



NEW YORK STATE SENATOR

Andrew J. Lanza

Senator Andrew Lanza Announces Passage of Legislation to Fight Illegal Ivory and Rhinoceros Horn Trade

ANDREW J LANZA June 23, 2014

Tougher penalties and increased limitations to crack down on illegal purchases and sales

Senator Andrew Lanza today announced the passage of legislation to restrict the market for ivory articles and rhinoceros horns. The legislation prohibits transactions involving these materials with very limited exceptions and increases the criminal and civil penalties for individuals who violate this law.

Said Governor Andrew Cuomo: "With the passage of this bill, New York State has taken another step forward in the fight against the illegal ivory trade. We will not allow this dangerous and cruel industry to thrive in our State, and this bill ensures that by restricting the market for illegal ivory and adding tougher penalties for those who support it. I am proud that New York is taking this stand, and I urge government and community leaders across the globe to do the same."

Senator Andrew Lanza said, "The illegal ivory trade is an international crisis in which 20,000 African elephants were slaughtered in 2013 alone. Poachers who are supporting terrorism and the drug trade are acting with impunity helped in part by receptive markets in New York City and Asia. We can make a difference right here with this legislation which will lead to higher conviction rates and tough criminal sentences. I thank Governor Cuomo,

Assemblyman Sweeney, Senator Skelos, Senator Klein and all the conservationists and advocates who have given voice to this horror.”

Senate Co-Leader Jeffrey D. Klein said, "By cracking down on the illegal trade of ivory and rhinoceros horns we not only reinforce our efforts to protect rare animals and wildlife populations around the world but curb this growing criminal activity throughout New York State.”

“Unfortunately, New York is a leading market in the world for illegal ivory sales and so it is important that we strengthen our laws to more effectively crack down on this nefarious activity,” said Assembly Speaker Sheldon Silver. “Not only are we protecting elephants and rhinos from extinction but we are also cutting off the flow of cash to organized crime and terrorist organizations. At an Assembly public hearing earlier this year, Botswana and Tanzania officials testified that international wildlife trafficking is linked to trans-national organized crime and such terrorist groups as Al Shabaab, a terrorist cell of Al Qaeda, that has been linked to the Kenya Mall massacre.”

Said Assemblyman Robert Sweeney: “This legislation will protect elephants, which are being lost to the world at an outrageous rate of 96 elephants a day, all to satisfy the vanity ivory market and to finance terrorism. The enactment of this bill recognizes the significant impact our state can have on clamping down on illegal ivory sales in order to save elephants from the ruthless poaching operations run by terrorists and organized crime.”

Said WCS Executive Vice President for Public Affairs John Calvelli who also serves as the Director of the 96 Elephants campaign: “Today, the New York State legislature has made history passing a strong, balanced ban on the sale of elephant ivory and rhino horn.

Poaching is killing off our precious wildlife and sparking insecurity in communities. New York is the number one importer of ivory in the United States and it was clear we needed to

take this action today. Governor Cuomo and the New York State Legislature have shown global leadership on this issue and have taken a stand to protect these magnificent creatures. This legislation should now be replicated in state houses and capitals across the globe. Working with our partners and our friends in government we will continue on with this legislative blitz. The future of these iconic species hangs in the balance.”

Said Elly Pepper, Wildlife Advocate for NRDC: “The brutal and ongoing practice of slaughtering African elephants for their tusks may seem distant, but just recently we saw an ugly and vivid example of this practice as one of the world’s most recognized elephants was shot down in Kenya. New York State is the biggest market for ivory in the United States, which is the second-biggest market in the world. The state is doing its part to ensure that the world’s remaining elephants are not massacred for trinkets and trophies.”

Demand for unlicensed wildlife products like ivory and rhinoceros horns are driving many species toward extinction and creating an economic incentive for this illegal activity. In 2012, a joint investigation by the New York State Department of Environmental Conservation and the U.S. Fish and Wildlife Service resulted in the seizure of elephant ivory worth more than \$2 million from jewelers based in New York City. This bill would help deter that trade in New York by expanding the scope of materials that are considered illegal and strengthening penalties to further discourage violations.

The legislation:

Places a permanent ban on the sale of elephant and mammoth ivory and rhino horn.

Authorizes the Department of Environmental Conservation to issue permits for the sale of the following items containing or made from elephant ivory:

1) 100 year-old antiques comprised of less than 20 percent elephant ivory with documented proof of provenance

2) musical instruments (string, wind and piano) manufactured prior to 1975

3) elephant ivory where transfer of ownership is for education and scientific purposes including to a museum authorized by a special charter from the legislature

4) elephant ivory where transfer is to a legal beneficiary of a trust or estate

Increases penalties as follows:

A fine of \$3,000 or 2x the value of the article, whichever is greater, for the first offense

A fine of \$6,000 or 3x the value of the article, whichever is greater, for the second offense

Class D Felony for any articles exceeding \$25,000 (up to 7 years imprisonment)

The law shall take effect immediately upon enactment. License and permit holders may sell existing elephant ivory and rhino horn until current licenses or permits expire.

This state legislation will enhance federal efforts to tighten the ivory trade ban on a federal level. Large-scale poaching of elephants and trafficking in ivory presents enormous economic and security challenges across Africa and beyond. The illegal ivory trade both flourishes from and contributes to a climate of instability and lawlessness in many African elephant range states, in which humanitarian crimes have risen dramatically.

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