



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Ref: PAIA 183968 Enquiries: Mr Mpho Tjane
Tel: (012) 399 9596 Email: MTjane@environment.gov.za

Ms Michele Pickover
Director
EMS Foundation
PO Box 3018
HONEYDEW
2040

Email: michele@emsfoundation.org.za

Dear Ms Pickover

REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000) RELATING TO THE IVORY AND RHINO HORN STOCKPILES

1. Your request for access to information in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA") dated 29 May 2019, for which payment was made to the Department on 30 May 2019, has reference.
2. I have duly considered your request and following a thorough search of the requested records, I have decided to grant you access to the records which are in the possession of the Department as indicated in the table below:

Request	Comment
<i>1. The total weight of the national ivory stockpile held by South Africa National Parks (SANParks) and other national and provincial governmental and parastatal bodies in South Africa. Include entities that hold stockpiles.</i>	The total weight of the national ivory stockpile held by South Africa National Parks (SANParks) and other national and provincial governmental and parastatal bodies in South Africa is 76 972, 84 kg (seventy six thousand nine hundred and seventy two thousand kilograms and eighty four grams).
<i>2. The total number of ivory pieces held by all entities in point 1.</i>	The total number of ivory pieces held by all entities in point 1 is 77 870 (seventy seven thousand eight hundred and

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	seventy). This number includes whole task, pieces and worked ivory.																		
3. The total number of private ivory stockpiles, total weight and total number of ivory pieces (raw and worked).	The total number of Ivory pieces is 1066 (one thousand and sixty six) The total weight is 8947,231 kg																		
4 The weight above divided between: 4.1 Management Ivory which include (culling, Damage causing animals, natural mortality, donations) 4.2 Confiscations (Ivory from criminal activities).	4.1 <table border="1"> <thead> <tr> <th colspan="3">Government Ivory Stockpile (up to 2018)</th> </tr> <tr> <th>Management</th> <th>Confiscated/seized</th> <th>Unknown</th> </tr> </thead> <tbody> <tr> <td>50212,57Kg</td> <td>15855,04Kg</td> <td>10905,24Kg</td> </tr> </tbody> </table> 4.2 <table border="1"> <thead> <tr> <th colspan="3">Private Stockpile (2014-2018)</th> </tr> <tr> <th>Management</th> <th>Confiscated/Seized</th> <th>Unknown</th> </tr> </thead> <tbody> <tr> <td>7304,487Kg</td> <td>0,00Kg</td> <td>1642,744Kg</td> </tr> </tbody> </table>	Government Ivory Stockpile (up to 2018)			Management	Confiscated/seized	Unknown	50212,57Kg	15855,04Kg	10905,24Kg	Private Stockpile (2014-2018)			Management	Confiscated/Seized	Unknown	7304,487Kg	0,00Kg	1642,744Kg
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5. The total weight of the national rhino horn stockpile held by South Africa National Parks (SANParks) and other national and provincial governmental and parastatal bodies in South Africa. Include entities that hold stockpiles.	The total weight of the national rhino horn stockpile held by South Africa National Parks (SANParks) and other national and provincial governmental and parastatal bodies in South Africa is 27 745, 64 Kg (twenty seven thousand, seven hundred and forty five kilograms and sixty four grams).																		
6. The total number of rhino horns held by all entities in point above.	The total number of rhino horns held by all entities in point 4 is 15 003 (fifteen thousand and three).																		
7. The total number of private rhino horn stockpiles, total weight and total number of horns.	The total number of private rhino horn stockpiles is 18 884 (eighteen thousand eight hundred and eighty four). The total weight of private rhino horn stockpiles is 22 491,13kg (twenty two thousand four hundred and ninety one kilograms and thirteen grams)																		
8. The weight above divided between: 8.1 Management Rhino Horn which include natural mortalities, etc. 8.2 Confiscations (Horn from criminal activities).	<table border="1"> <thead> <tr> <th>MANAGEMENT</th> <th>CONFISCATED</th> <th>UNKNOWN</th> </tr> </thead> <tbody> <tr> <td>45 057,22Kg</td> <td>2539,64Kg</td> <td>2639,91Kg</td> </tr> </tbody> </table>	MANAGEMENT	CONFISCATED	UNKNOWN	45 057,22Kg	2539,64Kg	2639,91Kg												
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9. <i>The number of permits issued in 2018 for lion bone export.</i>	A total of 30 (thirty) permits were issued for export of lion bones under the 2018 quota.
10. <i>The number of lion skeletons exported in 2018.</i>	A total of 798 (seven hundred and ninety eight) skeletons were exported as part of the 2018 quota.
11. <i>Re (9) and (10) above, if no permits were issued in 2018, provide reasons.</i>	Based on the responses in questions (9) and (10) above, this question is now irrelevant.
12. <i>Number of lion bone breeders and traders registered with DEA.</i>	The Department is not in possession of information related to "lion bone breeders". A section 23 Affidavit is attached.
13. <i>Vetting and registration process employed by DEA of lion bone breeders and traders."</i>	The Department is not in possession of information related to the vetting and registration process for lion bone breeders and traders. A section 23 Affidavit is attached.

3. The requested information contained in the Table above will be made available to you at no cost.
4. Kindly be advised that some of the records that you have requested do not exist. A sworn affidavit in terms of section 23(1)(b)(ii) of PAIA is attached hereto for your attention.
5. Should you wish to appeal against this decision, you are referred to sections 74 and 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), which allows you to lodge an internal appeal together with the prescribed appeal fee, in the prescribed form to the Information Officer of the Department within 60 (sixty) days. The subject and reasons for the internal appeal must be clearly indicated.

Yours sincerely



**DEPUTY INFORMATION OFFICER
DEPUTY DIRECTOR-GENERAL: BIODIVERSITY AND CONSERVATION
DEPARTMENT OF ENVIRONMENTAL AFFAIRS
473 STEVE BIKO
ARCADIA
0083**

DATE: 29/7/2019

**AFFIDAVIT IN TERMS OF SECTION 23 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT, 2000 (ACT NO. 2 OF 2000)**

I the undersigned

SHONISANI MUNZHEDZI

Do hereby make oath and say that:-

1.

- 1.1 I am an adult male, employed as the Deputy Director-General: Biodiversity and Conservation in the Department of Environmental Affairs. I am designated as the Deputy Information Officer for the Branch: Biodiversity and Conservation in terms of section 17 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"), and duly delegated. I am authorised to depose to this affidavit in terms of section 23(1)(b)(ii) and (2) of PAIA.
- 1.2 The facts contained in this affidavit are correct and within my personal knowledge unless otherwise indicated.
- 1.3 Where I make submissions which are legal in nature, I do so with the advice of the Department's legal advisors, which advice I verily accept to be correct.

2.

The Department received a PAIA request dated 29 May 2019 from Ms Michele Pickover, on behalf of the EMS Foundation, in which the following records were requested:

1. *"The total weight of the national ivory stockpile held by South Africa National Parks (SANParks) and other national and provincial governmental and parastatal bodies in South Africa. Include entities that hold stockpiles.*
2. *The total number of ivory pieces held by all entities in point 1.*

Shonisani Munzhedzi

3. *The total number of private ivory stockpiles, total weigh and total number of ivory pieces (raw and worked).*
4. *The weight above divided between:*
 - 4.1 *Management Ivory which include (culling, Damage causing animals, natural mortality, donations)*
 - 4.2 *Confiscations(Ivory from criminal activities).*
5. *The total weight of the national rhino horn stockpile held by South Africa National Parks (SANParks) and other national and provincial governmental and parastatal bodies in South Africa. Include entities that hold stockpiles.*
6. *The total number of rhino horns held by all entities in point above.*
7. *The total number of private rhino horn stockpiles, total weight and total number of horns.*
8. *The weight above divided between:*
 - 8.1 *Management Rhino Horn which include natural mortalities, etc.*
 - 8.2 *Confiscations(Horn from criminal activities).*
9. *The number of permits issued in 2018 for lion bone export.*
10. *The number of lion skeletons exported in 2018.*
11. *Re (9) and (10) above, if no permits were issued in 2018, provide reasons.*
12. *Number of lion bone breeders and traders registered with DEA.*
13. *Vetting and registration process employed by DEA of lion bone breeders and traders."*

3.

- 3.1 I have been advised that the Department is not in possession of the following information requested under items 12 and 13, i.e "*(12) Number of lion bone breeders and traders registered with DEA; and (13) Vetting and registration process employed by DEA of lion bone breeders and traders.*" Therefore this information does not exist.
- 3.2 Regarding the request for information on "*the number of lion bone breeders and traders registered with DEA*", the Department does not have information related to lion bone breeders because these facilities do not require a permit in terms of the provisions of National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004):

Threatened or Protected Species Regulations (TOPS). However, the TOPS Regulations prescribes the registration of Captive Breeding Operations, Commercial Exhibition Facilities, Game Farms, Nurseries, Scientific Institutions, Sanctuaries, Rehabilitation Facilities and Wildlife Traders in terms of regulation 27. The registration of such facilities are the responsibility of the provincial issuing authorities and according to information submitted to the Department as of December 2018, there are 366 (three hundred and sixty six) registered lion facilities, such facilities include, zoos, exhibition facilities, sanctuaries and lion captive breeding facilities.

- 3.3 With regards to the requested information relating to *"the vetting and registration process employed by DEA of lion bone breeders and traders"*, the Department does not have any information related to the vetting and registration process for lion bone breeders and traders due to the reasons provided under paragraph 3.2 above. Furthermore, in terms of section 87A(2) of National Environmental Management: Biodiversity Act (Act No. 10 of 2004) (NEMBA), the provincial Member of the Executive Council responsible for Environmental Affairs is the issuing authority responsible for deciding an application for any permit not listed in section 87A(1)(a). This means that all applications from private individuals are lodged with the provincial issuing authorities except as indicated in section 87A(1) including applications for the vetting and registration of lion facilities.



DEPONENT

Thus **SIGNED** and **SWORN** to at PRETORIA on this 5th day of AUGUST 2019, the deponent having acknowledged that he knows and understands the contents of this affidavit, has no objection to taking the prescribed oath and considers the oath as binding on her conscience.



COMMISSIONER OF OATHS

OFHANI NEMUKOVHANI
COMMISSIONER OF OATHS
Senior Legal Administration Officer
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