



Animal Welfare Institute

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October 11, 2013

BY ELECTRONIC MAIL

Submitted via <http://www.regulations.gov>

Public Comments Processing
Attn: [FWS-HQ-ES-2013-0055]
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive
MS 2042-PDM
Arlington, VA 22203

RE: Comments on the interim rule to list the southern white rhino (*Ceratotherium simum simum*) as threatened under the authority of section 4(e) of the Endangered Species Act of 1973 (Fed Reg # 2013-22132)

Dear Sir or Madam:

On behalf of the Animal Welfare Institute (AWI), please accept the following comments on the above-referenced U.S. Fish and Wildlife Service (USFWS) proposed interim rule to list the southern white rhino as “threatened” under the Endangered Species Act (ESA).

AWI supports the interim rule as proposed and agrees with USFWS that section 4(e) of the ESA allows for such an emergency listing due to the similarity of appearance between the southern white rhino and the endangered Javan, Sumatran, Indian, black, and northern white rhinos. Differentiating between the horns and other products made from the southern white rhino and the endangered Javan, Sumatran, Indian, black, and northern white rhino is difficult for law enforcement, decreasing their ability to enforce and further the provisions and policies of the ESA. This similarity of appearance has resulted in the documented trade of listed rhinoceros species, often under the guise of being the unprotected southern white rhinoceros, and this difficulty in distinguishing between the rhino species protected under the ESA and the southern white rhino constitutes an additional threat to all endangered rhinoceros species. The determination that the southern white rhino should be treated as threatened due to similarity of appearance will substantially facilitate law enforcement actions to protect and conserve all endangered rhino species.

Poaching and the illegal trade in rhinoceros horn pose serious threats to all rhinoceros species worldwide. A significant increase in demand for rhinoceros horn for medicine in southeast and east Asia, notably Vietnam and China, is the primary factor driving the trade. Despite a lack of scientific evidence supporting the medicinal properties of rhino horn, a recent resurgence of interest has occurred throughout Asia for its purported value as a cancer treatment, and this rumor has contributed to the increased demands on the illegal market and has thus promoted the

illegal poaching of rhinos. Demand for rhino horn for the production of medicine and demand for libation cups and other rhino horn carvings has allowed rhino horn to emerge in the black market as a rare and valuable commodity, fueling dramatic increases in rhino poaching. In the United States, the USFWS Office of Law Enforcement has observed a dramatic increase in demand for rhino horns and has information that these horns are being funneled to Southeast Asia to meet regional demand. Thus, protecting all rhinos under the ESA in order to empower enforcement to crack down on rhino horn trade is an appropriate action to address this enforcement issue.

Trends in poaching over the last 5 years have demonstrated that current regulatory mechanisms and conservation efforts are inadequate to respond to the growing market for rhino horn products. Although many range states protect their rhino populations and even translocate vulnerable rhinos, increased poaching within protected areas – particularly in South Africa -- warrants additional protection measures. The potential loss of privately owned lands dedicated to protecting rhinos could also result in more rhinos being moved to protected areas, where they are more vulnerable to poachers.

In addition, difficulty in distinguishing a specimen of endangered rhino species from a specimen of southern white rhino creates a myriad of threats to those species listed under the ESA. The USFWS has information indicating that unauthorized commerce involving parts and products of listed rhino species is being conducted via the United States by persons who purposefully or accidentally misrepresent that specimens have originated from the southern white rhino. Thus, the difficulty in distinguishing endangered rhino specimens from specimens of southern white rhino is resulting in specimens of listed rhino species entering the global black market via the United States. This illegal movement of endangered rhino parts and products via the United States is contributing to the market demand for such items, and with the increasing market demand for rhino parts and products, this flourishing black market is stimulating unprecedented levels of poaching.

Thank you for your prompt action regarding the southern white rhinoceros and for considering these comments. Listing the southern white rhino pursuant to the ESA's similarity of appearance provisions will facilitate the enforcement and further the policy of the ESA. This action will stem an enforcement problem that has contributed to the unauthorized commerce of endangered rhino specimens to and from the United States, thereby ameliorating the threat to endangered rhino species from illegal trade and providing for the conservation of these species listed under the ESA. Please send any future correspondence or information about this proposed rule to: Tara Zuardo, Wildlife Attorney, Animal Welfare Institute, 900 Pennsylvania Ave., SE, Washington, DC 20003.

Sincerely,



Tara Zuardo, Wildlife Attorney