CONSULTATION IN TERMS OF SECTION 62(3) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004)

Dear Minister Creecy,

Non-Detriment Finding Assessment for Diceros Bicornis (Black Rhinoceros) Reference Number: Dic_bic_Jul2018

The undersigned are Members of the Wildlife Animal Protection Forum South Africa, an alliance of diverse South African based organisations that share certain values, knowledge and objectives and that collectively comprise a body of expertise from scientific, conservation, legal, welfare, rights, social justice and public advocacy sectors.

It must be noted that the findings of the above mentioned assessment were issued by the Scientific Authority of South Africa on the 12th July 2018. A year later on the 22nd August 2019, your office offered members of the public a thirty-day period in which to respond to these proposal assessments.

Before allowing us the opportunity to respond, South Africa submitted a request to CITES for the amendment of Resolution Conf.13.5 (Rev. CoP14) on the establishment of export quotas for black rhinoceros hunting trophies using the same scientific supporting information. This proposal was
delivered 150 days prior to the meeting of the Parties which was set to take place in Colombo, Sri Lanka from the 23rd May to the 3rd June 2019.

In the proposal, South Africa provided a method to annually calculate an export quota but without actually specifying the size of this quota. We note that your office was not able to offer an accurate assessment of population size of the black rhino species.

A quota can only be derived from knowing the maximum sustainable yield (MSY). Knowing the MSY constitutes the very bedrock of ‘sustainable utilization.’ Without it, there are no scientific grounds for determining what a ‘sustainable offtake’ might be that ensures sufficient rhino numbers in the future to warrant hunting in the present. It is impossible to establish a MSY without a precise scientific population estimate. It is also extraordinary that a non-detriment finding (NDF) could have been made without such an estimate. The minimum necessary condition for establishing either an NDF or an MSY is a precise population estimate from an independent body.

In the context of Resolution Conf. 13.5 (Rev. CoP14), the Conference of the Parties stated that it did not approve of the proposed size of the annual export quota of hunting trophies of black rhinoceros (the maximum number of hunting trophies which may be exported over the course of a year without it having a detrimental effect on its survival) but would allow South Africa to annually set this quota as it sees fit within its national rhino conservation and management strategies. South Africa did not clarify how or when these annual export quotas would then be communicated to the Parties.

South Africa’s proposal mentions that annual export quotas would be based on “the total black rhinoceros population in South Africa in the year of export”. It is however embarrassingly unclear what export quotas would apply for the years where this information is not available, as seems to be the case for 2016, 2017 and 2018.

The Secretariat noted that under the new proposed quota system and based on populations figures for 2015, provided as part of the supporting information, export quotas in 2015 would have allowed for the offtake of approximately 7 to 8 hunting trophies of D.b. minor. The population of D.b. michaeli would have been too small for allowing offtake.

The Secretariat observed the open-ended nature of the proposal by South Africa, with annual export quotas of hunting trophies of Diceros bicornis to be established by South Africa itself, and that this may create uncertainty relating to the precise number of hunting trophies to be exported, possibly resulting in enforcement challenges.

For practical purposes and to facilitate compliance monitoring and enforcement, the implementation of the quota system in CITES, and especially, the establishment of annual export quotas for Appendix 1 species by the Conference of the Parties have required that the quota be expressed as a precise number of individuals to be exported. The Secretariat also suggested that South Africa communicate the export quota for a specific year to the CITES Secretariat to be included on the website as part of the national export quota to inform all Parties about the number of black rhinoceros hunting trophies to be exported by South Africa.
At the 18th meeting of the Conference of the Parties for CITES (Convention for International Trade in Endangered Species) held in Geneva in August, South Africa succeeded in its proposal (CoP18 Doc.48) to increase its export quota for black rhino hunting trophies, from five adult males (subspecies Diceros bicornis), to a total number of adult male black rhino not exceeding 0.5% of South Africa’s total black rhino population. The vote took place on or about the 19th August 2019.

The change will increase the number of black rhinos that can be trophy hunted each year in South Africa from five to a maximum of 10 animals (based on 2017 population numbers), and this number will now vary each year. Given the major threat to South Africa’s rhinos is poaching, the key part of this proposal is not the hunting itself but the calculations based on population size.

According to our research all three black rhino subspecies have increased in South Africa from a total of approximately 800 animals in 1992 to 2046 by the end of 2017. A positive change, however, up-to-date figures for 2018 have not yet been released. Changing the current system based on your scientific data from a set number to using a percentage of the population requires extremely accurate and independent population counts. Without recent and precise numbers of each subspecies, how can we be completely confident of the numbers used? What is the use of scientific data if we do not have regular updates on population sizes, with provincial breakdowns? Surely, this information would benefit overall biological management and enhance the ability of the scientific authority to determine a MSY from which a quota could then be derived?

South Africa has a permit and monitoring system in place for trophy hunts, which includes strict conditions for black rhinos. Those selected are chosen on biological principles (generally older, post-reproductive bulls, who may have detrimental effect on the overall rhino population by being aggressive or territorial). Removing a problem individual may enable a higher growth rate for a greater genetic diversity of the population as a whole. However, our concerns are in situations which include a problematic rhino, timely decisions must be made. Is this realistically achievable?

The conclusion of your scientific assessment is that South Africa must pin its hopes on the proviso that by increasing the black rhino annual hunting quota the population growth of the black rhino will improve; futhermore, it is assumed that this will turn into incentivizing private owners to keep black rhinos, therefore increasing the land available for the species. The economic argumentation that hunting will improve black rhino population growth and provide incentives for private rhino ownership is loaded with untested assumptions. First, it assumes that trophy hunting offers incentives that are socio-ecologically preferable to the next-best alternatives, such as photographic tourism. Private rhino ownership is described in such a way as to suggest that the only incentives for expanding it are through consumptive uses such as breeding, trading in horns and trophy hunting. This ignores the fact that a significant number of South Africa’s privately-owned rhinos are on reserves that do not offer hunting and do not trade in horns. Second, it ignores alternatives to trophy hunting that do not entail consumptive use and may therefore prove more sustainable. If it is deemed ecologically necessary to remove black rhino males from any given population (to prevent lethal brawling, for instance), then translocation to appropriate destinations may be preferable, especially where photographic tourism would be bolstered by the presence of rare black rhinos. This would continue to incentivize private rhino ownership.
We hereby formally request that you inform South Africa of the accurate numbers of the remaining black and white rhino populations with an independent census. This information is critical before decisions can be taken or commented on with regards to increasing hunting quotas or down listing white rhinos from CITES Appendix I to Appendix II.

Furthermore, we as members of the WAPFSA and as individual organizations, continuously receive questions from a concerned public and would like to formally request a public debate to allow questions on the criteria and processes for establishing, for example, which individual animals are, in practice, to be sacrificed. More questions would be:

- Will poached animals reduce the number of export-trophy hunting permits issued in any given year?
- Will natural mortality affect the number of these export permits issued?
- Will the number of non-trophy export hunting permits, if there are such, affect the number of export permits issued?
- Is there a national Black Rhino restocking management plan?

We also hereby request that you explain to the South African public why the NDF on which the hunting quota request was made to CITES, was only made available to the public after the information had already been used to support a pre-determined policy objective.

The South Africa’s black rhino population continues to be threatened by poaching. We encourage major efforts to ensure their protection and we do not believe that any trophy hunting supports the conservation of the species.

Kind regards,

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