



SPECIAL SUPPLEMENT

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

World Conservation Force Bulletin

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CITES Conference of the Parties 17: Decisions Affecting Hunting

The World Wildlife Conference was held in Johannesburg, South Africa, from 24 September through 5 October. The 17th Conference of the Parties of the Convention on International Trade in Endangered Species of Wild Fauna and Flora was the largest in the 43-year history of the Conference. In total, over 3,500 people attended, including 152 governments taking decisions on 62 proposals to list species on the CITES Appendices submitted by 64 countries, and with the highest number of side-events ever recorded. The Sandton Center proved to be an ideal site and South Africa an ideal host for the meeting.

A number of game species were down listed because of their improved conservation status.

Listing Proposals Most Relevant to Hunting

Proposal 1 introduced by Canada was to delist its wood bison, *Bison bison athabascaae*. The Canadian wood bison was delisted by consensus. It had been on Appendix II since transferred from Appendix I at CoP 9, 1997. The reported population today is 7,642 to 10,458 in 79 herds. The transfer means that now no export permit will be necessary for hunting trophies or other trade. But there is a hitch. Because it is no longer protected by CITES, its threatened listing under the ESA will require a ruling by USFWS before trophies are again importable into the USA. ESA threatened listed species normally are exempt from import permitting when they are protected by listing on Appendix II of CITES; otherwise imports are prohibited unless a special rule is adopted. We understand that the Canadian and US authorities have this well in hand. There should only be a short delay and then a new ESA special rule exempting the bison from import permitting should be



John J. Jackson, III

put in place by the USFWS. Because the delisting is not effective until 90 days after the CoP, trophies are still importable with a Canadian CITES export permit.

Proposal 2 introduced by the EU and Georgia was of concern because it was to list all Western tur, *Capra caucasica*, on Appendix II of CITES with a zero quota for all commercial

as well as hunting trophy trade. This would have prohibited any trophy trade (exports) of this wild goat from the Russian Federation, Georgia, and Azerbaijan. The Russian Federation was not happy with the proposal because its population is reported to be recovering, unlike Georgia's (where hunting is not even open). Georgia agreed to remove the zero quota from the proposal and the Appendix II listing was adopted by consensus. This means CITES export permits will be necessary from the country of origin after the listing becomes effective in 90 days.

The fourth proposal was to transfer all populations of African lion from Appendix II to Appendix I. It was introduced by Chad, Cote d'Ivoire, Gabon, Guinea, Mali, Mauritania, Niger, Nigeria, and Togo. This was largely based upon the disputed 2015 IUCN Red List assessment of lion status and misreading of the level of trade data from the UNEP World Conservation Monitoring Center (WCMC) database. Also, reports of growing trade of lion bones for Asian medicinal purposes was a hot issue, despite a TRAFFIC report that the trade was not significant. The Committee considering this proposal formed a Lion Working Group that met three times in two-to three-hour sessions. Conservation Force was a member of that group and made multiple interventions. Several Party countries pointedly challenged the recent IUCN Red Listing, which "inferred" population

declines particularly in their countries. In Western Africa, Burkina Faso made it clear that it had a secure population because of safari hunting and opposed an Appendix I listing of their lion. I made interventions that the proposal was inconsistent because it included the trade of captive bred lion from South Africa, but it excluded the 8,000 captive lion in South Africa in the population count. Also, the trade in recent years has been no more than 150 lion trophies a year from the wild. I made an intervention that the proposal conspicuously did not mention the high fecundity of lion that can double in two years or less. I also pointed out that both the EU and US adopted import permit requirements for lion this year. Both require proof of enhancement. The EU has only made a positive finding for a few countries and the US (at that time) had not made a positive finding for any at all! What lion trophy trade?!?!

In the end the lion was left on Appendix II with a special two-part annotation governing bone trade. The



The Evolution of CITES

annotation sets a zero quota for all commercial trade of lion bones from the wild. "Bones" include bones, skulls, teeth and claws. The second part limits trade in bones from South African captive-bred lions to a quota South Africa is to establish and communicate annually to the CITES Secretariat.

All African lion trade and management concerns are now subject to special treatment governed by Decisions. The Standing Committee is to create a CITES "Task Force on African Lions"

and “provide terms of reference and modus operandi” (open ended). The Secretariat is to take a significant list of actions and report to the Animals Committee, who in turn is to review and make recommendations to the Standing Committee, who in turn can propose an appropriate Resolution to the Parties at CoP 18 in three years. For the list of activities, see CoP17 Com. I. 29. This Task Force will require our close attention.

Proposal 5 proposed transfer of two subspecies of cougar in North American from Appendix I to Appendix II. The proposal was introduced by the US and Canada after the CITES Periodic Review Process demonstrated the two were no longer in trade – more of an administrative house cleaning. These two subspecies are the *Puma concolor coryi* listed as endangered under the ESA in the Southeast US (Florida Panther) and the extinct *Puma concolor cougar*. They were transferred by consensus to Appendix II. They are a different subspecies than the common mountain lion, 30,000 in the Western US and 7,000-10,000 in Canada, but now share an Appendix II listing. This makes no difference to the hunting community because the two are extinct or fully protected under the ESA.

Proposal 6 proposed transfer of Cape Mountain Zebra, *Equus zebra zebra*, from Appendix I to Appendix II. The proposal passed by consensus. There are “at least 4,791” and they are increasing at the rate of 9.16 per year. Sixty-nine percent are on protected public lands in 75 sub-populations. The number have increased 531% in the past three generations or 31 years. The IUCN has recently rated them as “Least Concern” on the Red List (2015). They warranted downlisting because of the lack of trade and improved status, but South Africa emphasized the benefit to the species if hunting trade was established. The species’ population growth is “constrained” by available habitat that would increase if private ranchers are incentivized through regulated hunting opportunities. South Africa has just completed a national action plan, a hunting quota and taken other measures to open the hunting that in turn will build and secure habitat and populations, as hunting has proven to do so well in South Africa. One hitch. The Cape Mountain Zebra is endangered-listed under the ESA. Conservation

Force is already working to correct this obstacle.

Proposal 7 failed. It was a proposal by Swaziland to commercially sell the horn of white rhino to create an endowment fund for protection of the rhino. The horn would come from a stockpile from natural deaths, horn recovered from poachers, and then dehorning of live rhino. The initial fund was estimated to be US\$ 9.9 million, and trade was expected to yield \$600,000 per annum. One opposition argument was that it was too small a stockpile to fulfill the demand it would stimulate unless RSA did the same. The vote was by secret ballot and was 26 in favor, 100 against, and 17 abstentions. The loss was not about the status of Swaziland’s rhino but concern about stimulation of the demand that is considered excessive and out-of-control, as demonstrated at its worst in Kruger National Park, which has barely kept poaching within the sustainable limit (total off-take less than reproduction rate).



Size of Committee I

The elephant proposals this time were proposals 14, 15 and 16. The status quo remains after the voting. One important information document, Inf. Doc .42, was a written statement from the MIKE and ETIS Technical Advisory Group prepared at the request of the CITES Secretariat. It wholly refutes the representations that the 2008 CITES-authorized ivory sales (one-off sales) caused a jump in poaching and peak in 2011. The poaching peak in 2011 was from a gradual increase of poaching pre-dating the sale like the simultaneous increase in rhino poaching (when there was no sale of rhino horn). The oft-repeated claims that the sale of ivory sparked the current poaching crisis



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simply are not true. “The conclusion by Hsiang and Sekar that an apparent step change in elephant poaching was triggered by the one-off ivory sale in 2008 is fundamentally flawed ... The claims ... are fundamentally flawed, both in logic and methodology ... the study should not be used to inform CITES policy on elephants.” Nevertheless, the Parties showed no appetite to authorize another sale.

In brief, Proposal 14 was an attempt by Namibia to free itself from the restraints of the annotation to the Appendix II listing of its elephants because the Secretariat and Standing Committee have not lived up to their promise to “establish a decision-making mechanism for a process of future trade in ivory,” which was an integral part of the compromise not to trade for nine years. Removing the annotation would have left Namibia’s elephant on Appendix II without the limits against trading commercially. Namibia promised to place ivory trade funds in trust for elephant conservation, and pointed out its elephant population had grown from 7,500 in 1985 to over 22,000 today and its ivory stockpile is growing 4.5% per year. The proposal was amended but failed: 27 in favor, 100 against, with 9 abstentions.

Proposal 15 was Zimbabwe doing the same thing, i.e., an attempted unleashing from the annotation that was part of the Appendix II listing of its elephant. It wished to remain on Appendix II but without the annotation requiring that trade remain on Appendix I for all purposes other than trophies, live sales, and some lesser items. Zimbabwe’s proposal was rejected 21 in favor, 107 against and 11 abstentions.

Zimbabwe’s 31-page proposal had

some insightful information about all of Africa worth repeating here. There were more elephant in 2013 than in 1995. The overall elephant population during that period has increased 3.9%, largely because Southern Africa’s population has



John J. Jackson, III intervening in Committee 1 on proposed Trophy Hunting Resolution at CITES COP17.

increased 54.3%, from 229,682 elephant in 1995 to 354,312 in 2013. There is no doubt that elephant poaching gradually climbed to a peak in parts of Africa in 2011, but poaching has been in decline since that peak.

Proposal 16 was filed by Benin, Burkina Faso, Central African Republic, Chad, Ethiopia, Kenya, Liberia, Mali, the Niger, Nigeria, Senegal, Sri Lanka and Uganda. It was obviously written by an NGO and proposed to transfer the elephant of Botswana, Namibia, South Africa and Zimbabwe from Appendix II to Appendix I – thus all elephant would be on Appendix I. It was rejected by a vote of 62 in favor, 71 against, and 12 abstentions. Botswana’s Minister Khama interjected during the debate that Botswana voluntarily surrendered

its Appendix II listing to the startled participants, but of course, the Parties, not a Party itself, determine listing status.

Canada’s Proposal 17 to transfer peregrine falcon, *Falco peregrinos*, from Appendix I to Appendix II is the last of the hunting-related Proposals and disappointing. In 2015 the IUCN had classified the Peregrine as of “Least Concern” and estimated the world population size to be 228,800 to 443,000 and stable or increasing. The falcon’s original decline was caused by organochloride pesticides such as DDT that thinned its eggshells, which broke and disrupted breeding success. The proposal was rejected with 52 in favor, 57 against, and 12 abstentions.

Trade in Hunting Trophies of Species Listed in Appendix I or II

Agenda Item 39, Hunting Trophies, ended up with a number of preambular and declarative paragraphs supportive of hunting and which we need not repeat here. Other paragraphs raise the bar and will require our attention. One paragraph directs “that trophy hunting activities relating to species listed in Appendix I should produce conservation benefits for the species concerned and thus may benefit from having a benefit-sharing or incentive system in place to ensure that harvesting contributes to the offsetting of the cost of living with certain species such as elephants.”

Annex 3 provides that the Parties should review and justify their current leopard quotas at the next Animals Committee meeting which Committee will in turn review, report and make recommendations to the Standing Committee, who in turn will make its own review, report and recommendations to the Parties at CoP 18. ■

Communities on the Edge: How a Wildlife Trade Conference Denied a Role to Communities

By Marco Pani

I threw a stone in the pool ... and we must see where the waves will go.

In March 2016, after many years spent in developing countries (the last two for Conservation Force in several African countries), I drafted a Resolution for the 17th Meeting of the Conference of the Parties to CITES.

The Governments of Zambia, Zimbabwe, Namibia and Tanzania

presented the Resolution (cites.org/sites/default/files/E-CoP17-13.pdf) on the “ESTABLISHMENT OF THE RURAL COMMUNITIES COMMITTEE OF THE CONFERENCE OF THE PARTIES.”

The Resolution requested the establishment of a CITES permanent Committee based, inter alia, on the following programmatic points:

The participation of rural communities, in the CITES decision-

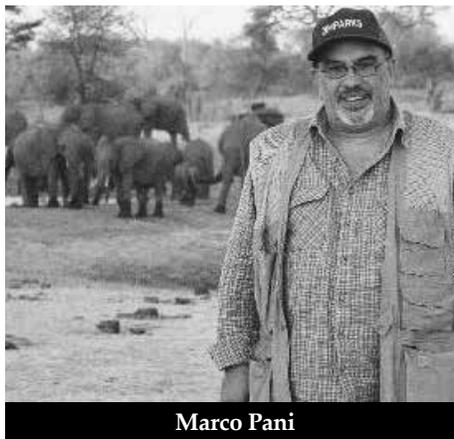
making mechanisms, has been almost completely neglected. Yet the lack of community engagement in natural resource management is one of the main causes of increased illegal trade in wildlife and other natural resources, and this neglect has far reaching ramifications.

CITES has no mechanism for addressing effectively the social consequences of its decisions on Appendix listing and trade even

though the livelihoods of many rural poor depend on that trade. This is a serious humanitarian and sustainable development shortcoming. An exclusively biological focus on the sustainability of biodiversity harvesting and trade can never guarantee sustainable use of any species. In fact, it tragically refuses a critical tenet of sustainability as a principle, which requires, in its applications, an ecosystem scale of assessment, in which the social systems with their cultural, economic and political dimensions are embedded.

The proposed draft Resolution sought to give an advisory role to representatives of legally recognized organizations of Rural Communities and/or Community-based Natural Resource Management (CBNRM) organizations on issues pertaining to biodiversity conservation, through the establishment of a permanent Rural Communities Committee of the CoP.

On 27 September, the discussion on the Resolution was on the agenda and after an introduction by the proponents and their recognized wildlife communities, Brazil, Canada, the EU, Japan, Kenya, Norway and the US all expressed understanding and appreciation of the motives that had led to submission of document CoP17 Doc. 13 but said they were unable to support it. Kenya said it would be important for any new CITES documents pertaining to rural communities to reflect the fact that wildlife was especially valuable as a live resource. The EU cited the financial implications of the formation of a permanent Rural Communities' Committee as an obstacle to its support and reasoned that establishment of such a committee could create a difficult precedent, as other groups might argue for the setting up of committees, leading to further pressures on the Convention. Norway concurred with several of the obstacles to the setting-up of the committee noted by the Secretariat,



while Canada raised logistical issues and expressed concerns regarding the text of the draft resolution in the document. Japan, supported by Brazil, the EU, the US and IUCN (speaking also on behalf of TRAFFIC and WWF), favored the establishment of a Working Group to address issues raised by the document. Brazil, supported by the US, further commented that direct participation of rural community representatives in existing CITES mechanisms and processes would be preferable to the establishment of a new permanent committee.

A Working Group was convened, which saw various attempts to give an advisory role to rural communities, but the Chair and the EU representative closed all doors for this.

A decision (https://cites.org/sites/default/files/eng/cop/17/Com_II/E-CoP17-Com-II-07.pdf) was adopted that will see the CITES Standing Committee look in the next three years on how to better engage rural communities in CITES processes.

It is the first time in 43 years of CITES' history that rural communities have been in the agenda of CITES.

The refusal of the Rural Communities Committee suggests that the existing CITES and Livelihood project is very superficial in its role and objectives. After all, there is no plan or mechanism for community intervention, suggesting

that most Parties may not view rural communities as an integral part of resolving wildlife crime and achieving ecosystem and species conservation. Although most Parties officially preach the critical role of rural communities they do not place that knowledge into practice.

The EU went against its own Action Plan against Wildlife Trafficking (Objective 1.2) in refusing the establishment of the Rural Communities Committee.

It is crucial to guarantee a greater presence of local communities to CITES Conferences of the Parties in order to reduce poaching and advance the conservation of wildlife. Decision-making mechanisms at the international level need to take into account the needs of people sharing the land and obtaining their livelihoods from wildlife, and nobody is in a better position than the communities to advocate their own needs.

It is time to think about human welfare in the framework of conservation and development. Local communities and indigenous people worldwide are a real force for conservation and the basis for finding solutions to complex management issues.

In the end, it is also important to put ideology aside in the debates on wildlife and to listen to the people that live together with wildlife for the solutions they want to implement. Solutions should be locally driven – not imported, imposed or bought. And finally, it is essential to find an appropriate ownership mechanism and add benefits for those that live with wildlife who ultimately determine its survival.

(Comment from John Jackson: Though the CoP did not create a Committee, it did create an intercessional Working Group to explore the alternatives and make recommendation at the next CoP.) ■

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