



Ivory: To Burn or Not to Burn – That is the Question

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On April 30, 2017, Uhuru Kenyatta, Kenya's president, lit a pyre made up of works of art that had been seized in recent years by police and customs officials. The East African country has become a hub for international smuggling of stolen art. Stolen Van Goghs, Picassos, and Warhols went up in flames, just like two-thousand-year-old sculptures from illegal excavations in Iraqi and Syrian civil war zones, temple statues from Angkor Wat, and Hellenistic vases. "For us art is worthless, unless it is in museums," said Kenyatta, adding, "Art robbers all over the world will now recognize that theft is not worth it. Collectors will no longer buy stolen art." Many NGOs attended the ceremony and praised Kenya and its president for their high moral principles.

Eleven Pyres: Morality or Symbolic Politics?

The above introduction is obviously fiction. However, it is true that on that day President Uhuru Kenyatta set eleven pyres aflame which contained 105 tons of ivory and 1.35 tons of rhinoceros horn. Kerosene and other fire accelerants were fed to the fires via a complicated system of underground pipes and several tank trucks. It took days for the fire to completely burn all the tusks and horn. Animal rights activists and their affiliated politicians from around the world lauded the Kenyan government. It was claimed that the clear message to poachers, smugglers, and buyers was that ivory is worthless and that this would lead to an end to poaching.

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Since Kenya burned 12 tons of ivory for the first time in 1989, nineteen other public destructions have been reported worldwide. A total of more than 230 tons have been destroyed. Such events took place in Hong Kong, the United Arab Emirates, Zambia, China and in the USA.



The remains of a poached elephant. The ivory was hacked off with a machete.

With 144 tons, Kenya ranks first in the amount of destroyed ivory. For this country the burning has definitely paid off. After the first burn, approximately US\$300 million was received from donors for the wildlife sector. In the ten years that followed, foreign aid amounted to an estimated one billion dollars. Since then wildlife policy and politics are firmly in the hands of mainly foreign animal welfare organizations.

The destruction of ivory is promoted by those who do not want to see the material as a commodity. In their opinion, elephant poaching can only be stopped if legal trade in their tusks is stopped. The destruction is intended to send poachers, smugglers, and end users a clear signal: Ivory is evil and should not be traded. It is claimed that this will eventually dry up the market.

Two hundred thirty tons of ivory sounds like a lot, but it is insignificant compared to the thousands of tons of ivory, processed and unprocessed, legal and illegal, that is kept worldwide. In Africa alone, the stock is currently estimated to be at least a thousand tons. In China, it is likely to be well over a thousand tons, mainly in private hands, and despite all public

announcements by the government, traders continue to buy and hoard.

Contra Destruction

In any case, one must, at best, be naive to believe that the public crushing and pulverizing of ivory in Times Square will move poachers in the Central African bush, or criminal cartels, which earn millions with illicit trade, to change their ways. Since the first burn, practical experience has shown that the exact opposite is the case. The publicity stunts have done nothing to decrease the actual illicit ivory trade. If the bad guys have gotten a message at all, then it is that ivory is becoming scarcer, and in real life such a situation leads to increasing prices. It is worthwhile to hoard ivory, especially these days, when monetary assets yield only a minimal return.

There is yet another aspect that hasn't been considered. With the destruction of ivory, evidence in ongoing legal proceedings is often destroyed. Additionally, falsified inventory lists can't be verified. In the past, a fair amount of ivory that was reported as destroyed had long since found its way to Asia. Such cases have been reported from Mozambique, Malawi,

and Ethiopia. And to make matters even more complicated, burning ivory is quite difficult. It is necessary to produce temperatures of more than one thousand degrees using complex technical procedures. It is largely technically impossible to do this in many African countries. Thus, in some instances lightly charred ivory has found its way back onto the market.

It is very unfortunate that, in individual cases, especially in the USA, antique ivory sculptures were also destroyed. Ivory is a noble material that has fascinated people for thousands of years, and it has been used to create countless unique works of art. It has always been highly valued and worth its weight in gold. That isn't going to change. Even the chieftain's staff, which President Arap Moi held in his hands as a sign of his presidency at the first burning of ivory in Kenya in 1989, was made of ivory. Moi did not toss it on the fire.

The Problem of Ivory Stocks

Actually, there is only one official reason to destroy ivory. According to CITES guidelines, countries that are unable to keep their ivory stocks under lock and key are actually supposed

Kenya's Hunting Ban: No Success Story

After the hunting ban is when the poaching really took off in earnest. Author Charles Hornsby estimated that in the 1970s, 15,000 elephant were poached each year, and between 1973 and 1979 at least 10,000 rhino were slaughtered, and their horns smuggled to Asia. Of the estimated 170,000 elephant in the country in 1977, only approximately 16,000 were counted in 1989.

Since then they have increased to some 25,000, according to the official count in the most important elephant areas of the country. This however isn't a real success story, because with normal population growth, the number should be closer to 50,000. Elephant have had to make room for an expanding human population, but also poaching has continued. The important elephant areas, the ecosystems of Tsavo, Taita, and Amboseli lost about half of their elephant between 2011 and 2014. Mortality is now higher than the birth rate, according to the Kenya Wildlife Service (April of 2017).

According to independent scientific studies, wildlife populations in Kenya have declined by about eighty percent since the hunting ban. Outside of the national parks, game animals have no value, and humans don't conserve or protect anything that has no value. Jomo Kenyatta's symbolic actions didn't save any elephant. His son Uhuru, or "Freedom" in Kiswaheli, is following in his footsteps, as burning ivory is purely symbolic. He would be more credible if he donated that fraction of his fortune made from ivory smuggling for the protection and conservation of elephant.

Kenya is still a central transit point for illegal ivory stemming from other African countries. Much of the ivory burned on April 30, 2017 did not come from Kenya, but was smuggled there. Nowadays one can determine the origin of ivory by means of genetic or isotopic methods, to within a radius of 500 to 800 kilometers, says Stefan Ziegler from the World Wildlife Fund (WWF), who developed a scientific method for the German government to age ivory and identify its origin. It would therefore be easy to return this ivory to the rightful owners, that is, to the countries from which it was stolen. This is what international law demands, and so it would have been done if Kenya had confiscated foreign works of art and not foreign ivory.

The author, together with Tanzanian game guards, shown registering ivory.



to destroy them. Thefts from the official state stockpiles have always been a problem. For instance, thefts of three tons in Zambia, 1.3 tons in Uganda, one ton in Mozambique, and seven tons in the Philippines have been reported. Some countries simply do not have storage capacities, and therefore destroy their stockpiles. Germany could soon belong to this group. Two tons of seized ivory are currently stored in Bonn. There is talk of destroying the ivory, as is done with most products from protected species when they are confiscated by customs. However, there are probably no officials in Bonn who believe in the fairy tale that such an action would actually protect living elephant.

Innovative Solutions Required

It can hardly be assumed that the legal trade in ivory will resume in the foreseeable future. The opponents and proponents face one another with irreconcilable differences. Intelligent solutions aren't even discussed. Wolfgang Burhenne, a highly-decorated environmental jurist and long-time legal advisor for the International Council for Game and Wildlife Conservation (CIC), made such a proposal years ago. He proposed the establishment of an International Ivory Monopoly Agency. It would be the only entity authorized to trade in ivory and bring together buyers and legal providers.

Ivory stocks will continue to increase, and it is amazing how much there is. Along with seizures, tusks are added from natural mortality, and from legal harvests deemed necessary to protect humans or crops. So what do you do if you can't sell ivory and you don't want to destroy it? There isn't much choice, except to keep warehousing it. Actually, this is not at all bad, because unlike the rich countries, poor African countries are unable to hoard gold as part of their national monetary reserves, or simply for bad times. After all, Germany has over 3,000 tons of precious metal stored away, as do most Western countries. Elephant



A game guard weighs a tusk from a small elephant that died naturally.

tusks are a viable alternative. One could even imagine using ivory as a security when an African country needs a credit with the International Monetary Fund. The world would have to recognize however that ivory has an economic value. In fact, this is already de facto the case. Any country that does not destroy its ivory expects that it will continue to have a value in the future.

Neo-Colonialism

It is incomprehensible, however, how people in rich countries can demand that people in poor countries destroy their natural resources. Ivory currently has a commercial value between €500 and perhaps €1,500 per kilogram. Even assuming that a legal value does not exist, one would have to consider the cost of ivory production. After all, African countries have huge areas reserved as sanctuaries for elephant and other animals, some of them up to a quarter of their total territory. Maintaining areas like these costs a lot of money. There are also the costs of missed opportunity. This is measured as the loss of income if instead of elephant there were cows, corn, and settlements in those areas. If destruction is the solution, then rich countries, and the many animal welfare organizations that demand this, should also bear the costs, and pay compensation.

Demanding that poor Africans destroy a valuable raw material senselessly and without compensation is not only too simple-minded, it is an example of active neo-colonialism in the twenty-first century. There must be a more intelligent solution than destruction. Unfortunately, the battle lines have clearly been drawn in regards to elephant conservation. Compromise seems impossible. It is to be feared that in the end, not only will ivory be destroyed, but elephant will have fallen by the wayside as well. ■



Kenya: Bunny Huggers' Darling

Since the 1977 hunting ban, Kenya is the mecca for anti-hunting activists in Africa. Hardly anyone knows that President Jomo Kenyatta's motive behind this ban was not conservation, but that it rather was an attempt to mask and conceal long-term poaching and ivory smuggling. Interestingly, the wealth of the Kenyatta clan is based on a foundation of poached ivory.

With 200,000 hectares of land in prime locations, real estate, and numerous business enterprises, the Kenyan president is one of the super-rich in Africa. *Forbes Magazine* estimates his assets at about half a billion dollars. Other sources suggest the real number is closer to two billion dollars. His father, Jomo, was a poor laborer until he became a politician, and Kenya's first president in 1964. Mama Ngina, his fourth wife and the mother of today's president, was responsible for the ivory trading branch of the family business. The "Ivory Queen", as she was called by the people, earned an estimated ten million dollars (about fifty million today) every year by smuggling ivory and other wildlife products. Thus, she contributed significantly to the clan's assets.

Jon Tinker, one of the first environmental journalists, revealed the scandal surrounding the Kenyattas on May 22, 1975 in the magazine *New Scientist*. Media outlets around the world picked up the story, and the presidential family came under intense scrutiny. Jomo Kenyatta took drastic measures and went on the offensive with symbolic politics.

In 1977 he banned hunting overnight, and passed the move off to the media as an energetic measure against poaching. Uninformed people and hunting opponents around the world fell for the ruse and were happy. Kenya had a relatively well-functioning hunting system at the time. I can personally attest to this fact, because in January 1977 I hunted buffalo in Maasailand. The hunt proceeded very correctly according to the law and fair chase norms, the ensuing royalties went to the wildlife authority, and the professional hunters ensured that poaching was under control, at least in their hunting areas.