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IVORY TRADE, TERRORISM AND U.S. NATIONAL SECURITY:

HOW CONNECTED ARE THEY?

Daniel Stiles, Ph.D.







Al-Shabaab, the Lord's Resistance Army and the Janjaweed have all been accused of poaching elephants and trafficking ivory to fund their operations.

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EXECUTIVE SUMMARY

1. This report examines the contention advanced by the United States government that poached ivory is being used to finance insurgency and terrorist groups in Africa.

2. The report also analyzes whether any organized groups that engage in elephant poaching and ivory trafficking in Africa pose a national security threat to the United States, which also has been posited by the government.

3. The U.S. government has used these contentions as a justification for imposing severe new restrictions on the import, export and sale of elephant ivory in the U.S. as declared in USFWS Director's Order No. 210.

4. The three groups that have specifically been named in U.S. documents as financing their activities with poached ivory, and which pose a national security threat, are Al-Shabaab, the Lord's Resistance Army and the Janjaweed. Each of these groups is examined in this report.

5. This report concludes that the only group under review that poses a national security threat to the U.S. is Al-Shabaab. The evidence that they engage in elephant poaching and finance their terrorist activities with ivory has been found lacking in credibility.

6. The Lord's Resistance Army has poached ivory and exchanged tusks for food and other goods, including possibly arms, at a low level. The LRA do not, however, pose a security threat to the U.S.

7. The Janjaweed have engaged in extensive elephant poaching and ivory trafficking, but they pose no current security threat to the U.S. The Janjaweed do not advocate an extremist Islamic philosophy such as that articulated by Al-Qaeda. Their hostile, scorched earth style military activities have been confined to non-Arab African populations of the Sudan and Central African Republic.

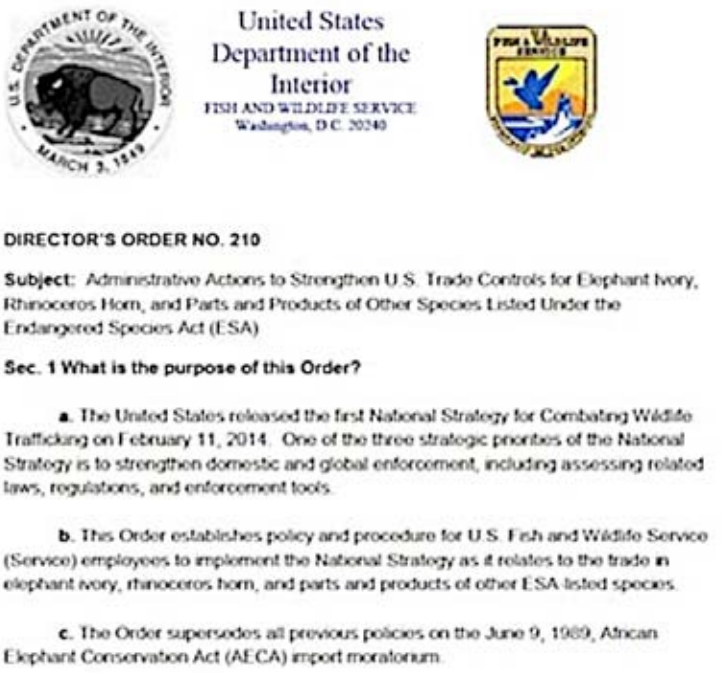
8. The severe new restrictions on trade in legal ivory already in the U.S., therefore, are based on a false premise. Restricting trade in legal ivory in the U.S. will have absolutely no effect on the financing of groups that pose a security threat to the U.S.

9. There is illegal ivory in the U.S. that has been smuggled in. The smuggling would no doubt continue even with further trade restrictions, as it is already illegal so new law will change nothing. The U.S. authorities have been ineffective in administering law already in existence, which is sufficient to control the illegal importation of new ivory from poached elephants if enforced properly.

10. The current elephant poaching crisis is caused by East Asian ivory dealers and carving factories buying poached ivory. Effective policy to reduce elephant poaching should therefore be directed at them, not at law-abiding American citizens.

INTRODUCTION

The United States government announced on 25 February, 2014, with USFWS Director's Order 210, severe new restrictions on the import, export and trade of elephant ivory in the U.S. These new restrictions followed in the wake of Congressional testimonies by wildlife experts, a Presidential announcement on 1st July 2013 of a crackdown on illegal wildlife trade and a Clinton Global Initiative pledged by a coalition of conservation NGOs in the U.S. to provide $80 million to combat wildlife trafficking.



United States
Department of the
Interior
FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

DIRECTOR'S ORDER NO. 210

Subject: Administrative Actions to Strengthen U.S. Trade Controls for Elephant Ivory, Rhinoceros Horn, and Parts and Products of Other Species Listed Under the Endangered Species Act (ESA)

Sec. 1 What is the purpose of this Order?

a. The United States released the first National Strategy for Combating Wildlife Trafficking on February 11, 2014. One of the three strategic priorities of the National Strategy is to strengthen domestic and global enforcement, including assessing related laws, regulations, and enforcement tools.

b. This Order establishes policy and procedure for U.S. Fish and Wildlife Service (Service) employees to implement the National Strategy as it relates to the trade in elephant ivory, rhinoceros horn, and parts and products of other ESA-listed species.

c. The Order supersedes all previous policies on the June 9, 1989, African Elephant Conservation Act (AECA) import moratorium.

The Presidential initiative resulted in the establishment of an Advisory Council on Wildlife Trafficking. At the ACWT's first public meeting on 16 December 2013 the members discussed ivory trade and voted to recommend that "…a total ban would be the easiest administrative solution". The Council also stated, "Sending a signal to the market that the ivory market is closed forever, could significantly simplify the message. If the goal is to shutdown domestic ivory trade, both in the U.S. and internationally, a clear signal must be sent."

The rationale for such drastic action, and treating "ivory trade like drug trafficking", is a belief that ivory poached by terrorist or insurgency groups is used to fund their activities. As the Council recorded:

"*The Council noted the linkages between wildlife trafficking and the financing of insurgency and terrorist organizations. As a Council, it is important to highlight these overlaps and consider where we can provide information going forward to contribute to global security*."

Many conservation NGOs, the media, and John Kerry and Hillary Clinton (present and former Secretary of State) have singled out three groups that supposedly finance a significant portion of their operations from ivory obtained through poaching, and which pose a threat to U.S. national and global security. These groups are Al-Shabaab, the Lord's Resistance Army (LRA) and the Janjaweed.

The Council and many others assume, therefore, that by banning trade in ivory that these groups will be severely affected financially and that their activities will be curtailed, improving security in the United States. This assumption, and others regarding the effectiveness of the U.S. ivory trade restrictions and the CITES international ivory trade ban in reducing elephant poaching, will be examined and evaluated in this report.

Definitions

U.S. National security – When the term 'threat to national security' is used in this report it refers to a hostile action that a group might take directed at US soil, US government property abroad (embassy, cultural center, trade office, etc.) or targeted US citizens. This could consist of a bombing, shooting, or other method of killing or injuring people, kidnapping, US airline plane hijacking, destruction of property or cyber attack. Americans harmed incidentally in a terrorist attack abroad would not constitute a threat to national security.

Ivory-poaching – The killing of elephants by any means with the express purpose of selling the tusks.

Funding by ivory – Using the proceeds from selling raw ivory to fund military, insurgent, or terrorist action, including payment to fighters, buy arms or other military equipment, or fund transport or communications related to these actions. Using the proceeds for subsistence needs would not constitute 'funding', otherwise every farmer that kills an elephant would be considered as an insurgent funding himself with ivory.

Al-Shabaab

History

Al-Shabaab, meaning 'The Youth', started out as a youth movement in 2004 within the Islamic Courts Union (ICU) and acted as a kind of "special forces" within it. Following the collapse of the Somalia government and President Siad Barre's flight to Kenya in 1991, a series of Sharia courts formed around Somalia to act as clan judicial systems. They began offering police services and then health and education services. In the late 1990s as they became more organized under clan leaders they decided to coordinate their activities under a committee, which eventually became the Islamic Courts Union. In 1999 the ICU created a militia and took the main Mogadishu market from more secular warlords, and with assistance from Eritrea began expanding their control of territory.

In the early 2000s young ICU jihadists went to the Middle East to fight Israelis in Lebanon and later joined Islamist groups fighting the U.S.-led Allies in Afghanistan and Iraq. In 2006 the warlords of Mogadishu banded together to fight the rising power of the ICU. Some Somali ICU jihadists returned to Mogadishu, bringing other jihadi nationalities with them, including some affiliated with Al-Qaeda. Because of the Al-Qaeda link, the U.S. decided to back the warlords. This could have been a strategic error, as the ICU was headed at this time by a moderate named Sharif Ahmed, who could have unified Somalia under a moderate Islamist state acceptable to everyone.

The ICU initially were successful against the warlords and in 2006 took all of Mogadishu and later in the year expanded in all directions. The U.S. succeeded in convincing Ethiopia to enter the conflict on the side of the warlords and the newly formed Transitional Federal Government (TFG). In 2007 the combined armies pushed the ICU forces down to the Kenya border on the coast, where U.S. and Kenyan forces in the sea and to the south bottled them up. The ICU fighters dispersed into the bush. The African Union, with UN support, has provided a peacekeeping force (AMISOM) for the TFG since 2007.



With arms supplied by Eritrea, there is no doubt that Al-Shabaab is a dangerous force.

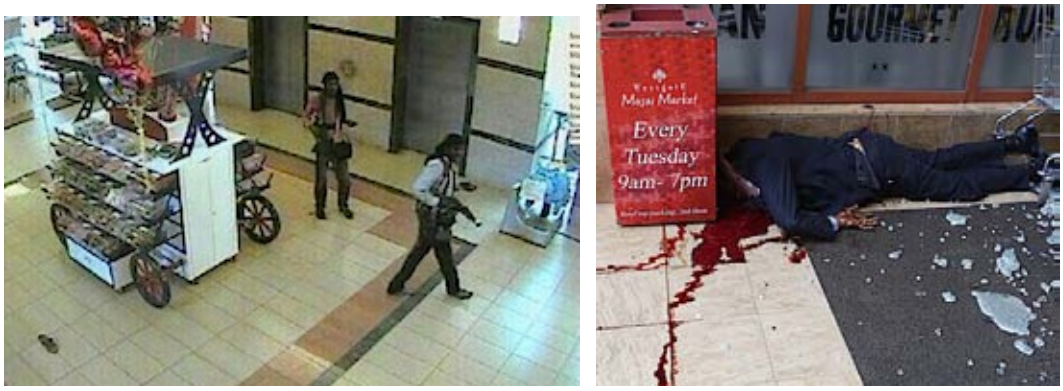
Al-Shabaab, long the right wing of the fundamentalist ICU, has carried on the fight against the Transitional Federal Government and AMISOM. They began expanding after Ethiopian forces withdrew in 2009 and by late 2011 held large areas of Somalia, including the ports of Merca, Barawa and Kismayu. Ethiopian and Kenyan forces entered Somalia and pushed Al-Shabaab out of western Somalia and Merca and Kismayu, though they still hold the small dhow port of Barawa. It is ironic that Sharif Ahmed, the ICU leader the U.S. rejected in 2006 when backing the warlords, became President of the TFG, which the U.S. now strongly supports.

Al-Shabaab split into two factions in 2011, but both are still dedicated to restoring Sharia law and an Islamist government in Somalia. In February 2012 the Al-Shabaab leader Moktar Ali Zubeyr "Godane" swore allegiance to Al-Qaeda, which the Al-Qaeda leader Ayman al-Zawahiri accepted. Al-Shabaab currently probably have no more than 5,000 fighters and are under constant attack.

In September 2013, in retaliation for Kenya's military intervention in Somalia, four Al-Shabaab gunmen attacked the Westgate Mall in Nairobi, killing at least 67 innocent shoppers and wounding 200 more. One researcher claims that Al-Shabaab trained 70 Nigerian Boko Haram terrorists (Hansen 2013), which if true would be a very disturbing development. Al-Shabaab have a real presence in Nairobi and Mombasa in Kenya and recruit new members there. They have also recruited from the UK and USA and several Somalis resident in those countries have gone to Somalia to fight.

Security Threat

Al-Shabaab is designated as a terrorist group by the US. The bombing in July 2010 in Kampala, Uganda, during the World Cup final, killing dozens of people, the announced joining of Al-Qaeda in 2012, the Westgate Mall attack in September 2013, bombings and assassinations in Somalia and subsequent smaller bombings in Kenya, recruitment of members from the U.S., all demonstrate that Al-Shabaab presents a security threat to the U.S.



Al-Shabaab poses a serious security threat, as here in Westgate Mall in Nairobi.

The question is, is this threat linked to elephant poaching and ivory trafficking? Wildlife trafficking started to take a higher profile in the U.S. after Dr. Iain Douglas-Hamilton, head of the Kenyan NGO Save the Elephants, paid a visit to then Senator John Kerry, chair of the Senate Committee on Foreign Relations, in May 2012. Douglas-Hamilton briefed Kerry on the rise in elephant poaching and the increasingly organized, large-scale criminal nature of the poaching. Kerry on short notice organized a hearing entitled "Ivory and Insecurity: The Global Implications of Poaching in Africa" (US Government 2012).

Important testimony came from Douglas-Hamilton, the CITES Secretary-General John Scanlon and Mike Fay of Gabon Parks. They all presented examples of how poaching was tied in with large poaching militias and conflict situations. The key person testifying, however, was Tom Cardamone, Managing Director of Global Financial Integrity, in Washington, D.C. He presented testimony that included reference to groups linked with Al-Qaeda that financed themselves purportedly from wildlife trafficking, particularly ivory in the case of Al-Shabaab. This was the first time someone in the U.S. government had heard of this and it made an impact. The claim was based on a report produced in February 2011 entitled "Africa's White Gold of Jihad: Al Shabaab and Conflict Ivory"

(Kalron and Crosta 2011). In spite of numerous media reports and NGO and government claims linking Al-Shabaab with funding from ivory, this remains the only primary source document. Even the recent C4ADS report funded by Born Free USA, "Ivory's Curse", contains no new research or evidence related to the claim (Vira and Ewing 2014).

The idea of a link between ivory, terrorist funding and a national security threat was further developed during a trip to southern Africa in August 2012 by then Secretary of State Hillary Clinton and Under Secretary of State for Economic Growth, Energy and the Environment Robert Hormats. In an interview with All Africa news service in February 2013, Hormats said that he and Secretary Clinton discussed the rise in elephant and rhino poaching that was occurring in Africa and the increasingly sophisticated methods and equipment that were being used. The issue was gaining prominence in the U.S. with the New York Times article by Jeffrey Gettleman in September 2012 "Elephants dying in epic frenzy as ivory fuels wars and profits", followed shortly thereafter by National Geographic's "Blood Ivory" October 2012 issue. In November 2012 the State Department, pushed primarily by Clinton and Hormats, hosted an event publicizing further the national security threats posed by ivory trafficking, Partnership Meeting on Wildlife Trafficking.

At the Partnership Meeting at the State Department, Hillary Clinton said, "I'm asking the intelligence community to produce an assessment of the impact of large-scale wildlife trafficking on our security interests so we can fully understand what we're up against" (http://www.state.gov/secretary/20092013clinton/rm/2012/11/200294.htm).

In the 2013 interview Hormats was asked, "Does the United States see wildlife protection as a national security issue?" He replied, "A huge, huge national security issue. Africans realize it, but I don't think Americans realize it as much." Later in the year the Clinton Global Initiative (CGI) announced the Partnership to Save Africa's Elephants (http://www.clintonfoundation.org/clinton-global-initiative/featured-commitments/partnership-save-africas-elephants), which brought together for the first time under one umbrella genuine wildlife conservation groups and animal welfare organizations (the latter of which do not base their campaigns or activities necessarily for conservation reasons).

It is this CGI coalition, working with USFWS, that has been spearheading the call to ban all ivory trade everywhere, including the destruction of all ivory stockpiles, which the U.S. did in November 2013.

Evidence

Kalron and Crosta (2011) stated in February 2011 that they investigated ivory trafficking by Al-Shabaab through Kenya to Somalia for 18 months. This would mean that their data collection period would have been from about mid 2009 to late 2010. Al-Shabaab controlled much of southern Somalia at this time, including the ports of Kismayo and Merca. The northeastern region of Kenya bordering Somalia is populated largely by ethnic Somalis, therefore it is plausible that poached ivory could have been transported

from the elephant habitats of the Samburu-Meru area east and from the Tsavo East and West national parks north to Somalia (see map).



Ivory supposedly was moving from Meru park and parts west of it to Liboi and from the Tsavo area north into Somalia.

The authors describe meeting with Somali ivory "brokers" in a Nairobi bar who explain how ivory deals are set up. There are "big brokers" in Asia or Gulf states that place

orders with Somalis in Nairobi, specifying the amount of ivory they want and the price they will pay. The Nairobi broker then alerts several smaller brokers (i.e. middlemen) to go out and organize the poaching. The Nairobi broker also calls Al-Shabaab in Kismayo informing them of the quantity, date and place for them to pick it up, usually on the Somalia-Kenya border.

A Somali poaching gang in Isiolo receives monthly orders of how much ivory to poach and supply. This is driven in 4x4s to the Somali border, where Al-Shabaab picks it up and drives to Merca, where it is packaged and taken by dhow to freighters of Arabic, Chinese, Iranian and Korean origin. The authors state that a source told them that from one to three metric tons (1 MT = 2200 lbs) passes through Merca a month, which would mean 12 to 36 MT a year. "Sources" further said that Al-Shabaab are paid $200/kg for the ivory, earning them between $200,000 and $600,000 a month. (Apparently they pay nothing for the ivory, using those calculations.) Making further calculations, Al-Shabaab have 5,000 men that are paid $300 a month, making their monthly salary needs $1.5 million. The ivory income, therefore, pays 13% to 40% of Al-Shabaab's needs, according to Kalron and Crosta.

They conclude: "We went undercover in Kenya to investigate some of the links in the ivory trafficking chain leading to Al Shabaab. The investigation uncovered a sophisticated network of poachers, small and big-time brokers, and informants, all linked to the trade in ivory and rhino horn. Our enquiries reached across the border into neighboring Somalia where we established a link between the traders and Al Shaabab. According to our inside sources, Shabaab has been actively buying and selling ivory as a means of funding their militant operations."

Kalron and Crosta (2011) is an article of 2,635 words, with no maps, photographs or documentary evidence to support their claims. I've had email exchanges with Crosta and asked him for details of whom they interviewed and where they went, but he deferred me to Kalron. Kalron would not reply to my emails.

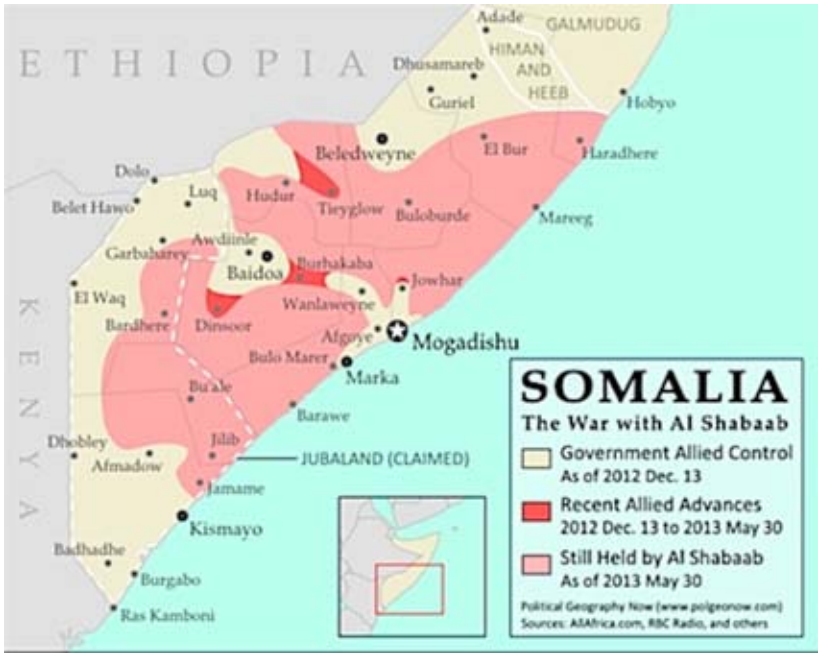
How credible is the described scenario?

First, how many elephants would have to be poached to supply 1,000-3,000 kg of ivory a month? Current estimates are that the average weight provided by poached elephants is roughly 5 kg per tusk, with a range of 1 kg to 30 kg, with a high skew towards the small end. And because not all elephants have two tusks, the number 1.88 is used (Hunter et al. 2004). So the average elephant provides 9.4 kg of ivory. Therefore, from 106 to 319 elephants a month would have to be poached to provide the quantities claimed, or from 1,272 to 3,828 a year.

Monitoring the Illegal Killing of Elephants (MIKE) program of CITES monitors the Meru National Park, the Laikipia-Samburu area and the two Tsavo parks. These are the precise areas of origin of supposed Al-Shabaab ivory. The number of poached elephant carcasses found in these areas in 2009 totalled 396 and in 2010 totalled 135. Even if every single poached tusk ended up with Al-Shabaab, it would come nowhere near the

claimed 1 to 3 MTs. Even adding in ivory from Tanzania or the Democratic Republic of Congo, it would be difficult to reach those numbers, and no Somalis have been connected with ivory trafficking from the DRC.

What routes and methods would be used? The authors claim the ivory went by road from Isiolo to the border at Liboi. Ivory from Tsavo would not go to Isiolo, so presumably it would have to go on dirt roads to one of the two crossings that exist of the Tana River, Garissa or Garsen. The two roads leading to these two crossings, and also afterwards leading to the border, have several barrier checkpoints manned by armed guards. A route from Isiolo through Wajir is possible, but northeastern Kenya has long been a region of insecurity and checkpoints have been strengthened in recent years precisely because of Al-Shabaab's activities. It is highly improbable that 4x4s loaded with tusks could regularly ply either of these routes without detection. One could hypothesize bribing to allow passage, but this brings us to the final question.



The situation a year ago shows that no ivory could have reached Al-Shabaab overland. They have since then lost even more territory.

Why would businessmen in Nairobi want to take the extra risks and expense of selling ivory to Al-Shabaab in Somalia when it would be much simpler to ship it out of Mombasa port? Kalron and Crosta did not describe the Somalis in Nairobi as being affiliated with Al-Shabaab, which could explain their dealing with them for political and religious reasons. In fact, they most certainly weren't, as the article says they were drinking "cold long drinks" with poachers, which relaxed them to the extent they divulged their operations. Very few Somalis drink alcohol, and certainly not ones connected with Al-Shabaab.

All credible sources describe Al-Shabaab as financing its activities, paying its fighters and obtaining its military equipment through taxes it imposes on businesses in areas it controls, exports of charcoal and funding and equipment from Eritrea and Middle Eastern jihadist groups. At the height of its territorial control in 2009-2011 it implemented a

system of aid agency regulation, taxation and surveillance as well. Charcoal to the Middle East was a major export.

It is certainly possible that a little ivory entered Somalia with poachers that made forays out of Somalia to the Meru and Tsavo areas, and returned, in the 2009-2010 period, but because of logistical, security and practical business reasons, the scenario proposed by Kalron and Crosta is a flight of fancy. In a recent INTERPOL (2013) analytical report of ivory crime and conflict, the Kalron and Crosta article is not even cited under the Al-Shabaab section, nor were the authors interviewed (the author of the present report was interviewed both by email and by Skype and is quoted in the report). With the loss of the Kismayo and Merca ports and controlling no land between Kenya and territory they do control, there is no way for at least the past year that ivory has been reaching Al-Shabaab overland and being exported.

Kalron and Crosta are both in the wildlife security business, so one can understand their desire to drum up business by creating the belief that ivory funds terrorism (Neme et al. 2013).

The Lord's Resistance Army (LRA)

History

This group started out in northeastern Uganda shortly after Yoweri Museveni took power by force of arms in 1986. It began as the Holy Spirit Movement, led by Alice Lakwena, as a spiritual resistance movement against the oppression by the Museveni government, which they carried out for historical and ethnic reasons. By August 1987, Lakwena's Holy Spirit Mobile Force scored several victories on the battlefield and began a march towards the capital Kampala. In 1988, after the Holy Spirit Movement was decisively defeated and Lakwena fled to Kenya, where she later died in exile, Joseph Kony succeeded in taking over the movement's remnants and renaming it the Lord's Resistance Army.



Joseph Kony (in white) is thought to be in Kafia Kingi in southern Sudan.

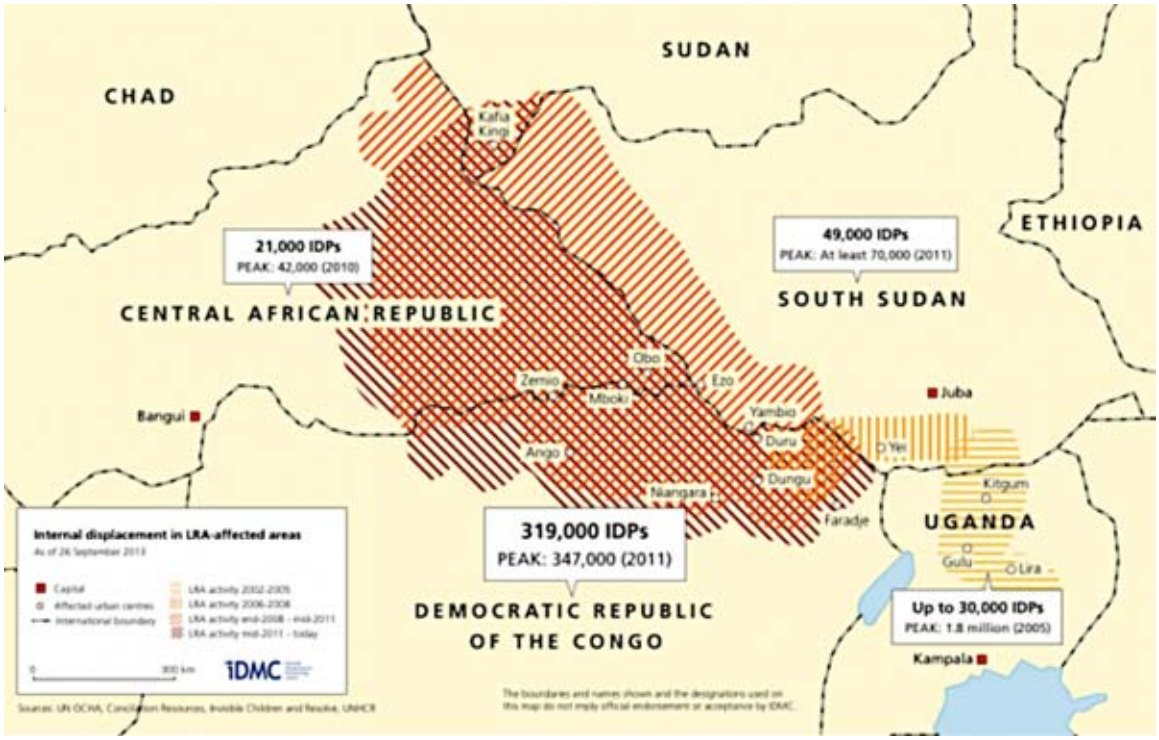
The LRA supposedly aims to take over Uganda and rule it according to the Ten Commandments. Kony claims to have spiritual and magical powers, and he rules the LRA with extraordinary brutality and depravity, kidnapping children and adults and forcing them to commit unspeakable atrocities. Throughout the 1990s the LRA moved around northern Uganda, raiding villages and refugee camps, looting, murdering and kidnapping.

Because Uganda supported the southern Sudanese liberation movement, the northern Sudan Arab government in Khartoum began providing arms and money to the LRA. Eventually the Ugandan army was able to push the LRA out of Uganda into southern Sudan in the 2000s, and they have since split up into bands and migrated westwards over the years. They have been living in remote forest and bush areas in southwestern South Sudan, northeastern D.R. Congo (DRC) and southeastern Central African Republic (CAR) since about 2005. Eyewitnesses estimate that the LRA presence in the northern part of the World Heritage Site Garamba National Park in northeast DRC totals 70 to 100 armed fighters accompanied by 150 to 200 women, children, and recent abductees who are often used as porters (Agger and Hutson 2013). More recently, LRA bands have been moving northwards in the CAR.

U.S.-backed negotiations and peace talks have failed. In late 2008-March 2009, the armed forces of Uganda, the DRC and South Sudan launched aerial attacks and raids on the LRA camps in Garamba, destroying them, but the efforts to inflict a final military defeat on the LRA were not successful. Rather, the U.S.-supported Operation Lightning Thunder resulted in brutal revenge attacks by scattered LRA remnants, with over 1,000 people killed and hundreds abducted in Congo and South Sudan, and hundreds of thousands were displaced while fleeing the massacres. The military action in the DRC did not result in the capture or killing of Kony, who remains hard to pin down.

According to the UN Office for the Coordination of Humanitarian Affairs, 65 LRA attacks were reported during the first quarter of 2014 in CAR and DRC, during which 93 people were abducted and two people killed. It said senior LRA commanders are believed to be based in northeastern Central African Republic, where they are exploiting the instability to regroup. It is also suspected that some Janjaweed combatants as well as some Muslim community leaders may be in collusion with LRA and may be providing the group with information about the U.S.-supported Regional Task Force operation that is in pursuit of Kony. They may also be providing the LRA with supplies, including arms and ammunition, but why is unknown.

The UN Secretary-General Ban Ki-moon said in a recent report to the UN Security Council, “Despite the continuing decline in LRA activity overall, the LRA still remains a serious threat, with its senior leadership intact and with the potential to destabilise the subregion” (Reuters 2014).



The LRA have been moving steadily westwards from their origins in northern Uganda, killing, looting and kidnapping, displacing more than 400,000 people. It is thought Kony is in Kafia Kingi, in southern Sudan.

Security Threat

The LRA does not pose a direct security threat to the United States. Neither Joseph Kony nor any of his commanders have ever threatened to attack the U.S. or American interests. Even if they did, the threats would be empty because the LRA is confined to remote parts of central Africa, has no weapons other than firearms, and has no supporters outside of their immediate group who might take action on their behalf.

They have been declared a terrorist organization by the U.S., however, and Kony and senior commanders have been indicted by the International Criminal Court. INTERPOL (2013) estimates they have no more than 300-400 fighters remaining. They do pose a security threat to populations living in their immediate vicinity, but no more than dozens of other armed militias operating throughout Africa and elsewhere in the world.

Evidence

The evidence for the LRA engaging in small scale elephant poaching and ivory trafficking between about 2010 and 2013 is reasonably good (certainly better than for Al-Shabaab) and summarized well in a report released in June 2013 by the Enough Project (Agger and Hutson 2013).



Tusks and weapons recovered in Garamba National Park.

A number of LRA defectors, captured fighters and eyewitnesses have all reported that Kony ordered them as early as 2010 to kill elephants and send the tusks to him. The LRA trades ivory for arms, ammunition, and food. Former captives said that they saw LRA groups in the DRC and the CAR, trade ivory with unidentified people who arrive in helicopters. The LRA also smokes the meat from poached elephants to feed themselves. Enough meat can be obtained from several elephant kills to have a surplus to sell, which in the area the LRA operates in would bring in about $2-3/kg and a full-grown bull elephant can provide 1,000 kg of smoked meat (Stiles 2011).

Although there is strong evidence of LRA elephant poaching in Garamba, the details on how it gets its ivory to market are unclear. Since it lacks the networks and logistical capacity needed to move the ivory to regional transit hubs, the LRA is probably not capable of selling the ivory on the international market. Anecdotal evidence suggests, however, that middlemen set up ad-hoc markets in predesignated places where poachers can deliver their ivory and bushmeat.

Multiple sources report that a group of heavily armed LRA fighters have picked up the tusks from rendezvous points in the central part of the park along the Garamba River and transported them north towards the CAR, where the LRA has operated since 2008.

A former LRA junior officer, who was a member of the group for 17 years before escaping in October 2012, confirmed this practice. He told the Enough Project that a senior LRA rebel leader and former personal bodyguard to Kony, Brigadier Vincent Binansio "Binany" Okumu, was in charge of ivory hunting in Garamba. He further reported that he had met face to face with Binany in the northern part of the CAR and that Binany and a group of heavily armed fighters were transporting ivory to Kony. Binany was killed in January 2013 in an ambush by the Ugandan army in the northern part of the CAR.

In February 2013 additional evidence revealed that the LRA organizes the transport of ivory from Garamba to Kony through the CAR. The Ugandan army, acting on infor-

mation provided by an LRA defector, found six elephant tusks that the LRA had hidden north of Djema in the CAR.

Another former LRA combatant has told the Enough Project that the group he was a part of sold tusks poached in the DRC to members of Khartoum's Sudan Armed Forces.

There are also reports of helicopters landing in the CAR to trade with the LRA for ivory. In January 2013 a group of civilians who escaped the LRA in the CAR reported that the LRA was hunting elephants there and that a helicopter was providing them with food in exchange for the ivory. The Enough Project has been unable to confirm the identities of the owners and operators of the helicopters described in these eyewitness reports (Agger and Huston 2013).

Based on the eyewitness reports and poached elephant carcasses found, the LRA probably kill no more than 100 elephants annually (INTERPOL 2013) and they are "less involved in organized transnational crime flows" (Lawson and Vines 2014). The DRC army and militias in the region kill considerably more elephants than that (Titeca 2013).

The Janjaweed

History

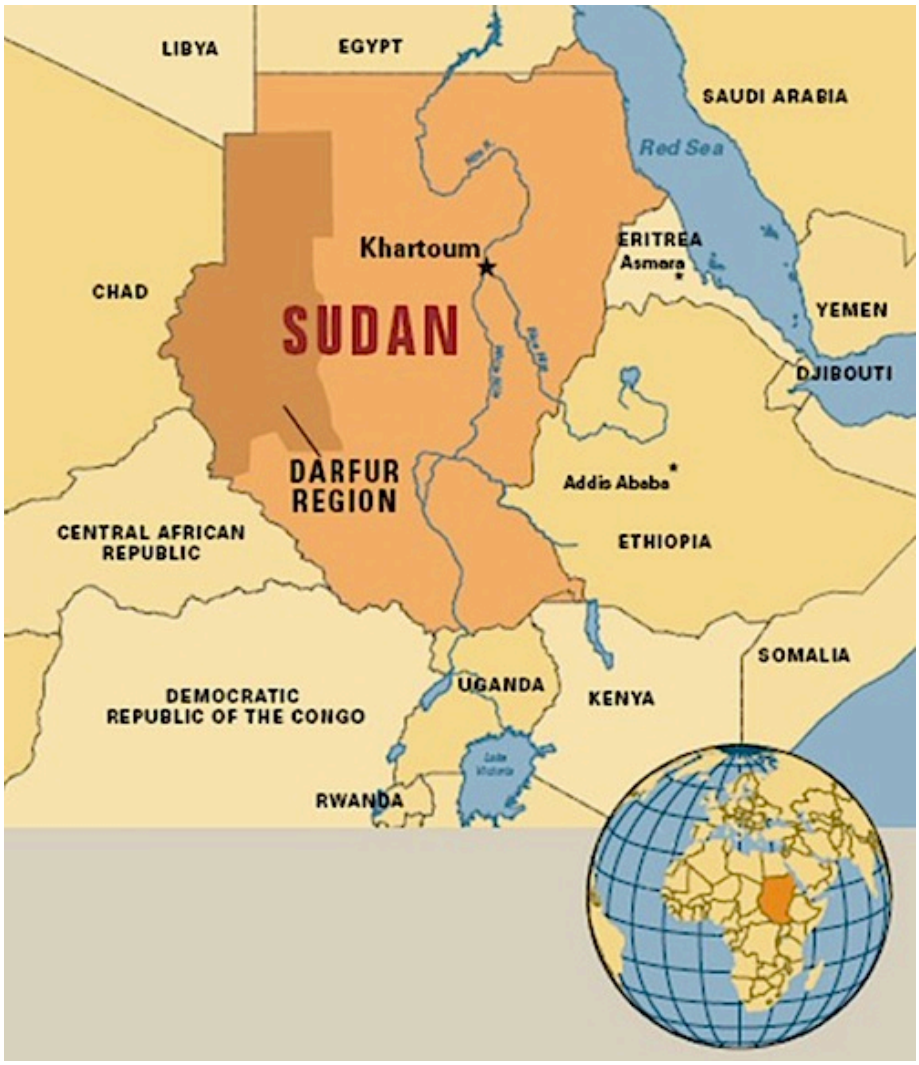
The term Janjaweed is formed by combining the Darfurian Arabic words for "man", "gun" and "horse", and so means simply "mounted gunman". It is used in the Sudan as a term for a bandit or looter. They originated in the 1980s in Darfur province of western Sudan, bordering Libya, Chad and CAR.

The Janjaweed are made up of a mixture of pastoralist Arab clans from eastern Chad and Darfur, with Abbala (camel) Rizeigat at the core, part of the greater Baggara Arab assembly (de Waal 2004a).

In 1984-85 the Sudan suffered a serious drought, part of the same climatic event that killed a million people in Ethiopia and prompted Bob Geldof's Band Aid campaign. Darfur was hard hit. The Arab herders had for centuries lived with settled African farmers who occupied highland and riverine areas of Darfur. After crop harvest, farmers allowed the Rizeigat to graze their camels and goats on grain stalks, fertilizing the fields in the process. But with the drought, there had been little grain harvest and the farmers shut off their fields and wells to the Rizeigat, as they needed the scarce pasture and water for their own livestock.

When Alex de Waal, an expert on Darfur history and politics at the Fletcher School, first visited Darfur in 1985 it was very rare for non-military people to own firearms (de Waal 2004b). But the drought and barren land sparked competition for scarce resources, and each side, herders and farmers, began to arm themselves. The Janjaweed originated,

gunmen mounted on camels or horses who raided farming communities and took pasture by force.



Darfur, home of the Abbala Rizeigat, core of the Janjaweed.

The incipient Janjaweed forces were strengthened by the Libyan leader Ghaddafi in 1987-88. Ghaddafi had dreams of empire and wanted to establish a pan-Arab unification of countries, starting with Libya, Chad and Sudan. He formed an Islamic Legion and recruited fighters from all over West Africa, the Sahara and into Darfur. Some Abbala Rizeigat received military training in Libya. In Ghaddafi's war with Chad, the Legion used Darfur as a rear base. The Chadians defeated the Libyan forces in 1988 and Ghaddafi gave up his dream, but the trained fighters of the Islamic Legion and their weapons returned to Darfur, strengthening the Janjaweed.

In 1989 Omar al-Bashir, a ruthless soldier, took power by a coup in Khartoum. By accident of fate, the most powerful Darfurian in the security services was an Abbala Rizeigat, who began removing men whom al-Bashir thought had sympathies with the previous government and replacing them with Rizeigat clansmen.

The government in Khartoum recognized that the Janjaweed militia could be useful in their war against the southern Sudanese liberation movement, led by the Dinka John Garang, and supplied them with arms and basically gave them free reign to attack non-Arabs, seize their land and kill or enslave them. Janjaweed thus fought not only in Darfur now, but also raided into southern Sudan.

It is also during this late '80s period that Janjaweed probably started poaching elephants. Because of the building calls by conservationists for a CITES ban on international trade in ivory, poaching rose to all time highs as mainly Hong Kong and Japan – then the two largest consumers of raw ivory in the world – implemented a stockpiling strategy. Ivory was easy to sell in Khartoum and prices were rising. The Rizeigat had lost a lot of livestock during the drought and money was needed to purchase animals to rebuild the herds. Ivory was the perfect answer. They could not hunt elephants to any extent earlier because they did not have the weapons. But now, with a steady supply of firearms and ammunition coming from their clansmen in the Khartoum government, annual expeditions to the south during the dry season just after the rains – when rivers would be passable, but there would still be plentiful pasture – became part of the annual cycle for certain Janjaweed. The first reports of mounted Arab poachers with horses and camels began to surface in the late '80s.

Over time, as elephant herds were wiped out in eastern CAR in the 1990s, the Janjaweed moved progressively further west and south, reaching northern DRC, extremely rich in Forest Elephants, in the late 1990s. In 2007 a survey of protected areas in northern CAR found that 553 elephants had been poached during the dry season by Sudanese Arabs (Stiles 2011). By 2010 they had crossed all the way to western Chad, southwest CAR and northern Cameroon on the other side of the continent. In 2010-11 elephant meat prices plummeted in southwest Cameroon because the market was flooded by Janjaweed poaching (Stiles 2011).



The Janjaweed massacred 300-400 elephants, including young ones with no tusks, at Bouba N'Djida northern Cameroon between 2010 and 2012.

Between the late 1980s and 2014 the Janjaweed have virtually wiped out the elephant populations of the CAR (except in the southwest) and southern Chad, and are currently making incursions into northern DRC (Karl Ammann, pers. comm.).

Security Threat

The leaders of the Janjaweed, and in particular the outspoken Sheikh Musa Hilal, have been accused of genocide and crimes against humanity. President al-Bashir has been indicted by the International Criminal Court (ICC). Musa Hilal has stated that al-Bashir directly ordered the attacks on non-Arabs and that personnel from the Sudanese Army had joined the Janjaweed in several attacks, where whole villages had been wiped out. There is no doubt that the Janjaweed pose a security threat to non-Arabs in the Sudan and newly created South Sudan, but they have a long history of friendly relations with the populations living in Chad and CAR. This no doubt is because when traveling such long distances overland the poachers have to receive assistance from the local people. The Janjaweed are known for inviting the locals to take the elephant meat in exchange for grain, water and other necessities.

The situation changed dramatically beginning in 2012. There has been historical friction in CAR between the Muslims in the north and Christians in the south, with coups and civil wars. In 2013 a number of different Muslim factions joined together to form a coalition called Séléka, which included some Janjaweed (Agger 2014). The Chad government of Idriss Debbi supports them. They marched on Bangui, the capital, in 2013 and took it, forcing President Bozizé to flee to Cameroon. The man the Séléka put in power, Michel Djotodia, spent several years as an official counselor for the Bozizé government in the South Darfur regional capital of Nyala, where he built extensive networks with armed mercenaries and poachers who later joined the Séléka. To seal the close connection between the Chad government, the Séléka and the Janjaweed, Musa Hilal's daughter married Chad President Debbi in 2012.



The Janjaweed ride camels and horses a thousand miles from Darfur to northern Cameroon to find elephants to poach.

The Séléka have recently been chased out of Bangui and Christians called Anti-Balaka are massacring Muslims in revenge attacks. Hundreds of thousands of people have been displaced, creating a humanitarian disaster. This could be good news for elephants, however, if Janjaweed can no longer make their long-distance poaching migrations into southwest CAR and northern Cameroon.

The Janjaweed have never made any threats against the U.S., but that could change if the U.S. military becomes involved in restoring stability to CAR, as has been proposed. Military confrontations between the U.S. and Janjaweed could then easily morph into what has occurred in Somalia with Al-Shabaab. The Janjaweed are not Al-Qaeda type Muslims, however, following the strict fundamentalism that originated in Saudi Arabia, called variously Wahhabism or Salafism. Darfuri Arabs follow Sufi saints, though this type of Islam can generate militarism as well, as General Gordon of Khartoum learned to his regret during the 19th century Mahdi revolt.

Evidence

There is abundant evidence that the Janjaweed fund themselves from ivory, but the income does not have to be used to buy arms because the Sudan government supplies them with arms and ammunition. The Janjaweed increasingly over the years have become a government militia containing Sudan Army personnel, and Sudan Army cartridges, uniforms and papers have been found in abandoned Janjaweed poaching camps (Flint and de Waal 2008; Agger 2014). The ivory the Janjaweed poaches makes its way back to the Sudan, where it is no doubt sold in Khartoum, which has a thriving ivory market and growing Chinese population (Martin 2005).

DISCUSSION

This report does not discuss every important terrorist or insurgency group in Africa, such as Boko Haram in Nigeria, Al-Qaeda in the Islamic Maghreb in Mali, the Mai Mai or Simba rebels in the DRC, and others, because they have not been the focus of the U.S. government's attention related to ivory. Not every terrorist group or rebel gang gets its operating funds from poached wildlife. Extortion, robbery, tribute, protection money, drugs and other "traditional" means of financing criminal activities still abounds.

Table 1 summarizes what can be concluded about Al-Shabaab, the LRA and the Janjaweed in whether the respective group poses a national security threat to the United States, the degree to which it is involved in elephant poaching, and the importance of ivory in funding its activities and the purchase of arms.

Table 1. Security, elephant poaching and ivory in funding.

Group	US Security Threat	Elephant Poaching	Ivory in Funding
Al-Shabaab	+++	-	-
LRA	-	+	+
Janjaweed	+	+++	++

- none + small ++ moderate +++ large

Al-Shabaab – The group is a serious security threat to the U.S. given that they are formally part of Al-Qaeda and subject to their commands, that they have already carried out several terrorist attacks in Africa, and perhaps most frightening is the fact that there is a large Somali community in the U.S. and Canada that could carry out terrorist attacks on North American soil. Already there is proof that several Somalis from the U.S. have traveled to Somalia to fight for Al-Shabaab. That said, there is no evidence that they are involved in elephant poaching, as they are confined to areas of Somalia that have no elephants. It would also be extremely difficult to transport ivory to Al-Shabaab territory currently, as they are surrounded by hostile forces, and in any case they have only the fishing port of Barawe to export ivory, which is under constant surveillance by the U.S. military. Claims have been made by former Kenya Wildlife Service officers that Somali elephant poachers in Kenya are linked to Al-Shabaab, but the authors of the Born Free *Ivory's Curse* report have been unable to obtain evidence from KWS corroborating the claims (Vira and Ewing 2014).

LRA – The Lords Resistance Army poses no threat to the U.S., but they have engaged in small scale, opportunistic elephant poaching and they have traded tusks on an ad hoc basis for food and other goods. There are no reports from witnesses that arms have been exchanged for tusks, though that remains a possibility. The LRA appears to be a minor player in instability in the region now, having been eclipsed by more serious concerns involving militias in the eastern DRC and the Chad-backed Séléka-Janjaweed incursions into CAR.

Janjaweed – The Janjaweed currently pose no direct security threat to the U.S., but that could change depending on whether they consider the U.S. to be taking hostile action against them by, for example, supporting their opponents with weapons and training. It was such support to opponents of the Islamic Courts Union that allowed Al-Shabaab, a radical terrorist organization, to emerge as a major player in Somalia. The Janjaweed have been involved in massive elephant poaching throughout CAR, northern DRC, southern Chad and northern Cameroon since the late 1980s, moving progressively westwards as the herds were decimated. It is not known what they did with the ivory proceeds. Some have suggested the income was used to purchase arms, but since the Sudan Government was providing these it is more likely ivory money was used for livestock restocking and subsistence needs.

So how effective will banning ivory sales in the United States be in weakening any of these groups?

Al-Shabaab, the only group that poses a threat to the U.S., does not depend on ivory for financing, so a ban will have no effect on them.

The LRA, which does *not* pose a threat to the U.S., would be unaffected because they poach very few elephants and survive primarily by raiding villages and stealing food, money and other goods. More recently, it appears they are receiving support from the Sudan government (Agger 2014), which is difficult to explain. The original LRA, and Kony, are ethnically Acholi, who are Nilotes, the same broad ethnic affiliation of the

people in South Sudan with whom Sudan has been at war for decades. What plans does President al-Bashir have for the LRA?

The Janjaweed, which currently poses only a potential threat to the U.S. should they become radicalized like Al-Shabaab, would still be able to sell every single tusk they poach even with a U.S. ivory trade ban because traders in China are buying all the ivory they can get their hands on.

The U.S. government and all of the conservation and animal welfare groups who are advocating banning all domestic ivory sales and destroying all ivory stockpiles do not appreciate that the elephant poaching crisis is not driven primarily by immediate consumer demand in the U.S., China or elsewhere. It is driven by mainly Chinese ivory dealers, and perhaps also illegal ivory factory owners in China, who are buying raw ivory for two reasons: (1) to stockpile for speculative reasons with the belief that an increasingly scarce valuable commodity will gain greatly in value in future and (2) to stockpile for future use.

It would appear that many in the ivory industry in China believe that African elephant populations will continue to decline, and that legal raw ivory will never come onto the market. With these two beliefs, an ivory businessman has two choices: sell out and go into another business, or buy all the illegal ivory that the business can afford in order to stay in operation as long as possible – stock up while ivory-bearing elephants are still available.

Underpinning the latter decision is confidence that demand for worked ivory will remain strong in the foreseeable future and that there is room for prices to rise, much like oil prices did following the OPEC cut in supply in 1973. In a few months after OPEC's oil embargo to the U.S. (for supporting Israel in the Yom Kippur War), oil prices rose from $3 a barrel to $12 a barrel. Oil prices continued to rise with oil rationing and rising demand for many years thereafter. The CITES ivory trade ban and subsequent reaffirmations of it have been ivory's OPEC oil embargo.

In the case of oil, the higher prices provided incentive for U.S. and European oil companies to start a wave of exploration and technology development that allowed for previously unavailable petroleum sources to be exploited. Similarly, the rise of ivory prices in Africa from a few dollars a kilogram in 1990 to $200-400/kg in 2014 has resulted in the formation of ivory poaching and trafficking networks, facilitated by corrupt government officials in Africa and Asia, and an influx of weapons and technology previously unseen in poaching (use of helicopters, night-vision goggles, automatic rifles with silencers).

The CITES ivory trade ban voted in 1989 has been a disastrous policy in some regards because it cut off the supply of raw ivory to factories outside of Africa in countries where domestic ivory markets were legal and demand was high. It was correct to restrict international sale in worked ivory, but a system should have been formulated after 1990 to prevent what has predictably occurred – poaching to supply illegal ivory to factories,

mainly in Asia, while hundreds of tons of tusks pile up in African government storerooms. If a legal supply system had been established shortly after the ban in the early 1990s, with both suppliers and buyers on board to play by the rules, the poaching plague Africa has endured would never have occurred. The previous ivory quota supply system CITES briefly tried did not work because the buyers were not included.

Bans and prohibitions of commodities that the public want have never worked, whether it be alcohol, drugs, firearms or ivory. The bans only foster organized crime, violence and corruption, much more deleterious to society than is the product deemed harmful. A sensible combination of regulation, taxation and awareness campaigns to reduce demand have shown positive results, tobacco being a good example. Tobacco use has declined considerably in the U.S., Western Europe and Australia by using such an approach, without the imposition of a complete ban.



Awareness campaigns can reduce demand.

CONCLUSIONS

An examination of available evidence has shown that claims of poached ivory funding groups in Africa that threaten U.S. national security have been greatly exaggerated. The great majority of organized elephant poaching and ivory trafficking is carried out by African government personnel or rebel militias that pose no direct security threat to the U.S., though they do impact the U.S.'s political and economic interests (U.S. Government 2012; INTERPOL 2013; Lawson and Vines 2014). Smaller scale elephant poaching is carried out by local community members on an ad hoc basis, either working on behalf of people who fund them, or independently using unsophisticated methods (firearms, poison, cable snares, bow and poison arrows).

The quest for ivory does not cause the instability and conflict, but rather poaching elephants in an unstable conflict situation is facilitated by the dearth of law enforcement to prevent it. A primary objective therefore should be to eliminate instability and conflict, which the U.S. government understands and is doing something about.

Elephant poaching to supply raw ivory to East Asian factories and to stockpile for future use and profits are the direct causes of the poaching. Policy to address ivory poaching and trafficking should be addressed there. Thus far, the U.S. government, the international conservation community and CITES have done very little to deal with the actors who purchase the illegal ivory – the East Asian ivory dealers and carving factory owners. It is imperative to formulate a system to supply legal raw ivory on a regular, controlled basis to cooperating buyers in order to out-compete the illegal ivory traffickers. East Asian government cooperation is a critical component to the success of such an approach.

Concomitant with a legal ivory supply policy should be committed efforts by high ivory consumption countries such as China-Hong Kong and Thailand, and conservation NGOs reinforced by the media, to reduce consumer demand, which is the ultimate cause of the elephant poaching crisis.

A complete prohibition on the sale of legal ivory currently in the United States will do nothing to address the real causes of elephant poaching. But illegal ivory is in the U.S. and more is currently being smuggled in (Martin and Stiles 2008; Stiles in preparation). Federal and state law enforcement agencies must do more to crack down on the dealers of this illegal ivory.

Prohibiting virtually all sales of ivory in the U.S., which will cause significant negative economic, cultural and social impacts on thousands of law-abiding American citizens, is not the answer. Such a policy is being advocated out of expediency, because it simplifies enforcement for the USFWS and state agencies, and because of an ideological position long promoted by powerful animal welfare organizations that animals or their products should not be utilized under any circumstances. The U.S. government has now come under the influence of these organizations, bolstered by genuine conservation organizations that have jumped on board the ban wagon.

I think it fair to say that all Americans want to see the slaughter of elephants stop. Most people in the U.S. are aware of the exceptional qualities of compassion, intelligence and character that this magnificent creature possesses. Africa would not be Africa without wild elephants roaming its savannahs and forests. But for the killing to stop consumers must stop buying new ivory. And the factories and dealers that buy illegal ivory must cease to do so. They must be given options that allow them to do so.



All Americans wish to see wild elephants continue to roam the savannahs of Africa without fear.

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