

July 24, 2023

DELIVERED VIA EMAIL: ReglementsFaune-WildlifeRegulations@ec.gc.ca

Caroline Ladanowski, Director, Wildlife Management and Regulatory Affairs
Canadian Wildlife Service
Department of the Environment
351 Boulevard Saint-Joseph
Gatineau, Quebec K1A 0H3

**Re: Canada Gazette, Part I, Volume 157, Number 25: Regulations
Amending the Wild Animal and Plant Trade Regulations**
Published June 24, 2023

Please accept this submission on behalf of AEL Advocacy in response to Canada Gazette, Part I, Volume 157, Number 25: Regulations Amending the Wild Animal and Plant Trade Regulations.¹

A. About AEL Advocacy

Animal Environmental Legal Advocacy (“AEL Advocacy”) is a public interest law practice and not-for-profit organization based in Ontario.² As Canada’s first intersectional animal and environmental law organization, we understand the important interconnection between humans, animals, and the environment. We combine our in-depth knowledge of the legal and political landscape with a commitment to supporting individuals and organizations working to protect animals and the environments where they live.

B. Comments on the Regulations Amending the Wild Animal and Plant Trade Regulations

AEL Advocacy is strongly in favour of the proposed regulations to prohibit the import and export of raw tusk from all elephant species and raw horn from all

¹ <https://www.gazette.gc.ca/rp-pr/p1/2023/2023-06-24/html/reg3-eng.html>

² <https://www.aeladvocacy.ca/>

rhinoceros species, save and except for those accompanied by a permit for the express purpose of being used for museums, scientific research, zoo or enforcement activities.

I. Importance of Elephants and Rhinoceroses in Ecosystems

Elephants and rhinoceroses play crucial roles as keystone species in their ecosystems. Rhinoceroses significantly impact their environment through vegetation consumption and dung production, which nourish dung beetles and support biodiversity.³ Additionally, their wallowing activities contribute to the formation of natural waterholes, benefiting soil quality and providing protection to other species.⁴ Elephants similarly regulate ecosystems by toppling trees as they feed and travel, creating opportunities for new seedlings and grasslands to thrive.⁵ Preserving these endangered species is vital for maintaining environmental health and preserving biodiversity.

II. Combatting Illegal Wildlife Trade

Elephants and rhinoceroses have long been targeted by the illegal wildlife trade, leading to devastating consequences for their populations and habitats. The proposed regulations represent a crucial step towards combating this illicit trade and safeguarding these iconic species from further harm.

By banning the import and export of raw tusk and horn, Canada would align itself with the global effort to eliminate the demand for these products. It would also send a strong message to the international community that Canada is committed to protecting endangered wildlife and combating illegal wildlife trafficking. This leadership could inspire other nations to take similar actions, contributing to a collective effort to preserve these magnificent animals for future generations.

³ https://boucherlegacy.co.za/why-are-rhinos-important-for-ecosystems/?gclid=Cj0KCOjw756lBhDMARIsAEI0AgnQv7_cmFcDSl-ZVvy8amk5fN2NESikhAB3dw6FSvyfhobESfp3CYqaAlurEALw_wcB

⁴ https://boucherlegacy.co.za/why-are-rhinos-important-for-ecosystems/?gclid=Cj0KCOjw756lBhDMARIsAEI0AgnQv7_cmFcDSl-ZVvy8amk5fN2NESikhAB3dw6FSvyfhobESfp3CYqaAlurEALw_wcB;
https://blog.wcs.org/photo/2022/08/12/the-importance-of-elephants-endangered-world-elephant-day/?gclid=Cj0KCOjw756lBhDMARIsAEI0AgnA9ul6TY03if9I7x95UV-zOn81EVr6Xg6YEazxhqxpuiXXOH6ZNI0aAv9AEALw_wcB

⁵ <https://www.awf.org/blog/south-africas-newly-legalized-rhino-horn-trade-could-fuel-chinese-demand>

Up until now, lack of government action has allowed a trend in African countries to repeal bans in an attempt to capitalize on this market. Just as recent as 2017, South Africa repealed its 2009 moratorium on white rhino trade and passed legislation permitting sales within their country.⁶ This in turn has fueled demand markets in Vietnam and China, where rhino horns are used in cultural, social and medical settings despite synthetic options being available.⁷ Currently, South Africa holds over 70% of global rhino populations thus making it an influential player in the international market of rhino horns.⁸ While the COVID-19 pandemic and its trade and travel restrictions slowed international poaching for rhino horns by 33% in 2020 in comparison to 2019 numbers, the recent lifting of travel restrictions in the past year has renewed concerns about the international demand for rhino horns in Asian markets.⁹

Now more than ever, Canada needs to be strong in their approach to banning the global trade of rhino horns and ivory tusks and encouraging other countries to follow suit. For this reason, AEL Advocacy supports the department's outright position on the prohibition of the importing and exporting of rhinoceros horn and elephant ivory tusks. Recent debates around effective measures to limit this trade often give a platform to arguments centered around conducting rhino horn and ivory tusk farming in sustainable practices. When it comes to implementing regulation here in Canada, the Department should not adhere to these flawed and dangerous arguments that jeopardize the lives of vital and endangered animals.

By showcasing that such trade practices have no place in Canadian society, Canada can encourage the global community to delegitimize the rhino horn trade for the protection of these endangered animals.

III. Need for Stringent Permit System

While supporting the proposed regulations, AEL Advocacy emphasizes the importance of a robust and stringent permit system to prevent abuse and loopholes. Clear criteria and guidelines should be established for issuing

⁶ <https://doi.org/10.3389/fevo.2021.607660>

⁷ <https://www.savetherhino.org/rhino-info/poaching-stats/>

⁸ <https://www.bbc.com/news/world-africa-55889766>

⁹ [https://www.dfo-mpo.gc.ca/fisheries-peches/ifmp-gmp/walrus-atl-morse/walrus-nunavut-morse-eng.html#:~:text=For%20centuries%2C%20walrus%20have%20been,Inuit%20communities%20\(Whitford%202008\)](https://www.dfo-mpo.gc.ca/fisheries-peches/ifmp-gmp/walrus-atl-morse/walrus-nunavut-morse-eng.html#:~:text=For%20centuries%2C%20walrus%20have%20been,Inuit%20communities%20(Whitford%202008))

permits, ensuring that they are only granted for activities directly contributing to conservation and not inadvertently fueling the illegal market. Strict monitoring and auditing of permit holders should be implemented to guarantee compliance.

IV. Resource Allocation for Enforcement

AEL Advocacy strongly encourages the Department to allocate adequate resources for the enforcement of these regulations. This includes increased funding for law enforcement agencies and border control measures to prevent the smuggling of illegal wildlife products. Collaboration with international partners, particularly in source and transit countries, is also crucial to combat the global nature of wildlife trafficking effectively.

C. Conclusion

AEL Advocacy expects the amended regulations to have a positive impact on elephant and rhinoceros populations. In 2016, a significant achievement was reached when representatives at the International Union for Conservation of Nature (IUCN) passed a motion demanding countries close domestic markets for ivory trade.¹⁰ Since then, many countries, including the United States and China, have taken steps to strengthen their regulations regarding elephant ivory trade.¹¹ While elephants continue to disappear at alarming rates, the World Wildlife Foundation has cited a significant decline of ivory trade in China's domestic markets.¹² Moreover, estimated levels of annual poaching mortality rate on a larger scale are trending downward: an estimated 10% in 2011 has decreased to just under 4% in 2017.¹³ Similar effects are expected from amending regulations regarding rhinoceros horn trade.

In conclusion, AEL Advocacy wholeheartedly supports the proposed regulations to prohibit the import and export of raw tusk and horn, with exceptions for approved purposes. By enacting these measures, Canada can demonstrate its commitment to wildlife conservation, contribute to the global

¹⁰ <https://portals.iucn.org/library/node/47390>

¹¹ <https://www.worldwildlife.org/magazine/issues/winter-2016/articles/a-us-ban-on-ivory-carves-out-a-better-future-for-the-species>

¹² <https://www.worldwildlife.org/stories/two-years-after-china-bans-ivory-trade-demand-for-ivory-is-down>

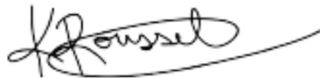
¹³ <https://doi.org/10.1038/s41467-019-09993-2>

fight against illegal wildlife trade, and safeguard the future of elephants and rhinoceroses. **We urge you to proceed with the implementation of these regulations swiftly, ensuring that they are accompanied by robust monitoring, auditing, and enforcement mechanisms.**

Thank you for your attention to this important matter. We welcome the opportunity to discuss the above comments and recommendations.

Sincerely,

AEL Advocacy

A handwritten signature in black ink, appearing to read 'Krussel', with a long horizontal flourish extending to the right.

Krystal-Anne Roussel
Co-Director & Counsel