

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



Seventeenth meeting of the Conference of the Parties  
Johannesburg (South Africa), 24 September – 5 October 2016

Interpretation and implementation matters

Trade control and traceability

Hunting trophies

TRADE IN HUNTING TROPHIES OF SPECIES LISTED ON APPENDIX II

1. This document has been submitted by South Africa.\*

Background

2. The sustainable utilisation of wildlife can be consistent with and contribute to conservation; and well-regulated hunting, as a form of sustainable utilisation, has been recognised as an important conservation tool that can benefit not only biodiversity conservation, but also socio-economic development.
3. Guidance relating to trophy hunting as a conservation tool is available to Parties to CITES and the International Union for the Conservation of Nature (IUCN) Species Survival Commission's "*Guiding Principles on trophy hunting as a tool for creating conservation incentives*" published in 2012, provides such guidance.
4. The IUCN Species Survival Commission's Sustainable Use and Livelihoods Specialist group also recently released a *Briefing Paper on Trophy Hunting: informing responsible decision-making*.
5. The Conference of Parties also adopted Resolution Conf. 8.3 (Rev. CoP13) (*Recognition of the benefits of trade in wildlife*) that recognised that sustainable use of wild fauna and flora, whether consumptive or non-consumptive, provides an economically competitive land-use option, and that the commercial trade may be beneficial to the conservation of species and ecosystems, and to the development of local people when carried out at levels that are not detrimental to the survival of the species in question.
6. The Conference of Parties have adopted a number of Resolutions that provide further guidance relating to the international trade in hunting trophies, mainly relating to Appendix I listed species and the quotas adopted for these species, such as Resolution Conf. 10.14 (Rev. CoP16) (*Quotas for leopard hunting trophies and skins for personal use*), Resolution Conf. 10.15 (Rev. CoP14) (*Establishment of quotas for markhor hunting trophies*), and Resolution Conf. 13.5 (Rev. CoP14) (*Establishment of export quotas for black rhinoceros hunting trophies*).
7. The majority of hunting trophies that are subjected to CITES provisions are however listed in Appendix II and the text of the Convention makes adequate provision to ensure that hunting trophies in international trade are legally acquired and that the international trade is not detrimental to the survival of the species in the wild.

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\* *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.*

8. In terms of the text of the Convention, the CITES Management Authority of the State of export shall only grant an export permit, in the case of a hunting trophy, when the following conditions have been met:
  - a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
  - b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
9. Furthermore, the text of the Convention requires that a Scientific Authority in each Party shall monitor international trade in specimens of species listed in Appendix II. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.
10. South Africa is concerned that in recent years a number of CITES Parties have implemented stricter domestic measures relating to the import of hunting trophies that have resulted in prohibitions on the import of hunting trophies.
11. In some instances, these stricter measures have been implemented without consultation with affected range States as recommended in Resolution Conf. 6.7 (*Interpretation of Article XIV, paragraph 1, of the Convention*).
12. These prohibitions have significant impacts on affected range States that recognise hunting as a legitimate form of sustainable utilisation and an important conservation tool, and that regulate hunting in terms of national procedures and legislative provisions as well as in compliance with the provisions as contained in the text of the Convention. It furthermore could have significant impacts on the conservation of the Appendix II listed species.

#### Discussion

13. Based on the above, South Africa is of the view that international trade in hunting trophies of species listed in Appendix II should remain subject to the provisions of the text of the Convention.
14. Parties to the Convention should ensure the implementation of the requirements as contained in the Convention and the guidance provided in existing Resolutions, including Resolution Conf. 8.3 (Rev. CoP13) (*Recognition of the benefits of trade in wildlife*), Resolution Conf. 12.3 (Rev. CoP16) (*Permits and Certificates*), Resolution Conf. 13.2 (Rev. CoP14) (*Sustainable use of biodiversity: Addis Ababa Principles and Guidelines*) and Resolution Conf. 16.7 (*Non-detriment findings*).

#### Recommendation

15. To assist Parties with the uniform interpretation and implementation of the Convention regarding trade in hunting trophies of species listed in Appendix II, South Africa proposes that the Conference of the Parties adopt the Resolution presented in the Annex to the present document.

#### COMMENTS FROM THE SECRETARIAT

- A. The Secretariat generally agrees with the importance of further reinforcing the provisions of the text of the Convention regarding international trade in hunting trophies of species listed in Appendix II.
- B. The Secretariat notes that paragraphs a), c) d) and f) in the operational part of the proposed draft resolution draw attention to existing CITES provisions that govern international trade in hunting trophies of species listed in Appendix II. The text in paragraphs b) and e) could be considered in the context of a revision of Resolution Conf. 6.7 on *Interpretation of Article XIV, paragraph 1, of the Convention*.

- C. The Secretariat notes however that a proposal for a draft resolution on *Trade in hunting trophies of species listed in Appendix I or II* is also presented in document CoP17 Doc. 39.1. In view of the compatibility with the intent of the two draft resolutions to provide better guidance on trade in hunting trophies, the Conference of the Parties may wish to consider consolidating the two proposals, as well as relevant elements of Resolution Conf. 2.11 (Rev.) on *Trade in hunting trophies of species listed in Appendix I*.
- D. While the adoption of the proposed draft resolution may generate more work for the Secretariat, it believes that these costs could be absorbed within its regular budget.

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

**Trade in hunting trophies of species listed in Appendix II**

CONSIDERING the need for uniform interpretation of the Convention with regard to hunting trophies and the guidance provided in Resolution Conf. 2.11 (Rev.) with regards to *Trade in hunting trophies of species list in Appendix I*;

RECOGNISING that trade in specimens of species included in Appendix II is regulated in terms of Article IV of the Convention;

ACKNOWLEDGING that peoples and States are and should be the best protectors of their own wild fauna and flora;

RECOGNISING that the sustainable use of wildlife, including hunting, can be consistent with and contribute to conservation, provide socio-economic benefits and provide incentives for people to conserve wildlife;

ACKNOWLEDGING that where economic value can be attached to wildlife and a controlled management system is implemented, favourable conditions can be created for investment in the conservation and the sustainable use of the resource, thus reducing the risks to wildlife from alternative forms of land use;

FURTHER ACKNOWLEDGING the guidance provided in Resolution Conf. 13.2 (Rev. CoP14) relating to the *Sustainable use of biodiversity: Addis Ababa Principles and Guidelines*;

RECOGNISING that international trade is an engine for inclusive economic growth and poverty reduction, and contributes to the promotion of sustainable development;

ACKNOWLEDGING that hunting is regulated in terms of national legislation and the Management Authority of the State of export must confirm that it is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora as required in terms of section 2 (b) of Article IV;

FURTHER ACKNOWLEDGING that well managed hunting, as a form of wildlife use may assist in furthering conservation objectives by creating revenue and economic incentives for the management and conservation of the target species and its habitat, as well as supporting local livelihoods; and

RECOGNISING that the conservation status of species differs across its range and this will be reflected in the non-detriment findings of the respective Scientific Authorities as required in terms of Article IV.

THE CONFERENCE OF PARTIES TO THE CONVENTION

RECOMMENDS that:

- a) trade in hunting trophies of animals of species listed in Appendix II be permitted only in accordance with Article IV and the relevant exemptions in Article VII as agreed in Resolution Conf. 13.7 (Rev. CoP16) on *Control of trade in personal and household effects*;
- b) in order to ensure the sustainability of international trade in Appendix-II species and in recognition that States are and should be the best protectors of their own wild fauna and flora, the Scientific Authority of the importing country accept the finding of the Scientific Authority of the exporting country that the exportation of the hunting trophy is not detrimental to the survival of the species, unless there are scientific data to indicate otherwise.
- c) the Scientific Authority of the exporting country takes into account the concepts and non-binding guiding principles contained in Resolution Conf. 16.7 on *Non-detriment findings* in determining whether the export of the hunting trophy would be detrimental to the survival of the species; monitors the effects of hunting and where necessary recommends key regulatory interventions to ensure that hunting remains sustainable.

- d) in reviewing trade in hunting trophies, the Management Authorities should be satisfied that the said specimen conforms to the definition of hunting trophy as contained in Resolution Conf. 12.3 (Rev. CoP16) on *Permits and Certificates*, and means: A whole animal, or a readily recognizable part or derivative of an animal, specified on any accompanying CITES permit or certificate, that:
- i) is raw, processed or manufactured;
  - ii) was legally obtained by the hunter through hunting for the hunter's personal use; and
  - iii) is being imported, exported or re-exported by or on behalf of the hunter, as part of the transfer from its country of origin, ultimately to the hunter's State of usual residence.
- e) Parties consider the contribution of hunting to conservation and socio-economic beneficiation and its role in providing incentives for people to conserve wildlife, when considering stricter domestic measures and making decisions relating to the import of hunting trophies.
- f) Parties to make every reasonable effort to consult range States of the species concerned prior to the adoption of stricter measures, as recommended in Resolution Conf. 6.7 on *Interpretation of Article XIV, paragraph 1, of the Convention*.