I've been able to make several changes to improve living conditions for the rats.



Debbie Ducommun

The rats in this exercise area hang over the side in order to observe or interact with any people in the room.

When considering what living conditions are humane for an animal you must always look at the instinctive needs of that particular species. For domestic animals you must look to the natural behavior of their wild ancestors. The domestic rat is descended from the Norway rat, highly social animals who live in family groups or large colonies. They are a contact species, which means they enjoy physical contact with other members of their social group. They usually sleep together in a pile, like puppies keeping warm, and they frequently groom each other and play wrestling games. Norway rats are also burrowers, gnawers and nest builders. All of these instinctive behaviors have been inherited by the domestic rat, and in order for captivity to be humane for them it must allow the expression of all these behaviors.

Eight years ago when I took over my new assignment, all the rats in the lab were being housed singly in small cages. Confining such social animals to single cages is akin to keeping them in solitary confinement. In fact, studies have shown that lab rats housed by themselves are more susceptible to disease and show different behavior. The lack of social stimulation causes a reduction in the levels of the brain neurotransmitter serotonin which can result in abnormal aggressive behavior. Fortunately, the department let me purchase larger cages so now all the rats in my lab are housed in either pairs or small groups. I feel this was the most significant improvement in their care.

The common way of handling the rats was to lift them by the tail, a procedure they obviously disliked. I now socialize all my rats by handling them before weaning so they can easily be picked up with one hand around the chest and the other supporting the feet and body.

Ear notching was another common laboratory practice that I encountered. Cutting notches or punching holes in rats' ears are common methods used to identify individual rats. Fortunately I soon convinced the professors who used the rats in their classroom to allow me to substitute numbers drawn on the rats' tails with permanent non-toxic felt pens. This painless method isn't actually permanent, because as the skin cells of the tail die and are shed, they carry the ink with them. But in adult rats the numbers can usually be read for 2-3 weeks, and remarking the tails takes just a few minutes. The numbers on the tail are also much easier for the students to read than the system of ear notches, and the students can mark their own rats.

The next change I implemented was to set up an exercise area for the rats. Our shop technician attached metal sheeting around the edge of a spare table with litter and added toys, such as exercise wheels, a ramp and various boxes and tubes. I could then allow compatible groups of rats to play in the exercise area for at least an hour or two twice a week. Although rats are naturally nocturnal, they can easily adapt their schedule to coincide with opportunity.

I next decided to try to meet the rats' need for nest building. Many labs house their rodents in plastic cages containing litter and/or bedding which allows nest-building, but the cages in my lab have elevated wire mesh floors. I started putting crumpled paper towels in their cages to give the rats a softer surface to sleep on, and to allow them the opportunity to chew the paper and build a nest.

The latest additions I've made to the cages are small fruitwood branches. Propped up against one corner of the cage, these branches provide not only the opportunity to gnaw, but also to climb. The hard pellets fed to rats in labs do provide some gnawing exercise, but wood blocks in the cage provide more opportunity for this instinctive need. I'm also currently working on a design for a small rotating exercise disc for both rats and mice that can go inside their cages.

The lab is small, and I'm the sole person who cares for the rats which means I have a great deal of autonomy. But many of the improvements I've made could be implemented in other labs. Certainly rats should be housed singly only when it's absolutely necessary for an experiment. All it takes is for one person to care about the animals in their lab and begin questioning "the way it's always been done."

For a free copy of my monthly newsletter, The Rat Report, send a self-addressed stamped envelope to: 1010 1/2 Broadway, Chico, CA 95928.

## LABORATORY DIRECTOR SPEAKS OUT

In a letter to the *San Francisco Chronicle*, November 2, 1993, Dr. Moor-Jankowski wrote:

Editor—A concerned friend sent me your 'Animal Researchers Feel Hunted' (*Chronicle*, October 1). I am an animal researcher, but neither I nor my colleagues nor our facilities have ever been exposed to arson, bombs, rock throwing, or harassment, so vividly described by Janet Wells.

Since 1965, I have been the director of the Laboratory for Experimental Medicine and Surgery in Primates (LEMSIP) of New York University School of Medicine.

Medical research in this country does not need to fear 'terrorists,' real or imaginary, and to retreat behind bulletproof glass and costly security devices. Adherence to the state and federal regulations of parsimonious use and humane handling of research animals, opening up of our laboratories and a persuasive dialogue with animal advocates about the necessity of humane medical research using animals will provide the same protection for others as it did for us.

What are these alleged 'terrorist' activities reported in your article? The California Biomedical Research Association would be hard pressed to provide verifiable documents of the \$5.7 million of damages claimed for the last decade. Why spend 'multi-million dollars in... security' claimed by the National Institutes of Health, when LEMSIP security consists solely of an overnight watchman? Why make the analogy between animal advocates and 'people being shot and killed because of abortion incidents'? Who is behind the 'Lee Group... that tracks the animal rights movement' and who claims a 61 percent increase in 'criminal acts, protests and boycotts'? Facts not hearsay are what the public needs to know.

J. Moor-Jankowski, LEMSIP Director  
NYU Medical Center, New York City

## *In the Name of Science, Issues in Responsible Animal Experimentation*

by F. Barbara Orlans, Ph.D., Oxford University Press (New York, Oxford), 1993, 297 pages, \$39.95.

*In the Name of Science* is the best informed book on the subject of animal experimentation that has been written for scientists. Though it isn't necessary to have scientific training in order to read it, it will be most useful to the people who are employed by institutions that use animals for experiments and tests.

Dr. Orlans, who worked for a number of years at the National Institutes of Health and who now is based at Georgetown University's Kennedy Institute of Ethics, tackles "Current Attitudes and Ethical Arguments" in the second chapter and analyzes the issues in terms of animal pain or suffering, the sentience level of different species, the competency of the experimenter, the quality of the facilities, the purpose of the experiment and the application of the principles known as "The Three Rs": Replacement, Reduction and Refinement. Finally, public accountability is included in the schematic representation.



Wellcome Institute Library/London

This depiction of an animal experiment is from a 1832 oil painting by Emile Edouard Mouchy.

One of the most significant chapters discusses animal pain scales in public policy. Institutional Animal Care and Use Committees (IACUC) will find this information valuable in carrying out the tasks required of them under the Improved Standards for Laboratory Animals amendments to the Animal Welfare Act and National Institutes of Health requirements.

Dr. Orlans traces the use of laboratory animals from the nineteenth century onwards, and its philosophical background, with reference to Descartes, who is quoted in the book's first chapter as saying: "The greatest of all the prejudices we have retained from our infancy is that of believing that the beasts think."

Two famous French advocates of animal experimentation, François Magendie and Claude Bernard, were influenced by Descartes and inspired international anti-vivisection activities. Portraits of both men are reproduced in the book, together with paintings of the period one of which is reproduced above.

An insight into Bernard's viewpoint and practice is provided in a quotation from Dr. George Hoggan, who served four months as a research assistant to Bernard. He wrote: "One of the most revolting features of the laboratory was the custom of giving an animal, on which the professor had completed the experiment, and which had still some life left, to the assistants to practice the finding of arteries, nerves, etc."

In the discussion of the source of laboratory dogs and cats, Dr. Orlans recommends that impounded dogs already scheduled for euthanasia be made available for studies in which the animal is placed under full anesthesia and killed before it recovers conscious-

ness, thereby avoiding pain infliction. Strict requirements are spelled out to ensure that pain and fear are prevented.

The book lists journals with editorial policies on animal experimentation, many of which adopted principles on pain avoidance in the 1980's. A well-stated policy was established by Patrick D. Wall, Professor of Anatomy at University College in London and editor of the journal, *Pain*. He established an editorial policy on animal experimentation in the first issue in 1975: "We shall refuse to publish any reports where the animal was unable to indicate or arrest the onset of suffering."

The book is well referenced and indexed and includes several useful appendices, including a list of funding sources for research to develop alternatives and a listing of "sunshine laws" and other legislation, relating to laboratory animals.

It ends with a summary of recommendations "for policy changes that are achievable in the foreseeable future." These recommendations should be given careful consideration by scientists and administrators throughout the country. They are modest in scope; indeed, some of them have already been legislated in Europe.

With respect to secondary schools, Dr. Orlans emphasizes that infliction of pain or death on any animal should be prohibited.

### **US Approves Alternative to Painful Tests of Corrosive Substances United Nations Fails to Act**

In April 1993, the Research and Special Projects Administration of the United States Department of Transportation approved InVitro International's CORROSITEX as a humane alternative to testing of corrosives on conscious rabbits. The goal of these tests is to classify hazardous materials into "Packing Groups," as referenced in United Nations sponsored international regulations on the shipment of corrosive substances (see "Powerful Corrosives Eat into Conscious Rabbits' Inner Organs During Testing" and "Advances in InVitro Technologies Provide Substitute for Painful Tests on Animals," *AWI Quarterly*, Vol.42, No.1).

Only if test results are inconclusive or indicate the test material is not corrosive will the rabbit test be utilized to validate the CORROSITEX results.

The Department of Transportation presented an "informal paper" on the CORROSITEX substitute last July to the United Nations Committee of experts on the Transportation of Dangerous Goods. Although the paper was received enthusiastically, the UN has yet to take any significant action to endorse the use of alternatives to animal tests.

The chemical industry questions the jurisdiction of such agencies as the Environmental Protection Agency (EPA) and the Consumer Products Safety Commission (CPSC) over the manufacture and transportation of corrosives. However, currently these agencies lack regulatory provisions allowing alternatives to testing corrosives on animals.

**ACTION:** Please write the EPA and CPSC and urge them to follow the humane example of the Department of Transportation.

Carol Browner  
EPA Administrator  
401 M Street, SW  
Washington, DC 20460

Jacqueline Jones-Smith  
Chairperson, CPSC  
5401 Westbard Ave.  
Bethesda, MD 20816

## New Books by Scientists that Recognize the Value of Anthropomorphic Analysis

### *The Hidden Life of Dogs*

by Elizabeth Marshall Thomas, Houghton Mifflin Company (Boston/New York), 1993, 148 pages, \$18.95.

### *The Human Nature of Birds*

by Theodore Xenophon Barber, Ph.D., St. Martin's Press (New York), 1993, 226 pages, \$19.95.

The best-selling book, *The Hidden Life of Dogs*, by Elizabeth Marshall Thomas, has given long-despised anthropomorphism a new lease on life. For 50 years or more, the scientific community has thoroughly scorned observations that are even so much as tinged by what these rigid purists regard as an anthropomorphic attitude.

When a horse named Clever Hans, said to be able to do arithmetic, was unveiled as a fraud, anti-anthropomorphists were enormously cheered and have indeed used his example *ad nauseam*. But now that *Newsweek's* cover (November 1, 1993) features an alert terrier with the banner headline, "A Dog's Life, The Secret World of Animals," and *U.S. News and World Report* of the same date ran a lengthy article headed "All in the family? It's no longer taboo to acknowledge links between humans and beasts," the stigma against anthropomorphism seems to have lost its sting.

Thomas is an anthropologist who began her study by following her highly intelligent husky on a bicycle as he wended his way through Cambridge, Massachusetts, always crossing in the middle of the block to avoid cars dangerously turning corners.

*The Human Nature of Birds*, by Theodore X. Barber, a research psychologist who is Director of the Research Institute for Interdisciplinary Science, takes an even more aggressive stance against the detractors of anthropomorphism.

Dr. Barber recounts in some detail the life of Lorenzo, an injured scrub jay rescued by Robert Leslie:

Lorenzo understood the idea of "singalong" since he listened silently to classical music but imitated and sang along with soloists (such as Elvis Presley and Joan Baez). . . . When locked in his aviary for punishment, Lorenzo would offer the Leslies a valued toy for his release, thus indicating behaviorally that he understood the concept of "bail."

Barber discusses avian navigation and describes how birds use the sun as a compass, while night-migrating birds "attend to and learn in early life the patterns of the stars and later use this knowledge

to head or orient in a particular direction." He refers to experiments with several warbler species.

The earth's magnetism is also used by various species of birds. "On overcast nights," he writes, "when the stars cannot be seen, nocturnal migrants, such as indigo buntings, use the earth's magnetism as a back up."

Under the heading, "Sensibly Deciding to Migrate," Barber writes, "Contradicting the common notion that avian migration is a more or less robotic affair, many experimental studies have shown that birds decide rationally when to migrate." He cites experimental evidence to prove the point, and speaking of the continuing cognitive ethology revolution he writes:

It is time to turn to the revolutionary implications of the discovery spelled out in this book that birds, like humans, are not machines but intelligent, willful individuals with distinct personalities. First of all, this new scientific discovery implies that official science and consequently Western culture have up to now misconstrued the nature of reality. Since official science has misperceived our closest neighbors, the birds, it must humbly start again step by step to move toward a truer conception of the natural world.

Barber has great faith in the future. "Since avian intelligence and awareness is a factual, demonstrable conception," he emphasizes, "it cannot be squashed and is bound to prevail." Citing the work of Len Howard, "an English musicologist who moved to a country cottage to study the song of birds and was surprised to discover that she was able to form close friendships with numerous wild birds and get to know them as well as she knew people," Barber addresses the reader directly: "You too can befriend birds, look into their secret lives, and perceive their hidden personalities."

*The Hidden Life of Dogs* and *The Human Nature of Birds* are remarkable books by independent-minded scientists who have followed their own bent, refusing to bow to orthodox modes of thought. Both are recommended to everyone interested in animals.



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