

**Testimony of Stephen Guertin
Deputy Director for Policy, U.S. Fish and Wildlife Service
Before the House Committee on Natural Resources
Subcommittee on Water, Oceans, and Wildlife regarding
“Wildlife Trafficking and the Growing Online Marketplace”**

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Introduction

Good afternoon Chairman Huffman, Ranking Member Bentz, and members of the Subcommittee. I am Stephen Guertin, Deputy Director for Policy for the U.S. Fish and Wildlife Service (Service) within the Department of the Interior (Department). I appreciate the opportunity to testify before you today to discuss the international wildlife trafficking crisis and the role of online platforms in facilitating the illegal wildlife trade.

Wildlife trafficking once was predominantly a crime of opportunity committed by individuals or small groups. Today, wildlife trafficking is largely carried out by international criminal organizations that are well structured, highly organized, and capable of illegally moving large commercial volumes of wildlife and wildlife products and laundering its proceeds. What was once a local or regional problem has become a global crisis, as increasingly sophisticated and violent criminal organizations have branched into wildlife trafficking. Wildlife trafficking remains a serious threat to conservation, national security, economic prosperity, global health, and community stability, and the Administration is committed to continuing efforts to address it through a whole of government approach coordinated by the Presidential Task Force on Wildlife Trafficking (Task Force). As part of the Task Force, which the Department co-chairs along with the Departments of State and Justice, the Service works alongside sixteen other agencies to strengthen enforcement, reduce demand, and build international cooperation to end this crime.

This multi-billion dollar illegal trade is fueled by consumer demand and enabled by corruption, limited legal authorities and law enforcement capabilities, a lack of political will to prioritize countermeasures, and frequently by weak institutions abroad. And much like the trade in other goods, a significant portion of the wildlife trade, both legal and illegal, has moved online.

The Illegal Wildlife Trade Online

The international trade in illegal wildlife and wildlife products online is widespread, and is being conducted publicly, out in the open, and with little regulation. Online marketplaces and social media sites are used to facilitate the illegal wildlife trade by not only providing a platform to advertise illicit wildlife and wildlife products, but also for sellers and buyers to communicate and coordinate with a global network of criminals involved in the trade. Online platforms and social media sites are also used to facilitate payments and movement of money related to the illegal wildlife trade. Encrypted messaging applications, or “apps”, allow criminal networks to coordinate their activities over a secure messaging platform. Most criminal investigations of the Service’s Office of Law Enforcement involve some component of social media platforms or messaging apps being used to facilitate illicit activity.

A simple search of social media sites illustrates the significant volume of wildlife being openly offered for sale. Anyone can use online sales platforms, input key words, and find available sellers for most species and wildlife products that are traded both legally and illegally. Wildlife and products including live songbirds, tiger skins and bones, lion bones and parts, live cheetahs, bear gall bladders, elephant ivory, rhino horns, pangolin scales, shark fins, glassine (juvenile) eels, totoaba swim bladders, sea cucumbers, sea turtles, invasive fish, domestic turtles, and American ginseng can be found for sale online with a simple search. The total volume of the illegal trade of wildlife and wildlife products via online platforms is difficult to quantify because law enforcement does not have visibility on encrypted apps and closed groups on social media sites.

The prevalence of the illegal wildlife trade online has also been recognized by other nations as well as the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). During the 17th meeting of the Conference of the Parties in 2016, the CITES Parties passed a resolution recognizing the rapid growth in e-commerce of CITES-listed species and making recommendations for how to address the illegal trade in wildlife online. The CITES Secretariat also worked with the International Criminal Police Organization, INTERPOL, to establish a program to provide support for CITES Parties interested in investigating online wildlife crimes.

Through investigations of violations of the Indian Arts and Crafts Act of 1990, the Service is also seeing a significant increase in the use of online platforms to market fraudulent Native American art and handicrafts, which in many cases are made in part from wildlife. Our investigations have shown domestic and international schemes to illegally sell non-Native and foreign-made jewelry as authentic Native American-made. Online platforms are being used to market these illegal, fraudulent products in the U.S. and across the globe, threatening species conservation as well as the livelihoods and culture of Native American artists.

The devastating impacts of the COVID-19 pandemic have also made it clear that more needs to be done to combat the illegal trade in wildlife and wildlife products as it can provide a vector for the spillover of zoonotic diseases to humans. Online platforms can facilitate global connections and enable wildlife traffickers and criminal organizations to market products that risk the spread of zoonotic diseases to the entire world. The illegal trade in species and products that risk the spread of zoonotic disease includes live animals, particularly primates; wild-sourced meat, including from primates and pangolins; and certain medicinal products. The global illegal trade, including the movement of certain species and products, co-mingling of species, and close contact between people and wildlife along the entire supply chain, creates significant risk of the transnational spread of zoonotic disease, and puts us all at risk of future pandemics.

Based on the Office of Law Enforcement's investigations over the past decade, we know that the illegal wildlife trade spans the globe from the demand for turtles from the United States; elephant ivory, rhino horn, and pangolin scales and meat from Africa; tiger parts and live primates from Asia; songbirds from Latin America; and eels from Europe, just to name a few. Many countries, including the United States and Europe, have high demand for illegal wildlife and products. And there are some specific destinations for certain components of the illegal wildlife trade. For example, the demand for live cheetahs for the pet trade is being largely driven by the Middle

East, primarily buyers in Saudi Arabia. However, the majority of the illicit wildlife being trafficked is bound for Asia, and in many cases, China. The same trade routes can be found in the illegal wildlife trade online. Online platforms have made it much easier and faster for sellers and buyers of illegal wildlife products to connect across the globe. Criminals ranging from low-level individuals and organizations with small quantities to large-scale, very sophisticated criminal enterprises dealing in large quantities traded transnationally, all can be found buying and selling, and connecting with each other using online platforms.

Efforts to Stop the Online Illegal Trade

The Service is well positioned to combat the illegal wildlife trade, with law enforcement efforts to break up transnational criminal organizations and bring criminals to justice, the interdiction and inspection of wildlife shipments at U.S. ports of entry, implementation and capacity building for CITES, and programs aimed at reducing demand for wildlife products. The Service works collaboratively with our federal partners on the Task Force to tackle this global problem.

The Service's International Affairs Program is working to understand the demand for illegal wildlife and implementing evidence-based solutions to reduce demand. For example, the Service is working to assess the online trade in wildlife and wildlife products that pose a high -risk for zoonotic disease transmission, focusing on demand for those products in the U.S., with the goal of identifying risks for the spread of zoonotic disease through the wildlife trade. The Service's International Affairs Program also supports capacity building for countries that are a party to CITES to ensure successful implementation of the Convention across the globe and support international efforts to combat the illegal wildlife trade.

The Service's Office of Law Enforcement is leveraging their skill and technical expertise and working collaboratively with key partners including other federal agencies, state governments, Tribes, local communities, non-governmental organizations, foreign governments, and the private sector to combat this global crisis. Combating wildlife trafficking requires strong and effective law enforcement, both in the United States and abroad. This depends on a robust legal framework, as well as the investigative, prosecutorial, and judicial capacity to respond to poaching and wildlife trafficking. Enforcement involves disrupting wildlife trafficking networks, apprehending and prosecuting traffickers, seizing and forfeiting the proceeds of the crimes, and applying penalties that deter and prevent others from committing such crimes. The extensive use of online platforms for the illegal wildlife trade presents both challenges and opportunities for the Office of Law Enforcement's efforts to combat wildlife trafficking.

One of the challenges with addressing the illegal trade online is that not all wildlife is illegal to sell or own, and it is difficult for law enforcement to determine the legality of a wildlife item by looking at a picture online. This has long been a challenge for law enforcement when a legal market exists. However, many of the most trafficked species are protected by CITES and therefore have little to no legal market for the international sale of those species or related products. Additionally, there are often local laws prohibiting the sale or possession of those species, making the sale of those items in interstate or foreign commerce a violation of the Lacey Act. For example, elephant ivory, rhino horn, pangolin, and tiger parts have few or no legal markets. And live cheetahs being offered for sale online in the Middle East are largely being poached from the horn of Africa. The sale of these species and products online is easier to

identify as illegal. Another challenge is that simply shutting down an online marketplace or post or removing an account will not stop the problem. Many criminals will simply create a new post or a new profile, creating a never-ending cycle for law enforcement to catch these criminals. Finally, the United States cannot solve this problem alone, and many other countries do not have the legal infrastructure, law enforcement capacity, or sufficient resources to address wildlife trafficking, let alone address the illegal trade online.

Recent investigations led by the Office of Law Enforcement have shown extensive and ongoing use of social media, online marketplaces, and online payment platforms to facilitate and promote the illegal wildlife trade. For example, in December of 2020, the Department of Justice announced the extradition of a Chinese national, Kang Juntao, from Malaysia to the United States. Kang was indicted in 2019 for financing a nationwide ring of individuals that smuggled at least 1,500 protected turtles out of the United States, valued at \$2.25 million. Kang utilized social media, online payment sites, including PayPal, and marketplaces to coordinate and facilitate the illicit activity.

In March of this year, a Texas man was sentenced to twenty months in prison for his role in an international smuggling scheme involving more than \$8.4 million dollars of protected wildlife. Facebook was the social media platform that connected suppliers of rare and protected wildlife in Mexico to U.S.-based customers, and customers worldwide. Specifically, the platform was used to establish groups for the illegal trade of specific endangered species that were sought after by collectors. Animals were advertised illegally for sale on Facebook, customers used Facebook Messenger to negotiate the purchase of the animals, suppliers used Facebook to organize the smuggling of the animals across the U.S.-Mexico border, and finally Facebook was used to coordinate the delivery of the animals to the customers. The majority of the evidence that led to this and other convictions was from social media platforms.

In Alaska, the Service investigates the unlawful sale of marine mammal products, including walrus ivory, sea otter, polar bear, seal, and whale, which are increasingly advertised for sale on the internet, through platforms that range from local and state-wide classified websites to larger global platforms, such as Facebook, eBay, and Craigslist. These investigations often include the sale of handicrafts being misrepresented as Alaska Native-made, which is a violation of both the Marine Mammal Protection Act and the Indian Arts and Crafts Act. For example, an individual posing as an Alaska Native advertised a large unaltered walrus head mount on Craigslist. Undercover Service agents were able to interact with the individual over Craigslist and build evidence to prove that the sale was illegal.

Effective law enforcement in this arena will require not only collaborative interagency and international efforts, but also strong partnerships with entities in the private sector that are uniquely positioned to institute policies to address the illegal wildlife trade and educate their users. One successful example is our partnership with eBay to identify suspected illicit wildlife products for sale. Through this partnership, eBay acknowledged the challenges with the identification of suspected illegal wildlife products and has supported the Service's investigative efforts. By working together, eBay has significantly reduced the volume of suspected illegal wildlife products on their platform. The Service looks forward to building on this success and partnering with other companies to reduce the illegal wildlife trade online.

Conclusion

Thank you for the opportunity to testify today. The Department is committed to continuing to combat wildlife trafficking and appreciates your interest in the expanding online presence of the illegal wildlife trade. I would be pleased to answer any questions that you may have.