



“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

□ CITES Conference Of The Parties

Understanding The Issues And Proposals

The next CITES Conference of the Parties (COP 14) is to be held in the first two weeks of June in The Hague, Netherlands. The deadline for proposals and other matters was in January. The following is a description of those proposals and issues most directly relevant to the international hunting community. The actual documents can be found on the CITES Secretariat's website at: <http://www.cites.org/eng/cop/index.shtml>.

Only representatives of screened and qualified non-governmental organizations (NGOs) and Parties can attend the COP. A delegation from Conservation Force will be attending and working closely with the International Professional Hunters Association (IPHA) that is sending a delegation of two or more representatives. Both Conservation Force and IPHA are qualified as international NGOs. Another close ally that will be in attendance is the International Counsel of Game and Wildlife Management (CIC). It is qualified as an Intergovernmental Observer because of its governmental membership makeup and advisory na-

ture. Yours truly serves on its Executive Committee and heads its Commission on Sustainable Use. Conservation Force collaborates with IPHA and CIC in the analysis of proposals and formalization of positions on relevant CITES issues. We also attend and report on the Animals Committee and



Standing Committee meetings of CITES that are held inter-sessionally between the COPs.

■ Proposal 2: Bobcat

There is a proposal by the US to completely de-list the bobcat in North America. It has long been on Appendix II of CITES, which requires an ex-

port permit to be issued for international trade. Though it is a spotted cat, it was originally listed as a “look-alike” species to protect other similar species it was thought to resemble. The US Fish & Wildlife Service has completed a study initiated by the Association of Fish and Wildlife Agencies to demonstrate the bobcat can be easily distinguished from similar cat species that are deemed to need a high level of protection. The downlisting would save millions of dollars of permitting and related expenses that can be better spent on other resource needs. American recreational hunters and anglers have been bearing much of that expense. Representatives of each of the four regions of the Association of Fish and Wildlife Agencies attend the COPs and have been admirably behind this downlisting effort.

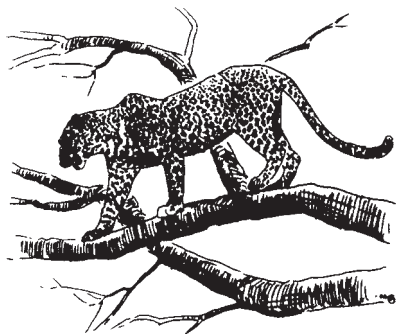
In the 1980's, the Fund for Animals sued and enjoined the export of bobcat skins from the United States on the basis that the required non-detriment determination was not based upon adequate population estimates. Congressman John Breaux, Democrat from

Louisiana, held oversight hearings and succeeded in amending the US Endangered Species Act provisions implementing CITES in the USA. That amendment still provides that population estimates are not necessary to make a non-detriment finding. The irony of that is the USF&WS's international divisions (Division of Scientific Authority and Division of Management Authority) generally do require high confidence level population estimates of foreign countries trying to import listed species into the US.

**Proposal 3 and Document 37:
Leopard Quotas**

■ Uganda is putting in for a leopard hunting quota of 50 and Mozambique is raising its leopard quota from 60 to 120.

Uganda is not just asking for a hunting quota; it is proposing the downlisting of its leopard with an an-



notation (voluntary limitation) that it only export 50 per year. Once on Appendix II of CITES, no import permit would be necessary.

If Uganda succeeds, it will be the first country to downlist its leopard. Certainly, Uganda should be able to get a quota, as other countries have. That would bypass the import permit requirement in the US. If Uganda does not downlist its leopard, there is no assurance that the USF&WS's international divisions will issue import permits. The USF&WS's International Program has taken it upon itself not to recognize CITES quotas set by the Parties and even has a proposed internal regulation pending to that effect. The last country to open leopard hunting was Mozambique in the mid-90's. Though they had a CITES-approved

quota, it took the international division years to approve those imports and a threat of suit by yours truly.

Speaking of Mozambique, it is seeking to increase its quota from 60 to 120 leopard exports per year. The quota is important if Mozambique's safari hunting industry is to continue developing. The country needs a greater quota for leopard to be made available on license in new hunting areas opening up. One such area is the NIASSA Reserve. The buffer zone surrounding the Reserve, and now the Reserve itself, is one of the largest hunting developments in the world, but will hardly be feasible without an expansion of the quota that is already fully utilized in the surrounding areas. The viability of the whole NIASSA development is critically dependent upon US elephant trophy imports and an expanded leopard quota. Conservation Force has recently filed the first NIASSA elephant import permit application with the Division of Management Authority of the USF&WS. Until elephant import permits are approved, leopard will continue to be the biggest safari income earner.

**Proposals 4, 5, 6 and 7:
African Elephant**

■ The African elephant has been on Appendix I for 17½ years, but it continues to be the dominant controversy at each conference. Its numbers have increased such that the IUCN no longer treats it as endangered. It has been reduced to “vulnerable”. The Parties have approved very limited and conditional trade at past COPs, but the special annotations (restrictions and conditions) have proven to be too onerous to permit trade. Of course, that was the intent of Kenya and other protection interests.

This time, Kenya and Mali have joined together to ban all commercial ivory trade for the next 20 years. They make an interesting exception in their proposal that elephant hunting trophies not be banned, except for Zimbabwe. Such a specific recognition of the legitimacy of trophy hunting is rare for Kenya and gratifying to yours truly, who had to sue the USF&WS to re-establish the import of elephant trophies



JOHN J. JACKSON, III
Conservation Force



“SERVING THE HUNTER WHO TRAVELS”

World Conservation Force Bulletin

Editor/Writer

John J. Jackson, III

Publisher

Don Causey

Copyright 2007© by Oxpecker Enterprises Inc. ISSN 1052-4746. This bulletin on hunting-related conservation matters is published periodically free of charge for subscribers to *The Hunting Report*, 9300 S. Dadeland Blvd., Suite 605, Miami, FL 33156-2721. All material contained herein is provided by famed wildlife and hunting attorney John J. Jackson, III with whom *The Hunting Report* has formed a strategic alliance. The purpose of the alliance is to educate the hunting community as well as proadvocacy of hunting rights opportunities. More broadly, the alliance will also seek to open up new hunting opportunities worldwide and ward off attacks on currently available opportunities. For more information on Conservation Force and/or the services available through Jackson's alliance with *The Hunting Report*, write:

Conservation Force

3240 S I-10 W Serv Road

Metairie, LA 70001

Tel. 504-837-1233. Fax 504-837-1145.

www.ConservationForce.org

For reprints of this bulletin or permission to reproduce it and to inquire about other publishing-related matters, write:

The Hunting Report

9300 S. Dadeland Blvd., Suite 605

Miami, FL 33156-2721.

Tel. 305-670-1361. Fax 305-670-1376.

from those countries Kenya now approves. Nevertheless, Kenya and Mali want to add new annual conditions before tourist hunting trade is approved.

The exception is Zimbabwe, where Kenya reiterates the unproven assertion that there has been illegal hunting and export of trophies by unscrupulous and illegal operators in Zimbabwe. You can count on the protectionists and anti-hunters to take full advantage of such infighting and mudslinging within the hunting community. Kenya's and Mali's proposal is preposterous, but if successful it would end Zimbabwe's CAMPFIRE Program. It is a back-door attack on Zimbabwe that has increased its internal quota for tourist hunting trophies to 400 elephants according to Kenya.

The new development in the elephant war comes from Tanzania. Tanzania is proposing to downlist its elephant from Appendix I to Appendix II with a three-point annotation (condition) limiting its commercial trade. This is the first such proposal for Tanzania since the elephant was placed on Appendix I in 1989. Tanzania played a leading role in listing all African elephant on Appendix I at COP 7. Its elephant have rebounded to 167,003 as of November 2006 according to the independent *African Elephant Status Report 2007* of the African Elephant Specialists Group (IUCN-SSC Paper No.33, page 101) that has just been published.

This signals a change in the elephant fight. Kenya and its NGO allies assert that poaching is growing while Tanzania and the Southern African countries assert that their elephant populations are growing. Those favoring limited trade argue that the larger their elephant populations, the greater the need for the local people to benefit and the greater the costs of management. The revenue from this limited trade can help alleviate the growing human-elephant conflict, as well as pay for the growing management costs. Those wishing to prolong the ban on trade argue that poaching is increasing in anticipation of the opening of trade and that the reopening will

cause the doom of all elephants in places where they are more vulnerable to poaching.

The third elephant proposal is a joint one by Botswana, Namibia, South Africa and Zimbabwe: Proposition 4. The elephant in those four countries were never thought to warrant an Appendix I listing when listed took place in 1989 to reduce the toll the poaching that was having on other elephant populations. Their elephant have been conditionally downlisted with annotations for very limited and restricted trade at past conferences. These Southern African countries are very dissatisfied with the restrictions because those annotations have prevented all trade except trophies since the last COP. They want to replace the existing an-



notations with more simplified annotations.

The fourth elephant proposal is one by Botswana. Its elephant population has increased from 34,000 to 75,487 since 1983 and is expected to continue to increase at the net rate of 5 percent per year, even with the proposed trade. Botswana is proposing limited trade under six annotations for itself. The first annotation is for trophy hunting trade. The second is for trade in elephant hides. The third is for trade in elephant leather goods. The fourth would permit live elephant trade for commercial purposes. The fifth and sixth annotations are expected to be the controversial ones. They are for a conditional annual quota of 8 tons of ivory and a one-time sale immediately of 40 tons of ivory it has not been able to trade because of the overly-restrictive annotations adopted at the last COP.

As at prior COPs, the elephant range states (nations) will have a dialogue meeting to work out their differences. A Panel of Experts report is also to be rendered before the conference. It is not possible to foretell the outcome, but our guess is that the Southern African countries and Tanzania this time will largely get what they are requesting, as they well deserve it.

Kenya's Black Rhino Request

■ In a direct attack on hunting, Kenya has requested the reconsideration and repeal of the annual black rhino trophy quotas in Namibia and South Africa. The lengthy document makes pointed attacks on the management of black rhino by South Africa and Namibia and specifically on the hunting of black rhino. Kenya claims that all other options of utilizing surplus males should be exhausted before tourist hunting of the rhino be allowed.

The request is separately made for South Africa and Namibia. Even though Namibia has not used any of its quota of five per year, Kenya challenges the quota. It argues that the rhino population in Etosha has not reached its carrying capacity, that there is a discrepancy in the reported number of rhino, that water holes are not being maintained for rhino, that insufficient funds are being expended on rhino, that photographic tourism is not adequately controlled, and even that communal concessions are not being equitably allocated. Of course, it is not desirable to let populations reach capacity. In fact, the African Rhino Specialist Group of IUCN has made it clear in the case of the rhino that rhino “should be managed at densities below long-term ecological carrying capacity (zero growth density)...to maintain rapid population growth and prevent potential habitat damage.” The suggestion by Kenya that a desert population be kept at its carrying capacity does not reflect well on Kenya at all. The suggestion that more water holes should be better maintained is also an admission that the population of rhino are already above the natural carrying capacity of the habitat. There is no doubt that more money could be spent on rhino conservation in Namibia, for

revenue generation is one of the benefits of the quota. Regardless of the various ways and means of surveying and counting rhino, the IUCN only lists the subspecies in Namibia, *spp. bicornis*, as “vulnerable” on its *Red List*. Finally, Namibia’s Communal Concession Program is the envy of the world and is still evolving adaptively.

Kenya’s challenge of the Republic of South Africa’s quota of five black rhino is equally unpersuasive. It claims that the trophies are being sold commercially instead of as trophies and as proof cites the fact that the weight and length of the trophies are being measured. It claims that all misuses of the rhino in South Africa be stopped and ruled out before any quota be permitted. It argues that no part of the revenue should go to the private owners and investors in black rhino. Also, that all alternative uses of surplus rhino males should be exhausted before hunting, lest it be detrimental.

Of course, trophy measurement is not evidence of intended commercial use as evidenced by the various trophy record books and systems. To the contrary, it helps identify the trophy to prevent its misuse or conversion to commercial trade. The CITES convention does not require all poaching be ruled out before legal trade be permitted, that all other alternatives be exhausted before tourist hunting, or that private investors not be permitted to recoup their costs in rhino recovery.

Kenya’s challenge of the best managed rhino programs in the world reflects its difference in philosophy, as well as management approach. There is no requirement that the South Africa and Namibia programs be perfect for their quotas of five each not to be detrimental. Regardless, considering the recovery history of white rhino in those two countries, tourist hunting is most certainly a proven and even preferable alternative use of the species. Private ownership and participation by different stakeholders is thought by the African Rhino Specialist Group of IUCN to be “increasing the long term security” of rhino.

There is no doubt that the use of tourist hunting as a conservation tool

for black rhino is being challenged by Kenya. It would be a very threatening precedent if Kenya prevails in any of its pointed attacks. This fight may prove to be one of the most important ones for the safari hunting industry. Kenya’s claims that the management be perfect and the offtake be beneficial really go far beyond a simple “non-detriment” determination that is sup-



posed to be the deciding issue.

Proposals 9, 10, 11 and 12:

Algeria’s Proposals to Uplift All Barbary Red Deer, Cuvier’s Gazelle, Dorcas Gazelle and Slender-horned Gazelle to Appendix I

■ Algeria has proposed the uplifting of the only deer in Africa and three gazelle. All were placed on Appendix III by Tunisia approximately 30 years ago. Algeria wants them all on Appendix I, not just its own. It apparently has not consulted the other range states

Conservation Force Sponsor

Grand Slam Club/Ovis generously pays all of the costs associated with the publishing of this bulletin. Founded in 1956, Grand Slam Club/Ovis is an organization of hunter/conservationists dedicated to improving wild sheep and goat populations worldwide by contributing to game and wildlife agencies or other non-profit wildlife conservation organizations. GSCO has agreed to sponsor *Conservation Force Bulletin* in order to help international hunters keep abreast of hunting-related wildlife news. For more information, please visit www.wildsheep.org.

GRAND SLAM CLUB OVIS



of the species, which in itself may be fatal to its proposals. These North Africa desert game animals are not really in trade and the range countries already fully protect them. The US has prohibited imports under the US Endangered Species Act for 30 years, such as the slender-horned gazelle. It will not be any present loss to US hunters, but would further remove these four species from any future benefits from tourist hunting.

Other Matters

■ Indonesia has introduced a document to specify more clearly how to dispose of illegally traded and confiscated specimens. It would provide that the country of origin should get the proceeds of any sale of such items.

We take issue with this when the country of origin is itself responsible for the illegality, such as export-permitting errors. Those violations that are errors should be distinguished from those that are willful; and, in all cases, the responsible interest should be identified and taken into consideration in allocating the proceeds and the costs. In many cases the owner/shipper should be permitted to return and re-ship the item to be in compliance. Parties need to stop seizing items and penalizing owners/shippers for unintentional errors in otherwise perfectly lawful trade activities. The International section of the USF&WS is one of the worst offenders. Conservation Force, the United States Sportsmen’s Alliance and Houston Safari Club have launched the International Hunters Campaign to address these issues within the US. Perhaps this Indonesia request, Document 27, will provide an opportunity to correct punitive practices such as trophy forfeitures and to make them more commensurate with the seriousness of the offense. As it now stands, Indonesia’s request would only be more inequitable and disproportionate.

Rest assured, Conservation Force and its partners will be at the conference and related meetings to protect your interests. One or more of Conservation Force’s Board members have attended every COP since CITES began. – *John J. Jackson, III.*