



“SERVING THE HUNTER WHO TRAVELS”

“Hunting provides the principal incentive and revenue for conservation. Hence it is a force for conservation.”

**Special To The Hunting Report
World Conservation Force Bulletin**

by **John J. Jackson, III**

DATELINE: WASHINGTON

News... News... News

**Mongolia, Others Denied
Role In Argali Lawsuit**

The Federal District Judge in Washington has ruled that Mongolia can't intervene in the Argali suit to protect its own interest. As well as denying Mongolia's request to join the case, the court has imposed special restrictions on all other interests that have intervened.

In early September the judge finally and simultaneously ruled on all the motions to intervene. The motion Conservation Force filed on behalf of itself, the Foundation for North American Wild Sheep, Grand Slam Club/Ovis, Dr. Raul Valdez, Dr. Bart O'Gara, Dr. James Teer, Douglas Stromberg, Ron Bartels, Ben Seale, Clark Ullom and Lee Lipscomb has been pending and undecided for more than three months. The Court permitted these interventions, as well as the more recently filed interventions of Safari Club International and Wildlife Conservation Force of America. At the urging of the anti-

hunting plaintiffs, however, the court issued orders that those intervening are "limited to addressing only the claims raised by the existing parties (namely, the anti-hunters and the Fish & Wildlife Service) and shall not raise any collateral issues." This restriction applies to all intervenors.

It remains to be seen if this restriction makes any difference in the



outcome of this case, but it most definitely narrows the defenses that we can raise. For example, in this court action, the restriction prohibits hunting interests from challenging the legality of the original listing of Argali under the Endangered Species Act. It may also limit the introduction of any evidence that is not part

of the official US Fish & Wildlife Service (USF&WS) records on this matter - that is, evidence that was in the service's files when the permits authorizing the import of Argali trophies were issued. One thing seems certain: We will not be allowed to challenge the underlying legality of the existing "Special Rule" of the USF&WS that governs the issuance of import permits for Argali.

The anti-hunting plaintiffs who brought the suit are claiming in the suit that the USF&WS has not been following its own "Special Rule" governing the issuance of trophy import permits. We were prepared to argue that it did not make any difference because the Endangered Species Act (ESA) itself prohibits such restrictions on imports if a species listed as "threatened" is already protected by a CITES Appendix II listing. Never before has the USF&WS adopted import restrictions for trophies of a species listed as "threatened" when it is also protected on Appendix II on CITES. There is a specific provision in the US Endangered Species Act (Section 9c2) prohibiting regulations that place restrictions on the import of trophies in such an

instance. That section is commonly called “The Dingell Amendment” because the author of the ESA, John Dingell from Michigan, did not want the USF&WS to interfere with foreign nations’ hunting-dependent conservation programs involving “threatened” species that are already protected by an Appendix II CITES listing.

Ronald Nowark, since retired from the USF&WS, is the very person who wrote the “Special Rule” for Argali imports, and he is now one of the plaintiffs bringing the suit. Nonetheless, we may not be allowed to challenge its legality even if the court finds that the USF&WS has not been complying with its own rule, as the anti’s are specifically alleging in the suit.

The court has not provided any reason or explanation for the denial of Mongolia’s request to intervene. The anti-hunting plaintiffs did file an opposition to the interventions, but their opposition to Mongolia’s intervention did not substantively differ from their opposition to the other interveners. We were waiting to file an intervention for the two other countries where Argali permits are issued until the court decided on Mongolia. If the court had provided written reasons in its denial of Mongolia’s request, we would have a better idea how to file a successful intervention for the other two countries. We are surprised by the decision and at this time have no explanation from the court. We are considering an appeal as I write this. In fact, this very day I am in Washington, D.C. for the purpose of reviewing the records of related cases to figure out the best strategy. Unfortunately, I have been stranded here for days because of the terror attacks involving hijacked airplanes.

We were hoping that the intervention by the three countries would impress upon the Judge the importance of the permits to the conservation of Argali. We have been providing the *pro bono* representation to Mongolia and the other countries for that purpose. Who could have greater

interest or should be accorded greater respect and consideration than the countries involved? The primary legal issue in granting or denying an intervention is whether the party asking to intervene has sufficient legally protected “interest” that may be “impacted” by the litigation. We thought it was self-evident that Mongolia does. It appears that the court may be trying to limit the scope of the case and the issues it must address, which is fine if the court ultimately rules in our favor, but not if it does not.

In the meantime, the USF&WS’s Motion to Dismiss the plaintiffs’ case has been fully briefed, and we are waiting on the decision of the court. A scheduling conference has been set by the court in late September that will determine the tentative sequence and time course of the case hereafter. We will give you an update next month on the intervention of Mongolia and the other countries, the pending court decision on the Motion to Dismiss and the scheduling course set by the court. In the meantime, Conservation Force needs much more financial support for the litigation and Argali-related matters. The expenses of the Washington, D.C. trips are adding up, and we must attend two different *Caprinae* meetings in CIS, one in October and another tentatively set for December. Contributions are tax deductible when made payable to Conservation Force, Suite 1045, 3900 N. Causeway Blvd., Metairie, Louisiana, 70002.

DATELINE: WYOMING

News Analysis
Conservation Partners
Hold Second Summit

America’s 36 leading sportsmen’s Conservation Organizations held their Second Summit meeting in Cody, Wyoming, in late August. The group, which has come together under the title Wildlife Conservation Partners (WCP) was established last year to maintain

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the sportsmen’s leadership in America for the next 100 years. I am glad to report that the summit was very successful and continues to raise everyone’s hope for the continuing effort to act together for our common interest.

Ray Lee, the Executive Director of Foundation for North American Wild Sheep (FNAWS), chaired the two-day meeting, as he has chaired the Steering Committee for the past year since his selection at the First Summit. Rollie Sparrowe, President of the Wildlife Management Institute (WMI) was elected to chair the WCP for the coming year. The Steering Committee that plans, organizes, directs and coordinates the activities of WCP was reconstituted. Its members now are David Langford (Texas Wildlife Association Executive Director), John J. Jackson, III (Conservation Force Chairman), Phil Reddock (Buckmasters), Max Peterson, (Executive Director of International Association of Fish and Wildlife Agents), Paul Hansen (Executive Director of Izaak Walton League of America), Rob Keck (Wild Turkey Federation), Rollie Sparrowe (WMI), Matt Hogan (Congressional Sportsmen’s Foundation), Ray Lee (Executive Director of FNAWS), Susan Lampson (National Rifle Association) and Don Dessecker (Ruffed Grouse Society). Conservation Force is very proud to serve on the Steering Committee.

The Wildlife Conservation Partnership is not an organization as such. It is a network of independent organizations partnering for the common good of all. Most of what was done at the Second Summit is not yet finalized, but the group did finalize and formally adopt a charter. It reads as follows:

**CHARTER OF THE WILDLIFE
CONSERVATION PARTNERS
(Adopted 8/22/01) NEED**

• America’s hunting traditions are being pulled in multiple directions by diverse factors, including demographic change, urbanization, broad concepts like ecosystem management

and biological diversity, mass turnover in professional staffs of state and federal wildlife agencies, the smaller segment of our population that hunts or fishes, anti-management philosophies and values, and the crowded, fast-paced lives of everyday Americans. In spite of great successes in restoration of wildlife over the past 100 years, the changing structure of our society makes it necessary for wildlife managers and hunter/conservationists to work together more effectively to build on the successes achieved in the past. Further, the decade of 1995–2005 is recognized as critical for wildlife, as the die is being cast for its future. Against this backdrop of challenge, hunter/conservationists are arrayed in literally hundreds of organizations potentially diluting their effectiveness.



The early successes of Boone and Crockett Club members and the citizens-sportsmen of the turn-of-the-century offer insight into the value of unity. Back then, wildlife was visibly depleted and their habitats – like pine forests in the Northeast – had been cut and burned. There was a common need to protect wildlife and restore lost habitat. Again in the 1930s, drought and low waterfowl numbers presented a rallying point for hunters to see some uncomplicated, visible threats they could combat directly. Formation of the Forest Reserves and their evolution into the National Forests, development of treaties to conserve migratory birds, passage of the Pittman/Robertson Act and other movements came to fruition because people of like-

minds, with specific objectives, worked together. This history shows that unified efforts do produce gains for conservation of wildlife and their habitats.

With all this in mind, there is a need for today’s wildlife leaders to unify their collective strength and apply it to common challenges and opportunities to protect wildlife, habitat, hunting, trapping and the way of life they represent.

PURPOSE

- Diverse wildlife organizations with a common interest in conserving wildlife and wildlife habitat, and in preserving hunting and trapping, are committed to identifying specific needs and working together toward fulfilling those needs. The unifying element is a shared commitment to:
- Build unity among partners and increase collective effectiveness;
- Develop a vision for wildlife
- Collectively address key issues
- Develop and pursue implementation of a set of recommendations for the Administration and Congress.

PRINCIPLES

- 1.) Develop, in a loose federation, process/structure with objectives and agenda.
- 2.) Build trust and respect among partners.
- 3.) Be a potent force advocating conservation, hunting, trapping and stewardship.
- 4.) Positions are taken by member organizations and not in the name of WCP.
- 5.) Focus on commonalities and principles, including:
 - Habitat
 - Wildlife populations
 - Scientific management of wildlife and habitat
 - North American wildlife model
- 6.) Share information in an effective and immediate way (e.g., list serve, website):
 - Develop an outreach strategy,
 - Develop a unified message and stay focused on it
 - a.) internal (hunter/conservation groups)

- b.) external (general public)
- 7.) Work together where we agree:
 - Agree to disagree and respect differences
 - Extol and recognize accomplishments of sister organizations
 - Develop task forces around specific issues – some groups develop the issues, some groups implement the strategy
- 8.) Issue leaders are selected depend-

ing on issues and strengths.

RULES OF ENGAGEMENT

- 1.) Each partner retains its organizational autonomy.
- 2.) A common objective (or more than one) is identified.
- 3.) Rules are agreed upon to channel activities and stick to the main objective(s).
- 4.) Differences are respected, and no pressure is asserted to conform.
- 5.) Someone leads the effort, and

holds people to the rules of engagement.

The WCP holds regular phone conferences, communicates through its own web site and has two face-to-face meetings per year. The next summit is to be held during the 100th International Association of Fish and Wildlife Association meeting scheduled for September 17-21 at the Big Sky Lodge in Montana.

● Briefly Noted ●

Balck And White Rhino Populations Increasing

African Rhino Increasing in Numbers and Value: The foremost rhino experts report that the rhino population in Africa is the highest since the early 1980s, and that its live-sale price at auction has skyrocketed. The African Rhino Specialist Group (AFRSG) is a specialist group of IUCN’s Species Survival Commission. Its mission is to promote the growth of viable populations of the various subspecies of African rhinos in the wild. Every second year it seeks to compile and synthesize information on the status (number and range) and conservation of African rhinos across their range. The group’s most recent figures place the population of white rhino in the wild at 10,400 and the black rhino at 2,700. According to Martin Brooks, the chair-president of the AFRSG, this is “the first time since the mid 1980s that African rhino numbers have exceeded 13,000.”

The southern white rhino numbers have continued to increase. They went from 6,784 in 1993; to 7,532 in 1996; to 8,441 in 1997; to 10,377 in 1999. All countries of the southern subspecies are increasing. Though 94 percent of southern white rhino are in the Republic of South Africa (9,754), Zimbabwe had 208, Kenya 164 and Namibia had 163. Twenty-two percent (2,319) are now privately owned.

The black rhino population is also creeping up. There were about

2,400 in 1992 and 1995, which increased to 2,600 in 1997 and to 2,700 in 1999. This distribution is 1,074 in South Africa, 695 in Namibia, 435 in Zimbabwe and 420 in Kenya. Some black rhino populations “have been performing sub-optimally and may be overstocked.” These arguably may develop into hunting opportunities in time. According to the Scientific Officer in the group, Richard Emalie, only 2.81 percent of the black rhinos are privately owned, as compared to 22.29 percent of white rhinos. This comports with the policy statement that “if it pays, it stays.”

There are 251 different discrete white rhino populations in Africa and 178 (70.9 percent) of them are privately owned. Not so of the black rhino population, of which only nine are privately owned. One can only conclude that sustainable use has served the white rhino well and that the potential of use is now beginning to serve black rhinos too.

The only African rhino not stable or increasing in number and locations is the Western black rhino in Cameroon. “Time for its survival is running out,” according to the AFRSG. “It is the most critically endangered of all African rhinos.” Capture and captive breeding in a protected sanctuary is thought to be the only resort left for that subspecies.

The AFRSG also reports that live rhino sales values at the Hluhluwe 2000 game auctions in Kwa Zulu - Natal were at record levels. The prices ranged from \$29,000(US) to \$50,365 per rhino. The average was \$29,200. The 1999 rhino prices have had a 4½-fold increase since 1996 and were 70 percent more than 1998 prices. The prices of black rhino were also up. Six were sold at \$54,750 each. The total sales were \$1.23 million for 42 white rhino and \$330,000 for six black rhino. Tourist hunting is accepted in this instance as having been a substantial force behind the conservation and continuing recovery of African rhino. – *John J. Jackson, III.*

Conservation Force Sponsor

The Hunting Report and Conservation Force would like to thank International Foundation for the Conservation of Wildlife (IGF) for generously agreeing to pay all of the costs associated with the publishing of this bulletin. IGF was created by Weatherby Award Winner H.I.H Prince Abdorreza of Iran 20 years ago. Initially called The International Foundation for the Conservation of Game, IGF was already promoting sustainable use of wildlife and conservation of biodiversity 15 years before the UN Rio Conference, which brought these matters to widespread public attention. The foundation has agreed to sponsor *Conservation Force Bulletin* in order to help international hunters keep abreast of hunting-related wildlife news. Conservation Force’s John J. Jackson, III, is a member of the board of IGF and Bertrand des Clers, its director, is a member of the Board of Directors of Conservation Force.



International Foundation for
the Conservation of Wildlife

MEMO

To: Jim Young, Print N Mail
From: Leonardo Mocci, The Hunting Report
Re: October 2001 Issue of Conservation Force Supplement
Date: September 20, 2001

Jim,

Here's the October 2001 issue of the Conservation Force Supplement to be inserted in The Hunting Report. Don't forget to insert John Jackson's picture on page 2. Please fax "blue lines" for approval A.S.A.P.

Print run is 4,600. Ship overs to us as usual.

Please call me if you have any questions.

Leonardo

P.S. Please make sure that John Jackson gets his 25 copies.