environmental affairs



Department: Environmental Affairs

REPUBLIC OF SOUTH AFRICA

**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION N0. 1185 {NW2349E}**

**INTERNAL QUESTION PAPER NO.20 of 2019**

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**Mr N Singh (IFP) to ask the Minister of Environment, Forestry and Fisheries:**

Whether she intends taking action to ensure that Africa's most iconic species, the African lion, is fully protected in the Republic; if not, what is the position in this regard; if so, what action will she take to (a) close legislative gaps in this regard and (b) enforce the relevant laws?

**1185. THE MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES REPLIES:**

Globally, African lion is listed as Vulnerable on the International Union for Conservation of Nature (IUCN) Red List of Threatened Species. However, the wild lion population in South Africa is not under threat of extinction, as recent quantitative data found the population to be increasing stably. According to the Red List of Mammals of South Africa, Lesotho and Swaziland (2016) which was a regional assessment, the

# South African population is currently listed as Least Concern, whereas in 2004 the national Red List status of the South African population was Vulnerable. The change in the conservation status was due to an increase of the South African population, resulting from the successful conservation efforts in South Africa. Further, according to the regional Red List report, the lion population in four South African Development Community countries (Botswana, Namibia, South Africa and Zimbabwe) grew by an estimated 120/, whereas the lion population in the remaining African range countries declined by an estimated 61%.

1. Activities involving African lion are currently well regulated in South Africa in terms of biodiversity conservation legislation, in order to ensure its protection and sustainable utilisation including, but not limited to:

* The National Environmental Management: Biodiversity Act(NEMBA), 2004 (Act No. 10 of 2004): o due to the fact that lion is included in the list of threatened or protected species, a permit is required for the carrying out of any restricted activity (such as hunting, catching, breeding, selling, transporting, exporting from or importing into the Republic of South

Africa, and so forth) involving any specimen.

* The Threatened or Protected Species (TOPS) Regulations, 2007, promulgated under NEMBA, which:
  + require the compulsory registration of captive breeding facilities, rehabilitation facilities, sanctuaries, commercial exhibition facilities (such as zoos), or persons operating as wildlife traders;
  + require that measures be taken by captive breeding facilities to prevent hybridisation or inbreeding;
  + prohibit certain hunting-related activities; and
* The CITES Regulations, 2010, promulgated under NEMBA, which require:
  + that the Scientific Authority must confirm whether the export of a specimen included in the appendices of CITES, including African lion, will be detrimental to the survival of a species;
  + the registration, marking and tagging of specimens;
  + the setting of quotas where applicable, and the management of the utilisation thereof.
    - the issuing of a separate permit for each consignment, to be valid for one consignment only, and the cancellation of a used permit;
    - reporting to the CITES Secretariat:

annually on the international trade in specimens of species included in the appendices of CITES; and

biennially on legislative, regulatory and administrative measures taken to enforce the provisions of CITES; and

* Provincial conservation legislation.

The following legislation is aimed at preventing cruelty to lions:

# Animals Protection Act, 1962 (Act No.71 of 1962), which aims at preventing cruelty to animals; and

* Performing Animals Protection Act, 1935 (Act No. 24 of 1935), which regulates the training and performance of animals.

In addition to the legislative requirements referred to above, a number of conservation tools have been developed, either formally in terms of NEMBA, or informally as guidelines, aimed at the protection and conservation of lion, namely:

* A non-detriment finding (NDF) by the Scientific Authority established by the then Minister. The NDF was published in the *Gazette* on 23 January 2018, and indicated that legal local and international trade pose a low to moderate, but non-detrimental, risk to the species in South Africa;
* A Biodiversity Management Plan (BMP) for the African lion *(Panthera* /eo) which was published in the *Gazette* on 02 December 2015 for implementation. The purpose of the BMP is to ensure the survival of lion in the wild. As part of the BMP, a metapopulation management plan has been developed to improve the management of the managed wild lions within South Africa; and
* Guidelines for the implementation of a meta-population management plan for managed lions in South Africa, with specific reference to trophy hunting, which have been developed by the Scientific Authority. Currently, all managed wild lion populations are being assessed against the criteria to determine the effectiveness of the metapopulation management plan.

1. The Department of Environmental Affairs coordinates its activities, as well as the implementation

of its strategies and plans, through a number of formal structures, including the following:

* Permit and Enforcement Planning Committee (PEPC), where permit information and enforcement actions are discussed with provincial conservation authorities;
* National Biodiversity Investigators Forum (NBIF), where information on contraventions are shared and investigations coordinated at a broader level, with provincial conservation authorities, conservation entities and enforcement agencies;
* Scientific Authority, that, among others:
  + makes NDFs on the impacts of international trade in specimens of species listed as TOPS or included in the appendices of CITES.
* National African Lion Task Team (NALTT), to coordinate the implementation of the actions

highlighted in the BMP for lion, with provincial and other conservation entities and industry.

# Further actions to be taken aimed at the protection of lion, involve the following legislative developments:

* An urgent amendment to NEMBA, as part of the National Environmental Management Laws Amendment Bill, 2017, which has been approved by the Portfolio Committee of Environmental Affairs of the 5\* Administration, to include empowering provisions to regulate the well-being of faunal biological resources. The Minister responsible for the environment would be in a position to prohibit activities that may negatively impact on the welfare of lions.
* As part of a more substantial amendment to NEMBA which is already underway, the penalty clause will be amended to include higher penalties for persons who are found guilty of offences involving wildlife trafficking, or offences commited as a member of a syndicate.
* The enforcement of NEMBA, the TOPS Regulations and the CITES Regulations is done by members of the South African Police Service (SAPS), or by ofcials who have been appointed in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as Environmental Management Inspectors (EMIs).
* The Stock Theft Unit and Endangered Species Unit of SAPS have prioritised lion for investigations and enforcement actions. The Directorate for Priority Crime Investigations of the SAPS (also known as the Hawks) works closely with the EMIs from the department to investigate cases originating from O.R. Tambo International Airport, involving lion bones.

Regards

MS BD CREECY, MP

MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES DATE:. ..... .!.....