

This document has been submitted by South Africa.

#### ADDITIONAL INFORMATION

##### **SOUTH AFRICA'S BLACK RHINO PROPOSAL TO THE 13<sup>TH</sup> MEETING OF THE CONFERENCE OF THE PARTIES (CoP) TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)**

South Africa wishes to provide Parties with additional information relating to its request to CITES CoP 13 for an annual export quota for hunting trophies of Black rhino. WWF and other Parties raised several concerns and South Africa wants to make use of the opportunity to address these concerns.

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#### **AFRICAN RHINO SPECIALIST GROUP (AfRSG)**

To be proactive on possible proposals for quotas for the hunting of surplus Black rhino males to the 13<sup>th</sup> meeting of the CoP to CITES, the IUCN Species Survival Commission (SSC) AfRSG established a working group at their June 2002 meeting. The working group convened to discuss the issue, and made a number of recommendations on how countries wanting to commence hunting surplus male black rhino should proceed. The deliberations and recommendations emerging from this working group have been written up and accepted for publication in the Journal of International Law and Policy (Leader-Williams et al. *in press*).

The AfRSG working group recommended that a CITES-approved national quota should be considered a pre-requisite.

The guiding principles the AfRSG working group developed included:

- ensuring that any off-takes are biologically sustainable and based on good monitoring;
- ensuring that incentives from any hunting opportunity are maximised;
- creating positive incentives which reward good biological management and long term commitment to black rhino conservation; and
- ensuring that the appropriate internal and external controls are in place.

South Africa ensured that these guiding principles were addressed before submitting the proposal to CoP 13. The following control measures will be implemented:

- No hunting of surplus male black rhino will be allowed unless the hunter's country of residence has issued a CITES import permit.
  - No hunting of surplus male black rhino will take place unless authorization (permits) by the provincial conservation authority was granted.
  - The horns of every animal hunted as part of the CITES quota will be micro-chipped within three (3) days after the hunt took place.
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## AFRSG COMMENTS ON THE SOUTH AFRICAN PROPOSAL

The 2004 AfRSG meeting discussed the following main issues regarding South Africa's proposal (South Africa's response on issues raised by the AfRSG is reflected in **bold**):

1. "It was noted that the inclusion of sick or severely injured animals where full recovery will not be achieved (condition *b vi*) in the proposal) was unethical and conflicts with fair hunt principles."

**South Africa will not include sick or injured animals in its revised proposal.**

2. "Concern was expressed by some delegates regarding the less than adequate (albeit improving) reporting of private sector white rhino **horn stockpiles** in South Africa. In recognizing that many of the black rhino to be hunted in South Africa would be hunted on private land, some members suggested it perhaps was too early to embark on black rhino hunting in the country; and that approval of a South African black rhino hunting quota should be contingent upon further improvement in compliance with private sector horn registration. However it could be argued that the limited sport hunting of surplus white rhino, and the less than ideal reporting of private sector white rhino horn stockpiles in South Africa in the past, did not prevent the country's white rhino population from increasing over five-fold from 1,800 in 1968 (when limited hunting of white rhino started) to 10,300 in 2003. Thus while better reporting and management of private horn stockpiles is highly desirable, this may not have any bearing on whether or not sport hunting of black rhino would be sustainable or not."

**The National Environmental Management: Biodiversity Act (NEMBA) (Act 10 of 2004) makes provision for the listing of threatened and protected species and for the regulation of restricted activities involving these species. Restricted activities include among others 'having in possession or exercising physical control over any specimen of a listed threatened or protected species'. These provisions of the Act come into effect on 1 April 2005 as per Presidential proclamation. This means that as from 1 April 2005 permits will be required for all rhino and rhino horn in private possession. Norms and standards under this legislation will prescribe the registration and marking requirements. Currently, not all the provincial ordinances require that privately owned rhino horn, be marked. If the proposal is adopted at CoP 13, horns to be exported as part of a hunting trophy under the export quota will be marked within three (3) days after the hunt took place.**

3. "Clarification was provided on where the hunting would probably occur – it would mostly involve rhinos moved from State land to private land for hunting."

**Black rhinos are not moved from State to private land for hunting purposes, but for conservation and tourism purposes. Up to now, the trophy hunting of black rhino in South Africa was not allowed. Private land owners are allowed to purchase black rhinos from the state and from other landowners, only after the nature conservation authority performed a habitat evaluation of the proposed recipient of the rhinos. Not many private landowners can afford to have black rhino on their land and the provincial conservation authorities know each black rhino owner, as they need permits to keep these animals. Therefore it is possible that hunting can occur on both state- and privately owned land.**

4. "It was also recommended that more detail should be provided by South Africa regarding the return and use of revenues, as well as the choice of other options to deal with surplus male black rhinos."

**Most private land owners re-invest money they get from hunting and tourism on their land, either by buying more animals or by improving fences, waterholes or upgrading or building of new tourist facilities. In case of provincial conservation authorities it goes back into state coffers, unless the province has a nature conservation fund.**

## SOUTH AFRICA'S RESPONSE ON WWF'S POSITION STATEMENT

- “While we recognize the significant conservation successes it has had with white rhino populations, South Africa has not demonstrated sufficiently effective monitoring of its white rhino hunting industry to approve it for black rhinos. As such, WWF has concerns that trophy hunting of the endangered black rhino may be ineffectively controlled. Although the private sector has contributed significantly to rhino conservation in South Africa, there are weaknesses in internal controls and compliance within the private sector that need to be addressed before such a request can be approved for black rhinos.”

South Africa has been congratulated on many occasions for the effective way in which it manages its white rhino populations as well as the white rhino hunting industry (see among others Swaziland's proposal for the down listing of white rhino). It can also be argued that the limited sport hunting of surplus white rhino, and the less than ideal reporting of private sector white rhino horn stockpiles in South Africa in the past, did not prevent the country's white rhino population from increasing over five-fold from 1,800 in 1968 (when limited hunting of white rhino started) to 10,300 in 2003. Thus while better reporting and management of private horn stockpiles is highly desirable, this may not have any bearing on whether or not sport hunting of black rhino would be sustainable or not. WWF's comment that South Africa has not demonstrated sufficiently effective monitoring of its white rhino hunting industry is thus invalid. With regard to effective control of access male black rhino trophy hunts the Department of Environmental Affairs and Tourism will allocate quotas for the hunting of black rhinos only upon written request from the province where the surplus male rhino occurs. The request for a quota will have to be accompanied by substantiating documentation, irrespective of whether the quota will be used on private- or state owned land. The National Environmental Management: Biodiversity Act (no 10 of 2004) requires that any person in possession of a specimen of a threatened and protected species must have a permit and therefore as from 1 April 2005 all privately owned rhino horn must be registered and marked and permitted. All horn exported as part of a hunting trophy under the quota will be marked within three (3) days after the hunt took place.

- “It is not clear from South Africa's request how animals to be hunted would be selected (as not only post-reproductive males but also problem and sick animals are to be included). There is a risk that large males that are not post-reproductive would be selected, which could result in genetic erosion and detriment to the populations. There is insufficient information in the proposal on the allocation of the quota, return and use of revenues, and the choice of other options to deal with surplus male black rhinos.”

South Africa will not include sick or injured animals in its revised proposal to CoP 13. The Department of Environmental Affairs and Tourism will allocate quotas for the hunting of black rhinos upon written request from the provincial conservation authority in which the surplus male rhino occurs. The request for a quota will have to be accompanied by substantiating documentation and only surplus adult males that satisfy one or more of the criteria outlined in paragraph 4.5.2 (b.) of the document, CoP13 Doc. 19.4, will qualify to be hunted as part of the quota. Most private land owners re-invest money they get from hunting and tourism on their land and in case of provincial conservation authorities it goes back into state coffers, unless the province has a nature conservation fund.

- “Unlike Namibia, in South Africa black rhinos may be privately owned. The hunting quota is shared between state management authorities and the private sector and it is unclear in South Africa's document as to how this system would actually work. Currently one of the key criteria involved in allowing the sale of black rhinos to private owners is the capacity for a population of the subspecies to become established in the available habitat. South Africa's proposal does not state if this will remain one of the key criteria in all sales of black rhino, if a black rhino trophy hunting industry were established.”

The criteria for allowing private owners to buy and keep black rhinos will certainly remain and will be strictly followed when evaluating the land on which an applicant wants to keep the black rhino. If a private owner of an adult black rhino bull which fulfill the aforementioned criteria wants to hunt

the animal, he/she will have to apply for a quota from his/her local provincial conservation authority who will then evaluate the application, and send it to the Department of Environmental Affairs and Tourism for consideration.

- “Although South Africa states that previous revenues obtained through the sustainable-use of southern-central black rhinos (through translocation and live sales) has been re-invested in rhinoceros security programmes and biological management, it is unclear what mechanism is used or will be used to ensure transparency in how potential future revenue from trophy hunting of black rhino would be re-invested.”  
Most private land owners re-invest money they get from hunting and tourism on their land, either by buying more animals or by improving fences, waterholes or upgrading or building of new tourist facilities. In case of provincial conservation authorities it goes back into state coffers, unless the province has a nature conservation fund.
- “Gaps and disjuncts between the national legislation and provincial laws and regulations that control animal movement between provinces persist, and it is at this point too early to see how South Africa’s new National Biodiversity Bill will be implemented and will harmonise such disparities.”  
The National Environmental Management: Biodiversity Act (Act 10 of 2004) makes provision for the listing of all critically endangered, endangered and vulnerable and protected species and permits will be needed to carry out any restricted activity. Restricted activities include among others hunting, catching, capturing or killing of a listed threatened or protected species and having in possession or exercising physical control over any specimen of a listed threatened or protected species. These sections of the Act will come into effect on 1 April 2005. In the interim, provincial ordinances are used to control animal movement between provinces and if a rhino is moved, provincial import and export permits are required by all nine provinces.

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