

CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

A. Proposal

Transfer of the population of *Ceratotherium simum simum* of Swaziland from Appendix I to Appendix II with the following annotation:

For the exclusive purpose of allowing international trade in:

- a) live animals to appropriate and acceptable destinations; and
- b) 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.

B. Proponent

Swaziland.

C. Supporting statement1. Taxonomy

- 1.1 Class: Mammalia
- 1.2 Order: Perissodactyla
- 1.3 Family: Rhinocerotidae
- 1.4 Genus, species and subspecies: *Ceratotherium simum simum*
- 1.5 Scientific synonyms: None
- 1.6 Common names: English: Southern white or square-lipped rhinoceros
French:
Spanish: rinoceronte blanco
- 1.7 Code numbers: ---

2. Biological parameters

2.1 Distribution

The southern white rhinoceros was formerly widespread throughout southern Africa, including the Swaziland lowveld and middleveld, but by the early 1900's only the small population in the Umfolozi area of Zululand, South Africa, remained.

In South Africa, numbers increased rapidly under protection, so that by 1961 there were sufficient numbers to translocate rhino to new areas. In this way, the white rhinoceros has been re-established in most conservation areas in South Africa and on numerous private properties throughout its former range in Southern Africa, as well as elsewhere in Africa and in zoos and other institutions around the world. This has been the fundamental basis for the successful re-establishment of this species in most of its former range in southern Africa, and has allowed this species to demonstrate a remarkable comeback from the brink of extinction. The South African Conservation Authorities and particularly KZN Wildlife, formerly Natal Parks Board, are to be congratulated on this singularly spectacular conservation success. By 1997 numbers of this species had grown to over 8 440 in 247 wild populations, with a further 650 animals in

captivity (Emslie R *et al.*, 1999). The southern white rhino is now the most numerous of the rhino taxa and its recovery has been internationally recognized as one of the world's greatest conservation successes.

Today, South Africa is the stronghold for this species, with smaller reintroduced populations occurring within its former range in Botswana, Namibia, Swaziland, Zimbabwe and Zambia, and *ex situ* populations in Kenya.

Due to this species having economic value to the private game farmer, many hundreds of landowners in South Africa have invested in white rhino and have thus contributed to the hugely increased land base now available to this species for propagation. Swaziland was the first international recipient of white Rhino to conservation areas from the Umfolozi Game Reserve in South Africa in 1965. This re-introduction was highly successful and the population flourished, particularly in the lowveld savannahs

2.2 Habitat availability

Due to her small size (Swaziland is substantially smaller than South Africa's Kruger National Park), and the fact that most of the country is fertile and arable, Swaziland only has 4% of her land surface under formal protection.

Suitable White Rhino habitat is limited to the eastern third of the country, which is lowveld/middleveld with sweet grasses on acacia and broadleaved savannah. White Rhino occur on two proclaimed game reserves in this region totaling +33 000ha, and breeding performance has proved this habitat to be highly suitable to this species. Due to financial constraints, only 10 000ha of encampments of this area is properly fenced and available to species as secure range.

The current land-use trend in Swaziland and the sub region is that many commercial landowners are looking towards encouraging wildlife conservation on their land. Large conservancies have been established alongside both the rhino parks and the conservation friendly management of these areas may well be keen to accommodate rhino if it makes economic sense for them to do so. The acceptance of this proposal is expected to trigger the materialization of this. Availability of additional land for white rhinos in Swaziland is then likely to grow considerably.

Currently potential rhino habitat is threatened by the expansion of sugar plantations as farmers turn to more lucrative farming activities. The sustainable commercial utilization of rhinos through live sales, trophy hunting and photographic safaris is one measure likely to ensure that such habitat is not lost forever.

2.3 Population status and trends

The following table reflects the status of the southern white rhino population in Swaziland:

Year	84	87	88	91	92	93	94	95	97	00	02	03
Pop. Est.	60	80	90	60	46	27	33	35	40	49	56	61

Mortalities: 1992 3 M, 2 F: Poached; 2 M: Bull aggression; M, 1F: Drought.
 1993 1 M: Bull aggression.
 1994 1M, 1F: Bull aggression; 1F Undetermined; 1F, Salmonella.
 1998 3 M: Bull aggression; 2 M, Undetermined.
 1999 1F: Undetermined; 1F: Orphan; 1 M: Salmonella; 1M, 1 F: Bull aggression.
 2000 3M, 3F: Elephant rhinocide. (2 M elephant shot).
 2001 2 F: Bull aggression
 2002 2 M, 1 F: Bull aggression
 2003 1 M, 2 F: Bull aggression; 1 M: Drought; 1 M: Drought/Old age.

- NOTE: a) Without the mortalities suffered from bull aggression since 1992, the mortalities suffered are deemed to be at acceptable levels.
- b) The elephant bulls responsible for rhinocide behaviour were shot as problem animals. Any rhinocidal behaviour displayed by elephants results in that animal being removed, dead or alive, immediately.

By the 1890's, Swaziland's white rhinos had become extinct in the Kingdom. Introductions of white rhinos, starting in 1965 from Umfolozi Game Reserve in South Africa were extremely successful, and by 1974 the population estimate was 110 animals. At the time there was also a no-cull policy in place at Hlane and this contributed to a massive exponential growth in wildebeest, zebra and impala numbers. This growth of competing herbivores was a direct cause of rhinos then breaking out of the Park in search of pasture. The already depleted fodder resources were aggravated by a severe and persisting drought, which reduced the habitat to desolation, causing massive mortality from poverty and congestion in the late '70s.

After this die-off of a wide variety of herbivores including rhino, the next decade witnessed a remarkable recovery to + -90 white rhinos (estimate based on aerial surveys). Then in 1988, commercial horn poachers arrived in Swaziland and with them, during a 4-year onslaught referred to as the "rhino war", a frightening decimation of Swazi rhinos followed. Swaziland was ill equipped to handle the scale and intensity of this onslaught at the time and during these 4 years, 1988 – 1992, she lost almost 80% of all her white rhinos. The rhino war was severe with losses building to one rhino every two weeks and sometimes up to 3 rhinos in a day. Drastic measures were implemented to protect the rhinos; the Hlane population was dehorned and all the remaining animals were captured and confined to fenced Park security areas. (The greater Hlane Park area is still unfenced due to financial constraints and it is considered unwise to release rhinos into this before it is properly fenced.)

Then at the 11th hour, new legislation and top level support materialized to strengthen the game laws and give the rangers adequate powers to defend the remaining rhinos. Preventative legislation replaced remedial legislation with penalties that made poaching not worthwhile. Today Swaziland's rhino population has approximately doubled again from 1992/3 levels in two populations. No rhino occur outside these two protected areas in Swaziland.

It is important to note that the two reasons for the dramatic decline of white rhino numbers in the past have been rectified, and the populations have responded favorably to such interventions as follows:

- i) The no-cull policy of 1965 to 1986 was replaced with a policy, which allows culling of abundant species for ecological management reasons.
- ii) Rhino War 1988 – 1992, new legislation was enacted and implemented, effectively controlling rhino poaching and smuggling of rhino products.

Swaziland has not lost a single rhino to poaching since December 1992 – a full 11 years.

The southern white rhinoceros is not currently listed in any of the threatened categories within either the IUCN or the South African Red Data Book. In the Swaziland Red Data Book this species is listed as "vulnerable". Formerly the species had been granted Class A protection by the IUCN, but this was withdrawn in 1965 due to the upward population trend and effective management. Regionally, numbers have now increased enormously and the range has expanded significantly since then; far greater control is now also in place and a wider infrastructure of security has been established.

2.4 Geographic trends

At present this sub-species occurs in protected areas and private farms in South Africa and Namibia and on protected areas in Swaziland, Botswana, Zimbabwe, Zambia, Mozambique and Kenya. This species is being re-introduced continually to new areas in its former range.

2.5 Role of the species in its ecosystem

Very briefly, white rhinos are important bulk grazers and perform the function of creating short "lawns" in grasslands where grazing antelopes, eg Impalas will graze. They also keep seasonal rain pans open by carrying mud out of them after wallowing. Wallowing seals the bottom of the pans and creates pools that last longer into the dry season for all animals to drink from.

Their communal dung heaps (middens), are an important source of food for insectivorous birds and reptiles and breeding grounds for dung beetle species.

2.6 Threats

The southern white rhino population of Swaziland is under no major threat. Swaziland has not lost a single rhino to poaching since December 1992.

Unfortunately, uncontrolled illegal hunting and illegal trade in rhinoceros products constitutes the greatest threat to this species in some of the other range States (see 3).

White rhinos have otherwise proved to be resistant to pathogens, but are susceptible in conditions of drought and overgrazing, making population management in closed systems vital.

3. Utilization and trade

3.1 National utilization

Swaziland has adhered to the provisions of the Convention and accordingly trade in rhinoceroses and their products has been subject to particularly strict regulation and is authorized only in exceptional circumstances. No domestic use and trade of rhino horn and products is permitted in Swaziland.

The legal structure for trophy hunting is in place through a permitting system under the Game Act. Swaziland has no local demand for trophy hunting and would therefore have to look to the international market for hunters. To date, Swaziland has not exercised this option although it is recognized as a valid and valuable management tool, which would provide much-needed revenue for rhino conservation work.

Swaziland has an established Eco-tourism industry, and both Black and White Rhino are a major draw card for this industry. Through the correct management, Swaziland's white rhino are already helping to fund their own conservation. None of Swaziland's stockpiled rhino products are intended for trade in terms of this proposal. These stockpiles are most likely to be destroyed in the future.

3.2 Legal international trade

Although Swaziland has in the past traded some live rhino into South Africa, the "primarily commercial purposes" clause applying to Appendix I animals has severely limited Swaziland's ability to dispose of surplus white rhino due to permit applications being turned down on these grounds. All trade in the past has been in live animals and down-listing will facilitate trade in live animals to appropriate and acceptable destinations. Swaziland also wishes to exercise trophy hunting of surplus animals (old and post productive, surplus to ecological and social carrying capacity, etc.).

3.3 Illegal trade

Since 2000, Swaziland has recorded two cases of illegal possession/traffic of rhino horns (total of 3 horns weighing approximately 10.4kg), involving nine suspects. The incidence of illegal trade therefore is low.

The established markets for rhino products are predominantly North Yemen, where status ceremonial daggers/handles are carved from horn, and countries in Eastern Asia, which

incorporate a variety of rhino products in traditional Chinese medicines. This market was estimated at about 2,5 tons per year in the early 1980's but has declined markedly in recent years. In the 1970's, 3 000 to 4 000 kg of rhino horn legally entered North Yemen alone each year but dropped to less than 70kg on average between 1993 and 2002. (Martin & Vigne). Rhino products are also used as "muti" (traditional medicine) in many parts of Africa.

3.4 Actual or potential trade impacts

The southern white rhino population of Swaziland does not meet the biological criteria for inclusion in Appendix I as the population is stable and growing due to the conservation efforts and proper control measures. The population is in fact approaching the ecological and social carrying capacity of available secure habitat.

The proposed down-listing will not threaten the survival of the species in Swaziland as the necessary control and enforcement measures are in place and have shown to be successful in curbing poaching and illegal trade. The trade in live animals will only take place to appropriate and acceptable destinations therefore allowing Swaziland to verify the destination. Trade in hunting trophies will enable Swaziland to address their problem with old post-productive animals while providing some much needed revenue to support the conservation efforts.

One of the three main objectives of the World Conservation Strategy is "to ensure the sustainable utilization of species and ecosystems", and the nature of this proposal does exactly that.

3.5 Captive breeding or artificial propagation for commercial purposes

To the best of our knowledge, no artificial propagation for commercial purposes is occurring with this species outside of its countries of origin.

4. Conservation and management

4.1 Legal status

4.1.1 National

Prior to joining CITES, and as a signatory to CITES, Swaziland has applied a ban on trade in rhinoceros products believing that such measures would facilitate the control of the illegal killing of rhino, and trafficking of rhino products.

The Game Act is the legal instrument protecting and controlling the wild animals of Swaziland, and the trafficking in wildlife and wildlife products.

The Game Act falls under the portfolio of the Head of State, so elevating its status and administration to the highest Authority in the land. Prior to 1991 Swaziland had an extremely weak and outdated Game Act, which, before its amendment, dated back to 1953 when there were no rhino in the country. This Act was amended in 1991 and now stipulates minimum mandatory jail terms of 5-15 years without the option of a fine for possession and illegal hunting of rhinos. The minimum sentence for trafficking in rhino products is 7 years without the option of a fine. No part of such sentence may be suspended and the perpetrators shall either replace any poached animal or compensate to its gazetted value, failing which a further 2 years in jail shall be mandatorily added. Rhinos, of all species, are listed as "Specially Protected Species".

This is widely acclaimed to be among the strongest wildlife anti-poaching legislations in existence and with this law, together with its diligent application; Swaziland has been able to bring the rampant rhino poaching of 1988-1992 to a dead stop. Swaziland has now not lost a rhino to poaching for 11 years. The incidence of trafficking of this species is also low with very few cases having been recorded since the effective enforcement of this law, and wildlife criminals choosing to use more lenient countries as

their conduits for trafficking. This new law and its unselective application have also reduced general poaching by +- 90%.

4.1.2 International

White rhino are afforded protection under the provisions of CITES and are protected by the national legislation of their range States.

4.2 Species management

4.2.1 Population monitoring

Continental population monitoring is conducted through the African Rhino Specialist Group and the Rhino Management Group, which relies on reporting and surveys of range states to establish these population trends. These bodies function as advisory bodies to the governmental agencies. National population monitoring is conducted by Big Game Parks.

4.2.2 Habitat conservation

In Swaziland all rhinos occur on proclaimed protected areas, and habitat management and protection is an integrally legislated part of managing protected areas. Conservancies operate in terms of their constitutions and management plans and may be protected by legislation in some countries, and are predominantly constituted on private land. All current rhino range in Swaziland is on formally protected land.

4.2.3 Management measures

In Swaziland, when landowners apply for permits for the introduction of game, including rhino, habitat suitability and security assessments are made and conditions may be stipulated on any permits issued. Any permittee who does not adhere to such conditions is prosecutable in terms of law and thus the Management Authority can enforce that such conditions are carried out.

Other range States have similar mechanisms in place. In Swaziland, revenue from protected areas goes back into the budgets of those protected areas and not to Central Government, therefore the conservation of species and their habitats benefit.

4.3 Control measures

4.3.1 International trade and marketing system

Reputable established game translocation companies would be used for procurement and placement of traded animals. Alternatively, organization-to-organization negotiations may take place for the trade in live rhinos and the established professional hunting and outfitting associations would be used for any trophy hunting that might take place.

As is common practice already, and in the interest of facilitating control and law enforcement, Swaziland would permanently mark all traded individuals and legally hunted trophies. The precise marking and marking systems would be formulated by agreement and conditions stipulated between the CITES Management Authorities involved, but normally involves micro-chipping and ear notching codes. Additionally the development of the nuclear technique of Neutron Activation Analysis, that allows the simultaneous determination of various trace elements in small samples, will, if necessary, be employed to determine the origin of trophies in trade. Swaziland has already participated in the development of a database for this process by submitting both black and white rhino samples, and fully subscribes to its development.

A strictly applied permit system already exists and the control of such translocations and trophy hunting would continue to be strictly enforced. Down-listing would not result in illegal trophies entering legal trade.

Swaziland wishes to emphasize that she only intends trading in live animals to appropriate and acceptable destinations, and trophies derived from legally permitted trophy hunts. Swaziland wishes to maintain the ban in the trade in all other rhino products and she does not wish to trade in any products from natural mortalities etc.

Down-listing would in no way compromise the effective law enforcement efforts and the security of the black and white rhino in Swaziland, nor those in South Africa or anywhere else in their range.

4.3.2 Domestic measures

An education programme exists in communities around Swaziland's rhino parks, which is centered on rhinos. In addition to this, benefits are derived from the protected areas in terms of long term sustainable utilization of renewable natural resources, employment and recreation opportunity, extended law enforcement services and informer networks. Sustainability of harvests is determined by management requirements with the long-term interests of the species in mind and removal quotas may be determined and set accordingly.

5. Other comments

Rationale for Down-listing:

Swaziland has an increasing population of Southern White Rhino, which is fast approaching the ecological and social carrying capacity of available secure habitat. By nature, small, protected areas demand the pro-active management of these populations to avoid social conflicts (which has already resulted in both males and females being killed) and excessive grazing competition. Management enables the maintenance of optimal sex ratios, and the maintenance of maximum reproductive carrying capacity to ensure optimal population growth and optimum use of the limited habitat available to this species.

The tendency of white rhinos to display a skewed sex ratio in favour of males at birth reinforces the need for proactive management to avoid conflict mortalities. Trophy hunting and live sales are sustainable ways to remove such excess animals without having to resort to culling.

Swaziland's rhino parks are entirely self-funded and do not receive any government funding. It is therefore vital that these parks derive optimal benefit through the wise and sustainable utilization of their natural resources without having to compromise good conservation principles in favour of economic gain. Rhinos are an integral component of Parks resources. Furthermore, the security costs necessitated by accommodating rhinos are disproportionately escalated because of the inflated commercial value of rhino horn.

In order for Swaziland's private sector to be encouraged to participate meaningfully in the conservation of the rhinoceros, an economically conducive climate needs to be created. The downlisting of South Africa's population to Appendix II has facilitated a rapid increase in live rhino sale prices. It thus follows that rhino prices in Swaziland, as with most other commodities, are directly affected by those in South Africa, and South African buyers will not sensibly pay Appendix II market-related prices for Appendix I animals due to the restrictions that apply to Appendix I animals. By the same token, Swaziland buyers will not pay Appendix II value for rhinos if they lose market value by their progeny being born in Swaziland, being listed as Appendix I. Thus Swaziland cannot hope to find a market for her surplus live rhinos and encourage meaningful private sector participation in rhino conservation in a commercially driven economy with the existing CITES Appendix I restrictions and conditions. It must be remembered that the kingdom of Swaziland is smaller than several African National Parks – to be precise, 17364 square kilometres. By contrast, the Kruger National Park is 20720 square kilometres. Furthermore, the Kingdom of Swaziland shares the same customs union with South Africa and the Swazi Lilangeni is at par with the South African

Rand. To the private landowners who are the proprietors/custodians of a huge land base with suitable rhino habitat, it does not make economic sense to invest in rhinos and then not be able to recover the investment on capital through the sustainable sale of population recruitment. If Swaziland can encourage private sector participation in rhino conservation as South Africa has so successfully done, the amount of habitat available to white rhinos can be vastly increased. Private landowners will be encouraged to invest in rhinoceros populations and protect them as renewable, sustainable, utilizable, economic assets.

Swaziland's conservation efforts have relied heavily on the sustainable utilization of her wildlife resources and in the past the occasional sale of live rhinos has contributed meaningfully to her conservation abilities. However when Swaziland acceded to CITES in 1997, and the subsequent down-listing of the South African population of white rhino from Appendix I to II, Swaziland found that by joining CITES, she inadvertently severely compromised her rhino conservation efforts and management abilities. Her rhino conservation efforts were actually far better off before Swaziland joined CITES. In this instance, CITES Appendix I restrictions have undoubtedly proved to be severely counter productive to the conservation of this species in Swaziland as trade restrictions have consistently resulted in unacceptable mortalities which could otherwise have been avoided, and the funding generated could have otherwise contributed meaningfully to rhino conservation.

Benefits of Down-listing of Swaziland's White Rhino Population

- It would enhance our ability to effectively and pre-emptively manage our populations, which is particularly crucial in small parks.
- It would lead to reducing bull aggression, through adjustment of sex ratios, which is especially relevant to small protected areas where social carrying capacities become critical to the management of the species and avoiding social conflict and resultant mortalities.
- The revenue derived from rhino sales would go directly back into rhino conservation in the form of land acquisition for range expansion, equipment for anti-poaching patrols, national law enforcement, Park fencing, education, community initiatives, infrastructure and habitat management. This is particularly important in the absence of government subventions.
- Swaziland's white rhino population has been a closed herd for 40 years, and some capital raised from the proposed sales would be used to bring in new genetic material, ensuring the long term health of this population. Metapopulation management has already been practiced for genetic reasons within Swaziland.
- Swaziland's rhino parks have among the highest law enforcement-coverage ratios (km²/ranger) in formally protected reserves in Africa, with (5,3km²/ranger) and (12,5km²/ranger) on the two rhino parks respectively. These rangers are armed with automatic weapons and have strong legislation to back them up. They have proven to be highly effective in anti-poaching activities with a 90 % reduction in general poaching incidents having occurred since 1992, and a 100% reduction in rhino poaching since 1992. Active informer networks are maintained around the parks and in the centers, and this has proved to be a very effective 1st line of defense in anti-poaching activities. However, it is very expensive to maintain, and this would help to ensure that this activity is self sustaining.
- Relaxation of restrictions and increased trade in live animals to appropriate and acceptable destinations, and the practice of trophy hunting (not yet in place) as management tools would lead to more habitat becoming available to breeding rhinos through a reduction in population and social densities and to an increase of their reproduction rates. This is in line with the recommendations of the African Rhino Specialist Group and the Rhino Management Group.

Conservation benefit of Trade

Utilization, whether through live sales, trophy hunting or game viewing, confers a real value on rhinos as a renewable resource and, when properly controlled, actively encourages conservation (t'Sas-Rolfes 1990). A survey by Buys (1988) indicated that the majority of the populations on private land in South Africa were subjected to some form of legal utilization. Swaziland's rhino

populations are also subjected to limited sustainable utilization. The two Parks supporting rhinos are self-sustaining and have to remain self-financing because there is no national budget available to them.

Funds from the sale of rhinoceros are desperately needed to support Swaziland's conservation efforts; e.g. the cost of setting up the infrastructure to secure a rhino population in a medium-sized reserve of 600km² is estimated (in 1993) at US\$ 643 000 per year (Brooks and Hughes, 1993). Such funds would be used to maintain or improve the conservation management programmes on which the various rhinoceros species depend. Law enforcement, including anti-poaching and intelligence activities, is extremely expensive, and is unlikely, on its own, to succeed in the long term without the whole-hearted support of the local communities (Brooks & Hughes, 1993).

Neighbourhood programmes involve identifying the development and educational needs of the less privileged communities surrounding game reserves, and providing material support following consultation with local leaders. Such benefits will encourage the local people to support wildlife conservation and the protection of rhinoceros populations in particular. This support is considered critical to the long-term survival of the species in the region.

In addition, private landowners will be encouraged to invest in rhinoceros populations and protect them as sustainable, utilizable, economic assets.

While Swaziland realizes that leaving her stockpiles of rhinoceros products to build up and not be traded in, and foregoing huge revenue and potential benefit to conservation projects, she still believes that the trading of these items should continue to be suspended until such time as sufficient control is demonstrated to be in place which will prevent illegal horn being laundered as legal horn.

6. Additional remarks

On 24 March 2004, range States were written to, to source comments and concerns regarding this proposal. The same letter was also sent to the CITES Secretariat on the same day.

Additionally, South Africa, as this species' current principal range State, has been closely consulted.

The Chairman of African Rhino Specialist Group, the Rhino Management Group, the SADC Rhino Consortium, and the Rhino and Elephant Security Group have also been consulted.

7. Conclusions

It must be emphasized that this submission is based on Swaziland's firm belief that the principle of split-listing is valid, that the precedent has already been set in South Africa without adverse effects that the population of Swaziland's white rhino (although vulnerable), is not endangered. Furthermore, the conservation commitment, achievements and abilities of Swaziland has been more than adequately demonstrated over the past 40 years, in having successfully restored this species (and others), to Swaziland in the first place, at times against extreme odds, and then saving them from local extinction for the second time.

It must be further emphasized that Swaziland fully supports every effort at all levels to stamp out the illegal trade in rhinoceros products and has pledged its full cooperation with all involved in such actions. At the international level, Swaziland has made strenuous efforts to stop illegal trade and has been successful in reducing the flow of illegal wildlife products through Swaziland, and in bringing vastly improved legislation to reality.

Swaziland further wishes to emphasize that although she believes in, and practices extensively and successfully, the sustainable utilization of her wildlife resources and will continue to investigate better, more effective and more beneficial methods of doing so, she has no intention of marketing rhinoceros horn in any shape or form.

This proposal therefore is purely and simply a downlisting proposal, with no consequential actions being implemented other than to facilitate the trade in live animals to appropriate and acceptable

destinations, and legally hunted trophies which in turn will enhance the conservation of the species and its habitat.

8. References

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