

CITES Frustrates Southern African States – Again!

By John Ledger

The triennial World Wildlife Conference, known formally as CoP18 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), concluded in Geneva, Switzerland on 28 August 2019. In a press release the organizers claimed to have adopted an impressive list of decisions advancing the conservation and sustainable use of wildlife across the globe. Southern African states were once again disappointed by the outcome of CITES, and certainly not at all impressed by its achievements.

Some excerpts from the CITES Press Release include the following:

“The Conference revised the trade rules for dozens of wildlife species that are threatened by unsustainable trade linked to overharvesting, overfishing or overhunting. These ranged from commercially valuable fish and trees to charismatic mammals such as giraffes, to amphibians and reptiles sold as exotic pets.

Noting that giraffes have declined by 36-40% over the past three decades due to habitat loss and other pressures, the conference added the world’s tallest animal to Appendix II.

The Parties established the CITES Big Cat Task Force with a mandate to improve enforcement, tackle illegal trade and promote collaboration on conserving tigers, lions, cheetahs, jaguars and leopards.

In addition, the critical role of local and indigenous communities that live on the frontlines of wildlife conservation and sustainable management, and their need for adequate incomes and livelihoods, was widely recognized. Overcoming a wide range of differing views, the conference asked Parties to begin considering how to best engage indigenous peoples and local communities in CITES decision-making and implementation. The aim is to better achieve the objectives of the Convention while recognizing those people whose use of CITES-listed species contributes significantly to their livelihoods.

The Conference also:

- increased quotas for trophy hunting of adult male black rhinos, almost doubling the current quota of five, subject to strict controls; however, proposed trade in southern white rhino horns from eSwatini (Swaziland) and live animals and hunting trophies from Namibia were not accepted.
- reviewed the measures for the export of live African elephants to ‘appropriate and acceptable destinations’, whereby exports outside their natural range



will be permitted in 'exceptional circumstances' only, in consultation with relevant CITES and IUCN bodies, and only if they provide in 'situ conservation benefits'

- did not accept proposals to permit some limited trade in ivory from African elephants, which means that the existing trade ban remains in place.
- held a meeting on the African Elephant Action Plan to encourage cooperation among the African elephant range states.

CoP18 was attended by 169 member governments (plus the EU) and some 1,700 delegates, observers and journalists. CoP19 will be held in 2022 in Costa Rica."

Prior to CoP 18, an African Wildlife Economy Summit was held at Victoria Falls, June 23-25, 2019. Attended by heads of state, business leaders, technical experts and community representatives, the meeting aimed to radically change the way the continent's nature-based economy is managed. Convened by UNEP and the African Union and hosted by the president of Zimbabwe, the summit was an African-led vision of conservation that linked the private sector with national authorities and local communities to design and finance conservation-compatible investments that deliver sustainable economic and ecological benefits to countries, people and the environment. Over 40 community representatives of 12 countries across Africa met prior to *Africa's Wildlife Economy Summit*, to share their experiences of living with and among Africa's wildlife. They sought a 'New Deal' that would recognise the rights of ownership, management and use of wildlife resources.

How pathetic then was it for the CITES conference to have "asked Parties to begin considering how to best engage indigenous peoples and local communities in CITES decision-making and implementation. The aim is to better achieve the objectives of the Convention while recognizing those people whose use of CITES-listed species contributes significantly to their livelihoods."

They want to "begin considering" something that Namibia has already practiced for some 30 years – empowering indigenous people and local communities in decision-making and implementation of wildlife policies on their land!

The southern African countries that have the best success in conserving elephants and rhinos on the continent were again denied the opportunity to market wildlife

products to enhance the value of wildlife resources for those who live with large and dangerous animals.

Clearly angered and once again frustrated by the outcome of CITES, the Tanzanian delegation took the floor on behalf of the following Southern African Development Community (SADC) countries: Botswana, Democratic Republic of the Congo, Eswatini, Lesotho, Mozambique, Namibia, South Africa, Tanzania, Zambia and Zimbabwe. Here is the text of their submission:

This Declaration is made to express the grave concern that the SADC Parties mentioned here have with regards to the implementation of this Convention.

As members of the global multilateral system and democratic, representative governments, we are obliged to ensure that we meet our commitments to all those international agreements and declarations to which we are signatories, as well as responsibilities to our citizens.

Recognizing that CITES is one of the oldest wildlife and trade agreements, we are obliged to give it due consideration but within the context of subsequent and contemporary agreements and declarations to which it bears relevance and to which we are also signatories.

CITES in its Preamble accepted the principle of: "Recognizing that peoples and States are and should be the best protectors of their own wild fauna and flora" and the Convention on Biological Diversity 1992 in Article 3 provides that: "States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction."

We contend that CITES, in form, substance and implementation, is not aligned with other international agreements of equal weight and arguably greater relevance to the challenges of today. These agreements emphasize the following principles: – sovereignty over the use of national resources; – inclusive, equitable development through the sustainable use of natural resources; – recognizing that rural communities living with wildlife have inalienable rights over the use of their resources; and – recognizing that in today's world of rapid changes in climate and land use and the accelerating pace of transformation of wildlife habitat,

the survival of wildlife depends on the perceptions and development needs of people living with wildlife. The way CITES is currently operation is contrary to its founding principles.

Today CITES discards proven, working conservation models in favour of ideologically driven anti-use and anti-trade models. Such models are dictated by largely western non-State actors who have no experience with, responsibility for, or ownership over wildlife resources. The result has been failure to adopt progressive, equitable, inclusive and science-based conservation strategies. We believe this failure has arisen from the domination of protectionist ideology over science decision in making within CITES.

This anti-sustainable use and anti-trade ideology now dominates decisions made by many States who are party to CITES. States are increasingly influenced by the dominance both at meetings of the decision-making structures of CITES and in their run up by protectionist NGOs whose ideological position has no basis in science or experience and is not shared in any way by the Member States of SADC and their people.

This conservation model is based on entrenched and emotive rhetoric and discourse, backed up by intense lobbying, as opposed to science. Foremost amongst these motifs now dominating CITES is the unfounded belief that all trade fuels illegal, unsustainable trade, ignoring clear evidence to the contrary.

Examples of this are the attempts by others to impose new trade restrictions for species that are effectively conserved – and utilized – in our States, such as lions and giraffe, while the real threats in those States where such species are in decline due to habitat loss and human-wildlife conflict continue to go unattended.

The Southern African countries have observed, with great discomfort the polarised discussions on African charismatic large mammals at this CoP 18. It is very disturbing to see the North South divide across the African continent rearing its head again.

We are further concerned that positions of some Parties appear to be based on national political considerations aimed at catering to the interests of national, intensively lobbied constituencies, as opposed to proven, science-based conservation strategies. This undermines the SADC States, on whom the responsibility to manage species falls, and our ability to do so effectively.

As it is currently implemented, CITES undermines the rights of people living in rural areas of SADC States to have access to



and use in a sustainable manner the natural resources present in their communities that are required to enjoy adequate living conditions and the right to participate in the management of these resources. The consensus expressed through CITES by the majority of States undermines our region in our efforts to secure social and environment justice through the sustainable use of our natural resources. In doing so it is compromising our ability to meet obligations and responsibilities to other multilateral agreements and to our peoples.

The populations of iconic African wildlife species in our region illustrates the effectiveness of our conservation models. Similar examples of successful conservation outcomes have not been forthcoming under ideologically driven approaches to conservation. Yet, at previous meetings of the Conference of the Parties to CITES, efforts made by us to advance and strengthen the same conservation strategies that have worked so well have been rejected.

Those who bear no cost of protecting our wildlife, nor bear any consequence for decisions of CITES on our species, vote without any accountability against working conservation models in southern Africa. To this end, we have had to invoke measures such as announcing a dispute, the first time ever in CITES. As members of the global community we fully appreciate the importance of multilateral negotiations, such as those that take place within CITES, in identifying and collectively working towards solutions for the greater good of humanity.

We have been committed Parties to CITES since its inception or our accession to it

and would wish to remain so. But we can no longer ignore these glaring shortcomings and threats to our national interests and to our commitments to the broader multilateral context. Mr Chairman, the time has come to seriously reconsider whether there are any meaningful benefits from our membership to CITES. I thank you.

This constitutes a real threat to the future of CITES, and many would agree that it is time for bold action to leave an organisation that has lost its way and is today dominated by politics, animal-rights, anti-use and anti-hunting lobbyists.

What has happened to the World Conservation Strategy of 1980 which defined the principles of ‘living resource conservation’ as

- To maintain essential ecological and life support systems;
- To preserve genetic diversity; and
- To ensure the sustainable utilisation of species and ecosystems for the benefit of mankind.

If the SADC countries leave CITES, how would the rest of the world react? There would certainly be pressure on all remaining CITES countries not to deal with SADC in wildlife products, but how long would that last in those powerful and rich countries where demand for wildlife products may be temporarily suppressed but never eliminated?

In the declaration by the SADC countries, mention is made of the divisive

impacts of CITES in Africa:

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The big divisive example here was the group of ten countries proposing that the elephant populations of Botswana, Namibia, South Africa and Zimbabwe be moved from Appendix II to Appendix I. These countries are Burkina Faso, Côte d’Ivoire, Gabon, Kenya, Liberia, Niger, Nigeria, Sudan, Syrian Arab Republic and Togo.

For goodness’ sake, what are these countries up to? The four countries they targeted have been the most successful elephant conservationists on the continent, with burgeoning populations now decimating habitat and biodiversity in places like South Africa’s Kruger National Park. Kenya’s schizophrenic policies on wildlife have seen its rich heritage start to crumble because of its ambivalence towards the principles of the World Conservation Strategy.

If the SADC countries are bold enough to leave CITES, a key role will be that played by South Africa. This country has an excellent record of wildlife management and conservation, but also hosts the continent’s biggest concentration of animal rightists, and anti-hunting lobbyists, many with ties to rich overseas partners. South Africa also has a new Minister of Environment, Forestry and Fisheries who will be subjected to intensive lobbying by the animal rights activists. South Africa will need very strong leadership to throw its weight behind its African neighbors and raise a unified voice against an organisation that seems to be hell-bent on frustrating those countries that look after their wildlife better than others.

To those who think that the SADC countries will not have the resolve to leave CITES for fear of international excommunication, remember how Japan walked away from the International Whaling Commission in 2018, totally frustrated by the intransigence of the IWC? Has Japan since been ostracised by the world? Hardly – the Rugby World Cup tournament is taking place there right now!

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