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**ADVANCING EFFECTIVE CONSERVATION POLICY WORLDWIDE:
SUCCESSSES, CHALLENGES AND NEXT STEPS**

TESTIMONY BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS
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Thank you, Chairman Royce, Ranking Member Engel, and distinguished committee members for inviting me here today. I am honored to have the opportunity to provide my thoughts on this vitally important subject. I also want to credit Chairman Royce and members of the International Conservation Caucus for the important work that organization does to improve conservation legislation and to drive congressional action around the world to protect our planet. I am truly impressed by your work in this realm.

INTRODUCTION: Chairman Royce, Ranking Member Engel, distinguished committee members: It is urgent that the United States Government advance more effective conservation policy.

Our planet is in the midst of an extinction crisis, caused mainly by human activity. The three greatest threats to species are wildlife crime, habitat loss and climate change. My area of expertise is wildlife crime, so that is where I will focus today.

We need to act now to reverse the effects of wildlife crime on animal and fish populations before it is too late. Illegal overfishing is threatening our oceans to a dangerous degree, and we are in a race against time to save iconic animals including elephants, rhinos, tigers, and various fish and shark species.

Chairman Royce, Ranking Member Engel, distinguished committee members: The rapid rate at which wildlife extinction is occurring globally, and the extent to which wildlife crime converges with destabilizing violence, corruption and other serious crimes such as drug and human trafficking calls for a more rigorous response from U.S. law enforcement, our Defense Department and our Intelligence Community.

This is not a conservation issue. It is an organized crime threat and we must begin to treat it as such.

What concerns me is that, to a large extent, however, the U.S. government continues to treat wildlife crime as simply a conservation problem, managing and resourcing its counter-wildlife crime efforts separately from other anti-crime activities.

This stove piping stifles inter-agency collaboration, and causes inefficiencies that ultimately hinder the effectiveness of law enforcement efforts. This paradigm also causes missed opportunities to deter, disrupt, and destroy the transnational organized crime networks that traffic in multiple illegal commodities, including narcotics, weapons, endangered wildlife parts and other natural resources such as timber.

Around the globe, wildlife crime fuels corruption and undermines good governance, U.S. interests and licit economic development. In parts of Africa, it funds terrorists, insurgents and violent bandits. From Mexican narcos smuggling endangered fish bladders to Iranian-backed networks moving uranium and ivory, and Pakistani drug traffickers smuggling heroin and rhino horn, crime networks that traditionally moved drugs, guns and people have diversified into smuggling wildlife because it represents a high-profit, low risk alternative.

Now I am not saying that wildlife crime converges with other serious crime or with terrorism at every step of every illegal wildlife supply line. I am not suggesting that we need to send Seal Team Six into Kruger National Park or the Okavanga Delta to protect animals.

What I am saying is that the USG should focus its national security and law enforcement apparatus on wildlife crime only in circumstances when it intersects with other serious crime and security interests. Meanwhile, we should continue to treat it as a conservation issue where it does not. Our actions and interventions should be tailored to conditions at each point on the illicit WILDLIFE value chain, with the appropriate agency serving as USG lead.

Unfortunately, this is not happening in many instances today.

Now, the title of this session includes the terms successes, challenges and next steps, so I'd like to list some of those, in terms of our wildlife policy, and how it has been implemented.

SUCCESES: Chairman Royce, Ranking Member Engel, distinguished committee members: Let's start with successes. The previous administration issued a comprehensive National Strategy for Combating Wildlife Trafficking, banned the domestic ivory trade, while Congress passed HR 2494, the End Wildlife Trafficking Act and various state legislatures moved to close loopholes on trading ivory and other wildlife goods here in the United States. HR 2494 was particularly important as it made make wildlife trafficking a predicate offense for money laundering, and that often helps us find a U.S. nexus for wildlife crime occurring in other parts of the world.

Both the Obama administration strategy and HR 2494 sought more enforcement of wildlife criminals and better interagency coordination. That, I don't think, has happened. But the policy is there.

I also applaud the Trump administration for issuing Executive Order 13773. This is the first time that wildlife crime has been listed among other serious crimes including the illegal smuggling of drugs, guns and people. It is important that wildlife crime is now considered as gravely important as these other serious threats, and that U.S. policy now recognizes the extent to which these issues converge.

I have witnessed this convergence first hand. In 2016 and 2017 I supported the Drug Enforcement Administration to extract two of Africa's most powerful heroin traffickers from Kenya, Baktash and Ibrahim Akasha. What the US government did not know, at least initially, is that the Akasha crime family was also deeply tied to the smuggling of ivory, and could be tied to more than 30 tons of ivory seizures.

In that same time period, with a generous grant from U.S. Fish and Wildlife, I worked as a strategic advisor to the Park Service in Gabon, the Central African country that is locked in a desperate battle to save the world's last major population of forest elephants. When I got there, Park Rangers were fighting the problem at the poaching level, operating dangerous missions deep into the jungle. The problem was, the poachers were easily replaced when arrested. Fighting the problem at that level of the supply chain was like trying to hold water in your hand.

I helped turn their focus to following the money, and tracking the exporters, and the team I supported in Gabon did very very good work. Last November, the anti-poaching unit arrested the country's number one exporter of ivory, and the man who managed illegal money transfers from abroad to purchase the ivory.

What they also found was that the same illegal supply chains moving ivory also moved drugs – mainly hashish and an opioid called Tramadol – illegal timber and people. Those supply chains intersected with Boko Haram north of Gabon, and a host of other dangerous actors including Chinese Triads and transnational drug traffickers. By the time my contract with Gabon ended, they decided to change their anti-poaching unit into an elite serious crimes unit. They recognized that they could have more impact if they fought the problems at the point of convergence. I applaud the Gabonese for this important strategic decision.

If we, in the United States, are going to turn these legislative and policy-level successes into actions that have equally successful impact on the ground, we are also going to need to position ourselves to target convergence threats. So let's turn to the challenges portion of my remarks.

CHALLENGES: Chairman Royce, Ranking Member Engel, distinguished committee members: I have witnessed first hand the results of U.S. wildlife policy, and I want to support your committee and the current administration to sharpen our approach.

Number 1: Resourcing: Let's focus on resourcing this threat correctly. We as a nation have poured hundreds of millions of dollars into fighting wildlife crime. The vast majority of this funding focuses on protecting animals and fighting poaching, which is just one small segment of the wildlife supply chain.

I urge you to consider that the U.S. can have a much greater impact by fighting wildlife trafficking – at the point in the supply chain where illegal goods are containerized and sent from one continent to another – and by disrupting the illicit financial flows that finance wildlife crime.

Our objective should be to disrupt the financing of wildlife crime. Most low-level workers do not have the wealth to finance their work. Therefore, if the financing can be cut, the dying will stop.

Furthermore, in sub-Saharan East Africa, as well as West and Central Africa, we see transnational criminal ecosystems that have a remarkable capacity to shift operations across borders whenever there is a real or perceived law enforcement threat. The best way to fight this is to target the financing of the criminal activities, a role best suited for the United States.

As part of that, we need to provide resources for our action arms, including the intelligence, law enforcement and administration communities. The US DOJ, Treasury, DEA, Homeland Security, and our intelligence community play a crucial role and should be funded to disrupt, deter, and degrade these major threat networks holistically looking at all their crimes to include wildlife.

We have received requests from Treasury for information and support in addressing wildlife crime in the context of other serious organized crime. Yet the team working the issue remains underfunded and lacks the analysts and lawyers to quickly enact sanctions or seizures.

In Africa and Asia, our law enforcement teams are growing, but they remain critically under-resourced. Funding is often distributed bilaterally, so that a team in Kenya can help the host nation fight Kenyan-based syndicates, but everything stops when the criminals shift across the border to Uganda or Tanzania. And the criminals do. I have watched it happen. Instead of a bilateral approach, we need to have a network-based approach.

As a start, I urge the U.S. Congress to resource a regional effort to investigate, analyze and interdict the most powerful transnational crime networks in sub-Saharan Africa. And that brings me to my second point.

Number 2: Focus on the Networks: Internationally, U.S. law enforcement and the intelligence community should focus on convergence points with other serious crime, where the U.S. can have the greatest impact using fewer resources. It will be more impactful to crush networks, rather than engaging in publicity stunts like crushing elephant ivory.

The majority of wildlife crime networks in wildlife crime hotspots are known to local and even international law enforcement, but there remains a need for properly resourced LE efforts, staffed by experienced professionals, to target them.

These powerful transnational crime syndicates are agnostic about whether they are trafficking drugs, wildlife, weapons or other illicit commodities, so long as they are earning money.

U.S. law enforcement should also be agnostic about the commodities, as long as it represents criminal activity. I'll put this more bluntly: The criminals don't care about what illegal goods are in the box. They have developed a

system to move that box through global transport channels. We need to break that system, not worry about what's in the box.

Moreover, even law enforcement and intelligence agencies that don't have a mandate to save animals should be worried about wildlife crime in parts of the world where it converges with other serious crime, where it is causing instability and spreading violence, or funding U.S. enemies and adversaries. Places like Africa, Mexico, and Asia.

Even law enforcement agencies that don't have a wildlife conservation mandate can obtain valuable intelligence by tracking wildlife crime.

Many trafficking networks smuggling wildlife engage in parallel behavior when moving drugs and other illicit goods, but employ higher degrees of operational security for these non-wildlife goods. In other words, it is easier to gather information about networks when they move wildlife goods. I myself have supported U.S. law enforcement to place undercover operatives into crime syndicates using wildlife as a starting point. There are many opportunities that missed because we focus on the commodity, not the crime.

U.S. LE agents abroad should work collaboratively to investigate crime syndicates for all their crimes, and then prosecute them for all their crimes.

Having spoken to officials in our intelligence community, our law enforcement community and having seen this problem myself, we need to make use of law enforcement data across the spectrum of criminal commodities and focus on tracking and interdicting the big networks. We have the technology and the know how to do this, yet we fail to act on it because we are focused on commodities, not crimes.

What's needed is top-level political advocacy for agencies to work together and share data, focusing on the common mission.

Number 3: Build Constituencies Ready to Take Action: The U.S. government needs to engage trusted partners in the NGO and conservation community, some of whom are sitting on literally terabytes of crime data about WL trafficking networks, that connect to U.S. international and regional security interests.

This engagement should be handled privately and quietly. Many organizations fighting WL crime in Asia, Africa and Latin America are doing so at great personal risk.

We ought to be sharing crime intelligence data about these convergence patterns with foreign security officials in Asia in order to spur action. Authorities in China and Vietnam and other major consumer nations are not concerned about the wildlife trade, but will likely take a greater interest if they realize its close connection to the illicit drug trade, which does worry them.

Moreover we need to recognize that governments in Asia, Latin America and Africa have neither the political will nor the investigative, prosecutorial or legislative capacity to take on the most powerful networks trafficking WL and other illicit goods.

The U.S. can and should take action against major TCOs using U.S. extraterritorial legislation, while also expanding technical and financial assistance to range and transit states to strengthen their criminal justice responses to WL crime, including tracing and recovering the proceeds of crime.

Number 4: Break the Systems Supporting Wildlife Crime: My organization CINTOC works to disrupt the systems that allows criminal activity to thrive. It's too easy for criminals to hide in the cracks of the global financial,

transport and communications systems.

One major systemic scourge is corruption, which I have come to see as perhaps the greatest silent threat to our global environment and to many species currently at peril of extinction. We must make anti-corruption strategies central to crime fighting programs across the globe. Again, this is not just unique to wildlife crime.

I want to also highlight a systemic issue related to wildlife crime that my team at CINTOC has been focused on recently, and that is the prevalence of illegal wildlife on social media. I know that Chairman Royce and other members of the committee are aware that the National Whistleblowers Center has filed complaints against a number of U.S. listed social media firms, including Facebook, where there is an astonishing amount of wildlife trading occurring.

Having analyzed thousands of posts for illegal ivory on Facebook, CINTOC has concluded that social media is a primary enabler connecting illegal wildlife traders to customers in a marketplace that is anonymous, global, and free of regulation. **They are literally facilitating the elephant's extinction.**

Facebook CEO Mark Zuckerberg claims immunity through [Section 230 of the Communications Decency Act](#), but it is not the only law that governing his firm. When Facebook went public in 2012, it *voluntarily* entered into a strict regulatory regime that negates these immunities in the context of Facebook's obligations under securities law. The SEC is free to investigate, fine, or even enforce a trading suspension against Facebook. If Congress wants action now, it should urge SEC to utilize its regulatory power.

I urge Congress to enact legislation along the lines of what banks face with regards to money laundering. Social media firms should have to report suspected criminal activity and work with law enforcement.

At a time when firms like Facebook are under fire for aggressively harvesting data about their users, they hold a huge amount of data about criminal buyers and sellers that could be used to save the elephants.

We hope Facebook doesn't just delete the wildlife data it holds, but rather mounts a collaborative effort with the conservation community and law enforcement to identify and interdict the wildlife traffickers operating on its platform. In this way, Facebook could put authorities in the position to stage a comprehensive law enforcement operation that would have strategic impact in the fight to save iconic species like the elephant, rhino and tiger from extinction.

Next Steps: In conclusion, I would like to list some next steps:

1. Congress has put the right laws in place. The White House has a solid strategy. Now we need a top-down push for agencies to collaborate and share data. I urge Congress to appropriate resources to agencies and organizations that have a mandate and understanding of how to fight transnational crime.
2. We know the criminal networks. I urge Congress to ask this administration to select priority targets in Africa and Asia that are trafficking drugs, wildlife and people, and to establish and resource experienced teams to interdict those targets.
3. Once the relevant crime data is put together, any interdiction strategy should be coupled with a diplomatic effort to get consumer nations in East Asia, namely China, Malaysia and Vietnam on board. These diplomatic missions would focus on explaining the convergence between wildlife crime and other serious crime.
4. Fix the systems enabling these crimes in the US, starting with SEC action against publicly listed social media firms, as well as firmer regulations from Congress over the social media industry.

I am optimistic we as a nation can turn around the conservation crisis facing the world today, but it is going to take big, bold action and steady resolve.

Chairman Royce, Ranking Member Engel, and distinguished committee members: thank you for taking the time to hear what I have to say. I am ready to take questions.