



TRANSMITTED BY EMAIL

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TO: The Director General: Department of Forestry, Fisheries and the Environment (DFFE)

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RE: COMMENTS ON DRAFT WHITE PAPER ON THE CONSERVATION AND SUSTAINABLE USE OF SOUTH AFRICA' BIODIVERSITY

Please find herewith comments submitted jointly by the EMS Foundation and the Wild Law Institute in response to the invitation to comments on the *Draft White Paper on the Conservation and Sustainable Use of South Africa's Biodiversity* ("the Draft White Paper"). As requested, we have submitted our comments in the form of the table provided as a template but have also submitted a marked-up version of the White Paper which makes it easier to follow the amendments that we propose.

EMS Foundation

The EMS Foundation is a South African based social justice NGO established in November 2016. Our key purpose is to alleviate and end suffering, raise public awareness and lobby and empower, provide dignity and promote the rights and interests of vulnerable groups, particularly children, the elderly and wild animals.

Wild Law Institute

The Wild Law Institute (“WildLI”) is incorporated in South Africa as a non-profit company. It seeks to promote ways of organising society that enable people to live well, by safeguarding and enhancing the wellbeing of the whole Earth community. WildLI has specific expertise in relation to the design and establishment of regulatory systems, including the drafting of policies and legislation.

Overview of comments

We support and applaud the DFFE for having prepared a Draft White Paper which sets out a much needed, progressive vision and policy for conservation based on the ethic of Ubuntu and the recognition that humanity can only flourish in the long-term by conserving the natural systems that support all life, and finding ways to coexist in harmony with Nature.

We have submitted extensive and detailed comments in an effort to strengthen the draft White Paper and eliminate some internal inconsistencies. However, the purpose of this letter is to draw your attention to what we regard as the main issues, so that they are not obscured amidst the detailed comments and overlooked.

Conservation policies and decisions must be guided primarily by ecological and welfare considerations rather than economic considerations

It is very important to avoid framing conservation as the management of a subset of the economy with a view to maximising the extraction of “resources” or “ecosystem services” in order to benefit humanity. Wild species and places are essential to the economy, but are part of ecosystems not the economy. Decisions about wild species and biodiversity must be based on ecological considerations (e.g. what is best for the ecosystem) and welfare considerations (e.g. treating wild animals with respect and without cruelty both for their own sakes and to foster consideration for other species in accordance with the ethic of Ubuntu). Continuing to make conservation decisions on the basis of economic considerations (e.g. maximising the contribution to gross domestic product) will inevitably drive more ecological destruction and biodiversity loss. Human wellbeing, and South Africa’s long term economic interests, are best served by conserving wild species and ecosystems, not by “mining” them.

The value of wild species and ecosystems far exceeds their contribution to the economy

The White Paper must explain that because wild species and the ecosystems they create are essential for life, their value to humanity far exceeds their (significant) contribution to the economy. The draft White Paper emphasises the actual and potential contribution of wild species to economic growth, rather than their more important contribution to maintaining the conditions which enable all forms of life, including humans, to flourish. It is important that the final White Paper emphasizes that that the primary role of conservation is to preserve the ecosystems on which human lives and wellbeing depend (both because of their intrinsic value and their value to humanity) as well as acknowledging the significant contribution of wild species to the economy and livelihoods.

In the past the effectiveness of conservation and environmental protection has been undermined by the (anthropocentric and colonial) misperception and hierarchical logic that humanity is in competition with Nature and that a balance must be struck between what is best for Nature on the one hand and what is best for humanity on the other. In fact, because humans are part of Nature, and human wellbeing is entirely dependent on the functioning of ecosystems (including wild species), protecting Nature is in the best interests of humanity. Prioritising the protection of Nature is the best route to safeguarding humanity. This will generate and nurture harmonious coexistence, care, interdependence and positive reciprocity with Nature and the diverse wild organisms within it.

In order to do so it is important the specific policy measures proposed in the draft White Paper are all aligned with the objective of living in harmony with Nature and oriented towards developing ways for people to co-exist with wild species in ways that contribute to ecosystem integrity, health and functioning.

The importance of a new conservation ethic

We welcome the recognition that a new ethos is necessary to ensure changes not only to what is done, but how things are done, is central to the successful implementation of the White Paper. As indicated, in the White Paper this will require: (a) developing and implementing a new conservation philosophy based on Ubuntu; and (b) changing people's attitudes to Nature and wild species so that they understand that their conservation is essential to long-term flourishing of humanity and aspire to co-exist harmoniously within Nature instead of simply regarding wild species as merely economic "resources".

We believe that this merits a separate goal (Ubuntu and harmonious co-existence within Nature is promoted) which focusses on how conservation will be undertaken in future, with an emphasis on applying ethics such as Ubuntu to change how people view, and relate to Nature, and to contribute to ways for people to co-exist with wild species so that life in all its diversity can be sustained and that human wellbeing is increased as a consequence of protecting and restoring natural ecosystems instead of at their expense.

Both the EMS Foundation and WildLI are committed to contributing to the improvement of wildlife governance and have the necessary skills and experience to enable us to do so. We trust that the attached comments will be of assistance to the Department and Minister when finalising the Policy and look forward to engaging further with the Department and the Minister on this and related matters.

Yours faithfully,



Michele Pickover
EMS Foundation



Cormac Cullinan
Wild Law Institute