

# High Level Panel Report – 15 December 2020

## A Summary of the Vision, Principles, Goals, and Recommendations

Prepared by the African Wildlife Economy Institute

in partnership with Oppenheimer Generations Research and Conservation

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THE HIGH-LEVEL PANEL OF EXPERTS FOR THE REVIEW OF POLICIES, LEGISLATION AND PRACTICES ON MATTERS OF ELEPHANT, LION, LEOPARD AND RHINOCEROS MANAGEMENT, BREEDING, HUNTING, TRADE AND HANDLING

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## **A. Vision**

Secured, restored, and rewilded natural landscapes with thriving populations of Elephant, Lion, Rhino, and Leopard, as indicators for a vibrant, responsible, inclusive, transformed, and sustainable wildlife sector.

## **B. Principles**

### **People first**

People, their needs and well-being should be placed at the forefront of our concern, and their physical, psychological, spiritual, developmental, cultural and social interests should be considered, to ensure inter and intra generational equality.

### **Systems approach**

A systems approach to sustainability should be followed, where this recognizes that the economic system, socio-political system and ecosystem are embedded within each other, underpinned by an integrated governance system that holds all the systems together within a responsive regulatory framework.

### **Constitutional supremacy**

The starting point when the environment, including the five species (whether captive or wild) is affected is s24 of the Constitution – and all recommendations, decisions, law and policies related to the environment must be consistent with, interpreted and applied consistently, therewith.

### **Public trust**

Wildlife\* is held in public trust for the people, and its beneficial use must serve the public interest and be protected as the people's common heritage.

\* NEMA includes a definition of public trust that refers to the 'environment' being held in public trust, with the environment further defined as including "Land, water, atmosphere... microorganisms and combinations of plant and animal life..."

### **Rights and responsibilities**

Rights have associated responsibilities, accordingly, ownership and its associated use of wildlife in South Africa is not free from responsibility, regulation, governance and, in some instances, restrictions or limitations. Where different constitutionally protected interests are involved, a contextual balancing of rights against the fundamental constitutional values must take place.

## **Improved performance**

Law, policies, decisions and interventions in the wildlife sector, should improve efficiencies in governance, connectivity in wildlife, collective buy-in of affected role players, enhance uniformity across South Africa and reduce financial and environmental vulnerabilities.

## **Shared custodianship**

Conservation of wildlife on state managed land must be sustainably financed by government while sustainable landuse returns on private and communal land should be fostered through an enabling legal framework that provides for fully internalising priced and unpriced costs and benefits, appropriate institutional structures, rights and incentives, such that the most desirable form of land use is a diversity of wildlife.

## **Sector diversity**

A diverse wildlife sector and associated wildlife economy where different business models and wildlife-based enterprises enhance the resilience of the sector in different landscapes and in various environmental and economic conditions.

## **Welfare**

The well-being and welfare of wildlife must form an integral part of all wildlife-based practices, recognising that the five species are capable of suffering and of experiencing pain, and that sentience requires a higher level of consideration of the impact of actions on the welfare of animals.

## **Desirability**

Wildlife-based enterprises and activities should be justifiable and desirable, where desirability should be considered in terms of social responsibility, environmental sustainability and economic efficiency, and the internalisation of the social and environmental costs of the benefits generated.

## **Proudly South African**

Whilst recognising South Africa's international responsibilities relating to the five species, we should endeavour to conceptualise our own South African approach in a way that acknowledges the needs and aspirations of our own people.

## **Responsible trade**

Decisions on national and international wildlife trade must not be detrimental to the survival of species and associated habitats, adversely affect the broader wildlife sector,

and must be supportive of conservation, display sensitivity toward traditional cultural values of people, and mitigate wildlife crime.

### **Duty of care**

All persons, organisations and government departments have a duty of care to conserve and avoid loss of biodiversity, anticipate and prevent irreversible environmental change and adopt a cautious approach in relation to any decisions taken in respect of the environment.

### **Rights of Indigenous Peoples**

Indigenous peoples have the right to self-determination and full participation in the wildlife sector, to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, and to practice, with dignity, the diversity of their traditions, cultures, customs, histories and aspirations.

### **Redress**

The State must provide redress through effective mechanisms, developed in conjunction with indigenous communities and persons disadvantaged by unfair discrimination, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

### **Transformation**

There is a collective responsibility on all role players in the wildlife sector to ensure the inclusive participation in the sector and in its growth.

### **Stakeholder inputs**

In developing recommendations, decisions and policies, there should be a concerted effort for equitable and effective engagement with relevant stakeholders, especially with vulnerable and disadvantaged persons and groups.

### **Stakeholder values**

The interests, needs and values of all relevant stakeholders must be considered, including recognising all forms of knowledge, including scientific, traditional and ordinary knowledge.

## **Living with wildlife**

In recognising and acknowledging their sacrifices, people living with wildlife, for the public good, should be prioritised in terms of access and flow of benefits from wildlife and compensation of negative impacts incurred.

## **Women, youth and people with disabilities**

The vital role of, and full participation of women, youth and people with disabilities in the wildlife sector must be promoted.

## **C. Goals and Recommendations**

### **1. National Policy on Biodiversity Conservation and Sustainable Use**

A National Biodiversity Conservation and Sustainable Use Policy is in place by December 2022

- That the Minister urgently initiates a process to develop an overarching national policy on biodiversity (including wildlife) that provides a clear vision and objectives on South Africa's approach to conservation and sustainable use of the country's biodiversity. The measure of how the current challenges associated with the five iconic species are addressed through the Policy should serve as the test of the policy's efficacy.

### **2. Transformation of the wildlife sector**

Ensure inclusive growth and radical transformation of the wildlife sector through an enabling environment that embraces meaningful inclusion and participation of all population groups.

- Develop a focussed Transformation Charter for a Vibrant wildlife sector that addresses, as a minimum, the specific challenges identified by the HLP, inclusive of a meaningful participation framework for communities from designated groups and representative structures;
- Within 12 months, deploy suitably qualified, enabled and resourced Biodiversity Economy Node Champions for identified Nodes that can position the wildlife sector as a preferred rural economic development strategy, with localised community-based wildlife economic value chains based on the conservation and sustainable use of the five species, linked to state, private, and community protected and wildlife areas, with innovations that can transform rural economies; and

- Establish a mechanism/structure for ongoing technical, research and business support to the wildlife sector, in particular to communities, SMMEs, and entrepreneurs to facilitate the growth of the wildlife economy and radical transformation.

### **3. Thriving populations of the five iconic species as catalysts for a vibrant, responsible, inclusive, transformed, and sustainable wildlife sector**

Thriving populations of the five iconic species with localised wildlife economic value chains based on conservation and sustainable use of the five species, linked to state, private, and community wildlife areas, with innovations that can transform rural economies.

- Recontextualising the National Biodiversity Economy Strategy to fully leverage the value of the iconic species as a unique selling point for South Africa, prioritising both responsible photo-tourism and hunting;
- Develop and implement best practice models and approaches that promote partnerships between wildlife custodians in support of larger wildlife areas with reduced environmental vulnerability, and scaling up conservation, social and economic benefits;
- Reposition state protected areas as core components, in integrated regional conservation and wildlife economy nodes that can simultaneously contribute to conservation and accelerate rural socio-economic development;
- Ensuring access and benefit sharing in a fair and equitable manner by local communities living with and adjacent to Big Five areas; and
- Increasing the wildness and facilitating the expansion of existing areas with the five iconic species, and their introduction into additional areas, in order to enhance their conservation.

### **4. Capacity building, education, training, and empowerment of human capital across the wildlife sector**

A Sector wide Human Capital and Environmental Skills Plan / Strategy in place that is framed around issues revealed through challenges experienced with the five iconic species

- The development of an integrated plan that empowers provinces and state-owned entities, private sector, and traditional communities, to develop capacity through training, mentoring, upskilling of staff and workers in the sector.

## **5. Welfare and the humane and responsible treatment of wildlife**

Standards and practices within the wildlife sector meet the minimum acceptable standards for animal welfare and well-being, based on the One Welfare approach that emphasises the link between animal welfare, human well-being, biodiversity, and the environment.

- Taking a One Welfare approach, the Minister should immediately initiate a process to engage with welfare and well-being issues across the sector, with a view to including elements within the conservation and sustainable use policy for the sector;
- The Minister to engage with DALRRD to clarify overlapping mandates for welfare and well-being, and the role of the NSPCA with the aim to rationalise legislation where appropriate and develop standard operating procedures to provide clear guidance to government and the wildlife sector on roles and responsibilities;
- Consider delegation of powers for welfare inspections to a broader group of suitably qualified people, similar to the approach of EMIs to support compliance and enforcement in the welfare; and
- Develop minimum norms and standards for welfare within all aspects of the sector relating to the five iconic species.

## **6. Inefficiencies in governance of the wildlife sector (9+1+1+1 issues)**

Legislation, policy, roles and responsibilities, of state actors at different levels in the wildlife sector are integrated, rationalised, and redefined, where appropriate, and fully understood and acted on by all involved, such that issues of concurrent competency do not continue to compromise their conservation and sustainable use.

- The implementation of biodiversity related legislation is revised, to ensure the efficient, effective, coordinated, coherent, and unified, where appropriate, administration and governance of the five iconic species as flagships for all species;
- Minister to use all tools and processes at her disposal to enhance cooperative governance, including those in NEMA 24C.(3)(a), and, where appropriate, should consider mandating national state agencies, with province based offices as needed, responsible for each of their administration, management, and/or oversight for the five iconic species; and
- Recognising that national legislation prevails over provincial legislation where there is a conflict, as an immediate priority, to review and revise, and where applicable, rationalise national and provincial legislation to streamline and simplify processes, and ensure a law and policy framework that is standardised and consistent across the country for the five species.



## **7. Agriculture and conservation policy conflicts**

Efficient and effective cooperative governance, as contemplated in the Constitution, promotes the achievement of s24 of the Constitution, and other provisions, in such a way that our iconic wildlife is protected for the benefit of this and future generations, and ensures/ promotes inclusive and equitable benefit sharing.

- The Minister requests Cabinet to establish an inter-ministerial committee (IMC) on biodiversity conservation and sustainable use to lead cooperative governance in this area. The IMC should undertake the review and revision of conflicting legislation and practice, championing the protection and conservation of the five species in the wild, enhancing the wildness and conservation reputation of South Africa. The work of the IMC should seek to stimulate strategic ecologically sustainable use of natural resources for justifiable economic and social development; and
- Initiate a process for testing legislation under the mandate of DALRRD and where applicable other governmental Departments for consistency with s24 of the Constitution, and revoke/revise provisions that are in conflict, such as the domestication of the five iconic species.

## **8. Protected areas**

Rationalised state protected areas and improved contribution of all protected areas to conservation and sustainable use of the five species, and as drivers of local and regional rural economies.

- Making state protected areas more effective and efficient as drivers for conservation and rural socio- economic development, through innovative and integrated approaches. Attention should be given to amongst others, rationalisation of protected areas, streamlining governance, consolidating organisational costs, accountability to performance standards, expansion and connectivity, enhancing economies of scale, and partnering effectively with the private sector and communities; and
- Adopt a national strategy for recognising, enhancing, and incentivising, the contribution of private protected areas and other area based conservation measures with the five iconic species that contribute to conservation and socio-economic development through sustainable use of the species.

## **9. South Africa's international standing and reputation**

South Africa is regarded as a leader in terms of conservation practices and responsible wildlife utilisation in the global arena, and continues to be a sought-after wildlife-based tourism destination

- The development of protocols for proactive international engagement, including for formal multilateral structures, that clarify how South Africa positions itself for best practice biodiversity conservation and sustainable use. Such position is informed by inclusive consultation and communication with the local and international community, and will subsequently be based on a fully informed policy;
- Identify key interventions that can enhance our international standing and reputation in terms of sustainable use of the five iconic species, such as certification systems, sector codes of conduct, norms and standards and guidelines for specific activities such as hunting and photo-tourism; and
- Develop a risk management strategy that facilitates identification and consideration of potential risks to our global reputation proactively before these become a liability.

## **10. Management of the five iconic species in the wild**

Responsible, adaptive, transparent, and accountable management, which secures thriving and sustainable populations of the five species and their habitats, for the benefit of all components: wildlife, wildlife custodians, and society at large.

- Participatory development of Biodiversity Management Plans and / or Norms and Standards, (as appropriate) for the management of lion, rhino, and leopard, and review of existing Norms and Standards to address challenges and improve impact;
- Develop effective national-level monitoring and reporting of the management and sustainable use of the five species;
- Incorporation of humane and responsible management practices, including for animal welfare and well-being, into the ethos and regulation of wildlife management in South Africa;
- Develop effective national-level monitoring and reporting of the management and sustainable use of the five species;
- Incorporation of humane and responsible management practices, including for animal welfare and well-being, into the ethos and regulation of wildlife management in South Africa;

- Taking a systems approach to reduce negative impacts to people and wildlife resulting from human- wildlife conflict, including a focus on innovative non-lethal measures that reduce risk and prevent damage. More specifically, develop proactive Norms and Standards for damage-causing animals, which include national consistency in compensation for damage caused by damage-causing animals, and which empower and capacitate people living with wildlife, and that establish mechanisms for communities to directly benefit from the management of damage-causing animals, such as through localised SMMEs;
- Incentivising and facilitating adaptive management of the five iconic species in a responsible manner, including evaluating the legislation to reduce over-regulation; and
- Develop processes and mechanisms for critical monitoring, reporting, and evaluation of data, including socio-economic data, focused research on key gaps, including a national research strategy for the wildlife sector including the wildlife economy), and enhanced extension capacity to translate learning into practical management implementation.

## **11. Hunting of the five iconic species**

South Africa repositioned and promoted as a destination of choice for legal, regulated and responsible hunting of the five iconic species, emphasising the authentic wildness experience, that is humane, grounded in universally-shared ethical principles, and that promotes conservation and rural livelihoods.

- The development and implementation of a national responsible, and sustainable hunting standard for the five iconic species that addresses the ecological, economic, and social aspects, inclusive of welfare considerations; and
- Repositioning of South Africa as a destination of choice for legal, humane, regulated and responsible hunting of the five iconic species.

## **12. Live export of the five iconic species**

Through custodianship and translocation between range states only, conservation status of our five iconic species is enhanced and maintained for present and future generations.

- The Minister to initiate processes to engage with other range states of the iconic species to develop collective strategies for their conservation and custodianship, including for translocation, where appropriate, across range states, thereby leveraging our highly developed technical capacity in this regard; and

- The Minister should investigate and where necessary prevent the export of live specimens of the five iconic species outside of their range states, or into captivity in other countries, thereby protecting their iconic African status, their welfare and our unique economic advantage.

### **13. Conservation and ecologically sustainable use of leopard**

The conservation and ecologically sustainable use of Leopard is enhanced.

- The development of an integrated, shared, strategic, approach to leopard management that considers all the dimensions, and is inclusive of all stakeholders;
- Leverage the added-value benefit of hunting leopard to enhance, broaden, and transform the hunting industry;
- Forefront and incentivise approaches by wildlife custodians who contribute to the conservation of leopards and their habitats, including through leopard management zones on private and communal landscapes, and that shift perspectives of leopard as a damage-causing animal, to a core value-add socially and economically; and
- Implement mechanisms to ensure that traditional leaders and traditional healers can access and derive benefits from leopard parts and derivatives e.g. skins, for traditional, cultural, and spiritual needs, in a sustainable manner that enhance the dignity and freedoms required for such traditional practices.

### **14. Elephant and ivory management**

South Africa will focus on addressing elephant population management priorities and related financing needs, and adopt a position that engages stakeholders and range states to work towards building a global consensus for elephant conservation and sustainable use.

- To meet the urgent socio-economic development requirements of people living with elephants, Government must rigorously explore and support the implementation of alternative benefit streams to international ivory sale, such as highlighted in the recommendations under transformation of the sector;
- Minister to release a policy position stating that South Africa does not envisage submitting a trade proposal to CITES as long as current specified circumstances prevail, consistent with principles of sound adaptive risk management, clarifying that international commercial ivory trade is not an immediate, lucrative source of income for wildlife conservation or financial benefit;

- Notwithstanding this position, the Minister to engage with stakeholders and elephant range states to build consensus for a global conservation and sustainable use approach to African elephant;
- Informed by scenario analysis, the Minister to initiate a long-term socio-economic cost-benefit and risk analysis of economic implications of different trade and use options, including those that might involve ivory stockpiles. Due consideration to be given to perceptions and expectations of elephant custodians and local communities and equitable sharing of benefits and costs; and
- Government to develop measures for a systems approach to elephant management as a national meta- population, giving specific attention to issues of concern within specific reserves, including approaches addressing increasing densities in small fenced reserves as an immediate priority.

## **15. Management of rhino poaching, rhino horn stockpiles and trade**

South Africa will prioritise the implementation and completion of the Committee of Inquiry Recommendations and the associated Rhino Action Plan, and assume a global leadership position in conserving rhino through the development of a consensus position on key rhino issues with stakeholders and range states.

- To meet the urgent socio-economic development requirements of people living with rhino, Government will develop and implement alternative benefit streams to international rhino horn sale, such as highlighted in the recommendations under transformation of the sector and including mechanisms to incentivise private rhino ownership and partnerships;
- While welcoming Cabinet's decision to adopt the Committee on Inquiry into Rhino's Option 3 in terms of trade in rhino horn, to date there has been insufficient progress on some of the key requirements to justify a submitting an Appendix II amendment proposal to CITES for commercial international trade in rhino horn; as such the Minister should intervene to ensure urgent progress is made in terms of the outstanding conditions of the COI Option 3 and the Rhino Action Plan, notably Cabinet approval and funding of the National Integrated Strategy to Combat Wildlife Trafficking, and efforts to engage with communities and rhino horn consumers. The Minister should further facilitate full participation in a 2021 rhino population census and ensure that horn stockpiles are adequately accounted for and secured, pending any future decisions on whether and how they should be used to support rhino conservation;
- Given our leadership role in rhino conservation, and notwithstanding our sovereign interests, the Minister should lead a process of engagement, inclusive of private rhino landowners, with rhino range states to develop a consensus on global conservation of rhino, and a range state consensus on whether and under what

conditions international commercial trade in rhino horn would be acceptable, such that a down-listing proposal would only be taken to CITES when the COI Option 3 conditions and the Rhino Action Plan work areas are met, and there is broad agreement from the range states to support this proposal, which we anticipate will take 3-5 COPS. Such a process should be informed by scientific evidence, including adequate analysis of the dynamic social and economic aspects of stockpile management and trade, and include initiatives to overcome existing conflicting perceptions of underlying facts relating to the situation;

- The Minister to release a policy position stating that SA will not propose or support amendments to the CITES appendices relating to South African rhino specimens, until these conditions are met; and
- Recognising the major contribution made by private rhino management custodians, government to engage with these owners to identify their key challenges and how solutions to these can be supported, including considering costs incurred in protecting rhino, and potential longer term unintended consequences of interventions to prevent poaching.

## **16. Rhino horn and elephant ivory stockpiles**

A coherent stockpile management and disposal policy in place, following an inclusive process to investigate the full range of options for future stockpile use, taking into account conservation, social and economic risks, costs and benefits.

- Minister to initiate a consultation process with South Africa's SADC partners to determine whether and under what conditions stockpile disposal, and especially destruction of either ivory or rhino horn, is consistent with agreed regional protocols;
- Minister to develop a consistent stockpile management and disposal policy after consultation with all interested and affected parties, in particular elephant and rhino custodians and local communities, to ensure that no mixed messages are sent out in relation to long-term sustainability goals;
- Minister to establish a task team of appropriately qualified specialists, including risks specialists, in the economics of resource trade to conduct a full risk, sensitivity and cost-benefit analysis of the potential impact of rhino horn and ivory stockpile destruction on market dynamics and consequent incentives for illegal activity and poaching;
- If, following the above, stockpile disposal is deemed a sensible policy option:
  - Minister to consider the option of marketing stockpiles of ivory and horn to international donors and philanthropists for appropriate disposal in South Africa,

with a significant portion of the income to be directed towards conservation and development of resource poor communities living with rhino and elephant, and  
- Minister to develop a transparent public process for price-bidding and a fair and equitable, demonstrably conservation-positive distribution of benefits.

## **17. Captive rhino breeding operations [64% support]**

– Majority recommendation supported by 64% of the HLP

The current trend of increasing intensive management and registration of rhino captive breeding operations is reversed within a period that allows for a sustainable conservation outcome.

- Recognising the conservation value and contribution of existing semi-intensive rhino populations, and the extreme urgency to develop an inclusive and integrated solution to the rhino conservation and poaching problem, Minister to immediately put in place a process for phasing out TOPS and other legislative registrations of and permits for Captive Breeding Operations, with solutions that allow for optimal conservation outcomes for captive and semi-intensive populations, and long-term sustainability of rhino;
- With urgency, the Minister to clarify that CITES Captive Breeding Operation registrations, other forms of production for trade, registrations for international trade under the CITES Regulations, CITES certification as captive specimens, and trade in horn from captive rhino, will not be officially supported/and or approved until the recommendations of Option 3 of the COI and Rhino Action Plan are fully addressed, noting that all rhino horn (including from captive specimens) may, in the future, be permitted for trade if approved by CITES;
- The Minister to urgently clarify to private owners and stakeholders, the required conditions of the COI Option 3 and the Rhino Action Plan, and the progress achieved to date, outstanding aspects, and the process being put in place to achieve the conditions within a reasonable period;
- The Minister to urgently consult, with strong participation, with private owners of captive rhino breeding operations to plan for their coherent integration into a national long-term strategy for rhino conservation, social transformation and tackling illegal rhino horn trade, consistent with the Rhino Action Plan, including innovative short-term incentivisation for private rhino owners; and
- Reversing the trend toward captive rhino populations and intensification of management must include planning reintroduction to the wild in South Africa, and regionally in other range states, where there are safe destinations, subject to assessments of adequate security at identified destinations.

## **18. Leveraging the value of rhinos in South Africa to drive rhino conservation and a transformed and rewilded rural economy [28% support]**

– Minority recommendation supported by 28% of the HLP

Establish legal regulated trade using all available CITES mechanisms to utilize the high value of rhinos to:

- drive substantial expansion and improvements in rhino conservation, encourage extensive and/or wild rhinos whilst discouraging and/or preventing factory farming of rhinos;
  - drive the transformation of the industry with specific strategies to capitalise rural communities with wildlife potential;
  - capture rhino value chains for legal, regulated landholders (state, private and community), funding protection, and displacing (outcompeting) illegal trade and criminality; and
  - leverage the very high value of rhino to drive a major expansion of the wildlife economy, including positive public goods such as landscape defragmentation, conservation of many other species, job creation, and economic growth.
- That the Minister establishes a bold policy position that recognises and consolidates the South African rhino conservation model, entrenches the above objectives, and creates certainty and confidence in the rhino and wildlife sector;
  - That the Minister reviews and carefully recrafts the regulatory “market place” and other rules to maximise the value of rhinos to landholders and South Africa, and leverages this value to achieve the above- mentioned objectives, with an emphasis on community upliftment and extensive rhino conservation;
  - That the Minister unlocks this value by submitting a comprehensive rhino trade proposal to CITES based on the above goals (emphasising rhino recovery, rural upliftment, and expansion of conservation), preferably in liaison with signatories of the SADC Protocol on Wildlife Conservation and Law Enforcement (1999) and other African partners;
  - That the Minister carefully consider all mechanisms to conserve and pay for the high costs of rhino conservation, including legal, regulated captive breeding operations, keep policy options open such as the use of legal Captive Based Trade CITES provision, but strives to work with CITES and other partners to develop well-crafted long-term rhino financing and conservation;



- The Minister authorizes compliant CBOs in terms of CITES article VII para 4 and 5 with immediate effect;
- The Minister together with the Minister of the DTIC immediately engage the consumer nations of China, Vietnam, Laos, etc. to establish bilateral trade agreements regarding the rhino horn specimen (based on, and setting precedent for, legal, regulated sustainable trade in support of the South African model); and
- The Minister engages the security cluster to implement the National Integrated Strategy to Combat Wildlife Trafficking (NISCWT), this document is awaiting the signature of the President of the Republic in order to be implemented.

### **19. Captive lions [62% support]**

– Majority recommendation supported by 62.5% of the HLP

South Africa does not captive breed lions, keep lions in captivity, or use captive lions or their derivatives commercially.

- Minister puts in place a process to halt and reverse the domestication of our iconic lions, through captive lion keeping, breeding, and commercial use, putting in place ethical and humane procedures for euthanasia of existing captive lions;
- Minister puts in place policy decisions for an immediate halt to (1) the sale of captive lion derivatives, including the appropriate disposal of existing lion bone stockpiles and lion bone from euthanised lions, (2) the hunting of captive bred lions, and (3) tourist interactions with captive lions, including, so-called, 'volun-tourism', cub petting, etc; and
- The Minister engages with other Departments and the SETAs to identify mechanisms to protect employment of workers on captive lion facilities, including redeployment to other components of the wildlife sector, repurposing/retraining, and/or incorporation into the agricultural sector.

### **20. Captive-bred and wild ranched lions [21% support]**

– First minority recommendation supported by 20.83% of the HLP

Practice of commercial captive breeding and keeping lions in captivity is phased out, and the sustainable use of lions and their derivatives in South Africa is substantially reformed.

- Minister places an immediate and permanent ban on the practice of commercial cub-petting;

- Minister places an immediate moratorium on captive breeding licences;
- Minister initiate a time-bound process to phase out all lion interactions (i.e., walking with lions, etc.);
- Minister puts in place legal, responsible and humane procedures for euthanasia of existing captive lions for those facilities that wish to pursue this option;
- Minister initiates a technical investigation, in consultation with the US Fish and Wildlife Service (USFWS) and other interested parties, into the development of norms and standards associated with potential future hunting of wild managed and 'ranched' lions that are not habituated to humans. Such an investigation to provide definitive national guidelines in respect of 1) genetic management, 2) acceptable minimum adaptation periods after translocation, 3) minimum area size and related fair chase considerations and 4) necessary conditions for acceptable contribution to conservation (e.g. cross subsidies); alternatively, to conclude that allowing and adequately regulating such hunting is not feasible at all;
- Following precautionary principles of adaptive management, to avoid potential adverse unintended consequences, Minister develops and puts in place an exit strategy for legal skeleton trade, based on a careful cost-benefit and risk assessment that takes into account existing held stockpiles, possible reactions of existing lion owners and consumer markets, potential to stimulate illegal activity, socio- economic considerations, and ultimate potential impacts on wild lion populations; and
- Minister to acknowledge the efforts of industry participants who have taken proactive efforts to reform, by granting them favourable treatment in this process.

## **21 Ranched and working lions [17% support]**

– Second minority recommendation supported by 16.67% of the HLP

Establish transparent governance processes that substantially reform the commercial management of lions in South Africa.

- Noting that current regulations are extensive, but not implemented, we therefore we urge the Minister to establish a three-tier system for lion regulation including:

Tier 1 Self-regulation through empowered and accredited membership organizations.

- Establish membership organization/s to represent lion breeders. It shall be compulsory for all legal, regulated, permitted lion-breeders to be members of these organizations, which shall operate democratically;

- These organizations shall be empowered, through the Minister, to establish minimum standards for ranched lions (including hunting) and for captive bred lions, and to enforce these standards. These standards shall be similarly agreed by bonafide members of the wildlife industry through a committee/board with membership pro-rated according to wildlife land ownership);
- They shall have the power to inspect, sanction, and remove members according to agreed norms and standards and procedures;
- They shall provide an annual report to the Minister detailing the economics of the industry, a full summary of accreditation inspections and corrective actions taken, and a transformation plan and progress towards its implementation; and
- That renewal of organization membership and government permitting shall operate on a three-year cycle, and shall be governed by successful accreditation.

Tier 2 Independent inspectorate.

- That the Minister establishes an independent mechanism and inspectorate process wherein actors such as the Ministry, SPCA, and the wildlife industry generally, scrutinise annual reports and conduct random, independent inspections to verify or contradict these reports

Tier 3 Ultimate responsibility shall nonetheless remain with the Minister

- The Minister shall oversee the functions and performance of both membership organizations and the independent inspectorate, including validation of minimum standards for lion keeping, worker and tourism safety, and shall have ultimate authority to intervene in the case on non-performance by either of these, or on a case-by-case basis as determined by the Minister; and
- This mechanism provides the basis for a well-informed, accountable adaptive process, including quality information, review, and external scrutiny, as the basis for substantial reform of the lion industry