



AWI

Quarterly

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ABOUT THE COVER

Wooly and Daisy, good friends at the Poplar Spring Animal Sanctuary in Poolesville, Md., are just two of many rescued animals on the 400-acre refuge. Both sheep narrowly escaped a sad future—Wooly was a petting zoo reject and Daisy was part of a festival on the streets of Philadelphia—but now happily spend their days grazing on grass and munching hay. Once emaciated and unkempt, the sheep have become healthy and attractive through proper love and care. All animals deserve to enjoy their lives, but not all animals are as lucky as Wooly and Daisy (photo by AWI's Jen Rinick).

10 billion animals, including sheep, are farmed in the United States annually. AWI works diligently to improve the welfare of these animals and others around the world. The Institute informs the public concerning the cruelty of factory farming and advocates humane alternatives. In this issue, you will read about AWI's husbandry standards for cattle and sheep, which sharply contrast to the ill treatment these sentient beings receive on factory farms. (See story, page 6).

Random Source Dealer Surrenders

Justice has been served to Buck and the thousands of ill-fated dogs and cats who passed through Class B dealer C.C. Baird's hands. The owner of Martin Creek Kennels in Williford, Ark. has surrendered his license to operate as a dealer to the US Department of Agriculture (USDA) as part of a plea agreement reached with the agency. He paid more than a quarter of a million dollars in civil penalties—the highest fine ever incurred under the Animal Welfare Act (AWA). During Baird's five year probation period, he will be fined an additional \$250,000 if caught dealing without a license.

He is charged with hundreds of violations of the AWA (see Fall 2003 and Summer 2004 *AWI Quarterlies*) and was scheduled for a hearing before an administrative law judge on January 24th. At the last minute, however, Baird opted to cut a deal with the USDA instead.

The agency brokered a side agreement to obtain all of the animals housed at Martin Creek, approximately 100 dogs and 180 cats. We are coordinating with the USDA and the Washington Animal Rescue League of DC to find permanent homes for as many animals as possible. The League is traveling to Arkansas to bring back vanloads of dogs and cats from Baird's premises. Following veterinary treatment, these animals will be available for adoption.

This is a huge step in the right direction, but bear in mind that Baird flouted the law for over a decade. Countless illegally acquired animals were sold and killed following experimentation. Since government workers raided Baird's property and seized over 100 animals in August 2003, he has earned at least a quarter of a million dollars from animal sales—easily an equal sum to the fine he just paid.

We cannot rest on our laurels until every animal dealer supplying "randomly acquired" dogs and cats to research facilities is put out of business. For more information on how to adopt a rescued dog or cat, please contact AWI. 🐾



One of almost 200 cats rescued from Martin Creek Kennels.



Animal Welfare Institute

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The vast majority of cattle raised for beef are confined to barren feedlots in the months prior to slaughter. AWI standards prohibit this practice. (See story page 6).



Magnificent birds such as the King Vulture, pictured above, as well as 93 other non-native migrating species, are victims of anti-animal measures slipped through Congress last year. (See story page 20).

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The New Muckraker

Investigator Extraordinaire Gail Eisnitz Wins AWI's Albert Schweitzer Award for Standing Up to Government and Meat Industry Giants

story by TRACY BASILE

Gail Eisnitz, chief investigator of the Humane Farming Association (HFA), is determined to expose injustices so huge many people in positions of power won't even admit the problems exist. Facing such odds, others might have given up. But not Eisnitz.

Since 1992, she has devoted herself to documenting the atrocities committed day after day in America's slaughterhouses. Frustrated by the media consistently turning a cold shoulder to her story, she wrote *Slaughterhouse: The Shocking Story of Greed, Neglect and Inhumane Treatment Inside the US Meat Industry*.

Eisnitz interviewed meatpacking workers as well as US Department of Agriculture (USDA) inspectors. She visited bars on the edge of slaughterhouse towns to listen to workers' experiences. She went on killing floors, sometimes undercover, but always with the courage to get the photographs, tape-record the conversation or establish the trust of a whistleblower nervous

about losing his or her job. Even facing threats of violence, she delivered.

The meat so abundant in America's supermarkets belies a host of appalling federal crimes and public health risks. Her evidence proves that cattle are routinely skinned and dismembered while still conscious; live hogs are lowered into tanks of scalding water; crippled animals are whipped, kicked, strangled and beaten to death with lead pipes; diseased meat often finds its way into the processing plant and E. coli and salmonella have skyrocketed since the USDA reduced its number of inspectors.

This kind of investigative journalism is crucial to the success of the animal protection movement because it sets the record straight. Top officials at USDA's Food Safety and Inspection Service can no longer claim ignorance or underestimate the extent of the problems that run rampant in the meatpacking industry. For this outstanding work, as well as her investigations into greyhound racing, the theft of companion animals for laboratory research, puppy-mills, factory farm violations and more, Eisnitz truly deserves AWI's 2004 Albert Schweitzer Medal.

In Eisnitz's 23 years of working on behalf of animals, two accomplishments rise above all others in her mind. Getting unprecedented front-page coverage in *The Washington Post's* April 2001 article "They Die Piece by Piece," an exposé by Pulitzer-prize winning author Joby Warrick, was one milestone. Eisnitz provided the bulk of evidence for the story and was delighted when it became *The Washington Post's* second highest reader-response piece.

Eisnitz also takes satisfaction in the critical role she played in stopping construction on tribal trust land of what was planned to be the world's third largest pig factory. Working with Lakota and other local activists in South Dakota, as well as HFA's lawyer Jim Dougherty, Eisnitz succeeded in gathering damning evidence needed to shut down the factory on Rosebud Reservation.

At the awards presentation, held on November 8, 2004 at the Russell Senate Office in Washington, DC, AWI President Cathy Liss acknowledged not only Eisnitz's courage in helping all animals, but her compassion for people as well.



Eisnitz (middle) holds her medal as she stands next to John Mackey and Cathy Liss.

photos by Matthew T. Caranough

investigations as deeply important and filled with integrity. Eisnitz, in turn, sees Mackey's initiative to develop humane standards for all farmed animals as a huge part of the solution to inhumane factory farming.

Products from animals raised according to those standards will be marketed under the label "Animal Compassionate" in Whole Foods' stores. "Animal Welfare Institute has been by far the biggest contributor to the process," Mackey said. AWI's Farm Animal Advisor, Diane Halverson, has been involved in the work from the start, providing Whole Foods with the framework for the standards created thus far.

Eisnitz recognized Mackey's "enlightened approach" to food marketing and production by saying it gives her tremendous hope for the future. She also noted that AWI's founder, Christine Stevens, was the first person in animal welfare to hire her.

In sizing up her own contribution to the animals she said: "... these issues are now on the national radar screen. And a lot of people who never saw past the cellophane packages in supermarket meat cases are thinking about what sentient animals go through to arrive on America's dinner plates."

Eisnitz's book *Slaughterhouse* has often been compared to the 1906 historical novel *The Jungle* by Upton Sinclair. She clearly deserves as much credit as Sinclair for opening the eyes of ordinary citizens and condemning the collusion of public officials with big business. Like the original muckrakers, Eisnitz has stirred America's conscience and her work will long have an impact in helping make our country a more just and compassionate nation. 🐾



The Albert Schweitzer Medal has been awarded to the shining stars of the animal welfare movement for more than half a century.

Senator Hubert H. Humphrey, 1958, for authoring the first humane slaughter bill in the US Congress.

Rachel Carson, 1962, for her landmark book "Silent Spring," which spurred revolutionary changes in the laws affecting our air, land, water and wildlife.

Dr. Jane Goodall, 1987, for her lifetime of leadership in the protection of chimpanzees.

Astrid Lindgren, 1988, Sweden's beloved children's book author, for her struggle to bring about new factory farming laws in her country.

Henry Spira, 1996, coordinator of Animal Rights International, for a lifetime of activism that has impacted the lives of millions of animals in laboratory research, cosmetic testing and factory farming.



John Mackey (top) Marlene Halverson, Gail Eisnitz and Diane Halverson (above) pose at the awards event.



Whole Foods provided a cornucopia of fresh fruits and vegetables, and guests were able to fill a grab bag with wholesome goodies to take home.



Gary Dahl presented Eisnitz's first award of the evening, an appreciation award from his union.

*"Think occasionally of the suffering of which you spare yourself the sight."
-Dr. Albert Schweitzer, 1954 Nobel Peace Prize Recipient*

AWI's Standards for Cattle and Sheep Put Other Criteria Out to Pasture

Tens of millions of cattle and lambs are raised for meat each year in the United States. Large numbers of these sentient beings are subjected to barren feedlots, painful mutilations and unnatural diets that most consumers do not wish to acknowledge. But with the development of AWI's husbandry standards for cattle and sheep, we have one more weapon in our arsenal to reject farm animal cruelty.

AWI's criteria require that husbandry, housing and diet allow the animals to behave naturally. Unlike agribusiness, which views animals as inanimate objects and cruelly subjects them to industrial systems that lower production costs and maximize profits to the animals' detriment, AWI requires that farms accommodate the animals' needs. Animals must be able to perform behaviors essential to



Nicolette Hahn Niman

Quality pasture offers enrichment and nutrients. Among other things, AWI's standards ensure cattle can graze, exercise, access shade and rest at will.

their physiological and psychological health and well-being.

AWI's standards for cattle prohibit them from being restrained in close quarters on bare ground without shade or wind breaks, hot-iron branded, implanted with hormones, treated routinely with antibiotics or fed a high-grain diet or questionable feed ingredients. The Institute's standards for sheep dictate life in stable social flocks with the freedom to graze on pasture. Typical industry practices such as confinement on slatted flooring and mutilations like mulesing (removal of a large portion of skin around the anus to prevent blowfly strike) are prohibited. AWI also requires a minimum weaning age of four months, in contrast to the industry standard of five weeks or less. In addition to guidelines for lambs from birth to market, AWI also addresses the husbandry of rams and ewes.

AWI's standards are the gold standards for humane treatment, and they have three requirements not mandated by any other set of criteria. AWI prohibits liquefaction and storage of manure beneath slatted barn floors to protect animals from its toxic

effects and forbids the operation of "dual" systems in which any number of a species are simultaneously kept in ways that do not meet the standards. Finally, AWI will only endorse independent family farms that own their animals, depend upon the farm for a livelihood and participate in the daily physical labor of caring for the animals and operating the farm.

We continue to develop and strengthen our husbandry standards as we work with a growing number of family farmers who raise animals in accordance with the criteria; these farmers may use AWI's name in the marketing of products from those animals. We also educate retailers, consumers and chefs about the treatment of farm animals. There are fewer animals kept in cruel confinement and an increased opportunity to purchase products from animals raised humanely thanks to the growth of our program.

AWI's standards are available online at www.awionline.org/farm/standards.htm. Please share the criteria with the companies you patronize and urge them to support compassionate farming. 🐾



Patty Mark/Animal Liberation Victoria

These gentle sheep have had a large chunk of skin brutally cut off from under their tails to prevent blowfly strike.

Horrific Treatment Captured at Kosher Slaughterhouse

Workers at AgriProcessors kosher slaughterhouse in Postville, Iowa rip the trachea from conscious cows and dump the animals onto a concrete floor—as blood streams from their throats and they writhe in agony—in footage documented in a recent investigation by People for the Ethical Treatment of Animals (PETA). Hundreds of animals are subjected to unbelievable cruelty each day at this animal torture facility; cows are mutilated while fully sentient, and chickens ride conveyor belts to an inhumane death.

In the United States, the Humane Methods of Slaughter Act (HMSA) stipulates that animals used for food production be "rendered insensible to pain"

or properly stunned before death and shackling. This loss of consciousness and a swift death virtually eliminate pain and fear in animals, but the law makes two exceptions. It does not require the stunning of animals killed by religious methods, and it does not extend its protection to poultry. Fortunately, there is an initiative underway to obtain inclusion of poultry under the Act (<http://upc-online.org/alerts/72204slaughteract.htm>).

Performed correctly, kosher slaughter—slaughtering according to Jewish law—is kinder and quicker than traditional slaughter. It recognizes that taking the life of an animal carries great responsibility, and the rationale for the religious laws behind it was to improve hygiene in primitive conditions by ensuring the slaughter of healthy animals. The footage PETA obtained from AgriProcessors, however, shows a clear violation of Jewish law and the HMSA, which requires the humane killing of animals, even in the case of its religious exceptions. Therefore, we are asking the US Department of Agriculture to prosecute the plant for its violations of the law. 🐾

Glynwood Harvest Award

AWI and some of its colleagues were honored with a Glynwood Harvest Award last October in New York City for "Connecting Communities, Farmers and Food." A prestigious selection committee chose a project conducted by AWI, Wisconsin farmers Bert and Trish Paris and former CEO of a Wisconsin dairy company Tera Johnson. The Parises own and operate a 90-cow dairy farm using rotational grazing practices (See *AWI Quarterly*, Fall 2003).

Typically, male dairy calves are removed from their mothers and hauled to an auction where they are sold only a few days after birth. Some are slaughtered; others spend four months confined in crates before they are sold as "white veal." Although the bull calves in the joint project will also be slaughtered for veal, there are two significant differences from typical veal production methods. The Parises' calves will remain on the dairy farm where they are born, and they will benefit from an enriched life spent on grass pasture.

Glynwood Chairman Dr. Henry A. Jordan and President Judith LaBelle presented the award, describing the project as an "inspiring example of...creativity and cooperation." The Glynwood Center is based in Cold Spring, New York; its agricultural initiative helps sustain small and midsize farmers whose work generates public benefits. Learn more at www.glynwood.org. 🐾

Calling all teachers!
Enter the Meatrix
CURRICULUM CONTEST!

Check out *The Meatrix*, www.awionline.org/farm/news.htm, a 4-minute animated movie that spoofs *The Matrix* films and highlights the problems of factory farming.

A contest based on *The Meatrix* is underway! Teachers for grades 5–8 are invited to submit a lesson plan related to sustainable food production systems that are healthful, humane, economically viable and ecologically sound.

Grand prize is \$1000. Submissions must be postmarked by June 30, 2005.

For more information and an application visit:

www.sustainabletable.org/schools/teachers/curriculum. 🐾



Great Danes? Not in Poland.

Danish Agribusiness Seizes Poland's Former State Farms

story by TOM GARRETT

On a quiet Sunday morning last June, Marek Kryda and I drove west from Gdansk through the forests and farm villages of the former Polish Corridor. Our focus was Poldanor, a Danish hog factory operation that preceded Smithfield Foods in Poland—arriving in 1998—and has grown alarmingly.

The area in central Pomorskie voivodeship where Poldanor operates is marked by no boundary, yet one has an immediate sense something has changed. Rural Poland's characteristic diversity is gone; in its place are immense fields bounded by walls of mature forest. The fields, in contrast to Polish practice, are monocultural; most are in maize.

The first stop was outside the town of Koczala, 70 miles from Gdansk, where Poldanor's largest hog factory is located. It is, as usual, a reconstructed state farm. The compound contains at least 25 large hog sheds, each painted a distinctive yellow-orange. This is the Poldanor color. We walked around the compound to the immense open concrete cesspool in which the effluent is stored; the concrete apron was covered with black residue.

By evening we had scouted and photographed three more large hog factories: automatic feeders whirring, pigs

squealing. In two of them, effluent was being stored in corroded iron cisterns left from state farms. The next day we stopped at another Poldanor operation—the fields were so enormous that plowing tractors looked like insects.

After two days, Marek and I were convinced what we had observed was beyond the capacity of the owners of record, a Danish farming cooperative with 160 members. In central Pomorskie alone, Poldanor farms over 230 square miles and slaughters 300,000 pigs each year.

The months since our June reconnaissance have richly vindicated the impression that Poldanor had—lurking somewhere—a more massive partner. It does indeed: The Danish government! Poldanor's initial funding came from interest free loans advanced by the Danish Investment Fund for Central and Eastern Europe (IO), supervised by the Danish Foreign Ministry. Further, it now devolves that sitting members of the current Danish government, along with prominent ruling Liberal party members are among Poldanor investors. IO funds are also behind the malodorous Danish Farming Consultants hog factory in southwest Poland, and similar Danish operations in Slovakia, Hungary and the Czech Republic.

When the Poldanor story finally broke last fall in the Danish magazine *Fagbladet*, Marek flew to Copenhagen for meetings with opposition MPs and heads of Danish trade unions. The Social Democrats attacked Poldanor's "blatant disregard for environment" Denmark's SiG trade union, interpreting both Poldanor's operations and the takeover of slaughterhouses in Eastern Poland by "Danish Crown" as outsourcing of Danish jobs, has called for a boycott of Polish meat.

On the face, Poldanor appears to be in trouble. Open cesspools are illegal under Danish law, EU regulations and the Polish Fertilizer Act. Only one Poldanor hog factory has an EU mandated "integrated permit," four—long after the deadline—have not even applied. Other infractions have come to light. The Naclaw hog factory, for example, is confining 12,000 pigs under an outdated state farm permit authorizing 3,000. If the laws are enforced, most of Poldanor will simply be shut down.

But the laws are not being enforced, and neither Poldanor nor its backers in the Danish government have shown the least sign of contrition. On the contrary, Poldanor has just announced a joint venture with Tikon, Denmark's second largest hog butcher, to purchase a bacon processing plant and a slaughterhouse with a capacity of 1.5 million pigs annually at Nowe, south of Gdansk.

What now seems underway is an unabashed attempt by Danish industrial agribusiness, with the full cooperation of the Danish government, to seize as much of Poland's former state farm system as they can, in any way that they can. We are faced with a new battle: one that we did not want but that we cannot avoid. 🐾

Rows of hog sheds line the enormous fields at Poldanor, a Danish hog factory in Poland.

photo by: Marek Kryda

WOMEN WHO DEDICATED THEIR LIVES TO ANIMALS

Ann Cottrell Free (1916-2004)

COLMAN MCCARTHY:

As a newspaperwoman who knew the score, as well as how to keep score, Ann Free understood the care and feeding—and cajoling—of the media. She was one of my most reliable sources. When needing the skinny on the latest animal welfare or animal rights bill making its way, or not making its way, through one congressional committee or another, I'd call Ann. When needing to know the statistics on animal abuse, I'd call Ann. When needing to get beyond the public posturing of a politician fronting for the pro-hunting lobby, I'd call Ann.

Sometimes I didn't call. Which meant she would call me. Half-accusing me of sloth because I'd yet to write about an issue regarding animals and half-inspiring me to drop everything and get to it, she supplied the facts. Then more facts.

Beneath Ann's activism was a moral commitment to the sacredness of life, especially defenseless life as found in the world of animals, whether wild or tame. In 1982, she gave me a copy of *Animals, Nature and Albert Schweitzer*, a gem of a book that she edited and which included her commentary on the great doctor of Lambarene. I've read the book dozens of times, each reading offering more insight into both Albert Schweitzer's thinking and Ann's commitment to reverence for life.

I made the mistake one time of suggesting to Ann that as influential as Schweitzer assuredly was as a world figure, he was still a half-notch below Monhandas Gandhi of India. "Absolutely not," she replied. "How can you even think that?" For the next 20 minutes or so, Ann made the case for Schweitzer—ending with the clincher that Schweitzer won the Nobel Peace Prize but Gandhi never did.

Every time I saw Ann since that conversation, she would ask, "you've changed your mind, haven't you?" "I'm trying to," I would reply. Ann: "keep trying."

Many of my conversation with Ann came when she visited her daughter Elissa and son-in-law Bill Nooter, my next-door neighbors. These were lively and lovely



Ann Cottrell Free working at the Vieques Humane Society and Animal Rescue, Inc. of Puerto Rico.

moments. More than once I found myself thinking if only journalism had more reporters like Ann. She acted like a woman of thought and thought like a woman of action. 🐾

Colman McCarthy is a journalist and former syndicated columnist for the Washington Post, veteran peace activist, educator and stalwart animal advocate.

ANIMAL WELFARE INSTITUTE:

Ann Free, dear friend of Christine Stevens, received AWI's Albert Schweitzer Medal in 1963 for her report of hundreds of laboratory beagles housed in tiny metal cages. The dogs were confined in a windowless sub-basement at the Food and Drug Administration for years while being used for studies on food additives. Ann's reporting led to Congressional action securing spacious indoor/outdoor kennels.

Donations in memory of Ann can be made to the Vieques Humane Society (VHS) of Puerto Rico. She co-founded the VHS in the mid-1980s in response to the condition and number of stray animals on the island. Be forewarned that the Society is not likely to send a receipt for your donations—they are too busy rescuing animals. The address for the VHS is P.O. Box 1399, Vieques, PR 00765. 🐾

Dr. Sylvia Taylor (1963-2005)

It is with great sorrow that we note the untimely death of Dr. Sylvia Taylor, Primate Specialist with US Department of Agriculture's (USDA) Animal Care program. An intelligent and compassionate woman, Dr. Taylor had been with the Animal Care program since its inception. She was a pioneer who sought to help build a strong program to ensure sound enforcement of the Animal Welfare Act. She was devoted to helping all animals, and was especially

knowledgeable about primates. We have lost a much respected colleague, and animals have lost a terrific champion.

An added tragedy is that Dr. Taylor was not able to see the fruits of her extensive labor on USDA's primate policy. She was a major contributor to the document and recognized it would secure a better life for primates at dealer premises, on exhibition and in experimental laboratories. Derailed by industry, that document should have been her legacy. 🐾



Too Close For Comfort

story and photos by ADAM M. ROBERTS

October 9, 2004. The tiger was about ten feet away. Sure, he was in a zoo enclosure, behind an iron gate, but this wild animal, capable of killing a man, was still only 10 feet away. Strangely, the padlock on the door was open. I opened the door and entered a small utility room, filled with mops and buckets. A smaller gate led into the tiger enclosure. There was the tiger, on the other side of the gate, 10 feet away. But that small gate was also unlocked. With curiosity, I opened the gate, and the tiger arose and slowly crept in my direction. I quickly closed the gate and backed out of the room. What if the tiger got through the gate before I closed it? What if it was not me at that open gate? What if it was a lost 8-year-old child?

The Sriracha Tiger Zoo, an hour outside of Bangkok, Thailand, is truly an amazing place. Boasting more than 400 tigers, a handful of Asian elephants, piles of crocodiles, camels, snakes and other exotic animals, the zoo has some intriguing, yet troubling exhibits.

In one glass room, a farrowing crate entombed a pig who, lying on her side, nourished both her piglets and tiger cubs. Across the hall, another glass

room housed a female tiger, who fed piglets adorned in tiger-print costumes. This incongruous display was replicated elsewhere, where enclosures housed tigers, pigs, and dogs together.

In another area, a visitor could feed milk to a young tiger resting on his or her lap—a young tiger still in possession of his claws. When a tiger clearly had his fill and became restless, he was yanked away, carried off to a holding area and quickly replaced by a fresh feline face. There appeared to be an endless supply of animals available to meet the demand for photos.

There was a tiger circus, not dissimilar from a circus anywhere else: tigers leaping through rings of fire, walking across a double tightrope, parading around the ring on hind legs, and riding around on the back of the horse. Up close, however, one could clearly see the animals' debilitation and fear. All of the animals awaited their turn to perform in a gated tunnel, keepers constantly poking them with a steel pole through the iron mesh. The animals in the show were smacked in the face with the pole fairly regularly and most seemed to have drastic weakness in their hind legs. It was a painful display to watch.

The elephant show was equally disturbing. Wandering behind the stage before the performance, one witnessed chained elephants, tethered to the ground by a two-foot chain, swaying back and forth. One elephant had a long, deep scar across his ear; another across her trunk. I witnessed elephants playing basketball, walking across a double tightrope similar to that in the tiger show, dancing, playing the drums, standing on their heads and giving a "Thai massage" to two members of the audience brought on the stage. After the show, the elephants stood in front of the seats taking money from people with their trunks and passing it to the trainers astride their backs.

Sriracha is a combination zoo/circus. Notwithstanding the aforementioned bizarre multi-species enclosures, the potentially dangerous human-tiger and human-elephant close interaction and the fact that many of the tiger enclosures were left unlocked, the enclosures and performances reveal no substantially drastic departure from most facilities of this kind.

What is particularly troubling, however, is the fact that, according to press reports, Sriracha is also breeding

tigers for commercial export. According to the Straits Times newspaper, it is currently under investigation for allegedly breeding protected wildlife illegally. A year ago, the facility was implicated in a sale of 100 tigers to China, where tiger parts are sought after for use in traditional Chinese medicines, despite being illegal.

During the CITES meeting in Bangkok, Sriracha's tigers were "confiscated," though left at the facility, pending an investigation and DNA analysis of the tigers to assess the legality of their origin. AWI is deeply concerned about the welfare and conservation implications of keeping tigers and other endangered species in captivity, as well as the potential pressure to trade in these animals commercially. There is a growing—albeit mistaken—impression that we must breed wildlife commercially to save it.

The seizure of over 400 tigers at Sriracha Zoo suggests the law enforcement authorities in Thailand may share our concern about the humane treatment of captive endangered species, and we encourage diligence in trying to clarify the legality of the origin of the Sriracha tigers.

October 20, 2004. After a brief holiday, I board the Phuket Airplane in Ranong, Thailand for the return flight to Bangkok, and I look at the front page of the Bangkok Post. "Virus kills 23 tigers at private zoo," the headline reads.

Sure enough, the avian influenza was killing the tigers I had been so close to less than two weeks before. It seems that the staple of these tigers' diet is raw chicken carcasses from a nearby poultry processing plant. As a result, Sriracha was shut down. Temporarily.

Dozens more tigers were diagnosed with the virus, and more than 80 died or were euthanized during the month-long closure, although some reports had the tiger mortality at well over 100 animals. Meanwhile, not surprisingly, millions of chickens also were destroyed.

Undaunted, hundreds of visitors reportedly flocked to Sriracha's reopening in November, taking advantage of the free admission. While the zoo has allegedly stopped the practice of patrons taking photographs while holding and feeding tiger cubs, there is no indication that the larger safety issue of unsecured enclosures has been addressed. We await the outcome of the investigation into the sale of tigers to China as well. 🐾

Photos, clockwise from top left: Unlocked gate brings a tiger too close to the author; countless tiger cubs were brought to visitors who feed them bottles of milk; the massive entrance to Sriracha Tiger Zoo; tigers and pigs bizarrely are forced to share life together; elephants criss-cross a tightrope as one of many sad animal acts; an elephant's trunk bears the scar of a difficult life in the captive entertainment industry—another elephant at the facility had a similar scar across his ear.

A Race to Save Threatened and Endangered Species

story by ADAM M. ROBERTS

When I visited Bangkok, Thailand in May, in preparation for the Thirteenth meeting of the Conference of the Parties (COP 13) to the United Nations Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), it was a much different city. Deprived elephants wandered the streets with their keepers, who charged tourists a small fee to have a photograph taken feeding a banana to the poor animal. The weekend market had scores of wild animals for sale, and a gaggle of intent onlookers watched a cockfight in the middle of a series of food stalls.

No such animal parades existed when I returned in October for the CITES conference. The Thai government had clearly made a conscious effort to hide such scourges, at least during the two-week meeting. Like a marathon, there are

good stretches and bad stretches during CITES, but unlike a foot race, the race to save threatened and endangered wildlife is one of life and death for countless imperiled species.

CITES Parties overwhelmingly approved a proposal to increase global protection for the imperiled Irrawaddy Dolphin, despite Japan's overt attempt to scuttle the vote by calling for a secret ballot. The Irrawaddy Dolphin faces an extremely high risk of extinction due to gillnet and electric fishing, channel blasting, gold mining and international trade for captive display in dolphinariums. With more than 80 aquaria throughout Asia exhibiting dolphins, the threat to these endangered marine mammals is considerable.

Japan once again had a difficult time convincing even a simple majority of CITES Parties to support its misguided efforts to reopen international commercial trade in minke whales. International competency for decisions regarding whaling rests with the International Whaling Commission, which instituted a commercial whaling moratorium that took effect in 1986. Since then, Japan has been unyielding in its attempt to reopen the global whale meat trade, despite the fact that some whale populations were devastated in previous years as a result of the whalers' onslaught.

The great white shark, much-maligned in recent years as a vicious predator, was listed under CITES at this meeting, providing needed regulation in international trade. Great white shark teeth and jaw sets can fetch thousands of dollars; even individual teeth can sell for hundreds. The trade in shark parts, as is the growing case with many species, is facilitated by sales over the internet—a trade that appears to be completely unregulated. Australia and Madagascar deserve great credit for shepherding the proposal through CITES by an astoundingly supportive vote of 87 in favor, 34 against, with nine abstentions.

The proposal to "uplist" the African lion from Appendix II to Appendix I, thus shutting off international commercial trade, was stymied by vociferous lobbying from the Tanzania delegation and trophy hunting interests present at the meeting. The proponent of the uplisting petition, Kenya, argued lion population figures are hotly disputed, with some experts suggesting the continental figure may be as low as 16,000. Matters are made more complicated by regional variations. Although lions are still found in 89 locations in 37 range states, 45 percent of these locations are home to 70 or fewer animals.

A series of lion workshops are reportedly scheduled for early 2005. The outcome of these meetings in Africa may change the content of debate at future CITES meetings. Meanwhile, major importing countries, including the United States and the countries of the European Union, should reassess their domestic legislation with a view



Nicky Vyvan-Robinson/DSWF

Rhinos should be relocated to protected areas in their historic range—not slaughtered for "sport".

to stop the import of lion trophies from some countries.

Rhinos, too, felt the wrath of the powerful and well-financed trophy hunting industry, as hunting quotas were approved for black rhinos from Namibia and South Africa. These nations argued they had a surplus of resident animals within their borders, which could therefore withstand a seemingly small slaughter of five animals each year. AWI and other conservationists argued, to the contrary, that any trade in "surplus" black rhinos should be for in situ reintroduction programs to bolster other critically endangered populations in Africa.

Further, this renewed legal trade sends a mixed message to poachers and profiteers: it is acceptable to shoot rhinos to secure their horns as trophies, but not acceptable to shoot rhinos to secure their horns for traditional medicines or ceremonial purposes. AWI feels no endangered black rhinos should be shot for any reason. Additionally, Swaziland was granted permission to trade in live white rhinos and hunting trophies, limited to an annual export with an upper limit of 7 percent of the population and exporting no more than 1 percent annually as trophies.

The biggest CITES debate usually surrounds the ivory trade, and increasingly, other commercialized parts and products such as hides and hair. In Bangkok, Namibia pushed to allow the sale of 2,000 kg of raw ivory annually, trade in worked ivory for commercial purposes and trade in leather and hair goods.

As the debate raged on, with many African elephant range states opposed to the resumption of any commercial trade in elephant ivory, Namibia received permission to sell the elephant leather and

hair. It lost its annual ivory quota request completely, and then modified its request for worked ivory for commercial trade to consist of a non-commercial trade in individually marked and numbered "ekipas" instead. Non-commercial trade would enable tourists to travel to Namibia and purchase ekipas if they are not intended for resale elsewhere.

Ekipas are customary ornaments, mostly worn as jewelry, created in Namibia. They are by no means exclusively ivory, however, as the Namibian Chamber of Commerce and Industry notes that traditionally some also have been "fashioned out of hippopotamus tooth or bone, and less often out of wood or the fruit of the Makalani palm."

The impact of international sale of ekipas could be enormous. According to Namibia-travel.net, the country receives nearly one million visitors a year: two-thirds are overseas tourists (mainly German, British, Italian, and French), and one-third are South African. Conservatively, if only 10 percent of these tourists bought an ekipa per annum (so up to 100,000 people), this would equate to 2,500 kg per annum (excluding the additional amount lost in the carving process).



Pete Davidson

This is nearly three times what the CITES Secretariat has estimated is the natural rate of elephant deaths and ivory accumulation in Namibia. These figures do not account for increased demand created by international sale of ivory ekipas. The Namibia Investment Centre admits domestic jewelers hope to expand business for ekipas "regionally, and ultimately internationally."

In the end, Namibia came out of the conference with an approved sale of ekipas for non-commercial purposes. We must now wait and see what the impact is on elephants as a result.

While this brief report highlights some of the more high-profile debates, there was other good news for wildlife at the meeting (species discussed in the previous issue of the AWI Quarterly). A tropical reef fish, the humphead wrasse, was given CITES protection, as were a number of Asian freshwater turtles and tortoises. The yellow-crested cockatoo was given the stronger protection for which we fought. And while the United States succeeded in decreasing protection for the bald eagle, they were forced to withdraw their proposal to remove CITES protection for the bobcat in the face of strong opposition.

The bottom line is wildlife is forever threatened with over-exploitation for international trade. In the race to save wildlife, there really is no finish line. This is why our participation at CITES meetings is so vital. 🐾



Yvonne Sadovy

The elusive Irrawaddy dolphin (left), caught live for dolphinarium in Asia, and the humphead wrasse, a coral reef fish captured for human consumption, both gained additional CITES protection at the 2004 meeting.



International attention to the plight of Africa's lions is essential for their long-term survival.

photo: Born Free Foundation

Honoring Olympic and Conservation Champions

More than 500 delegates participating in the 13th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) packed the Retro Live Café on Oct. 4 in Bangkok's Queen Sirikit National Conference for the Species Survival Network (SSN) reception.

It is during this reception at each CITES meeting that AWI presents its prestigious Clark R. Bavin Wildlife Law Enforcement Awards to those individuals who have gone to great lengths and personal sacrifice—a sacrifice that all-too-often includes their own lives—to protect wildlife from cruelty and decline in their natural habitats.

The awards are named for the first director of the US Fish and Wildlife Division of Law Enforcement, who pioneered its many undercover “sting” operations. This year's awards were magnificent sculptures of great white sharks, designed and donated, as always, by John Perry, an artist and friend of AWI.

The SSN reception, cohosted by WildAid, also included WildAid's new series of public service announcements against wildlife consumption, featuring Olympic champions Maurice Greene, Allen Johnson, Cathy Freeman, Dwight Philips and Hailie Gebreselassie promoting the message, “When we all come together, we can do anything.”

Against this backdrop, we all came together for a wonderful evening of respectful tribute. The CITES Secretary-General, Willem Wijnstekers, presented the awards, noting that the “outstanding achievements of the brave individuals that we honour this evening should fill us with a sense of humility in the face of such self-sacrifice, and pride at what can be achieved against considerable odds.”

Mr. Wijnstekers continued, “Let us take our inspiration from them. Consider yourselves and your colleagues at home to have been issued a challenge. A challenge to rise to the occasion and the example these remarkable people have set; to come together in a concerted global effort to protect wildlife from illegal, unsustainable over-exploitation.”

Following are short synopses of the work of the recipients of the 2004 Clark R. Bavin Wildlife Law Enforcement Awards. 🐾



The largest ever haul of tiger and leopard skins took place in October 2003 in the Tibet Autonomous Region of China. A total of 31 tiger skins, 581 leopard skins and 778 otter skins were recovered from a single truck, and three people were arrested. A temporary inspection point west of Lhasa made the seizure, but officers from Lhasa Customs Anti-Smuggling Bureau, treating the matter as a priority, undertook an extensive investigation to find out more about the trade. Their investigative efforts were critical in creating a better understanding of how the illegal wildlife trade works. The China Customs Administration is now pursuing this case through the courts, and the award was given to the **Anti-Smuggling Bureau, Chinese Customs Administration.**



Mr. Chey Yuthearith, Director of Bokor National Park in Cambodia has been working to effectively implement the Bokor Conservation Project in Cambodia. More recently he has assumed extra duties as the Coordinator at the National Protected Areas Training Center, also located at Bokor National Park. The park has become a model protection project for Cambodia, and is being emulated in three further

Ms. Sheila Einsweiler, Division of Law Enforcement, US Fish & Wildlife Service, has supported global efforts to combat the unlawful commercial exploitation of wildlife during her 16 years of service with the US Fish & Wildlife Service, Office of Law Enforcement. Ms. Einsweiler was a key player in preparing the Office of Law Enforcement to implement new restrictions on caviar trade, and ensuring the Service met the challenge of monitoring this previously unregulated, high-volume, high-value industry. As co-chair of the trade subgroup of the Presidentially-created US Coral Reef Task Force, she directed an inter-agency effort to analyze United States trade data for corals, giant clams and other reef species that promises enhanced safeguards for these increasingly imperiled resources. Her testimony as an expert witness on wildlife trade helped Federal prosecutors win convictions in a number of high profile cases, including the Nation's first successful felony prosecution for coral trafficking. She has analyzed and identified numerous improvements for the wildlife inspection program, and has helped make the Service the instructor of choice for other countries that want to improve wildlife trade monitoring. Her contributions in the training arena have benefited enforcement officers and wildlife conservation efforts in the Americas, Asia and Africa.



Cambodian protected areas. In the line of duty, he has received numerous threats against his life, and has been the target of gunfire. Several of his staff have had hand-grenades thrown at them and suffered injuries as a result. Working in conservation in Cambodia can be dangerous to say the least, and as a representative of the staff of the Ministry of Environment and a judicial law enforcement officer, he is a shining example of what a dedicated and honest official can achieve.

Corporal Huka Umuro Kuri was recruited into the Kenya Wildlife Service in 1990, and has since played a key role in security operations in Meru National Park, Tsavo East and Tsavo West as well as non-protected areas nationwide. Corporal Kuri is a fearless section commander who has led men under his command to various successful operations. In April 2002, he was asked to pursue a gang of four heavily armed poachers who had massacred ten elephants at Mfupa Ndovu in Tsavo National Park. Although the gang of armed Somali militia men employed superior firepower, his unit engaged them in a fierce fight and managed to overpower them. He recovered a G3 rifle, an ammunition magazine, 117 rounds of ammunition, one rifle propelled grenade and eighteen elephant tusks. According to the Director of the Kenya Wildlife Service, it was due to “his bravery and effective command that the poachers were neutralized.”



Pol. Maj. Gen. Sawaeke Pinsinchai (gentleman on the left), **Commander of Forestry Police Division, Royal Thai Police,** has been responsible for leading the series of raids across Thailand targeting illegal wildlife dealers and those illegally engaged in captive breeding of endangered species such as tigers and orangutans. The high profile raids in late 2003 illustrated the value of sustained, well-orchestrated operations led by committed individuals. In one raid, a team of forestry police officers under Maj. Gen. Sawaeke Pinsinchai's leadership entered a house on the outskirts of Bangkok and discovered tiger carcasses quartered and on ice, 21 bear paws severed at the joints, six starving tigers, five live bears and four baby orangutans—one of whom died because of the horrendous conditions. Sawaeke's team also raided an open market, and seized more than 1,000 protected birds in one day, as well as a couple of private zoos, where they found 70 unregistered orangutans. The illegal trade of wildlife in Thailand has suffered a serious blow as a result of this seasoned police officer's actions. He has taken on powerful businessmen and not faltered; his courage and determination deserve recognition.



This year's Clark R. Bavin award, designed by John Perry.

Mr. Thanit Palasuwan (gentleman on the right), **Forestry Official in Thailand's Ministry of Natural Resources and Environment,** has been involved in 268 illegal wildlife trade cases involving over 9,000 birds, 12,000 reptiles and 125 mammals since 1997. He has helped make arrests for the illegal wild orchid trade, as well as identify wild orchid products as part of prosecutions. He is a Wildlife Law Instructor who has organized exhibits on wildlife. As liaison between conservation organizations and government agencies, he attended workshops on trade in terrestrial and freshwater turtles and tortoises in Cambodia, Wildlife Law Enforcement Training for tiger range States in India in 2002, and Wildlife Crime Investigations in Bangkok in 2002.



Johnperrystudio.com

Photos by Jack Montgomery



Photos: LAGA

Results of an undercover operation into Chinese involvement in illegal ivory trading.



The author shows severed Chimpanzee hands, confiscated from bushmeat dealers.

Ivory Dealers Arrested on a Chinese Ship

story by OFIR DRORI, THE LAST GREAT APE ORGANIZATION

“He is a white man wearing black who organises all. He has long hair that he always ties behind his head. He is dangerous. Never you joke with him. He has his own magic,” the ivory dealer warns James (pseudonym), our agent, while closing another illegal deal near Cameroon’s seaport. It is Christmas day and our team is impatient—we want to hear that our agent got a recorded confession so we can get him arrested with strong evidence. We have followed Hamza’s involvement in the international trade for some time now.

It has been two years since I came to Cameroon and opened LAGA. It was born because the survival of Africa’s great apes demands urgent action. Without it, primates and other threatened species like the forest elephants could soon become extinct.

LAGA, the first law enforcement non-governmental organization (NGO) in this sub-region of Africa, is designed to enhance effective enforcement of local wildlife protection laws, critical to the survival of threatened animals. We focus on animal dealers, the illegal bushmeat business, the

ivory trade and commercial trade in exotic animals as pets.

Our previous operation in this area included large seizures and the arrest of a Chinese national. On September 11, 2004, two ivory dealers were arrested in the Douala port, following a successful operation between members of law enforcement, the Ministry of Environment and Forestry and the Last Great Ape Organisation (LAGA). The two were engaged in illegal ivory trade on the Chinese ship “Chi Feng Kou.” The illegal activities in the Douala port were observed for two weeks before the operation took place.

Most of the sales documented took place on foreign ships in the Douala port where the ivory leaves to the international market—particularly to Asian countries. Chinese nationals were also observed purchasing articles such as Chinese chopsticks and Hanks and Buddha statues inside major ivory workshops, which were busted in a July seizure uncovering some 116.5 kg of ivory.

The organization is effective because we undertake investigations,

technically assist the government in law enforcement operations, provide legal assistance as the cases move through the courts and present the operations to the public so they are aware of the risks of illegal wildlife activity. Our hands-on approach is crucial in countries where corruption has been defined as the main obstacle for achieving concrete results.

James is coming back with a wide smile on his face. We got more than we bargained for: a full confession describing how Hamza corrupted officials in the court and his plans to get out free. We laugh and praise James. As we celebrate and plan the next two ivory operations together, a LAGA member’s wife calls. This time I don’t have to apologize for taking her husband away; I just give her the good news that in a few hours we will all be back home in time for the Christmas feast.

LAGA is more of a family than an NGO; it’s a small group of people who stand up for each other with a friendship formed by the long time sharing of the hardship of our struggle, as well as the constant tension and danger that accompany our mission. 🐾

New Wildlife Law Enforcement Tool in Cameroon

The Last Great Ape Organisation (LAGA) has published a new book through the Ministry of Environment and Forestry entitled *The Wildlife Law as a Tool for Protecting Threatened Species in Cameroon*. The goal of the document is to make information regarding complex and disparate legal regulations in the country accessible to all stakeholders involved in wildlife law enforcement, including prosecutors and judges.

Stephan Ebai Takang, Cameroon’s director of Wildlife and Protected Areas, notes, “Protecting our wildlife for future generations is the responsibility of every Cameroonian. It is estimated that some of Cameroon’s threatened species like gorillas, chimpanzees and forest elephants may continue to decline if appropriate measures are not taken.”



This legal guidebook outlines Cameroon’s commitments regarding protection of species at risk, including the Convention on International Trade in Endangered Species and Cameroon’s Wildlife Regulations. It highlights the species found in Cameroon covered by national laws, and assesses levels of regulation for each category of protected wildlife. Further, the book describes processes for establishing offenses and undertaking legal actions against perpetrators.

The book, produced both in French and English through a grant from AWI, reaffirms our commitment to supporting wildlife law enforcement across the globe.

LAGA is also producing CD-ROMs that include a searchable database of Cameroon’s wildlife legislation. This should facilitate legal proceedings where wildlife crime is involved. They hope to attain funding to produce similar electronic legal guides for other developing countries in Africa. To find out how you can help, contact Ofir Drori, Director, at lastgreatape@yahoo.com. 🐾

AWI Endorses Campaign to End the Use of Great Apes in Film and Television

AWI reviewed with revulsion *Serving a Life Sentence for Your Viewing Pleasure!*, a recent report by the Chimpanzee Collaboratory that details the inherent cruelty of the use of great apes in film and television. AWI strongly supports the Collaboratory’s call for an end to the use of great apes in such entertainment.

Chimpanzees and other great apes face remarkable pressure, as wild habitats are rapidly being destroyed by rapacious timber companies, and individual animals are slaughtered en masse for the trade in their flesh. In captivity, these primates are cruelly confined for experimental research in laboratories or used for public entertainment.

Captive chimpanzee “actors” are separated from their mothers at infancy, causing irreparable, long-term psychological damage, which is compounded by life in deplorable, dark, small cages. Great apes require significant environmental enrichment and mental stimulation. Chimpanzees in entertainment, however, are often housed in solitude, despite their natural drive to bond with conspecifics.

Horrible tales of abusive training—punching, kicking, beating with rocks, sticks, and broom handles—reveal an industry that bases “training” on fear and physical and psychological domination. Such violence is reprehensible.



PETA

Regular beatings turn innocent chimps into circus performers.

Current American Humane Association guidelines for the treatment of great apes in entertainment are remarkably deficient and fail to account for the animals’ care throughout all aspects of production. The only answer is to prevent great apes from being placed in these dangerous conditions at all.

Read the report online at: www.chimpcollaboratory.org/projects/Chimp%20Collaboratory_Quark.pdf. 🐾

Nations Scheme to Lift Whaling Ban

AWI launched the Save the Whales campaign in 1971—and through hard work, diligence and a strong public support, a moratorium on commercial whaling was put into effect in 1986. Despite this significant achievement, however, some nations have continued to practice this cruel activity—including Norway, which whales through an objection to the ban, and Japan, which conducts “scientific research” whaling. Over the past decade, whaling nations have systematically attempted to overturn the moratorium by pushing the development of the Revised Management Scheme (RMS), which would lay out the rules for commercial whaling if the ban was lifted.

At the last International Whaling Commission (IWC) meeting, held in Sorrento, Italy, as pro-whaling nations made overt threats to leave the IWC altogether, Resolution 2004-6 was passed. This document reestablished a Working Group on the RMS to “proceed expeditiously toward the completion of both the drafting of text and technical details of the RMS...with the aim of having the results ready for consideration, including for possible adoption, at IWC57,” to be held in Korea in June 2005. The first Working Group meeting was held in Borgholm, Sweden this past November, and the terms of reference and suggestions for RMS text were discussed at an open meeting. Unfortunately, under IWC rules, we cannot report on their content until it is made public at the meeting in Korea.

Subsequently, a Small Drafting Group convened to work on the actual RMS text in closed sessions. The 23-nation RMS Working Group includes five whaling nations, including the United States (where aboriginal subsistence whaling still occurs), six pro-whaling nations, five “shaky” nations, six anti-whaling nations and only one staunchly anti-RMS nation. Australia is the only country

that refuses to negotiate the RMS on principle, and maintains it will never endorse an RMS. Other anti-whaling nations are negotiating, albeit reluctantly, for the strictest—and some might say impossible—terms. AWI was present in Sweden to rally support for a united stance against any move to introduce the RMS; our view will always be that we cannot both oppose commercial whaling and set the rules for its resumption. The Working Group will meet again in Copenhagen at the end of March to finalize the text.

There is no humane way to kill a whale; to do so, they would have to be rendered insensible to pain prior to slaughter. Whales are moving targets, struck from moving vessels, in a constantly shifting sea environment. There is also no way to reconcile the stress and suffering endured by hunted whales, especially during long pursuits that often last many hours. Furthermore, there is no regard for the welfare of “struck and lost” whales who likely endure the agony of a prolonged death.

Whales are still endangered and have not yet recovered to historic, pre-exploitation levels. Additionally, there is growing evidence that other human-caused impacts, including ship-strikes, noise and toxic pollution, are affecting whale populations. Whale meat has become increasingly dangerous to eat because of the bioaccumulation of toxic substances, and several whaling nations have issued health warnings for its consumption. Coincidentally, demand for the meat has declined, as evidenced recently when Japan reintroduced it into hundreds of school lunch programs in Wakayama Province. Finally, the multi-million dollar whale-watching industry is proving far more lucrative than whale killing, and it is rapidly growing. Sadly, intransigence is keeping whaling alive in the majority of whaling nations, and the IWC is allowing it to thrive. 🐾



The icon of the Save the Whales campaign, Flo the inflatable whale, was a regular Washington, DC visitor in the 1970s.

The US Government Position

At last year’s IWC meeting, the United States and Japan, along with a few other countries tabled a proposal to have the RMS completed and ready for adoption at the next meeting. The proposal failed. This is a turnaround from the solid anti-whaling positions held by previous administrations. We are extremely concerned that the US delegation to the IWC will at best remain weak in the upcoming RMS negotiations, and even worse will collude with whaling nations towards a lifting of the moratorium. We are actively working with other groups to urge the US government to stand firm against commercial whaling.

YOU CAN MAKE A DIFFERENCE

Please write to President Bush asking him to support whales and oppose any scheme to permit commercial whaling. The United States should be a leader in ensuring a continuation of the moratorium for the conservation and protection of these unique creatures.

Write: President George W. Bush, The White House, 1600 Pennsylvania Avenue NW, Washington, DC 20500; or by email: president@whitehouse.gov.



The Whale They Couldn't Catch

Before Chief Ambrose MaQuinna of the Mawachaht/Muchalaht people died in early July of 2001, he said he would like to be reborn as an orca whale. Within days of his passing, a rambunctious young male orca appeared in Gold River, tucked inside Nootka Sound on the west side of Vancouver Island, Canada.

The whale was soon identified as L-98, or Luna, son of Splash (L-67), one of the 87 highly endangered southern resident orcas who spend their summers off the San Juan Islands of Washington (on the east side of Vancouver Island). But to the native people, he embodied the spirit of their chief.

Although separated from his family, Luna was healthy and friendly to human beings. He would greet people in their boats, sometimes rubbing against their hulls. Apparently disliking fish finder pingers, he pursued boats that turned them on and nipped off the emitters when the boats docked. But the Canadian Department of Fisheries and Oceans (DFO) rejected requests from some whale huggers that they help return Luna to his family.

That changed when application was made to place a score of highly

controversial and polluting salmon aquaculture operations in Nootka Sound. Suddenly, the DFO decided that Luna was a “problem animal” who needed to be “rescued” for “public safety” reasons. The US National Marine Fisheries Service (NMFS) agreed and offered to help move Luna.

On April 5, 2004, the Canadian and US agencies agreed on a plan. First they would try to lure Luna to the opening of Nootka Sound in time to reunite with his passing family. If that failed, the Vancouver Aquarium team would capture Luna and truck him to a sea pen on the east side of Vancouver Island to wait until his family came by. A satellite/vhf transmitter would be clamped to his dorsal fin using titanium bolts in case Luna became a “problem animal” again and would need to be recaptured or shot.

On June 15, the natives paddled out in two canoes to warn the whale. The new Chief (Mike) Maquinna’s daughter Marsha held her hands out from the boat. Luna came and put his head between them and stayed for minutes, deeply touching the paddlers with the connection between the girl and her “grandfather.”

The next day, an aquarium team of 25 gathered to capture Luna. Despite the threat of huge fines for interference, the native canoes were out again—doing their best to lead Luna away from the pen. Over and over, the paddlers sang to Luna and tapped their paddles against their dugout canoes to call him toward them and away

from the three big inflatables the DFO capture team were using. Luna would follow the capture boats for a time and then break away, rush to join the canoes, breach in greeting and snuggle the paddlers.

After days of this cat and mouse game, the DFO was quickly losing patience. On the afternoon of June 22, they got Luna to enter the pen but couldn’t quite shut the door before he wiggled free.

Finally, the combined force of the Canadian and US governments gave up in the face of determined opposition from the Mawachaht/Muchalaht and Luna himself. The band celebrated and offered to lead Luna by canoe around the southern part of Vancouver Island to rejoin his family without all of the capture, trucking and tagging circus. AWI supports this obvious solution although to date it hasn’t come about. In September, the band reached an agreement with DFO to monitor and protect Luna in Nootka Sound, where he remains today, swimming free. 🐾

Above photo: Mawachaht/Muchalaht paddlers steer Luna away from the DFO capture team boat.

Bequests to AWI

If you 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, located in Washington, D.C., the sum of \$_____ and/or (specifically described property).

Donations to AWI, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), are tax deductible.

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

NEWS FROM CAPITOL HILL

brought to you by the SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION

Who's Watching Congress While We Sleep? Horse Protection Readdressed by Legislation

Time after time, animal advocates suffer the indignity of watching the legislative machinations of the US government undermine animal protection.

When Congress returned from its election-week break, they considered the "Omnibus" spending bill—a massive federal funding package spanning thousands of pages and doling out nearly \$400 billion. Members of Congress often use this sizable bill to fund pet projects that benefit their states or other constituencies.

However, with little notice and no fanfare, legislation to remove national protection for migratory birds not native to the United States was surreptitiously added to the bill. As a result, nearly 100 species of birds—many in dire need of protection—could be killed.

In perhaps the biggest slap in the face to animal advocates, Senator Conrad Burns (R-MT) attached a controversial rider to the bill that eliminates the prohibition on killing wild horses, undermining more than 30 years of horse protection under the Wild Free-Roaming Horses and Burros Act. Wild

horses, magnificent symbols of the American West, will now be available for slaughter, if they are ten years and older or have not been adopted after three attempts.

It is a misguided perception that a proliferation of wild horses pressures the remaining lands on which they have historically thrived. Increasing human development and consumption of lands for cattle grazing have greater impact.

At the very least, the American people deserve better than to have such decisions slipped into spending bills, bypassing the democratic deliberations of the full legislature.

Senator Burns' home-state newspaper, *The Missoulian*, opined: "Burns' amendment... and especially the manner in which it was legislated is earning Burns a well-deserved verbal horse-whipping in the national press. The state made famous for its wanton slaughter of Yellowstone National Park's bison...now has a senator who wants to feed enduring symbols of the Wild West to Frenchmen."

Fortunately, two bills to protect horses from butchering have been in-



Hope Ryden

troduced in the 109th Congress. In response to the devastating Burns rider, Congressman Nick Rahall (D-WV) and Congressman Ed Whitfield (R-KY) have introduced bill H.R. 297 to restore language preventing wild horses from being sold into slaughter.

The American Horse Slaughter Prevention Act, H.R. 503, has been reintroduced by Congressman John Sweeney (R-NY), Congressman John Spratt (D-SC) and Congressman Ed Whitfield (R-KY). This all-encompassing bill will protect both wild and domestic horses from slaughter and live export for human consumption.

Please write your Representative and ask him or her to cosponsor these vital bills. To find your legislator or learn more about both bills, please visit www.saplonline.org. 🐾



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