



"Working within CITES for the protection and conservation of species in international trade"

26 July 2019

The Honorable Minister Barbara Creecy
Ministry of Environment, Food and Fisheries
Environment House
473 Steve Biko and Soutpansberg Road
Arcadia, 0083
Republic of South Africa

Dear Minister Creecy:

Many congratulations on your appointment as Minister of Environment, Forestry and Fisheries. The fact that you were asked to take on this vast portfolio speaks much for your track record. We wish you every success in the job and hope there will be opportunities for us to work together to help advance South Africa's efforts to protect and conserve its wildlife.

We represent organisations that are members of the Species Survival Network (SSN), and in particular its Rhinoceros and Elephant Working Groups. Founded in 1992, SSN is an international coalition of over 80 non-governmental organizations committed to the promotion, enhancement, and strict enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

As a group of conservation organisations with extensive knowledge of, and decades of experience with, wildlife policy, particularly in relation to trade, we have prepared the attached briefing on the impacts of international trade on endangered species, in the hope that you will find the time to read and consider it. We have prepared it in the knowledge that poaching crises, however daunting they may appear, can be - and have been - dealt with successfully, provided that the full range of available tools are used and that policies that directly undermine efforts to conserve wildlife are not adopted.

The Global Assessment Report on Biodiversity and Ecosystem Services, a summary of which was published recently by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)¹, has highlighted the unprecedented crisis facing the world's biodiversity. It identified economic exploitation as one of the key drivers of biodiversity loss, emphasised that 'transformative changes' are required to restore and protect nature, and indicated the need to overcome opposition from vested interests. We hope to be able to work with you to develop policies within and beyond South Africa that address these key issues.

We hope the attached briefing will be of interest to you, and we look forward to having the opportunity to discuss these issues further with you, and your team, at your convenience.

Sincerely,

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The Honorable Minister Mmamoloko Kubayi-Ngubane, Ministry of Tourism

¹ https://www.ipbes.net/system/tdf/spm_global_unedited_advance.pdf?file=1&type=node&id=35245



**CITES CoP18 and Beyond:
The damaging effects of unsustainable international trade in endangered species
Species Survival Network
July 2019**

Background

The debate over “sustainable utilisation” has been raging for many years, often pitting politicians and wildlife managers in different African countries and regions against each other. The term “sustainable utilisation”, which should include both non-consumptive and consumptive uses has unfortunately become a byword for consumptive use. This is ironic, because the vast majority of Africa’s wildlife-based income is derived from non-lethal tourism¹. The catchphrases used by those who support international trade in wildlife products, such as “use it or lose it” and “wildlife must pay its way”, are disproven by the fact that African wildlife is paying its way, and has been doing so for many decades.

According to the Census and Economic Information Center (CEIC), South Africa’s international tourism receipts for 2016 were USD 8.8 billion². We recognise, of course, that tourists visit South Africa for a wide variety of reasons, but we also know that wildlife viewing is a major draw for foreign visitors and, therefore, that a significant proportion of this income is derived directly or indirectly from wildlife tourism.

By contrast, when South Africa was permitted to sell 47 tonnes of ivory to buyers from China and Japan at the 2008 auction, the amount raised was reported to be USD 6.7 million³. This is not an annual figure: much of the ivory sold at the auction had been stored in government strongrooms for many years. Shortly after the 2008 auctions, which included 55 tonnes of ivory from Namibia, Zimbabwe and Botswana, elephant poaching skyrocketed across many of Africa’s elephant range States despite assurances from proponents of trade that the sale would “flood the market” and reduce poaching.

Some calculations have put the lifetime tourism value of a single elephant at USD 1.6 million, assuming that the animal lives out its full lifespan⁴. Furthermore, the World Wildlife Fund estimates that the elephant poaching crisis is costing the African tourism sector around \$25 million every year⁵.

The value of live megafauna is incomparably higher than the combined value of their body parts, including those taken by trophy hunters.⁶ And yet the economic benefits of non-lethal use of wildlife are rarely taken into account or even mentioned by those who wish to trade in their body parts on the basis that wildlife must “pay its way”. At the same time, global public opinion is increasingly turning against

1 <http://www.ecolarge.com/wp-content/uploads/2013/06/Ecolarge-2013-200mquestion-FINAL-lowres.pdf>

2 <https://www.ceicdata.com/en/indicator/south-africa/tourism-revenue>

3 https://www.cites.org/eng/news/pr/2008/081107_ivory.shtml

4 https://issuu.com/davidsheldrickwildlifetrust/docs/dead_or_alive_final_lr

5 <http://www.dw.com/en/elephant-poaching-is-losing-africa-millions-of-tourist-dollars/a-37846014?maca=en-EMail-sharing>

6 https://issuu.com/davidsheldrickwildlifetrust/docs/dead_or_alive_final_lr

the hunting of, and commercial trade in, endangered wildlife.⁷ It is increasingly clear that such use of wildlife is incompatible with non-consumptive uses such as photographic tourism. The continued promotion of commercial consumptive wildlife use carries with it the possibility for serious reputational damage, with potential negative consequences for non-consumptive tourism income.

The CITES ban on international commercial trade in ivory, adopted in 1989 and accompanied by widespread consumer education, strict law enforcement and domestic regulation, provided elephants with a much-needed breathing space. Poaching levels dropped precipitously within months of the ban. It is quite possible that poaching levels would have remained low and stable to this day had it not been for the catastrophic error that CITES made in permitting the 2008 auctions to go ahead.

The explanation for the success of the ivory ban between 1989 and 2008, i.e., that such success depended on far more than mere legislation, also has great resonance for the debates around trade in rhinoceros horn, lion bone, and many other wildlife products.

CITES CoP 18

We very much appreciate the fact that South Africa refrained from submitting a rhino horn trade proposal to CoP17, and that it has decided against doing so again for CoP18. We hope that the rationale for this decision involves a recognition of the damaging effects of legalising trade in high-value products from endangered species, particularly those that are subject to intense poaching pressure.

We are disappointed, however, that South Africa is supportive of a proposal that would allow further international trade in raw ivory from its population of elephants, along with those of Zimbabwe, Namibia and Botswana.

CITES and Ivory Trade

The 1989 ban on international trade in ivory, coming as it did after two decades of relentless poaching, was a remarkable success. Those of us who worked towards that ban, and who monitored its effects over several years, firmly believed that CITES had found the answer to mass elephant slaughter and that the ivory trade was a thing of the past. It was inconceivable that anyone would wish to risk a return to the “killing fields” of the 1970s and 1980s. Nonetheless, subsequent pressure from ivory trade proponents led to two “one-off” auctions of ivory, the first to Japanese buyers and the second to Chinese and Japanese buyers.

After the first sale in 1999, reports from India, Zimbabwe and Kenya suggested an upsurge in elephant poaching but, without baseline data and no functioning system in place to monitor range-wide poaching levels, and with a relatively saturated market and sizeable ivory stockpile in Japan, the full impacts on elephants were somewhat contained, though likely under-reported.

When China was added to the mix for the 2008 auctions, however, poaching levels soared once again. The sale of 102 tonnes of ivory from South Africa, Botswana, Namibia and Zimbabwe was followed by a rapid and overwhelming upsurge in elephant poaching. At its height, the death toll reached 30,000 elephants per year continent-wide.⁸ While initially most of the poaching took place in countries that had not supported international trade in ivory, reports by the CITES-commissioned MIKE programme show an increase in poaching in Southern African countries as well.

⁷ <https://www.humanesociety.org/news/new-poll-reveals-majority-americans-oppose-trophy-hunting-following-death-cecil-lion>

⁸ <https://www.pnas.org/content/pnas/111/36/13117.full.pdf>

The rationale provided by South Africa for its decades-long support for ivory trading has been the need for money to fund elephant conservation and to improve the livelihoods of rural communities. The 2008 auctions were agreed to by the Parties to CITES on the basis that funds were urgently needed for elephant conservation, and that the proceeds from the auctions would be used exclusively “for elephant conservation and community conservation and development programmes within or adjacent to the elephant range”. However, this was frequently not the way the funds were used in practice. In Mpumalanga, for example, the money was placed in the Problem Animal Fund. An investigation into the Fund later revealed that tens of millions of rand had by-passed the normal procurement processes and that large amounts of money had not been accounted for. Furthermore, a full six years after the auction, some of the funds had not been spent.⁹

The fact that some of the funds from the auction were not spent (as also happened in Botswana), and that some were misappropriated, makes it even more difficult to reconcile the tens of thousands of elephants that died across a large number of range States, deaths that have been identified as a consequence of the 2008 auction.

Since 2008, the majority of CITES Parties have consistently opposed further ivory trade proposals. There has been a growing international consensus that domestic ivory markets contributing to illegal trade or poaching should be closed (as evidenced by a consensus decision at CITES CoP17 in Johannesburg in 2016, and a corresponding IUCN General Assembly Resolution in 2016¹⁰). An increasing number of consumer countries, including China, Hong Kong, Taiwan, the US, the UK, Belgium, Luxembourg and France are implementing these recommendations, and a number of others are considering domestic restrictions. Moreover, the international community has strengthened recommendations and campaigns aimed at reducing demand for ivory, rhino horn and other products from endangered species.

We would therefore strongly urge you to reconsider South Africa’s support for proposals that would weaken the international ivory trade ban and allow ivory to be legally traded, and to focus on more sustainable and economically viable means of generating resources from elephants and other wildlife in order to fund conservation and community development.

The CITES rhino horn trade ban

All rhinoceros species were listed in Appendix I of CITES in the early days of the Convention, over 40 years ago. Since then, the southern white rhino populations of South Africa and Eswatini have been transferred to Appendix II “for the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies”.

The escalation of rhinoceros poaching over the past decade, particularly in South Africa where some 8,000 rhino have reportedly been killed by poachers since 2008 to supply rhino horn into illegal markets, principally in China and Vietnam, is cited by those who favour a resumption of trade as evidence that “bans do not work”. However, this represents a simplistic understanding of what a successful international trade ban actually entails: international pressure on consumer States; strong laws and strict enforcement in the range and consumer States; awareness-raising among the consuming public; complementary domestic trade bans in source and destination countries and consistent monitoring of potential emerging markets. The reality is that action in a number of these areas has been patchy, if not entirely absent, for much of the past 40 years. To say that most conservationists took their eye off the ball during the lull in poaching (1994-2007, see below) would be an understatement (although

⁹ <https://www.savetheelephants.org/about-elephants-2-3-2/elephant-news-post/?detail=misappropriation-of-ivory-funds-threatens-rhino-horn-sale-south-africa>

¹⁰ https://portals.iucn.org/library/sites/library/files/resrecfiles/WCC_2016_RES_011_EN.pdf

rhinoceros poaching did decrease significantly during the 1990s after the closure of domestic rhino horn markets in China and Taiwan¹¹), and this has provided a lesson for us all. That the rapid rise of the Vietnamese and Chinese economy would trigger an explosion in wildlife trafficking was a phenomenon that few had foreseen, much to the detriment of South Africa's rhinos.

However, where a concerted effort has been made to implement all aspects of the ban, this has been clearly reflected in rhino poaching statistics.

We believe it would be useful to examine the components of a successful trade ban in the context of South Africa's efforts to protect its rhino populations.

Pressure on consumer States

South Africa has had a poor track record when it comes to addressing consumer States and taking enforcement action against foreign nationals involved in rhino-related crimes committed on its soil. As far back as the early 1990s, when the Taiwanese were the main smugglers of rhino horn, South Africa did not prosecute major traders based in the country, choosing instead to focus on a small group of minor players. In addition, a Hong Kong kingpin, based in Pretoria, known to be sanctions-busting for the State, became untouchable despite the fact that State operators, working undercover, had sold seven rhino horns to him in a 'sting' operation.¹²

A willingness to overlook serious violations of the law committed by foreign nationals has not been confined to South Africa. In Zimbabwe, during the 1980s, paratroopers of the Zimbabwean army trained in North Korea were reported to be poaching rhinos in Gonarezhou National Park. In turn, North Korean diplomats were smuggling rhino horn out of Zimbabwe. The strong political ties between the two countries ensured that these activities were able to continue for years¹³.

In 1993, the international community took matters into its own hands and began to act in concert to censure Taiwan for its lack of action on rhino horn smuggling. An international NGO launched a campaign in Taipei, exposing the activities of Taiwanese smugglers, providing evidence of the sale of rhino horn in the streets of the capital and calling for a boycott of Taiwanese electronic goods (at that time a mainstay of the economy). After a period of denial, local newspapers and NGOs began to carry out their own investigations and press editorials called for urgent government action.

Simultaneously, the United States sanctioned Taiwan under the Pelly Amendment to the Fishermen's Protective Act, a US law that allows the United States to sanction a country or territory whose nationals are undermining an international conservation agreement, such as CITES, to which the US is a Party, regardless of whether or not that country/territory is also a Party.

In response, Taiwan banned domestic trade in rhino horn, and the government carried out a series of high-profile raids. Taiwan, once the major importer of rhino horn for medicinal purposes, has not re-surfaced as a significant consumer since 1994. At the same time China, which was also threatened with sanctions by the US, also banned its domestic trade in rhino horn, removed rhino horn from the traditional medicine pharmacopeia and publicised its removal. For several subsequent years the poaching of rhinos fell to low levels.

11 Reeve, R. (2014). Policing international trade in endangered species: the CITES treaty and compliance. Routledge.

12 Full details available on request

13 <https://eia-international.org/wp-content/uploads/A-System-of-Extinction.pdf> p21/22

Below is a rhino poaching chart, produced by TRAFFIC¹⁴, which shows the effect of enforcing the rhino horn ban and educating the public.

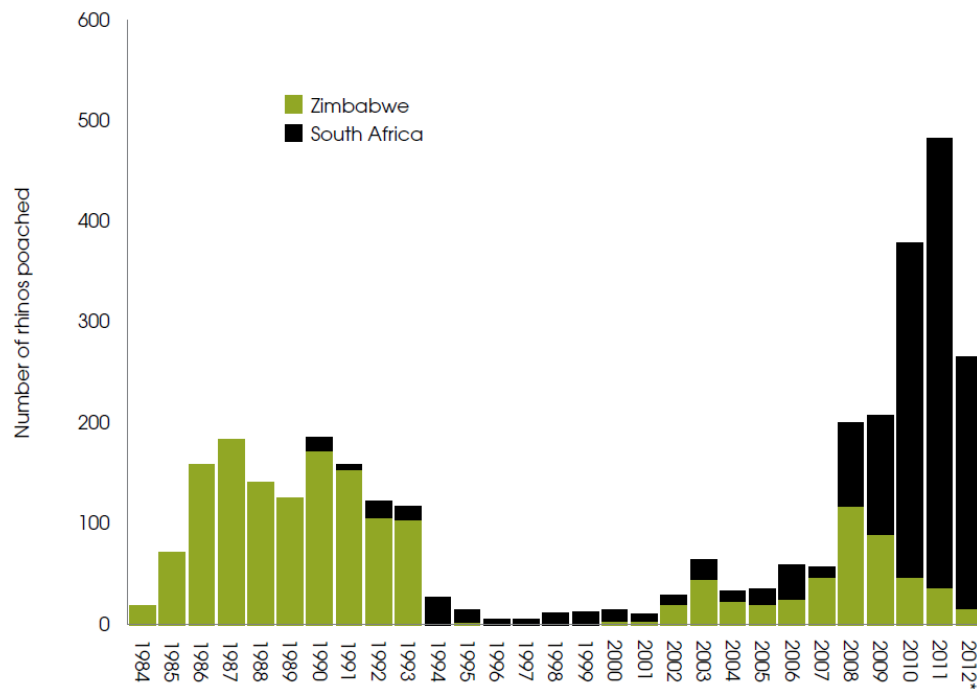


Figure 20 Number of rhino poached by year in Zimbabwe and South Africa from January 1984 – 20 June 2012* (data from N. Anderson, Lowveld Rhino Trust)

The chart also shows what happened in 2008 when Vietnamese pseudo-hunters began exploiting South Africa’s rhino trophy hunting industry to export rhino “trophies” supposedly for non-commercial purposes. In reality, these horns were channeled into the black market. Whether this idea originated with South African hunting companies or with Vietnamese criminal syndicates is unknown, but what is known is that hundreds of rhino horns were sent from South Africa to Viet Nam via this loophole. Efforts to trace these horns in Viet Nam have proved almost entirely fruitless. After four years of inaction South Africa finally prohibited rhino trophy exports to Viet Nam, which helped to cut off the supply of pseudo-hunters arriving from that country. However, recent trade data suggest that pseudo-hunting has since shifted to other countries, albeit at much lower levels.

Little appears to have changed since the 1990s in terms of South Africa’s attitude towards the consumer States. While the country has signed MoUs with the governments of Viet Nam and China, the main consumer States, neither of these documents contain any specific mention of rhinos or of reducing demand.^{15 16}

Strong law enforcement

One of the main factors in the continuing (albeit slowly decreasing) poaching of rhinos in South Africa has been the country’s inability or unwillingness to prosecute the kingpins. This was the case in the 1990s, and the 21st century has seen no real change.

¹⁴ <https://www.traffic.org/publications/reports/the-south-africa-viet-nam-rhino-horn-trade-nexus/>

¹⁵ https://www.environment.gov.za/sites/default/files/legislations/mou_vietnam_sa2012.pdf

¹⁶ https://www.environment.gov.za/sites/default/files/docs/wetlandanddesert_ecosystems/wildlifeconservation.pdf

There are numerous cases of poachers from both South Africa and Mozambique being jailed for 15 or more years, while traders from Viet Nam and Thailand have either been let off with small fines or have had their jail sentences commuted early and been allowed to leave the country. In addition, the perpetrators of rhino crime who work in South Africa's commercial wildlife sector have been particularly leniently dealt with. In the notorious case of Dawie Groenewald and his gang, arrests were made in 2010, but the trial will not take place until 2021. In many cases, rhino crimes have been committed while the perpetrator was out on bail for a previous rhino-related crime¹⁷.

This leniency sends entirely the wrong message to the well-connected and well-resourced higher-level criminals and organized crime bosses. From their perspective, it is only poor (and easily replaceable) poachers who are sentenced to jail time, not powerful people with expensive lawyers. The fact that some have continued to violate the law when out on bail for similar crimes suggests that many of these people believe themselves to be untouchable, and that their illegal exploitation of rhinos will continue.

Demand reduction

To date, while a number of South African conservationists have visited China and Viet Nam in an attempt to publicise the effect of rhino horn consumption on rhino populations, the government itself has made little or no effort to persuade consumers to stop buying rhino horn. South Africa has long been a proponent of the legalisation of international trade in rhino horn, and we are concerned that its failure to engage in demand reduction is a reflection of that position.

Again, it has been the international community – both government and non-governmental – that has taken on the task, as well as the expense, of reducing consumer demand for rhino horn. Clear progress has been made in China and Viet Nam, in terms of both public attitude surveys and of significant reductions in the black market price being paid for horn in both countries.¹⁸

This may help to explain the slight drop in South African rhino poaching numbers in the past three years, but clearly the work must continue. We would urge South Africa to become a proactive participant in that continuing work.

Public attitudes are changing in China. When China announced in October 2018 that it planned to reverse some of its restrictions on trade in rhino horn and tiger bone, there was a public outcry. Chinese NGOs monitored the reaction on social media and estimated that over 90% of the comments were negative. The Chinese government subsequently announced a suspension of its plans.

Demand reduction is only possible when the messaging is clear and unambiguous. Some of the NGOs endorsing this document have personally been asked by Vietnamese people why they are being asked to stop buying rhino horn when some African countries want them to buy it.

Domestic trade bans

The domestic bans on rhino horn trade in Taiwan and China were powerful tools in halting the rhino slaughter during the 1980s and 1990s. Similarly, the Chinese ban on domestic ivory trade, implemented in December 2017, has closed a significant loophole through which huge amounts of illegally-imported ivory were being laundered. Within months of China's 2016 announcement that it would close its

¹⁷ <https://conservationaction.co.za/resources/reports/failure-prosecute-mixed-messages-south-africa-can-single-handedly-lose-second-rhino-war/>

¹⁸ https://news.cgtn.com/news/3d3d414f78637a4d7a457a6333566d54/share_p.html

domestic markets the following year, the price of raw ivory had dropped by 50% in China¹⁹ and Viet Nam²⁰. Subsequent market research in Hong Kong revealed a drop of 69%²¹.

News from some of the harder-hit African elephant range States, such as Tanzania and Kenya, has been encouraging in recent years. However, while Kenya and other African elephant range States played a part in encouraging the ban in China, most of the SADC States appear to have been silent on the matter.

As previously stated, in order to be successful, a ban must consist of far more than a few words on a piece of paper. It entails a great deal of effort and commitment to a wide range of actions, from resourcing wildlife protection and enforcement authorities, to imposing adequate penalties, to adopting domestic bans and reducing consumer demand.

South Africa's legal domestic market for rhino horn presents significant challenges to law enforcement, demand reduction, and anti-poaching efforts. The existence of a parallel legal market provides opportunities to launder rhino horn into trade and increases the risk of illegal export to black markets abroad. Indeed, the DEA reached this conclusion itself in a 2014 analysis on the viability of legalizing domestic rhino horn trade.²²

In 2009, South Africa instituted a moratorium on the domestic trade in rhino horn, precisely to prevent such illegal exports. The moratorium was overturned in 2017 because of a procedural error committed by the DEA during its implementation, and as a result there is ongoing legal domestic trade of rhino horn in South Africa today despite the absence of trade regulations designed to limit the risk of illegal trade. The draft regulations contain dangerous loopholes that could have devastating consequences for South Africa's rhinos, not least of which is a provision allowing export of rhino horn for undefined "personal purposes." South Africa has an opportunity to effectively reinstate its ban on domestic trade in rhino horn by promulgating airtight regulations. We refer you to the detailed comments submitted by the Species Survival Network on South Africa's draft rhino horn trade regulations for more information on this topic²³.

The Private Rhino Owners' lobby

Most estimates of South Africa's white rhino population size include those accommodated on private land. The proportion of privately-owned white rhinos in South Africa has continued to grow in recent years, as a result of government policy which encourages trade of wildlife between national parks and private landowners, and as wild white rhino populations in the Kruger National Park and other protected areas have been reduced by unrelenting poaching. Privately-owned white rhinos now comprise nearly half of all rhinos in the country, yet many are semi-intensively managed and those should be seen in the context of livestock farming rather than of conservation. Even the least-managed privately owned rhinos can only be considered semi-wild as they still benefit from supplemental feeding and veterinary intervention. It is questionable whether these animals are behaviourally or genetically suitable for release into the wild. Wild rhinos must always be the conservation priority, and while private rhino populations do contribute to the continental rhino population gene pool, they should not be seen as a substitute for robust, wild populations.

19 <https://www.goodthingsguy.com/the-good-stuff-from-abroad/saving-the-elephants-ivory-prices-drop-50-as-demand-continues-to-dry-up/>

20 <https://www.theguardian.com/environment/2017/jun/02/chinas-ivory-ban-sparks-dramatic-drop-in-prices-across-asia>

21 <https://africageographic.com/blog/economics-ivory-extinction/>

22 https://www.environment.gov.za/sites/default/files/docs/rhinohorntrade_southafrica_legalisingreport.pdf

23 <https://eia-international.org/wp-content/uploads/SSN-RWG-comments-on-draft-South-African-rhino-trade-regulations.pdf>

Some private rhino owners have much to gain from the legalisation of international trade in rhino horn, since they hold significant stockpiles. For instance, John Hume, owner of Buffalo Dream Ranch, home to over 1,600 rhinos, is reported to have a stockpile amounting to 6.7 tonnes²⁴. It was Hume, alongside another private rhino owner, who filed the lawsuit that succeeded in overturning the DEA's 2009 moratorium on domestic rhino trade, arguing that it had been imposed without due process and was therefore invalid. The stated policy of the Private Rhino Owners Association (PROA), which purports to represent a majority of private rhino owners, is to overturn the international trade ban.

Once the Constitutional Court had overturned the moratorium, Hume held an online rhino horn auction in Pretoria, claiming that all buyers would be vetted to ensure that they were South African citizens. This was a misleading claim, since Hume is well aware that the market for rhino horn within South Africa is minuscule and that any bidders would most likely have the intention of illegally exporting the horn in order to turn profits. The fact that details of the auction were published in the Chinese and Vietnamese languages says much about the potential buyers who were being targeted. Hume subsequently announced that the auction had been disappointing, although there are conflicting reports of how much was actually sold.²⁵

In April 2019, two men were arrested in possession of 167 rhino horns, which the Directorate for Priority Crime Investigations claimed were destined for overseas markets. Hume subsequently claimed that the seized horns were his, and admitted that he had sold 181 horns to a buyer in Port Elizabeth.²⁶ There is, therefore, potential for the overturning of the domestic moratorium on rhino horn trade in South Africa to result in increased illegal international trade in rhino horn.

Lion bone trade

Lions are in serious decline across much of Africa. The 2016 IUCN Red List assessment described an inferred 43% decline over the previous 21 years (or 3 lion generations), and estimated that just 23,000-39,000 mature individuals remain across the continent, occupying as little as 8% of their historic range.²⁷ Lions are considered to be a conservation-dependent species, and researchers predict that without concerted action further significant declines are likely across the continent in the coming decades.²⁸

The reasons for the decline are complex. However, both the IUCN Red List assessors and lion range States²⁹ have agreed that international demand for and trade in lion products (particularly bones) is a major contributing factor.

For the past 20 years South Africa's Department of Environmental Affairs has, except for a brief period between 2007-2010, consistently facilitated the growth of South Africa's captive predator breeding industry by maintaining legislation which enables provincial officials to issue permits for lion breeding and hunting and the export of lion bones.³⁰ Since 2008, more than 6,000 lion skeletons weighing at least 70 tonnes have been exported, the overwhelming majority from captive breeding facilities in South Africa, with Lao PDR and Vietnam the principal destinations.³¹

24 <https://www.thetimes.co.uk/article/rhino-breeder-john-hume-of-buffalo-dream-ranch-klerksdorp-seeks-cash-to-save-45m-herd-hzgx7ksm8>

25 <https://africageographic.com/blog/online-rhino-horn-auction-disappointing-results/>

26 <https://www.iol.co.za/saturday-star/sas-largest-private-rhino-breeder-john-hume-says-seized-rhino-horns-are-his-property-22221195>

27 <https://www.iucnredlist.org/species/15951/115130419>

28 <https://www.pnas.org/content/112/48/14894>

29 https://cites.org/sites/default/files/eng/news/pr/2016/African_Lion_Meeting_Outcomes.pdf

30 <https://www.bornfree.org.uk/publications/cash-before-conservation>

31 <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0185996>

CITES protections

Africa's lions have been listed on Appendix II of CITES since 1977. They are the only species of big cat listed on Appendix II - all others are on Appendix I.

In recognition of the threat posed by trade in lion products, the annotation to the Appendix II listing of African lions adopted at CITES CoP17 established a zero annual export quota for specimens of bones, bone pieces, bone products, claws, skeletons, skulls and teeth removed from the wild and traded for commercial purposes. However, under the annotation, annual export quotas for trade in bones, bone pieces, bone products, claws, skeletons, skulls and teeth for commercial purposes, derived from captive breeding operations in South Africa, will be established and communicated annually to the CITES Secretariat.³²

South Africa subsequently established an export quota of 800 skeletons from captive-bred lions in 2017. This quota was initially increased to 1500 skeletons in 2018, but reduced to 800 late in the year following a highly critical report to the South African Parliament by the Portfolio Committee for Environmental Affairs. There are concerns that the establishment of the quota is in danger of being determined by supply-side factors and driven by industry economics, rather than by demand-side factors and considerations of the potential implications for wild lions. South Africa's NSPCA is currently awaiting judgement on a legal challenge to the rationality of South Africa's lion bone quota.

A report by TRAFFIC entitled 'The Legal and Illegal Trade in African Lions', compiled in fulfilment of CITES Decision 17.241(e) and appended to the Secretariat's report in SC70 Doc 54.¹³³, acknowledged that poaching of lions for trade in their body parts is an emerging threat, and that increasing demand for lion bone and other products in Asia may have an impact on wild lion populations across their range, as well as on other big cat populations.

The TRAFFIC report also identifies major discrepancies in the data obtained from the CITES Trade Database on trade in lion specimens, including errors in the transfer of data from South African permit applications to CITES annual reports, with the incorrect destination country identified for significant bone and skeleton exports.

More broadly, concerns exist that ongoing legal trade in lion specimens from captive breeding operations may result in product legitimisation in the eyes of consumers, demand stimulation, opportunities for laundering illegal products into trade, and enforcement challenges. Without DNA analysis, legal lion bone exports could be providing a cover for illegal trade in products derived from tigers and other big cats. These issues could in turn impact on wild lions and other big cats through increased poaching for international trade.

International and domestic condemnation

The substantial captive predator breeding industry in South Africa has become the subject of intense international and domestic criticism, not only because of the continuing trade in bones and skeletons from lions and other predators, but also because of its association with misleading "ecotourism" activities such as cub rearing and walking with lions, and with so-called "canned hunting". In 2016 the International Union for the Conservation of Nature adopted a Resolution calling on South Africa's Government to terminate the practice of breeding lions in captivity for the purpose of 'canned shooting' through a structured, time-bound process, and to restrict captive breeding of lions to registered zoos or

32 <https://www.cites.org/eng/app/appendices.php>

33 <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-54-001.pdf>

registered facilities whose documented mandate is as a recognised, registered conservation project.³⁴ In November 2018, South Africa's Parliament called for a policy and legislative review of captive breeding of lions for hunting and Lion bone trade with a view of putting an end to this practice, on the basis of recommendations from the Parliamentary Portfolio Committee on Environmental Affairs.³⁵ To date, the government has failed to act on these recommendations.

There are also no regulations for keeping, breeding and slaughter of lions or other predators from a welfare perspective. Recent revelations about the conditions in which some animals are being maintained in certain captive facilities have raised concerns for the welfare of animals that are being raised and slaughtered to supply bones and other products into trade.

South Africa's international reputation is at risk while the captive predator breeding industry is allowed to continue its operations.

Conclusions

We believe that this briefing has established the following points:

1. Legalising trade in high-value wildlife products causes a surge in demand and, therefore, incentivises poaching.
2. The economics of the ivory trade do not stack up.
3. Demand-reduction does work, but only if the messaging is clear.
4. Bans are effective only when they are accompanied by robust legal and judicial processes, enforcement efforts and consumer education.
5. Non-lethal use of wildlife is far more lucrative and sustainable than lethal use.
6. The legalisation of the international trade in rhino horn should be seen for what it is: a commercial venture which will benefit only the private owners, not the State, and risk another devastating upsurge in rhino poaching.
7. The ongoing legal international trade in lion bone from captive breeding facilities risks maintaining and increasing demand in consumer countries, thereby placing wild lions and other big cats at increased risk from poaching, and also risks damaging South Africa's reputation as a conservation leader.

Recommendations

We urge South Africa to revisit its wildlife trade and utilisation policies in the light of the IPBES report and South Africa's commitments to achieving the Sustainable Development Goals, and the recommendations from international bodies including the IUCN. In doing so, we urge you to consider the negative impacts of consumptive utilisation and international trade on wildlife in South Africa and beyond, and on the reputation of South Africa as a responsible custodian of its wildlife and a destination for non-consumptive wildlife tourism. We also urge you to do all you can to close loopholes which facilitate domestic and international wildlife trafficking, and to improve associated law enforcement, in collaboration with international partners.

We stand ready to meet with you to discuss these issues further, at your convenience.

³⁴ https://portals.iucn.org/library/sites/library/files/resrecfiles/WCC_2016_RES_013_EN.pdf

³⁵ <https://www.parliament.gov.za/press-releases/environmental-affairs-committee-calls-policy-and-legislative-review-captive-lion-breeding-hunting-and-lion-bone-trade>