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HUNTING FOR ANSWERS: IS SOUTH AFRICA’S SLAVISH SUPPORT FOR THE HUNTING INDUSTRY INTERFERING WITH DUE PROCESS AND BALANCED STAKEHOLDER ENGAGEMENT?

CONTEXT

The 19th meeting of the [Conference of the Parties \(CoP19\)](#) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), will take place in Panama City, Panama between the 14th and 25th of November 2022.

South Africa has made a formal declaration that it will be bound by the provisions of CITES, thus South Africa is called a [Party to CITES](#) currently there are 184 Parties. The deadline for Parties to the Convention to submit documents and amendment proposals is the 17th of June 2022.

THE SADC BLOC’S RECKLESS SUPPORT FOR THE TROPHY HUNTING INDUSTRY AND WILDLIFE TRADERS

The Southern African Development Community (SADC) is a Regional Economic Community comprising [16 Member States](#). [Zimbabwe](#) announced last week that it wanted to sell off its ivory stockpile and voiced its frustration at not being allowed to export live elephants to zoos in China or the United Arab Emirates. [Namibia](#) recently exported twenty elephants to zoos in the United Arab Emirates in a commercial transaction and has also expressed an interest in selling stockpiles of what, in rhetorical and loaded language, it refers to as “*valuable wildlife products*”. The value of Zimbabwe and Namibia’s ivory stockpiles have been [grossly overstated](#). [Botswana](#) has been condemned for lifting the ban on [the hunting of elephants](#), has also expressed its desire for the [CITES ban on the sale of ivory to be lifted](#).

TOO CLOSE FOR COMFORT?



South African government and hunting industry representatives attending the November 2019 African Wildlife Consultative Forum meeting at Victoria Falls sponsored by Safari Club International.

The [African Wildlife Consultative Forum](#) (AWCF) is a signature programme of the [Safari Club International](#) Foundation. According to the SCI Foundation [website](#) AWCF brings together senior government officials, professional hunting association leadership, international policy experts to tackle sustainable use issues.

THE HIGH COURT SUSPENDS SOUTH AFRICA'S TROPHY HUNTING QUOTA FOR BLACK RHINO, LEOPARDS AND ELEPHANTS

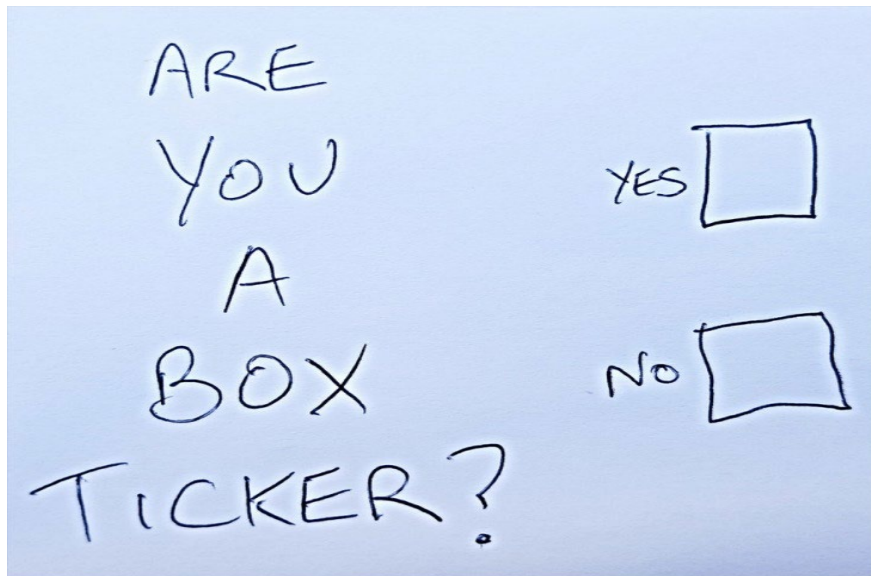
In May 2022, the High Court of the Western Cape has granted [urgent interim relief](#) pending the judgement of the interim interdict [against the South African Department of Forestry, Fisheries and the Environment \(DFFE\)](#) hunting and export quota for leopard, black rhino and elephant.

The application for the hunting and export quotas was brought by animal protection organisation Humane Society International Africa (HSI-Africa) and was based upon the argument that DFFE [failed to comply with the consultative process](#) prescribed by the National Environmental Management: Biodiversity Act 10 of 2004 (NEMBA) when making the quota decision.

HSI-Africa asserts that the relief provided will provide opportunity to fully review the Minister's Record of Decision by which these quota allocations were made.

NEMBA prescribes a specific and comprehensive consultative public participation process that must be undertaken prior to such a decision being taken.

MERELY A NEOLIBERAL BOX TICKING EXERCISE?



Stakeholders include people who should have a say and be involved in decisions, as well as groups of people who represent particular interests, like environmental groups and NGO's. Some stakeholders may have considerable impact, they contribute perspectives and expertise which will result in better decisions and policies. High levels of stakeholder engagement go hand in hand with [increased transparency and accountability](#), leading to increased trust.

Thirty-six working days before the deadline expires for the South African government to submit proposals to CITES for consideration at CoP19 on the 25th of April 2022, a [notice](#) was published on the website of the Department of Forestry, Fisheries and the Environment. Stakeholders were given fourteen days to submit proposals by the 9th May 2022 for consideration **during** the 19th meeting of the CITES COP.

Three days later, on the 28th of April, the Department - very peculiarly through the Inter Provincial Professional Hunting Committee (IPPHC), which is chaired by DFFE - sent email communications to approximately 360 individuals stating that some stakeholders had not seen the notice on the government website and that the deadline for the submission of proposals was extended to the 16th of May 2022. The vast majority of invited stakeholders, whose email addresses are visible, are from the public sector and the hunting lobby and include government officials from DFFE, representatives of the provincial offices of environmental affairs, representatives from national parks, and the police and revenue services. The narrative of the supporters of trophy is that the human rights and right of choice of the indigenous communities is being forgotten by global anti-hunting sentiment. Yet the EMS Foundation could not detect if any community and indigenous-based stakeholders were included in the invitation.

The communication includes an invite to attend the CoP19 Stakeholder Consultation Meeting which will take place in the form of a hybrid event in Pretoria on the 25th May 2022. This consultation event is a preamble to the [Nineteenth Meeting of the Conference of the Parties](#) which will be held from the 14th to the 25th of November in 2022 in Panama City in Panama and the notice included an agenda for the meeting which is marked confidential.

The EMS Foundation sent in [extensive written proposals](#). However, subsequent to doing this - via a Promotion of Access to Information Act (PAIA) response from the department to the EMS Foundation - we have discovered that there may be procedural unfairness and possible bias in this stakeholder process as South Africa's position may have already been decided and this consultation may likely therefore be merely a 'box-ticking' exercise, particularly since South Africa's proposals need to be sent to CITES by 17 June.

The two excerpts below – from the Wildlife Forum Meeting on 19 October 2021 - speak for themselves. The Forum is an exclusive and exclusionary [platform for the hunting industry and those with vested wildlife consumptive interests to shape government wildlife policy](#).

When asked in a Wildlife Forum meeting “what is the strategy of the Government to make sure that when they go to CITES, as Africa and SADC, they really have negotiated a lot of these issues sufficiently to make sure that they have a cohesive and a strong position on certain issues. “

Mr Mpho Tjiane, Deputy Director CITES Policy Development & Implementation at DFFE] responded that:

“SADC and South Africa are almost the same. They have standing items in their engagements with each other, especially building up towards a CoP. They will be appointing a service provider to coordinate the SADC countries in preparation for CoP in order to have similar positions on certain issues as where they agree and usually those positions are made clear and they develop a position paper before the CoP that all SADC countries agree to. As you would know that not all the issues that are discussed are agreed upon, even within SADC. There is still a possibility that one country might not agree with one or two agenda items that they were supporting. All that is negotiated prior to get into CITES and they are well aware of which SADC country might not support SA going forward when they get to the CoP.”

In the same meeting Mr Tjiane said in relation to the preparation for the upcoming CITES COP (COP19):

*“It is also important [for the SA wildlife industry] to be there so that they are part of the discussions in between meetings and all the committees that are happening. It's important that the South African industry is available so that they can engage with the Department. They can also engage with other countries and other countries NGO's are going to be there and they are also going to be doing their bit of engaging with other parties and making sure that the language that they are speaking to is the same. The Department will be facilitating that coordination as soon as they get closer to the date of attending the CoP. The Department will give information **early next year** when they start preparing for the CoP and finalizing all the documents.”*

Is DFFE's CITES COP19 stakeholder consultation designed to limit participation and engagement?

We rest our case.