

**Animal Alliance of Canada • Animal Welfare Institute • Animals Asia Foundation  
Born Free Foundation • Born Free USA • Care for the Wild International  
Center for Biological Diversity • Cetacean Society International  
Defenders of Wildlife • Eastern Caribbean Coalition for Environmental Awareness  
IFAW Russia • Migratory Wildlife Network • Natural Resources Defense Council  
OceanCare • Pro Wildlife • Society for the Conservation of Marine Mammals**

**By Electronic Submission**

June 11, 2012

Public Comments Processing  
Attn: FWS-R9-IA-2011-0087  
Division of Policy and Directives Management  
U.S. Fish and Wildlife Service  
4401 N. Fairfax Drive, MS 2042-PDM  
Arlington, VA 22203

Re: Proposal to transfer polar bear (*Ursus maritimus*) from Appendix II to Appendix I of CITES

To whom it may concern:

On behalf of the organizations listed above and our millions of members, activists, and supporters, we are writing to submit comments regarding the U.S. Fish and Wildlife Service's ("FWS" or "the Service") notice that it is undecided on whether it will submit a proposal to transfer polar bear (*Ursus maritimus*) from Appendix II to Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) at the Sixteenth Conference of the Parties (CoP16). See 77 Fed. Reg. 21798 (April 11, 2012).

We support transferring the polar bear to Appendix I and urge the Service to build a coalition of like-minded Parties to the Convention that will vote for a US proposal to transfer polar bears at the next Conference of the Parties.

In the extended version of its notice,<sup>1</sup> the Service announced its determination "that the polar bear meets the biological and trade criteria for inclusion in Appendix I," reflecting continuity with the Administration's submission of a proposal to transfer the polar bear

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<sup>1</sup> <http://www.fws.gov/international/CITES/CoP16/3rdFederalRegisterNoticeWeb.pdf>.

from Appendix II to Appendix I at the Fifteenth Conference of the Parties (CoP15) in 2010. We agree with the Service's determination; the polar bear is threatened with extinction, as defined by the CITES biological criteria, and the species is in trade, which may have a detrimental impact on the status of the species. With a shared understanding that the polar bear meets the CITES criteria for listing on Appendix I, we turn to why it is critical for the US to propose the transfer at CoP16.

### **Increasing Threats to Polar Bear Survival**

As the polar bear's habitat – the annual sea ice over the continental shelf and inter-island archipelagoes of the Arctic basin – literally melts away, the best scientific estimates show polar bear populations plummeting by more than two-thirds within the next 40 years.<sup>2</sup> If humanity is to prevent the polar bear from becoming extinct throughout its range, we must strengthen polar bear populations by reducing other forms of take, giving them the best chance to survive until we stabilize the global climate.

To do this, especially in Canada where polar bears have the greatest chance to withstand climate change through the end of the century and where the majority of subpopulations reside, we must ban the international trade in polar bear parts. Banning the global trade in polar bear parts will lead to a significant decline in the harvest of polar bears in Canada (some of which is unsustainable as described below) and should lessen the pressure for illegal take in Russia to supply the domestic and international market.

Of the five polar bear range states, only Canada allows the killing of polar bears for international commercial trade and it does so at unsustainable levels. A recent example is the government of the Canadian Territory of Nunavut's tripling of its hunting quota for the Western Hudson Bay polar bear population, despite opposition from the federal government and the International Union for Conservation of Nature (IUCN) Polar Bear Specialist Group (PBSG), which stated that "even the present [total allowable harvest] is not sustainable so an increase only makes the resulting overharvest even less sustainable." Pressure to increase quotas in Canada and illegal take in Russia is likely motivated in part by the soaring international demand for polar bear hides, which are being auctioned off for as much as \$12,400 per skin.<sup>3</sup>

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<sup>2</sup> See, e.g., Amstrup, S.C., B.G. Marcot, D.C. Douglas (2007). Forecasting the rangewide status of polar bears at selected times in the 21st century, Administrative Report, USGS Alaska Science Center, Anchorage, AK. See, also, FWS's listing of the polar bear as threatened under the Endangered Species Act in 2008 (73 Fed. Reg. 28212, May 15, 2008) and its conclusion that the species is "threatened with extinction" as defined by CITES in 2010.

<sup>3</sup> Nunatsiaq News (Jan. 12, 2012). *Nunavut furs fetch record-high prices at recent auction*, available at [http://www.nunatsiaqonline.ca/stories/article/65674nunavut\\_furs\\_fetch\\_record-high\\_prices\\_at\\_recent\\_auction/](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_furs_fetch_record-high_prices_at_recent_auction/).

Unfortunately, this unsustainable management of a polar bear population in Canada is not an aberration. Overharvest in Canada is a significant issue. In 2006, polar bear specialists found that the Chukchi Sea, Baffin Bay, Kane Basin, and Western Hudson Bay populations—all of which fall at least partially within Canadian territory—may be overharvested.<sup>4</sup> In addition, other Canadian populations, such as the Davis Strait population, have experienced substantial annual harvest in the absence of scientifically derived population estimates.<sup>5</sup> In 2008, unsustainable harvest of polar bears in Kane Basin and Baffin Bay led the European Union to ban the import of polar bear specimens derived from these two populations. And in early 2011, hunters in Quebec killed at least 60 polar bears (as opposed to their recent killing, on average, of fewer than four polar bears per year) from a subpopulation with no quota in response to soaring demand for polar bear hides.<sup>6</sup> Commenting on the killings, Dr. Ian Sterling, a polar bear researcher in Alberta, said, “For it to jump up to 60 indicates that there’s a quick buck to be made and people are going out and simply shooting large numbers of bears with no foresight to the future, or the sustainability, or what is happening to the population and it’s very concerning.”<sup>7</sup>

Given the unique structure of Canada’s federal system, the formal relationship the federal government has with Canada’s First Nations, and the unsustainable management practices of the Wildlife Management Boards, a polar bear conservation strategy that relies upon a voluntary change in Canada’s management of its polar bear populations is unlikely to succeed. That is why the United States and other concerned parties must work together in international forums like CITES.

And a transfer to Appendix I will help other polar bear populations as well. In Russia, overharvest does not occur through legal take, but instead results from poaching, where poachers kill between 100 and 200 polar bears ever year.<sup>8</sup> Poaching is a significant conservation issue in Russia, as stated in the Russian Ministry of Natural Resources and Environment’s Strategy for Polar Bear Conservation:

Although there is no accurate data available on the exact number of polar bears illegally taken in the Russian Arctic and associated damage to the

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<sup>4</sup> Aars, J., N.J. Lunn, and A.E. Derocher (2006). Polar Bears: Proceedings of the 14th Working Meeting of the IUCN/SSC Polar Bear Specialist Group, 20-24 June 2005, Seattle, Washington, USA, at 44. IUCN, Gland, Switzerland and Cambridge, UK.

<sup>5</sup> *Id.*

<sup>6</sup> CBC News (April 4, 2011). *Que. polar bear hunt not sustainable: Nunavut*, available at <http://www.cbc.ca/news/canada/north/story/2011/04/04/nunavik-polar-bears.html>.

<sup>7</sup> *Id.*

<sup>8</sup> Russian Geographical Society, *Polar Bear is Not for Sale*, July 14, 2010, available at <http://int.rgo.ru/firstindex/eurasia%E2%80%99s-largest-nature-reserve-2/>.

respective populations, experts believe that this figure is significant in terms of its impacts on the conservation of the populations.<sup>9</sup>

Listing the polar bear on CITES Appendix I may reduce poaching in Russia by halting the legal international trade that continues to offer cover for illegally sourced Russian polar bear hides.

### **International Protection for Polar Bears**

Two years ago at CoP15, the Obama Administration led the charge for polar bear protection by proposing to transfer polar bears from CITES Appendix II to Appendix I. While the proposal fell short of receiving the requisite level of support for passage, not with not the time to back down. With the polar bear's plight worsening over the last two years – record prices for polar bear skins, continuing unsustainable harvest of polar bears in Canada, and new evidence of the polar bears' habitat melting away – the case is stronger than ever for securing stronger protections under CITES.

As the plight of the polar bear continues to worsen, momentum within key range states is building to take additional steps to help the species. In Russia, the federal government decided to not allow take of polar bears under a bilateral agreement with the United States until poaching is brought under control. In Norway, the government is reviewing ways to protect the polar bears under various international regimes, such as the Convention on Migratory Species and CITES.

In light of the above, we urge the Service to propose transferring polar bears from CITES Appendix II to Appendix I at CoP16 and to build a winning coalition of like minded states, like Russia, to ensure the proposal's acceptance by the Parties and end the international trade in polar bear skins, skulls, teeth, and claws once and for all.

Sincerely,

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<sup>9</sup> Russian Ministry of Natural Resources and Environment, Strategy for Polar Bear Conservation at 12, available at [http://belyemedvedi.ru/downloads/documents/pb\\_strategy\\_eng.pdf](http://belyemedvedi.ru/downloads/documents/pb_strategy_eng.pdf).

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