



February 1, 2017

BY ELECTRONIC MAIL ONLY

Mr. Mpho Tjiane
Deputy Director: CITES Policy Development and Implementation
Biodiversity and Conservation
South Africa Department of Environmental Affairs

Dear Deputy Director Tjiane:

On January 18th members from several of the undersigned organisations attended the CITES stakeholder feedback session held in Pretoria to discuss a proposed African lion bone export quota. In this submission we offer our collective input, to the recommendation from the South African National Biodiversity Institute (SANBI) to institute an export quota of 800 captive-bred African lion skeletons. In summary, while we are encouraged by the announcement that a zero export quota will be issued for all captive-bred lion parts other than skeletons, we urge the Department of Environmental Affairs (DEA) to suspend all trade in captive-bred lion parts pending South Africa's completion of a robust non-detriment finding (NDF) as required in Article IV of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as well as the completion of a) the study referenced in Decision 17.241 paragraph 'e' adopted at the 17th meeting of CITES and b) a SANBI-led independent study intended to assess lion bone trade in South Africa.

Export quota must be based on a non-detriment finding and strong science

Whilst the undersigned organisations all adhere to their own individual mission statements and organisational objectives, and all maintain individual positions on sustainable conservation interventions, we are united in our position that CITES requires South Africa to make a non-detriment finding *prior* to the determination of a sustainable export quota for any captive-bred lion parts, including skeletons. South Africa's current NDFⁱ for *Panthera leo* focuses only on wild and wild-managed lions. Therefore, it appears that South Africa has been exporting captive-bred lion parts although no relevant NDF has been made.

The export of any specimen of a species included in Appendix II such as the African lion requires that an export permit be granted only if "a Scientific Authority of the State of export has advised that such export will *not be detrimental to the survival of that species*" [CITES Article IV, paragraph 2. (a)] (emphasis added). An acceptable and scientifically sound non-detriment finding for exports of captive-bred lion parts can be formulated only after having taken into consideration the conclusions of the study referenced in Decision 17.241 paragraph 'e'ⁱⁱ adopted at the 17th meeting of the Conference of the Parties to CITES and implementation of any subsequent recommendations of the CITES Standing Committee (SC) and Animals Committee (AC).

Decision 17.241 paragraph ‘e’ directs the CITES Secretariat to “[u]ndertake studies on legal and illegal trade in lions, including lion bones and other parts and derivatives, to ascertain the origin and smuggling routes, in collaboration with TRAFFIC and/or other relevant organisations.”ⁱⁱⁱ In part, the intended purpose of the referenced study is to assess the potential threat posed by the trade in bone and other lion parts from any source, including captive-bred lions, to wild lion populations, in order to help inform future policy. Thus it should be evident that the findings of this forthcoming study are critical to South Africa’s policy on trade in captive-bred lion parts.

Further, at the January 18th meeting SANBI announced that it had initiated a 3-year study¹ “to inform the Scientific Authority on a sustainable annual export quota.”^{iv} This study will a) monitor the lion bone trade in South Africa, b) increase the understanding of the lion bone trade in South Africa, and c) investigate how the trade in captive produced lion bone under a quota system affects wild lion populations.^v This additional forthcoming study is also essential to the determination of a sustainable export quota.

Issuing an export quota in advance of the completion of the study called for in Decision 17.241 and the SANBI-led study is like putting the cart before the horse. For example, how can the DEA determine that the 800 skeleton export quota is non-detrimental and sustainable, without SANBI first investigating how trade in captive lion parts affects wild lions?

We urge the DEA to establish a zero export quota for all parts of captive-bred lions pending completion of the above referenced studies and relevant decisions from CITES SC and AC.

Bone trade from captive lion operations in South Africa is a potential threat to wild lions

Increasing trade in lion bones was identified as one of the key threats to lions at the joint CMS/CITES African range State meeting held in Entebbe, Uganda in May 2016.^{vi} Lion bones are exported to major consumer destinations where big cat bones are used in medicines and wine (often serving as substitutes for, and marketed as, “tiger bone”). In the ten years between 2006 and 2015, skeletons and skulls of an estimated 3,217 captive-bred African lions were declared to have been exported by South Africa for personal, commercial, and hunting trophy purposes primarily to Vietnam, Lao PDR, and the United States.^{vii} The total number of captive-bred lions traded for their bones is likely higher given the 3,217 estimate does not account for export of other related CITES trade terms such as “bones”, “bone pieces”, and “bone products”.

U.S. government sources state that bones from captive lions are traded in growing numbers to Asia; the prices paid per skeleton (\$1,260-2,100) exceeds the per capita GDP in many lion range States which is an incentive to poach wild lions; and if demand increases, there is considerable potential for extensive poaching of wild lions to occur in order to meet demand. According to South Africa’s *Biodiversity Management Plan for the Lion (Panthera leo)* (p.1), “the lion bone

¹ As we understand, this research team will consist of a representative from SANBI, from the National Zoo, a sustainability economist who favors trade in parts of threatened species, and a researcher from the University of the Witwatersrand. It is absolutely critical that this team be independent and unbiased so that the findings are robust and defensible. For example, we recommend also incorporating international research institutes with confirmed experience on lion conservation and experts from wildlife conservation groups.

trade may shift from its current base in captive lions to the poaching of wild lions for body parts”.^{viii} For example, on October 10, 2016, it was reported that in Limpopo National Park, Mozambique, close to the border with Kruger National Park, two lion carcasses were found dismembered² and their bones removed.^{ix} Finally, the 2016 IUCN Red List assessment of *Panthera Leo*^x also identified use of lion bones and body parts and derivatives for traditional medicine as one of the major threats to wild lions, stating that “[l]egal international trade in bone reported as from captive-bred Lions could serve as a cover for illegally wild-sourced Lion (and other big cat) parts.”^{xi}

According to the DEA website, the proposed 800 skeleton export quota is “[b]ased on an assessment of previous year’s trade data (including trade in bones and hunting trophies),”^{xii} which SANBI has determined to be sustainable. This is not a scientifically-based determination and does not take into account the above-stated and recognized threats of lion bone trade to wild populations.

We strongly urge the South African government to base the requisite NDF and any quota determinations on the above-referenced evidence and forthcoming study findings on trade in captive-bred lion bone and its impact on wild lions.

Proposed export quota presents serious implementation and enforcement challenges

Having a system in which some lion parts are permitted and others are prohibited presents an enormous challenge to those charged with enforcing the export quota, for example law enforcement officers. Lion skeletons sourced from captive-bred lions are indistinguishable from those derived from wild lions, and therefore poached wild lion parts may be laundered as captive relatively easily.

In implementing the recommended export quota and ensuring poached specimens are identified and confiscated and traffickers brought to justice, customs authorities must be able to find and identify the origin of each lion part in transit, as well as to ensure that they are accompanied by appropriate documentation. This requires investment in equipment, sniffer dogs, management support, and establishment of legislative controls, etc. An effort of this nature not only requires political will but also considerable funding. Such factors must be considered and addressed *prior* to the implementation of the export quota. The costs of implementing this quota will far exceed the profits to lion breeders and traders from the sale of 800 captive-bred lion skeletons.

At the January 18th meeting, the South African government expressed that forensic data and analysis will assist in ensuring that wild lion skeletons are not laundered as captive-bred. This effort will allegedly include random DNA audits of consignments and random collection of DNA samples at airports. A process like this is extremely technically complicated and similarly expensive, raising questions of feasibility and how funding will be sourced.

² There is also increasing poaching of captive-bred lions. On January 26, 2017, six captive-bred lions were poisoned in Limpopo province and their carcass mutilated indicating use of paws and teeth.

The DEA has limited control over the management and harvest of captive lions, which instead lies with provincial authorities. During the January 18th SANBI presentation, one slide entitled *Questionnaire for lion captive breeding operations* listed a series of questions including “Where do they source the lions from?” and “How many lions are they producing each year?” Further, information about the lion farms (such as which are properly permitted, how many lions are held there, etc.) is not available through the public domain and therefore extremely difficult to monitor. This indicates that there are major information gaps between the provincial authorities and the DEA, which must still be filled *prior* to the implementation of the export quota.

Recently South Africa was considering a CITES bid to legalize trade in rhino horn. The Cabinet launched a Committee of Inquiry on this matter. Ultimately, the Minister of Environmental Affairs announced South Africa will not apply to open legal international trade in rhino horn. There are strong parallels between the two issues; the majority of South African rhinos are intensively managed on private fenced land. The rhino horn decision was made, in part, because “any potential mechanism to legalise international trade in rhino horn will have to ensure not only a reduction in poaching and the risk of extinction, but also benefit the conservation of free-ranging rhino; secure financing for the expansion of rhino range; address threats in rhino range states and ensure the establishment of governance structures that reduce corruption.”^{xiii} In contrast, trade in lion bone continues when it offers no conservation benefit to wild lions as recognized in the recently adopted IUCN motion.³

We therefore strongly urge the South Africa government to develop a plan that will explain how each of these implementation and enforcement challenges will be addressed, prior to the captive-bred lion skeleton export quota going into effect.

Thank you in advance for urgently considering these recommendations. Please contact Audrey Delsink at adelsink@hsi.org and Fiona Miles at fiona.miles@vier-pfoten.org with any questions.

Sincerely,



Audrey Delsink
Executive Director
Humane Society International – Africa



Fiona Miles
South Africa Country Director
FOUR PAWS Animal Welfare Foundation

³ It must be noted that at the September 2016 IUCN World Conservation Congress, the world’s top scientists, government representatives, non-profit organisations, and experts adopted motion 009 on *Terminating the hunting of captive-bred lions (Panthera leo) and other predators and captive breeding for commercial, non-conservation purposes*. The motion acknowledged that “captive breeding of lions has not been identified as a conservation action in any African lion conservation planning programme.” As a byproduct of this industry, the lion bone trade is a purely financial venture that offers no benefit to conservation. IUCN (2016), Motion 009 (Nov. 7, 2016) available at <https://portals.iucn.org/congress/motion/009>.

With support from the following organisations:

Animal Defenders International

Big Cat Rescue

Blood Lions

Born Free Foundation

Born Free USA

Captured in Africa Foundation

Center for Biological Diversity

Eurogroup for Animals

Fondation Brigitte Bardot

Humane Society International

Humane Society of the United States

Humane Society International Australia

East Caribbean Coalition for Environmental Awareness (ECCEA)

International Fund for Animal Welfare [confirmation pending]

Irish Society for the Prevention of Cruelty to Animals

Wildlife Poisoning Prevention [confirmation pending]

World Animal Net

Environmental Investigation Agency

DRAFT

ⁱ Scientific Authority for South Africa, Non-detriment finding assessment for *Panthera leo* (African lion) (May 20, 2015), available at <http://www.stichtingspots.nl/deposit/files/3591.pdf>.

ⁱⁱ Decisions of the Conference of the Parties to CITES in effect after its 17th meeting, Decision 17.241, para e. Available at <https://cites.org/sites/default/files/eng/dec/valid17/E17-Dec.pdf>.

ⁱⁱⁱ Id.

^{iv} Department of Environmental Affairs, Public invited to make written submissions on proposed lion export quota to the department in line with CITES requirements (Jan 25 2017), https://www.environment.gov.za/mediarelease/africanlion_pantheraleo_exportquota.

^v Id.

^{vi} CITES, CMS Communiqué, African Lion Range State Meeting, 31 May 2016. Available at: http://www.cms.int/sites/default/files/document/African_Lions_Meeting_Communique_E.pdf.

^{vii} CITES trade statistics derived from the CITES Trade Database, UNEP World Conservation Monitoring Centre, Cambridge, UK.

^{viii} Biodiversity Management Plan for the Lion (*Panthera leo*) (Apr. 17, 2015). Available at https://www.environment.gov.za/sites/default/files/gazetted_notices/nemba_africanlion_managementplan_gn351g38706.pdf.

^{ix} Pinnock, Don. Mass poisoning in Limpopo National Park. Traveller24. (Oct. 10, 2016). Available at <http://traveller24.news24.com/Explore/Green/shockwildlifetruths-mass-poisoning-in-limpopo-national-park-20161010>.

^x Bauer, H., Packer, C., Funston, P.F., Henschel, P. & Nowell, K. 2016. *Panthera leo*. The IUCN Red List of Threatened Species 2016: e.T15951A107265605. <http://dx.doi.org/10.2305/IUCN.UK.2016-3.RLTS.T15951A107265605.en>. Downloaded on 26 January 2017.

^{xi} Id.

^{xii} Department of Environmental Affairs, Public invited to make written submissions on proposed lion export quota to the department in line with CITES requirements (Jan 25 2017), https://www.environment.gov.za/mediarelease/africanlion_pantheraleo_exportquota.

^{xiii} Statement: Minister of Environmental Affairs, Mrs Edna Molewa, On the Committee of Inquiry into the Feasibility of a Legal Trade in Rhino Horn, or Not (May 8, 2016), <https://www.sanparks.org/assets/docs/news/2016/final-9-may-2016-committee-of-Inquiry-statement.pdf>.