

PARLIAMENT
OF THE
REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
TABLINGS AND
COMMITTEE REPORTS**

TUESDAY, 13 NOVEMBER 2018

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ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. Classification of Bills by Joint Tagging Mechanism (JTM)

- (1) The JTM in terms of Joint Rule 160(6) classified the following Bill as a section 75 Bill:
 - (a) **Firearms Control Amendment Bill** [B 40 – 2018] (National Assembly – sec 75).
- (2) The JTM in terms of Joint Rule 160(6) classified the following Bill as a section 76 Bill:
 - (a) **Public Finance Management Amendment Bill** [B 41 – 2018] (National Assembly – sec 76).
- (3) The JTM in terms of Joint Rule 160(6) classified the following Bills as money Bills:
 - (a) **Special Appropriation Bill** [B 36 – 2018] (National Assembly – sec 77).
 - (b) **Rates and Monetary Amounts and Amendment of Revenue Laws Bill** [B 37 – 2018] (National Assembly – sec 77).

National Assembly

The Speaker

1. Referral to Committees of papers tabled

- (1) The following papers are referred to the **Portfolio Committee on Environmental Affairs**:
 - (a) Government Notice No 961, published in Government Gazette No 41913, dated 21 September 2018: Withdrawal of Government Notice No. 304 published in Government Gazette No. 35248 on 10 April 2013, and issue of norms and standards for the marking of rhinoceros horn and for the hunting of rhinoceros for trophy hunting purposes, in terms of section 9 of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004), set out in the Schedule hereto.

- (b) Government Notice No 986, published in Government Gazette No 41919, dated 21 September 2018: Draft Regulations relating to Domestic Trade in Rhinoceros Horn, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).
- (c) Government Notice No 987, published in Government Gazette No 41919, dated 21 September 2018: Draft notice prohibiting the carrying out of certain restricted activities involving Rhinoceros Horn, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).
- (d) Government Notice No 988, published in Government Gazette No 41919, dated 21 September 2018: Proposed amendment to the alien and invasive species list and list of critically endangered, vulnerable and protected species, in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).
- (e) Government Notice No 989, published in Government Gazette No 41920, dated 21 September 2018: Consultation on the amended proposed industry Waste Tyre Management Plans, in terms of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008).
- (f) Government Notice No 990, published in Government Gazette No 41920, dated 21 September 2018: Amendments to the Regulations regarding the Planning and Management of Residue Stockpiles and Residue Deposits, 2015, in terms of section 69((1)(iA) read with sections 71(2)(a), 72 and 73 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008).
- (g) Government Notice No 991, published in Government Gazette No 41921, dated 21 September 2018: Amendments to Financial Provisions Regulations, 2015, in terms of the National Environmental Management Act, 1998 (Act No 107 of 1998).

National Council of Provinces

The Chairperson

1. Message from National Assembly to National Council of Provinces in respect of Bills passed by Assembly and transmitted to Council

- (1) Bills passed by National Assembly and transmitted for concurrence on 13 November 2018:

- (a) **Division of Revenue Amendment Bill** [B 34 - 2018]
(National Assembly – sec 76).

The Bill has been referred to the **Select Committee on Appropriations** of the National Council of Provinces.

- (b) **Electronic Deeds Registration Systems Bill** [B 35B – 2017] (National Assembly – sec 75).

The Bill has been referred to the **Select Committee on Land and Mineral Resources** of the National Council of Provinces.

TABLINGS

National Assembly

1. The Speaker

- (a) A letter dated 26 October 2018, together with a Government Notice dated 4 November 2018, has been received from the President of the Republic, determining the remuneration, allowances and other benefits of members of the Financial and Fiscal Commission, in terms of section 9 (1) read with section 9(5) of the Financial and Fiscal Commission Act, 1997 (Act No. 99 of 1997).

Referred to the **Standing Committee on Appropriations** for consideration and report.

COMMITTEE REPORTS

National Assembly

1. Report of the Portfolio Committee on Transport on the Charter establishing the South African Development Community Aviation Safety Organisation (SASO), dated 13 November 2018:

The Portfolio Committee on Transport, having considered the request for approval by Parliament of the Charter establishing the South African Development Community Aviation Safety Organisation (SASO), referred to it and tabled in terms of section 231(2) of the Constitution, 1996, recommends that the House approve the said Charter.

Report to be considered.

2. Report of the Portfolio Committee on Environmental Affairs on the Colloquium on Captive Lion Breeding for Hunting in South Africa: harming or promoting the conservation image of the country, held on 21 and 22 August 2018, dated 8 November 2018

The Portfolio Committee on Environmental Affairs having conducted the “*Colloquium on Captive Lion Breeding for Hunting in South Africa: Harming or promoting the Conservation Image of the Country*”, held on 21 and 22 August 2018, reports as follows:

1. BACKGROUND

On 6th May 1997, the award-winning “Cook Report” was broadcasted on British Television programme called “Making a Killing”. This programme brought the hideous canned lion hunting industry in South Africa to the world’s attention for the very first time. Indeed, the so-called ‘canned hunting’ involves unfairly preventing the target animal from escaping the hunter, thereby eliminating ‘fair chase’ and guaranteeing the hunter a trophy

for which he will have paid up to R495 000. The hapless animal is handicapped either by being confined to a small enclosure or because it has lost its fear of humans as a result of hand-rearing and in some cases animal petting and walking with human interactions. In fact, some of these animals are even tranquilised.¹ Consequently, DEA instituted a prohibition on the hunting of listed predators, including lions within 24 months of their release in the wild following a public outcry. The then South African Predator Breeders' Association (SAPBA) initiated a court action to challenge the validity of, among others, the prohibition of the hunting of listed large predators (lion, leopard, cheetah, African wild dog, and spotted and brown hyena), black rhino and white rhino that is a "put and take animal". "*Put and take*" in this case related to hunting of a live specimen that is released for the purpose of hunting that animal within a period of 24 months of its release from a captive environment.

However, on 29 November 2010, the Supreme Court of Appeal of South Africa delivered judgment in favour of SAPBA, citing grounds of unreasonableness on the part of the Department not to have included a transitional period to comply with the 24-month period; rationality, as no rational justification was found in terms of either *fact* or *scientific evidence*, to indicate that captive-bred lions required 24 months to become self-sustainable, and no rational basis for the assumption that captive-bred lion could be rehabilitated at all; and finally, on the lawfulness of the decision, where the Court found no legal basis for the regulation of ethical matters in legislation designed to conserve and protect biodiversity.

There are about 3 000 lions in the 'wild' in South Africa with most of these protected in national parks where hunting is not allowed. There are an estimated 8 000 lions in captive facilities, being bred for various purposes, including hunting, tourism, live sales, petting, zoological purposes and lion bone trade. What appears to be more concerning is the fact that some of the volunteers who have paid to help raise these captive-bred lions have been deliberately misled into believing that they are helping conservation, which is utterly false.

¹ ¹ Cook, R. (2014) Roger Cook and the "Cook Report" [Internet]. Available from <<https://lionaid.org/news/2014/03/roger-cook-and-the-cook-report.htm>> (Accessed on 27th August 2018).

This most extreme type of trophy hunting serves the captive-bred lions to their hunters on a silver platter. The animals, which are born in captivity are taken away from their mothers within hours of being born so they can be used in petting facilities, where unwitting tourists visit these farms and pay money to look at or touch young lion cubs. They do not know that they are supporting a horrific industry, an industry that even many hunting associations reject as being unethical. The farms often advertise as wildlife sanctuaries to lure in foreign volunteers under the pretence of helping save the species. When the lions reach the trophy age of *four to seven* years they are then deemed appropriate to be sold for a trophy hunt. The laws require that the ‘hunting’ is not conducted on the same farm that the animal was bred at. Instead the lions are transported to other areas and shot there, some within days of being relocated. This practice guarantees a kill as the habituated lion has nowhere to go inside the ‘can’ or enclosure where it is shot. The animals cannot escape from the cages. Occasionally they are attracted with bait, sometimes they are even sedated with medicine, considering the short release period from farms where the animals are usually raised by hand and accustomed to humans to farms where they are shot. Consequently, it is stated that anyone can go and hunt lions in South Africa – a hunting licence or proven hunting experience is not usually necessary.²

1.1 Local and International Concerns about the CLB Industry

The Cook Report, followed by the Blood Lions film (2015) exposed the brutal exploitation of lions in captive breeding facilities. The film revealed that many tourists are being lured to South Africa with the prospect of petting a lion cub or even walking with young lions. Some of these foreign tourists come as volunteers to stay at lion breeding facilities where they hand-rear cute cubs, believing that their money and help goes towards increasing lion numbers and conserving the species because the lions they help to raise will one day be released back into the wild. In fact, this is a lie sold to unsuspecting visitors to South Africa. The truth is that the vast majority of these lions are bred for shooting in enclosed farms where at least *two to three* captive-bred or tame lions are killed each day. Those that are not shot as trophies become part of the legal lion skeleton export quota. The

² Four Paws (Undated) Bred for hunting: South Africa’s Lion Industry [Internet]. Available from <<http://www.four-paws.org.za/campaigns/wild-animals/canned-hunting/bred-for-hunting-south-africa-s-lion-industry-2>> (Accessed on 27th August 2018).

showing of this horrific *Blood Lions* film provided the campaign against captive lion breeding for hunting with a significant boost. The film has powerful footage and a compelling narrative from a number of world-renowned conservationists and animal welfare experts, leaving viewers in little doubt as to what is taking place on many private farms across South Africa. Other than greed and ego, there are no reasons to be breeding lions in captivity to be killed in captivity. The film turned out to be a global tool for meaningful action against the CLB Industry.³

Consequent to these and many other global campaigns, the United States, Australia, France and the Netherlands moved to ban the importation of all captive-bred lion trophies and other iconic species, not to mention the 45 airlines that have placed embargoes on all *Big Five* hunting trophies. Similarly, Safari Club International (SCI), the world's largest hunting club, turned its back on South Africa's canned lion hunting industry, announcing it would no longer allow captive bred lion operators to advertise or market captive bred lions at its annual convention, and would reject all captive-bred lion entries for its record books. Thus, SCI finally closed the door on the future of captive lion breeding at their 46th Wildlife Sport-Hunting Expo, at the Las Vegas Convention Centre.⁴ Similarly, the Dallas Safari Club, which is another large international hunting organisation, rejected the practice. The Club stated that canned lion hunting "*is not a practice that is in keeping with its values of ethical and fair chase hunting*".⁵ Several affiliate hunting bodies, including the South African Hunters and Game Conservation Association, Operators and Professional Hunting Associations of South Africa, the Namibia Professional Hunting Association, Boone and Crockett Club, and the Nordic Safari Club condemned the captive breeding of lions for hunting.⁶ Furthermore, the *Canned Lion Hunting Industry* had been high on the agenda of the 2016 International Union for Conservation of Nature's

³ Crone, A. (2015) *Blood Lions* – a film exposing the brutal exploitation of the king of beasts [Internet]. Available from <<https://africageographic.com/blog/blood-lions-canned-hunting-captive-bred-lions/>> (Accessed on 27th August 2018).

⁴ Bloch, S. (2018) #ShockWildlifeTruths: Largest safari club in the US slams the door shut on SA's canned lion industry [Internet]. Available from <<https://www.traveller24.com/Explore/Green/shockwildlifetruths-largest-safari-club-in-the-us-slams-the-door-shut-on-south-africas-canned-lion-industry-2018020>> (Accessed on 27th September 2018)

⁵ Cruise, A. (2018) American trophy hunters condemn South African Lion Hunting [Internet]. Available from <<https://www.eturbonews.com/175295/american-trophy-hunters-condemn-south-african-lion-hunting>> (Accessed on 27th September 2018).

⁶ Bloch, S. (2017) New industry body formed after outcry over captive-bred lion hunting [Internet]. Available from <<https://www.news24.com/Green/News/new-industry-body-formed-after-outcry-over-captive-bred-lion-hunting-20171207>>: (Accessed on 27th September 2018).

(IUCN's) World Conservation Congress (WCC) in Hawaii. The IUCN called on the South African Government to terminate the practice of hunting captive-bred lions.⁷

Equally, two South African hunting associations that practice canned lion hunting (PHASA & CHASA) lost an appeal to retain their membership to Europe's top hunting organisation. They were thrown out at the 65th General Assembly of the International Council for Game and Wildlife Conservation (CIC) held in Madrid in May 2018 for breach of policy. This follows a policy reversal by PHASA and CHASA in November 2017 to support the captive lion hunting industry, and permit their membership to engage in the practice of captive bred lion (CBL) shooting. This led to the formation of a new association representing the interests of professional hunters, opposed to hunting of captive-bred lions, in South Africa. The mandate of the new body, the Custodians of Professional Hunting and Conservation South Africa (CPHC-SA) is to “promote only ethical and responsible conservation-based hunting principles, such as hunting only under fair chase conditions”.

2. PARLIAMENTARY COLLOQUIUM ON CLB FOR HUNTING AND LION BONE TRADE

It was against this background that the Portfolio Committee on Environmental Affairs hosted a two-day Colloquium on captive lion breeding under the title “*Captive Lion Breeding for Hunting in South Africa: Harming or Promoting the Conservation Image of the Country*”. The Colloquium achieved an exceptionally high turnout, drawing speakers and participants from the captive lion breeding industry, local hunting associations and game conservation organisations, provincial nature conservation authorities, SANParks and the National Departments of Environmental Affairs and Agriculture, Forestry and Fisheries. Representatives of local non-governmental organisations (NGOs) and environmental activists attended in good numbers, speaking with one voice against the practice. Dr Mark Jones from the Born Free Foundation in the

⁷ IUCN (2016) IUCN – Terminating the hunting of captive-bred lions [Internet]. Available from <<https://conservationaction.co.za/resources/reports/terminating-hunting-captive-bred-lions-panthera-leo-predators-captive-breeding-commercial-non-conservation-purposes/>> (Accessed on 27th September 2018).

UK and Dr Ali Kaka from the International Council for Game and Wildlife Conservation (CIC) also spoke at the event, highlighting the drawbacks of hunting or rather shooting of captive-bred lions. Altogether 17 presentations were made over the two-day period, opportunities were also accorded to individuals to comment and/or ask questions. The Chairperson of the Portfolio Committee on Environmental Affairs, Hon Mr Mapulane gave an opening address and Hon Ms Edna Molewa, Minister of the Department of Environmental Affairs (DEA) gave the key note address.

3. SCENE-SETTING SESSION

3.1 Opening Remarks: Hon Mr Mapulane

The Chairperson welcomed everyone to the Colloquium, stating that it was during the budget vote debate of the Department (DEA) on 16 May 2018 when a commitment was made to the nation that this Parliament would be working together with DEA to facilitate a national dialogue on the question of breeding of lions in captivity for the purposes of hunting and the lion bone and skeleton trade. Three months down the line, we are gathered here today in fulfilment of that commitment and to interrogate the practice that has gained the reputation of being the most controversial subject in the conservation industry. He stressed that this particular Colloquium would not be just another talk shop without being followed by action. Meticulous records of the proceedings would be kept and a detailed report would be produced with detailed recommendations to be considered by the Portfolio Committee on Environmental Affairs, after which it would be tabled in the National Assembly (House) for adoption. Whatever outcome to the Colloquium, it would be followed up by the Committee with the tenacity of a hungry lion chasing after its prey. It was deliberate that the theme of this Colloquium poses a fundamental question in relation to the conservation image of South Africa. The Chairperson further provided the backdrop to the international controversy and outcry against the hunting of captive-bred lions, providing the rationale for the IUCN's decision to request the South African Government to halt this practice. He underscored South Africa's well-known and highly recognised contribution to the IUCN.

He indicated that South Africa's captive lion breeding industry was dealt another serious and embarrassing blow at the international level when, among others, the Safari Club International, the world's largest hunting club, finally closed its doors on the of future captive-bred lions at their 46th wild lions sport hunting expo in Las Vegas. Dallas Safari Club also rejected the practice, stating the canned lion hunting is not keeping with its values of ethical and fair chase hunting. The Chairperson stated that the Madrid CIC decision was a case of an international hunting association turning its back on its own and on a hunting practice that it considered to be unethical.

He remarked that although the country is in favour of sustainable use of biodiversity resources, South Africa finds itself increasingly isolated at important international conservation and hunting platforms as a result of this policy stance. Major questions are not only raised in relation to ethical and fair chase hunting considerations, but more concerns are being raised about the absence of scientific evidence showing the conservation value of canned hunting as well as the application of the precautionary principle. The primary point of contention regarding captive-bred lions appears to be ethical and welfare matters associated with raising lions specifically to be killed. The potential impact of raising captive-bred lions for hunting on the wider conservation of lions has been largely overlooked with the exception of attempts to justify the practice on the grounds that it may reduce pressure from hunters on hunts for wild lions. The counter-argument is that reduced demand potentially undermines the price of wild lions, thereby reducing incentives for the conservation of wild lions. An additional conservation impact of captive-bred lion hunting is through undermining the credibility of trophy hunting as a conservation tool in general at a time when there is so much contention around this.

It seems as if South Africa's conservation reputation is being compromised by this practice which does not seem to benefit the broader conservation, but a small number of breeders without proper scientific or conservation basis. Another bone of contention is the breeding of lions for the bone trade. Apparently, the Government has increased the lion bone quota to be traded and exported. The Committee is expecting a briefing from the Department on what necessitated this increase. He warned that Parliament must become particularly concerned when reputable conservation agencies, such as SCI, CIC and IUCN turn their backs and deplore these practices.

He affirmed that all the sides of the argument have to be assessed with cool heads at this Colloquium and a sustainable way forward must be crafted. Finally, the Chairperson, once more, welcomed and appreciated the efforts of all the participants and presenters who set aside time to participate in this parliamentary Colloquium.

3.2 Keynote Address: Honourable Minister Molewa

In the keynote address, Minister Molewa stressed that the Committee's decision to have this discussion is welcome. This is an opportunity to clarify South Africa's position around the captive breeding of lions for hunting and for the trade of lion specimens. This position was formulated a while ago through the democratic process. Public representations are awash with slanted and misrepresented information. This is harmful for South Africa in terms of conservation. It is important for us to hear each other very carefully, lest we misunderstand or misrepresent some of the things which are said. These misrepresentations distract from the real discussion and the substantive issue around lion conservation. It is important for this discussion to be scientific and not anecdotal. Whatever decision is made requires trade-offs with a set of outcomes. A final decision requires very hard thinking. Minister Molewa stated that South Africa is one of the world leaders in conservation, in lion and many other species. All members of the public are expected to give the Government information that relates to any malpractice involving wildlife.

The Minister read from the TOPS regulations, indicating that they were formulated to curb all malpractices, including canned lion hunting. In South Africa, what can be defined as 'canned lion hunting' is not allowed in terms of these regulations. Hunting of a lion is part of South Africa's policy of sustainable utilisation of natural resources. It is contained in the 24th section of the country's Constitution, and is the only policy that can be practiced right now. This is consistent with South Africa's multilateral environmental agreements, pointing out that South Africa is a full member of CITES, and is still considering becoming a member of CIC. Hunting in South Africa is a legal and well-regulated activity. It is subject to a permit being issued in terms of NEMBA and the provincial conservation legislation where it is required. She underscored the pivotal role of South

Africa's national and provincial spheres of government in using the hunting industry as a management tool in promoting the growth of the hunting industry, indicating that the industry is valued at R6.2 billion. This is a source of foreign exchange, especially with provinces, job creation and community development, especially of rural areas.

The National Compliance Inspection of Captive-lion breeding facilities in South Africa has been instituted. Phase one is completed and the report would be given to Ministers and Members of Executive Council (MINMEC) soon. The Minister affirmed that DEA continues to engage with DAFF relating to welfare matters to be addressed in terms of the Animal Protection Act of 1962, stating further that lions are bred in captivity for various reasons, including but not limited to trophy hunting. Trophy hunting does not pose a threat to the wild lion population, although more evidence to this effect is needed, noting that captive lion breeding could serve as a buffer to potential threats to wild lions. The concept of 'canned lion hunting' is actually strictly prohibited by South Africa's laws. She stressed that the government would move against anyone who practices canned hunting. The TOPS regulations laid out the conditions under which lions can be hunted. As with any legal activity, there are those illicit operators, which South Africa is doing all it can to stamp out these activities. The legal hunters should not, however, be put into the same categories as unscrupulous actors. Additionally, the Minister stated the necessity to challenge the assertion that the export of lion bone would result in the extinction of African lion. In 2016, TRAFFIC released a report called the Bones of Contention, which analysed the risk associated with the trade in bones. They could find no evidence that South Africa's legal bone export was negatively impacting wild lion populations. Reports and existing policy documents are the resources used by DEA until anything else comes to light. The key threat to lions, according to the IUCN, is a loss of habitat, reduction in available prey and conflict with humans. IUCN said that the lion is not 'endangered' in South Africa. The few incidents of captive-bred and wild lions being poached is said not to be linked to the lion bone trade.

Reflecting on public sentiments for a total ban on the lion bone trade, she said that this is not a simple step and comes with its own set of challenges and consequences. Whatever decision is made requires trade-offs with a set

of outcomes. A final decision requires very hard thinking. If South Africa closes down the lion breeding facilities and bans trade, there are more than 200 facilities and associated staff who would be negatively affected. In addition, thousands of lions will have no value and there will be no income. A trade ban only restricts the flow of legal products and ongoing demands would be supplied from the illegal sources and syndicates. This may increase illegal killing in the wild, which at present is at very low levels. These networks proliferate and are incredibly difficult to break. It was exactly in 2008 when a moratorium was put on local trade in rhino horn when, all of a sudden, poaching rose to the levels it is today. A ban could stimulate an illegal trade in lion bones. South Africa has adopted a risk-averse approach that is considered to be in the best interests of the conservation of species for now. In conclusion, Minister Molewa stated that South Africa is one of the world leaders in conservation, in lion and many other species. All members of the public are expected to give the government information that relates to any malpractice involving wildlife.

3.3 Department of Environmental Affairs

Mr Shonisani Munzhedzi, Deputy Director-General: Biodiversity and Conservation, DEA, spoke to the population status of the lion populations in South Africa. He outlined the regulatory frameworks for wild and captive-bred lion hunting, pointing out that sustainable use, which is defined as the use of biological resources in a manner that would not lead to long term decline; would not disrupt the ecological integrity of the ecosystem in which it occurs; and would ensure its continued use to meet the needs and aspirations of present and future generations of people, is part of conservation. He clarified NEMBA's regulations and objectives, insofar as they relate to lion conservation, especially *section 56*, which contains a listing of species that are threatened or in need of national protection. Accordingly, lions are 'vulnerable', which refers to indigenous species facing an extremely high risk of extinction in the wild in the medium-term future, although they are not a critically endangered species or an endangered species, as per the TOPS regulations.

Mr Munzhedzi elaborated on the legislative requirements, indicating that the TOPS regulations prohibit the hunting of lion, wild or captive-bred, in certain manners. He stated the Department's concerns and efforts around release period, camp sizes and hunting methods. He concluded his presentation by giving a breakdown of the provincial legislative overview.

3.4 Scientific Authority

Prof John Donaldson, Chairperson: Scientific Authority, South African National Biodiversity Institute, gave a breakdown of the role of the Scientific Authority, which was established in terms of the National Environmental Management: Biodiversity Act (NEMBA). He explained that the 2017 Non-Detriment Findings for African lion was that it posed no major threats to the wild and managed lion populations within South Africa; trophy hunting of captive-bred lions poses no threat to the wild lion population; consumptive use is restricted to private game reserves; and there is a low to moderate risk and hence trade is not detrimental. Prof Donaldson also gave the background to the 2017 lion bone quota, where 800 lion skeletons were determined for export trade.

He further spoke about the trade-offs, which would comprise the banning of trade in lion bones *versus* managing the trade with a quota. He noted that the lion bone trade is complex and requires appropriate response, explaining that the precautionary principle offers little guidance when competing alternatives all have potential negative consequences. However, in the present case of lion bone trade the precautionary approach would be to maintain the *status quo*, without throttling or stimulating the trade, but to monitor impacts, increase understanding of the trade and its consequences and adjust management decisions accordingly.

In reference to the 2018 Lion Bone Quota of 1 500 Complete Skeletons, which was informed by the preliminary outcomes of the Scientific Authority study and other sources, Mr Mpho Tjiane, Deputy Director at the Department, explained that lion breeders could produce more skeletons than what the current quota allows; the number of skeletons exported leading up to the 2017 quota was substantially higher than initial estimates; quota restrictions have led to a growing stockpile of bones in South Africa; and there appears to be an increase in poaching for body parts such as skull, paws and claws, but little evidence of poaching for bones. He stressed that it appeared as though traders were stockpiling skeletons, considering the short period it took to supply the 2017 export quota of 800 skeletons. Mr Munzhedzi intervened at this stage to outline ongoing research, which categorises lions as ‘least concern’ in South Africa, as per the IUCN Regional Red List status⁸ and hence their listing on Appendix II of CITES.

⁸ Milner *et al.* (2016).

3.5 Department of Agriculture, Forestry and Fisheries (DAFF)

Mr Joel Mamabolo, Registrar Animal Improvement at the Department of Agriculture, Forestry and Fisheries (DAFF), outlined DAFF's regulatory role in captive lion breeding for hunting, thereby explaining DAFF's role in captive lion welfare; the animal welfare definition; existing animal welfare-related legislation in South Africa; other important game legislation; proposed guidelines for the welfare of captive lions; categories of captive lion operations in South Africa; other uniform guidelines for all categories; lions released for hunting; opportunities; and the concluding remarks. He duly stated that DEA administers provisions of the National Environmental Management Biodiversity Act, 2004 (Act No 10 of 2004) and other relevant regulations such as those dealing with Threatened or Protected Species (TOPS), whereas DAFF administers animal health and welfare legislation via the Animals Protection Act (APA) (Act No 71 of 1962); the Performing Animals Protection Act (PAPA) (Act No 24 of 1935); Animal Matters Amendment Act (Act 42 of 1993); and the Societies for the Prevention of Cruelty to Animals Act (Act 169 of 1993).

Mr Mamabolo delineated the possible opportunities for ensuring animal welfare in South Africa. These are the development of a widely consulted comprehensive animal welfare legislation; incorporation, in part or as a whole, of existing private welfare standards; liaise with other departmental structures to incorporate the welfare mandate into existing certification and licencing; developing a ranking system for facilities in terms of welfare, biodiversity, conservation and community empowerment. He concluded by stressing that DAFF has a mandate on captive lion breeding and hunting in terms of animal health and welfare, among others, and that the successful implementation of this mandate is dependent on cooperative governance between DAFF and DEA, due to overlapping functions.

3.6 EMS foundation and Ban Animal Trading (BAT)

Ms Smaragda Louw of the Ban Animal Trading (BAT), presented the outcomes of a study entitled *The Extinction Business* conducted by the EMS Foundation into South Africa's role in the international lion bone trade. The study reveals how the Minister, her Department and

conservation agencies support and grow a trade, which has strong links to international criminal networks, is providing a legal channel for the trafficking of illegal big cat parts, and is fuelling the demise of wild big cat populations. DEA's 'lion' bone trade damages Brand South Africa's image and tourism. A vast number of individuals rely on continued employment in the tourism sector. Their livelihoods are threatened by this trade practice, which benefits only the few predatory elite in the 'lion' bone trade business. South Africa faces an immense onslaught of bad publicity because of all the elements involved in this shocking trade. There are concerns that tourists would rather choose to spend their money elsewhere in light of a new peer-reviewed scientific report undertaken by the *South African Institute of International Affairs*⁹, which reveals that Big Cat breeders could cost South Africa over R54-billion over the next 10 years in loss of tourism brand attractiveness.

Ms Louw drew attention to the Minister's decision to double the 2017 lion skeleton export quota of 800 skeletons to 1 500 skeletons, while in the middle of being served with papers demanding a legal review of her Department's quota and policy. This decision supposedly based on an interim research report, was made without public consultation. The Report clearly states that its research sample does not constitute a representative sample of the captive lion breeding industry. Consequently, this interim study could not translate into a conclusive scientific justification for a lion skeleton quota, let alone an increase of the quota. It is also noteworthy that some of the researchers involved in this study have distanced themselves from the decision-making process around the 2018 quota, stating that all the decisions were made by the Scientific Authority and DEA, and that the researchers provided no input on what the quota should, or should not be. At this stage, Ms Michelle Pickover, Director: EMS Foundation intervened, requesting the Committee to:

- Place an immediate ban on the lion and other Big Cat bone trade for commercial purposes, including from captive sources;

⁹ Harvey, R. (2018) The Economics of Captive Predator Breeding in South Africa [Internet]. Available from <http://saiia.org.za/wp-content/uploads/2018/08/Harvey_180818_Working_Paper_PredatorBreedingSA.pdf> (Accessed on 27th September 2017).

- Bring the criminal aspects of this trade to the attention of other relevant parliamentary Committees and authorities to ensure that a forensic investigation and financial tracking of the industry is undertaken;
- Urgently ensure that animal protection, welfare, care and respect is included in the appropriate environmental legislation, particularly in relation to the issuing of permits for the keeping, sale, hunting and exporting of wild animals and their body parts;
- Close down the farms of rogue Big Cat captive breeding industry;
- Instruct DEA as a matter of urgency to provide a complete and audited list of all Big Cat breeding and keeping facilities nationally and to make this list publicly available; and
- Instruct DEA to convene stakeholder meetings to discuss the dismantling of the captive Big Cat industry, including experts from the fields of animal welfare, sanctuary management and forensics, as well as NGOs.

3.7 Khoi San Chief, Mr Frits

Thereafter, a video clip was played and a petition signed by more than 250 000 people, was handed to the Chairperson by a Khoi San Chief, Mr Frits. The Khoi San Chief explained that thousands of years ago the Khoi San ancestors used to call lions the sons of God because there was a mutual understanding between the lions and the Khoi people. This is why the lion is a sacred animal to the Khoi people. He pointed out that the practice of lion breeding for the purposes of hunting is killing the *Mother Nature* as well as a sacred animal and the heritage of the San people. Stop killing what is sacred to the Khoi people and what God has created. Let the animal live because it plays an important part in the Khoi San culture and history.

4. PANEL DISCUSSION SESSION (21ST AUGUST 2018)

4.1 Born Free Foundation (UK)

The first Panel Discussion Session, which focussed on the “*Evolution, Scope and the Ethics of Captive Lion Breeding for Hunting*”, consisted of two international panelists and three local panelists. Dr Mark Jones, Head of Policy at the Born Free Foundation (UK) commenced by giving a

background, mission and vision of the Born Free Foundation, with the focus being on a report entitled “*Cash before Conservation - An Overview of the Breeding of Lions for the Hunting and Bone Trade*”, which was released in April this year (2018). Dr Jones summarises investigations into the development and impacts of South Africa’s lion breeding industry, and also gave a background to the plight of wild lions across Africa. Concerning the lion breeding industry, Dr Jones argues that far from contributing to lion conservation, the commercial activities associated with the lion breeding industry pose additional threats to wild lions and other big cats through the legal export of lion bones, mainly to Asia. He underscored the fact that South Africa’s lion breeding industry has been the subject of significant international criticism from a great many prominent sources, including government ministers in Namibia, Botswana and within South Africa; national and international non-government organisations; and international scientists. Furthermore, the criticism of the industry has also come from within the hunting sector itself.

Dr Jones argued that since the failure of attempts to push through restrictive legislation in 2010, DEA has effectively facilitated the growth of the industry through enabling provinces to issue permits for lion breeding, canned hunting and more recently bone exports. Nevertheless, serious welfare concerns persist in relation to the rearing of captive-bred lions in South Africa, particularly with the increasing profit-driven commodification of lion products. Recent images of clearly undernourished lions in captive facilities, and news reports suggesting that lion slaughterhouses have been established to facilitate the mass slaughter of lions to supply skeletons for international trade, only serve to exacerbate these concerns. Concerning Brand South Africa, serious questions are being raised about the impact of the captive lion breeding industry on South Africa’s international image. In concluding his input, Dr Jones indicated that Born Free Foundation’s co-founder and President Will Travers OBE summarised the organisation’s position as follows: “*If we are to secure a future for Africa’s lions, the lion breeding and canned hunting industries must be closed down, with responsibility resting squarely with the South African Government for ensuring that such a process is conducted with intelligence, humanity and above all compassion for the animals concerned.*”

4.2 Professional Hunters Association of South Africa (PHASA)

Mr Richard York of the Professional Hunters Association of South Africa (PHASA), argued that South Africa’s conservation image is not being

tarnished by the breeding or hunting of lions, but rather by key individuals profiteering from the focused attack on Brand South Africa. He illustrated his point by highlighting tourist arrivals in South Africa, which averaged 522583.99 from 1979 until 2018, reaching an all-time high of 1598893 in January of 2018 and record low of 37430 in June 1979. Mr York spoke of achieving PHASA's vision and objectives through industry cooperation to develop meaningful solutions for wild, wild managed and captive-bred lions in accordance to the Biodiversity Management Plan (BMP) for the African Lion. He unpacked what he perceived as key opportunities of captive lion breeding, insofar as biodiversity conservation, economic development, social development and assistance with management capacity are concerned.

4.3 South African Predator Association (SAPA)

Mr Kirsten Nematandani, President: South African Predator Association, spoke about SAPA how members breed, raise and keep their lions in provincial government approved keeping facilities, built according to or better than the specifications of each Provincial Biodiversity Management Authority. Animals are wisely raised and sustained for a period of *three* to *five* years; thereafter, the animals are released for hunting purposes according to SAPA guidelines and norms and standards for the hunting of captive lions and of the Provincial Biodiversity Management Authority. SAPA members raise lions for the purpose of hunting these animals, with these animals raised in situations where they had limited contact with people, other than the caretakers. Thus, lions raised in captive facilities see, through their lifespan, less people than a lion that was born and raised in some "wild" area or a national park like the Kruger National Park.

Captive lions that are released for hunting cannot be claimed generically as lions that "have lost their fear" of humans. The hunt of a captive lion can each be classified as a unique experience, as lions differ from each other in behaviour patterns, fight or flight response, personality type, fitness levels, natural movement patterns, response on stress and levels of tolerance. The one thing that we as SAPA members can clearly indicate is that a drugged lion cannot fight. We condemn the hunting of captive lions that are drugged or chemically tranquilised. We hunt animals that are not under the influence of any tranquiliser. Mr Nematandani concluded by stating that the captive lion industry in South Africa is a well-regulated, manageable industry that contributes way more positively to South Africa than negatively. He pleaded with the Committee to assist in maintaining this industry for South Africa.

4.4 Custodians of Professional Hunting and Conservation – South Africa

Mr Paul Stones of the Custodians of Professional Hunting and Conservation – South Africa (CPHC-SA), gave the background of the association, focusing on conservation through sustainable and responsible utilisation. He addressed the issue of what happens if the country loses the contribution of hunting and the major implications for the potential future contribution of hunting to the economy and communities, thereby hampering the transformation agenda of the biodiversity economy strategy. Mr Stones stated that the bedrock of socially responsible hunting is the constitutional imperative of justifiable economic and social development, highlighting that perception determines the reputation and therefore the sustainability of hunting and captive game/lion breeding. The criteria for hunting to be seen as responsible is that it has to be biologically sustainable; not substantially alter processes of natural selection and ecosystem function; maintain wild populations of indigenous species with adaptive gene pools; and not contribute to substantially manipulating ecosystems or elements in ways that are incompatible with the objective of supporting the full range of native biodiversity.

Mr Stones argued that captive lion breeding only fulfils the first criterion of biological sustainability, acknowledging that while lion is among the highest income generators, the income generated has declined from 195 million (2014) to 111 million (2016) due to reputational damage. He pointed out that sustainable business practises underpin ‘enhanced reputation’, as per the Price Water House Coopers Sustainability Survey of 2002, stressing further that the IUCN’s 2016 WCC voting results confirmed that 72 countries and 409 national and international non-governmental organisations, perceived both “canned” and “captive-bred” hunting as undesirable hunting practices. African hunting organisations also reject the practice. He concluded by stating that conservation and the biodiversity economy need hunting, emphasising that hunting can only be sustainable if practised responsibly. Responsible hunting must promote conservation; be ecologically sustainable; and be economically and socially justifiable.

4.5 International Council for Game and Wildlife Conservation (CIC)

Dr Ali Kaka, the CIC Ambassador for Africa outlined the mission and vision of the CIC, a Worldwide Community for the Conservation of Wildlife through Sustainable Use. He also sketched out what the IUCN says about the captive lion breeding for hunting industry, and drew attention to how animal welfare NGOs are using captive-bred lion (CBL) shooting to mislead the ill-informed public to assume lion hunting in general is like CBL and that the volumes shot reduce the number of lions living in the wild. Focusing on the impact of CBL shooting on South Africa, Dr Kaka stated that South Africa has legalised something considered unethical by even pro-hunting organisations and countries, including the respected global conservation organisation such as the IUCN. The South African conservation success, rightly or wrongly, would be questioned and smeared.

He further pointed out that the CIC propagates the “African Hunting Charter”, which contains 13 principles, “to streamline and to raise standards of hunting in Africa, where well-managed and well-governed hunting is the norm in all countries in Africa”. He concluded by stating that captive lion breeding may be legal, but it breaks moral and ecological basis and boundaries; it is bad for the reputation of South Africa at the global level; and is not good for the reputation of hunting, which is already demonised globally by false information. “We must be more responsible and propagate the good image.” Furthermore, if we follow the principles of convenience and of maximising of profit, hunting, with all the arguments in support of it, would still be doomed and in danger of becoming a thing of the past.

5. DAY TWO: 22ND AUGUST 2018

The Chairperson of the Portfolio Committee on Environmental Affairs outlined the approach for the second day, including discussions on the previous day’s presentations at the Panel Discussion Session. The key aspects of those discussions are captured below, among others. Thereafter, the Chairperson invited Dr Don Pinnock to make his inputs titled “*A lion too far: the case of trophy hunting in the Greater Kruger National Park*”.

5.1 Dr Don Pinnock's Input

Dr Pinnock's input brought forth *three* issues relating to hunting in the Greater Kruger: legislation, which is contradictory or not applied, both of which need to be remedied; non-compliance, non-transparency and questionable trophy hunting practices, particularly in the APNR, plus Kruger's dereliction of duty in this regard; and reputational damage caused by canned hunting to all hunting in these private reserves, particularly the hunting of lions. He further questioned the assertion by the Association of Private Nature Reserves (APNR) that they need to trophy hunt to support anti-poaching measures, which he considered rather suspicious in light of the fact that Sabi Sands, which is a grouping much like the APNR, finds no need to hunt.

Dr Pinnock drew attention to the Protected Areas Act of 2003, which states "All animals in a national park are, for as long as they occur in the national park, deemed to be public assets held in trust by the State for the benefit of present and future generations as part of the public estate. They remain public assets even when they leave the national park. This is true of both damage causing animals as well as valuable animals." The implications are that when the fences came down between Kruger and the APNR, the animals in the private reserves became incorporated into the larger entity and, in terms of the Game Theft Act, became *res communis*. In terms of the Protected Areas Act, they are Kruger animals under the Park's protection. What this then means is that the adjacent reserves (i.e., APNR) are hunting Kruger National Park (KNP) wildlife, especially in the case of the controversial shooting of a lion considered to be a pride head from the KNP.

5.2 SANParks & Mpumalanga Tourism and Parks Agency

SANParks presented on the conservation of South Africa's wild lion population, highlighting the breeding approach, trends, challenges and opportunities, whilst also providing context to the discussion by providing both the background and the history related to both sustainable use and conservation management within the APNR and the Greater Kruger. Further to this, the legislative and regulatory roles and responsibilities of

the various national and provincial authorities were clarified. A key aspect was a contextual consideration of the contribution that lions can make to the well-being of South Africans and contribution to various targets such as the Sustainable Development Goals and Achaii targets. Such considerations reflect on contributions that all kinds of lion-related activities, including captive breeding can make to South Africa's development targets. An important aspect is that any kind of activity should comply with good governance criteria mitigating risks, including animal welfare. The key message is that, managing lions and hence considering opportunities and costs of captive lions within South Africa's constitutional mandate of sustainable use of natural resources could provide objective perspective, resulting in the incidental conservation of lions. However, due to the fact that the claims made by Dr Pinnock were not provided to both SANParks and Mpumalanga Tourism and Parks Agency prior to the meeting, both government entities were asked to prepare well in advance to respond to the issues of hunting in the Greater Kruger National Park, especially those points raised by Dr Pinnock, a copy of whose paper was sent to the two entities to facilitate their preparations.

6. PANEL DISCUSSION SESSION (22ND AUGUST 2018)

6.1 Mr Michael 't Sas-Rolfes' Input

Mr 't Sas-Rolfes' presentation on "*Possible effects of lion bone trade on lion conservation in the wild: Stimulating or buffering the demand?*" was the first presentation in the slot for the Panel Discussion Session on the second day of the two-day Colloquium. He commenced his presentation by outlining his experience and affiliations, notably his membership of the IUCN Sustainable Use and Livelihoods Specialist Group and Oxford Martin Programme on the Illegal Wildlife Trade (OMP-IWT). He featured the core concern in the lion debate, that is, the need to conserve wild lions and proceeded to highlight key threats to wild African lions, namely: expanding human populations and increasing resource demands; land conversion – habitat loss and fragmentation; loss of prey; human-wildlife conflict; and unsustainable harvesting. He examined the role of legal and illegal hunting, wildlife farming and wildlife trade, in this process; and also shed light on the Asian connection, particularly the link between the tiger bone and lion bone trade.

Furthermore, Mr ‘t Sas-Rolfes spoke about animal welfare issues; the wildlife trade prohibition hypothesis; the legal supply hypothesis; current policy and research challenges, and approach, especially in terms of collaborative research efforts. He also talked about trade policy decisions and inputs prior 2017 and how new information emerged in 2017 as well as in 2018. He wondered whether South Africa’s lion bone exports affect other wild cats elsewhere, especially in neighbouring Mozambique where there is evidence of targeted lion poaching. However, there appears to be no evidence of causal link, although global demand for big cat products such as teeth and claws appears to be increasing, as there are reports of jaguar poaching in Latin America. These, nonetheless, cannot be causally attributed to lion skeleton exports from South Africa.

6.2 Endangered Wildlife Trust

Dr Kelly Marnewick led the Endangered Wildlife Trust’s presentation on the “*Impact of Captive ‘Hunting’ on Lion Conservation*” by first featuring the conservation status of lions, pointing out that there are presently 3 490 lions in the wild, with about 8 000 lions in captivity. She outlined the purpose for captive breeding of lions, such as tourism, interaction (which could be dangerous), volunteerism, bones and for hunting purposes. Dr Marnewick talked about the value of hunting in South Africa, citing South African Professional Hunting Statistics for 2016 of R1.38 billion (for animals only, no multipliers) and R110 million deriving from lions, which were likely less in the 2017/18 year. It is noteworthy that less than *eight* per cent of this minimum estimate derived from hunting. She further underscored that there is no conservation benefit for captive lions whatsoever, as there is no functioning members of a system; breeding for size or colour, genetically compromised the animal; true conservation breeding is with release as goal; enough wild lions for restoration and hence captive-bred lions are not appropriate; captive-bred lions are not recommended in any conservation action plan (including BMP); and habitat destruction (breeding camps) is a characteristic feature of captive-bred lions.

Dr Marnewick also pointed out the risks associated with captive breeding of lions for hunting in light of ongoing concerns and international pressure. This has very serious implications for South Africa’s conservation reputation as well as tourism reputational damage through boycotts. South

Africa already seems to suffer general hunting reputational damage, resulting in loss of business – there are already rumours that Namibia is taking our hunters for more wild experience. Additionally, she talked about ongoing poaching of both captive-bred and wild lions; scenario-acted what would happen if shooting of captive-bred lions were banned; and presented a good argument for hunting wild lions. For example, wild Lion hunts can benefit conservation by creating financial incentives to conserve lions and wildlife-based land use; increase local tolerance of lions; and reduce retaliatory killing. Finally, she drew attention to true sustainable use (IUCN) – sustainable conservation, highlighting its biological sustainability component, net conservation benefit; socio-economic-cultural benefit; and the adaptive management, involving planning, monitoring and reporting.

6.3 Brand South Africa

Dr Petrus de Kock led Brand South Africa's presentation, which featured a background, comprising of South Africa's natural beauty, which remains a strong element of its overall global reputation. Through the years, as measured by the Nation Brand Index, natural beauty ranks between 18 and 21 out of 50 nations measured in the NBI. The natural resources linked to tourism attractiveness, and the global reputation of the country, can therefore play a critical role in impacting on the broader reputation of the nation. He spoke about critical issues and risks that the country faces as a result of captive breeding of lions for hunting, focusing on damage to the Nation Brand due to:

- 10 International Campaigns and NGOs focussed exclusively on stopping canned lion hunting and captive breeding;
- 62 Global Marches held in major international cities since 2014;
- At least 18 online petitions targeting at canned lion hunting, captive breeding and/or the lion bone trade – the largest of which has so far attracted over 1.8 million signatures; and
- 42 major international airlines refusing the cargo of lion trophies since August 2015 (4 countries with Trophy Import Bans and/or Restrictions, namely: the Netherlands, Australia, France and the US. The United Kingdom and European Union also placed restrictions

and expressed its distaste at captive lion breeding and hunting. Of concern is that these are among South Africa's largest tourism overseas source markets.

In summary, the presentation indicated that there was no comprehensive analysis of the impact of captive breeding of lions for hunting to Brand South Africa.

6.4 Confederation of Hunters Associations of South Africa (CHASA)

CHASA was expected to present on the “*Profile of captive-bred lion hunters and trends in the most recent past (e.g., from 2012 to date)*” in order to determine the impact of current public sentiments on the Captive Lion Breeding Industry in terms of captive lion hunters arriving in the country or participating in the hunt over the past *five* years or so. However, the CEO of CHASA, Mr Stephen Palos took the opportunity to outline the views of its members and position on captive lion breeding. Accordingly, Mr Stephen Palos presented the background to CHASA, indicating that CHASA and PHASA were the two associations that were frequently mentioned as the supportive associations of captive-lion hunting in South Africa. However, referring to the profile of hunters in South Africa, Mr Palos stated that there were all kinds of lion hunters in the world, and hence there was no typical hunter. He pointed out that there were people in the Colloquium who were anti-hunting, picking the low fruit of canned lion hunting. If that fell, they would move to the next low fruit, which could be something like trophy hunting, and it was with that in mind that CHASA had taken the decision to support captive breeding of lions for hunting. He noted that there were different ethics for different people, underscoring that there were members in his organisation who were happy to hunt lions, which they knew had been raised in captivity, but at a certain bar, stressing further that SAPA had set norms and standards and had raised that bar.

Mr Palos questioned the authenticity of concerns expressed about the ethics of hunting captive-bred lions, wondering whether the talk about ethics was not actually a distraction for waging a trade war. He raised the concern that in the drive to appease certain stakeholders, government might end up

legislating on emotion, thereby exposing itself to court action where such legislation could successfully be challenged. He stressed that one could not regulate ethics, highlighting that the worst thing that the country needed was a set of laws that would be overturned in the courts of law down the line. He asked why one particular species was being treated differently to all the other species, which are being hunted in the country. That, he said, would not stand up in the Constitutional Court. He further maintained that ethics, fair chase and conservation were not in the same conversation. Mr Palos believed that there was a solution to the problem. Enable the Minister of Environmental Affairs and her Department as well as the provinces that dealt with the problem to do their work. He concluded by affirming that if South Africa was going to stop anything, it should stop the people telling the world about South Africa's ills. South Africa should show the good news and kill the bad news; that is what Brand South Africa is all about.

7. ISSUES THAT DERIVED FROM THE TWO-DAY COLLOQUIUM

7.1 The conservation value of predator breeding is zero; the economic value is minimal and undermines South Africa's tourism brand value, which should be protected and upheld. The negative reputation effect is real, and too often ignored. This is further supported by reports such as the recent "*The Extinction Business: South Africa's 'Lion' Bone Trade*", and the Born Free Foundation's report, "*Cash before Conservation: an overview of the breeding of lions for hunting and bone trade*", which reviewed the damning effect that this industry has had for South Africa as a leading wildlife conservation and tourism destination.

7.1.1 While some members of the captive lion breeding industry may claim they are part of the conservation of the species, studies have proven that breeding predators in cages or enclosed areas has no conservation value in the South African context. Moreover, there has not been a successful lion reintroduction programme with lions bred in captivity in the South African case. In fact, many conservationists contend that captive-bred lions are not suitable for reintroduction into the wild, and hence authentic wildlife sanctuaries in the country do not breed, trade or promote prolonged interaction with the animals in any way.

- 7.2 Organisations favouring the captive-breeding of lions, such as the South African Predator Association (SAPA), are of the opinion that “the captive lion industry in South Africa is a well-regulated, manageable industry that contributes way more positively to South Africa than negatively” (SAPA President, MK Nematandani). However this argument has been sufficiently undermined by the empirical evidence produced during the Colloquium and thus found to be flawed.
- 7.3 South Africa's captive lion breeding for hunting industry is an international pariah, and hence the Government should rethink this policy stance. The announcement by DEA that the lion bone quota determined for 2018 is doubled from 800 in 2017 to 1 500 for 2018 is highly concerning. There appears to be a lack of required due diligence by the CITES management authorities on both the exporting and importing side in profiling and authenticating exporters, importers, addresses and destinations, as more than the 2017 set quota of 800 skeletons went out of South Africa with legal CITES permits.
- 7.4 Captive lion breeding for hunting is currently *lawful*, but this does not make it *ethically, morally* or *socially acceptable*, especially when the manner in which hunted animals are raised and released for hunting. It is obvious in this instance that hunting of captive-bred lions might have done irreparable damage to the reputation of South Africa, especially considering the negative global publicity, let alone the image of the hunting industry generally. Poorly, inadequately or misinformed public in consumer countries would not readily know the difference between the hunting of captive-bred lions and hunting of wild lions, thereby tarnishing the image of the overall hunting industry.
- 7.5 The use of lion bones, body parts and derivatives in commercial trade, including for scientifically unproven medicine, is one of the major emerging threats to wild lions, besides habitat loss, diminishing prey and human wildlife conflict, and could serve as a cover for illegally wild-sourced lion and other big cat parts.
- 7.6 There is a general public revulsion against the captive lion breeding industry across multiple sectors including animal welfare, animal protection, conservation, hunting, multi-cultural and faith-based organisations, which echo the sentiment of the South African and international public at large.

7.7 South Africa's conservation reputation is being challenged for its captive lion breeding industry and its perceived disregard of the impact, effect, welfare and consequences of its policies with respect to captive lion breeding and wildlife trade. There is thus an expectation on South Africa to take a leading position in the world in thinking and applying internationally best and locally relevant norms and standards to prevent damaging Brand South Africa in very serious ways.

7.8 South Africa is the largest legal exporter of lion bones and skeletons, issuing export permits for export of more than 5363 lion skeletons from 2008 – 2015. *Ninety-eight percent* of these were destined for Laos and Vietnam, which are known hubs for illegal wildlife trafficking, including South African rhino products and/or derivatives.

7.9 The risk of human health and safety posed by zoonosis – an infection or disease that is transmissible from animals to humans under natural conditions, including tuberculosis (TB) and possible exposure to lethal immobilising compounds, especially if the animals are humanely immobilised before being shot (as alleged) that may have deposited in the bones. The risk to South African lion abattoir workers are real. South Africa also risks finding itself in a precarious legal position should it arise that the country had exported tuberculosis-infested lion bones.

8. FURTHER OBSERVATIONS BY THE COMMITTEE

8.1 Captive breeding of lions for hunting has long been a blemish on South Africa's wildlife and tourism landscape. This tragic story needs to be arrested forthwith to avoid inflicting further and irreparable damage to the South African conservation image and the responsible hunting industry that the country has succeeded to build over the years.

8.2 There is generally no conservation value in the captive lion breeding industry in South Africa. Notwithstanding, the industry attracts both day visitors and high paying volunteer tourists under false pretexts that the animals that they hand-raise and cuddle would be released in the wild to replenish dwindling wild stock, which is false and hence amounts to fraud. The revenues, which this Industry generates, while highly lucrative for the owners, constitutes only a tiny proportion of South

African's tourist revenue that the CLB Industry threatens to undermine, as the conscious conservation-minded high end tourists are being discouraged from visiting South Africa. There are public sentiments that the captive-bred lion industry and lion bone trade are unethical, they are damaging to South Africa's conservation record, damaging to the socioeconomic welfare of South Africans and damaging to the South African tourism, and hence must be stopped immediately by enacting relevant legislation.

8.3 CBL which is internationally considered unethical even by reputable and prestigious international hunting organisations and pro-sustainable use countries, including the respected global conservation organisation such as the IUCN. The bad publicity that surrounds this industry must be carefully acknowledged and digested, as it breaks moral and ecological boundaries, that it is bad for South Africa's global conservation reputation.

8.4 The current practice of captive lion breeding for hunting and the relevant legislation that supports the practice is unanimously criticised at an international level. This is not the image South Africa want for the National Brand. It is important to discuss the possibility of changing legislation and banning all captive breeding of lions for hunting in South Africa.

8.5 The financial revenue from captive lion breeding for hunting is not worth compromising our National Brand reputation and position as a unique wildlife destination. Therefore, the most positive outcome from a reputation management point of view would be for South Africa to ban captive lion breeding, especially where such breeding has become counterproductive or harms the image of the country.

9. COMMITTEE RESOLUTIONS

9.1 The Department of Environmental Affairs should as a matter of urgency initiate a policy and legislative review of Captive Breeding of Lions for hunting and Lion bone trade with a view to putting an end to this practice and that the Minister of Environmental Affairs should submit quarterly reports to the Portfolio Committee on the progress of this policy and legislative review.

- 9.2** The Department of Environmental Affairs (DEA) should conduct an audit of captive lion breeding facilities throughout the country to ascertain the conformity with the current TOPS regulations and other applicable legislation in light of ongoing and increasing disquiet about the CLB Industry and should ensure that the current breeding facilities comply with legislation. The Department should indicate whether it is aware of private lion and cheetah cub petting and walking farms in the country, and further state the courses of action it had pursued against violators of TOPS Regulations dealing with CLB.
- 9.3** The Department of Environmental Affairs and Department of Agriculture Forestry and Fisheries should present a clear programme of work on how they intend to address animal welfare and health issues that had been raised during the Colloquium, which straddle the mandates of the two departments, outlining clear timeframes for achieving this.
- 9.4** The agreement between the Kruger National Park and Association of Private Nature Reserves (APNR) concluded in 1996, should be revised to ensure that there is sharing of benefits, arising from the collapse of the fences in the western boundary of the Kruger National Park in the interest of the broader society. The Committee is of the view that issues of transformation and beneficiation should be taken into account in this agreement, and hence it has directed SANParks to develop a concept paper on this matter for discussion with the Committee in November 2018, with the aim holding public hearings to determine the best way forward after its engagement with SANParks.
- 9.5** The Department of Environmental Affairs should reconsider the decision to increase the lion bone trade quota from 800 (2017) to 1 500 lion skeletons (2018), which decision was purportedly based on the Interim Report of the Scientific Authority, which Report, it emerged during the Colloquium was informed by commercial considerations, as opposed to science. This reconsideration is necessary given the huge public sentiment expressed against the increase in lion bone trade quota.

10. CONCLUSION

There was an overwhelming consensus for the need to bring an end to the controversial aspects of captive lion breeding industry in South Africa at the two-day Parliamentary Colloquium of the Portfolio Committee on Environmental Affairs. Views were expressed and arguments advanced on the role and value of captive lion breeding industry to conservation, particularly in view of welfare and ethical concerns. The Industry is doing serious damage to Brand South Africa, as noted by Dr Ali Kaka (CIC Ambassador for Africa) that “the bad publicity has to be noted” and “South Africa’s conservation success rightly or wrongly will be questioned and smeared”.

This was further confirmed by a new report by the South African Institute of International Affairs (SAIIA), which cautioned that South Africa’s tourism brand value could potentially be negatively affected by as much as R54 billion loss in revenue over the next decade, if the Captive Lion Breeding Industry is allowed to continue. This was succinctly summed up by the Chairperson of the Portfolio Committee on Environmental Affairs, Hon Mr Mapulane that “South Africa is allowing a practice that everybody is turning their backs to, we need to find a solution as a country to improve the situation”.

Questions were raised around the increase of the lion bone quota from 800 in 2017 to 1 500 for 2018, which the Minister of Environmental Affairs maintained was based on science. At first it appeared as though the interim scientific report produced by the Scientific Authority underpinned the setting of the new quota. However, after a thorough interrogation of the Scientific Authority, it became clear that the economic principle of supply and demand was a key aspect in the decision-making process, as South African lion breeders could produce more skeletons than the initial set quota and have lion skeleton stockpiles. Concerns were raised that the allocated quota does not fully reflect the true magnitude of the lion bone trade, as Ms Smaragda Louw (from BAT) pointed out the alleged anomalies in the lion bone trade and the number of CITES permits issued, which was alleged to have exceeded the actual 2017 quota.

In fact, South Africa's Captive Lion Breeding Industry has been the subject of substantial international criticism, including government Ministers from Namibia, Botswana and even from within South Africa; national and international NGOs and scientists; and the International Union for the Conservation of Nature, but most significantly from within the trophy hunting sector itself. It is only the Professional Hunters Association of South Africa (PHASA) and South African Predator Association (SAPA) as well as CHASA that are among the few professional hunting associations, which consistently support the Captive Lion Breeding Industry and canned hunting.

Nevertheless, the spirits of many organisations present at the Colloquium felt buoyed by the outcome of the two-day parliamentary event. They were greatly encouraged by the robust inquiry into the Captive Lion Breeding Industry facilitated by the Parliamentary Portfolio Committee, which they now believe have the baton and have given their commitment to run with it, as Parliament.

Report to considered.
