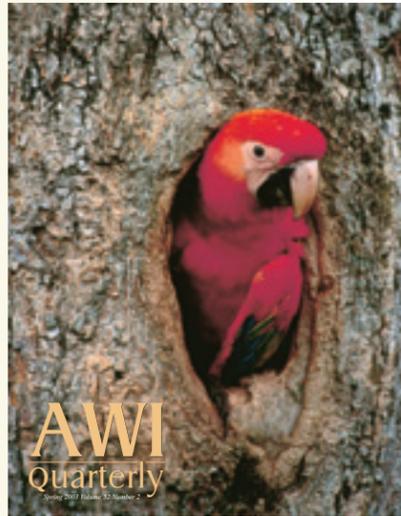


# AWI Quarterly

Spring 2003 Volume 52 Number 2



#### ABOUT THE COVER

Photographer Frans Lanting's camera lens captured this Scarlet macaw (*Ara macao*) nesting in a tree cavity in Tambopata, Peru. One of the most vibrantly colorful birds, this parrot species is rapidly losing its habitat while individual animals are poached for the global pet trade, where a single bird can fetch prices reaching \$2,000. Nest poaching for macaw and numerous other parrots poses a grave threat to their long-term viability in the wild. A burgeoning ecotourism industry, where wild birds are left alone to be viewed by enamored tourists in their natural surroundings, could save them. Simultaneously, however, stricter controls must be put in place to stop the global trade in exotic birds. After the United States drastically restricted—in some cases prohibited—importation of the most threatened wild birds, the European Union became the world's most significant importer of these animals for the pet trade. Now, an effort is underway to push the E.U. to follow America's lead and ban the import of wild-caught birds (see story pages 10-11).

**FOUNDER**  
Christine Stevens

**DIRECTORS**  
Marjorie Cooke  
Roger Fouts, Ph.D.  
Fredrick Hutchison, Jr.  
Cathy Liss  
Cynthia Wilson, *Chair*

**OFFICERS**  
Cathy Liss, *President*  
Cynthia Wilson, *Vice President*  
Fredrick Hutchison, Jr., CPA, *Treasurer*  
Marjorie Cooke, *Secretary*

**SCIENTIFIC COMMITTEE**  
Marjorie Anchel, Ph.D.  
Gerard Bertrand, Ph.D.  
F. Barbara Orlans, Ph.D.  
Roger Payne, Ph.D.  
Samuel Peacock, M.D.  
Hope Ryden  
John Walsh, M.D.

**INTERNATIONAL COMMITTEE**  
Aline de Aluja, D.M.V., *Mexico*  
Ambassador Tabarak Husain, *Bangladesh*  
Angela King, *United Kingdom*  
Godofredo Stutzin, *Chile*  
Agnes Van Volkenburgh, D.V.M., *Poland*  
Alexey Yablokov, Ph.D., *Russia*

**STAFF AND CONSULTANTS**  
Ava Armendariz, *Publications Coordinator*  
Amy Conklin, *Editorial Assistant*  
Tom Garrett, *Consultant for Rural Affairs*  
John Gleiber, *Assistant to the Officers*  
Diane Halverson, *Farm Animal Advisor*  
Marlene Halverson, *Farm Animal Economic Advisor*  
Christopher J. Heyde, *Research Associate*  
Lynne Hutchison, *Executive Secretary*  
Cathy Liss, *President*  
Nell Naughton, *Mail Order Secretary*  
Viktor Reinhardt, D.M.V., Ph.D., *Laboratory Animal Advisor*  
Jennifer Rinick, *Research Assistant*  
Adam M. Roberts, *Senior Research Associate*  
Wendy Swann, *Research Associate*  
Ben White, *Special Projects Consultant*

## The Truth Is a Hammer Humboldt DA Takes on Pacific Lumber

In a complaint filed February 23, 2003, in the Superior Court of California, Humboldt County, District Attorney (DA) Paul Gallegos and his legal team have charged The Pacific Lumber Company (PL) with “Deceptive Concealment,” “Fraudulent Representation,” and “Fraudulent Suppression” under California’s Unfair Competition Law. The suit “seeks civil penalties and injunctive relief for harm to property rights and harm to ancient redwoods inflicted on the people of Humboldt County” by Pacific Lumber’s alleged “unfair and fraudulent business practices.”

The complaint contends that PL falsified data regarding landslide risks from timber harvesting on unstable slopes. Based on this allegedly false landslide data and suppression of additional information PL was granted approval for its preferred cutting plan. According to the DA, the approved plan thereby allowed the company “to cut down some 100,000 trees on unstable slopes so as to earn an additional \$40 million per year.”

As a result of PL’s actions, the DA claims, for instance, that over the past three years, the company was “free to cut down trees on unstable slopes

based on its deception... [resulting] in major landslides causing destruction to ancient redwoods, serious harm to Humboldt Bay, and serious harm to streams, bridges, roads, homes, and property rights for the people of Humboldt County.”

It must be difficult to battle one of the county’s largest employers. Assistant DA Timothy Stoen notes that when outside attorneys with a strong concern for the public interest offered to assist the prosecution team, getting paid only a percentage of any financial penalties recovered, the County Board of Supervisors voted 4–1 against such action—in a room purposely packed full of loggers. According to Stoen, the powerful company has threatened to sue his office, the county, and him personally.

The county’s complaint seeks damages in the amount of \$2,500 for every tree that would be logged under the plan that was approved based on PL’s data—a potential \$250 million fine—and the cessation of all logging operations that would not have been allowed had the decision been based on the best scientific data available. Says Stoen, “The truth is a hammer, and we’ve got the hammer.” 🐾



William Rosster/Cetacean Society International

Animal advocates still fight to keep dolphins safe from the nets of tuna fisherman (page 7), while dolphins are hunted across the globe, from Peru to Japan (pages 8–9).



Marlene Halverson/AWI

The fight to support family farming and beat back factory farms is gaining ground in the marketplace, and now, on Native American lands (pages 17 and 19).

# Animal Welfare Institute

## QUARTERLY

Spring 2003 Volume 32 Number 2

### TRIBUTE

Howling Praise for AWI’s Founder...4-5  
The Christine Stevens Memorial Fund...5  
In Memoriam: John Kullberg,  
President of the Society for Animal Protective Legislation...12

### WILDLIFE AND FORESTS

The Truth Is a Hammer, Humboldt DA Takes on Pacific Lumber...2  
Avian Amore, Do Europeans Love Birds to Death?...10-11  
Great Apes Are the World’s Heritage...13  
Slovenia’s Bear Slaughter...14  
Save Swaziland’s Elephants!...20

### MARINE ANIMALS

Keeping Russia’s Orcas Wild and Free,  
by Erich Hoyt and Vanessa Williams...6-7  
Protecting Dolphins in the Congress and the Courts...7  
Ending the Dolphin Hunts in Japan,  
by Hardy Jones...8  
Peru’s Illegal Dolphin Hunting Kills 1,000 Dolphins or More,  
by Stefan Austermühle...9

### LABORATORY ANIMALS

NIH on Congressional Hotseat...13  
Corporate Profits at Animals’ Expense...13

### FARM ANIMALS

AWI’s Humane Husbandry Program Expands;  
Rabbits Hop onto the Scene...16  
Chipotle Mexican Grill Takes Humane Standards to the  
Mass Marketplace, by Diane Halverson...17  
Poland in Peril, by Tom Garrett...18  
Activists Stop Construction of Massive Hog Factory,  
by Gail Eisnitz...19

### BOOK REVIEW

*The Deliverance of Dancing Bears*,  
by Adam M. Roberts...15



## Howling Praise for AWI's Founder

On a perfect spring day in Washington, as tulips across the city reached toward the heavens, hundreds of people gathered in a vast, sun-drenched room overlooking the majestic Potomac River to share fond remembrances of Christine Stevens' life and the inspiration she provided us all. How appropriate to celebrate the achievements of AWI's founder and, for more than five decades, president, in the John F. Kennedy Center for the Performing Arts, where her husband, Roger, served as Founding Chairman for more than twenty years.

The event was opened by AWI's Assistant to the Officers, John Gleiber, who served as a devoted right hand to Mrs. Stevens for 30 years. John observed that despite Mrs. Stevens' modesty, shyness, and complete loathing of self-congratulation, she would have been "thrilled by this outpouring of love and affection and appreciation and admiration for her life and her career." It was, after all, her unyielding work that drove her to such great success. Though she was an incredibly gifted artist, she devoted her entire life to the welfare of animals. "Christine not only changed the lives of hundreds of thousands of animals," John noted, "but she changed the lives of people."

One of those people touched by her wisdom and determination is AWI's new president, Cathy Liss, who shared her 23 years of experience working with Mrs. Stevens. Cathy described Christine's struggle to improve the well-being of all animals against seemingly insurmountable odds: "In taking on opponents, who were great in number, well-financed and politically connected, Christine triumphed time and again. In her David and Goliath battles, she succeeded utilizing her personal strengths—honesty, in-depth knowledge, lobbying expertise, grace, political connections and a network of cohorts, many of whom are here today."

Cathy detailed how Christine led by example, including her own participation in public demonstrations. "Imagine if you will this perfectly elegant woman, of a certain age, putting on a raccoon costume to protest against steel jaw traps and at another time, a turtle costume to protest the free trade's threat to animal protective laws. There was Christine, marching in front of the White House in the pouring rain to save the whales."



Above: Christabel Gough, Christine's daughter, with John Gleiber on the terrace before the service; Cathy Liss; William McC. Blair, Jr.

A former U.S. Ambassador William McC. Blair, Jr. waxed poetic about the outwardly calm Mrs. Stevens in the midst of the "controlled chaos" that is the AWI office: "In the center of it all—Christine—seemingly serene—but as usual full of indignation over the latest obstacle to be overcome in her never ending battle to protect animals from inhumane treatment." Mr. Blair, in a speech worthy of a statesman, continued: "Christine was a force in her own right—never hesitating to speak about what troubled her—and what troubled her most was the dreadful things done to animals by human hands—the widespread and too often needless torture done to them in the name of science, agriculture and sport. She was so passionate about the welfare of animals that she almost literally shared their pain."

Surely, the tough-minded and strong-willed Mrs. Stevens would have been proud to hear Mr. Blair's comment on the world's animal abusers: "There were a few who called her an extremist. She was not. The extremists are those corporations, organizations, and their lobbyists who profit from the cruelty inflicted unnecessarily on animals."

Grammy award winner, Paul Winter, a long-time colleague and friend of Mrs. Stevens, whom she greatly admired, shared two songs on his soprano saxophone to allow the whales and the wolves to pay dutiful tribute to their fiercest defender. The sound of waves crashing on the shore ushered in his piercingly melodic song, "The lullaby from the great mother whale for the baby seal pups," using sounds off the coast of Bermuda. His piece, "Wolf Eyes," reflects an effort to show "the gentle side of these creatures who have been for so long misunderstood and mistreated by us." At the end of the haunting song, Winter led the gathering in what he called a "Howleluiah chorus for Christine," eliciting realistic animal wails from the dignified audience.

Naturally, howling like wolves led smoothly into Dr. Jane Goodall's reminiscences of Mrs. Stevens, replete with her own chimpanzee hoots (as if "to greet Christine... in joyous proclamation of the day," she said). Dr. Goodall described Christine as her first shepherd through the labyrinth of Congress and the legislative process. She recounted further Mrs. Stevens' even demeanor: "She always seemed to be the same. Although she would get very angry about things, she never lost her temper... There was a strength within her, this steel, this determination... this woman who would never give up." Animals everywhere are better off, said Dr. Goodall, "because of the indomitable spirit of one woman." Christine exemplified the spirit that "tackles a seemingly impossible task and simply won't give up. And these amazing spirits inspire those around them to carry on with the task even if they haven't quite fulfilled it."

Everyone who knew Mrs. Stevens and her work, who is aware of her legacy, is sure to have been inspired by her efforts and, yes, her spirit. As noted during the service, Albert Schweitzer called Mrs. Stevens his "companion in battle." If this holds true, she was also our great general in war. And in her honor and instilled with her sensitive spirit and fierce determination, we must carry on her imminently humane crusade to eliminate animal suffering everywhere it occurs. 🐾



Above: Paul Winter; Dr. Jane Goodall

### The Christine Stevens Memorial Fund

The Board of Directors of the Animal Welfare Institute is pleased to announce that it has established the Christine Stevens Memorial Fund to ensure the long-term viability of AWI's essential campaigns. We have taken great pride in our historically high ratings with non-profit watchdogs for our extremely low administrative costs (the American Institute of Philanthropy constantly gives us an "A" rating). Through the Christine Stevens Memorial Fund, you can further guarantee that 100% of your contribution goes directly to our programs and animal advocacy.

In honor of Mrs. Stevens' lifetime of work on behalf of animals, please give generously to this Fund. Checks should be made payable to the *Christine Stevens Memorial Fund* and mailed to: Animal Welfare Institute, PO Box 3650, Washington, DC 20027. If you have any questions, please call us at our new telephone number (703) 836-4300 or send a fax to (703) 836-0400. 🐾

# Keeping Russia's Orcas Wild and Free



WDCS

Orcas are incredibly social animals, living in closely-bonded family groups. Pod members tend to travel, socialize, and forage as a unit.

BY ERICH HOYT CO-DIRECTOR, FAR EASTERN RUSSIA ORCA PROJECT, AND  
VANESSA WILLIAMS CONSERVATION MANAGER, WHALE AND DOLPHIN CONSERVATION SOCIETY

With support from the Animal Welfare Institute, the Far Eastern Russia Orca Project (FEROP) of the Whale and Dolphin Conservation Society (WDCS) has recently completed another successful field season. For the past three summer seasons, following a short pilot project in 1999, our largely Russian field team—aided by two Orca experts; Japanese biologist, Hal Sato; and Canadian ecologist, Erich Hoyt—has been studying the Orcas (also known as killer whales) living in the waters off Kamchatka, on the vast and remote eastern coast of Russia.

The project truly is pioneering. Erich and Hal were particularly eager to discover whether the Russian Orcas would be as charismatic as the northern resident population of Orcas they had previously studied off British Columbia, Canada (also home to the WDCS Orcas adoption project). So far, the answer to that question is a definite yes!

The team has now photo-identified 150 different mothers, calves, and bulls living in a number of family groups in our main study area. Conducting many hours of patient research from land as well as from the research vessel has enabled the investigators to develop a vivid picture of the Orcas' daily lives. In cold Russian waters, shadowed by snowy volcanic peaks, these incredible animals feed on salmon and mackerel, mate, and play. Orcas are sociable

creatures and live in strongly-bonded family groups. Analysis of sound recordings made by the FEROP team demonstrates that our study animals even communicate using their own dialect, in the same way that Canadian Orcas do. All the findings to date—on the Orca's diet, foraging, and socialising behaviour, as well as their communication—suggest that these Russian Orcas, too, are a largely “resident” population.

Last year, for the first time, the researchers also conducted a sightings survey along the entire east coast of Kamchatka. They found many more Orcas (more than 250 in all), photo-identified many of them, and made interesting sightings of humpback, gray, and fin whales. Plans for the 2003 field season include expanding both sea and land-based surveys and observations. Work has already begun on creating a digital photo-identification catalogue for the study Orcas (a first for this species).

The team has been busy presenting its findings-to-date at several important conferences in Russia, Canada, and last autumn's Orca Symposium in France. It is vital to reach as many people as possible—the international scientific community, the Russian authorities, and the general public both in Russia and internationally—as until recently, very few people had heard about these Orcas.

Yet, they attracted the attention of one sector—the cap-

tivity industry, which believed that Orcas living in such remote waters would make easy pickings. Orcas are big business: wild-caught Orcas can net their captors a cool \$1 million apiece. In the summer of 2001 and again last summer, the Russian authorities gave permission for up to ten Orcas to be captured for marine zoos and aquariums. Several capture attempts—thankfully, unsuccessful—have been made by captors working for aquariums in Japan and elsewhere.

Sadly, the threat of capture looms large this summer, with the news that the Russian authorities have once more set quotas for the capture of ten Orcas. The new quota, issued in November 2002, also expands the potential capture areas to include eastern Kamchatka and the northern Sea of Okhotsk.

WDCS is spearheading an urgent campaign, supported by many of the world's most prominent Orca scientists, to keep these Orcas where they belong, in the wild. At present, the main scientific arguments against capturing Orcas off Russia are that these are almost unexploited populations, and we still know little about them. This is a substantial argument from the conservation perspective—but not to those who seek to capture and exploit Orcas.

It is essential, therefore, that our field researchers continue to amass detailed information on these Orcas, so that we may help counter any moves to capture the species in Russian waters. 🐾

## YOU CAN MAKE A DIFFERENCE

The Russian government has set a quota for the capture of up to ten Orcas from its waters for 2003. Any Orcas captured are likely to be exported abroad for display in marine parks or aquariums. Please help our efforts to stop captures of Orcas in Russian waters by writing a polite letter to: Vitaly G. Artyukhov, Minister of Natural Resources, Bolshaya Grouzinskaya Street, 4/6, 123812 Moscow, Russian Federation.



WDCS

A breaching orca is one of the most dramatic sights in the cetacean kingdom: photographed here off of the rugged Kamchatkan coastline.

## Protecting Dolphins in the Congress and the Courts

On January 9, 2003, Senator Barbara Boxer of California introduced a new bill to Congress that would preserve the original definition and intent of the dolphin-safe label on canned tuna fish, a label she presented in 1989. S. 130, Senator Boxer's “Truth in Labeling Act of 2003,” would render moot the efforts of both the Clinton and Bush administrations to gut popular dolphin protection measures that prevent any can of tuna from being sold in the United States if it was obtained by using dolphins as targets to set tuna nets. In Boxer's own words, “My bill will guarantee that tuna products labeled ‘dolphin safe’ will be truly safe for dolphins.”

Secretary of Commerce Don Evans issued a finding on the last day of 2002 that ignored the information from his own scientists and declared that setting nets on dolphins to catch the tuna below does not constitute “significant adverse impact.” Senator Boxer countered, “This flies in the face of all available scientific information.” If upheld in court, Secretary Evans' finding would pave the way for tuna caught by encircling dolphins in nets to be fraudulently sold as “dolphin safe.”

But the courts seem to agree with the good Senator from California. On April 10, 2003, San Francisco Judge Thelton Henderson issued a preliminary injunction preventing the weakening of the dolphin safe label, responding to a suit brought by Earth Island Institute, Animal Welfare Institute, the Society for Animal Protective Legislation, and others. Judge Henderson concluded that we “have raised a serious question as to the integrity of the Secretary's decision-making process.”

The final judgment of the court is still pending, but in issuing the injunction, Judge Henderson asserted that we are likely to prevail in our claim that the Secretary's finding did not use the best available science, an action he called “an abuse of discretion.” Current evidence strongly supports the long-held belief that dolphin populations continue to decline in the Eastern Tropical Pacific and that the culprit is the continuing targeting of these dolphins for tuna. In fact, he notes that if “indirect effects of the purse seine fishery are causing a significant adverse impact on depleted dolphin stocks—as the evidence presented indicates is likely—an immediate change in the dolphin safe label will likely cause irreparable injury to dolphins because it will no doubt increase the number of sets on dolphins.” 🐾



Dolphins are naturally curious and friendly to humans and approach us in places where we do not harm them. Izumi Ishii (right), former dolphin hunter, now leader of the dolphin watches.

# Peru's Illegal Dolphin Hunting Kills 1,000 Dolphins or More

BY STEFAN AUSTERMÜHLE  
EXECUTIVE DIRECTOR,  
MUNDO AZUL

At least 1,000 dolphins per year are killed illegally by fishermen along the Peruvian coast, according to the Peruvian nongovernmental organization Mundo Azul ("Blue World"). Their meat is sold on a flourishing black market, and Mundo Azul has collected reports of dolphin meat being sold in various fish markets in cities along the coast as well as in restaurants in Lima.

The hunting and killing of dolphins, as well as the sale of dolphin meat and its consumption was prohibited under Peruvian law in 1995 as a result of a dramatic increase of dolphin hunting during the 1980s and early '90s in Peru, which led to an estimated 15,000 to 20,000 dolphins being killed each year.

For years the problem was thought to be solved, but in truth, it is not. Reports and photographs that we have collected from places

all along the 3,000 kilometer desert coast clearly show that illegal dolphin hunting continues to be a widespread practice. The fishermen encircle whole dolphin schools with nets, catch them with harpoons, lift them aboard and kill them by clubbing them to death—as happened this February in front of one of Lima's most famous recreational beaches called Pulpos. Here ten dolphins were killed near the shoreline where hundreds of eyewitnesses stood. One, Mrs. Serena, remembered, "It was barbaric. They harpooned the dolphins, one man jumped in the water and they lifted the dolphins aboard, then they clubbed them to death. It took them at least five minutes to kill the animals who suffered horribly. I was in despair and didn't know what to do. We stood on the beach, screaming and yelling and they didn't even bother about us."

was called from a nearby port, tried to reach the fishermen by jet-ski but had to give up.

This case is not the only one. In one beach in the northern limits of the coastal area of Lambayeque, members of Mundo Azul found more than 20 dolphins killed for human consumption in a single day. On another beach, the remains of three more dolphins washed up last Christmas. In the harbor city of Pucusana, a slaughtered dolphin washed up on the shore about 50 meters away from the office of the harbor police, who did nothing until Mundo Azul members pressed them to start an investigation.

In order to fight illegal dolphin killing, we have started a national awareness campaign for the conservation of dolphins. Mundo Azul also set up local environmental education programs in schools and are in the process of establishing a volunteer-based vigilance system to catch fishermen illegally killing dolphins. Presently, with the ecological police of Peru, we are investigating the illegal trade in dolphin meat in an under-cover operation, for the purpose of identifying illegal hunters and traders and bringing them to justice. For the second half of 2003, Mundo Azul plans to organize 21 educational seminars for local leaders, such as journalists, representatives of local fishermen associations, local police, and coastguard personnel in the seven most important coastal cities along the Peruvian coast, to inform them about the existing laws and raise their environmental awareness.

Detailed information of Mundo Azul's campaign can be obtained on our Web-site in English or Spanish ([www.peru.com/mundoazul](http://www.peru.com/mundoazul)), or directly by contacting: [mundoazul@terra.com.pe](mailto:mundoazul@terra.com.pe) 🐾



photos provided by Mundo Azul



When the police patrol finally arrived, the fishermen were too far away to be identified. Capitan Juan Torres Diaz, Chief of Investigation of Crimes for Lurin, noted: "We don't have boats, not even a binocular. We stood on the beach switching on our sirens and yelling at the boats and couldn't do anything." An anonymous person, who

Above: Butchered dolphin at Pucusana port, only 50 meters from the office of local port authorities. Left: Captain Juan Torres from the Police of Lurin inspects the remains of slaughtered dolphin on Pulpos beach.

## Ending the Dolphin Hunts in Japan

BY HARDY JONES  
EXECUTIVE DIRECTOR,  
BLUEVOICE.ORG

I founded BlueVoice.org ([www.bluevoice.org](http://www.bluevoice.org)) to use the power of visual images as a means to help protect the ocean and its inhabitants. We utilize a combination of streaming video, internet Action Alerts with embedded protest links, and on-the-scene coverage to put pressure on our adversaries to end their barbaric practices. What follows is a success story—how we managed to turn dolphin killers into their protectors.

For decades fishermen in Futo, Japan have hunted dolphins—killing thousands of them. In 1999 we took video footage of the slaughter of a pod of 80 bottlenose dolphins at Futo. When the footage was shown on television, horrified viewers around the world responded with an avalanche of international outrage at the carnage.

Since then we continued monitoring Futo and other villages in Japan

where dolphin killing takes place. The fishermen are incredibly sensitive to the international backlash that occurs when their brutality is transmitted on television. On one occasion they were so enraged at the coverage of a pod of pilot whales being killed that they attacked the BlueVoice.org team and attempted to seize their cameras and videotape.

In addition to obtaining footage of the cruelty, we work with the fishermen to create an alternative to replace the income lost if they stop killing dolphins. I'm delighted to report that on October 2002 the head of the Futo dolphin killers, Izumi Ishii, launched his own eco-tourism business, the first dolphin watch touring company in his country. It was an astonishing success with press coming from all over Japan. Mr. Ishii's dolphin watching business continues to grow.

Ocean-based ecotourism is now well established and helps to protect dolphins off the coast. The dolphin hunters cannot hunt while there are tourists dolphin watching. So, despite

having a government-issued permit to kill 600 dolphins per year, the villagers of Futo did not kill a single dolphin during the 2002-2003 season.

However, the local fisheries association is asserting that it will resume the dolphin slaughter this September. Continued vigilance is vital.

Elsa Nature Conservancy of Japan helped with the effort in Futo. In addition, BlueVoice.org received contributions from several environmental groups, including AWI's late and revered president, Christine Stevens. This success was truly the result of global cooperation.

Our next effort is to stop the killing at Taiji, the last village in Japan where fishermen regularly hunt dolphins. They are killing some 1,200 dolphins each season. Our presence on the scene in Taiji can make a difference as it did in Futo, and the Taiji fishermen can count on us being there to report their atrocities to the world. 🐾

Photos by: William Rossiter/Cetacean Society International and Larry Curtis/Curtis Photography



J. Gilardi

Mark L. Stafford/Parrots International

Wild-caught green-winged macaw (left), found in tropical forests and Mangrove swamps in Central and South America, are exported from Guyana and Suriname for the international pet trade. The largest parrot in the world, the Hyacinth macaw (right), provides Brazilians hope for an alternate use of wild parrots—ecotourism. A meager 5,000 Hyacinth macaw are thought to remain in their natural habitat.

## Avian Amore Do Europeans Love Birds to Death?

Exotic birds are beautiful animals, kept by millions of people as captive companions. Sadly, the global trade in wild birds has a drastically negative impact on their ability to survive in their natural habitats. Mortality of wild-caught parrots prior to export has been documented to range from 45-70%, as a result of poor nutrition, stress, and overcrowding.

The complex international web of bird smuggling and illicit trade reveals the breadth of the problem today: Indonesians smuggle parrots into Singapore, Italians smuggle exotics out of Yugoslavia, and countless species of wild-caught birds are kidnapped in Central and South America and illegally imported into the European Union. Last year, British citizen Raymond Humphrey, for example, was sentenced to more than six years in prison for smuggling internationally-protected birds into England. Do we literally love wild birds to death in our quest to keep parrots and other exotic birds as pets?

Current threats to bird species in the wild vary. They are at risk from habitat loss, invasive species, pollution, and overexploitation from hunting for food and live capture for the pet trade. Regardless of which threat poses the greatest risk to the birds' long-term viability, one thing is clear—wild birds are disappearing fast. A new paper by the

Worldwatch Institute, *Winged Messengers: The Decline of Birds*, presents some startling statistics. In general, “almost 1,200 species—about 12 percent of the world’s 9,800 bird species—may face extinction within the next century.... Human-related factors threaten 99 percent of the most imperiled bird species.” Specifically, with respect to the trade in parrots as pets, “almost a third of the world’s 330 parrot species are threatened with extinction due to pressures from collecting for the pet trade, combined with habitat loss.”

The World Parrot Trust (WPT) agrees that there is an on-going and dramatic decline of wild parrots worldwide and notes that the parrot family has more globally threatened species than any other family of birds. The World Conservation Union’s “Red List” contains 94 species of parrots that are currently considered vulnerable, endangered, or critically endangered, and many more sub-species are equally at risk of disappearing forever.

Recent scientific findings from studies throughout the Neotropics demonstrate that the demand for large expensive parrots as pets is a key driving force for this trade. In June 2001, Timothy Wright of the University of Maryland published an important study in the respected journal *Conservation Biology* entitled “Nest Poaching in Neotropical Parrots.”

Wright and his team concluded, “Poaching of parrots from the wild is an economic activity driven by a combination of the market demand for parrots as pets, the large profits to the pet industry, and the rural poverty in many countries with wild-parrot populations.” As a result, nest poaching of wild birds in unprotected areas is rife. Deaths from poaching of nests, they found, was “significantly greater than mortality due to natural causes.” Further, “nest poaching for the pet trade is a major conservation threat for many parrot species.”

The underlying importance of the study was its attempt to assess whether greater protection for birds in the wild exists after trade bans on their international commerce are put in place. The international trade in threatened and endangered species is governed by the United Nations Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). But sometimes stricter national measures are vital to add an extra layer of protection for wildlife at risk. For instance, a number of countries, among them, Australia, Ecuador, and Guyana, have imposed export bans to prevent their native bird species from being exported commercially.

The United States took the equally important step in 1992 of banning the importation of some of the most critical bird species. As a major importer of wild birds, the U.S. action was remarkably significant and successful. The Wild Bird Conservation Act (WBCA) converted the U.S. from the largest importer of wild-caught birds to a virtual non-importer of wild-caught parrots. The Wright study importantly concludes: “Poaching rates were significantly lower in the years after enactment of the WBCA.... [suggesting] that importation bans reduce poaching in exporting countries by limiting the demand by consumers in developed countries.”

Legal and illegal imports have been reduced to a trickle, though it surely still exists, and captive bred parrots are now more available and less expensive than ever for pet owners, breeders, and collectors. Restricting or eliminating the legal trade will reduce the illegal trade, rather than drive it underground as is often suggested. But not all countries have gotten the message.

Between 1997 and 2000, the European Union officially imported 469,602 wild-caught birds of 111 species. Wild-caught birds are generally unsuitable as pets when they arrive in European homes, and thousands of these birds end up unwanted and ill-cared for. By importing wild-caught parrots, developed European nations are, in fact, unconsciously exploiting the resources of developing nations by creating a harvest that is neither biologically nor economically sustainable.

Therefore, WPT is spearheading a campaign to immediately cease the importation of wild-caught birds into the European Union, following America’s wise lead from a decade before. According to Dr. James Gilardi of the WPT, “The existing trade is cruel and inhumane to tens of thousands of highly intelligent and social parrots. Figures on the unacceptably high mortality that occurs during the trapping,

shipping, and quarantine of these birds demonstrate that the trade impacts far more wild birds than the numbers which end up for sale in Europe and Asia.”

The spectacle of wild parrots is now an enormously popular ecotourism attraction and generates millions of dollars annually for tropical nations. Tourism creates solid employment for indigenous people as guides and lodge operators, and, if implemented well, ecotourism facilitates the long term protection of natural areas. The international attention that comes along with the tourism also builds local pride in natural heritage, which further facilitates nature conservation. In contrast, harvesting parrots for the pet trade provides small numbers of temporary jobs, and the financial benefits fall primarily in the hands of unscrupulous dealers in large cities rather than indigenous people. 🐾



U.S. Customs

Lilac-crowned and yellow-headed amazon parrots smuggled into the United States from Mexico.

### YOU CAN MAKE A DIFFERENCE

Send the European Union the message that you, like thousands of other people around the world, feel that it’s time to stop the cruel practice of capturing birds from the wild for international commerce. The wild bird trade is an unacceptable exploitation of the natural resources of developing countries. The E.U. has become the largest importer of wild-caught birds; the existing legislation in Europe is ineffective at stopping the inhumane and unsustainable harvesting of these wild birds. Visit the World Parrot Trust web site to find out more information and sign the online petition. Visit [www.worldparrottrust.org/trade/tradeindex.htm](http://www.worldparrottrust.org/trade/tradeindex.htm).

Also, if you want a bird as a pet, do not buy one who is wild-caught. Always check for a leg band and ask for documentation showing the bird is captive bred. Any reputable dealer should be able to provide that—particularly for an expensive bird.

## In Memoriam

### John Kullberg, President of the Society for Animal Protective Legislation

John Kullberg, the careful, conscientious and dedicated President of the Board of the Society for Animal Protective Legislation, died on April 20 after a long battle with cancer. He fought the disease courageously for a number of years, unwilling to yield in his work on behalf of animals. Even in his last days he remained driven, exemplifying the optimism he wrote about in January, when he asserted that it is always preferable to light candles instead of curse the darkness.

At the time of his death, he was the Executive Director of The Humane Society of the United States Wildlife Land Trust, a groundbreaking concept ensuring permanent sanctuary for animals. Under his leadership, the program, which he called “shelters without walls,” grew to 70 properties encompassing 60,000 acres in the U.S. and four other nations. On these lands, Dr. Kullberg wrote, “the violence associated with trapping, hunting, and

logging would be banned forever.”

He previously served with distinction as President of the American Society for the Prevention of Cruelty to Animals and later as President of Guiding Eyes for the Blind. Before joining the animal protection movement, he was an Assistant Dean at Columbia University where he earned his doctorate. In all of these endeavors, his stewardship was invaluable, and he never missed an opportunity to advocate living an ethical life, since, in his words, “unethical behaviors weaken and destroy the inherited ethical beacon of a strong conscience.”

Dr. Kullberg’s sister, Marjorie Cooke, is a member of the Board of the Animal Welfare Institute, and both were close friends of Christine Stevens. He is survived by his wife Karol



John Kullberg with his dog Archie.

and three children Kristen, Kathryn and Evan.

Let us all honor Dr. Kullberg by taking his challenge to “commit ourselves to living in ways that reflect broadly compassionate choices over abuse-infused conveniences.” 🐾

—John Gleiber



John Kullberg and canine star Sandy celebrate the stage production of *Annie*, co-produced by former AWI Treasurer Roger Stevens. Far right is Sandy’s trainer Bill Berloni.

*“Like a nation calling upon its best defenders to prepare for the most formidable war imaginable, our suffering Earth is crying out for truly compassionate and able people to defend it and its inhabitants from the increasingly destructive consequences of abusive actions by those whose fundamental interests lie in myopically satisfying their own needs and pleasures, regardless of the harm their decisions cause others. Toleration of complacency about the increasingly destructive impact abuse is having on sentient life everywhere, but especially in Third World countries, is no longer an option if we truly care about our planet and the pain and suffering our past toleration of abuses have meant for those species, now extinct, with whom we once shared the Earth.”*

—John F. Kullberg

## NIH on Congressional Hotseat

For years, the National Institutes of Health (NIH) lavished millions of taxpayers’ dollars on The Coulston Foundation (TCF) though it was cited for nearly 300 violations of the Good Laboratory Practice (GLP) regulations by the Food and Drug Administration, and it had four separate sets of formal charges of violating the Animal Welfare Act brought against it by the U.S. Department of Agriculture. Instead of holding TCF accountable for its apparent widespread violation of laws and regulations, NIH defended and persistently funded the facility.

NIH finally may be held accountable as it appears that the House of Representatives is examining the agency’s negligence in providing grants. In March, Energy and Commerce Committee Chairman Billy Tauzin, and Oversight and Investigations Subcommittee Chairman James Greenwood, sent a stern letter to NIH Director Elias Zerhouni. The letter described the titanic support Congress has given to NIH over the past five years, increasing its appropriations by \$9.5 billion to \$23.1 billion. The letter

went on to express the Committee’s interest in “conducting an examination of NIH management and oversight of its federally funded research.” The letter requested specific information of NIH including the following:

*“During one of the Committee’s investigations last year, the Committee became aware that NIH was providing grants to the Coulston Foundation (TCF), a registered animal research facility in Alamogordo, New Mexico that has recently declared bankruptcy. In addition to TCF’s poor financial health, the Food and Drug Administration and United States Department of Agriculture had cited TCF for violations*

*of various regulations. Please provide a copy of all files relating to TCF maintained by the grants management and program officers who have overseen NIH grants to TCF. Include documentation of all notifications NIH received about TCF’s violations of regulations or statutes by federal or state agencies.”*

There likely will be an oversight hearing held after the Committee reviews the material supplied by NIH. The investigation should address NIH’s failure to withhold financial support to institutions that flout the law. Coulston is not the only facility to have distinguished itself in this manner. 🐾

### Corporate Profits at Animals’ Expense

Despite widespread international efforts by humane organizations and an embarrassingly small number of scientists to reduce the number of animals utilized for research, their use continues to grow exponentially. Selling rodents for experimentation is a highly lucrative business, and Charles River Laboratories (CRL) is outflanking other breeders of laboratory rats and mice, bringing in four times the revenue of its closest competitor. This past year the company earned \$55.8 million. CRL is pleased to report that “2002 represented the first year in over a decade that the worldwide sales of animals increased at double-digit levels.” 🐾

## Great Apes Are the World’s Heritage

Do our closest relatives in the animal kingdom, rapidly diving toward extinction, deserve special consideration and targeted protection in the global community? A group of primatologists, conservationists, and animal advocates think so, and they have launched The Great Ape World Heritage Species Project, [www.4greatapes.com](http://www.4greatapes.com). If successful, bonobos, chimpanzees, gorillas, and orangutans would get radically increased worldwide attention and preservation, similar to architectural works, archaeological sites, and natural areas that are protected as World Heritage sites by the United Nations Educational, Scientific and Cultural Organization.

Even if never covered under the existing Convention Concerning the

Protection of the World Cultural and Natural Heritage, however, the Project could secure an international declaration for the security of great apes and a specific convention designating great apes as a World Heritage Species.

In more than 20 African countries from Angola to Uganda and three countries in Asia, great apes are under constant assault from habitat destruction, bushmeat poaching, insufferable civil wars, and capture for the pet trade. Globally, great apes also languish in captivity—any declaration or convention establishing their inherent value and adding safeguards must equally apply to them. Due recognition for the great apes’ plight and considerable international cooperation are vital if they are to survive this decade. 🐾



A young gorilla rides “piggy back” in a National Park in the Republic of Congo.

## Slovenia's Bear Slaughter

**B**rown bears (*Ursus arctos*) in Eastern Europe may be imperiled by a dramatically increased annual kill in the Republic of Slovenia, a relatively new nation that declared independence from Yugoslavia in 1991. On October 10, 2002, Slovenia's Ministry of Agriculture, Forestry and Food (MAFF) issued a permit allowing an extra 34 brown bears to be killed in the 2002/2003 hunt season—this, in addition to the previously approved 70 bears.

The total legal kill of 104 bears represents approximately 25% of the nationwide population of about 450 animals. The new cull numbers signify a considerable jump from previous years, where half as many animals were allowed to be hunted. According to Dr. Boris Kryštufek of the Slovenian Museum of Natural History, Slovenia "hosts one of the most important populations of brown bears in Europe....it is doubtful that the population size is large enough to cope" with the expanded slaughter. Opposition to the expanded kill has come from animal protection organizations including the Animal Welfare Institute, as well as authorities including the International Association for Bear Research and Management, and the Bear Specialist Group (BSC) of the International Union for the Conservation of Nature's Species Survival Commission. In a letter to the MAFF Minister, Franc But, the BSC notes, "The long term status of bear populations in nations such as Austria, Italy, and Croatia are all significantly influenced by actions in your country." The Chairman of the Large Carnivore Initiative for Europe warns that the European brown bear's current range "is grouped in few dangerously small and highly fragmented populations, representing the remnants of the former range, and is still threatened with extinction."

According to the Group of Experts on Conservation of Large Carnivores' 2000 "Action Plan for the Conservation of the Brown Bear (*Ursus arctos*) in Europe" brown bears



in Slovenia are threatened particularly by domestic forestry practices, habitat fragmentation, and traffic kills.

Serious concerns have been raised, however, alleging that the cull numbers were based on inaccurate, inflated bear population data, and some nongovernmental organizations have questioned the government's methodology for counting Slovenia's resident bears. Also at issue is the claim that the additional kill is necessary to alleviate problems associated with increasing human-bear conflicts. Humans are rapidly expanding into bear habitat, even to the point of establishing government-subsidized sheep breeding operations in core areas of brown bear territory.

The head of Slovenia's Department for Wildlife in the Slovenia Forest Service has acknowledged that officials there will consider other plans for dealing with bear management issues including habitat improvement, regulating the breeding of small livestock, and cracking down on bear-attracting illegal refuse dumps, but they are unwilling to reduce the cull numbers.

Brown bears in Slovenia are considered a "protected" species and have been as early as 1935 when an ordinance prevented the shooting, killing, buying, and selling of bears in certain districts in the country. However, they are also listed as "game" animals, meaning there can be a regulated hunt. Slovenia, one of the first European countries to protect its brown bears, now threatens to decimate its own population. 🐾

### YOU CAN MAKE A DIFFERENCE

There is great concern over reports that another overzealously high quota of 80 bears has been approved for the 2003/2004 season. Further, we fear that an additional permit may again be issued for a take as high as 120! Please write objecting to this irrationally and unscientifically large kill: Minister Franc But, Ministry of Agriculture, Forestry and Food, Ministrstvo za kmetijstvo, gozdarstvo in prehrano, Dunajska 56-58, 1000 Ljubljana, Republic of Slovenia.

*Brown bear populations across Europe are becoming increasingly fragmented and marginalized as a result of the destruction of their habitat. Slovenia is putting its resident brown bear population at great additional risk by inflating its annual hunt quota.*

Photos by Alenka Kryštufek



## The Deliverance of Dancing Bears

By Elizabeth Stanley  
Kane/Miller Book Publishers  
California 2003; ISBN1-929132-41-7  
40 pages, \$15.95

**M**any of us toil by day with focused determination, dreaming at night of a better life—perhaps one that is easier, richer, or more fulfilling. For the imprisoned brown bear in Elizabeth Stanley's *The Deliverance of Dancing Bears*, the dream is simply to be a bear. Freed from her cage and shackles and the controlling iron ring forcibly pierced through her nose she would be able to enjoy the warm sun, the crisp mountain water, and the enlivening forests to which her kind is best suited.

Sadly, these hopeful visions of freedom, leisure, and companionship are quashed each day by her tormentor, Halûk, who forces her to "dance" for unenlightened humans in order to gain a few coins for himself.

*The Deliverance of Dancing Bears*, which confronts the cruelty of caging bears and forcing them to dance for us, was published in Australia in 1994, and is now being brought to the U.S. for the first time. Even if it were devoid of text, one could interpret this tale by leafing through the book's vibrant pastel drawings. The text is carefully crafted, however, and Stanley describes the brutality in keeping dancing bears, without graphic detail that might be disturbing for the five to nine year old readers for whom the book is intended. She writes

of the bear's claws being "blunted" and her powerful teeth "sawed." The bear "succumbed fearfully to the heavy chain latched to her ringed nose."

*The Deliverance of Dancing Bears* presents the immorality of forcing bears to dance. But how do we liberate enslaved animals? Is it just and wise to purchase a captive bear (or other creature) from his or her captor in order to free the beleaguered beast? I have experienced this dilemma across the globe; seeing poor, wretched animals for sale in public



markets in South America and Asia. Like many others, I struggled with the desire to free the animals, cognizant that doing so would put money in the hands of despicable merchants who would then replace the animal I just saved with another.

Stanley answers the conundrum affirmatively through an old, compassionate villager, Yusuf, who buys the bear. "How often have I watched you, poor beast, dancing humiliated in

the market square on this loathsome chain,' he said. '...I feel too ashamed to have you dancing another day. I have no way of returning you to your home and your loved ones, but come with me, and I will restore to you a little happiness.'"

Initially, one can make a positive impact by freeing an individual animal. Then one can change the minds of the community in general. In this story, after selling the bear to Yusuf, Halûk surfaces with a new young dancing cub, and Yusuf steps in once more. This time, though, as the new bear is bought, the gathered

local crowd begins to understand the depths of Halûk's wickedness and publicly shuns him. Ultimately, two bears are rescued, free to live out their lives in the garden at Yusuf's cottage in the woods; but perhaps more importantly, the community has been educated to the plight of these animals, reducing the likelihood that a similar situation would arise in the future.

Indeed, bear dancing is slowly being banned across the globe. As Stanley notes in her Postscript to the book, Greece and Turkey (the setting for the story) have outlawed bear dancing. There are still serious problems in other countries, however, including India and Bulgaria.

What is the cost of freedom? What price must be paid to make dreams come true? For Elizabeth Stanley, for Yusuf, for me, no price is too great. 🐾

—Adam M. Roberts

### 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, now located in Virginia, formally 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.*



# Poland In Peril

BY TOM GARRETT

Among the world's "decision makers," palms open to receive what the great corporations provide, few have proven more susceptible than the former Communist aparatchiks of eastern and central Europe. There is, at the same time, no greater corrupter of politicians and government officials than corporate agribusiness. In Poland, the convergence of a politically virulent American corporation, Smithfield Foods, and a government made up of former Communists threatens the destruction of Europe's last oasis of traditional peasant agriculture.

Two years ago, Andrzej Lepper, head of Samoobrona ("Self-Defense") union received AWI's Albert Schweitzer Medal for his role in stalling Smithfield's initial effort to take over Polish pig production. However, in September 2001, Polish voters swept the shambling AWS (Solidarity Action) government from office and returned the post-communist SLD (Democratic Left Alliance), dominated by figures from the ancien regime, to power. With the change in government, Smithfield operatives gained key government positions, and administrative barriers to corporate agribusiness were swept away. Bolstered by a \$100 million loan organized by the European Bank

of Reconstruction and Development, Smithfield began a massive offensive in the Polish countryside. By the end of 2002, operating behind front companies so as to evade laws forbidding foreigners from owning Polish agricultural land, Smithfield had gained control of over 30 large, former state farms and had already converted many of them into hog factories.

During the first months of 2003 Marek Kryda and I (accompanied sometimes by British organic farmer Tracy Worcester) toured the chief areas of infestation and met with local activists. We were stunned by the impunity with which Smithfield is operating, ignoring federal and local laws alike and overriding intense, often desperate, local opposition. The company's prison-like compounds contain packs of savagely barking police dogs. On at least two occasions we encountered English-speaking Poles who had been taken to North Carolina for training in Smithfield facilities. Every Smithfield hog factory building is flanked by identical feed silos that dispense feed automatically. In the area around Goldap in Northeast Poland, the number of workers on three state farms where Smithfield has set up hog factories was reduced from 120, before the company took over, to seven. As in the U.S., dead pigs are a ubiquitous, almost symbolic feature, of company operations. When dumpsters overflow, the victims are left in piles inside the buildings, as

Kryda found in penetrating the appalling interior of a hog factory at Wronki Wilkie, or are dumped outside.

While five provinces have been violated, the most intense hog factory development is in former German areas seized by Poland after the war where large estates (including Otto Von Bismark's) were converted into state farms. In Warminsko-Mazurskie (former East Prussia) in the northeast, Smithfield operates on state farms previously leased by its Animex subsidiary. In Zohodnio Pomorskie (Western Pomerania) in the northwest, where the takeover has gained blitzkrieg momentum, Smithfield uses a front called Prima. Here, the situation is so out of control that on one occasion we found a hog factory, operating without licenses or permits, after noticing that liquid hog manure was being disposed of alongside the road. Everywhere we heard the same story: Attempts by local officials to enforce the law are overridden by the governors or by ministries in Warsaw. Protests by villagers driven half mad by the stench are disregarded. Press exposés have no effect.

However, Smithfield's "fix" is swirling in a larger vortex. Unemployment has reached 20%; much of Poland is locked in a situation reminiscent of the great depression of the 1930s. The top down corruption of the post-communist government was revealed when a secretly recorded conversation, soliciting a bribe of \$17.5 million to SLD in return for passage of a radio and television bill favorable to commercial interests, was published in Poland's largest daily newspaper. Public support for the government has plummeted to 12% in the polls. A vote of confidence has been put off until after the June referendum on E.U. accession. Once this is over, the government will probably fall, new elections will be called, and opposition parties (including Samoobrona, now polling far ahead of SLD) will dominate the Sejm. Opposition parties decry corruption and promise Poland for Poles. The question upon which Poland's future depends is whether they can put words to practice. 🐾



Humane Farming Association

Rosebud Sioux tribal members participate in a drum circle at a press conference outside U.S. Senate Minority Leader Tom Daschle's Rapid City office to protest construction of a giant hog factory.

## Activists Stop Construction of Massive Hog Factory

BY GAIL EISNITZ  
CHIEF INVESTIGATOR,  
HUMANE FARMING ASSOCIATION

In November 1998, a coalition consisting of Concerned Rosebud Area Citizens, Humane Farming Association, South Dakota Peace and Justice Center, and Prairie Hills Audubon Society took on an unprecedented legal battle against what was scheduled to be the third largest hog factory in the world. The factory was to be sited on the Rosebud Sioux Reservation in southern South Dakota, the second poorest reservation in the United States. In addition to the cruelty on an almost incalculable scale, it would have generated roughly three times the amount of raw sewage of the entire human population of the state of South Dakota.

Because Indian lands are exempt from state environmental laws, Bell Farms, a major hog factory corporation, entered into a joint venture with the Rosebud Sioux Tribal Council to operate its proposed factory producing nearly one million pigs a year on reservation lands. However, the hog factory

was subject to federal law, so the citizens' coalition, with Humane Farming Association's financial support, sued the Bureau of Indian Affairs (BIA), challenging it for not first preparing an Environmental Impact Statement (EIS).

The coalition's first legal battle was successful, and the BIA was forced to halt construction of the project until such time as an EIS was prepared. In response, Bell Farms sued the BIA in federal court in South Dakota, and the citizens' coalition intervened on behalf of the BIA. Bell Farms ultimately won that round and construction was allowed to proceed without preparation of an EIS.

Contrary to federal laws requiring public input, most tribal members had been kept in the dark about the venture and about the horrors of factory farming. As the coalition continued with its legal battles, it also spread the word on the reservation about the horrendous cruelty, environmental hazards, and terrible working conditions associated with hog factories. When tribal members became aware of the appalling conditions that had been invited into their community, they promptly ousted

their existing Tribal Council and voted in a new Council that opposed the factory farm.

In an amazing turn, in June 2000, after a complex and tortuous two-year legal battle, the Tribe, formerly a partner in the enterprise with Bell Farms, filed a motion with the court changing its legal posture in the case, realigning itself with the citizens' coalition and the federal government—*against* Bell Farms. As the litigation progressed, construction on the hog factory stopped after only two of the thirteen sites were built.

The citizens' coalition, the BIA, and the Tribe appealed the South Dakota judge's ruling in the Federal 8<sup>th</sup> Circuit Court of Appeals. In April 2002, in an astounding victory, the Circuit Court reversed the judge's decision and ruled in the coalition's favor and refused to rehear Bell's case. Earlier this year, the US Supreme Court upheld the winning appeal by declining to review Bell's appeal. This means that Bell Farms has no right to operate on Rosebud lands.

On March 6<sup>th</sup>, 2003, the Rosebud Sioux Tribal Council voted unanimously to shut down the two sites that had been built and remove them from tribal land. The Tribe then formally asked the BIA to provide assistance in initiating legal proceedings to evict Bell from the reservation. The BIA has yet to decide whether it will help the Tribe or not. 🐾

### YOU CAN MAKE A DIFFERENCE

Please help by asking Assistant Secretary Martin to shut down the two Bell sites operating on Rosebud lands.

Letters should be addressed to:

The Honorable Aurene Martin,  
Acting Assistant Secretary of Indian Affairs, Bureau of Indian Affairs,  
1849 C Street, NW, MIB 4140,  
Washington, DC 20240.

Read a history of the Rosebud struggle in Part V of *The Price We Pay for Corporate Hogs*, by Marlene Halverson, at [www.iatp.org/hogreport/](http://www.iatp.org/hogreport/). Visit the Rosebud Sioux Tribe website [www.rosebudsiouxtribe.org](http://www.rosebudsiouxtribe.org). Read Tracy Basile's interview with Rosalie Little Thunder at [www.satyamag.com/may02/basile.html](http://www.satyamag.com/may02/basile.html).



Marek Kryda

Hell in a dark place. Smithfield's Wronki Wilki hog factory.

**TOP PRESS**  
Both zoos relinquished their import permits  
over inaccuracies in the permit applications!



Environmental Investigation Agency

## Save Swaziland's Elephants!

**F**ewer than 45 elephants reside in The Kingdom of Swaziland, a small country wedged between South Africa and Mozambique. If California's San Diego Zoo and Florida's Lowry Park Zoo have their way, Swaziland's elephant population would be cut by about 25%.

These zoos received permits from the U.S. Fish and Wildlife Service (FWS) to import 11 elephants from Swaziland, marking the first zoo import of wild African elephants since the 1980s. This importation sends the erroneous message that America should subsidize its dwindling numbers of captive elephants at the expense of an already diminished wild population. Swaziland has been replenishing its elephants since they were wiped out by poaching five decades ago, while U.S. zoos have been experimenting with captive

breeding programs with deadly consequences.

The zoos claim that without their beneficent intervention, the elephants would be killed to manage the remaining resident population, despite the fact that Swaziland's Hlane National Park and Mkhaya Game Reserve, in which the elephants currently reside, have not even reached their carrying capacity. There are more humane alternatives to address elephant conservation in Swaziland than slaughtering these magnificent creatures. Elephants can be translocated to other protected areas (at least three have been identified in southern Africa), additional land could be acquired adjacent to Hlane and Mkhaya to expand the available habitat in these protected areas, and long-term immunocontraception programs could be employed, similar to those that have been tested effectively in South Africa's Kruger National Park.

A coalition including the Animal Welfare Institute brought suit against FWS, challenging the legality of the import permits. Our complaint alleges that, contrary to international rules under the Convention on International Trade in Endangered Species, there is no proof that this import will not be detrimental to the species in the wild. Outrageously, there isn't even clear confirmation that the animals identified on the import permits are the same elephants that have been rounded up by the zoos. The Mkhaya Game Reserve's 18 elephants were to be the pool from which the 11 for import were selected. But reports from Swaziland indicate that on the week of March 10, 2003, approximately 24 elephants were rounded up—necessarily indicating that some were taken from outside Mkhaya, apparently in contravention of the information in the permit applications.

Wild elephants should be left to wander freely with their families and friends through their native savannahs playing in watering holes and mud pits, and interacting with one another as they choose. 🐾

*Above: Young elephants are more attractive to visitors, so San Diego zoo is shipping its resident elephants to Chicago to make room for the desired new youngsters.*



**ANIMAL WELFARE INSTITUTE**

*PO Box 3650, Washington, DC 20027*

Return Service Requested

Non-Profit Org.  
**US POSTAGE  
PAID**

Washington, DC  
Permit No. 2300