

# News

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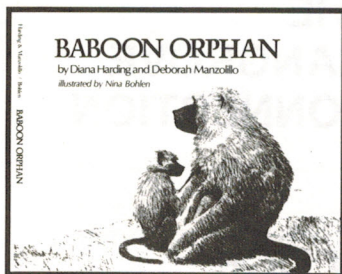
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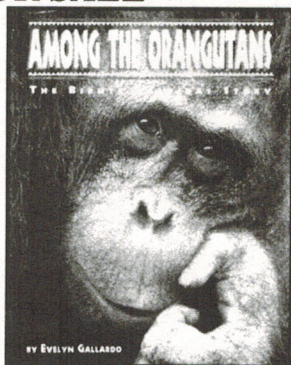
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# BLOCK GETS 13 MONTH JAIL TERM - BUT CELL IS EMPTY

The two-day sentencing hearing in the "Bangkok Six" orangutan case took place on 15-16 April 1993. It ended up with Matthew Block getting a jail term of 13 months, 3 years of supervised release, and a \$30,000 fine for what must certainly be "The Crime of the Century" against animals.

## Background

As long-term members know, six baby orangutans were confiscated on Bangkok Airport on 20 February 1990. They had been stuffed into crates labelled "Birds" and loaded on a Thai airways flight from Singapore to Bangkok. A German animal dealer named Kurt Schafer served as "courier" and was planning to accompany the shipment, which also included two siamang gibbons, to the Belgrade Zoo in Yugoslavia which would keep the two siamangs as its reward for forwarding the orangutans to Moscow.

The orangutans had been drugged to keep them quite but, during a transit stop in Bangkok, some of the babies began to cry, and Thai authorities x-rayed the crates, found the orangutans and siamangs, and confiscated them. Leonie Vejjajiva phoned IPPL as soon as the animals were confiscated, and we offered funds for pediatric care from a human doctor for the human-like babies.

IPPL joined with our friends at the Orangutan Foundation and sent experienced orangutan caregiver Dianne Taylor-Snow to Bangkok immediately to help Leonie Vejjajiva, who was taking care of four of the babies. Margaret Himathongkom took care of two.

Shortly afterwards, IPPL learned from Khun Boonlerd Angsirijinda, Thailand's wonderful wildlife chief who died in 1992, that an animal dealer with the German-sounding name "Schafer" was involved, and at once contacted the German government for help.

A senior German wildlife official provided IPPL with information about the identities of the smuggling gang, as well as relevant documents. These names included that of the well-known Miami animal dealer Matthew Block. IPPL handed the evidence to the US Fish and Wildlife Service Division of Law Enforcement. In the past IPPL had drawn cases to this agency's attention, and waited and waited. Nothing was ever done, so this time we decided to monitor subsequent events more closely.

## IPPL Role

IPPL has now monitored the orangutan case for over 3 years. IPPL Chairwoman Shirley McGreal faced a spurious lawsuit from the Miami suspect, during which he took the 5th Amendment against self-incrimination no less than 49 times, including on all documents pertaining to the US Fish and Wildlife Service. Amazingly, this unprecedented Fifth Amendment posture was tolerated by a Miami judge and magistrate.

IPPL also formed a working relationship with Kurt Schafer, who provided valuable information about the orangutan shipment. US law enforcement authorities tried repeatedly and aggressively to undermine and poison IPPL's working relationship with Mr. Schafer, for an as yet unclear reason.

IPPL members assisted this campaign by writing government officials to demand an investigation of Block's alleged role in the orangutan shipment, which it appeared the government would have much preferred not to undertake at all. In February 1992, two years after the shipment, Shirley McGreal and Dianne Taylor-Snow testified about the slow leak-plagued investigation before a congressional committee. Block was indicted 3 weeks later.

In early November 1992, the US Attorney's office in Miami announced that it had entered into an incredibly weak misdemeanor plea-bargain that would almost certainly have let Block off with probation and a token fine.

IPPL members and friends sent protests to Roberto Martinez, US Attorney for Southern Florida, and to Judge James Kehoe, who had been assigned the orangutan case. At a dramatic 11 December 1992

hearing, Judge Kehoe rejected this plea bargain as "contrary to the public interest" and later Block agreed to plead guilty to one charge of felony conspiracy to violate endangered species legislation. Sentencing was set for 15 April 1993.

## The Sentencing Hearing - 15-16 April 1993

The hearing started off with an incident that could have sabotaged a Dutch police investigation into illegal wildlife trafficking by Dutch nationals (See "Dutch Investigation Exposed," this issue).

On 6 April 1992, prosecutor Guy Lewis had filed a secret motion to delay sentencing. On 15 April 1993, this motion was handed over to Block's lawyer - even though it referred to the scheduled arrest two days later of Kenny Dekker, a Dutch animal dealer and also referred to, and thus exposed, an ongoing Dutch wire-tap of Dekker's phone about which the Dutch had provided information to US authorities, presumably expecting it to be kept confidential.

## The "Cooperation Motion"

Judge Kehoe first raised the question of the government's intention in regard to filing a 5K.1 motion. Such a motion would have been the only way for the government to let Block off with probation, even though he had pled guilty to a serious felony. In the absence of a 5K.1 motion recommending leniency, the judge is bound by the federal sentencing guidelines.

Kehoe told Lewis:

*Your integrity is on the line. You made a deal with this man. If you made a bad one, you will have to chalk it up... Isn't it time to fish or cut bait? What will you do?*

Block's lawyer Michael Metzger explained that the government had promised to submit a 5K.1 "cooperation motion." Lewis explained that the government was not completely satisfied that Block's cooperation was "full and complete." Kehoe chided Lewis:



Thomas, Victim of Trade  
Photo: Dianne Taylor-Snow



*I just thought you would be bound. You have acknowledged 10 times over that he has cooperated.*

However, evaluating "cooperation" is a matter left by law to prosecutors, and therefore the judge stated that he would not hold a hearing that would require the government to file a "cooperation motion."

At a later point in the hearing, the "cooperation" question came up again, and Judge Kehoe sought Metzger's opinion:

*Do I have the option to say I am going to enforce a 5K-1?*

Metzger informed the judge that he did indeed have such an option since a plea bargain is a "contract to which the Government is bound." However, the judge did not attempt to force the government to file a "cooperation motion," but encouraged Metzger to appeal to a higher court.

## The Value of Orangutans

The first issue discussed in detail was the value of the orangutans because the value of contraband is a major factor in sentencing. The higher the value, the longer the jail term and the higher the fine.

Dr. Terry Maple, Director of Atlanta Zoo, testified that orangutans are priceless but that, to the extent that one could place a monetary value on them, they would be worth \$40,-50,000. Maple explained that the wild orangutan population now numbers only around 32,000.

On cross-examination, Metzger drew Maple's attention to testimony provided to the Grand Jury that indicted Block by Special Agent Terence English of the Division of Law Enforcement of the US Fish and Wildlife Service. English had given the grand jury a low value of \$10-15,000 per animal even though he could easily have obtained more accurate information.

Metzger also noted that prosecutor had agreed in the rejected initial misdemeanor plea bargain that all six orangutans were worth less than \$10,000 on the blackmarket. However, federal sentencing guidelines state that the value of smuggled items depends on the market or retail value.

Metzger also produced what he said was a contract between the Russian firm Prodintorg and a Thai company called "Nipon Sawciande" (Nipon is a Thai name, Sawciande is not). The actual document referred to a deal in "monkeys," but contains the word "orangutans" in an addendum. The document was signed in illegible scribble by just the Russian side. There were no witnesses' signatures.

In a sworn affidavit dated 24 June 1993, Leonie Vejajiva stated that the Bangkok sub-soi (street) listed on the document (Sukhumvit Road 55, Soi 201, 10500, Bangkok) apparently does not exist, and that Sukhumvit Road 55 is in postal district 10110.

The document contained a price of \$57,915 for an unspecified number of "monkeys," which an addendum described as six orangutans. Orangutans are not monkeys but apes. Lewis protested that the purported contract was not an authenticated case document, but the hearing proceeded just as if it were a genuine document.

Special Agent Jorge Picon of the US Fish and Wildlife Service Division of Law Enforcement also testified about the value of orangutans. Picon testified that orangutans are worth \$30-50,000, which was closer to the correct market value. However, Picon then went on to make a nonsensical statement to the effect that siamangs (the shipment included 2 siamangs) are worth \$35,000.

Metzger thoroughly enjoyed himself ridiculing and shredding Picon, producing records of zoo sales of siamangs for \$2,000 and less ("\$34,500 less than your valuation," he commented sarcastically of one zoo sale).

Metzger moved to "strike" Picon's testimony, claiming that he was clearly "not competent to give any expert testimony concerning

the price of animals" and that "he does not know jack about the price of animals."

IPPL finds it appalling that Picon was so unprepared at the hearing and that he had failed to do what Metzger had done, i.e. do his homework and study zoo surplus lists for siamangs. However, Picon had accepted Block's leadership in targeting individuals for "stings," and the pair had executed them together, so it seems ungrateful of Metzger to have cruelly humiliated Agent Picon.

During the second day of the hearing, Metzger told Judge Kehoe that, although he found Picon amiable:

*The weight his testimony is entitled to could only be measured in nanograms. (A nanogram is one billionth of a gram).*

Judge Kehoe made a finding that the orangutans were worth \$30,000 each. However, Metzger was cleverly able to get this low-end price halved. He called Matthew Block to the witness stand and asked Prosecutor Guy Lewis whether the Government would stipulate that Block was an "expert" on the price of orangutans. Lewis, apparently anxious to get the hearing over with, agreed:

*If we can proceed straight to it, I have no objection to his qualifications.*

Thus the government had accepted a criminal defendant as his own "expert witness" on the price of the goods he smuggled. Such an action would be unlikely if this had been a narcotics case, not a wildlife case. Block said that orangutans were available in Asia for \$2-3,000. Judge Kehoe asked, "Where?" and Block answered,

*The question is where, because these animals do not enter the United States, and that makes a difference. It would be like comparing cocaine.*

Block went on to say that he had seen orangutans for sale in Thailand "two or three years ago for approximately four thousand dollars."

Lewis did not cross-examine Block. After hearing Block's testimony, Judge Kehoe made a stunning announcement:

*I am going to adopt this and the testimony of Mr. English as I understand it before the Grand Jury, and place the value at \$15,000.*

## The Missing Witness

The problem of placing an accurate value on orangutans could have been greatly simplified if Miami animal dealer Bernie Levine had been summoned as an expert witness and if his orangutans sales records were subpoenaed. Levine has a collection of zoo surplus orangutans which he breeds, selling or leasing the babies, often to entertainers. Levine may be the only person in the country selling orangutans and he is right there in Miami.

Pop singer Michael Jackson's trainer Bob Dunn recently told IPPL that Jackson paid over \$30,000 for each of two hybrid orangutans he acquired some months ago (pure-bred orangutans are more valuable than hybrids which are crosses between Bornean and Sumatran orangutans). By not subpoenaing Levine, the government was, for an unclear reason, tying its own hands behind its back.

Although Levine is a long-term close friend of Block, and has been a partner in some of Block's businesses, he could certainly have provided expert testimony on the price of baby orangutans born at his facility.

## The Missing Documents

IPPL had also provided Lewis by fax and by mail with two



documents pertaining to sales of orangutans. Both are reproduced on this page. One was a mid-trade invoice showing that a Thai dealer operating a phony "zoo" in Cambodia had sold a baby orangutan for \$15,000. The other was an invoice for a lease-sale agreement for an orangutan acquired by a US entertainer. The 5-year lease cost was \$15,000, with the orangutan to be returned after 5 years. A payment of \$20,000 would be due if the animal died, making the value \$35,000. There was no mention of either of these documents at the hearing.

## Picon's Doubts

Picon also expressed his doubts about the value of Block's cooperation, noting he felt that Block "knows more than what he would like to share with the government," in regard not just to the names of other participants in the "Bangkok Six" case but also in regard to other matters. Picon commented:

*The wealth of information that he has on the illegal trade and the legal trade is just unbelievable.*

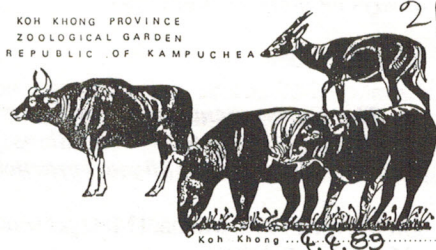
Picon also noted that he had not seen the supposed "contract" till that day.

## Dispute over two documents

Considerable time was taken up discussing the authenticity of a basic case document, which appeared in two forms. The document consisted of instructions for handling the orangutan shipment.

One version had been provided by Kurt Schafer to the German

KOH KHONG PROVINCE  
ZOOLOGICAL GARDEN  
PEOPLE REPUBLIC OF KAMPUCHEA



M.G.O.

NEUWIED

## INVOICE

1 - 0 ORANG-UTAN . . . 15.500 US \$

Received today 4.4.89  
deposit 7.000 US \$

KHAM DINH UENG  
[Signature]

Government, which kept it in the office safe until it was formally handed to the US Government in October 1991. The German Government had earlier provided a copy of this document to IPPL.

A longer and far less damning version of this document was produced by the Block camp, containing all the same words but with many more words in-between. Two document examiners, one a government examiner, the other a private examiner hired by Block, stated that one of the documents was authentic, and the other a "fake," but they did not agree as to which one was a fake! The discussion dragged on for hours.

## Talking in Code

Alleged "coded" contacts between Block and Dekker were also discussed, as they had made the government suspicious that Block was not being completely honest with them over his dealings with Dekker. This had been a major factor in the government's non-issuance of the "cooperation motion."

Block admitted that he and Dekker talked in code, because he had agreed with the government to "continue to act in a normal manner vis-a-vis Mr. Dekker." Apparently talking in code was the pair's normal practice.

Many animal smugglers communicate in complex codes: the Thai dealer Kampang used the term "big red bird" for orangutans in one telex. IPPL has learned that animal smugglers active in Thailand used as their code a particular Thai-English dictionary. For example, if one dealer said "39-12," the other dealer would look in the dictionary for the 12th word on Page 39.

## Government Fears Promises will be Broken

Metzger also asked Block whether he intended to "renege on your promise to testify truthfully for the government in those cases." Metzger was referring to the "Mexican gorilla" and Jacksonville "birds' egg sting" cases, (see "Update on Stings," this issue). Block responded:

*I have told the Government from Day 1 when we started cooperating that when I give my word I give my word. I will*



pet farm, Inc.

5400 N.W. 84th Avenue, Miami, Florida 33166 • Phone (305) 592-9313  
cable: petfarm

March 20, 1985

Agreement between Pet Farm Inc. of Miami, Florida and Gary Gero representing Wings Wildlife Productions, Inc. of El Toro, California.

Pet Farm Inc. agrees to lease one 33 month old female Orangutan to Gary Gero for the sum of \$15,000.00.

The above Orangutan will be held on U.S.D.I. permit #PRT 689361 and U.S.D.A. permit #93-C-278 issued to Gary Gero and/or Wings Wildlife Productions Inc. for a period of five years from the date of the Orangutan's arrival at Los Angeles, California. At the conclusion of this five year period the Orangutan will be returned to Pet Farm Inc. in Miami, freight prepaid.

Gary Gero will assume complete responsibility and liability for said Orangutan from the time of the Orangutan's departure from Miami in transit to his facility at Universal Studio, Universal City, California.

Gary Gero will maintain the health and well being of said Orangutan in a manner equal to or exceeding the standards set by the U.S.D.I. and the U.S.D.A. as well as the regulations set by the State of California. All of Mr. Gero's activities including but not limited to the exhibition and utilization in films shall be in conformity with applicable laws and regulations of the U.S.D.I. and the U.S.D.A. and the laws and regulations of the State of California.

Gary Gero agrees to insure the life of said Orangutan for the sum of \$10,000.00. If the Orangutan should die or be so injured as to interfere with its breeding capabilities during said five year period while in the possession of Gary Gero, Mr. Gero agrees to pay Pet Farm Inc. the sum of \$20,000.00.

During said five year period while the Orangutan is in the possession of Gary Gero, Mr. Gero agrees not to remove said Orangutan from the continental United States without the written permission of Pet Farm Inc.

Pet Farm Inc. agrees to give Mr. Gero right of first refusal should the Orangutan be offered for sale during the five year period. *And for 2 years after this 5-year period*

In Witness Whereof the parties hereto have hereunto set their hands and seals this 21st day of March, 1985.

Attesting for Wings Wildlife Productions, Inc.  
GARY GERO  
25191 Rivendell  
El Toro, CA 92630

Attesting for Pet Farm Inc.

*[Signature]*  
BERN H. LEVINE, D.V.M.

Witness

Witness

GARY GERO, personally

Witness

Witness



*always be there to cooperate.*

Metzger added:

***The Government has no evidence that the defendant would fail to live up to his obligations. That is as phony as anything I have seen in 30 years practicing law, that excuse.***

On 28 April 1993, Michael Metzger sent a 6-page letter to Lewis in which he stated that:

***You have breached your contract with Mr. Block. Mr. Block has no obligations to continue to perform his obligations to you...Until you perform your part of the agreement (voluntarily or involuntarily) you can be absolutely sure that I shall instruct Mr. Block to discontinue all contact and cooperation with you...You are directed not to communicate with Mr. Block.***

## Commercial Value/Pecuniary Gain

Under federal sentencing guidelines, there is a 2-point increase in the sentencing score if a transaction is considered "commercial" in nature. Metzger had the challenge of proving to Judge Kehoe that his client's role in a sordid commercial transaction was neither directly nor indirectly commercial, and he succeeded.

Metzger argued that others would be making money off the orangutan deal, and that Block's role had merely been "putting the Russians, who are interested in orangutans, together with Mr. Dekker" and that Block only got involved to "assist the Russians." Judge Kehoe asked:

***But it involved a commercial purpose, didn't it?***

To which Metzger responded:

***Not his...If I give away drugs, I may be violating the law, but the law does recognize the distinction...He was doing an accommodation here. He was not going to get anything out of it except maybe some good will. Good will is not subject to pecuniary gain here.***

Kehoe, convinced, announced:

***I am ready to rule. It is the judgment of the court that the base offense level should not be adjusted upward because of the pecuniary gain or for commercial purpose.***

Lewis commented that, "The conspiracy here involved a commercial purpose." (Under US law, all members of a conspiracy are held responsible for the acts of all the other conspirators). However, Kehoe cut him off, stating:

***I have ruled. Thank you.***

## Managerial Role

Criminals who play a managerial role in conspiracies get a 3-point increase in their sentencing score. The probation officer had recommended that this increase be applied. Metzger questioned Block about his role. Block said that his role was limited to introducing Dekker to the Russians and passing "a few messages." Kehoe, unconvinced, ruled that Block did play a managerial role.

## Obstruction

The Federal Sentencing Guidelines (1993) call for an increase

## STATEMENT OF KURT SCHAFER

I, Kurt Schafer, hereby make the following statement, of my own free will, and not having been paid for such statement, or having such statement gotten by force of threat:

That in relation to six Orangutans and two Siamang/Gibbons which were confiscated in Bangkok, Thailand in February of 1990, I state the following:-

1) I was not solicited by Mr. Matthew Block, or anyone else from Worldwide Primates to supply, sell, transport, capture, ship, carry, buy, sell, smuggle, or for that matter to conduct any other activity with the above mentioned species.

2) Matthew Block did not act as "ringleader" or "organiser" for this shipment of six Orangutans and two Siamang/Gibbons, in fact Mr. Block had no knowledge at all that these animals were to be shipped illegally from Singapore.

3) The contract from Soviet Union was not issued to Matthew Block, but rather it was held by a Thailand based company. This contract was for several species of wildlife.

4) Mr. Block did ask that I arrange the legal shipment of albino primates from Thailand, which were covered under same contract number, as well as some birds from Singapore, both these were non appendix, or appendix II species, and Mr. Block always required the legal and authentic documentation accompany any shipment.

Once again, to state, Matthew Block did not conspire with me, or anyone else to the best of my knowledge, to illegally ship, carry, transport, buy, or sell, in international commerce, any of the above mentioned Orangutans or Siamang/Gibbons at any time. Matthew Block had no knowledge of any illegal acts committed or to be committed with such wildlife, and in fact warned me that any transaction with Soviet Union for the albino primates, end birds must be carried out in a legal manner.

To the best of my knowledge Matthew Block has never has contact with Mr. Lee of Singapore.

I hereby swear that all statements made are true to the best of my knowledge and belief.

Kurt Schafer

Signed at \_\_\_\_\_ This \_\_\_\_\_ day of \_\_\_\_\_ 1991

Witness

of 2 points if a criminal has attempted to obstruct justice. "Obstruction" is defined as, among other things:

\* threatening or intimidating witnesses or co-defendants or attempting to do so,

\* committing, suborning or attempting to suborn perjury,

\* destroying or concealing evidence.

The probation officer reported on Block's attempts to get Kurt Schafer to sign two "statements," which Lewis described as affidavits, exonerating Block. One of the two documents is reproduced on this page so that readers can evaluate the truthfulness of its contents. Block admitted familiarity with the two documents, but Metzger claimed that they were just "drafts."

Judge Kehoe, growing impatient, commented:

***Let me see if I can cut this short. We have a paper here. It's unsigned. It's unexecuted, It's un-anything. What is the contention?***

Lewis alleged that the purpose of the affidavit was "to show the government that the defendant was not involved in this offense." Kehoe then made his decision:

***I officiated football for 30 years. Touchdown. I will not increase the offense level because of testimony before the court with reference to obstruction of justice.***

No mention was made by Lewis of the years of harassment endured by so many people associated with the orangutan case.



## Acceptance of Responsibility

A criminal defendant who "clearly demonstrates acceptance of responsibility for his offense" may have his sentence reduced by 2 points. Such "acceptance of responsibility" is supposed to be "timely." Even though he had a motion by Block to withdraw his "Guilty Plea" on his desk, Kehoe nonetheless gave Block his 2-point deduction.

## Character Witnesses Appear

In US criminal cases, friends and family members can testify about the virtues of the defendant. The testimony of family members is usually given little weight, because they are not considered objective. Block's sister-in-law and a veterinarian testified about Block's purported deep love for monkeys.

Block's lawyer Paul Bass testified that he had represented Block since Block was just 13 years old and claimed that Block is a "religious person." Bass called for probation, alleging that Block was "double-crossed" by the government.

## Request for Permission to carry gun

Block's lawyer David Russell asked that Block be given permission to carry a weapon because of a purported threat from "Mr. Dekker or Mr. Dekker's son." Russell noted that Block already had a "concealed weapon permit." He also asked that Block be given a sentence at the low end of the range because:

*This is a non-violent crime. It involves animals.*

It is appalling that a crime that caused the deaths of four baby orangutans and appalling suffering to all six babies, and the almost-certain deaths of at least six mothers shot to bring them into captivity, should be considered a "non-violent crime," just because its victims were animals. Several of the baby orangutans died miserable deaths as the result of their horrible ordeal, including all three babies who had been shipped upside-down.

## Final Score

When the sentencing points were added up, Block was left with just 13 points: 6 for the basic offense, 6 for "value" and 3 for "managerial role," with a 2-point deduction for "acceptance of responsibility." Alan Chaset, an independent sentencing consultant

retained to evaluate the orangutan case, scored 22-27 points, more than enough to earn Block the maximum jail term of 5 years.

Metzger commented that any score above Level 12 means a mandatory jail sentence, and then made a suggestion to Judge Kehoe:

*How would you get to the next level down which should be Level 12...which would give you flexibility...You valued the animals...(at) \$90,000. If you make that finding \$70,000, not \$70,000 and one cent, anything over \$70,000 it says we would not be able to be in level 12. That would reduce it one level if you found \$70,000. It is very simple. It is a form of legerdemain. If Your Honor would reassess your finding and find the value to be \$70,000...I ask you to do that.*

Judge Kehoe asked Lewis for his comment and he stated that:

*I think they are worth more than \$70,000.*

Kehoe declined to engage in "legerdemain" and refused to knock the price down any further. The **Random House Dictionary** defines "legerdemain" as "magic," "deception," "trickery," or "sleight of hand." At that point the sentencing score was 13, and the mandated guidelines jail sentence was 12-18 months, and the fine range was \$3,000 to \$30,000. Because the government had not filed a 5K.1 motion, Judge Kehoe could not have let Block off with probation.

Instead, he gave Block a 13-month sentence, at the lower end of the range, possibly because he may have felt that the government had unfairly denied Block his 5K.1 motion. The jail term was to be followed by 3 years of "supervised release."

Kehoe gave Block a \$30,000 fine, the top of the range but less than the value of one orangutan and, in view of what Block was probably spending on lawyers' bills, likely to be "pocket change."

Russell next presented a motion asking that Block serve his jail sentence at either the Miami Correctional Camp or the Eglin Air Force Base prison. This motion was granted. These facilities are considered by prisoners to be very desirable and comfortable places to serve out their sentences. Far more comfortable than the tiny unventilated crates in which the hapless baby orangutans were shipped.

However, Matthew Block's jail cell is still empty and it is likely to remain that way for a long time, if not for ever, because various appeals have been filed, and deals may yet be cut.

## IPPL NEWSLETTER ARTICLE LEADS TO MAJOR VICTORY!

The August 1992 issue of **IPPL News** carried a report by a wonderful IPPL eco-detective team on the wildlife trade in Vietnam.

We are pleased to report that our entire article was published in the 8 November 1992 issue of **Vietnam News Sunday**.

On 21 October 1992, Professor Ha Dinh Duc of the Faculty of Biology at the University of Hanoi submitted a petition to Mr. Vo Van Kiet, Prime Minister of Vietnam, expressing his concern at what he called "the brutal trade which is currently being conducted in some of Vietnam's most threatened animal species."

On 13 November 1992, following receipt of Professor Ha Dinh Duc's petition, the Prime Minister's Office issued a directive to the

relevant government ministries asking that the situation be investigated and controlled. The directive stated that a complete stop must be made to the hunting and trade of protected species. Clearly, it will take some time to bring a final end to the sale of wildlife on Vietnam's markets, but this is a promising first step.

The conditions of the trade at Vietnam's wildlife markets, as revealed by the IPPL eco-detectives, are so appalling that no animal, **endangered or common, wild or domestic**, should be subjected to them.

IPPL congratulates Professor Ha Dinh Duc on his concern for the wildlife of Vietnam and on the initial success of his petition.



# MICHAEL METZGER INVITES JUDGE KEHOE FOR A BEER!

Michael Metzger, a California attorney currently representing Matthew Block, has prepared a 2-inch thick volume in which he complains bitterly about the mistreatment he alleges that his client received at the hands of the US Government. The huge tome is titled "Scent of a Prosecutor" and carries the subtitle, "A Spellbinding tale of dishonest federal prosecutors Making Snitches and then breaking solemn promises."

The cover page (bottom left) is a color photo of Metzger holding a baby orangutan, reportedly at a Florida facility. Page 2 consists of a posed portrait of Metzger. The tome is being distributed at lawyers' conferences around the country. Metzger has also taken out full-page ads headed "Scent of a Prosecutor" in legal newspapers.

Each section of Metzger's tome is separated by a bright purple divider. The cover of one section bears the heading "At End of Sentencing Hearing, Judge Gives Private Compliment to Mad Dog."

On 19 April, Metzger sent a letter to Judge James Kehoe, which he marks as "Private non-Official." Extracts from the letter follow:

*Speaking on a more personal level, let me take this opportunity to thank you from the bottom of my heart for your very kind comments at the close of the Block hearings... When I said that you reminded me of General Schwarzkopf, both intellectually and attitudinally, I meant it. I still mean it. If you ever decide to organize an army or start a new country I would be deeply honored to follow you through hell or high water.*

*Since it is unlikely in the extreme (indeed impossible) that I will appear before you in any other matter and since the Block case is now on its way to the circuit court, I feel no reticence in openly expressing my admiration for the fair and impartial way that you conducted these proceedings, a practice that is not all that common in federal court these*

*days...*

*In closing, at the risk of redundancy, I want to say that it was my extreme pleasure to have had the opportunity to appear before you. If there is ever anything I can do for you, consistent with the Canons of Ethics and the protocols that we must live under, please be assured that I am at your service and will remain so from now until Hell freezes over.*

*Thank you for everything. It is with deep respect, admiration and affection that I wish you a long, happy, healthy and prosperous life.*

*If ever you actually retire from the bench, thus eliminating the artificial barriers that stand between judges and lawyers, I hope you will grant me a social visit, either here in the beautiful Napa Valley or in Miami. For that matter, I would go to Jerkwater, Kansas, for a beer or two.*

In his tome, Metzger savagely attacks Jon Sale and Ben Kuehne, the Miami lawyers who had previously represented Block. Metzger alleges that Sale and Kuehne sold their client "down the river" and accuses them of providing "grossly ineffective assistance to Block." Jon Sale is now trying to become a federal judge. In a memo included in Metzger's volume, Miami prosecutor Guy Lewis says that he was told by Metzger that:

*The Sonnett Sale and Kuehne firm was ineffective and he would have something to say to the Senator and Janet Reno (Reno is the United States Attorney-General and has a say in selection of judges as do Florida senators) about Sale's applying to be a judge. Sale and Kuehne had dropped the ball.*

In fact, another document in Metzger's huge volume, a sworn "Declaration of Matthew Block" dated 7 April 1993 shows that Block's then defense lawyers (presumably Sale and Kuehne) had gone so far as to hold a meeting with the US Attorney for Miami, Roberto Martinez, following rejection of the initial misdemeanor plea-bargain in December 1992. According to their client, the two lawyers lobbied Martinez for replacement of the felony charges by misdemeanors.

Obviously, a busy US Attorney is a crime-ridden community, cannot find time to hold meetings with every one of the thousands of lawyers wanting to intercede with him on behalf of preferred clients, and it thus appears that Sale and Kuehne had actually bent over backwards to help their client stay out of jail.

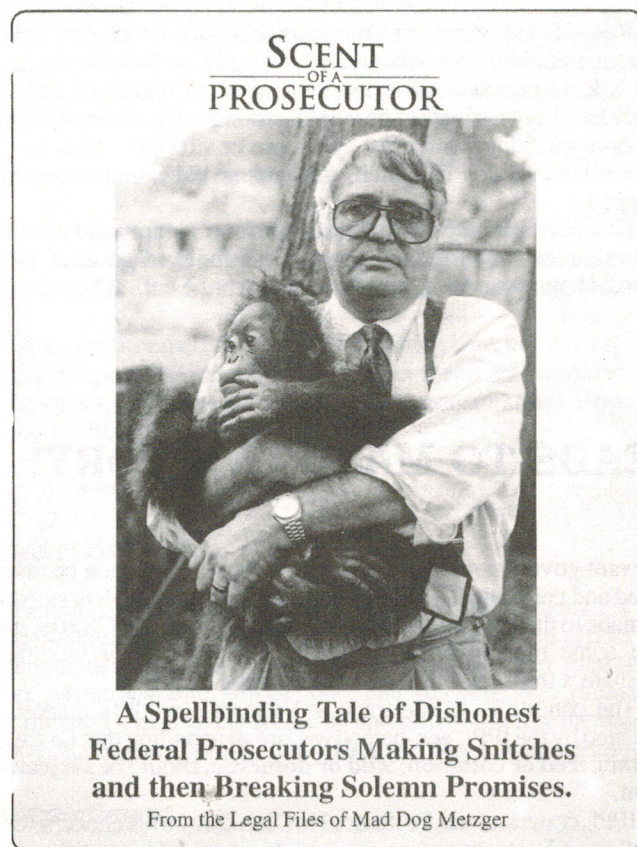
Other court documents show that, contrary to Metzger's claim, the government may not have made a "snitch" of Matthew Block, as he claims in several documents that he already was an informant.

In the "Statement of the Facts and Acceptance of Responsibility of Matthew J. Block," Jon Sale states that:

*We also want to make it abundantly clear that Matthew Block has cooperated with the government in matters prior to and independent of his plea agreement with the government.*

Specific instances were referred to, including:

*He has informed local game officials of possible illegal trading in monkeys without permits...(He) alerted the Centers for Disease Control to a questionable shipment of primates going to Texas, which resulted in the seizure of the shipment. As a result of information provided by Block (in the mid-80s) James Erickson was indicted on a multi-count indictment, together with a number of other individuals...Erickson pleaded guilty...Block fully cooperated and testified before a grand jury in Virginia.*





## HEROES OF THE "BANGKOK SIX"

IPPL has learned that the wildlife officials involved in the "Bangkok Six" case have been praising the US Attorney's office and that the US Attorney's office has incredibly written a commendation of the wildlife agents. IPPL sees no "heroes" on the government side. We have seen procrastination, lack of concern for witness safety, government hostility, and constant leaks. We'd like to introduce you to some of the real heroes.



**Prince Philip...**  
*constant encouragement*

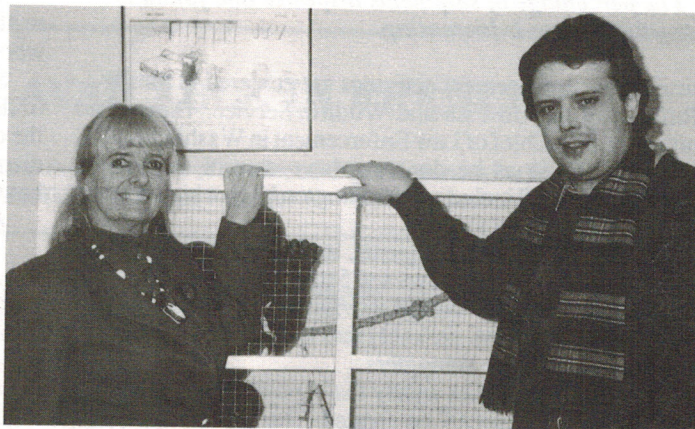


**Leonie Vejajiva...**  
*faced threats  
and midnight phone-calls...*



**Dr. Rainer Blanke...**  
*started it all*

**Shirley McGreal and Kurt Schafer...**  
*a partnership government officials tried to break...  
but why?*



**Dianne Taylor-Snow**  
*caring for the babies...  
testified at sentencing*



**Marjorie Doggett...**  
*working the Singapore  
end*



**Peter Van de Bunt...**  
*persistence in Germany*



**Cathy Liss...**  
*testified at sentencing*



*in Miami as house pets.*

This was absolute nonsense as IPPL never made any such statement.

### "I Would Take it"

Discussion turned to use of orangutans in medical research. IPPL knows of no invasive biomedical research conducted on orangutans. Chambers commented however that:

*If there were one orangutan left on this earth and it was in (Atlanta Zoo), and my child needed an organ from that orangutan, I would take it.*

Chambers did not specify how he would "take" the orangutan from Atlanta Zoo. Dr. Terry Maple, Director of Atlanta Zoo, is a huge man compared by many to a silverback gorilla! Presumably, Chambers would also "take" the last mountain gorilla! In fact, orangutans have never been used in organ transplantation experiments. They are further removed from humans genetically than chimpanzees who have been used, very infrequently and unsuccessfully to date, in transplant surgery.

### Private Knowledge

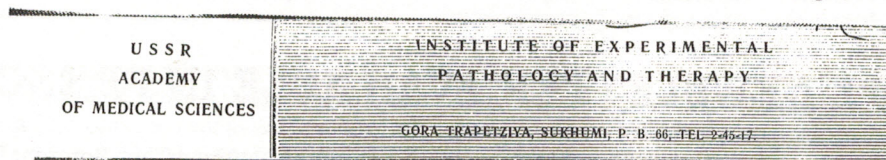
Metzger then asked, "How often are orangutans used in medical research?" Chambers responded:

*In the Soviet Union they are quite interested in orangutans for medical research based on private knowledge that I have, that probably is not available to the other parties. The reason Russia wanted these six orangutans, and I have contacts with the former USSR primate center, was to do AIDS research. So they were very interested in using the orangutans in AIDS research.*

The only large primate center in the Soviet Union was Sukhumi which owned thousands of primates, and which no longer exists due to civil strife. Most of the Sukhumi primates were reportedly killed. Sukhumi was headed by Dr. Boris Lapin who oversaw all primate research in the Soviet Union.

### Dr. Lapin's letter

Dr. Lapin also controlled all importation of research primates to the Soviet Union and, to the best of IPPL's knowledge, was always scrupulous about primate acquisitions. In 1988 IPPL Chairwoman Shirley McGreal contacted Dr. Lapin about a chimpanzee importation to the Soviet Union. Dr. Lapin's reply is reproduced on this



Shirley McGreal, Chairwoman  
The International Primate  
Protection League  
PO Drawer 766  
Summerville  
SC 29484, USA

December 30, 1988

Dear Dr McGreal,

According to your letter I'd like to inform you once more that we do not plan to use chimpanzees neither for AIDS experiments nor for some other research in the field of medicine. We have got very few animals. All of them were born in captivity and are used only for behavioural studies and also for exhibition in our Demonstration Department. Sukhumi and Leningrad are the only places in the USSR where such animals are kept in research institutions. Most of these animals as well as their ancestors were born in captivity many years ago (very few were imported long ago as well).

As far as the Ministry of Foreign Trade of the USSR is concerned it doesn't buy any primates without approval of the All Union Commission on Biomedical Investigations in Primates (at the Presidium of the USSR Academy of Medical Sciences). As a chairman of this Commission I have never signed licenses for buying animals (chimps in particular) from the wild. Such animals as chimps are kept in Zoo and are supplied there on the basis of inter-Zoo exchange.

As for the membership in the Convention on International Trade in Endangered Species I am not responsible for it, but I shall try to check this matter.

I shall get in touch with you once more after I clear out the situation.

Sincerely,

Prof. Boris A. Lapin  
Director of the Institute  
Chairman of the Commission  
on Biomedical Investigations in Primates



page. It was written just 11 months before the first effort to ship the six infant orangutans.

IPPL finds it hard to believe that Dr. Lapin would, just a few months later, have solicited or authorized importation of blackmarket orangutans for any purpose.

Metzger went on to ask, "Other than this one, how often are orangutans used in medical research?" Chambers answered that orangutans are constantly watched in captive settings "for behavioral patterns" and for "their medical responses for medical treatments."

## Beyond Question?

Metzger then stated that:

*It's beyond question that the Russians in this case were interested in the orangutans not to give them LSD to see if they had bad trips, but for AIDS research... Aren't these same animals used at Yerkes... Aren't they used at the institution that you mentioned here in Miami?*

Chambers responded that:

*There are several primate centers throughout the country, in Washington and Louisiana and Texas.*

However, none of these facilities owns orangutans. The only primate center in the United States that has owned orangutans is the Yerkes Primate Center, Atlanta, Georgia, USA, whose **Annual Reports** reveal no AIDS studies involving orangutans and indeed no invasive research of any nature involving orangutans.

IPPL therefore does not consider it "beyond question" that the "Bangkok Six" orangutans were headed for AIDS research. Small numbers of chimpanzees, mostly captive-born, have been used in AIDS research.

Unfortunately, prosecutor Guy Lewis failed to cross-examine Chambers about his "private knowledge" that was "probably not available to other parties." It also appears that Lewis did not take advantage of Chamber's inside knowledge and his presence in Miami to subpoena him for a grand jury appearance, at which he could have provided evidence that could have led to the indictment of the mysterious "Russian" conspirators.

## Chambers Writes to Janet Reno

On 16 April 1993, the day after he testified in Miami, Charles Chambers sent a letter to US Attorney General Janet Reno. The letter was on the letterhead of the "American Foundation for Biological Sciences," which is described on its letterhead as "devoted to the support of the scientific, educational and public service programs of the American Institute of Biological Sciences."

Chambers told Reno that:

*We are now a non-profit federation of 50 scientific societies, laboratories, and museums devoted to research and education...and represent the interests of some 80,000 biologists nationwide.*

Chambers went on to attack Miami prosecutor Lewis for not issuing a 5K.1 ("cooperation") motion to Matthew Block, telling Reno that:

*I have it on good authority that the six orangutans involved in this prosecution were originally purchased by the former Soviet government for their own AIDS research efforts.*

Chambers did not name his "good authority," but expressed his concern that Lewis' action in not giving Block his 5K.1 motion might be "reflecting a shift in the administration's policy hostile to their clients' expectations" in regard to AIDS research.

As noted, no Russians have been indicted yet in the "Bangkok Six" case. Whoever placed the order for blackmarket animals clearly bore a major part of the responsibility for the illegal orangutan shipment and should be prosecuted as should any Russian middlemen. Even if these people are scientists, they should be indicted in Miami as "conspirators," just as Singapore, Yugoslav and Dutch conspirators were indicted. **Scientists are not, and should not be, "above the law" and most of them have no desire to be.**

If the orangutans were not intended for use in AIDS research, and Lapin's letter suggests that they may not have been, the claim that they were so intended (which did not appear until 3 years after the shipment took place and followed an earlier highly-publicized claim by Lewis that the KGB wanted them, possibly for biological warfare research) could be viewed as a cynical ploy to make an illegal and morally unacceptable act - orangutan smuggling - somehow more palatable, and the criminals involved somehow more sympathetic, because of their "humanitarian" goals.

## IPPL Contacts Chambers

IPPL has contacted Dr. Chambers asking him to "name names" and suggesting that he offer to identify to a grand jury any Russians involved in the "Bangkok Six" orangutan shipment. IPPL has also asked him to clarify whether his constituency of museums, professional associations and individual biologists was consulted before he sent his letter to Janet Reno. In fact, most biologists are profoundly concerned over the world's loss of biological diversity and fight hard to preserve even the least-known, seemingly unimportant species.

IPPL believes it essential that the question of the final destination of the orangutans be resolved, because we are concerned that smugglers caught in possession of other endangered primate species, **even lowland or mountain gorillas**, might in future try to get off lightly by claiming that the animals were going to AIDS research.

## WHAT YOU CAN DO

Please contact the Honorable Janet Reno, Attorney-General of the United States, US Department of Justice, Constitution Avenue and 10th Street, NW, Washington DC 20530, and tell her that you strongly support strict enforcement of international wildlife laws. Tell Ms Reno that you are following with interest the "Bangkok Six" orangutan smuggling case in Miami and that you are very concerned that none of the Russian participants in the deal, including the Prodintorg Company and the final buyer, have been indicted on conspiracy charges yet.

Please tell Ms Reno that you are aware that Dr. Charles Chambers of the American Foundation for Biological Sciences sent her a letter dated 16 April 1993 in which he claimed to have personal knowledge of the Russian role in the illegal deal and that he also testified that he had such knowledge at the sentencing hearing in the orangutan case. Request that follow-up enquiries be made of Dr. Chambers and that the Justice Department take immediate action to identify and indict all Russian conspirators in the "Bangkok Six" orangutan deal.

If you are a supporter of the American Foundation for Biological Sciences, please note this in your letter and emphasize your strong support for enforcement of wildlife laws.



# STRANGE-GOINGS ON

## Uganda

On 25 August 1990, a strange message reached IPPL Headquarters by fax from Uganda. The writer, who identified himself as "Mr. B. Joo," claimed to be "involved in a small but well-connected group of persons who take a serious interest in conservation" and who "had been advised that IPPL is a main information source involving primate exports."

"Mr. B. Joo" asked IPPL's opinion of various international primate traffickers, and requested an urgent reply "by Monday evening Uganda time" as a "meeting" was scheduled. IPPL was to reply "via the Uganda telecom office at above number." This enquiry sounded highly suspect to IPPL.

A senior official of the Government of Uganda later informed IPPL that "Mr. B. Joo" was an alias for a Florida animal dealer active in East Africa!

## Thailand

On 19 November 1992, a very weak misdemeanor plea-bargain in the "Bangkok Six" orangutan case was announced by the US Attorney's office in Miami. At 1 a.m. on 20 November, Leonie Vejjajiva of the Wildlife Rescue Foundation of Thailand, who had been very active in unravelling the crime, was fast asleep when her phone rang.

According to Ms Vejjajiva's sworn affidavit, her two callers identified themselves as the well-known Thai dealer Daeng and his close associate, the Dutch dealer Dekker. The men told Ms Vejjajiva that they were celebrating Matthew Block's "winning his case in Miami."

According to Ms Vejjajiva, the man identifying himself as Dekker swore at Leonie in gutter language. The man identifying himself as Daeng claimed that Ms Vejjajiva and Kurt Schafer, the German who had "blown the whistle" on the "Bangkok Six" network, would have to "pay" for the huge costs (around \$500,000) it had taken to win the case.

On 1 April 1993, Ms Vejjajiva's husband received a strange phone-call from a woman identifying herself as Daeng's wife Khun Supanee who stated that it would have been impossible for her husband to call Ms Vejjajiva, because Daeng could not talk follow-

ing a stroke. Later that same day, Ms Vejjajiva talked with Daeng's doctor, who also stated that Daeng could not talk.

Two knowledgeable third parties have reported, however, that Daeng recovered his speech, which had been impaired for a period following a stroke some years ago.

On 23 December 1992, Miami prosecutor Guy Lewis sent a letter to Robert Harris, Assistant Legal Adviser for Law Enforcement at the US Department of State. The title of the letter was "Threats Against Federal Witness Living in Thailand." Lewis reported the strange phone-call, and also an incident in which a wheel on Ms Vejjajiva's car had recently "been loosened with potentially grave results." Later that evening, she had received a phone-call from a man who did not identify himself, asking if she "got the message."

In a separate letter dated 24 November 1992 and addressed to George Proctor of the Office of International Affairs of the Department of Justice, Lewis described the alleged incidents and stated

*Tampering with a witness is a very serious matter that we cannot tolerate.*

## Letter from Dunedin Jail

In another of the many strange incidents surrounding the orangutan case, IPPL received a letter on 26 December 1990 from a man identifying himself as "Fred the Bird Man," with a return address which turned out to be Dunedin Jail, New Zealand. IPPL found out that Mr. Angell was a well-known bird smuggler.

In his letter Angell attacked Kurt Schafer in filthy, scurrilous and libellous terms. IPPL was suspicious of the circumstances and contents of this letter, and did not circulate it, except to provide a copy to US law enforcement authorities.

In April 1993, IPPL received a letter from Mr. Angell asking how Mr. Schafer had obtained a copy of his letter to IPPL. Asked by IPPL for an explanation, Schafer claimed that he had managed to learn about the existence of the document and obtain a copy by fax from a US government official.

Normally documents in criminal case files are not provided to the public, and the public is denied access to criminal case files under a exemption to the Freedom of Information Act.



## MAKING YOUR PLANS?

In the past, IPPL programs have benefited greatly from the generosity of members who have included us in their estate plans.

Naming IPPL in your estate plans will ensure that, through IPPL, you can keep on helping primates even when you no longer share their world. All the world's primates, and especially those like Arun Rangsi (photo opposite) living at IPPL's sanctuary and other primate sanctuaries around the world, will benefit from your continued kindness.

If you need further information about IPPL's programs and how your bequest can help them, please contact IPPL, POB 766, Summerville SC 29484, USA or IPPL, 116 Judd Street, London WC1H9NS, England.





*Above, Djambo (left) Zoe (right); Below, Djambo enjoys freedom*

## POINTE-NOIRE ZOO CHIMPANZEES RESCUED

*by Paul Aczel, HELP volunteer*

**Introductory note:** HELP is a small non-profit organization based in Pointe-Noire in the Congo Republic. The organization was founded and is directed by André Pique and Aliette Jamart with the purpose of rescuing chimpanzees from the hands of poachers and zoos unable to maintain them properly. They have already released many rescued chimpanzees. They also took food for and provided companionship to the Pointe-Noire Zoo chimpanzees about whose conditions IPPL has frequently protested. Thanks to the generosity of IPPL members, a donation of \$1,000 was awarded to HELP, but of course it is primarily the energy and help of the founders that make HELP's work possible. Paul Aczel, a HELP volunteer, updates readers on HELP's latest victory.

December 31, 1992 marked the end of a year. For four chimpanzees, it also marked the end of their imprisonment. On this day, they were taken out of their miserable cages at the Pointe-Noire Zoo in the Congo Republic and released on an island in the Konkouati Lagoon which serves as HELP's sanctuary.

Djambo, an adult male in his early 20s, spent 18 years of his life in two 8' by 10' by 10' cages, most of the time going hungry. The two young adult females, Gina and Zoe, were relatively "lucky": they only spent the last 4 years in the same conditions" prior to that they were raised by foreign residents of the Congo. Pepere, a young male who had just reached adulthood was also a prisoner at the same place for most of his life.

All four of them were the victims of poaching and the animal trade in the Congo. After they were confiscated, they ended up behind bars.

On 31 December the chimpanzees were anesthetized by a volunteer veterinary student. Two metal cages were constructed for transportation: one for Djambo and Gina and one for Pepere and Zoe. They were put on a rented truck which left Pointe-Noire just before nightfall.





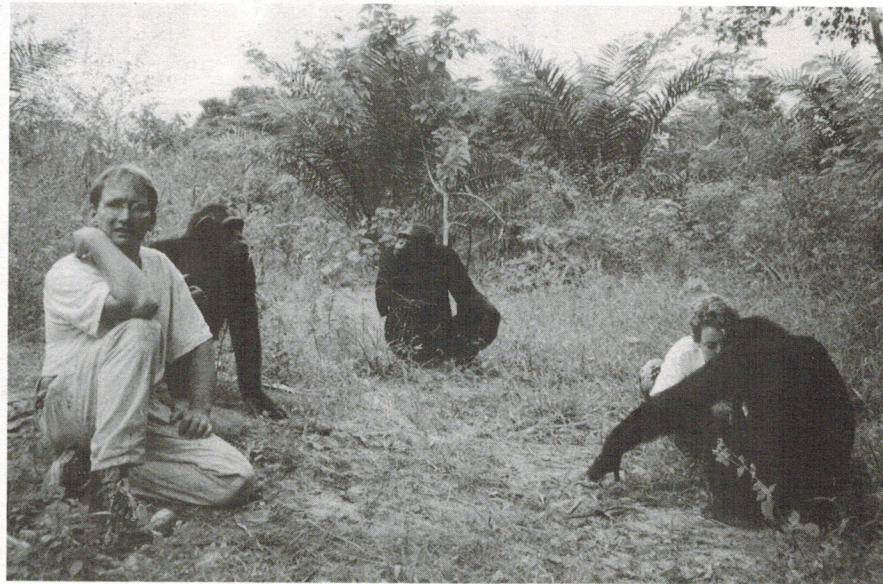
There was no problem during the 4-hour trip to Konkouati: the chimps were too scared to raise any trouble. We arrived at the HELP Sanctuary at midnight in time to celebrate the New Year.

The next morning Djambo and Gina were the first ones to take the somewhat bumpy boat-trip to the island. They were left in the cage while we went back for Pepere and Zoe. As we arrived with them, we found that Gina had decided not to wait for us: she had set herself free by squeezing through the bars and was nowhere to be found! Pepere and Zoe went immediately to the bushes and started to investigate the vicinity. Djambo however was too afraid to move more than a few steps from the cages. The three of them spent the first night on the beach where they were released. The next day, we found Gina on the other side of the island, afraid and lost. We led her back to the others and this time all 4 of them stayed together.

During the following weeks the chimpanzees gradually settled into their new environment and were exploring more and more of the island. In the process they ate most of the fruits and vegetables that were left in the gardens of local fishermen who had lived on the island previously. They also settled the question of hierarchy. Djambo took both females and dominates Pepere.

At the present time we are still providing food for them daily but they are making great progress at searching for wild fruits and leaves on their own. They have started to build nests and at night they now sleep in the trees. We still join them for walks in the forest - they feel more secure and use more of the forest that way.

Pepere especially needs extra attention: he is often alone and is



too afraid to go into the forest on his own. However, in the last few weeks he has shown great progress: he ventures a little further every day, socializes more with the others, and he even started to play with Djambo. The other three play with each other frequently - a behavior that was rarely observed in the zoo. Altogether they are getting more and more independent from humans and in lots of ways they are starting to behave like wild chimpanzees.

It is wonderfully satisfying to see these former sad prisoners finding their freedom again. It also encourages HELP to continue its work that has two goals: to liberate primates and other animals from captivity and to protect them in the wild.

## PLEASE HELP "HELP"

Anyone who has seen photos of the miserable chimpanzees formerly housed at the Pointe-Noire Zoo will be thrilled at the success of HELP in allowing them an opportunity for a better life. Please consider making a "restricted" gift to help "HELP" rescue more chimpanzees and take care of those already rescued. All gifts will be transferred in entirety to HELP.

### ORANGUTAN DROWNS AT KUALA LUMPUR ZOO

Wira, a 10 year old male orangutan displayed at the Zoo Negara, Kuala Lumpur, Malaysia, drowned in a pool in his enclosure on 20 April 1993. Wira had been the official mascot for the Malaysian Tourist Promotion Board's "Visit Malaysia Year" in 1990.

Unfortunately, members of the public are too easily impressed with island exhibits for apes, who cannot swim. Islands contain apes exactly the same way that caging does, but can be extremely treacherous for the animals. IPPL files contain many stories of island-housed chimpanzees, orangutans and gibbons drowning.

The only relatively safe way to maintain apes on islands is to have large islands with a very gentle slope towards the water which must be pure: very shallow slow-moving water with no steep drop-offs: and no tree branches overhanging or anywhere near the water.

### ORANGUTAN FOUND DRUNK ON TAIPEI STREET

In April 1993, a three year old orangutan was found drunk on a street in Taipei, Taiwan. It was 2 a.m. on a cold rainy night. The owner, a known animal dealer, claimed that the orangutan must have grabbed a drink while he and his friends were at a bar. City officials decided that the incident was caused by negligence, not abuse, and returned the young orangutan to his owner.

### ORANGUTAN BABY CONFISCATED

On 6 May 1993, a baby orangutan was confiscated from a Thai-registered ship in Hong Kong harbor and handed to the curator of the Zoological and Botanical Gardens for care. The tiny orangutan was estimated to be just one year old, and was on the way to Taiwan.



# THE "PRAWN CONNECTION"

by Ian Baird

Mangrove forests are an important component of coastal marine ecosystems in many tropical and sub-tropical countries in Asia, Latin America, Australia, and Africa. These forests consist of specially adapted trees able to survive in brackish and saltwater environments. Influenced by the tides, which regularly cause the exposed roots and trunks of the trees to be submerged under water, mangrove forests can be found in estuaries, near the edges of brackish water rivers and canals, and along coastal shores.

Small-scale fishers and coastal people in the Third World have long recognized the value of mangrove forests as:

- \* breeding and nursery grounds for many species of marine life,
- \* sources of medicine and wood products,
- \* the protectors of coastlines from storm damage and erosion,
- \* habitat for many species of birds and wildlife.

Others have, however, often incorrectly labelled mangrove forests as "worthless swamps."

## Mangroves: Primate Habitat

In Southeast Asia mangrove forests are important habitats for primates, including crab-eating macaques. Feeding mainly on small marine creatures and the roots and pods of various species of mangrove trees, macaques can be regularly seen foraging for shellfish and crabs near mangroves when tides are low. The macaques are able to chase down small crabs as they move along exposed mud flats between their holes in the mud and, where mangroves are healthy, there is plenty for primates to eat. The macaques are well adapted to the mangrove ecosystem. The crab-eating macaque is listed on Appendix II of the Convention on International Trade in Endangered Species (CITES).

Apart from crab-eating macaques, proboscis monkeys depend heavily on mangrove forest habitat. Living only in lowland riverine



*Healthy Mangrove Forest*



## Destroyed Mangrove Forest

and mangrove forests on the island of Borneo (parts of which are in Indonesia and parts in East Malaysia), proboscis monkeys feed on various fruits and leaves of species of trees found in mangroves. Known as "Dutchmen" by Indonesians because of their distinctive long noses, these primates, which are considered threatened and are fully protected in both Indonesia and Malaysia, are especially adapted for living in mangrove forests. Yet they are disappearing in some areas due to illegal poaching and especially habitat destruction. The proboscis monkey is listed on Appendix I of CITES.

## Prawn aquaculture

Now, however, the mangroves and the wide variety of marine life, animals, and birds that depend on their bounty are being lost at an alarming rate due to coastal development projects. While mining, large-scale tourism development, housing and industrial development projects, and logging for the charcoal industry have already caused extensive damage to mangrove forests in the Third World, the promotion of intensive prawn aquaculture in mangrove forests has proven to be the most destructive activity to the mangrove ecosystems in many countries, including Thailand, the Philippines, Indonesia, Ecuador, and others. Large tracts of mangroves have been cut to make way for ponds where prawns are raised for export.

In Thailand, for example, prawn farming was responsible for the destruction of 64.3% of the 689,129 rai (2.2 rai = one acre) lost until 1986. Between 1986 and 1989, 99,230 rai was lost to encroachment, much of it also to prawn farming. Even now, foreign investors and local businessmen are continuing to encroach on the last stands of mangroves, which are mainly situated on the Andaman Sea coast of Southern Thailand. This is despite laws banning prawn farming from many mangrove areas.

The mangroves and macaques of Thailand have already vanished from many provinces, and the remaining ones may soon be lost to this lucrative but unsustainable industry.

Apart from destroying the mangroves, the waste from prawn farms, which consists of dangerous chemicals and antibiotics, have also polluted coastal waters, fresh water canals, productive agricultural lands, and ground water supplies.

The prawn farms are often very profitable for the first few years



but acid sulphate soil contamination, prawn farm created pollution and related disease outbreaks in the ponds, and other natural imbalances eventually cause the farms to close down, leaving local villagers, who can rarely afford to enter this capital-intensive and risky business, to live with the unproductive lands after the business people have long since gone.

Coastal farmers are also negatively affected by the industry. Many are unable to catch enough fish to continue their traditional livelihoods after prawn aquaculture has entered the area.

## Prawns in Demand

While Japan imports the most cultured prawns from Southeast Asia, the high demand for prawns in the US market, which has long been the most important destination for Ecuador's farmed prawns, is causing Southeast Asia's exports to the United States to grow quickly. They may even eclipse exports to Japan before long.

The high demand for prawns in the industrial world, and the large amounts of foreign exchange that can be earned through prawn aquaculture, are tempting countries like Malaysia, Vietnam, Cambodia, India, Iran, Yemen, Mexico, and others to enter the same trap as other countries have already fallen into - **big bucks followed by environmental impoverishment and finally poverty.**

Unfortunately, few people realize that when they buy "black-tiger," "jumbo," and "white" prawns, they are contributing to the downfall of mangrove forests, wildlife, and millions of traditional coastal fishers and farmers in the Third World.

Next time you go to buy cultured prawns in your supermarket, please think twice. Ask your grocer where the prawns they sell came from and if they know about the industry's ugly past and threatening future.



*Crab-eating macaque*

*Photo: San Diego Zoo; Ron Garrison*

**IPPL Note:** IPPL has learned that the Government of Cambodia is asking the World Bank to fund a 5-year, US \$100,000,000 prawn culture project along parts of the nation's coastline in three provinces which the proposal describes as "unproductive agriculture land."

## "FRIENDS FOR LIFE"

Mark Attwater, Coordinator of the Gorilla Protection Project Sanctuary operated by John Aspinall of Howletts' Park in Brazzaville, Congo Republic, was surprised to find a letter from Kennesaw, Georgia, USA, in the mail.

The writer, whose stationery was headed "Friends for Life Inc." asked the sanctuary to provide it with "surplus and/or non-releasable animals" for placement at its farm in Alabama and other locations. "Please reply, we are in need of animals from your area," said the writer, adding:

*Friends for Life Inc. will use an innovative and unique "hands on" technique with the animals housed at the compounds. From the day they are born, the animals will be hand-raised, socializing with humans as well as members of their own species.*

Hand-raising baby wild animals is hardly an "innovative" technique, and modern zoos only hand-raise animals in exceptional circumstances such as maternal rejection.

Mark Attwater replied in a witty letter dated 21 May 1993:

*Thank you for your letter which arrived yesterday. I am afraid that although you may need animals from our area, I think it unlikely they need you. I have passed copies of your letter on to the International Primate Protection League.*

## POSTAGE RATES FOR OVERSEAS LETTERS

IPPL frequently asks its members to send letters overseas. Rather than list the costs along with each article, we plan to tell you the cost of letters from the US and the UK in each Newsletter.

Currently, air mail costs from the United States are 50 cents for a letter weighing .5 ounce, 95 cents for 1 ounce. \$1.34 for 1.5 ounces and \$1.73 for 2 ounces.

From the United Kingdom, letters to Europe cost 26p. for each 20 grams: letters to anywhere else in the world cost 37p. for each 10 grams.

We would appreciate members in other countries letting us know international postage rates for letters.



# LOGGING AND LORISES IN CAMBODIA

by Ian Baird

Ian Baird's investigation into the markets of Cambodia was funded entirely by a grant from the International Primate Protection League

Cambodia has endured a lot. Its people have suffered over 20 years of continuous warfare. Peace has almost been forgotten, and even when it appears to draw near, few are confident that it will last - they have learnt not to expect too much. Yet now, a fragile semi-ceasefire that may be the best chance Cambodia has had for national reconciliation in decades is bending in the wind, fragile like a straw but strong like the people.

## Future Looks Bleak

As unfortunate as the people of Cambodia's past has been, their future may not be much better. Massive amounts of environmental destruction and the social problems that invariably follow have come with the opening up of the country.

Private businessmen and multinational corporations are eying Cambodia with keen interest. The country's impoverished state and abundant natural resources mean potential big profits for logging companies and other businesses and, while the country has banned the export of raw logs for the time being, investors seeking quick profits are expected to move back in once the doors reopen if and when the first elected government in Cambodia takes power sometime this year.

In 1992, before the United Nations enforced log export ban came into effect on 31 December, a virtual free-for-all was taking place in the forests. All the factions in Cambodia, including the genocidal Khmer Rouge, were getting involved.

But even now, months after the ban, Japanese, Taiwanese, Korean and Thai sawmills hastily set up inside the country are consuming massive amounts of logs to export after processing. And, with the destruction of these forest ecosystems has also come the wholesale destruction of the wild animals who live in them. Primates are no exception.



Box of dead Lorises



Lorises displayed on Phnom Penh market

## Wildlife Exported

Large quantities of live wild animals and wildlife parts are reportedly being exported to Cambodia's neighbors, especially Thailand and Vietnam. Small markets selling an assortment of wild animals and their parts have sprouted up along the country's borders.

For example, there are several shops dealing particularly in wildlife and their derivatives at Poi Pet, a town across the border from Thailand's Aranyaprathet.

Thai tourists and businessmen commonly take day shopping trips to Poi Pet, returning with live white-handed gibbons: langurs: monkeys: tiger, leopard and bear skins and other animal products that are now illegal to possess in Thailand. (IPPL Note: the 30 November 1992 issue of the Bangkok Post describes the horrendous trade in wildlife at Poi Pet, with baby tigers, parrots, hawks, civets, baby monkeys and baby gibbons being sold and smuggled into Thailand for delivery to customers staying at hotels in Aranyaprathet: some of these animals probably originated in Thailand.)

Khong Island (Koh Khong) also has a market where wildlife products can be found, near Thailand's Trat province. The list goes on and on, and smuggling is widespread and rarely actively discouraged by either the Thais or the Cambodians.

Along Vietnam's border with Cambodia there is believed to be a very active animal trade, possibly even bigger than the one with Thailand. Vietnamese loggers are known to be trafficking in wildlife, and the logging trucks moving between the two countries are believed to be taking large quantities of wild animals out of Cambodia.

Professional hunters and traders have also learned that the animal markets in Ho Chi Minh City-Saigon (see August 1992 issue of IPPL News) are good places to sell Cambodian wildlife, thus further increasing the border trade, which is totally out of control and possibly even supported by the governments of both countries, although there is still very little information about the trade.



## Internal trade

While the wild animal pet trade is small amongst Cambodians who can rarely afford such "luxuries" to begin with, it is deplorable that a large number of rhesus macaques, stumptail macaques, pigtail macaques, crab-eating macaques and white-handed and concolor gibbons are being bought up by the expanding community of Westerners in the country who are working with the United Nations and various non-governmental organizations and aid agencies.

These guests in the country may be working hard to help Cambodia lift itself out of the dumps, but supporting the wildlife trade by buying primates for their pleasure alone is certainly not the way to do it. In fact, it has the opposite effect. Apart from supporting the needless killing of wild primates in the hunting process used to get babies from their mothers in the wild, it is also setting a terrible example for the Cambodians, many of whom are looking for leadership in the Westerners after becoming discouraged with their own leaders.

Despite Cambodia's increasing animal exports and the growing trade in primates for foreigners living in Cambodia, there appears to be a relatively small amount of internal trading going on in Cambodia.

While sambar deer, barking deer, monitor lizards, and other locally consumed animals and birds are often sold at rural markets in Cambodia, many of the larger cities in the country have only very small amounts of animal trading going on in them. Obviously high valued rare species and live animals can fetch more money in the markets of Vietnam and Thailand. For example, there are no large

live animal markets in Cambodia's capital city, Phnom Penh.

## Traditional Medicines

However, on 166th Street, near the O Rossei market in the center of Phnom Penh, there are a number of shops owned by Chinese Cambodians where traditional medicines and a wide variety of Western products are sold. Wildlife trophies and skins are available in many of the shops.

The products are being openly offered for sale, and the wildlife keepers don't seem at all concerned about the environmental damage the trade they are involved in may be causing Cambodia. The government does not appear to be doing anything to prohibit or limit the species that can be traded at this market.

Although no monkey, gibbon, or langur parts were seen for sale on 166th Street, about 200 dried slow lorises stretched out on shelves were being offered for sale. Apparently some Cambodians believe that dried slow lorises offer a form of cure for cancer, although the remedy is unknown and unproven outside of the country.

Although slow lorises are one of the more common primates in Southeast Asian forests, their large-scale removal from their habitats may be affecting certain local populations of the species. Still, the trade had previously never been documented and little is known about how many are consumed per year in the country. Nevertheless, in one shop two boxes with over 150 animals were on display, indicating they are being hunted on a commercial scale. They were offered for sale at only \$4.25 per dried animal. This trade in lorises certainly deserves more attention from Asian conservationists.

# ANIMAL PRODUCTS INVENTORY IN 166th STREET SHOPS, PHNOM PENH

February 1993

I found no live animals on display or being offered for sale at these shops. There were a number of other kinds of herbs, frogs and lizards, and prepared medicines for sale at the shops, but I could not determine whether any of these medicines were made from animal parts, although it seems likely that some were. The shop owners were Chinese Cambodians and were not disturbed when the investigator collected data and took pictures. They even seemed happy to have their pictures taken.

### #43 - 166th Street

1 leopard skin (good condition, \$100)  
4 python skins  
1 otter skin

### #47 - 166th Street

4 sambar deer antlers  
130 miscellaneous snake skins  
6 python skins

### #51 - 166th Street

5 python skins  
20 miscellaneous skulls, small mammals  
7 sambar deer antlers

### #53 - 166th Street

5 dried lorises on sticks  
10 python skins  
2 legs, barking deer  
1 bear gallbladder

### #57 - 166th Street

10 python skins

### #59 - 166th Street

1 Asiatic bear skins  
10 python skins  
5 miscellaneous snake skins  
9 bear gallbladders  
1 otter skin  
Various animal product extracts  
A set of green peafowl feathers  
3 pangolin skins  
10 sambar deer/barking deer antlers  
2 sets of gaur horns  
150 dried slow lorises on sticks  
Miscellaneous small mammal skulls

### #61 - 166th Street

5 python skins  
3 miscellaneous snake skins  
5 bear gallbladders

### #65 - 166th Street

1 tiger skin (poor condition)  
1 Asiatic black bear skin  
8 dried slow lorises on sticks  
1 bear paw with single claw

### Miscellaneous small mammal skulls

10 kilograms of dried venison  
8 bear gallbladders  
5 rib-cages of slow lorises  
20 miscellaneous snake skins  
3 python skins  
1 piece of elephant skin

### #67 - 166th Street

10 small mammal skulls  
2 land turtle skulls

### #71 - 166th Street

20 land turtle skulls  
200+ miscellaneous snake skins

### #79 - 166th Street

40 miscellaneous snake skins

### #83 - 166th Street

6 dried slow lorises on sticks  
2 bear gallbladders



## WILDLIFE AGENT MOONLIGHTS

Kelvin Smith is an agent with the Division of Law Enforcement of the United States Fish and Wildlife Service. He is based in Harrisburg, Pennsylvania, and is supervised from the Newark, New Jersey office.

Although the nation is plagued with wildlife crime which he is paid to bring to an end, Smith apparently finds enough time to operate a business in his spare time, according to the 28 June 1993 issue of the **Washington Post**.

In recent months, the United States has been terrorized by terrorists who blew up New York's World Trade Center and had plans to blow up other sites including the Lincoln and Holland Tunnels, and the United Nations.

According to the **Post**, Federal Bureau of Investigation (FBI) agents started to focus attention on "a quiet camp where sources say the terrorists honed their skills." The camp, located in a rural area about 30 miles northwest of Harrisburg, was described as a "shooting range popular with Muslims."

According to the **Post**:

*Several of the eight suspects in last week's foiled plot (to bomb the tunnels and the UN Building) and some of the defendants in the Trade Center case took part in paramilitary exercises at the Pennsylvania camp.*

The owner of the shooting range was Kelvin Smith. Smith explained to the **Post** that:

*It was only after the Trade Center bombing that I kind of started putting things together.*

Smith, himself a Muslim, denounced violence carried out in the name of Islam and said that:

*Muslims don't do this kind of stuff.*

## DUTCH INVESTIGATION EXPOSED

An ongoing investigation by the Dutch police into the activities of Kenny Dekker, a Dutch animal dealer who was involved in the "Bangkok Six" orangutan case, could have been harmed by a court decision in Miami.

Sentencing of Matthew Block for conspiracy to smuggle orangutans was scheduled for 15 April 1993. Both Block and prosecutor Guy Lewis were anxious to delay sentencing.

Lewis did not want his reasons for requesting a delay known to the public or to the defense. Therefore he filed a "sealed" motion asking for a delay on 6 April 1993, which he provided only to case Judge James W. Kehoe, who was at the time in Palm Beach, a city north of Miami. Motions filed by one side in a case and not provided to the other side are unusual: they are known as **ex parte** motions.

The following interchange about Lewis' motion took place at the sentencing hearing:

**Kehoe to Metzger:** I think the record should reflect that I have never seen or read anything that was submitted to me **ex parte**. It's never been submitted to me. Also Mr. Lewis, when I was in Palm Beach, contacted my clerk's office, and apparently told them what was in essence there, and I told them to respond back, to give you a copy immediately. **If they did not do it, I would do it.**

**Metzger to Kehoe:** They have not done that.

**Kehoe to Lewis:** I was under the impression you told me you had sent them a copy.

**Lewis to Kehoe:** They have seen (another) motion. What happened was that the first motion was a motion to continue based upon an investigation that was ongoing: not by the United States Government but by another authority.

**Kehoe:** That's what I understand.

**Lewis:** That motion contains some details of that investigation that, if it was released, would jeopardize an effective...

**Kehoe to Lewis:** That's your problem. I told you to release it to them.

**Lewis:** Yes.

In his secret motion, Lewis requested a delay in sentencing, because, he said, he wanted to be able better to evaluate Block's cooperation with authorities. He noted that:

*The government has been contacted by the authorities in the Netherlands. The authorities are conducting an investigation into the bird smuggling activities of Block's co-defendant, Kenny Dekker. Pursuant to that investigation, they have a wiretap in place on Dekker's phone. One of the lead investigators informed the undersigned that Block had been calling Dekker, talking in code.*

*The investigator told the undersigned that he believes, based on the intercepted conversations, that Block and Dekker are conspiring to smuggle additional primates. The Netherlands authorities indicated that they are planning to arrest Dekker several days after April 15, 1993 (the scheduled day of sentencing)... Dekker's arrest in the Netherlands should occur on or shortly after April 17, 1993, based on information received from the Netherlands authorities.*

IPPL finds it a matter of concern that Block and his lawyers should have been given a copy of a document that could have tipped Dekker off in advance about his impending arrest, and would also have tipped him off that his phone was tapped. The US Government had not only never placed a wiretap on Block, but had actually encouraged him to tape-record phone-calls.

International cooperation is urgently needed to fight wildlife crime, and even innocent "leaks" may discourage foreign governments from assisting US criminal investigations.

Fortunately, Dutch authorities succeeded in arresting Dekker on bird smuggling charges. However, he will apparently can not be prosecuted in the Netherlands for his role in "The Bangkok Six" affair.

The US criminal justice system requires the prosecution to hand its entire case, including the names of its witnesses, to the defense, which appears to be the reason for the Dutch investigation being exposed. As a result of this protection of criminals' rights, which some consider excessive, government witnesses in Miami tend to get murdered with alarming frequency. A witness in a big narcotics case was shot, along with his brother, on 22 June 1993, the third witness to be shot in the case in question.



## SNAKES SEIZED IN MIAMI

Nobody has been arrested in connection with the importation of over 300 snakes stuffed with a white substance, which may have been cocaine, through the port of Miami.

A story circulated by the Knight-Ridder news service appeared around the nation in the first week of July. Because Knight Ridder owns the *Miami Herald* which has published several wildlife trade stories containing serious inaccuracies, IPPL is treating the story cautiously until we obtain more information.

According to the story, 312 boa constrictors were found on Miami Airport on 29 June 1993. They had reportedly been packed in 41 crates which were loaded on a plane leaving Bogota, Colombia. According to the story, an unidentified "snake-savvy inspector" noticed an "unnatural bulge" in one of the snakes, and Drug Enforcement Agency (DEA) and Customs inspectors were summoned to the scene. The government agents reportedly decided to let the snakes through, hoping to trace the "head doper."

The news story indicated that at 1 p.m. on Tuesday, an unidentified man picked up the snakes, loaded them in a delivery van, and drove to a "North Dade apartment complex," where he left the van.

Apparently nobody followed or arrested the driver.

"Agents" from an unspecified US government agency reportedly watched the van for the rest of Tuesday and until Wednesday afternoon. Nobody arrived on the scene to collect the "cocaine," which was probably worth millions of dollars.

On Wednesday afternoon, the agents watching the van became "fearful that the snakes were baking inside the enclosed van as temperatures climbed towards 95F (35C)." They then "got a search warrant and opened the van."

According to the article, 202 snakes were already dead and there were 110 survivors. It would be surprising if there were so many survivors, since temperatures in closed vehicles get far higher than those outside. The surviving snakes were taken to Miami Metrozoo where they were examined. According to the story, the snakes had packages of cocaine placed in their bodies through their rectums, and then their rectums were sewn shut to prevent the contents being expelled. (IPPL Note: Snakes do not have rectums but cloacas)

According to press reports, "No one has been arrested or charged." But 312 snakes died miserable deaths in what must have agony.

## DELAY IN MCGREAL APPEAL

The April 1993 issue of IPPL News told readers how well-known Miami First Amendment lawyer Thomas Julin had filed an appeal on IPPL Chairwoman Shirley McGreal's behalf in regard to Judge Kenneth Ryskamp's refusal to sanction Matthew Block's company Worldwide Primates for filing a fraudulent lawsuit against Shirley McGreal, and then blocking any progress in the case by taking the 5th Amendment 49 times.

A response to Julin's appeal dated 17 May 1993 was due on 20 June 1993. On 9 June 1993, Worldwide Primates filed a motion requesting a 30-day extension of time to respond to the motion. Edgar Miller, a prominent Miami criminal defense attorney, was said to be serving as lead lawyer for Worldwide Primates, replacing civil lawyer Paul Bass. According to the "Motion for Enlargement of Time":

*Lead counsel for the appellee, Edgar Miller, has been outside the United States for an extended period attending to an urgent matter that has come up in Panama and Colombia and is not expected to return to the United States until sometime during the week of June 14, 1993. As such, Mr. Miller has been unable to appropriately review the extensive brief filed by Appellant and the substantial case law appertaining to the First Amendment arguments made by such Appellant.*

The new date for submission of the reply brief is 24 July 1993.

The appeal was filed because Judge Kenneth Ryskamp and Magistrate William Turnoff had refused to grant Shirley McGreal's sanctions motion in the civil lawsuit, stating that Matthew Block's status as a criminal defendant merited their special "judicial notice" because that status "tied his hands behind his back" in civil litigation. They failed to mention that getting no documents had tied McGreal's hands behind her back.

Oddly, Judge Ryskamp's apparent hostility to people who ask the government to investigate criminal activities depends on the nature of the crime and/or criminal, as on 9 July 1993, Ryskamp ordered that a couple who had filmed illegal trash dumping by a cruise ship should get half the \$500,000 fine assessed in the resulting criminal prosecution.

Miami prosecutor Angel Cortinas told the press:

*We hope the reward will encourage future witnesses to come forward and report illegal pollution.*

Clearly, the US Government takes ocean dumping of trash far more seriously than it does orangutan smuggling, as neither Kurt Schafer, who exposed Matthew Block's role in the orangutan shipment, nor IPPL Chairwoman Shirley McGreal, who requested and tracked the federal investigation of the "Bangkok Six" case, has received even the courtesy of a "thank-you letter" from the US Attorney's office in Miami.

## NOBEL LAUREATE HATES MONKEYS

Commenting on efforts by concerned citizens to improve housing for laboratory monkeys, Dr. James Watson, who won the Nobel Prize for discovering DNA, told a freshman biology class at Sidwell Friends' School (which is attended by President Bill Clinton's daughter Chelsea) that:

*The logical conclusion (of efforts to provide laboratory primates with better housing) is that we won't do any research and will spend all our resources making monkeys happy. I don't like monkeys.*

## WILDLIFE PROTECTORS DIE

Two officials of the African nation of Niger died while being held as prisoners. Alassoum Oumarou and Mahamadou Cheffou, Director and Deputy Director of the Air-Tenere Nature Reserve in northern Niger, both leave widows and children.

Mr. Oumarou was arrested by Tuareg rebels while on a mission in the reserve on 19 February 1992, along with five companions. He died on 15 January 1993, reportedly of physical exhaustion.

Mr. Cheffou was kidnapped on 15 March 1992 at Herouane, during one of several attacks on projects in the region. He died on 12 December 1992.



# INVESTIGATING CHINESE WILDLIFE MARKETS

by Stephen Parsons

Stephen Parsons' investigation into the conditions at the wildlife markets of China was funded entirely by a small grant from the International Primate Protection League. Mr. Parsons thanks IPPL members whose gifts made this investigation possible and we thank him for working under difficult conditions and documenting atrocious suffering in spite of the distress this caused him.

In March 1993 I flew from Bangkok, Thailand, to Guangzhou (Canton) on a three-week assignment for the International Primate Protection League. My assignment was to investigate the wildlife markets of South China. In addition I hoped to visit the island of Hainan where the last small population of black-crowned gibbons *Hylobates nomascus hainanus*, reportedly down to 100, was said to exist.

In the course of this assignment I succeeded in documenting an extensive trade in primates and other threatened species from Vietnam to China, and established that none of these animals are on sale openly in the larger markets such as Qingping in Guangzhou. I was also able to obtain information on, and guidelines for, future expeditions to the protected area for the gibbons of Baoyang Ling on Hainan, although I was unfortunately not permitted a visit on this assignment.

For anyone not completely insensitive to the suffering of wild animals crammed into cages or callously heaped together for sale to restaurants or household kitchens, Qingping market is a nightmarish place. Clearly the traders, whose sympathies must have long been eroded by routine considerations of convenience, do not look upon their wares as being capable of suffering at all.

Many of the mammals I saw had pieces cut off them, especially their tails and feet, and on one occasion I saw a trader hack off the foreleg of a young deer and then hold a plastic dish to its head to catch the liquid vomited up as it was convulsed in agony. The memory haunted me for days afterwards.

On subsequent visits to the market I noticed that many deer and other animals too large for the iron or bamboo cages piled up along the traverse concourse of Qingping where wild animals are sold had been mutilated to keep them immobile.

Other means of packaging which were particularly in evidence in the small wildlife market in front of the railway station at Pingxiang on the border to Vietnam, included binding the animals'



*Rhino Horn at Qingping Market*

legs behind their backs, and tying them up in grain sacks, which were then loaded, unloaded or thrown about, just as if they did in fact contain what the trademarks on them proclaimed. It is only fair to say that these methods were extremely effective as hardly ever in my visits to the markets did I see any wild animals with any fight left in them.

A few tortoises or soft-shelled turtles in Qingping Market had to be booted back into the plastic basins from which they periodically tried to escape, and at Pingxiang I photographed a couple of bear cubs fighting desperately for space in their tiny circular cage, but generally the animals seemed numbed and resigned to their fate. There was an air of matter-of-factness about abject suffering and violent death. The traders seemed to accept it as part of a day's work.

Despite the flourishing trade in live macaques from Vietnam to China, which I witnessed during my stay in Pingxiang, monkeys are no longer openly prepared for consumption in monkey brain restaurants. However, such restaurants reportedly continue to operate illegally in some coastal Chinese cities and are well known in Taiwan, and I am sure that the restaurateurs involved find nothing unusual or inhumane about their business.

If any animal products are deemed to be beneficial to health or to promote longevity or sexual potency, they will be brought into trade, their properties extolled, and the possibility of future extinction or the fact of present cruelty merely deplored from a medical or commercial standpoint. The trade continues in the teeth of medical evidence and even against the prevailing laws (I saw a complete rhinoceros horn on sale in the traditional medicine section of Qingping market).

As they see it, to what purpose do "spotted tortoise" exist other than to be put into the wine that bears their name and which my Chinese friends in Pingxiang assured me is an efficacious tonic? I stuck to my bottled water or tea without, however, doubting their sincerity as they had shown themselves to be far more generous, more genuinely interested in my business in their country and more



*Monkeys for Sale:  
Pingxiang Bei Animal Market*



eager to help than the Western travelers who had been as shocked as I by the horrifying sights in Qingping animal market.

Indeed, without the help of the friends I made among the Chinese people, I could not have found out nearly as much as I did about the wildlife trade in the country. It was entirely due to my friends' good connections with the immigration authorities in Pingxiang that I was able to cross over into Vietnam at Nong Yiu Friendship Border where on two occasions I saw crates stuffed with live macaques (80 animals a day according to a border guard) being carried down on trucks for transportation to cities all over China. I was told that the monkeys were all taken from the wild, not captive-bred, and that they were sold as pets.

From the conservation standpoint it was encouraging not to find any primates on sale openly in Qingping or in the other large markets I visited in Haikou on Hainan and Nanning in Guagxi province. I was, however, offered three young macaques by a trader who was keeping them undercover in Nanning Bird Market. The going rate for macaques was evidently 350 yuan each, and more were expected the following month when the weather got warmer. The macaques I saw were too old, I was told, and "not so good."

On many occasions my enquiries after monkeys for sale in the city markets were laughed at and assurances made that I would find no illegal trading in primates in the Peoples' Republic. It is certainly the case that the government is serious about protecting threatened or endangered species and that the penalties for poaching are harsh - death in the case of giant pandas - but what happens at the "Friendship Border" where there is no Customs post is obviously a different matter.

I was almost pleased to say that the China Wildlife Conservation Association would not allow me to go to the protected area for the gibbons of Baoyang Ling without further documentation from IPPL and a complete description of the work I hoped to do there, as this means that they would keep any strangers, including animal dealers, out of the area.



**Dog Meat:  
Suikou Market**

After I had left Hainan for Beihai and the China-Vietnam border, the Department of Forestry of Hainan Province sent a friendly letter to IPPL inviting them to arrange an investigation of Baoyang Ling at any suitable time, and it is my hope to return to Hainan and to find a healthy and viable gibbon population.



**Slow Loris in net bag:  
Pingxiang Bei Animal Market**

## HOW YOU CAN HELP

The importation of wildlife across the porous borders between China and its neighbor countries is a threat to the wildlife of all the nations of Southeast Asia.

China, with its enormous population now standing at one billion people, and with its vast appetite for wildlife-based medicines, tonics, and meat, appears to be trying to control internal wildlife trafficking, while serving somewhat like a vacuum cleaner sucking up its neighbor countries' wildlife. If this is not stopped, these countries could soon be stripped of their wildlife.

Please write a letter to the Chinese Ambassador in your country of residence asking that China take steps to control the importation of wildlife along its borders with Vietnam and Laos.

**US Address:**

*Embassy of China  
2300 Connecticut Avenue, NW  
Washington DC 20008*



# DEPARTMENT OF AGRICULTURE FILES COMPLAINT

On 29 December 1992, the United States Department of Agriculture filed a complaint against Worldwide Primates of Miami, Florida, and Matthew Block charging them with a series of violations of the Animal Welfare Act at one or both of two locations, such as:

- \* food supplies not protected from contamination, spoilage and vermin infestation,
- \* inadequate provision for the removal and disposal of animal wastes,
- \* inadequate ventilation,
- \* failure to supply wholesome uncontaminated food,
- \* failure to supply primates with water,
- \* primary enclosures not kept clean and sanitized, premises not

free of accumulations of trash and debris,

- \* no effective program for control of rodents and insects,
- \* failure to provide adequate programs of disease control and prevention and veterinary care.

Charging wilful violation of the Animal Welfare Act during the year 1990, the Department of Agriculture called on Worldwide Primates to "cease and desist" from violating the Animal Welfare Act, for assessment of civil penalties, and for suspension of the company's license to deal in primates. A hearing has been set for November 1993, which will be 11 months after the complaint was filed.

Under US law, the US Fish and Wildlife Service is entitled to ban individuals with felony convictions from wildlife trafficking. However, IPPL considers it highly unlikely that the Division of Law Enforcement of the US Fish and Wildlife Service will ever recommend that Block's animal dealing license be canceled.

## UPDATE ON "STINGS"

The April 1993 issue of IPPL News told how Miami wildlife agents, acting on a "tip" from orangutan smuggler Matthew Block, had trapped 5 Mexican nationals into attempting to purchase a gorilla born at the Miami Metrozoo, Florida. In January 1993, wildlife agents from Atlanta and Miami, accompanied by Block, performed a dramatic arrest at Opa Locka Airport, Miami. Three of the Mexicans were arrested while attempting to leave the United States for Mexico in a private plane, which actually belonged to the US Government.

### The Mexican Sting

A shipping crate had been loaded on the plane (a senior wildlife agent had flown down from Atlanta to play the part of the plane's "pilot"), with a wildlife agent dressed in a gorilla suit inside the crate. Press reports at the time indicated that a "stinking" wildlife agent daubed in gorilla feces obtained from Miami Metrozoo leaped out of the shipping crate yelling "Somos policia." At Block's sentencing hearing, Michael Metzger revealed that the wildlife agent in the crate was Terence English of Miami! The Atlanta office of the Division of Law Enforcement has since denied press reports that the "agent-gorilla" was daubed in real gorilla feces.

The theatrical arrest in Miami received worldwide publicity, and was even the subject of a cartoon book published in Mexico! Some Mexicans were more cynical about the arrest than the gushing *Miami Herald*. One publication took the position that the "gringo" Matthew Block's crime of smuggling wild orangutans was more serious than the Mexicans' alleged attempt to smuggle a captive-born zoo gorilla.

The trial of the five Mexicans (a zoo director, two animal dealers, and two women who appear to be somewhat peripheral to the case) has been set for 7 September 1993. The case is being handled by Judge Federico Moreno.

On 21 April 1993, Frank Quintero and Ruben Oliva, Miami lawyers representing two of the defendants, filed a motion to dismiss the case because of "outrageous government conduct."

They cited a precedent in which a judge threw out a case because:

*Government agents engineered and directed the crimi-*

*nal enterprise from start to finish.*

They also cited another case which was thrown out, noting that:

*The government essentially manufactured new crimes in order to obtain the defendant's conviction...This is not a case where the government is ferreting out ongoing criminal activity. It is a case where the government, through its agent (Matthew Block) went about putting persons in the business of crime for the first time...It was Matthew Block who indicated that the appropriate paperwork could be obtained over time and it was the government agent (Jorge Picon) who indicated that the Defendants had to purchase the animal immediately and without delay. This is a case where the alleged crime was fabricated entirely by the government in order to secure the defendants' convictions rather than to protect the public from the defendants' continuing criminal behavior.*

### The Jacksonville Sting

The other "sting" set up by Matthew Block and wildlife agents involved Clement Solano, who runs an aviary in Elkton, Florida. On 14 December 1992, three days after rejection of Block's plea-bargain, wildlife agent Picon visited Clement Solano. According to Picon's "Affidavit," he observed "illegal birds" and discussed with Solano how he received smuggled eggs, incubated them, and sold the chicks.

Picon stated that he saw three pairs of red-tailed cockatoos and two pairs of yellow-tailed cockatoos (common Australian birds but banned from export under Australian law), supposedly born at Solano Aviaries in late September 1992, and that Solano offered to sell him these birds for \$82,500 cash.

On 22 December 1992, Picon, accompanied by Matthew Block, returned to Solano Aviaries. Picon arrested Solano, who was charged with 6 felony counts. Birds confiscated from Solano were handed over to Richard Schubot, a bird breeder located in Loxahatchee, Florida. Schubot, who died on 17 May 1993, was also co-owner with Block's friend Bernie Levine of Parrot Jungle, a tourist attraction in



Miami. In documents filed in the Block criminal case, Picon indicates that he got himself admitted to Solano's property by mentioning the Dutch bird dealer Kenny Dekker's name.

Because of health concerns and his possible inability to assist in his own defense, Solano was examined by Ernest Miller, M.D., Associate Director of the Department of Psychiatry at the University of Florida's Jacksonville campus. Miller reported to case judge Harvey Schlesinger that the 65 year old Solano had a lot of problems, including that:

- \* He had suffered two strokes, the last in 1990, and was on Social Security disability,

- \* He was involved in a serious automobile wreck in 1988, which caused "severe craniocerebral trauma" which made it difficult for Solano to walk and caused a claw-like hand deformity and a right partial facial paralysis as well as "significant scarring about the frontal and left temporal parietal area."

- \* He had insulin-dependent diabetes and high blood pressure,

- \* He was a trucker for 30 years, then started his own trucking business which went bankrupt,

- \* He was at the time suffering from insomnia, memory problems, and depression but no suicidal impulses, and, according to Dr.

Miller:

*\* He thinks the charges are basically derived from entrapment done by somebody else to save themselves. He does not state specifically whom he thinks it might be, but mentions another name of someone charged with the illegal importation and mistreatment of orangutans.*

Solano was judged fit to stand trial. A final trial date has not yet been set.

According to Andres Rivero, a spokesman for the US Attorney's Office in Miami, prosecutors should always use criminal "informants" and "cooperators" to "trade up," i.e. to catch "bigger fish" then themselves, and should never "trade down," i.e. use "big fish" to catch "small fry."

Apparently, the US Fish and Wildlife Service and Department of Justice believe sincerely that alleged birds' egg smuggler Solano is a bigger threat to the world's wildlife than orangutan smuggler Matthew Block, a conclusion many might dispute, at least on the basis of the available information about each man. If Solano were indeed a major bird smuggler, it is of concern that he had not been caught many years earlier by Region 4 agents acting on their own.

As one cynical IPPL member commented of the Jacksonville "birds' egg sting,"

*It's too bad that orangutans don't have feathers!*

## BIRDS RECEIVE MORE CONCERN THAN ORANGUTANS

In a sworn court document filed on 7 April 1993, Matthew Block told how Miami prosecutor Guy Lewis had promised him a "cooperation motion" (such a motion would probably have let him off with probation on felony orangutan smuggling charges) if he helped the US Government "sting" a Dutch animal dealer allegedly smuggling Australian birds.

*The government requested that I go to see Kenny Dekker in Holland...The prosecutor was so interested in obtaining an indictment against Dekker that he indicated to me that he would give me a 5K.1 (leniency) recommendation for that alone...I met with Dekker in Holland. At this meeting arrangements were made to "set up" a sting operation in California in order to arrest Dekker. When I re-*

*turned to Florida, I continued to speak to Dekker by phone. Several of these calls were recorded (apparently not all calls were recorded). The government eventually pulled out of the "sting operation" because they could not get approval from Washington.*

It is probable that Lewis, who is not an expert on illegal wildlife trafficking, may have been encouraged to emphasize the important of trapping Dekker by government officials who apparently think that Australian birds and eggs allegedly smuggled by Dutch nationals are somehow more important than orangutans smuggled by home-grown US nationals.

Dutch authorities arrested Dekker for alleged bird smuggling in April 1993.

## MONKEYS AIDS MODEL NOT REPLICATED

After considerable publicity in the press about the pigtail macaque being the ideal subject for AIDS research, scientific publications are now questioning the validity of the pigtail macaque model. According to a headline in the 8 August 1992 issue of *New Scientist*, "Hopes fade on perfect AIDS model." The story reports that three teams of scientists have been unable to replicate the original laboratory's results.

Writing in the June 1993 issue of the *Journal of NIH Research*, Carol Ezzell quoted AIDS expert Dr. Patricia Fultz as saying, in regard to human AIDS:

*The pig-tailed macaque is not a valid model at this point and I think it probably won't ever be a model.*

Nonetheless, the media "hype" caused a huge increase in de-

mand for pigtail macaques in the world's research laboratories and pharmaceutical companies, which was a bonanza for Indonesian wildlife traffickers. The United States imported 1118 pigtail macaques from Indonesia in 1992, and many more pigtailed certainly reached other countries. The official Indonesian export quota was just 600. However, the Indonesian wildlife department explained that 400 of the monkeys were exported as "holdovers" from the previous year's quota - which still leaves a lot of exported animals unaccounted for.

Dr. Jonathan Allen of the Southwest Foundation for Biomedical Research told Ezzell:

*Perhaps before we go out into the wild and trap large numbers of the species, we ought to make sure that it really is a model.*



# UNPLEASANT READING - UPDATE ON 110 DEAD MONKEYS

The December 1992 issue of IPPL News told how 110 monkeys had arrived dead at Miami Airport on 20 August 1992. The animals had originated in Jakarta, Indonesia and had been transshipped in Frankfurt, Germany. The supplier was Inquatex, the shipper was Lufthansa and the recipient was Worldwide Primates, Miami.

Lufthansa has denied any responsibility for the animals' deaths, and continues to ship monkeys.

After a lengthy delay, IPPL received a few documents about the shipment from the US Centers for Disease Control (CDC), Atlanta, Georgia, including a 3-177 form filled in by Inspector Tracy Reed. This forms notes that 100% of the monkeys were inspected: this space was left blank in the 3-177 form provided to IPPL by Lufthansa several months ago.

A document entitled "Arrival Report" notes that Tracy Reed and Matthew Block had agreed to the conditional release of the monkeys, whose bodies were taken from the plane-side directly to the Worldwide Primates warehouse. Fifteen of the 110 dead monkeys were selected for autopsy. Extracts from the report written by the CDC quarantine officer, D. Martins, follow. If you are appalled at what you read, think of what the monkeys, including the 20 babies, must have suffered.

*Once the crates were opened, the monkeys were stiff and in the fetal position. A couple of monkeys expelled a watery solution from the mouth. One particular monkey expelled a brownish solution.*

*A number of monkeys had bloody noses, eyes and*

*mouth.*

*One monkey had its head stuck in food container and another had a piece of food in its hand.*

*One monkey had blood stains located at the anal orifice, and some monkeys had uniform purplish pigmented (sic) snarling faces.*

*In this particular shipment we found 20 infant cynos.*

*I did not witness the actual organ removal and their storage. Matt Block's crew double-bagged all unused monkeys and he stated that he would dispose of them. He would contact USDA for the use of their incinerator for the destruction of all carcasses and crates.*

Inhumane shipment of wildlife is a prosecutable offense under US law. IPPL requests for information on the status of any US investigation of Lufthansa Airlines in connection this appalling shipment have not been answered. The investigation should be completed by now.

IPPL has learned that wildlife officers have however attempted to find out the name of the person who "leaked" details of this appalling shipment to IPPL. It would certainly have never become public knowledge except for this concerned person. One wonders how often shipments of any species of wildlife reach the United States with high mortality with the public never being told.

## THE REWARDS OF "COOPERATION"

The rewards of becoming a US government informant can be clearly seen in a recent case before Judge James Kehoe who is handling the "Bangkok Six" orangutan case. The story was clipped from a Canadian newspaper and sent to us by a member who knew Kehoe's name from reading IPPL News.

On 23 June 1993 the *Toronto Star* told of the fate of three men convicted of conspiracy to transport securities from a huge 1990 heist in London during which over 600 million dollars worth of British treasury notes were stolen.

The bonds were apparently stolen by the Irish Republican Army

(IRA). The three defendants were not charged with the actual theft.

In June 1990, defendants Duncan Rapier of Miami, Florida, USA, Jean Paul Guidicelli of the Dominican Republic, and Stephen Orr of Ontario, Canada, offered the securities (which they said belonged to the IRA) to FBI agents.

Orr received a 5-year jail sentence, Guidicelli got a 2 year jail sentence to be served simultaneously with a sentence he was already serving on drug charges, and Rapier got off with 2 years probation. Rapier and Guidicelli had "cooperated" with the government by testifying against Orr.

## CALIFORNIA LEGISLATURE PENALIZES SLAPP SUITS

The legislature of the State of California, concerned at the large numbers of intimidation lawsuits (known as Strategic Lawsuits Against Public Participation or SLAPP-suits) filed in the state, passed a law, which became effective on 1 January 1993, to make it easier for victims of SLAPP suits to get rid of them and then strike back against those who file them.

The new law makes it possible for people wrongfully sued for participation in "the market-place of ideas" to file special motions, to be considered by the case judge within 30 days, to dismiss the case and "recover his or her attorney's fees." The law covers a wide range of public participatory activities, including all written and oral statements in public forums.

As rich and litigious corporations and criminal enterprises try increasingly to box their critics out of the market-place of ideas through fraudulent lawsuits, more states are likely to pass such lawsuits.

Information on how to get such a law passed in your state is available from:

**The Director, California Anti-SLAPP Project**  
1611 Telegraph Avenue, Suite 1200  
Oakland, CA 94612.



## RECENT SENTENCES IN WILDLIFE SMUGGLING CASES

Although sentences in wildlife smuggling cases have been increasing in length in the United States, IPPL considers that they are still unsatisfactory both in terms of punishment and deterrence. Jail terms are far too short, and fines are often far less than the value of the smuggled wildlife. Some examples of recent jail terms follow:

**June 1993:** On Saturday 12 June, the Guangzhou City Intermediate People's Court sentenced Deng Tianshun and Zhu Xiuying to death for selling the skins of giant pandas, an endangered species. The men, both farmers, had bought 3 giant panda skins in Sichuan Province and sold them in Guangzhou for huge profits. Several accomplices were sentenced to life imprisonment.

**April 1993:** Matthew Block, Miami, Florida: charge, orangutan smuggling conspiracy, 13 months jail (pled guilty, appealing denial of cooperation motion), 3 years "supervised release" and a \$30,000 fine.

**1992:** Tom Crutchfield, Tampa, Florida: reptile smuggling: 17 months jail.

**1991:** unidentified Phoenix, Arizona resident: illegal collection of saguaro cactus: 12 months jail.

**1989:** John Lukman, Connecticut: rhino horn smuggling, 27 months.

**1988:** Virginia Vidrio, California: parrot smuggling: 30 months jail.

**1988:** Rigoberto Cherta-Garcia, Miami, Florida: bird smuggling, 18 months jail.

**1988:** Carlos Alberto Fernandez, Miami: bird smuggling, 2 years jail.

**1988:** US Fish and Wildlife Service inspector Daniel Noether, Los Angeles, California: bribery and wildlife smuggling: one year and one day in prison for illegal importation of over 50,000 reptiles including iguanas, boa constrictors, caiman crocodiles, mud turtles and tegu lizards with a value of around \$400,000, from Colombia.

Noether was a wildlife inspector at the port of Los Angeles. Noether was lucky to get off so lightly as he faced up to 15 years in jail on the bribery charges and, as a government wildlife inspector, occupied a position of public trust and had used his office to collude with animal dealers for personal gain. The animal dealers involved, Axel and Christine Rocher of L.A. Reptiles, got probation as their reward for testifying against Noether. The Colombian supplier, Miguel Angel Campo, a dealer based in Barranquilla, Colombia, was not available to US justice.

**IPPL is collecting data on sentencing in wildlife crime cases (involving any species of animals) for a planned project to develop tougher federal sentencing guidelines for wildlife crime. Please send us any information you acquire.**

## SWEDISH PRIMATE IMPORTS

The Nordiska Samfundet mot Plagsamma Djurforsok, an organization based in Hagersten, Sweden, has kindly provided IPPL with information on imports of primates To Sweden in recent years.

In 1990 the National Biological Laboratory imported at least 495 long-tailed macaques originating in Indonesia and 8 green monkeys from Ethiopia. Niels Aage Svengaard, a scientist associated with the University of Lund and the Karolinska Institute in Stockholm imported 60 squirrel monkeys from an animal dealer in Guyana.

In 1991, the National Biological Laboratory imported at least

330 long-tailed macaques from Indonesia.

In 1992, the National Bacteriological Laboratory imported 320 long-tailed and 22 pigtail macaques from Indonesia. It also applied to import 20 owl monkeys from Germany, but it is not known whether the animals were actually imported. Svengaard imported 55 squirrel monkeys from Guyana.

In 1993, the State Biological Laboratories applied to import 120 long-tailed macaques from the Philippines and 50 from China.

## CHIMPANZEES STRANDED

The Liberian civil war has taken many human lives. It also placed in peril the chimpanzees living at the New York Blood Center's laboratory at Robertsfield, Liberia, which is named VILAB II. Many of the post-research chimpanzees housed in groups on islands were killed for food by looters and poachers and the rest were recaptured.

Despite the civil strife, managers Betsy Brotman and her husband Brian Garnham stayed in Liberia to take care of around 120 chimpanzees. However Garnham was shot to death by armed Liberians on 31 January 1993 in the presence of his wife.

At considerable personal risk, veterinarian Patricia Gullett has been providing care to the VILAB chimpanzees.



## IPPL REPRESENTED AT INDOCHINA CONFERENCE

IPPL was represented by Chairwoman Shirley McGreal at the US Non-Governmental Organization Forum on Vietnam, Cambodia and Laos held from 17-19 June 1993 at Marymount College in Virginia, USA. IPPL Adviser Dr. Ardith Eudey attended the conference in her capacity as Regional Coordinator for Asia of the Primate Specialist Group of the International Union for the Conservation of Nature.

Over 400 delegates attended the conference, including 27 high-level officials of the Governments of Laos, Cambodia and Vietnam.

Representatives of a diverse range of non-governmental organizations attended the conference. Ed Murphy of Pathfinders Institute led the environmental working group. Human relief and refugee agencies were prominent, as well as organizations representing the Indochinese expatriate groups formed in the United States.

Indochinese countries, especially Cambodia, have suffered from placement of mines by warring nations and factions. It is very difficult and dangerous to locate and destroy mines, as many mines have no metal components. It is estimated that there are over 10 million mines in Cambodia. As one delegate said:

### **Cambodia will be de-mined limb by limb.**

Several of the groups attending the conference are working hard to provide artificial limbs to Cambodians who have lost legs due to stepping on mines.



**Mr. Bounphone, Director of International Cooperation, Laos, with Ardith Eudey (left) and Shirley McGreal**

The deep interest in conservation matters by groups working primarily on human relief was impressive. It will clearly take many years, if not generations, to heal the wounds inflicted by war on the lands and their peoples. But the habitat and the wild animals who live in it cannot wait for these problems to be solved, as, by that time, there could be nothing left.

McGreal and Eudey had extensive discussions with government delegates about the urgent need for their countries to become members of the Convention on International Trade in Endangered Species (CITES).

## ZAMBIAN AUTHORITIES RECEIVE PRAISE

IPPL member Renate Winch has written from Zambia with an update on Chimfunshi Wildlife Orphanage. Recent arrivals include "Trixi, a one year old chimpanzee rescued by Peace Corps volunteer June Hicks from civil strife in Rwanda; a female yellow baboon named "Bamboo" sent to Zambia from Burundi by the Jane Goodall Institute, who was accompanied to Zambia by Peace Corps volunteer Elizabeth Dunning; and a male baboon now living with "Bamboo."

Ms Winch writes that, in regard to the two smuggled chimpanzees sent from South Africa to Zambia, and other chimpanzees shipped to Chimfunshi:

*The Director and Deputy Director of the National Parks and Wildlife Service, Mr. Ackim Mwenya and Mr. Gilson Kaweche, as well as the Minister of Agriculture, Dr. Guy Scott, deserve a lot of credit for convincing the Director of National Parks in Pretoria, South Africa, of the suitability of Chimfunshi for these orphans.*

*These individuals as well as the Director of Veterinary Services deserve special thanks as I repeatedly arrived in their offices without appointments and waited while they complied with my urgent needs for yet more statements. In three years in Zambia I have helped the Siddles import seven rescued chimpanzees: nearly always it was a matter of urgency, and the Zambians were never anything but cooperative.*

IPPL extends its commendations to everyone mentioned - and also to Ms Winch.



The article reproduced on this page comes from **New Times**, a small and tenacious weekly newspaper published in Miami, Florida. IPPL thanks **New Times** for granting us permission to reproduce this article which appeared in its 16-22 June issue. The coverage of the orangutan case in **New Times** shames the **Miami Herald**, which has published outright falsehoods in articles on the subject, including publishing a false story that Leonie Vejjajiva had testified before a grand jury. Both the **Herald** and its lawyer Jerold Budney insisted that the false story was true - and the **Herald** only corrected it many weeks later.

Since sending the "zebra postcard" to IPPL Chairwoman Shirley McGreal, Michael Metzger sent three follow-up postcards to McGreal. Each one showed a zebra or zebras. One of the cards was mailed from Oakland, California on 21 June 1993. Another was mailed on 2 July from Charlotte, North Carolina and another on 14 July from Atlanta, Georgia. The first two carried the identical hand-written message:

***Shirley, is this better? Mad Dog Metzger***

Metzger's latest "prank" has been to prepare a "menu" for the "Roadkill Cafe," which announces that, "You kill it, we grill it."

Among the many listed menu items were "**Primate Prima Vera - Direct from the Treads of Mad Dog Metzger**" and a "**Late Night Special, served fresh each night after dark**" which Metzger named "**Gibbon Goulash**," presumably in what he considered a witty insult to the wonderful gibbons at IPPL's sanctuary, and to all those who care for and about them.

**Metro**

## **Birds Do It, Bees Do It**

**But is that any excuse for  
Matthew Block's lawyer to  
send Shirley McGreal a card  
that shows zebras doing it?**

**By Kathy Glasgow**

**I**t was one of those little things that mean a lot. A postcard from a distant country. "Thinking of you!" it read. "See you soon!" When Shirley McGreal found the Kenya-postmarked card in her mail about a month ago, she wasn't sure exactly *what* it meant, but she did know the message was not the least bit affectionate. Something about the photo on the front: two zebras, in a very graphic carnal embrace. And the signature: "Mad Dog Metzger." The nom de guerre of a man she'd never met personally, nor ever cared to meet, but who could only be considered an enemy.

The man: Michael H. Metzger, a defense lawyer. Not just any defense lawyer, but a successful and controversial one. Metzger, from his offices in northern California, represents Miami animal dealer Matthew Block in a long-running federal wildlife-smuggling case. Block, himself a well-known figure in the animal trade, has pleaded guilty to being involved in a notorious attempt to illegally transport eight endangered primates from Indonesia to Moscow in 1990. (The case has been chronicled in several *New Times* stories dating back to November 1991.) He was sentenced last April in Miami to thirteen months in prison, but that wasn't the end of it. He is free, pending an appeal of his sentence, and Metzger has mounted a vociferous campaign to discredit the government prosecutors who he argues betrayed his client after Block cooperated with them. Prosecutor Guy Lewis, who failed in March to have Metzger removed from the case on the grounds that a disciplinary ruling was pending against him in California, contends the government's conduct was justified



because Block has not cooperated fully and because he altered a case document. (Block denies both contentions.)

But if there's anyone Matthew Block and Michael Metzger hate more than the feds, it is Shirley McGreal. The government might never have indicted Block in 1992 if it hadn't been for McGreal and her South Carolina-based International Primate Protection League (IPPL). McGreal keeps in touch with a global network of animal conservationists (she's more accustomed to postcards from Britain's Prince Philip and prominent primatologist Jane Goodall) and was the first to make public several documents relating to the ape smuggling scheme. She and her supporters pressured the U.S. Fish and Wildlife Service for months to investigate Block in connection with the incident. She even testified about the matter before Congress, complaining that the government was dragging its feet.

At every turn, McGreal and her allied activists worked to make sure Block received the most stringent penalty possible. They lobbied against a proposed misdemeanor plea, which U.S. District Judge James Kehoe eventually rejected. When Block agreed to plead guilty to a felony, the IPPL hired its own sentencing expert to analyze the case and compute (under the complex federal sentencing guidelines) the maximum jail time and fine. McGreal has personally written numerous letters to Kehoe, U.S. Attorney Roberto Martinez, and federal officials.

Metzger accuses "McGreal and her crazy people" of going still further: altering key documents in the case that are damning to Block. He offers no proof connecting McGreal or the IPPL to any forgeries; she



**Mounting tensions: One picture is worth a thousand imprecations**

letter from Byler, politely inquiring whether Metzger indeed sent McGreal the card. If so, Byler's letter continues, "I must ask you to put in plain English what you are attempting to communicate."

Metzger, reached by phone at his office, was in no mood for tactful talk. He acknowledged sending the card, because "I thought it was funny." Not just a little offensive, especially when directed at a woman? "Offensive!" he scoffs. "I think Shirley is offensive. I think her activities have been offensive."

Propriety aside, Byler argues that the card is not merely another salvo in the legal war surrounding Matthew Block, nor a simple exercise by Metzger of his constitutionally protected free speech. "This was not some communication in or outside litigation on behalf of his client," says Byler.

"It was a private communication through the mails and it has a very ambiguous message, which quite frankly has a threatening overtone to it. This is not what an attorney should be sending." He says he is willing to give

Metzger another few weeks to answer his request for clarification; depending on the response (if there is one), he might recommend that McGreal file a complaint with the California Bar or, perhaps, a civil harassment suit.

"This is an invasion of my privacy," asserts McGreal, "not to mention that of the zebras."

"Fuck 'em," Metzger responds. "I'm a prankster. I still say fuck the world

if it can't take a joke."

Something about Metzger's impatient tone suggests that he's been through this before. And he has. In the past few years he has left a trail of clever and insulting letters to, and verbal attacks on, opposing attorneys; he once sent a client (a nonlawyer) who had just pleaded guilty on a cocaine charge to represent another client in an unrelated case before a U.S. magistrate; he responded to a female prosecutor's routine request for a handwriting sample from one of his clients with a request of his own — that the prosecutor furnish him blood or hair samples "to see what species you are."

Last October, after formal complaints by the U.S. Attorney's Office, U.S. District Judge Sandra Brown Armstrong found that Metzger's pranks constituted "a pattern of misconduct" and suspended him from practicing before the federal court in the northern district of California for one year. The judge also ordered Metzger to undergo psychological counseling "to assist [him] in finding more acceptable and appropriate means of accommodating and expressing anger, frustration, and the myriad other emotions attendant to the practice of law...." The suspension has been stayed while Metzger appeals.

Judge Armstrong is being kept abreast of the attorney's exploits: now in the case file in her San Francisco chambers are copies of at least two postcards — McGreal's zebras and a shot of a pair of lions in similar flagrante delicto-sity. A clerk for the judge confirms that the photo of feline fornication, addressed to U.S. Attorney for the Northern District of California John Mendez, is inscribed with the message, "Thinking of you" (it contains no "See you soon"), and is signed "M. Metzger." **NT**

**"It has a very ambiguous message, which quite frankly has a threatening overtone to it."**

denies his charges. Metzger remains convinced, however, that "all the lies in this case are coming out of South Carolina."

And then along came the copulation salutation. "You feel you're going to look like an idiot if you protest, but I'm protesting anyway," McGreal says, explaining that she immediately sent a copy of the postcard to an attorney, Philip Byler, and another to Judge Kehoe for placement in the case file.

Metzger hasn't responded to a May 24



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