

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



Sixteenth meeting of the Conference of the Parties
Bangkok (Thailand), 3-14 March 2013

CONSIDERATION OF PROPOSALS FOR AMENDMENT OF APPENDICES I AND II

A. Proposal

To amend the annotation for *Ceratotherium simum simum* as follows:

(added text underlined): “*Ceratotherium simum simum* (Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. Hunting trophies from South Africa and Swaziland shall be subject to a zero export quota until at least CoP18. 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

Kenya*

C. Supporting statement

1. Taxonomy

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| 1.1 Class: | Mammalia |
| 1.2 Order: | Perissodactyla |
| 1.3 Family: | Rhinocerotidae |
| 1.4 Genus, species or subspecies, including author and year: | <i>Ceratotherium simum simum</i> (Burchell, 1817) |
| 1.5 Scientific synonyms: | None |
| 1.6 Common names: | English: Southern white rhinoceros
French: Rhinocéros blanc du Sud
Spanish: Rinoceronte blanco |
| 1.7 Code numbers: | Unknown |

* 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.

2. Overview

Current levels of poaching which threaten the survival of Africa's rhino are being driven by a number of factors, including: massive demand from consumer countries; escalating black market prices for illegal rhino horn and the laundering of legally acquired rhino horn, in the form of hunting trophies, into illegal trade.

These factors are placing an unsustainable burden on the agencies charged with protecting wild rhino. In Kenya each individual rhino is given 24 hour protection by Kenya Wildlife Service rangers, Scouts, and/or Police. South Africa has reportedly recruited and deployed an additional 150 rangers in the Kruger. However, despite the considerable and admirable investments in rhino protection made by Kenya, South Africa and other range States, rhino continue to be poached (430 rhino poached in South Africa as of 2nd October 2012), and 2012 looks set to be the worst year for rhino poaching in many years.

Part of the solution lies not in the range States but in the implicated consumer States. However, until those countries, including China and Vietnam, are able to implement and enforce measures to reduce demand by changing public buying attitudes and significantly curtailing the activities of criminals involved in illegally importing and selling rhino horn, thereby reducing poaching pressure, Kenya is of the firm opinion that the export of white rhinoceros hunting trophies should not be allowed. Evidence suggests that hunting trophies offer a legal pathway for criminal networks to obtain rhino horn which is then illegally sold for "medicinal" and ornamental purposes and the continued legal trophy hunting of rhino may be stimulating demand.

Kenya therefore seeks the support of the CITES Parties to approve the application of a zero quota for all trade in hunting trophies of Appendix II populations of *C. simum simum* until the illegal trade has been brought under control, and not before CoP18.

3. Species characteristics

3.1 Distribution:

Botswana; Kenya; Mozambique, Namibia; South Africa; Swaziland; Uganda; Zambia; Zimbabwe (IUCN Redlist 2011)

3.2 Habitat:

Southern white rhinoceros are primarily found in grassy savannah and woodland areas. Preferred habitat includes thick cover, relatively flat terrain, water (for drinking and bathing) and short grass suitable for grazing.

3.3 Biological characteristics:

Southern white rhinoceros have the most complex social structure of all rhino species. Adult males have territories of 1-3 km². They mark these territories with dung piles. Adult females have territories of 6-20 km², depending on habitat quality and population density. Dominant males regularly mark and patrol their territory, and prevent breeding females from leaving this territory. Their horns are used during fighting to protect these territories. Females begin breeding at 6-7 years of age, whilst males usually do not breed until they are 10-12 years of age. Gestation is approximately 16 months, with a period of 2-3 years between calves. Southern white rhinoceros can live for 40-50 years. (<http://www.rhinosourcecenter.com/species/white-rhino/>).

3.4 Morphological characteristics

Rhinoceros are the second largest land mammal after the elephant. Females weigh up to 1,800 kg and males up to 2,300 kg. Their shoulder height is 170 to 185 cm. They have thick, grey skin, a short neck and large head with two horns on the rostrum one in front of the other. The horn grows in layers from specialized skin cells of compressed fibrous keratin. Rhinoceros have three hooved toes, of which the central is the largest (Kingdon, 1997). White rhinoceros are larger than black rhinoceros, and have a broad flat upper lip (as opposed to black rhinoceros which have a prehensile pointed upper lip).

3.5 Role of the species in its ecosystem

The white rhinoceros is an “influential ecosystem engineer” (Waldram *et al* 2008). As a grazing megaherbivore, it has a significant impact upon the ecosystem and its inhabitants, including upon other grazing animals (Waldram *et al*, 2008). In many areas, rhinoceros' grazing enables the existence of large patches of shorter grasses, which in turn provides suitable grazing for herbivores including zebra, impala and wildebeest. Rhinoceros are known to be a very influential species in the South African ecosystem in particular, showing a disproportionately large impact relative to their abundance (Waldram *et al*, 2008).

4. Status and trends

4.1 Habitat trends

There are significant Southern white rhinoceros populations in the Greater Kruger National Park (incorporating both private and State-owned reserves), and in the Hluhluwe-Umfolozi Park, as well as numerous other State protected areas and private reserves. Reintroduced populations occur in Namibia, Botswana, Zimbabwe and Swaziland, while a small number survive in Mozambique. Populations of Southern white rhino have also been introduced outside of the known former range of the subspecies to Kenya, Uganda and Zambia (Emslie and Brooks 1999, Emslie *et al*. 2007).

4.2 Population size

Categorised by the IUCN Red list as Near Threatened, the IUCN African Rhino Specialist Group reported that as of 31st December 2010, the continental population of Southern white rhinoceros was 20,161 (AfRSG, 2011).

The wild population of *Ceratotherium simum simum*, in all range States, originate from a remnant population of 20 to 50 animals in South Africa's Hluhluwe-Umfolozi Game Reserve. South Africa's population of approximately 18,800 Southern white rhinoceros, represents almost 95% of the total continental population.

4.3 Population structure

Female rhinoceros ranges will overlap with several different male rhinoceros ranges (White *et al*, 2007). Different groupings of rhinos exist; solitary, territorial males, breeding females and their calves and groups of sub-adult males (Kingdon 1997).

4.4 Population trends

From 2005 to 2008, Southern white rhinoceros in the private sector have had an annual growth rate of around 6.1%. However, net recruitment was much lower than that, as 723 rhinos were either exported as live animals, died during capture, were killed for hunting trophies, or were poached (Milliken *et al*, 2012). Decreasing populations were recorded in Zimbabwe and Mozambique in late 2010 (IUCN Red List, 2011). According to the IUCN (2011): “*Current successful protection efforts have depended on significant range state expenditure and effort and if these were to decline (especially in South Africa) rampant poaching could seriously threaten numbers (well in excess of 30% over three generations). In the absence of conservation measures, within five years the species would quickly meet the threshold for C1 under Vulnerable, and potentially also criterion A3 if poaching were to take off.*”

As at end of 2010, there were 361 Southern white rhino in Kenya on private, community and State land, all of these as a result of animals originally introduced from South Africa (six animals in 1965, twenty in the 1970s, five in 1992 and twenty in 1994). The population has grown rapidly. More than 70% of Kenya's populations of *C. simum* are found on private lands, 28% on State lands and the remaining on community lands (KWS records 2010).

4.5 Geographic trends

Approximately 25% of South Africa's Southern white rhinos are privately owned (Milliken *et al*, 2012). There are around 14,200 Southern white rhinoceros in South Africa located on State land, of which approximately 75% are located in Kruger National Park (Milliken, Emslie and Talukdar, 2009, Milliken *et al*. 2012).

5. Threats

Poaching of rhinoceros for their horns has increased dramatically in the last five years (Milliken *et al*, 2012). Rhinoceros horn is used in Traditional Asian Medicine, and recent spurious claims that it can cure cancer have resulted in a surge in demand. Rhinoceros horn is also sought after for use in making ornately carved handles for ceremonial daggers (jambiyas) worn in some Middle Eastern countries.

In 2007, 13 rhinoceros were poached in South Africa. In 2008, the number of rhinos killed in South Africa rose to 83 while in 2009 122 rhinos were poached. In 2010, 333 rhinos were poached, and in 2011 a new record of 448 rhinos was reached (2.4% of the estimated total population; 94% being southern white rhino) (Milliken *et al*, 2012). As of September 17th 2012, 430 rhinos have been killed (Department of Environmental Affairs RSA, 2012).

In addition to poaching, Asian demand for rhino horn has recently resulted in “pseudo hunting” by nationals from countries not previously associated with trophy hunting, in particular from Vietnam. Since 2003, it is estimated that hundreds of Vietnamese hunters have paid more than USD22 million to participate in rhino hunting trips in South Africa (Milliken *et al*. 2012).

Additionally, thefts of privately owned rhino horn worldwide has escalated and high level wildlife industry players have started selling unregistered “loose” horns to Asian crime operatives actively engaged in illegal rhino horn export operations to end-use markets. According to Milliken *et al*. (2012), since 2009: “serious discrepancies in the volume of horn officially held by the private sector have been documented”.

Although poaching is the predominant reason for the pressure on white rhino populations, habitat loss is an added concern. Distribution today is limited, with the majority of Southern white rhinos inhabiting South Africa within managed areas, many in private ranches. Southern white rhino do not adapt to conditions outside of grassland and savannah which makes the species vulnerable to large-scale agricultural development, increases in human settlement and industrial development.

In Kenya the poaching levels between 2007 and 2011 showed an increasing trend as shown in Figure 1 below. The proportion of rhinos poached was slightly more than 2% per annum for the period between 2009 and 2011. Additionally, 12 rhinos were poached as of September 2012 making a total of 87 rhino poached (2007 – 2012). Horn seizures were, however, significantly lower compared to the number of rhinos that were killed. The reduction in poaching levels in 2012 may partly be attributed to the Kenya Wildlife Service’s declaration of 2011 as the year of the rhino, and the consequent increase in rhino rangers by more than 25 percent; the conversion of rhino scouts on private rhino lands into Kenya Police Reservists; enhanced use of sniffer, tracker and search dogs at the ports and for monitoring and; relocation of rhinos from areas of high risk to areas of low risk. The intelligence network has also been strengthened by realigning administrative reporting and boosting the number of personnel and resources. However, the threat to rhinos in Kenya remains very significant.

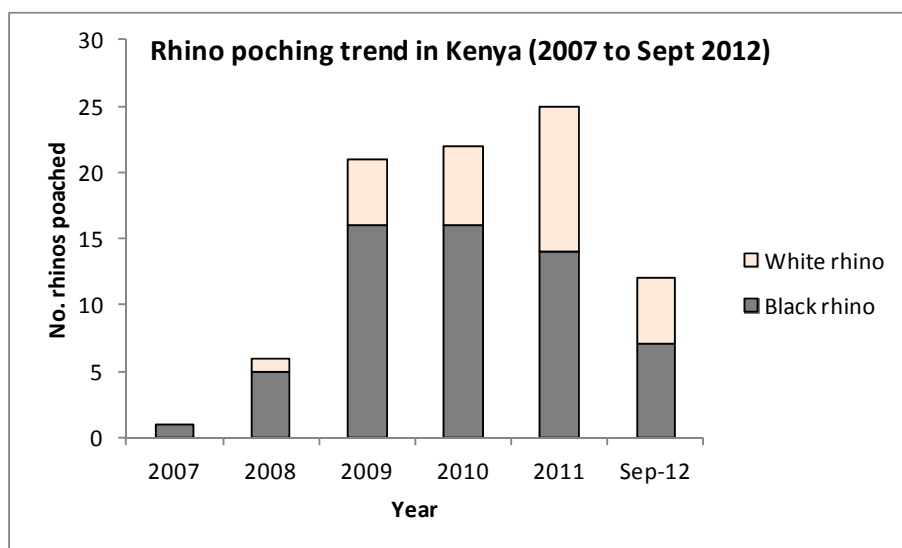


Figure1: Rhino poaching trend in Kenya 2007-Sept 2012, showing a steady increase from 2007 to 2011 and a decrease in 2012

6. Utilization and trade

6.1 National utilization

C. simum simum are utilised non-consumptively by many of the range States as a high-value species for the tourism sector.

6.2 Legal trade

The annotation to the CITES Appendices for *C. simum simum* was approved in 1994, as follows:

Ceratotherium simum simum (Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. 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)

According to UNEP-WCMC data, between 2006 and 2011, 403 'horns' of wild white rhinoceros were exported (399 from South Africa and 4 from Namibia). Vietnam was the primary importer of these horns (177) followed by the US (56), Spain (38) and Russia (20). In addition, from 2006 – 2011, 941 'trophies' of wild white rhinoceros were exported from Namibia (10), Tanzania (2), South Africa (928) and Zimbabwe (1). The primary importers of these trophies were Vietnam (217), USA (202), Russia (99) and Spain (91).

As reflected in the data, there has been an increase in the number of hunts carried out by individuals from countries not traditionally associated with trophy hunting, especially Vietnamese nationals. Vietnamese nationals do not have a history of involvement in trophy hunting in Africa. Vietnam has also failed to provide evidence for what happens to 'trophy' horns following their importation into the country. It is suspected that some of these horns are illegally sold into trade for use in traditional medicines and as tonics (CoP15 Doc 45.1 Annex). According to Milliken *et al* (2012), additional rhino hunting legislation was implemented in South Africa, but this particular issue became such a problem that in April 2012 South Africa implemented a ban on the granting of further hunting permits to Vietnamese nationals. However, there are no provisions in place to prevent "hunters" from other emerging economies in east and south-east Asia, or their proxies, from conducting bogus rhino hunts.

Evidence suggests that nationals from the Czech Republic and Poland have been implicated in pseudo-hunts. Information from the DEA in South Africa indicates that there has been a 50% plus reduction in the number of rhino trophy hunting permits granted and that the number of hunting applications from Vietnam and other East Asian countries has dropped off. However, there has been a reported rise in applications from Russian and, particularly, US hunters (up by 300% in 2012 so far compared to 2010) possibly indicating the flexibility and opportunistic nature of pseudo-hunting criminal operatives.

It should however be noted that pseudo-hunting is a consequence/symptom of loopholes in permitting systems for legally hunted trophies. As things stand, current permitting systems cannot guarantee the intention of the trophy hunt itself nor guarantee the end use to which the trophy will be put after it has been exported. Kenya is convinced that by preventing legal trophy exports, pseudo-hunting will be eliminated and infiltration of legal horn into the illegal markets will be brought to an end.

6.3 Parts and derivatives in trade

Rhino horn is in high demand throughout Asia for Traditional Asian Medicine and ornamental use. Additionally, many other rhino parts are traded worldwide, including but not limited to their bones, feet, leather products, skins and tails (WCMC-UNEP trade database, 2012).

6.4 Illegal trade

There have been numerous seizures of illegal rhinoceros horn worldwide in recent years. For example: the seizure of 33 rhinoceros horns in Hong Kong SAR in July 2012; two Vietnamese nationals arrested in possession of 4 rhino horns in January 2011; 20 kg of rhino horn seized in Vietnam in early 2012; one Thai national confessed to smuggling 300 kg of rhino horn on 15 occasions through the international airport in Johannesburg between 2007 and 2008; in January

2008, five rhino horns, were discovered in the baggage of a Hanoi resident arriving on a flight from Singapore at Tan Son Nhat International Airport (Milliken *et al*, 2012).

6.5 Actual or potential trade impacts

The actual and potential impact of legal trade, including trophy hunting, on rhinoceros populations is something that needs to be further established by the CITES Parties. However, given current levels of poaching and until there is evidence that enforcement and demand reduction efforts are bringing about a significant and lasting decline in illegal killing, Kenya believes that the precautionary approach should be applied.

7. Legal instruments

7.1 National

Overall wildlife policy framework and management guidance in Kenya is determined by the Government and delivered by the Kenya Wildlife Service (KWS), a State Corporation established by the Wildlife (Conservation and Management) Act, CAP 376 and The Wildlife (Conservation and Management) (Amendment) Act no. 16 of 1989. In particular, these provide for the establishment of National Parks and National Reserves and define how they are to be managed. The Environmental Management and Coordination Act (EMCA) of 1999 provides for the legal and administrative co-ordination of the diverse sectoral initiatives, including management and conservation of wildlife, so as to improve the national capacity for the management of biodiversity and the environment in general. KWS therefore manages wildlife in Kenya with sole jurisdiction over National Parks; supervision of the management of National Reserves, local and private Sanctuaries; licensing control and supervision of all wildlife conservation and management activities outside the protected areas; conservation education and training; and wildlife research.

Wildlife management has been regulated nationally in South Africa since 2004 by the National Environmental Management: Biodiversity Act, Act 10 of 2004 (NEMBA).

Threatened or Protected Species (TOPS) Regulations were introduced in 2007. These provide a national standard for the protection and utilization of listed threatened or protected species in South Africa, including white rhinos, regardless of whether they constitute privately-owned or wild populations or are located on private, State or communal land. However, a number of loopholes became immediately apparent and a further iteration of the TOPS regulations was published in the Government Gazette No. 30703, Government Notice No. R. 69 of 28 January 2008. In 2009, further legislation was implemented to overcome irregularities which had been detected within the hunting industry. This included micro-chipping, reporting all dead rhinoceros and marking rhino horns. (Milliken *et al*, 2012)

7.2 International

The Southern white rhinoceros has been listed on CITES Appendix II since 1994.

8. Species management

8.1 Management measures

Recent estimates indicate that approximately 25% of the wild population of Southern white rhinos in South Africa is privately owned (Knight 2011 in Milliken and Shaw 2012). A draft of a white rhino management plan and monitoring standards in South Africa is nearing completion.

8.2 Population monitoring

In South Africa, the larger populations are subject to sophisticated, intensive monitoring. Techniques vary according to the size and distribution of the population, the topography and vegetation. Aerial sampling or total count techniques may be employed in open areas, whilst line-transect sampling is used in woodlands. Smaller populations are monitored using total footcounts or individual recognition. Population modelling based on sex and age structure, reproductive performance, mortalities, reintroductions and removals is also employed. The more elaborate programmes in Protected Areas are conducted by qualified ecologists and experienced conservation managers, while the African

Rhino Owners Association co-ordinates the collection of information from privateland. The population estimates are subject to periodic review by the IUCN's African Rhino Specialist Group.

Kenya has implemented a standardized programme of patrols to obtain information on rhinoceros sightings. Rhinoceros are identified individually and registers of the features of individual animals are maintained. Where needed, recordings are also made of sightings of 'clean' rhinoceros (i.e. those that are not individually recognizable). These monitoring data are used to provide estimates of population size, age and sex structures, calving rates (i.e. breeding performance), mortality rates (by age and sex), and the distribution and movement of rhinoceros. This information is used to gauge the performance of each population and guide biological-management decision-making processes, such as introductions and removals, to realize the national conservation strategy of increasing the total rhinoceros population as rapidly as possible. The individual identification of rhinoceros requires properly skilled and motivated observers, a system of strict control on data quality at observer and data recording levels, and the support of the wider conservation-management structure.

8.3 Control measures

8.3.1 International

Major evolution in South Africa's law-enforcement structure occurred in early 2010 with the establishment of an interim National Wildlife Crime Reaction Unit in the Department of Environmental Affairs. NWCRU consists of representatives from SAPS, SANParks, and national and provincial nature conservation officials, NPA, the Asset Forfeiture Unit and INTERPOL. Thus for the first time in at least a decade, a national law-enforcement co-ordination body was put in place to operate effectively across provincial boundaries. This development expressly recognized the marked escalation in rhino security threats throughout the country and moved quickly to develop a national crime investigation and information management mechanism that linked all components of the law-enforcement community through local, provincial and national scales. Backed by strong political will, the NWCRU has sought positive interaction and relationships with communities, private rhino owners and other stakeholders to facilitate effective and efficient information exchange, and have attempted to secure a team of highly motivated, well-trained, resourced and equipped personnel (Maggs and Knight, 2010).

South Africa, the primary source for illegal rhino horn by virtue of the number of animals that continue to be poached, has ceased issuance of hunting trophy permits to individuals that are nationals of a country that is not able to confirm the efficacy of their legal and enforcement systems to the degree that they can confirm that hunting trophies remain in the possession of the hunter and importer. As a consequence, the Vietnamese nationals have been the first casualties. However, this approach could be abused if, as the Czech Republic reports, third country nationals claim to be the exporter whilst they are just middle men.

Other control measures taken by South Africa include the following:

- i) Seeking high-level political will to consider rhino crime a high-profile national priority;
- ii) Addressing capacity and resource constraints affecting conservation authorities at all levels
- iii) In the process of designing and implementing a secure, national, electronic permit system for all activities related to threatened and protected species, specifically rhinos, that links to other databases on live rhino and horn stockpiles;
- iv) Supporting the implementation of mandatory registration, marking and DNA sampling of all legally-owned or held rhino horn stocks;
- v) Developing and enacting bilateral treaties to promote collaborative law enforcement action;

- vi) Ensuring that appropriate penalties, which serve as an effective deterrent are given to rhino criminals
- vii) Investigate the option of denying those charged with outstanding rhino crime cases continued legal access to permits;
- viii) Improving capacity for investigations, intelligence gathering and analysis, and communication and collaboration between law enforcers at local, provincial, national and international levels;
- ix) Tightening law enforcement activities at all ports of entry and exit from South Africa to better detect the illegal movement of rhino horn;
- x) Ensuring effective monitoring and regulation of sport hunting of rhinos;
- xi) Developing better regulation of professionals within the wildlife industry;
- xii) Continuing to designate rhino crime cases to specific prosecutors in each province
- xiii) Taking an objective and strategic approach to assessing the long-term outcomes of any future interventions in relation to global rhino conservation objectives and trade.

Nevertheless, in spite of all these measures and resources, rhino poaching is still escalating and the horn entering the illegal market. In addition to these efforts, Kenya is convinced that by including an additional effort of zero quota on hunted trophy for a period of time will allow time for the above efforts to be completed more efficiently and significantly reduce the rate of entry of legal horn into illegal market.

8.3.2 Domestic

Several white rhino range States including South Africa have put in place educational and training programmes which have been increased in recent years to assist rangers and customs officials as well as to educate the public. The structure and how these educational programmes have been developed is however unclear and it is too early to judge their effectiveness.

There is increased availability of resources to protect rhinos in a number of rhino range states and to detect horn smuggling out of the countries.

Efforts to assist in the monitoring and tracking of legal horns have been developed and are beginning to be implemented, most notably micro-chipping and forensic recording.

8.4 Captive breeding and artificial propagation

As of December 2008 there were an estimated 750 in captivity worldwide (IUCN Red List), mainly outside Africa, and their population performance is low. There is no well-defined programme for their re-establishment in the wild in Africa. Since 2011, only World Association of Zoos and Aquariums (WAZA) member zoos and safari parks are eligible for exports of live rhinos from South Africa (Meintjes, 2011). South Africa also requires a statement that the country of import has adequate legislation to ensure that the live specimen will only be used for the purpose indicated on the CITES export and import permits in order to prevent parts and derivatives of live specimens being subsequently used for purposes other than those stated on the permit (Milliken *et al*, 2012).

8.5 Habitat conservation

In Kenya, southern white rhinoceros habitat is comprised of fourteen protected areas on State, Private and Community lands covering an estimated area of slightly over 3,000km². The availability of suitable habitat is not a limiting factor as very substantial tracts of land in South Africa, and indeed elsewhere in Africa is available. The limiting factor and challenge is sustaining security of these lands for habitation by rhinos.

8.6 Safeguards

9. Information on similar species

The northern white rhinoceros is considered to have probably become extinct in the wild (IUCN 2011). The northern white rhinoceros is not easily distinguished from the southern subspecies. The other species of African rhinoceros, the black rhinoceros, *Diceros bicornis*, is listed on CITES Appendix I and as critically endangered by IUCN (IUCN 2011). Rhinoceros horn is the key resource, as it is the one that is targeted by poachers. All the African rhinoceros species as well as the Asian rhinoceros species are therefore equally targeted by poachers, and it is extremely difficult for enforcement officers to visually distinguish between white, black or Asian rhino horn and derivatives. Distinction of the differences in horns requires radio isotope analysis. Kenya believes there are, therefore, in addition to the other issues set out in this proposal, also look-alike issues for the CITES Parties to take into consideration when regulating southern white rhinoceros in international trade.

10. Consultations

A consultation was distributed by Kenya to all range States on 25th September 2012. Responses have been received from South Africa, Namibia, and Zimbabwe, Swaziland and Botswana and additional information from the IUCN-African Rhino Specialist Group.

South Africa does not support Kenya's proposed amendment to the annotation arguing that it violates her country's sovereign rights, that hunting is a sustainable form of utilisation and that South Africa has implemented a number of legal instruments to regulate this industry. Kenya however is not proposing to ban hunting outright. South Africa's arguments are therefore not directed to the amendment Kenya is proposing.

Namibia is also opposed to the proposed amendments arguing it will not add value to conservation of White Rhinoceros in South Africa and Swaziland but will give detailed reasons for opposition once the full proposal is completed and circulated.

The IUCN-African rhino Specialist Group provides more information for consideration by Parties. Kenya's initial reaction to IUCN-AfRSG's comments are as follows:

- a) The comments provided do not seem to address the central point of Kenya's proposal: that current legal trade (rhino trophies) may be feeding illegal use and providing a route to market for illegal, poached horn. The drop in the number of hunts being approved is based on one year's data and IUCN-AfRSG admits that there has been a rise in Russian applications. The drop off in Vietnamese applications, followed by a surge in Czech and Polish applications and now a drop off in those in favour of Russian applications could indicate the flexibility and opportunist nature of pseudo-hunting criminality. It is a valid speculation that the exposure of the Czech and Polish laundering situation will shift hunting applications to other countries where the laundering process will be revived. The purpose of Kenya's proposal – to introduce a zero quota, and thereby to close off (at least temporarily), all legal supply seems to still be valid. Furthermore, the IUCN-AfRSG response focuses entirely on the impact of Kenya's proposal as it relates to South Africa (its rhino and its finances). Clearly Kenya's intention in proposing a zero quota on rhino trophy hunting is to focus all efforts on driving down poaching, which is having a negative impact on rhino in other range States such as Kenya.
- b) IUCN-AfRSG is correct that in the short term the economic value of rhino to private individuals will go down, but balanced against that are the increased costs of protection that all are confronted with. It could be argued that a zero quota, which would remove the uncertainty regarding the source of any rhino horn, coupled with further effective field enforcement measures and concerted demand reduction strategies, could reduce the poaching threat, stabilise the situation and allow for the reintroduction of rhino trophy hunting (but perhaps this time governed by a quota agreed by the CoP) at a future stage.
- c) The language IUCN-AfRSG refers to concerning '*All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly*' is not new language from Kenya but language from the previous annotation. Also, the issue of live trade is not covered by Kenya's proposal.

- d) IUCN-AfRSG points out that Kenya's proposal will decrease the economic incentives associated with the keeping of rhino by private individuals. However, the actions taken by South Africa which have so far reduced the number of hunting trophy applications from 116 average per annum to between 30 and 75 have already reduced the economic returns from rhino trophy hunting by more than 50%. Put in context and given that IUCN-AfRSG recognise that rhino have other economic values (through ecotourism and live sales), this drop in income is surely a price worth paying if a zero quota helps contribute to a reduction in poaching. In fact the economic impact of Kenya's proposal is probably less than the economic impact of the measures already introduced by the South African government, measures which – so far – have had little impact on reducing rhino poaching rates.
- e) Figure 5 provided by DEA and included in IUCN-AfRSG's response only refers to trophy hunting applications from 7 countries. It would have been far more useful to have seen the trophy hunting application data from all applicant countries. It would also be important to analyse and understand why trophy hunting applications from the USA trebled between 2010 and 2012 (to date, with a significant part of the year yet to run).
- f) IUCN-AfRSG argues that even with "pseudo-hunts", the off-take of 0.6% of the South African Southern white rhino population accounted for by trophy hunting in all forms is well within sustainable off-take levels. However, this misses the point. Kenya is not arguing that trophy hunting off-take is or isn't sustainable. Kenya is arguing that trophy hunting is contributing to and possibly stimulating other negative impacts on rhino.
- g) IUCN-AfRSG gives some specific and useful information about the status of rhino trophy hunting in Swaziland. Clearly up until this point there has been no trophy hunting in Swaziland so Kenya's proposal is likely to have little or no impact at all. The only impact would be should a 'rogue male' rhino (attacking females and calves) need to be shot, Swaziland would not be able to charge a hunter for the privilege (for export) but would have to shoot the animals (if they could not relocate it) for management purposes and not for profit.

11. Additional remarks

It should be noted that it is not the intention of this Proposal to jeopardise the hunting industry in South Africa or Swaziland. It does not propose a ban of hunting, but it does propose that the hunted trophies are not allowed to leave the country of origin until at least 2018, when hopefully the measures being put in place by South Africa and other Parties have been proven to reduce the threat to wild white rhinoceros and look-alike species across their range. It attempts to give an alternative solution that will immediately significantly reduce infiltration of legal horn into the illegal market. It is by all means well intended to give South Africa and Swaziland time to reflect as they put the "water-tight" measures in place.

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