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PRESS STATEMENT

2 November 2026

LION-BONE JUDGMENT DOES NOT AUTHORISE EXPORTS: EMS FOUNDATION CONSIDERS LEGAL OPTIONS AND CALLS FOR ZERO QUOTAS

The EMS Foundation intervened in proceedings brought by the South African Predator Association and commercial lion breeders seeking to compel the Minister of Forestry, Fisheries and the Environment to determine lion-bone export quotas. Our intervention sought to ensure that the protection and well-being of lions were represented in a case driven by commercial interests in trading their body parts.

Following the Gauteng High Court's judgment on 29 October 2026, the Foundation emphasises that the ruling does not authorise lion-bone exports or require the Minister to reopen the trade. The Minister can still lawfully set a zero quota, preventing exports.

The EMS Foundation is reviewing the judgment with its legal advisers and considering all available legal options, including an appeal.

The ruling requires the Minister to make a decision on export quotas. It gives the lion-breeding industry no entitlement to export lion bones or other body parts. The EMS Foundation calls on the Minister to set zero quotas and give effect to government's commitment to ending the captive-lion industry.

Lions are sentient beings whose lives and well-being cannot be reduced to the commercial value of their bodies.

South Africa's captive-lion industry breeds and exploits lions for commercial gain throughout their lives and after their deaths. Any decision concerning the trade in their remains must confront the suffering inherent in this system and the consequences of sustaining a market for their body parts.

The Foundation rejects any suggestion that breeders' commercial expectations should determine the Minister's response. Permission to breed or hunt lions does not create a right to export their remains. Nor does the accumulation of bones oblige government to facilitate their sale.

The court declined the industry's request for an express order directing the Minister to consider stockpile quantities and their declining commercial value. Although the judgment states that the Scientific Authority should consider stockpiles when advising the Minister, their existence does not establish a right to export them. Commercial pressure to dispose of accumulated bones cannot override animal well-being and conservation obligations.

Animal well-being is a legal obligation. The earlier lion-bone judgment established that the Minister could not exclude welfare considerations when determining export quotas. NEMBA expressly recognises the

consideration of animal well-being as an objective of the Act. The Minister must give meaningful effect to this obligation in any decision on lion-bone export quotas.

The EMS Foundation calls for a transparent process with meaningful public participation. The Minister must fully consider the evidence concerning animal suffering, conservation risks and the implications of renewed trade, together with government's policy commitment to ending the captive-lion industry.

Government's failure to act decisively must not become an opportunity to prolong the exploitation it has committed to ending.

The judgment also exposes serious failures in the Minister's handling of the litigation. The court described repeated failures to comply with court rules and directives as "deplorable". It found that the EMS Foundation's and NSPCA's intervention was not unreasonable and ordered the Minister to pay the costs of the application, including those of the opposing parties.

The Foundation will continue to scrutinise decisions affecting lions and oppose efforts to revive the international trade in their body parts.

The Minister must now set properly motivated zero quotas and take enforceable steps to end captive-lion breeding and associated exploitation, with the protection and well-being of the lions at the centre of that process.

ENDS

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