

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



Nineteenth meeting of the Conference of the Parties
Panama City (Panama), 14 – 25 November 2022

CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

A. Proposal

To remove the existing annotation on the Appendix II listing of Eswatini's southern white rhino population, adopted at the 13th Conference of Parties in 2004, so as to enable Eswatini to realise full Appendix II status for its white rhinos as provided for in Article IV of the Treaty, thereby permitting the regulated legal trade in Eswatini's white rhinos, their products including horn and derivatives.

B. Proponent

Kingdom of Eswatini (formerly Swaziland)*

C. Supporting statement

1. Taxonomy

- 1.1 Class: Mammalia
- 1.2 Order: Perissodactyla
- 1.3 Family: Rhinocerotidae
- 1.4 Genus, species or subspecies, including author and year: *Ceratotherium simum simum* (Burchell 1918)
- 1.5 Scientific synonyms: *We are not aware of any synonyms for southern white rhino*
- 1.6 Common names: English: Southern white or southern square-lipped rhinoceros
French:
Spanish:
- 1.7 Code numbers:

2. Overview

Rhino products have been in demand for centuries in the Far East especially horn as a carving material and for use by Traditional Chinese Medicine (TCM) practitioners.

* *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.*

Eswatini's two rhino parks Hlane Royal National Park (est. 1967) and Mkhaya Game Reserve (est. 1980) as well as the Mlilwane Wildlife Sanctuary (est. 1961), where white rhino are likely to be placed in the future, cover an area of 36,500 hectares. These parks have a total population of 98 white rhino after recent recovery from drought mortalities (as at end December 2021).

These three parks rely on self-generated revenues (mainly international tourism) to survive. They have been able to self-fund limited capital development costs, with the balance coming from generous donors and commercial loans raised. The impacts of the Covid-19 pandemic on economic sustainability have been calamitous.

This proposal is for Eswatini to sell from existing stock 330 kg of rhino horn to licenced retailers in the Far East and also up to 20 kg p.a., including harvested horn, to those retailers. The proceeds from the sale of stocks should raise approximately \$9.9 million if sold at a wholesale price of \$30,000 per kg. That amount will be placed in a conservation endowment fund to yield approximately \$600,000 p.a. In addition, the proceeds of the annual sale of up to 20 kg of horn will raise a further \$600,000 p.a, bringing total recurrent annual income from horn to \$1.2 million. Rhino horn regrows after cropping and the annual sales of 20 kg can be sourced from natural mortalities and sustainable non-lethal harvesting of horn. Eswatini would reserve the right to adjust prices and amounts adaptively once sales commence.

Proceeds from the sale of horn are needed by Eswatini's rhino parks, which are struggling with the more than two year loss of revenue base due to Covid-19 and the recent surge in costs – particularly the escalating security requirements in its many forms – to protect the country's rhino populations against the onslaught of transnational organized criminal poaching syndicates. Horn sales will also enable the remuneration of park employees to be improved, which is particularly overdue for the game rangers, who have been on reduced salaries during the Covid-19 pandemic and who serve far beyond the call of duty to protect the country's rhinos against ever increasing dangers. Proceeds will also be used to fund much needed additional training, infrastructure and equipment, range expansion and to cover supplementary food for rhinos during periods of drought. Eswatini recently endured the most severe 3-year drought in living memory. Proceeds will also be used to provide for sustainable long-term developments, all of which will strengthen species protection and other Nature conservation initiatives, while also benefitting neighbouring rural communities and the nation at large.

3. Species characteristics

3.1 Distribution

There are five rhino species (populations given are end 2021 estimates): white rhino 17,019 (18,000 in 2017), black rhino 6,392 (5,300 in 2017), Indian Rhino 3,520 (2017), Sumatran rhino 70 (2017) and Javan rhino 60 (2017). In spite of their size, rhinos of all species can be difficult to count and some of the numbers given here may well be overstated.

Africa is home to the white rhino (two sub-species, one now biologically extinct), and the black rhino (three sub-species). Their origins can be traced back to the late Miocene, 6 million years ago.

There are only two surviving northern white rhino (*Ceratotherium simum cottoni*); these are two old females held in Kenya at Ol Pejeta Conservancy and this subspecies effectively became extinct in **2018** when the last male died. Africa's western black rhino subspecies (*Diceros bicornis longipes*) became extinct in **2006**. **Both of these rhino subspecies have been lost to the world during the ban on trade in rhino horn which was imposed by CITES in 1977.**

Over 81% of Africa's southern white rhino occur in South Africa (about 12,968) over an area of approximately four million hectares in 36 state protected areas and 300 privately owned game ranches. Small populations totalling ± 2,974 animals exist in Botswana, Democratic Republic of Congo, Eswatini, Kenya, Mozambique, Namibia, Rwanda, Uganda, Zambia and Zimbabwe, all of which originated from South Africa. There are about 1,077 in captivity in China and elsewhere worldwide. (IUCN Species Survival Commission's African Rhino Specialist Group 2022).

3.2 Habitat

White rhino are strictly grazers and prefer shorter "sweet" grasses, generally in the medium rainfall regions. They are highly susceptible to drought conditions which occur over any prolonged period causing dearth of grass cover.

3.3 Biological characteristics

White rhino can live to an age of about 45 years. Females breed from the age of six years and a single calf is born after a gestation period of 17 months (Smithers 1983). Population rates of increase may be as high as 9% pa in areas where rainfall exceeds 500mm pa.

3.4 Morphological characteristics

White rhino are grey in colour rather than white and can be identified by their square-shaped lips. They are larger than black rhino (1,000 kg) with males weighing about 2,200 kg and females 1,600 kg and they have a shoulder height of about 160 cm. They have a front horn that is larger than the rear horn. The mean weight of adult horns is 5.16 ± 2.0 kg for the front horn, and 1.86 ± 1.0 kg for the posterior horn. Their horns grow continuously throughout their life at approximately one kg per year.

3.5 Role of the species in its ecosystem

White rhino are 'bulk' grazers and can maintain grasslands in a 'short-grass' sub-climax state that benefits other wild grazing species. These grazing lawn mosaics also provide habitat for bird species which need shorter grass areas for breeding and feeding. Oxpeckers derive a major portion of their food from foraging ticks off the bodies of rhinos in a symbiotic relationship. The large dung heaps created from territorial and communal defaecation provide an important food source for many species of birds, mongooses and monitor lizards as well as breeding conditions for dung beetles.

4. Status and trends

4.1 Habitat trends

As for most large wild mammals, the human population increase in Africa is a major factor reducing the available range for white rhino. White rhino are grazers and, whilst there is additional habitat in Eswatini outside the parks, competition from people and domestic livestock preclude any possibility of extending the rhino range under current circumstances (this situation could change with a legal trade in rhino horn). Security in other available habitats is wanting and such habitats are therefore currently considered to be unsuitable for translocations of rhino. However Eswatini's two existing rhino parks still have range available and have the potential to hold approximately 160 white rhino in the future.

On a continental scale, the risk and cost of keeping rhinos has become prohibitive and many rhino custodians are now being forced to disinvest in their rhinos. Due to the escalating cost and risk factors, already over 400,000ha (P. Jones, Private Rhino Owners Association 2022) has been lost to rhino conservation in South Africa alone which equates to habitat for 1,000 rhinos. This shows a **+30% decline in available rhino habitat since CoP18**.

This trend would almost certainly be reversed with a legal trade in rhino horn and farming rhino for a non-lethal harvest of horn. It would more than treble the value of live white rhino making them far more worthwhile to protect. The land use value of rhino horn farming exceeds that of the highest-valued agricultural crops (Madders *et al.* 2014). **The ongoing CITES legal trade ban on rhino horn is counter-productive for the long-term survival of the species.**

4.2 Population size

The southern white rhino was saved from extinction in South Africa during the last century in what must be regarded as the most successful conservation story of our time. The white rhino population in South Africa has grown from less than 50 animals in 1910 to 7,000 in 1995 peaking to 17,800 in 2015, with $\pm 6,600$ (37%) of the species occurring on private land (SADC Rhino Management Group 2020) at that time. The estimated population for 2021 in South Africa is 12,968, with $\pm 7,780$ (60%) on private land (P. Jones, PROA 2022). All populations in other African countries have originated from South Africa. The net population growth rate of white rhino in the period 1995-2011 was 6.5% p.a. (Owen-Smith 1988).

White rhino became extinct in Eswatini due to hunting under colonial rule. The species was re-introduced to Mlilwane Wildlife Sanctuary in Eswatini in 1965 – then the only protected area in the Kingdom – thanks to South Africa's Natal Parks Board's wider redistribution policy to spread the risk

against extinction. More were sent to Hlane Royal National Park in the late 1960s and to Mkhaya Game Reserve when secure habitat became available in the 1980s.

White rhino subsequently increased on the Hlane and Mkhaya parks to approximately 120 animals by 1988. Poaching during the rhino war of 1988-1992 reduced the number back to 24. Legislation at the time was totally inadequate to address the scourge of transnational crime syndicates with high powered weapons of war. The scale of plunder that descended on Eswatini necessitated the promulgation of preventative rather than remedial legislation to stop rhino being killed rather than have scores of poachers incarcerated and still losing her rhinos anyway; it also equipped the game rangers to deal with a new kind of poaching. Rhino poaching and trafficking offences are punishable by mandatory custodial sentences of 5 – 15 years without the option of a fine, plus replacement of the poached rhino. Thereafter Eswatini went for 20 years without a single rhino being poached.

A new wave of intensified poaching hit Southern Africa in 2006 and South Africa from 2008. Eswatini has found herself right in the centre of the world's hottest poaching and trafficking locations targeted by the criminal syndicates orchestrating the poaching. In spite of this and due to the effectiveness of the Eswatini game rangers in applying the new preventative legislation and solid supportive political will, only three rhino have been poached in Eswatini in the last 29 years. Two of these were lost to horn poachers in 2011 and one in 2014. All three poaching incidents were conclusively solved. This success can be attributed primarily to the unfailing commitment of Eswatini's Head of State, the cooperative support of her law enforcement agencies and the dedication to duty of the Kingdom's game rangers.

White rhino again flourished on Hlane and Mkhaya under intense security and the new amendments to the Game Act, reaching a population of 90 animals in 2015. This gain was short-lived: the population was severely affected by the worst drought in living memory which was aggravated by water sources drying up and dry season grazing reserves being depleted, reducing the white rhino population back to 66 animals. With no grass left on the veld it was necessary to artificially provide fodder from wherever it could be sourced to feed the rhino and other grazing species sharing their range. As South Africa was gripped by the same drought, fodder was difficult to find and expensive to purchase. Fodder was stockpiled at enormous cost, and sheds built to accommodate it, diverting funds from other important conservation needs. The drought persisted for almost three years and, despite the feeding, white rhino were lost as not all animals adapt readily to being artificially fed. In addition to the loss of adult stock, rhino calves either perished or were orphaned by their mothers' milk drying up and some were hand-reared at a cost of at least US\$12,000 per calf to raise. In reality, had the rhinos not been kept alive with imported hay at enormous cost, Eswatini would have lost every single white rhino to drought. Since the drought broke, white rhinos have responded well to good rains and the population currently stands at 98 individuals.

4.3 Population structure

Following the resumption to good rains after the drought, the age structure has largely corrected itself, though 5 – 8 year old animals are scarce due to the drought of 2014-2016.

4.4 Population trends

The southern white rhino is now in serious decline. The current number is not available but it is clear that rhinos have passed the tipping point – more are being poached than are being born. It is also clear that Africa's biggest white rhino population continues to decline due to the relentless scourge of horn poaching. In addition, the drought that hit the rhino heartland of south-east Africa caused an untold number of white rhino to perish. **The white rhino is in far greater peril today than is generally admitted or realised.**

4.5 Geographic trends

The current downward trend in white rhino numbers would suggest that under the current trade ban it will be difficult to restore the previous population growth of the species in southern Africa. White rhino are still relatively abundant in South Africa and, if legal trade in rhino horn were initiated now, it could well be successful in reversing the negative habitat loss and population trends.

5. Threats

Trade ban, criminal trade monopoly, rising costs of protection and poaching:

Any benefits that may have been realized from prohibiting trade in the past have been totally undermined by the **surge in the black market monopoly entrenched by the ban**. There were 65,000 black rhino in Africa in 1970 and at their natural growth rate of 6% p.a. that number should have grown to 700,000 today, assuming sufficient habitat. Illegal and uncontrolled poaching has been primarily responsible for reducing the surviving number to approximately 6,392 (AfRSG 2021), despite massive security and conservation effort. Another reason for the decline in black rhino is the severe competition caused by the restrictive policies in place for controlling overpopulations of elephants in finite habitats.

Eswatini wishes to avoid a similar outcome for its white rhino.

The official record shows that 1,028 white rhino were illegally killed in South Africa in 2017 — a slight reduction from the peak of 1,215 in 2014. A continued decline was reported over the Covid-19 period but a resurgence has been experienced since Covid restrictions have been lifted, showing the persistence of the demand for rhino horn. **The drop in number of rhinos illegally hunted over the past years is not necessarily good news – such a reduction is inevitable when there are fewer rhinos on the ground and when those that remain are more difficult to find and access**, after the more visible and vulnerable populations that were less well protected have been eliminated.

Financial constraint, disinvestment and habitat loss:

The Covid-19 pandemic and associated restrictions on tourism has had a further massive impact on the resources available and the ability of custodians to adequately protect rhinos. Added to this, the spiralling cost of living and operations due to the Russia/Ukraine war effects exacerbate these impacts further.

The average cost of protecting one rhino in southern Africa was estimated at about \$3,500 pa in 2019. African parks and other rhino custodians are struggling to survive. The grave and accelerating trend of disinvestment in rhino conservation and the consequent decline in available rhino range is described in 4.1 Habitat trends (page 3). This is happening as a direct result of rhino custodians being unable to benefit from the valuable resource they own — but they bear the full cost and risk of rhino protection which is escalating unabated. We simply cannot afford for this to continue happening unchallenged when the pragmatic solution is obviously to allow an ethical legal trade in rhino horn for which there is a ready market.

When habitat is permanently transformed by alternative land use, it is lost forever to rhinos and herein lies the biggest danger of disinvestment.

Funding collapses:

Covid-19 has clearly shown that “sustainable” funding models such as tourism are not infallible and are subject to severe disruptions. Likewise civil unrest, political changes and foreign wars have shown to have major impacts on the cost of protecting rhinos and thus the sustainability of conservation efforts, pushing African conservation agencies deeper into the trap of dependency on uncertain aid. It is surely time for the successful conservation efforts by these agencies to be rewarded from the substantial revenues that can be earned from the ethical trade in their own sustainable sovereign resources to enable their wildlife economies to flourish.

Human tragedy:

Continued conflict on the rhino battlefield polarizes opinions on conservation and generates unwanted discourse. It is unavoidable that when the stakes are high and two groups of heavily armed men clash, the risk of loss of human life is high. For as long as criminals pursue the illegal hunting of rhinos, these clashes are going to result in the continued loss of lives that rhino protectors have to deal with.

In addition to this, the resultant **constant threat to the lives and security of custodians and law enforcement personnel and their families** influences their ability to perform their duties without fear or favour. In the event of fatal clashes with poachers, the real threat of prosecution negatively affects the performance of duty by enforcement personnel.

Surely, any reasonable means of reducing the escalation of violence should be seriously considered and pursued. **Reducing illegal trade by providing a legal trade is such an option.**

Poverty and corruption:

The per capita income in Eswatini is approximately US \$7.00 per day (2019), so the opportunity for wrongful exploitation of local citizens by foreign criminals is very high, as is the temptation to hunt illegally. This is even more so since the economic impacts of Covid-19 and for nearby Mozambique, where highly active rhino poaching syndicates are located and the per capita income is around US \$3.1/day (2019).

Drought:

Being large sedentary animals, white rhino can be slow to leave their home ranges in response to a drought. Many of the areas holding the rhinos are small and these animals thus tend to be severely affected by events such as droughts. They may die in significant numbers without supplementary feeding or translocation which, in itself, is extremely costly and carries risk, particularly with compromised animals.

Disease:

White rhino are generally prone to few diseases under natural conditions

6. Utilization and trade

6.1 National utilization

There is currently no significant internal end-use market in Eswatini or southern Africa for rhino horn for medicinal use or artistic display. There is no investment or speculative interest in horn within Eswatini. There is no trophy hunting of white rhino in Eswatini because all rhinos in the Kingdom occur in Big Game Parks reserves where sport and trophy hunting is not permitted. Despite the provisions of Eswatini's annotation, no trophy hunting has taken place since its formal approval by CITES 18 years ago.

Legal white rhino horn is kept in stockpiles in various places of safe-keeping within Eswatini. This is an enormous risk and an attraction to criminals; strongrooms and museums have been raided elsewhere by these criminals. This horn has been collected from the natural deaths, horn knock-offs and legitimate management actions (including dehorning and horn-tipping for translocation) of white rhino over many years, or has been recovered from illegally hunted Eswatini rhino.

Eswatini does not believe in burning or otherwise destroying valuable resources including rhino horn, when conservation agencies across the continent are under-funded and cash-strapped. Criminals are further enriched by such destruction which escalates prices on the black market. Eswatini also sees no sense in devaluing its natural resources when they can and should become an added value for the benefit of successful conservation and rhino range states at large.

6.2 Legal trade

There is no legal trade in rhino horn within Eswatini.

6.3 Parts and derivatives in trade

There is no legal trade in any rhino products within Eswatini.

6.4 Illegal trade

Levels of illegal hunting have remained surprisingly low in Eswatini with only three rhinos poached in the past 29 years. Plans for illegal trade have been detected and foiled in highly effective security operations, though there is never any room for complacency. As rhino populations decline elsewhere with diminishing available rhino habitat, and as protection activities improve and intensify, including the dehorning of wild populations) in neighbouring South Africa, so the threat of poaching increases in Eswatini and will demand more and more financial reserves.

While undoubtedly occurring, levels of illegal trafficking through Eswatini remain surprisingly low. One trafficking syndicate was disrupted when two Taiwanese nationals were arrested with 36 kg of white rhino horn at King Mswati III International airport. DNA identified the horn to have originated in South Africa. Both accused were sentenced to 29 years imprisonment without the option of a fine and ordered to replace the rhinos poached or compensate the owners, failing which they will each serve a further four years imprisonment. In the same year two groups of South African rhino poachers were intercepted before they could reach a rhino. Four accused were all convicted and sentenced to 24 years imprisonment without the option of a fine.

Commonly suggested solutions to illegal killing and trade

Increased law enforcement is widely advocated by anti-trade lobbies to curb rhino poaching but effective law enforcement over large areas is almost impossible and is prohibitively expensive. The cost of rhino protection, and the risks associated with it, have already caused many rhino custodians to give up. Rhino conservation is no longer affordable without substantial financial support, which at present is not forthcoming. Yet returns from horn sales could readily provide the necessary funding if this were permitted. Furthermore, financial independence enables resistance to corruptive influences.

Since 2008 massive increases in law enforcement effort and costs have been thrown at the poaching problem. Instead of this improving the plight of rhinos, their populations have steadily declined since 2013.

Demand reduction that entails changing the Far Eastern appetite for horn is being vigorously pursued but belief in horn as a medicinal cure has been in place for centuries and beliefs take time to change – if they can be changed. Under the current climate it is highly unlikely that rhinos in Eswatini, and indeed in Africa, will survive the time span required to change these beliefs.

Flooding the market is not a rational strategy and must be avoided

6.5 Actual or potential trade impacts

Rhino horn is said to be the most valuable commodity on earth and it has scope not only to fund Nature conservation but also to contribute meaningfully to poverty alleviation and sustainable development for local African communities in rhino range states – if CITES would permit this by lifting the ban on trade which has been a dismal failure “to save the species” in spite of its **45 year** life span and in spite of the billions of dollars of donor money raised to “save the rhino”.

The absence of any legal trade precludes assessing the actual trade impact. Sufficient data has been given in this proposal of the negative impact of illegal trade. The lack of experimentation with legal trade is said to be “not good science”. All scientific progress is made through experimentation. The anti-experimental and anti-comparative approach in line with the “precautionary principle” that characterises the CITES approach to the issue allows the question to be asked “where did these scientists obtain their training?”

Legal trade will compete with the illegal trade and interrupt the monopoly currently held by criminals. Legal horn can easily be identified from illegal horn because all legal horn will have a DNA profile to prove its origin.

Sustainable utilisation through commercialisation of rare species has been proven to work in enhancing the probability of survival of many species. IUCN policy (SUI 1998) espouses the “*wise and sustainable utilisation of natural resources*” as an integral part of conservation.

The southern white rhino was brought back from near extinction and had, before the current poaching onslaught, increased from less than 50 animals to \pm 20,000 as a direct result of commercialisation. In fact, it took 70 years of carrying the full burden of restoration before formal conservation bodies promoted the participation of the private sector, resulting in commercialisation becoming a successful conservation partner. It is pertinent that the successful restoration of many species in southern Africa has followed a similar pattern. Had it not been for the visionary foresight and wisdom of a distinguished cadre of conservationists in southern Africa, in all likelihood there would be no white rhinos to argue about today. **These conservationists advocated sustainable utilisation of the white rhino as a natural resource to enhance its value, for it is this value which ultimately determines whether or not white rhino will survive for future generations to enjoy.**

7. Legal instruments

7.1 National

Eswatini's national legislation is preventative and deterrent in nature, rather than remedial. It aims at stopping the killing of rhino rather than jailing scores of poachers (see section 4.2 on page 3). It is arguably the strongest anti-poaching legislation on the continent and it is being implemented with commitment by law enforcers and the judiciary with the result that it has certainly served to curb rhino poaching in Eswatini, while there are perceived alternative soft targets.

7.2 International

The CITES ban on trade in rhino horn has been in force for 45 years and it is clearly not working – rhino losses from illegal hunters are driving rhinos towards extinction. Demand reduction and education, cited as new measures to be tried, are not new at all. They are integral to the ban and have been applied since the ban was put in place in 1977 but they have not been effective after 45 years of effort. The ban simply sends the trade underground, maintaining and enriching only the illegal black market monopoly. The “precautionary principle” approach has become a tool of anti-trade lobbies to block any attempt to try something new, such as trade. Yet trade is at the centre of human behaviour – remove trade and the world will stop in bankruptcy.

Serious consideration should be given to replacing the “precautionary principle” with the “sovereignty principle.” CITES will only optimally succeed when the Parties respect each others' sovereign rights over their own wild fauna and flora.

At present 100% of the proceeds from the sale of rhino horn is taken by criminals, while rhino custodians pay 100% of the costs of rhino protection and production without the funding that could cover these costs from legal trade. Opening legal trade would immediately rectify this inequity and open competition to the illegal trade. Whatever income the legal trade attracts will be unavailable to the illegal trade, reducing illicit profits and strengthening protection.

8. Species management

8.1 Management measures

Sales of live white rhino:

Since 2004 Eswatini has sold or exchanged, and exported white rhino bulls to South Africa, and imported white rhino cows and bulls for genetic and sex ratio purposes, in compliance with the CITES annotation in the down-listing of Eswatini's white rhinos to Appendix II.

8.2 Population monitoring

With its relatively small rhino population and the high priority placed on rhino protection, Eswatini is able to maintain intensive monitoring of rhino numbers and distribution as well as trends. A very high confidence level is maintained regarding population status.

8.3 Control measures

8.3.1 International

International measures to control the trade in rhino horn have proved ineffective and futile as evidenced by the rampant illegal trade and declining rhino populations. The listing of species on CITES Appendices does not *per se* provide any protection for rhinos: only the rhino range states can do that. And without the funding from ethical legal trade, the range states are hamstrung by competing demands on national budgets. The reality is that, in democratic African budgetary dispensations, rhino conservation is invariably seen as a drain and liability on state resources and will not attract the support of voters. The reverse would be true in the event of an ethical legal horn trade.

8.3.2 Domestic

Eswatini's record of protecting rhino and preventing illegal trade has been exemplary (see sections **4.2 Population size** on page 3 and **6.4 Illegal trade** on page 6).

8.4 Captive breeding and artificial propagation

An option available to Eswatini for achieving a legal trade in rhino horn would be to register its entire white rhino population as a captive breeding operation (Article VII 4) which would permit it to trade under the provisions of Article IV. Eswatini has not pursued this option (although it would qualify) because its policy is to pursue sustainable use of wild species. However, inflexibility in the Treaty might force Eswatini in this direction.

8.5 Habitat conservation

Eswatini pursues active measures to conserve all habitats in its parks.

8.6 Safeguards

Regulation of proposed sales:

Big Game Parks, the CITES Management Authority of Eswatini, will be the sole seller of horn. All horn offered for sale will be properly documented and recorded on a DNA data base, a national register and with the CITES Secretariat to safeguard its integrity. DNA differentiates between individuals and species. All traded specimens will carry DNA certificates and the Secretariat will be requested to closely monitor consignments. Therefore the chances of specimens of similar species, or illegal horn, being included in these transactions will be eliminated. The traders will be licenced and will qualify by **undertaking not to trade horn from illegal sources**. The breach of such will disqualify such traders. Permitted trade will have the added advantage of providing transparent and legal documented information on formerly illegal trade (where there are no data) and will provide incentives to legal traders to protect their legal market.

Eswatini proposes the following Rhino Horn Trade Protocol:

PROPOSED RHINO HORN TRADE PROTOCOL

The Kingdom of Eswatini advocates for a highly disciplined, tightly controlled legal rhino horn trade protocol that is modelled on a system that operated successfully for over 50 years for other high value products. This has come to be known as "Smart Trade". The structure for this would satisfy three basic essential requirements:

- 1) To limit the supply to levels sustainable for the population, while setting prices and conditions to maximize benefits to Nature conservation.
- 2) To establish a marketing channel, with the invited full oversight of the CITES Secretariat, that is clear and where no criminal horn can enter the legal market.
- 3) To incentivise Far Eastern governments to close down the illegal trade and implement stringent destination-end controls.

All this can be achieved by having a single source of supply: a Broker (or Central Selling Organization – CSO), managed by professional traders, that would sell to a licenced cartel of retailers in the Far East.

The Broker would be able to set prices to bring demand into line with sustainable levels of supply.

The marketing channel would be clear and transparent once trade partners are identified.

The cartel would be **incentivised not to deal in illicit horn** for fear of losing their profitable licenses.

Transactions stand to be taxable by source and destination governments.

Eswatini would pioneer this trade with her limited and entirely controlled DNA certified supply. Eswatini's impeccable and exemplary rhino conservation record and its small rhino population makes it a credible contender to pilot this trade model.

It is understood that the market for horn currently approximates 5,000 kg per annum and that Southern African range states could supply that quantity sustainably, provided that this trade is demonstrated to be beneficial to the conservation of the species.

There would be **no need to kill even one rhino** in order to sustainably satisfy the currently known market.

Given this "Smart Trade" the criminal trade would be faced with much lower volumes, much lower prices and much higher risks caused by **legal competition**.

In the case of Eswatini, this desperately needed **money will be entirely committed to Nature conservation**, with priority expenditure focussed on the needs of rhinos, incorporating appropriate rural community enhancement.

If unforeseen undesirable consequences occur to threaten rhinos, Eswatini is in a position to (and would) immediately terminate supply.

Africa's rhinos are in crisis. It is time to change from a failed ban to a "Smart Trade" – from illegal trade to legal trade.

We will never know if the legal trade in horn will work for rhinos until it is tried; legal trade has worked to save other rare species and there is no obvious reason why it should not work for rhinos. If rhinos go extinct (as current trends would suggest) without trying legal trade to counter illegal trade, **this will be the ultimate indictment on CITES**, the rhino range states and society as a whole.

9. Information on similar species

The only similar species to the white rhino in Africa is the black rhino of which there are approximately 6,195 (AfRSG 2021). Among these, there are on record 2,058 in South Africa, 2,156 in Namibia, 938 in Kenya, 616 in Zimbabwe, 212 in Tanzania, 56 in Malawi, 58 in Zambia, 28 in Rwanda, 23 in Botswana and 48 in Eswatini, which is smaller than South Africa's Kruger National Park. (AfRSG 2021)

The black rhino has a hooked lip and is a browser with the prehensile upper lip being used to gather leaves and twigs. They weigh up to 1,000 kg. Females breed from the age of five and a calf is born after 15 months. A new calf is produced every 30 to 48 months, by which time the previous offspring has become independent. Populations can grow at about 7% p.a., net of deaths.

This proposal is restricted to trade in southern white rhino products only.

10. Consultations

All Southern African Development Community (SADC) Parties have been informed of this proposal by Eswatini, as have the three extra-limital African rhino range states that do not fall under SADC, namely Kenya, Rwanda and Uganda. Kenya has consistently declared that it is not in favour of horn trade.

In addition, the major known transit and destination states have also been consulted.

11. Additional remarks

The wise, sustainable use (conservation) of our own natural resources is a matter of **sovereign rights**.

The continued foreign-imposed punitive denial of southern African countries benefitting from their own, flourishing resources, protected at extremely high costs including the loss of human life, must desist. Allow Africans to finally determine their own destinies with their own natural resources!

12. References

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