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Dear Ms Madubela

Rhino poaching: a threat to hard-won population increases achieved by conservation authorities

In response to the call (dated 11 December 2011) for recommendations to the Portfolio Committee on Water and Environmental Affairs in the Parliament of RSA on how to address the escalating rhino poaching crisis in South Africa.

The SADC Rhino Management Group (RMG), with its representation from conservation agencies, private rhino owners, government officials, community conservation, and rhino experts from four SADC countries (South Africa, Zimbabwe, Namibia & Swaziland), has developed a wealth of experience in black and white rhino conservation since its establishment in 1989¹. The RMG has been instrumental in collating the black rhino status reports for over 80 black rhino populations in southern Africa since inception and used this information to provide critical biological management advice to further black rhino conservation in the subregion. Moreover it has written the South African Biodiversity Management Plan (BMP) for Black Rhino, that currently awaits the Minister's signature. In addition as requested by the Minister, the RMG organized a stakeholders workshop and is drafting the BMP for South Africa's white rhinos. Thus, the RMG has a good understanding of general rhino issues and the situation associated with the current escalation in rhino poaching and would like to offer the following recommendations with reference to the questions posed by the Portfolio Committee. In addition, a South African RMG task team developed a system with criteria to help ensure the only black rhino hunting applications approved were justified primarily on conservation grounds and were likely to further the demographic and genetic conservation of the species in South Africa. DEA is using

¹ SADC RMG representation: South Africa (SANParks, EKZN Wildlife, Northern Cape DENC, Cape Nature, Limpopo DAE, Gauteng DACE, Free State DEAT, Mpumalanga PTA, Eastern Cape PTA, North West PTB, private rhino owners), Namibia (MET, private owners, communities), Swaziland (Big Game Parks), Zimbabwe NPWA, Botswana WNP, rhino experts, IUCN SSC AfRSG.

the system and the RMG also assists DEA on request by checking over and commenting on black rhino hunting proposals to ensure they meet the conservation criteria that have to be met before a black rhino hunt can be approved.

The RMG commends DEA's initiatives to address the rhino crisis via: organizing the Ministers Summit in 2010; establishment of a National Wildlife Crime Reaction Unit (NWCRU); securing extra funding; revisiting TOPS; the moratorium on the internal trade in horn; restricting hunters to one white rhino per year; increasing regional cooperation; the engagement with the horn consumer states (particularly Vietnam); the engagement with Mozambique, and information sharing.

The current escalation in rhino poaching is been driven by astronomically high black market prices for rhino horn in SE Asia . It thus remains imperative that this price need be pushed down as this is what is driving the illegal demand for horn and ultimately poaching and pseudo-hunting. Actions likely to reduce black market prices in SE Asia should be pursued.

Reducing poaching will require a combination of increasing the risk and cost to poachers and others illegally dealing in rhino horn via more effective law enforcement (including higher arrest and conviction rates and the routine handing down of deterrent custodial sentences for those convicted) and reducing the reward (or incentives) they receive (massive fines, asset forfeiture, occasional strategic dehorning in some smaller populations at risk etc.).

The RMG would like to highlight a number of specific and pertinent issues associated with the rhino poaching crisis. These have emerged from our detailed understanding of the situation and from a series of meetings over the last year (IUCN SSC African Rhino Specialist Group, SADC RMG and rhino biodiversity management plan meetings). These include:

A. At the national Level

1. Hunting of rhinos:

i. Pseudo-hunting of white rhino:

- Great concern has been expressed locally and internationally around the issuing of TOPs hunting permits to suspicious hunters from traditionally non hunting countries such as Thailand and especially Vietnam that seem primarily interested in getting horn rather than the more traditional sporting value of the hunting experience. It has been reported that in order to get round the one hunt per person rule SE Asian prostitutes from Gauteng have even been sent as rhino hunters, no doubt acting as proxies for others wanting the trophies. The international concern is that psuedohunting can provide such hunters with a legal mechanism to export rhino horn from South Africa. The suspicion is that sport hunting in many of these cases is most probably being used as a vehicle to obtain and export rhino horn under false pretences so it can eventually be smuggled onto the illegal market. This of course would be in contravention of the conditions of the CITES permits issued. The high prices being paid for hunts and the increased numbers of these hunts (especially in NW province) are of concern. Ongoing abuse of the system in this manner will threaten the fundamental principles underpinning the sustainable use in the rhino industry (& wildlife industry as whole). It will also attract further unnecessary scrutiny from the international community. . In order to ensure that people applying for hunting permits are genuine, every effort should be made to ensure the authorities of any non-traditional hunting country (such as Vietnam), to confirm the identity & addresses of the applicant hunters, failing which the permit should not be issued (see below for more details) . Proper management of the

hunts (ie attendance by conservators or wildlife investigators at the hunt) and questioning and checking the experience and bone fide of the hunter and shooting proficiency testing are urgently required (as practiced in KZN, NC & Free State) at the Provincial level.

- To reduce hunting applications from non traditional or indeed any hunting countries, South Africa is within its right to refuse a CITES export permit for rhino hunting trophies to any country that is unwilling or unable to check up on imported hunting trophies. As a hunting trophy is a memento of a hunt, and under CITES it is non commercial and cannot be sold, it should be possible to check up on hunting trophies to see they have not been tampered with. If any importing country is not prepared to do these checks then SA should refuse to issue an export permit until such time as they are prepared to check up on the trophies at their end, and if there is a contravention, to prosecute . This suggestion was discussed with a Vietnamese delegation attending a Coalition against Wildlife Trafficking of rhino horn meeting held last year in South Africa and a Vietnamese representative indicated he did not see a problem if South Africa chose to do this.
- The mandatory attendance of conservation officials at all rhino hunts, should be enforced and suitably recorded by official conservation staff or EMIs to ensure the horn is tagged, DNA samples taken, and the trophies handed (complete with horns attached) to the taxidermist to go through the next process. Given the damage pseudo-hunting is doing to South Africa's well earned international reputation in rhino conservation and the threat its continuation poses to the traditional legal sport hunting that has played a positive role in the country's rhino conservation efforts to date; should any province repeatedly fail to properly supervise hunts then the responsibility to do so should be taken away and given to someone else to ensure this is done.
- Every effort should be made within the hunting industry to address the questionable and unethical behavior by some professional trophy hunters. Black listing of such individuals needs to be implemented and advertised. There should be a move to encourage members of all hunting organizations to only hunt on properties who have provided their rhino information (numbers of animals & horns & in possession of the TOPS permits) to the state authorities. A move should be made to recognize rhino friendly land owners and develop something along the lines of the forestry stewardship (FSC) approach to improve support to ethical land owners & hunters. This approach can be both official as well as self regulatory.
- It's worth pointing out that clamping down on pseudo-hunts won't stop the illegal killing of rhino but if anything we are likely to see a shift of these persons into the illegal killing of rhinos. This is what happened when pseudo-hunting was initially clamped down upon after it first increased in 2007. It will however bring legitimacy back into the legal limited sports hunting industry which has and can play an important role in incentivizing the continued expansion of rhino numbers and range as well as providing much needed additional revenue to help cover the high costs of successful rhino conservation.

ii. Illegal hunts:

Illegal hunts can also take place if a corrupt rhino owner hunts and buries the carcass and sells the horns directly onto another person without permits. Together with good intelligence gathering, having an integrated national database and better information on private rhino numbers and movements and stockpiles would help uncover and flag

possible instances of this. For example, if a property had 40 rhinos and now has only 10, but there are no records of significant translocations out of this area and an additional 60 rhino horns haven't been registered as stockpiled horn these discrepancies could be flagged by an integrated database system as suspicious and the NWCRU could then go and investigate.

iii. Hunting quota for white rhino:

For decades a white rhino hunting quota has never been needed as the number of hunters from traditional countries like the US has been limited by the high cost of hunts and rhino numbers have continued to increase at a rapid rate. However, with the increase in poaching and "legal" hunting (due to the suspicious rise in hunting by nationals from non-traditional hunting countries from SE Asia), one option would be for South Africa to introduce a national white rhino hunting quota introduced with some basic criteria (to prevent abuses) in place before a hunting permit is granted. Such a hunting quota could be managed at a national level and be responsive to overall levels of poaching to ensure that hunting always remains sustainable. Currently the national poaching level and number of "legal" hunts is sustainable (i.e. below the historical annual net population growth rates of rhino numbers in the country which from 1991-2010 were 7.2% (white rhino) and 4.9% (black rhino). The level of poaching is nevertheless of concern. The hunting sector argue against the need for a quota. However if pseudo-hunting is successfully brought under control then total numbers hunted annually by traditional sport hunters are likely to once again return to the 35-70 a year level and no quota would be needed.

iv. National Permitting process:

Given the inadequacies of some of the Provinces in implementing and managing the TOPS permit application process, there is an **urgent** need for a national permitting and database system (not just for hunts but also to record info on numbers, movements and horn stockpiles) along the lines of E-Natis for motor vehicle registration. This will allow the consistent screening of hunters prior to hunts and the tracking of hunts across provinces. It will also allow the monitoring of the movement of rhino across the national landscape. Currently DEA waits up to a year to get returns from the provinces on hunts which is totally ineffective in monitoring the link between the permit, and the hunt. The Northern Cape currently operates a most efficient electronic hunting permit system, while some others such as Limpopo run a paper based system. Instituting such a national system will not be easy in a situation where conservation is not a national competency but enacting national powers over defaulting provinces needs to be seriously contemplated. Having a national permit process (ideally an electronic on-line facility as used in the Northern Cape) will largely do away with the current arduous permit process required across provinces – it will also increase greater buy-in from the private land owners. It is proposed that such a computerised permit system will be balanced on an annual basis with a compulsory register to be kept by the owner that should include population size, recruitment, copies of permits, hunts etc. Without such a register no hunting permit would be issued.

It is stressed here that wildlife and private land under some form of conservation has bloomed in South Africa primarily because of hunting. In 2007 it was estimated that the private wildlife industry generated about \$640m – about 10% of the agriculture GDP.

White rhinos played an important part in this generating about R114 million alone from game sales by the state & private sector between 2004 -2008. This is expanded on below.

2. Illegal killing (poaching) of rhino

i. Protection of *in situ* rhino populations:

Protection of the rhino breeding stock remains critical to the survival of both species both on state and private land. Improving the number and quality of trained rhino protection (Anti Poaching Units) staff remains essential and a priority, especially since the poachers are notably violent and in some cases well trained and well armed. In addition, improvements in rhino monitoring are also important because without reliable information on animal numbers and their demographics, as well as information on patrol effort one cannot assess the efficiency of the rhino protection effort and the response of the population to the poaching threat. Great strides have been made in some protected areas such as Kruger NP and the EKZN Wildlife reserves while other reserves in Provinces which have limited conservation funds and a great deal of the private sector are lagging behind and thus remain exposed. The main risk here is that with increased effort in KNP and EKZN, there is likely to be a displacement of the poaching effort to other less well protected areas – if this is not prevented we could still lose a lot of rhino. Thus it is essential that the displacement of effort is prevented by ensuring adequate law enforcement in a widespread manner where needed.

Providing rhino protection is a costly activity. Means should be explored to maximize efficiencies without losing effectiveness. In the private sector that could be addressed via greater cohesion & cooperation on local farmer groups.

ii. Intelligence gathering & information sharing:

One of the great challenges in anti-poaching efforts is that the poachers always have the element of surprise and enforcers are forced to react. Good intelligence gathering and database management and analysis is an essential tool in proactively stopping illegal activities before they occur, thus saving rhino lives. In this regard the NWCRU should be granted greater powers to encourage cooperation and information sharing from all conservation bodies and other required law enforcement bodies. This would be greatly enhanced by making the NWCRU a permanent unit within DEA. Through combined resources and intelligence more can be delivered. In addition inclusion of the private rhino owners (ideally via established groups such as the Private Rhino Owners Association in WRSA) into the intelligence sphere would greatly facilitate the law enforcement process. The use of sophisticated intelligence database and analytical programmes such as MEMEX need be expanded to the poorer conservation authorities. The planned development of web based Wildlife Investigator 2 software can also assist with data collection and analysis at a provincial level and its data could also be queried by MEMEX.

iii. Prosecutions: While there have been many arrests the low number of successful prosecutions of rhino related cases is a matter of great concern not only to South Africa, but also to our neighboring countries, as it increases the risk to their own rhino populations. This issue was raised on numerous occasions. Greater effort in the investigative capabilities of our law enforcement agencies are required as many cases

are thrown out given poor management of the scene of the crime and evidence trail. In addition there is an urgent need for more efficient and dedicated court processes, such as through the reestablishment of environmental courts or court – this may require a revision of the policy determining the number of cases required before such a court could be established. Greater prosecution successes are required, especially of the national and international couriers, buyers and exporters. Sentences need to be increased to match the priority crime rating and to serve as a real disincentive for illegal rhino (and elephant and other priority species) related activities. This can come about through the provision of reliable and comprehensive evidence in mitigation of sentences as has been used in getting the current maximum sentences for both poachers and couriers. The need for greater awareness amongst the judiciary would be of immense value, as would the use of dedicated specialized wildlife crime prosecutors, judges and magistrates in rhino related cases. Such expertise should be encouraged to help other poorly staffed & experienced districts on such matters. This matter needs to be brought to the urgent attention of the NPA.

Given the value of illegal rhino horn in SE Asia, and the number of rhinos poached and potentially psuedohunted a year fines such as R1m now only represent a small tax on turnover and convicted rhino criminals seem all too keen to pay these fines to escape jail. They thus appear to not be a deterrent and therefore as policy it would be good for prosecutors to routinely press for custodial sentences without the option of a fine or the fine levels need to be substantially increased.

The absconding of accused that have been granted bail has in some cases been problematic and for this reason prosecutors should routinely oppose bail on any serious rhino case. In the case of diplomats, the Dept of Foreign Affairs should get involved to emphasise the severity of the crime.

Organised criminal syndicates are involved with rhino poaching. Traditionally such syndicates seek to operate by trying to corrupt law enforcement officials. Thus it could be expected that they might try to bribe the odd prosecutor in the hope of for example getting a plea bargain with just a fine. For this reason any plea bargain entered into that results in a fine should be automatically referred to the head of the NPA to check that this was justified in this instance as well as tackling the organized crime components

The use of DNA fingerprinting to match confiscated horns with carcasses has become an essential tool in providing unequivocal evidence in court cases. Collection of samples and the entry into the national database should become a standard protocol not only with all dead horn, and samples from carcasses but all animals captured and translocated. The country can be rightly proud for the rapid progress it has made in this regard. This facility needs to be granted further financial support to expand their services to accommodate the expected increase in samples and requests nationally and internationally.

- iv. **Detection:** The detection of rhino horn moving through our exit ports needs urgent attention. This requires increased expert staffing capacity at these sites, in addition to suitable equipment and sniffer dogs to facilitate the detection of rhino horn. The exporting, courier & postal services also requires a greater level of monitoring of the

movement of rhino horn through these facilities. Greater cooperation from the different government services (DEA, Agriculture, Customs etc) present at the border posts is urgently needed. The fact that no recent major horn intercepts have been detected at the main airport suggests the horns not being detected, or are going via other routes or in different forms (crushed, pieces or specially hidden). The detection methods need to remain dynamic much the way the rhino horn syndicates are. Consideration could be given to incentivizing those scanning luggage to find rhino horn. There also needs to be regular training and retraining of those using the scanning machines. The problem with providing incentives is that this might encourage some operators to try to arrange for rhino horn to be smuggled past them so that it could be detected in order to get the bonuses on offer. Thus specific heavy penalties for any scanning machine operator found to have been involved with doing this might need to be put in place to discourage this.

3. Management of horn stocks:

- i. The need to declare, secure and record rhino horn stocks especially within the private sector is of utmost importance. There appears to have been a relatively poor response to this call as part of the TOPS regulations. There is considerable concern around the lack of declaration, marking, and the collation of this information in a central and secure database. This has been raised as a serious matter by TRAFFIC and IUCN in their reports to CITES CoP's . This collation of horn data remains an essential step in the process towards any discussion on the possible opening of the trade in horn. Every effort must be made to gain the private sector's support in this matter, rewarding those that have followed due process (possibly with the support of hunting & translocation permits), while continuing to encourage those that have failed to do so. In addition all horns need be registered on the DNA fingerprinting database to facilitate tracking its movement through the system.

B. At the international level.

Some areas requiring effort and attention at the international level include the following;

- i. Rhino crimes need be escalated to priority rating internationally. This would allow greater alignment in sentences. The SA government need to engage with international consumer states and others involved in rhino horn trafficking on this issue (and especially Mozambique).
- ii. Needs to be greater conformity in the level of legislated penalties and sentences for such crimes thus increasing the deterrent factor. In particular any prescribed maximum fines need to be at a level where they represent a significant deterrent and not just a tiny tax on "illegal turnover".
- iii. Greater exchange with consumer and transit states regarding rhino crimes. This has started with Vietnam and Mozambique but not with China and Thailand. This exchange would also require the sharing of crime intelligence between the authorities to facilitate detection and prosecution. All confiscated horn should be DNA profiled in the same lab to facilitate the tracing of the horn.
- iv. Consumer states need to facilitate the confirmation of hunter details to facilitate the assessment of the application and their ability to trace horn trophies in their respective countries.

- v. Institute an awareness campaign into the use of possible substitutes for rhino horn (such as use of water-buffalo horn and herbs). However for such campaigns to have any chance of success they would need to be undertaken by nationals of user countries.

C. Maintaining the incentive for the private sector involvement in rhino conservation.

- i. **Limited sport hunting** is widely recognized as having played a positive role in the significant growth of white rhino numbers and range through helping to stimulate live sale prices and providing additional incentives for landowners and communities to opt for conservation of with rhino (thus achieving the dual goal of expanding land under conservation use as well as species protection). Hunting prices have traditionally been set in US\$ and it is believed that this has helped stimulate live sale prices for rhinos. While numbers hunted annually have increased significantly in some recent years following the rise in pseudo-hunting; historically only about 35-70 white rhinos have been hunted annually in South Africa and mainly by hunters from traditional hunting countries. 70 represents only about 1/3rd of one percent of current numbers which is very sustainable. However the number increased to 166 hunts in 2010 with 93% from non-traditional countries, so addressing these applications would bring the limited trophy hunting back into reality. Also demographically it is the breeding females that are most important not the males, the latter of which are mostly hunted.

Historically, much of the money raised from live rhino sales (in part stimulated by hunting) has been used by state conservation agencies to either help subsidise the high cost of their conservation efforts (making up some of shortfalls in Government grants) or in the case of SANParks to assist with buying additional conservation land or as currently is happening finance the antipoaching activities in KNP. For example, a study commissioned by the SADC Regional Programme for Rhino Conservation in 2005 estimated that the auction of wildlife (including live rhino which accounted for the bulk of turnover) by Ezemvelo-KZN-Wildlife (EKZNW) raised the equivalent of 60% of Hluhluwe-iMfolozi Park's conservation budget. Over the 46 months from Jan 1st 2008 up to November 1st 2011 the turnover from sales of live white rhino by the three biggest selling organizations in the country (EKZNW, SANParks and VleisSentraal) totaled just over a quarter of a billion Rand (R236.3million). Any collapse in live sales and prices would have significant consequences for conservation.

Economic incentives to own rhinos and the generation of additional revenue to help cover the costs of successfully conserving rhino have historically encouraged the breeding up of rhinos in South Africa. This has aided the expansion of rhino into new range - a key part of the southern white rhino success story. In fact it is estimated that private land owners with rhinos have set aside an equivalent area of the KNP under some form of conservation – something the state has not paid for. The economic incentive generated by limited sport hunting has contributed to this range expansion over the years.

With the surge in poaching and the increased risks associated with keeping rhinos, many private land owners are opting to get rid of their rhinos thus reducing the range for the species and the overall demand for the animals. Since 2008 (when poaching started to escalate) the average live sale price for white rhino has declined by R29,231/white

rhino based on average prices for white rhino sold by SANParks, EKZNW and VleisSentraal. This loss of value in rhinos will pose a great threat to the growing rhino population by reducing the area into which rhino can be introduced, increasing pressure on the state source populations (given limited space) and reduced financial revenue to the conservation bodies which in turn would place greater demands on the state fiscus. This would see a decline in population performance and the reduction in the population size. Stopping sports hunting would further reduce incentives and would probably encourage even more owners to get rid of their rhino. Thus banning hunting would be a disaster for rhino conservation as a whole. Those groups calling for such a ban have limited knowledge or understanding of the socio-economic and conservation importance of this component of the wildlife industry.

The fact rhino are being seen as a liability is also affecting the successful conservation programmes (like the WWF Black Rhino Range Expansion Programme) focused on the Critically Endangered black rhinos, as fewer private land owners are wanting to get involved in the project, thus reduce potential homes for the small but growing black rhino population.

- ii. **A regulated trade in horn** has been strongly called for from the private sector and some conservation authorities. It is seen by those promoting it as a possible means in reducing the illegal black market price of horn and hence the incentive to poach and kill rhino as opposed to using it as a sustainable source of revenue generation for cash strapped conservation organizations and private rhino owners. The idea is that some or much of the demand could be supplied using stockpiles (from natural mortalities) and or farmed horn (from dehornings) which would not require rhinos to be killed; reducing both poaching and psuedohunting in the process. The current surge in poaching is seeing the poachers receive **all the benefit** and the state and private rhino owners **all the costs**. Those advocating trade speculate that the opening of such a regulated trade would provide significant economic incentives that would see a surge in the value of live animals and the spread of rhinos on the landscape, not just in South Africa but also internationally. It would also provide a way to increase revenue for local communities. In addition they argue that the increased revenue would provide additional funding which could be used to significantly increase and sustainably fund rhino protection efforts (all the way from proactive intelligence gathering to field anti-poaching efforts and improved investigations and prosecutions) further reducing poaching.

Attempting to open such a trade comes with huge complications given CITES regulations and the fact in consumer states such as China it is illegal to trade in rhino horn. This would require international lobbying, a successful submission to CITES at the CoP 16 in 2013 or later in 2016, support from the consumer states and a good mechanism to market and sell the horn without increasing greater speculation and price increases. The debate needs to be actively and urgently engaged, to both inform discussions and provide the most convincing arguments (based upon good data) if national decisions are to be made to submit a proposal to CITES. It will also need the support of the other major rhino states in the SADC region such as Namibia and Zimbabwe to provide weight to any submission.

Some quarters argue the urgency of the matter to submit to CITES in 2013 because at the current increasing rate of loss of animals to poaching the motivation may be less strong in four years with fewer animals under greater pressure. However others have pointed out that there is not enough time to prepare a polished proposal for the next CoP as the pros and cons of a legal trade need to be examined further and exactly how it would work still need to be developed. There are a number of other problems that might need to be addressed (psuedohunting and inadequate knowledge of rhino numbers, movements and stockpiles on private land) before there is any chance a CITES CoP might approve such a trade (which would require the support of 2/3rds of the countries voting). For example how would any future rhino horn trade be policed to ensure horn from other countries is not illegally laundered and passed off as legal horn? How would this be paid for?

It should be said that others do not support a legal trade and instead have proposed alternative approaches to reducing demand for horn such as encouraging substitution and use of culturally appropriate education campaigns in user countries. Thus if the pros and cons of trading are to be investigated, ideally they should also be evaluated against alternative strategies. Those against starting a legal trade have also questioned whether or not by opening it up one could end up creating an unsustainable demand.

I hope this submission provides some useful information on the key issues facing the conservation of our rhino population in the face of the surge in poaching and recommendations on how to address the issue. The RMG would be most willing to make an oral presentation to the Portfolio Committee.

Could we perhaps give a trend for rhino numbers in the country over the last few decades?

Yours sincerely on behalf of SADC RMG South African members



Dr Mike Knight
Chairman.