

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



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ILLEGAL KILLING OF RHINOCEROS IN SOUTH AFRICA

The attached document has been submitted by South Africa*.

* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

Both *Diceros bicornis*, Black rhinoceros and *Ceratotherium simum simum*, southern White rhinoceros in South Africa are managed in terms of the National Environmental Management: Biodiversity Act, Act 10 of 2004 (NEMBA) and its subsequent Threatened or Protected Species Regulations (TOPS) as well as the National Norms and Standards for the Marking of Rhinoceros Horn and the Hunting of White Rhinoceros for Trophy Hunting Purposes. International trade in rhinos is currently controlled by provincial legislation but from 1 May 2010 it will be controlled by the National CITES Regulations that have been promulgated by the South African government recently.

Although rhinos are regarded as endangered species elsewhere in its range, the White rhino population of South Africa is listed on Appendix II of the Convention on International Trade with an Annotation which reads "For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly". South Africa has the largest White rhino population on the continent with an estimated population of 18 000 (2009 information). This can be contributed to good management practices in the past and at present.

The Parties to CITES decided at CoP9 in 1994, that the White rhino population of South Africa does not meet the criteria for Appendix I listing and the population was therefore placed in Appendix II. Based on this, South Africa can sell, donate and exchange White rhinos for the creation of meta-populations around the country and the region without fear of species extinction. Applications for the export of live rhinos to zoos and safari parks must include a letter from the CITES Scientific Authority from the importing country stating that the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it in accordance with Resolution Conference 11.20. The letter must also include a statement that the country has adequate legislation to ensure that live specimen will only be used for the purpose as indicated on the CITES export and import permit. This is to avoid parts and derivatives of live specimens being used for purposes other than stated on the permit. South Africa has already contributed animals towards the southern African Development Community (SADC) Regional Programme for Rhino Conservation and has exported White rhino to various zoos and safari parks in other parts of the world. South Africa is a member of the SADC Rhino Management Group (RMG). The RMG comprises of rhino experts and government officials from Namibia, South Africa, Swaziland and Zimbabwe who meet approximately every 18 months to discuss primarily black rhino management issues in southern Africa but also to discuss white rhino issues when necessary.

The last two years, from 2008 to February 2010, have shown a dramatic increase in rhino poaching incidents in South Africa. In 2008, 83 animals were killed illegally and in 2009, 122 animals were killed illegally. In the first two months of 2010, 31 animals were killed illegally or darted and horns removed. As stated in the CITES Secretariat's report to the 58th Meeting of the Standing Committee in 2009, the illegal trade in rhinoceros horn "consists of sophisticated and organized structures that CITES and wildlife law enforcement authorities cannot respond to effectively on their own".

Current levels of poaching in South Africa are not endangering the South African white rhino population if one considers the statistics provided in the IUCN/TRAFFIC Report on the Status, Conservation and Trade of African and Asian Rhinoceros of 2009. According to the report, the White rhino population in South Africa is still increasing. However if the illegal killing of White rhino in South Africa continue at the current rate we could reach the stage where numbers start declining to a point where the mortality rate will exceed the natality rate. The net annual growth rate of the White rhino population in South Africa is 6.6% (M.Knight *in litt.*,2009) The Department of Environmental Affairs is aware that only a well coordinated effort by all law enforcement agencies in South Africa will make an impact on the illegal killing of the rhinos and the Department of Environmental Affairs therefore implemented various steps to try and reduce the number of illegal killings of rhinoceros and the subsequent trade in illegally obtained rhinoceros horns. These include:

- The publishing of a national moratorium on the sale of individual rhinoceros horns and any derivatives or products within South Africa on 13 February 2009 to ensure that no legally obtained horns end up in the illegal trade;
- The publishing of national norms and standards for the marking of rhinoceros horn and the hunting of white rhinoceros for trophy hunting purposes on 20 July 2009 to further regulate marking and hunting of rhinoceros (see Annex I);
- The establishment of a national, multi-departmental biodiversity investigators forum in March 2009. This Forum coordinates and acts as a contact point where all biodiversity related law enforcement information

- South Africa was nominated to participate in the CITES Rhinoceros Enforcement Task Force at the CITES Standing Committee meeting in 2008, where investigators from all CITES Parties involved in the illegal trade in rhinoceros horn met to discuss problems and solutions to the increase in illegal killing in rhinoceros and the subsequent illegal trade in the horn;
- The Department of Environmental Affairs has approved the establishment of a biodiversity enforcement unit to coordinate and investigate biodiversity related crimes on a national basis;
- The establishment of an interim National Wildlife Crime Reaction Unit within the Department of Environmental Affairs has been approved in February 2010;
- The publishing of the National CITES regulations in March 2010;
- Drafting of a Framework for the Safety and Security of Rhinoceros Populations and horn stocks in South Africa;
- South Africa continues to play an active role in international forums including Interpol Wildlife Crime meetings, Rhinoceros Task Force of CITES and the regional Rhino and Elephant Security Group and Rhino Management Group.

The government of South Africa is committed to continue fighting the illegal killing of its rhinoceros populations and will leave no stone unturned in the investigation and prosecution of all cases of illegal killing of rhinoceros.

ANNEX I

NORMS AND STANDARDS FOR THE MARKING OF RHINOCEROS HORN AND HUNTING OF WHITE RHINOCEROS FOR TROPHY HUNTING PURPOSES

1. Marking of rhino horn:

- 1.1 All live rhinos sold and transported after the commencement of these norms and standards that have not been micro-chipped before, whether on private or state land must be micro-chipped with one microchip in each of the horns. All individual detached rhino horns in private or state possession must be micro-chipped in accordance with Regulation 70 of the Threatened or Protected Species Regulations, published *in* Notice No. R. 152 of 23 February 2007, as amended (TOPS).
- 1.2 When an application for the possession of rhino horn is submitted to the issuing authority, information on the circumference, inner length and outer length of each individual detached horn, as well as the weight thereof, must be provided by the applicant. In addition to this information the applicant must photograph each horn. Photographs must be of a good quality for easy identification of horns. The photographs must accompany the application. These requirements are applicable to all individual detached horns obtained after commencement of these norms and standards.
- 1.3 Before a possession permit [s issued by the issuing authority, an official must conduct an inspection of the horn and verify the information supplied by the applicant.
- 1.4 Rhino horns originating from natural mortalities or horns already in legal private possessions, and which are not micro-chipped, must be micro-chipped by the permit issuing authority and all relevant information as prescribed above, must be captured from the date of commencement of these norms and standards. Mortalities must be reported to the authority as soon as possible after the death of the animal. Micro-chipping of individual detached rhino horns must be done by the relevant issuing authority. *The* owner of the rhino horn is responsible for the costs incurred by the issuing authority to purchase the microchips.
- 1.5 The above information must be kept in a provincial database and any changes resulting from translocation, export out of a province, natural mortalities, hunting etc. must be reflected in such database. The national Department of Environmental Affairs and Tourism (DEAT) will develop the database and must keep a national database.

2. Management of the hunting of white rhino:

- 2.1 Trade in individual rhino horns and any derivatives or products of the horns are prohibited in terms of a national moratorium which has been approved by MINMEC and published in *Government Gazette No. 21301 (Notice No. 835)*. Only horns that are exported as part of a hunting trophy may be exported with the necessary TOPS and Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permits.
- 2.2 All rhino-hunts must strictly controlled-by means of an individual TOPS hunting permit issued by the issuing authority and must not be included on TOPS standing permits or game farm hunting permits. This will ensure that all rhino horns can be traced to the property where the hunt took place.
- 2.3 All applications for the hunting of rhino received by the issuing authorities must be referred to the Directorate: Regulation and Monitoring Services at DEAT for recommendation within the time frame as provided for in terms of Regulation 8 of the TOPS. This will enable DEAT to compile a database for hunters and ensure that a hunter does not hunt more than one animal in different provinces per year.
- 2.4 Rhino hunts should, where possible, take place under the supervision of a conservation official from the province concerned, subject to a permit being issued in the name of the hunter. Such official, whose contact details must be provided *by* the issuing authority, must be informed by the permit holder of the date and place of the hunt at least 24 hours before it takes place.
- 2.5 A person may only hunt and export one rhino for trophy purposes per year.
- 2.6 A person will not be allowed to export the horns of a rhino hunted as a trophy in personal baggage and horns may not be separated from the rest of the trophy immediately after the hunt. All parts of the trophy, including the horn must be transported to the taxidermist.
- 2.7 The horns must be micro-chipped on the property where the hunt took place immediately after the hunt in the case where an official supervised the hunt if it is not already micro chipped. In the case where an official did not supervise the hunt, the rhino horn must be micro-chipped before it is transported from the property where the hunt took place. Only an official from the issuing authority may micro-chip the horns of the hunting trophy.
- 2.8 The professional hunting register must be completed immediately after termination of the hunt
- 2.9 The TOPS hunting permit must be signed *by* the hunter before commencement of the hunt The owner or the manager of the game farm must sign off the permit after termination of the hunt, to confirm the success of the hunt.
- 2.10 The hunting permit and a copy of the professional hunting register must accompany the rhino products (including the horns) which forms part of the hunting trophy, when being transported between destinations.
- 2.11 The CITES export permit for the white rhino trophy must be endorsed by a conservation official at the port of exit prior to the export of the trophy.