



AMENDED AND RESTATED WAPFSA FOUNDING DOCUMENT
16 November 2021

On the 29th of October 2021 the Members of the Wildlife Animal Protection Forum South Africa (WAPFSA), resolved to Amend and Restate the Original Founding Document dated 20th February 2019, through the inclusion and integration of the following amendments:

First Amendment:

In paragraph 1.a. a definition of “*wild animal*” is provided; it is also stated that the network will be representing the interests of wild animals, wild animals held in captivity, biodiversity and the environment.

Second Amendment:

In paragraph 2.a. it is stated that WAPFSA is a voluntary not for profit forum.

Third Amendment:

In paragraph 2.a. it is stated that the network aims at building a clear and informed common position, for public benefit objectives.

Fourth Amendment:

In paragraph 2.b. it is stated that the collaboration among Members will also focus on policy change.

Fifth Amendment:

In paragraph 3.a. it is stated that WAPFSA expertise will include indigenous knowledge.

Sixth Amendment:

In paragraph 3.b. it is stated that WAPFSA is focused not only on wildlife but also on the protection of the environment, biodiversity and climate stability.

Seventh Amendment:

In paragraph 3.e. it is stated that WAPFSA is committed to continuous, positive transformation and will endeavour to work towards having a membership composition that is truly representative of all of South African society.

Eighth Amendment:

In paragraph 4.7. it is stated that where possible, rehabilitation and reintegration of animals held captive, into a wild or more natural environment, should be considered.

Ninth Amendment:

In paragraph 4.9. the issue of humane capture is expanded upon and it is stated that the capture, observation, monitoring, treatment, rescue of wild animals – via methods that are least invasive - will be supported only *when* such procedures are required for the health, well-being, welfare or protection of such wild animals.

Tenth Amendment:

In paragraph 5.3. it is specified that wild animals are sentient beings.

Eleventh Amendment:

In Paragraph 6.4 the format has been simplified without the alteration of any content or principles, to read as follows:

6.4. The WAPFSA Code of Conduct also provides a basis for holding members accountable if they behave in ways that are not consistent with WAPFSA purpose, objects or guiding principles. In particular, WAPFSA members will collaborate in good faith with each other, and as far as reasonably possible, act and respond in a manner that:

- a. always respects the views of other members;
- b. acknowledges the freedom of WAPFSA members to make their own decisions concerning matters which affect them directly;
- c. encourages solidarity amongst members;
- d. promotes the cohesion and effective functioning of WAPFSA;
- e. fosters integrity, competence, diligence, respect, and ethical behaviour;
- f. does not compromise the reputation of WAPFSA, its members, partners and colleagues;
- g. does not breach confidentiality when requested particularly as sensitive and strategic information will be shared via the WAPFSA network; .
- h. does not undermine the purpose and activities of WAPFSA;
- i. takes cognisance of the fact that members should not make statements on other members behalf;
- j. does not generate direct commercial benefits for WAPFSA members;
- k. supports our shared advocacy goals, collaboration and consensus building;
- l. encourages the reading, commenting on and co-signing letters, reports and documents, submissions, when invited to do so, by WAPFSA and other WAPFSA members;
- m. supports sign on-letters and joint/shared submissions;
- n. takes cognisance of the fact that the technique of 'silence is endorsement/consent' will be followed—member organisations have to take on some obligations in relation to decisions to participate in sign-on initiatives or collective decision-making issues;
- o. takes cognisance of the fact that the onus is on member organisations to read all communications

Twelfth Amendment:

The entire paragraphs 7, 8, 9, 10, 11, 12, 13, 14 and 15 are added and included.

**Therefore,
in consideration and in agreement with the amendments contained herein,
WAPFSA Members endorse the
Amended and Restated WAPFSA Founding Document 16 November 2021,
as follows:**

1. BACKGROUND

- a. The Wildlife Animal Protection Forum South Africa (WAPFSA) was initiated in 2017 as a collaborative network representing the interests of wild animals¹, wild animals held in captivity, biodiversity and the environment.

¹ With the expression “wild animals” it is intended all indigenous and exotic animals who are not domesticated. Wild animals might be, in certain cases, habituated to human presence, but maintain the genetic traits and biological characteristics of their species. Wild animals differ from “domestic animals”. Domestic animals have undergone a prolonged social-biological process of ‘domestication’ [...] Domestication can only take

biodiversity and the environment. WAPFSA was designed as a vehicle to engage with governments on animal and environmental issues, on the basis of ethical and compassionate conservation.

- b. In February 2019, members resolved to formally adopt the WPFSA Original Founding Document.

2. OUR WORK

- a. WAPFSA is a voluntary not for profit forum which provides a framework for cooperation and networking among non-governmental organisations in South Africa. Through such cooperation, animal protection, environmental, conservation, and other like-minded organisations can present to the various government agencies and other relevant bodies, a strong, clear and informed common position, for public benefit objectives.
- b. Our collaboration involves, but is not limited to, the following main categories: advocacy, outreach, research, policy change, investigation, monitoring, litigation and training.

3. SCOPE AND PURPOSE

- a. WAPFSA is an alliance of diverse organisations that share certain values, knowledge and objectives which collectively comprises a body of expertise from scientific, conservation, welfare, protection, rights, social justice, indigenous knowledge, financial and public advocacy sectors and the law.
- b. WAPFSA is focused on the interaction with local and international governments, industry, corporations, communities and stakeholders to protect the environment, biodiversity, climate stability and wildlife through collaborative, informed and targeted efforts.
- c. The overarching objective of WAPFSA is to facilitate the creation of a strong social movement that advocates locally and globally so as to create awareness and to lobby and affect policy and legislative remedies and change relating to:
 1. the loss, contamination, fragmentation, degradation and climate alteration of suitable habitat for land-based and aquatic animals;
 2. the captive breeding, keeping, exhibition, management, handling, trading, oppression and trophy hunting of wild animals and their body parts for commercial purposes and associated exploitation.

place through human-guided, selective breeding for a prolonged time over many generations. In each generation, the offspring carrying the desired traits are selected for further breeding. The term domesticated always refers to a whole population; by definition an individual animal can never be domesticated in its lifespan. A domesticated species is significantly different from its wild cousin in its instincts and anatomy, while emphasising traits that are felt desirable by humans. While domesticated animals still often display a range of natural behaviours, they differ in the intensity of stimuli required to trigger a certain behaviour change. Consequently, they have become easier to handle than their wild counterparts (World Animal Protection, 2017. Taken for a Ride – page 11) [TakenForARideReport.pdf \(WAP\)](#)

While wild species becoming captive-reared and captive-bred might be considered in the first step towards domestication, it does not imply that they will (soon or ever) become domesticated. In fact, definitions used solely for management purposes, do not reflect the domestication status of those groups. (DA Derecho, 2019. Forum of Animal Law Studies, A Universal Definition of Domestication)

https://www.researchgate.net/publication/332803052_A_Universal_Definition_of_%27Domestication%27_to_Unleash_Global_Animal_Welfare_Progress

- d. WAPFSA may develop a number of specialist and interdisciplinary Working Groups so as to: enhance information sharing; combine the talents, knowledge and experience of the WAPFSA's member organisations; develop and provide technical assistance; and to assist WAPFSA advocacy, lobbying and policy development activities.
- e. WAPFSA is committed to continuous, positive transformation and will endeavour to work towards having a membership composition that is truly representative of all of South African society.

4. GUIDING PRINCIPLES

Mindful that we are living in 'the Anthropocene', in which human activities are causing global environmental and biodiversity changes, habitat loss, and a sixth mass extinction, WAPFSA actions and decisions will be guided in support of the following principles:

1. Through working collaboratively and in solidarity with one another and others we can achieve our common purpose and effect legal, policy and legislative interventions.
2. Wild animals belong in the wild.
3. We support ethical and compassionate conservation.
4. Habitat needs to be restored and the survival of Africa's wild animals in the wild needs to be secured.
5. Captive breeding, keeping, petting, walking, commodification, and trading in wildlife and their body parts is exploitative and does not contribute to conservation.
6. Trophy hunting is exploitative and inhumane, it encourages societal violence and is leading to the decline of species in the wild.
7. The rescue, rehabilitation, reintegration, release and rewilding of captive, abused and injured wild animals is vital. Where possible, rehabilitation and reintegration of animals held captive, into a wild or more natural environment, should be considered. Where this is not possible true sanctuaries² are supported with the goal of ending the systems of abuse and exploitation that have created the need for captive wildlife sanctuaries to exist. Euthanasia should only be considered as a last resort and when all other humane and just alternatives have been carefully considered.
8. As wild animals are being compressed within their ranges due to expanding human populations, promoting linkages between protected areas is of great importance. Wild animals should be protected using demarcated and well researched corridors between protected areas, wherever possible.

² A true sanctuary may be open land with no enclosures. When boundaries are necessary, a true sanctuary respects the integrity of individual animals, providing safe, healthy, and secure refuge in enclosures specifically designed for the unique animals whom they support. It cannot buy, sell or trade animals, use them for commercial purposes, breed them, or allow the public to come into direct contact with wild or feral animals.

9. Any interaction or disturbance of wildlife must be avoided where possible. The capture, observation, monitoring, treatment, rescue of wild animals – via methods that are least invasive - will be supported only *when* such procedures are required for the health, well-being, welfare or protection of such wild animals.

5. COMMON UNDERSTANDING

1. The welfare and protection of non-human animals is a Constitutional and inter-sectional justice concern;
2. Wild animals are an integral part of South Africa and need to be treated with respect;
3. Wild animals are sentient beings and have their own intrinsic worth and this of necessity needs to be considered in any decisions/regulations relating to them;
4. The manner in which wild animals are managed affects wildlife itself, other industries, other non-human animals, the environment at large, biodiversity, surrounding communities, the South African population, international treaties and the way it is viewed by the international community.
5. Human beings are responsible for protecting the wellbeing of wild animals/wildlife and their freedom to fulfil their ecological roles.
6. Merely defining how humans relate to wild animals/wildlife as the “sustainable use of indigenous resources” promotes exploitative, inhumane and harmful attitudes and practices.
7. Wildlife protection organisations need to be included in platform for dialogue established by pertinent government departments.
8. Welfare and animal protection issues need to be included in environmental legislation, regulations, policies policy and guidelines.
9. There is a critical need for like-minded animal protection, and welfare organisations that work on matters relating to wild animals and lobby government in this regard, to establish a platform for dialogue, collaboration, the development of position statements and action between South African based animal protection organisations and between these organisations and government.

6. CODE OF CONDUCT

1. The WAPFSA code of conduct is intended as a guideline for WAPFSA members.
2. The code of conduct sets out how the WAPFSA network functions and how the members relate to one another.
3. WAPFSA is a voluntary, collaborative initiative comprised of autonomous organisations.
4. The WAPFSA Code of Conduct also provides a basis for holding members accountable if they behave in ways that are not consistent with WAPFSA purpose, objects or guiding principles. In particular, WAPFSA members will collaborate in good faith with each other, and as far as reasonably possible, act and respond in a manner that:
 - a. always respects the views of other members;

- b. acknowledges the freedom of WAPFSA members to make their own decisions concerning matters which affect them directly;
 - c. encourages solidarity amongst members;
 - d. promotes the cohesion and effective functioning of WAPFSA;
 - e. fosters integrity, competence, diligence, respect, and ethical behaviour;
 - f. does not compromise the reputation of WAPFSA, its members, partners and colleagues;
 - g. does not breach confidentiality when requested particularly as sensitive and strategic information will be shared via the WAPFSA network; .
 - h. does not undermine the purpose and activities of WAPFSA;
 - i. takes cognisance of the fact that members should not make statements on other members behalf;
 - j. does not generate direct commercial benefits for WAPFSA members;
 - k. supports our shared advocacy goals, collaboration and consensus building;
 - l. encourages the reading, commenting on and co-signing letters, reports and documents, submissions, when invited to do so, by WAPFSA and other WAPFSA members;
 - m. supports sign on-letters and joint/shared submissions;
 - n. takes cognisance of the fact that the technique of 'silence is endorsement/consent' will be followed—member organisations have to take on some obligations in relation to decisions to participate in sign-on initiatives or collective decision-making issues;
 - o. takes cognisance of the fact that the onus is on member organisations to read all communications
5. To facilitate adequate engagement and responses, at least two people from each member organisation will be sent WAPFSA related information so as to ensure that if one person is away the other is able to respond. If an organisation, for whatever reason is not able to read the sign-on requests or uncomfortable with their organisation being added to the sign-on, they need to advise the coordinator / administrator / facilitator accordingly. Generally, several days are given to elicit responses from members, but in some instances given the nature of the issue, the processes involved or the time frame this is not always possible. Members who do not agree with being automatically opt-in, may choose to opt-out.

7. DISCLAIMER

WAPFSA is not liable, cannot be held responsible nor can the network take credit for activities carried out by individual member organisations or individuals.

8. STRUCTURE

- a. WAPFSA is a voluntary, collaborative initiative with an interconnected structure with no hierarchy. This allows all Members to provide input, participate in decision-making and significantly contribute to projects, with their opinion, knowledge and expertise.
- b. WAPFSA will operate using a coordinator / administrator / facilitator, who will facilitate the communication and actions between members, consult with members, collate the input and votes from members, maintain list of member contacts, post updates/news, finalise WAPFSA letter drafts and otherwise take relevant actions to coordinate the joint efforts of WAPFSA members.
- c. The coordinator will always act in the in the best interest of WAPFSA taking into account members requests relating to WAPFSA activities, as long as those are clearly communicated.
- d. After consultation with members, the coordinator can nominate and elect WAPFSA representatives to speak publicly on behalf of WAPFSA, in forums and on subjects expressly agreed upon by members.
- e. Decisions will be taken collectively. Members may request a subject to be debated by WAPFSA members and decided by a voting process. When a vote is required, the coordinator will share a summary of facts and will list a number of options. Members will indicate to the coordinator the preferred option within a prescribed deadline.
- f. Members may abstain from voting and their decision to abstain will not be counted as part of the quorum. There is no minimum quorum for decision-making. Those that participate in the decision will constitute the quorum.
- g. Organizations with multiple members will only be allowed one vote.
- h. Of all votes collected, a 70% majority is required to take a decision.
- i. The coordinator will share the results of the decision with the members

9. NEW MEMBERS

- a. WAPFSA members may nominate or recommend prospective new members who have the necessary expertise and a vision aligned with WAPFSA principles.
- b. A member will propose the nominee to the other members, for comments.
- c. Supported objections can be shared with the group or sent to the coordinator within a reasonable deadline.
- d. If there are substantial objections to the proposed nomination and at least three members object against the inclusion of a member, such nomination shall not be accepted to be a member of WAPFSA. In case of no substantial objections, or objections not based on sufficient evidentiary proof, the prospective new entry will be invited to join WAPFSA.

10. REMOVAL OF MEMBERS

- a. If it emerges that a member might have violated WAPFSA Code of Conduct or might be behaving in manner which diverges from this, the coordinator will inform WAPFSA members of such concerns.
- b. A decision as to the removal of said member will be put to WAPFSA members. For removal of a member, at least 50% quorum of existing members is required. Abstentions shall count towards the quorum for these purposes.
- c. Members will be required to vote for or against the removal of such member. Of all votes collected, a majority of 70% is required to proceed with the removal of a member.

11. COMMUNICATION AND SOCIAL MEDIA

- a. All members may freely share information, news and comments via email and via WAPFSA WhatsApp group.
- b. The media office coordinates all media communication and publicity of WAPFSA, maintains the WAPFSA web site, manages all WAPFSA social media platforms and interacts with members for social media feeds.

12. EXPENSES

- a. The EMS Foundation covers the expenses of the coordinator and the media office.
- b. The EMS Foundation owns the website domain and the logo of WAPFSA.

13. AMENDMENT TO DOCUMENTS

If it becomes necessary to amend the documents constituting WAPFSA and to which all Members are bound, or if issues arise in the functioning of WAPFSA that are not covered by the documents, any member or the coordinator may raise these issues with the members and call for their input and a vote.

14. DISSOLUTION

The EMS Foundation might take the final decision to dissolve WAPFSA or might negotiate for another organization to take over.

15. AMENDED AND RESTATED INTEGRATION CLAUSE

This Amended and Restated WAPFSA Founding Document embodies and fully integrates and supersedes the pre-existing and original Founding Document endorsed by all Members in 2019 and other than the amendments, the content remains the same. The original Founding Document shall therefore be deemed null and void, and of no further force or effect whatsoever following the date hereof.

Signed on November the 16th, 2021 by the following Members of WAPFSA:

African Climate Alliance	Climate Dep	Sairusha Govindsamy
Animal Law Reform South Africa	Co-Director	Amy P. Wilson
Animal Talk Africa	Founder	Wynter Worsthorne
Baboon Matters	Founder	Jenni Trethowan
Baboons of the South	Founder	Lorraine Holloway
Ban Animal Trading	Director	Smaragda Louw
Beauty Without Cruelty (South Africa)	Chairperson	Toni Brockhoven
Betty's Bay Baboon Action Group	Co- Founders	Renee Bish and Peter Oxford
Centre for Animal Rehabilitation and Education	Director	Stephen Munro
Elephant Reintegration Trust	Chairperson	Brett Mitchell
EMS Foundation	Director	Michele Pickover
Four Paws (SA)	Director	Fiona Miles
Future 4 Wildlife	Co-Founder	Stefania Falcon
Gifted for Good	Env. Education	Jabu Myeni
Global White Lion Protection Trust	CEO Founder	Linda Tucker
Humane Society International (Africa)	Wildlife Director	Dr Audrey Delsink
Institute for Critical Animal Studies (Africa)	Director	Les Mitchell
Monkey Helpline	Co-Founder	Steve Smit
OSCAP-Outraged SAfrican Citizens Against Poaching	Director	Kim Da Ribeira
Parliament for the People	Reg Farming	Vivien Law
Rhinos in Africa	Founder	Megan Carr
SAIFAC SA Institute for Advanced Constitutional Law	Director	Professor David Bilchitz
South Peninsula Khoi Council	Senior Chief	Stephen Fritz
Southern African Fight for Rhinos	Director	Lex Abnett
Vervet Monkey Foundation	Founder	Dave Du Toit
WildAid Southern Africa	Director	Guy Jennings
Wild Law Institute	Director	Cormac Cullinan
Youth Climate Group	Climate Justice	Sera Farista