



**Questions for the Record submitted by**  
**Senator James E. Risch**

**CITES has a quota that allows for the trade of five black rhinos per year. Do you believe that this trade is sustainable, and can you please explain the conservation benefits that this trade quota provides to local communities?**

When adopting the Convention text in March 1973, States explicitly recognized “the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view” in the Convention’s Preamble.

The earliest Resolution of CITES Parties that is still in effect today concerns the trade in hunting trophies of species listed in Appendix I, which was adopted in 1979 [Resolution Conf. 2.11 (Rev.)]. This Resolution provides guidance on the uniform interpretation and application of the Convention with regard to trade in hunting trophies to ensure that their exportation is not detrimental to the survival of the species.

The Parties have also collectively adopted export quotas for Markhor hunted in Pakistan, Black rhinoceros in Namibia and South Africa, and Leopard in 12 African countries, with other States having adopted voluntary export quotas for hunting trophies of Appendix II listed species.

More specifically, Namibia and South Africa were each authorized by the Conference of the Parties to CITES to establish an annual export quota of hunting trophies of five adult male black rhinoceroses (*Diceros bicornis*) through Resolution Conf. 13.5 (Rev. CoP14). This Resolution of the Conference of the Parties, adopted in 2004 and revised in 2007, was approved by consensus.

The black rhino population of Namibia stood at 1,435 individuals at the start of 2008 (see document CoP15 Doc. 45.1<sup>1</sup>), and by the end of 2010 this figure had increased to 1,750 (IUCN Red List, 2011), representing an annual rate of increase of 6.8%. An export quota of trophies from 5 animals represents under 0.3% of the Namibian black rhino population in 2010 and is well below the current rate of increase.

South Africa had a black rhino population of 1,488 animals at the start of 2008, which increased at an annual rate of over 8.7% per annum to 1,915 animals at the end of 2010. The quota of 5 trophies from animals per year represents less than 0.3% of the population and is well below the current rate of increase.

Namibia committed to invest all proceeds from rhino hunting to the Game Products Fund, and for those funds to be used in community conservation projects (see document CoP14 Inf. 43<sup>2</sup>). Similarly, advice received on the sustainable use of rhinoceroses in South Africa suggests it has generated revenues for nature conservation authorities, created additional jobs, brought in additional revenues from abroad and provided conservation incentives to private landowners (see documents CoP13 Doc. 19.3 and 19.4<sup>3</sup>).

Resolution Conf. 8.3 (Rev. CoP13) of the Conference of the Parties on *Recognition of the benefits of trade in wildlife* recognizes, *inter alia*, that the sustainable use of wild fauna and flora, whether consumptive or non-consumptive, provides an economically competitive land-use option and that the returns from legal use may provide funds and incentives to support the management of wild fauna and flora to contain the illegal trade.

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<sup>1</sup> <http://www.cites.org/eng/cop/15/doc/E15-45-01.pdf>

<sup>2</sup> <http://www.cites.org/common/cop/14/inf/E14i-43.pdf>

<sup>3</sup> <http://www.cites.org/eng/cop/13/doc/E13-19-3.pdf> and <http://www.cites.org/eng/cop/13/doc/E13-19-4.pdf>

The Parties are the ultimate source of interpretation and implementation of the Convention. Through their decisions, the Parties to CITES have recognized that: trophy hunting of species within appropriately set quotas falls within the ambit of the Convention; that the sustainable use of wild fauna and flora, whether consumptive or non-consumptive, provides an economically competitive land-use option; and that commercial trade may be beneficial to the conservation of species and ecosystems and/or to the development of local people when carried out at levels that are not detrimental to the survival of the species in question.

**Do you believe that poaching is less prevalent in African countries that have community based natural resource management programs that include managed hunting?**

While enforcement measures are essential, when taken alone such measures are unlikely to eradicate poaching and illegal wildlife trade.

Data from the CITES programme for Monitoring the Illegal Killing of Elephants (MIKE) show that sites with a better law enforcement capacity tend to experience lower levels of poaching. However, the data also demonstrate that elephant poaching is higher in areas of high infant mortality and low food security (see document SC62 Doc. 46.1), highlighting the close relationship between the wellbeing of local communities and the health of elephant populations, and suggesting that there may be a greater incentive to poach elephants in areas where human livelihoods are insecure. The causality of these relationships is sometimes referred to in the context of community-based natural resource management (CBNRM). Namibia is often cited as an example of the success of CBNRM programmes that include hunting as a central income generation activity for conservation and local communities alike.

Well-managed CBNRM programs are ecosystem management tools that can positively impact on conservation and provide a way in which local people can become involved in CITES implementation. The application of CBNRM, however, must be consistent with the obligation of a Party to effectively implement the Convention and to ensure that CITES trade is legal, sustainable and traceable. Under such circumstances, the use of CBNRM becomes a CITES implementation tool that has as its central component the building of local people's capacity to conserve, sustainably use, and derive equitable benefit from, the wild animals and plants that surround them.

The relevance of CBNRM to the conservation and sustainable use of CITES-listed species in exporting countries was extensively discussed at an international symposium organized by the Austrian Ministry of the Environment and the European Commission in Vienna, Austria, in 2010. The proceedings are available at <http://pubs.iied.org/pdfs/14616IIED.pdf>.

**Can you please explain the difference between the legal trade in ivory under CITES and the illegal trade? Does the legal trade in ivory provide conservation and economic benefits to the species and countries involved?**

The aim of CITES is to ensure, through a globally recognized system of permits and certificates, that the international trade in wild fauna and flora is legal, sustainable and traceable. The Convention establishes an international legal framework together with common procedural mechanisms for the general prohibition of international commercial trade in species threatened with extinction (Appendix I), and for an effective regulation of international trade in species not necessarily now threatened with extinction (Appendices II and III).

Before any Party grants an export permit for specimens of species in Appendices I or II, its Scientific Authority must advise that the proposed export will not be detrimental to the survival of the species (the so-called 'non-detriment finding' in Article III, paragraph 2 (a), and Article IV, paragraph 2 (a), of the Convention), which includes international trade in rhino hunting trophies and the sale of elephant ivory in certain limited circumstances. Another important pre-condition for issuing a CITES permit and certificate is the determination by the Management Authority that the specimens were obtained in a lawful manner (i.e. in conformity with the laws of the State for the protection of fauna and flora).

Article VIII, paragraph 7 of the Convention requires each Party to submit an annual report on its CITES trade, containing a summary of information on, *inter alia*, the number and type of permits and

certificates granted, the States with which such trade occurred, the quantities and types of specimens, and the names of species as included in Appendices I, II and III. CITES now has records of over 12,000,000 authorized trade transactions in its data bases that can all be readily searched, for example through the CITES Trade Database Dashboards. This reporting requirement further helps to ensure the legality, sustainability and traceability of CITES trade.

By definition, illegal trade in CITES listed species is unregulated (i.e. outside the law); it is not conducted on the basis of any scientific finding; and it goes unreported. Such illegal trade is difficult to accurately detect, trace, quantify or control. It violates the Convention and relevant national laws and is also highly likely to be unsustainable, thus posing risks to the conservation and sustainable use of wild species. Furthermore, illegal trade deprives local people of legitimate development opportunities and governments of potential revenue, and entails significant human and financial costs associated with law enforcement operations. As the benefits of illegal trade accrue to criminals, such trade has been described as the 'theft' of a State's natural wealth or resources and its cultural heritage.

In the case of illegal trade in ivory and other elephant specimens, the CITES monitoring programme ETIS (Elephant Trade Information System) collects and analyses global data on seizures and confiscations. The most recent information, presented in document SC62 Doc. 46.1<sup>4</sup>, show a worrying high and increasing trend in illegal trade in ivory from Africa to Asia.

Current levels of poaching of high-profile species such as the African elephant and African rhinoceroses can influence the debate on the conservation benefits of trade in trophies, and concern over illegal trade may prompt some to take more cautious positions on sustainable use. The hunting community can assist with efforts to address illegal trade - efforts which will ultimately be in their own best interests.<sup>5</sup>

The legal ivory sales conducted under the supervision of CITES in 2008 generated revenue of USD 15,469,391 which, as stipulated by the CITES Conference of the Parties, were used exclusively for elephant conservation and community conservation and development programmes within or adjacent to elephant range States, as described in document SC58 Doc. 36.3.

**John E. Scanlon**  
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<sup>4</sup> <http://www.cites.org/eng/com/SC/62/E62-46-01.pdf>

<sup>5</sup> See also the speech of the CITES Secretary-General to the CIC at:  
[http://www.cites.org/eng/news/SG/2011/20110512\\_SG\\_CIC.php](http://www.cites.org/eng/news/SG/2011/20110512_SG_CIC.php)