



SPECIAL SUPPLEMENT

*"Hunting provides the principal incentive and revenue for conservation.
Hence it is a force for conservation."*

World Conservation Force Bulletin

www.conservationforce.org June 2015

Highlights from the Fifth Meeting of the Advisory Council on Wildlife Trafficking

On April 23, 2015, the Advisory Council on Wildlife Trafficking held their fifth public meeting. The Council was created to advise the President's Task Force on Wildlife Trafficking. It is composed of representatives from corporations, law firms, nonprofits, universities, and law enforcement.



John J. Jackson III

The meeting began with reports from the federal agencies tasked with implementing the National Strategy for Combating Wildlife Trafficking. First, FWS Assistant Director Dreher reported that revisions to the "special rule" for African elephant are in "final stages of review." (This is the regulation that governs import of hunting trophies. Initial revisions to this rule proposed eliminating most commercial and interstate ivory trade and limiting imports of elephant trophies to two per person per year.) FWS has also ramped up its international enforcement efforts and stationed a special agent in Bangkok, with agents soon to arrive in Botswana, Tanzania, and Peru as well.

Acting Assistant Secretary of State Garber said the U.S. is pushing for wildlife trafficking issues to be raised in all major international fora, including the G-7. USAID representative Bowen confirmed that the agency spends \$40 million annually on programs to combat

the illegal wildlife trade, including a technology challenge. Assistant Attorney General Cruden stated that the U.S. is building anti-trafficking enforcement capabilities at home, and conducting training and other assistance abroad.

In comments after these presentations, Council members noted concern about the FOCUS

Act, introduced by Senators Paul and McConnell to amend the Lacey Act, which criminalizes wildlife trafficking. Members also pointed out weaknesses in the "political will to prosecute" traffickers in some countries. Members asked the U.S. CITES delegation "to be really aggressive" at the upcoming CITES Standing Committee and to request plans of action for countries who are not meeting their obligations. One Council member noted that wildlife crime in World Heritage Sites (like the Selous Reserve in Tanzania) is on the agenda for the World Heritage meeting in June.

After these presentations, Mr. Allen, from watchdog TRAFFIC, reported on a workshop coordinated by TRAFFIC and the World Customs Organization and underwritten by USAID. The workshop engaged the transport industry in combating the illegal wildlife trafficking. (We are monitoring developments in

this area; the new SAA embargo against transport of elephant, rhino, lion and other trophies may have been induced by pressures on the airlines to do more against the illegal wildlife trade.)

Next, Patrick Bergin of the African Wildlife Foundation reported on what he termed the "rhino poaching crisis." Mr. Bergin noted that South Africa lost 1,200+ rhino to poachers in 2014, and almost 300 rhino in the first three months of 2015. He recounted a conversation he had with the former army general in charge of anti-poaching in Kruger National Park, who advocates for increased involvement of local communities to reduce poaching.

Mr. Bergin mentioned South Africa's consideration of a possible proposal to legalize rhino horn trade at the next CITES CoP. He said AWF opposes this proposal; TRAFFIC was also said to oppose the proposal, on the basis that South Africa lacks capacity to adequately monitor and regulate a legal market.

The meeting concluded with two presentations, one by New Jersey state legislators on the state's intrastate ivory trade ban, and public comments.

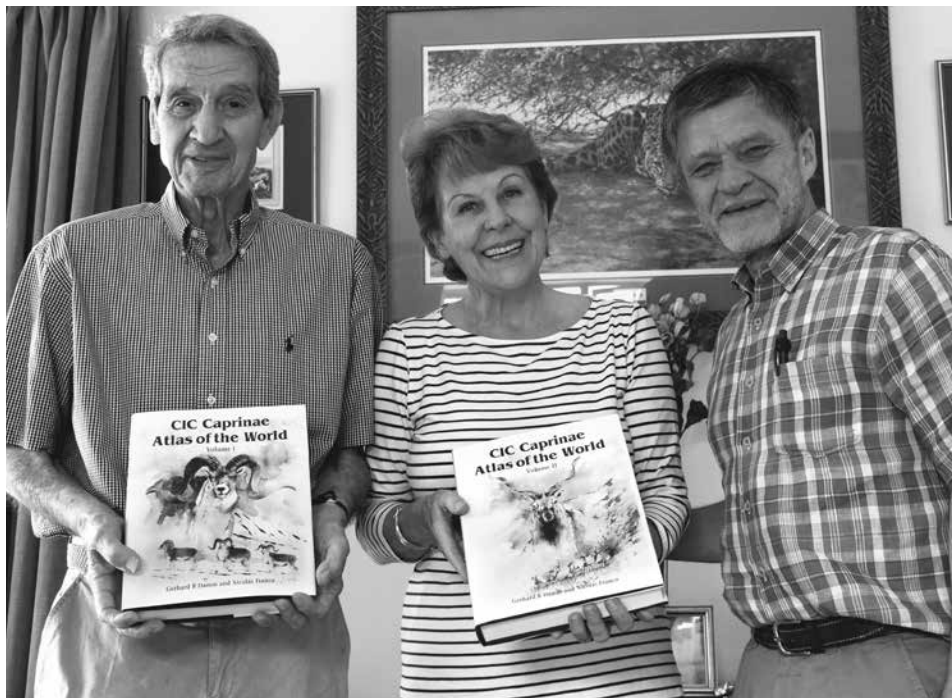
Unlike previous meetings, only one person specifically mentioned trophy hunting – a self-described "mom from New Jersey," who spoke against the grant of Conservation Force's two black rhino import permits during the public comments.

Staff Attorney Regina Lennox covered this meeting for Conservation Force. ■



Federal Advisory Council on Wildlife Trafficking

USFWS



More on the CIC Caprinae Atlas of the World

Fiona Capstick dropped me a note in early April after receiving the Caprinae Atlas. She wrote that Gerhard Damm "is the co-author, together with the renowned Nicolas Franco of Spain, of one of the most amazing books imaginable - a two volume tour de force - on the wild sheep of the world. The sheer erudition and scope of this work boggles the mind. Detailed maps, exquisite color photography throughout, charts, statistics, a bibliography to stop the heart,

multilingual identification of species - the list is ENDLESS - and the proofreading is simply astounding. Jane Halsey of Rowland Ward and her team produced this book, of course. The layout and elegance reveal that in a flash."

She continued, "I simply had to share this triumph with all of you. There will never be another work to surpass this one on the subject...." ■

Airlines Embargo Trophies

Three airlines have embargoed trophies. The three airlines follow in sequence:

1. South African Airways has an embargo on elephant, tiger, rhino and lion. Its press release follows, which is somewhat different than their initial position.

Johannesburg - 30 April 2015: South African Airways Cargo on 21 April 2015 issued a Policy and Procedures Advisory to its internal stakeholders advising of the embargo on the transportation of hunting trophies, which is limited to rhino, elephant, tiger, and lion.

SAA Cargo has in the past experienced a problem where some of the shipments containing hunting trophies were misdeclared and was fined in a foreign country. In this particular instance,

early in April 2015 a shipment lodged as machinery spare parts was discovered in Australia whilst in transit to Kuala Lumpur. The shipment contained elephant tusks and was seized. We [SAA Cargo] were issued with a Notice of Seizure. "We had to act swiftly to curb the problem of illegal transportation of animals," says Tlali Tlali, SAA Spokesperson.

SAA Cargo will keep the embargo in place until all other options have been considered and stricter control measures have been put in place to prevent a recurrence. "When such measures are implemented we will advise all stakeholders accordingly in South Africa and at our international stations," said Tlali.

See the full press release on Conservation Force's website at www.conservationforce.org.



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2. Singapore Airlines was next. We can't find a release on their website, but SQ Cargo sent a press release stating:

Please be advise [sic] that with immediate effect Singapore Airlines & Singapore Airlines Cargo will no longer accept hunting trophies on its aircraft / flights.

3. Emirates SkyCargo later issued the following:

Please be advised that effective 15th May 2015 Emirates SkyCargo will not accept any kind of animal "Hunting Trophies" for carriage on Emirates services. This restriction shall be applicable to all animal hunting trophies, protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as well as includes species, that are not threatened with extinction now, meaning all CITES & Non-CITES species.

This decision is to support international governments, intergovernmental and non-governmental organizations, that are managing wildlife population towards sustaining the task to eliminate illegal trade and transportation of

hunting trophies worldwide and saving wildlife heritage.

Most recently, a petition was started by attorney Chris Green who is Chair of the American Bar Association's Animal Law Committee, but most relevantly, Director of Legislative Affairs for the Animal Legal Defense Fund. The petition was started on May 3 and asks the CEO of Delta Airlines to follow the example of South Africa Airways (SAA), but to *End the Transport of Exotic Animal Hunting Trophies*, not just the elephant, rhino lion and tiger embargoed by SAA (yes, "tigers").

It is a particularly dishonest petition that knowingly confuses poaching of elephant and rhino with lawful, regulated trophy trade that is the cornerstone of wildlife management and anti-poaching. See petition at change.org. The petition states:

As one of the world's largest airlines, and the only U.S. carrier with direct service to South Africa, Delta Airlines is in a key position to help protect these and other vulnerable wild animal populations from further hunting and poaching pressures.

It is a deceitful personal appeal

by an individual misusing his ABA committee standing.

As a loyal, "Diamond Medallion" Delta customer who has logged over 650,000 miles with the company, I can attest that ecotourism now accounts for a full 12 percent of GDP in some African countries.

As the Chair of the American Bar Association's Animal Law Committee, I also am acutely aware how over-hunting has devastated threatened and endangered species. It is a tragic circumstance driven almost exclusively by the \$20 billion illicit trade in imperiled animal body parts.

So join me in asking CEO Richard Anderson to show the world that Delta cares by doing its part and refusing to transport exotic animal hunting trophies.

Conservation Force has written a letter to the President and President-Elect of the American Bar Association asking them to have Mr. Chris Green strike this petition because of its misleading nature and improper association with the ABA. If you are an ABA attorney, please send your own letter. ■

Two Anti-Hunting Organizations File Separate Suits to Stop Import of Black Rhino Trophies

The Friends of Animals (FoA) filed a suit challenging the lawfulness of the black rhino import permits of Corey Knowlton and Michael Luzich. The suit was first filed in New York Federal District Court. FoA then dismissed that suit without prejudice. FoA then filed another similar suit in the Federal District Court in Washington, DC (15-cv-00653 filed on April 29th, 2015). Without the usual detail or substance, the suit alleges two claims. The first is that the FWS violated the Administrative Procedures Act (APA) by arbitrarily issuing the permits upon no basis whatsoever. The petition contains the most general of allegations which should not be viewed favorably by the Court. The second claim is that the FWS violated the Environmental Protection Act by not doing an environmental impact statement, which while a rather common claim, is not applicable to foreign lands.

Though the suit makes many citations to the Endangered Species

Act, it makes no ESA claim. FoA has not even sent a 60-day Notice of Intent to Sue required under the ESA. FoA is seeking an injunction against the permits and future permits, and a declaration that they were issued illegally. Basically, the FoA suit challenges the enhancement finding for the two import permits and seeks to enjoin future permits. It is limited to enhancement hunting permits of black rhino.

The second organization to sue is the People for the Ethical Treatment of Animals, PETA. This suit was filed on May 8th in the Federal District Court in the Eastern District of Virginia. It too is a complaint for declaratory and injunctive relief and is against the FWS, Director of FWS and the Secretary of Interior (1:15 CN 600 CMH/IDD). It alleges a violation of the Administrative Procedures Act and the ESA. This claim includes six short paragraphs against what it titles *Knowlton and Luzich* and most of the suit is against other instances where enhancement permits are issued, from

national zoos to Texas ranches. It makes an ESA claim but does not allege, and our information is that it has not even noticed the required Notice of Intent to Sue for the hunting trophy permits. Thus, that claim will be dismissed in short order, and the jurisprudence does not permit it to be amended after a Notice to Sue is sent and the required time passes. The allegations in those six paragraphs about Knowlton and Luzich are also incorrect. It states Luzich's permit was purchased at the Dallas Safari Club convention in 2013, the year before Knowlton's. Of course, there has only been one DSC rhino auction, in 2014. Luzich's Namibian hunting permit was obtained thorough an in-country, sealed-bid auction held by the wildlife authorities.

The suit also incorrectly states that the applications were based "entirely on the ground that the revenue generated from sport-hunting black rhinos would 'provid[e] essential budget revenue for rhino conservation authorities and

leaders in Africa.” To the contrary, we submitted reams of information about the CITES quota of the Parties, the rhino certification process to select post-reproduction bulls that were troublemakers that had to be removed to protect the population, and that their removal increased the growth rate and health of the population.

Additionally, PETA calls the import permitting part of the *Pay-to-Play* policy that “violates the ESA and Defendants’ own regulations.” In reality, the required proof of the large payments is only one part of the requirement for the import permit.

In general, the suit is against what PETA describes as the “Pay-to-Play policy.” In PETA’s own words:

If PETA prevails in this action, Defendants will no longer issue enhancement permits on the basis of the Pay-to-play policy...reducing the killing of endangered species by U.S.-based hunters would significantly reduce the incident of trophy hunts.

This is what is called a programmatic challenge of government authority and should be summarily dismissed. It wholly misrepresents the facts and understates the volumes of proof of enhancement. Conservation revenue is just one part of the test of enhancement.

Conservation Force has spearheaded the *Enhancement Initiative* from its inception. The recent success of the black rhino, wood bison and markhor

CITES CoP17 Commenting Period Opens

The FWS has published Notice inviting the public to provide information and recommendations on resolutions, decisions and agenda items for the United States to consider submitting for discussion at the 17th Conference of the Parties (CoP17) of CITES. CITES has grown to 181 Parties. The CoP is to be in South Africa in September 2016, but the date and place has not been decided. The FWS comment period is open until July 10, 2015.

This comment period is when we submit our own suggestions, so we welcome any suggestions from supporters and readers. It is also when the protectionists, including the wackos and antis, first show their cards, which are available through a Freedom of Information Act request, though in recent years all comments are also made available at a designated FWS website. That website is www.regulations.gov.

The Federal Register Notice and comment particulars can be found at 80 FR 26948, May 11, 2015. ■

Australia Bans Lion Imports

Australia’s Environment Minister, Greg Hunt, has banned the import of all lion hunting trophies from Africa. The ban has been incorrectly billed as a ban against “canned lion hunting,” but it is a ban against all lion trophies. That said, today three-quarters of all lion trophies come from South Africa – approximately 600 per annum from RSA.

This was announced at the staged *Global March for Lions* in Melbourne’s Federation Square, but is no surprise. Elephant and rhino imports have previously been banned from import and it is the national authorities in Australia that have repeatedly prohibited the export of trophies of giant saltwater crocodile because of philosophical disapproval of tourist hunting, even though the Crocodile Specialist Group of IUCN designed an exemplary plan for giant saltwater crocodile hunting. Contradictorily, the national Australia authorities permit the commercial export of crocodiles by the thousands. ■

imports is all after more than a decade of producing evidence of the benefits of those conservation hunting activities. It has been the FWS that has insisted upon the funding component of the formula. That said, the extraordinary revenue certainly is a measurable benefit.

Conservation Force is preparing interventions in both suits and courts.

The FoA suit is limited to the enhancement determination for hunting trophy imports. The PETA suit encompasses all enhancement permitting. It covers enhancement permitting for in-country activities as well as imports, such as enhancement permits for zoo, circus and ranching activities. ■

Conservation Force Hosts Sebungwe Workshop

After months of preparation, the participatory workshop to prepare the Regional Elephant Action Plan for the Sebungwe Region in Zimbabwe is being held May 19-21.

Sebungwe is one of the four elephant management regions in Zimbabwe. The elephant population there has now been reduced to the

smallest regional population of elephant after experiencing the greatest decrease of the four regions.

The planning meeting is an essential step in our effort to reestablish import of Zimbabwe elephant hunting trophies. Zimbabwe’s elephant population is now the second largest population remaining in the world, so we are sparing no effort to help save it.

As usual, we are right on the front line doing what all must be done. Conservation Force has had to scrape and bag up the funds, but was able to raise what was necessary. We desperately need help and support to see our efforts in Zimbabwe to a successful conclusion. Believe me, it is worth it. Also believe me, our friends in Zimbabwe are hunting-friendly. ■

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