



**HUMANE SOCIETY**  
INTERNATIONAL

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The Director-General:  
Department of Environmental Affairs  
Attention: Ms. Makganthe Maleka  
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**Objections and Comments on the Published Norms and Standards for the Management of Damage-Causing Animals in South Africa (Government Gazette No 40236, of 30 August 2016, Department of Environmental Affairs, Notice 512 of 2016)**

Dear Ms. Maleka

As part of the public participation process for The Norms and Standards for the Management of Damage-Causing Animals in South Africa, please find the following general comments and specific suggestions.

General:

- a) The public participation process of 30 days is insufficient time to accurately and correctly allow for due diligence and transparency as interested and affected parties were not timeously notified for comment.
- b) It is important for these Norms and Standards to make distinctions between *prohibited* methods and *restricted* methods. This requires a clear distinction in the definitions as it would guide the conservation authorities in terms of their permitting conditions and exemptions. Prohibited activities must be prohibited under all and any conditions, and restricted activities are permitted under clearly specific conditions contained in the permits to be issued.
- c) As a general rule, all activities that are unethical or indiscriminate in their effect should be prohibited. These include activities that result in animal cruelty, suffering and/or unacceptable ecological impacts. Indiscriminate methods are those that could affect non-culprit/target individuals or species. As such leg hold traps (here called foothold traps, also known as gin traps), dog hunting, denning, helicopter hunting, poison baits (inclusive of coyote getters), and snares are all both unethical and indiscriminate methods and as such should thus be prohibited. Prohibited methods should never be allowed under any circumstances, nor be subject to exemption provisions as they are ethically and socially unacceptable.
- d) Restricted activities in turn should be all activities that are not prohibited and that result in lethal controls of damage causing animals. We strongly recommend that all restricted activities be subject to a permit being issued each time such an activity is being contemplated and applied for. Permits for restricted methods must not be allowed to be issued prospectively as a means to kill animals or cull species prophylactically.
- e) We also recommend that the Norms and Standards make a *defined distinction* between prohibited and restricted activities. The prohibited activities should include: leg hold (gin) traps, walk through snap (“Killer”/conibear) traps, poison baits (inclusive of coyote getters), denning, dog hunting and helicopter hunting. Additionally, we recommend that all forms of holding captive of individuals of damage causing animals be prohibited.
- f) It is our opinion that the definition of a “damage causing animal” within this document is so broad as to effectively make ALL wildlife that are carnivores or even crop consuming animals by definition, damage-causing animals, and with the subsequent vagueness of the control of restricted activities, and the absence of listing of prohibited activities, this will lead to ongoing and wide-scale abuse against the faunal diversity of South Africa.

Key Omissions and Conflicting Legislation:

- g) We are gravely concerned that within this draft, there is no reference to any animal welfare legislation as defined in Animals Protection Act 71 of 1962 and Act 7 of 1991.
- h) In line with the above, certain provisions in the document run contrary to other national acts and legislation, e.g. the allowed method of dog hunting is prohibited in terms of the Animal Protection Act 71 of 1962 and thus may be unlawful, as are the use of traps, poisons, lures and denning. Other provisions are unlawful in terms of certain species such as listed Threatened or Protected Species (TOPS) being hunted through luring in methods like call and shoot hunting, dog hunting and leg hold (gin) traps.
- i) A very important omission from the Norms and Standards is that under no circumstances should a damage causing animal be profited from through hunt or be “sold” to a hunting client. It is critical that specific language expressly prohibiting any hunt, or sale of any product from or part of a damage causing animal as this will create incentives to classify animals as damage causing animals and agitate for their destruction. Certain key and high hunting value species may suddenly be classified as “damage causing” (especially in the light of the vague definition).
- j) Further to clause c) above, the absence of a detailed list of prohibited activities is a glaring omission, these should include:
  - 1. Snaring
  - 2. Leg hold (gin) traps
  - 3. “Killer”/Conibear walk-through snap traps
  - 4. Poison baits
  - 5. “Coyote” getters
  - 6. Hunting dogs
  - 7. Denning
  - 8. Helicopter hunting
  - 9. Holding captive of captured DCAs, especially to capture urine or excrement scent lures.

Specific Suggestions/Comments to points in the document

- k) With reference to Section 5. Minimum standards to assess the impact caused by damage-causing animals, Clause (3) “Based on the information contained in the report contemplated in subparagraph (2), the issuing authority should, depending on the circumstances, propose the most appropriate management intervention, which should, if applicable, *primarily* include the application of non-lethal management interventions aimed at preventing or mitigating the recurring damage, *with lethal management interventions the absolute resort*”. (Suggested additional text added in italics).
- l) With reference to Section 5. Minimum standards to assess the impact caused by damage-causing animals, Clause (4) “While considering all relevant factors, the proposed measures for the management of a damage-causing animal should— (a) be aimed at minimizing damage and be ecologically acceptable *and comply with animal welfare legislation as defined in Animals Protection Act 71 of 1962 and Act 7 of 1991*”. (Suggested additional text added in italics).
- m) Further to the above Section 5 Clause (4) a i cc), we are opposed to the removal of wild animals into captivity unless the animal in question is compromised and cannot survive without human assistance due to injury or illness. This clause may act as a loophole for the capture of wild animals into exhibits.
- n) Further to the above Section 5 Clause (4) a ii, “killing” needs to be accurately defined with and point General c) applied.
- o) Further to Section 7 Deterrent methods to manage damage-causing animals Clause 7 1 c f): it is unclear what “veldwagter motion sensing” refers to.
- p) Further to Section 8 Restricted methods to manage damage-causing animals Clauses b), e) and g): Point General c) is relevant. These activities are unethical and indiscriminate and should therefore be prohibited. Further, point g) above refers. These methods are in contradiction of key components of the TOPS (Threatened or Protected Species) and Animals Protection Act 71 of 1962.
- i) Furthermore, reference to the Animals Protection Act 71 of 1962 and Performing Animals Act 7 of 1991 is once again requested.
- j) With reference to Section 10 Minimum requirements for the use of a poison collar, you are referred to clauses b) to e). The deaths of the victims of poison methods are torturous and inhumane and thus unethical.

- k) With reference to Section 12 Minimum requirements for the call and shoot of a damage-causing animal, you are referred to clauses c) and h).
- l) With reference to Section 13 Minimum requirements for the use of a foothold trap, you are referred to clauses b) to e).
- m) With reference to Section 14 Minimum requirements for the use of hounds, you are referred to clauses b) to e) and h).
- n) With reference to Section 15 Minimum requirements for the use of a poison firing apparatus, you are referred to clauses b) to e). The deaths of the victims of poisoning methods are torturous and inhumane and thus unethical.
- o) With reference to Section 16 Minimum requirements for the use of denning, you are referred to clauses b) to e) and h). Further, denning is probably the most indiscriminate, ecologically ruinous method proposed, and should be prohibited. It appears that this is part of a determined species wide cull as it refers to using it merely if jackal predation has occurred in an area. The fact that these dens are usually old aardvark burrows, shown to commonly give shelter to 26 other mammalian species, is blatantly ignored and many non-target species will be destroyed in the process.
- p) With reference to Section 17 Disposal of carcasses, you are referred to clause 1). Further, notwithstanding comments j) to n), serious health risks are posed to individuals that consume both target and other animals destroyed with hazardous substances. Further, carcasses are hardly ever found and thus poison is distributed into the environment with cascading effects.

Further, we recommend the following definition to be included, with specific reference to the distinction between livestock farming and game farming:

**“damage-causing animal”** means an individual wild vertebrate animal that, when interacting with humans or interfering with human activities, there is substantial proof that it—

*In livestock farming:*

(a) causes repeated and regular and excessive losses to livestock; despite the land user having applied and exhausted all reasonable methods and systems of exclusion and damage prevention.

*In game Farming:*

(a) causes “repeated and regular and excessive” losses to other wild specimens, which is inconsistent with the animal’s natural behavior and ecologically damaging to the specific enterprise; despite the existence of a certification of adequate enclosure to exclude predators from a game farming area, as approved and verified by the relevant environmental management agency.

*In both game and livestock farming:*

(b) causes “repeated and regular and excessive” damage to cultivated trees, crops, natural flora or other property; despite the land user having applied and exhausted all reasonable methods and systems of exclusion and damage prevention.

(c) presents an imminent and realistic threat to human life;

Once again, we urge notice to and the inclusion of the relevant clauses of the Animal Protection Act 71 of 1991 which defines that any method that is indiscriminate is unlawful in terms of this legislation and thus should be deemed *prohibited activities*. The use of leg-hold (gin) traps, snares, coyote getters, conibear traps, denning, poisons or lures (inclusive of coyote getters), helicopter hunting, holding damage causing animals captive, hunting with dogs are not permitted in terms of this legislation and its inclusion on these Norms and Stands makes it inconsistent with the law and opens itself up to a legal challenge.

Thank you for your attention to this critical matter,



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