



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Ref: 02/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 4037 {NW5045E}

INTERNAL QUESTION PAPER NO. 44 of 2022

DATE OF PUBLICATION: 4 November 2022

Mr D W Bryant (DA) to ask the Minister of Forestry, Fisheries and the Environment:

(1) With reference to her reply to question 2424 on 26 November 2021, wherein she stated that she and her department, with support from the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat, had conducted a thorough investigation and had determined that the exports referred to in the specified question were legal, and in light of the primarily commercial nature of the specified exports, as defined in the CITES Regulations and the CITES prohibition on export of Appendix I animal species for primarily commercial purposes, (a) how has she found were the exports permissible under South African law and CITES regulations and (b) will she furnish Mr D W Bryant with relevant correspondence between her department and the CITES Secretariat;

(2) taking into account that the breeding facilities from which the animals were exported are not registered with the CITES Secretariat, as per CITES Resolution 12.10. and that the export permit for the tigers was granted prior to the receipt of any import permit, how was the export permitted under South African law and CITES regulations as per her reply on 26 November 2021;

(3) whether, noting that section 87(A)(1) of the National Environmental Management: Biodiversity Act, Act 10 of 2004, grants her jurisdiction over all applications for permits to export specimens of animal

species that are non native to the Republic, and noting that section 87(A)(2) of the specified Act grants provincial Members of Executive Councils and not the Minister jurisdiction over permit applications for native species that are privately owned and seeing that both tigers and chimpanzees are non-native, the issuance of the specified permits was a decision taken by her CITES Management Authority and approved by her; if not, what is the position in this regard; if so, what are the (a) provisions of the (i) Act and (ii) regulations of the Convention she relied on for such approval and (b) further, relevant details?

4037. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

- (1)(a) The cheetahs that were exported originated from a Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES) Registered Appendix I captive breeding operation in the Limpopo province, of which South Africa has two registered operations for cheetahs. These animals are, therefore, treated as if they are listed in Appendix II of CITES.

The chimpanzees were imported for zoological purposes and the import permit confirmed that the animals are to be used for zoological purposes. The chimpanzees were, therefore, exported under CITES Article III with the import permit for the animals being issued before the export permit was issued.

The tigers were imported for zoological purposes and the import permit that was issued before the export permit was issued, indicated the purpose as zoological. The permit was, therefore, issued in accordance with Article III of the Convention.

The wild dogs are not CITES listed and a Threatened or Protected Species (TOPS) export permit was issued by the provincial conservation authority.

- (b) The correspondence from the CITES Secretariat was in relation to the export of the chimpanzees only and correspondence between the CITES Secretariat and the National CITES Management Authority is treated as confidential.

- (2) See answer to (1) above in respect of the tigers.

- (3) (a) (i) (ii) and (b)

The permits mentioned in the question were all issued by provincial CITES Management Authorities and not by the Minister. I term of Section 87(A)(2) of NEM:BA which grants provincial Members of Executive Councils jurisdiction over permit applications for any permit not listed in section 87A(1).

Accordingly, permits for CITES-listed specimens owned by private individuals are issued by the provincial conservation authorities, whether it is an indigenous, alien or listed invasive species. The National CITES Management Authority ensures the coordinated implementation of CITES in South Africa, which includes assistance to the provincial CITES Management Authorities on the implementation and interpretation of CITES when requested. All correspondence with the CITES Secretariat and other CITES Authorities is done by the National CITES Management Authority.



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MS B D CREECY, MP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 21/11/2022