

FOR IMMEDIATE RELEASE | 28 JULY 2026

COURT ORDER SECURES INTERIM LIMITS ON AVERSIVE BABOON-MANAGEMENT IN BETTY'S BAY

EMS Foundation welcomes an enforceable interim arrangement while Overstrand Municipality reviews and publishes its amended Strategic Baboon Management Plan.

The Western Cape High Court on 27 July 2026 made an order, by agreement between the EMS Foundation and Overstrand Municipality, regulating the active management of the Betty's Bay baboon troop while the Municipality reviews its Strategic Baboon Management Plan (SBMP). CapeNature, the permitting authority, and the NSPCA, both cited as respondents in the litigation, did not oppose the relief sought in Part A, each having delivered a Notice to Abide.

The order provides meaningful interim protection while preserving the Municipality's ability to respond to genuine threats. It also creates an opportunity for the future of baboon management in the Overstrand to be reconsidered on a more transparent, evidence-led and humane basis.

EMS did not approach the Court as a first resort. Since December 2022, the Foundation has repeatedly sought constructive engagement with the relevant authorities about the Overstrand's baboon-management system. On 4 June 2026, EMS's attorneys addressed a formal letter of demand to CapeNature and the Municipality. The application followed written confirmation by the Municipality's own officials that procurement was under way to extend the full weapons-based suite, including paintball markers, to Betty's Bay from July 2026; four days after the application was served, the Municipality published a three-year tender for baboon-management equipment closing 31 July 2026. When no satisfactory resolution was secured, EMS instituted the proceedings.

What the order provides

- Pending finalisation of the Municipality's SBMP review (inclusive of a public participation process), the existing active-management status quo for the Betty's Bay troop will continue, including the use of gel blasters.
- The Municipality has undertaken not to use any additional tools available to it under the SBMP – including paintball markers, pepper balls or pepper spray, bear bangers, strobe lights, water cannons, artificial light, drones or night operations – in Betty's Bay, whether under its current CapeNature permits or any successive permits.
- The order permits the use of an otherwise restricted authorised tool only where it is reasonably necessary to avert an imminent or actual threat of harm to persons, property, pets or baboons in Betty's Bay.
- The substantive review proceedings in Part B are postponed pending the Municipality's review and publication of the amended SBMP. They have not been withdrawn. Costs remain reserved.
- Any party may seek a variation or discharge of the order on good cause and on at least five court days' written notice.

"An animal does not cease to matter because it crosses an invisible line into a town. The real question is not whether baboons should be managed, but whether public authorities manage sentient wildlife lawfully, humanely, transparently and on the best available evidence."

A careful and honest reading of the outcome

The order is an interim consent order. It does not determine the merits of the parties' competing positions, and the Court did not declare any management method lawful or unlawful. The EMS Foundation's acceptance of the interim arrangement should also not be understood as an endorsement of gel blasters or of the existing management system. EMS continues to have grave concerns about the welfare, ecological and governance consequences of aversive management.

EMS accepted a practical interim arrangement that immediately limits the routine deployment of a far wider suite of aversive "tools" while the foundational municipal strategy is reconsidered.

The review must be meaningful

The SBMP review should not become a paper exercise that leaves existing operational assumptions untouched. It should examine the methods by which the strategy is implemented, the evidence of their effects, the cumulative impact on baboon troops and communities, and the availability of less harmful alternatives.

Chacma baboons are intelligent, sentient primates that perform important ecological functions, including seed dispersal and nutrient cycling. They should not be treated merely as mobile nuisances at the urban edge. Management must account for troop behaviour and social structure, habitat, historic ranging areas and movement corridors, as well as the human decisions that shape the urban-wildland interface.

For EMS, humane coexistence requires more than changing the management methodologies. It requires attention to waste and other attractants, land-use planning, ecological connectivity, community education, reliable incident data, independent expertise, animal well-being and meaningful participation by affected communities. Properly designed community-based monitoring can complement specialist research and help test whether management measures are working in practice.

Residents and visitors also share responsibility for coexistence. Securing homes, food sources and waste against baboon access, and avoiding feeding, reduces preventable conflict. No person should resort to unlawful action against baboons.

Why the existing model must be reconsidered

EMS's case, supported by residents' accounts and observations, raises serious concerns about the operation of the Adaptive Baboon Management Plan in Pringle Bay since May 2024. After more than two years, residents report that it has not achieved its stated objective of keeping baboons out of the urban area. EMS contends that the plan was not adequately grounded in research into troop behaviour and social dynamics, local ecology, natural foraging resources, historic ranging areas and essential movement corridors.

Residents' observations further raise concern that the routine use of aversive "tools", including paintball markers and bear bangers, may scatter troops and cause baboons to seek cover deeper within residential areas, potentially increasing opportunistic foraging and difficult encounters. Residents have also reported municipal personnel entering private properties without consent, while some residents and visitors have expressed alarm at the visible deployment of weapon-like devices in residential spaces.

Incidents involving the fatal shooting of baboons by members of the public have been reported in Pringle Bay, Betty's Bay and Hermanus. EMS does not suggest that the Municipality carried out those shootings. Its concern is that a confrontational management environment may heighten fear, deepen intolerance and encourage unlawful individual responses. The disputed questions of cause and effect have not been finally determined by the Court; they are precisely the kind of questions that require independent scrutiny during the SBMP review.

A practical alternative for people, wildlife and the Western Cape

Public debate about baboons has become deeply polarised. Some residents demand more forceful intervention; others strongly oppose aversive management. Politicians are repeatedly pressed to choose a side. But baboon management is not, and should never become, a popularity contest. The responsibility of government is to adopt a lawful, effective and evidence-led approach that protects people and property while respecting the well-being and ecological role of baboons.

Importantly, there is another way forward. A modern coexistence programme combines professionally trained and locally recruited field teams; early-warning and rapid-response services; practical support for household and municipal baboon-proofing; effective waste and attractant management; community education; ecological monitoring; veterinary and welfare capacity; protection of movement corridors; and transparent reporting against measurable outcomes. This is consistent with international best-practice principles, which favour integrated prevention, mitigation, response, research and monitoring developed with affected communities.

Such a programme has the potential to create meaningful local jobs and specialist skills while reducing risks to residents, visitors and baboons. It offers political leaders a route beyond a divisive and ultimately unproductive choice between competing community factions. Humane, compassionate, professional management can serve the shared interests of residents with very different views, and could establish the Western Cape as a leading example of innovative and compassionate urban-wildlife coexistence.

The Municipality has publicly committed itself to reviewing the SBMP. EMS will engage constructively with that process and will assess the amended plan when it is published. The Foundation reserves all its rights in the pending proceedings.

The EMS Foundation thanks the residents, community organisations, specialists and legal representatives whose work has kept the welfare of the Overstrand's baboons, and the quality of public decision-making, firmly in view.

- ENDS -