



“SERVING THE HUNTER WHO TRAVELS”

World Conservation Force Bulletin

Special to The Hunting Report

by *John J. Jackson, III*

Founder, World Conservation Force

“Hunting provides the principal incentive and revenue for conservation. Hence it is a force for conservation.”

(Don Causey Note: The Hunting Report is pleased to have formed a strategic alliance with famed wildlife and hunting attorney, John J. Jackson, III, whose many successes in the international legal arena include blocking an effort to list the African elephant as endangered on the US Endangered Species List. The purpose of the alliance is to provide fee-based legal services for individual hunters as well as class-action-type services for groups of hunters. More broadly, the alliance will also seek to open up new hunting opportunities worldwide and ward off attacks on currently available opportunities. See below for details on how to inquire about those services. An immediate benefit of the alliance to paid subscribers is this column by John J. Jackson, III on matters of vital interest to hunters. This month, Jackson first turns his attention to those new rules on the importation of polar bear trophies and then examines some of the more important proposals that are going to come before the 10th Conference of the Convention on International Trade in Endangered Species (CITES) this coming June in Harare, Zimbabwe. Jackson’s column is an added bonus, printed on additional pages budgeted for that purpose, so it does not diminish the hunting coverage you have grown to expect from The Hunting Report. On the contrary, Jackson’s column adds depth and a new dimension to our coverage of world hunting. It makes your subscription to The Hunting Report more valuable than ever. Enjoy!)

Polar Bear Regulations

Those long-awaited polar bear importation rules mentioned elsewhere in this issue have finally been published (60 FR 7301). After 2 3/4 years, the United States Fish and Wildlife Service (USFWS) has announced it will approve qualified trophy imports from only a small

part of the major polar bear hunting area in the Northwest Territories - namely, the Southern Beaufort Sea, Northern Beaufort Sea, M’Clintock Channel, Viscount Melville Sound (currently under a five-year moratorium on hunting by NWT) and Western Hudson Bay. It “deferred” making

a positive finding for the Gulf of Boothia, Queen Elizabeth Island, Foxe Basin, Parry Channel/Baffin Bay, Southern Hudson Bay and Davis Strait populations. Deferred really means denied for now, but not permanently. Only bear taken in the approved areas are being grandfathered at this time.

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There are a lot of unprecedented conditions set by the USFWS before a bear taken in the approved areas will be permitted import. After the permit is approved, you must pay an extra \$1,000 fee. The fee is to be spent for bear conservation in Alaska and Russia. Some suggest that such a charge is a USFWS tax on the NWT polar bear conservation program to pay for conservation elsewhere. Also, if a bear is taken “after the date of the rule” (February, 1997), the hunter must certify that the gall bladder “and its contents” were “destroyed”. Some other requirements that have never existed for imports of trophies of any kind before are as follows. The permittee (hunter) must make an appointment/give notice 48 hours in advance of his trophy coming into the designated port and only import it during ordinary working hours. Tell that one to the airlines and cargo carriers! All parts of the bear must be imported at the same time. All parts must be permanently tagged or marked. All the paperwork and import permit must be kept forever. If the tag ever comes off, it must be officially re-tagged within 30 days by law. It prohibits the import of polar bear clothing or jewelry and prohibits uses of the parts for any such purpose after their import. As usual, an official application form must be used. It is form 3-200. There is a contradiction in the rule that will give trouble to all of those who have taken bear since April 20, 1994. The rule at one point states that there must be a certificate that the hunter made sure that the gall bladder and its contents were destroyed if taken after the date of the final rule, February 1997 (page 7,318). Contradictorily, it also states that the certification is necessary for bear taken after April 30, 1994 (page 7,320), which date would compromise all those who have taken bear since the original Marine Mammal Protection Act reform and who could not have even guessed that the USFWS would take it upon itself to require the destruction and waste of a lawful part of a lawfully-taken bear. USFWS obviously chose to overlook the importance of a number of things in its “de-

ferral” of imports from most hunting areas. For starters, USFWS recognizes in its ruling that 80 percent of the revenue from sport hunts remains in the communities but then attaches no importance to that. Incredibly, the Service goes on to state that it did not believe it “necessary” to even address the conservation role and value of sport hunting at all (page 7322). It admits that it did not address either the social and economic effects (incentives) of sport hunting on the native peoples, or biological factors such as the reduction of male cannibalism, the shift of the harvest to older males, the reduction of sexual competition, etc. Nonetheless, it goes on to state contradictorily that imports were “deferred” from some areas because of questions about the scientific soundness of the quotas in place there. The



service purports to want to “ensure the maintenance of populations at a sustainable level.” Fortunately, NWT authorities themselves do realize how important social and economic incentives are in determining the real status of the bear. Those factors are absolutely critical components of the polar bear conservation equation and quota determinations whether U.S. Office of Management Authority recognize them or not. Sport hunting of polar bear generates more incentive/interest in the conservation of the bear, more money for all purposes and shifts the harvest to surplus males and older bears. More importantly, it reduces the harvest of females, reduces the overall harvest, etc. The Service has defined the components to be considered in determining a proper quota very narrowly, conservatively and selec-

tively. The Service has not given any importance to the hunting rights of U.S. citizens. The Service is getting a long track record of disregarding the role and value of sport hunting in its determinations. It now admits that. It also does not take account of or accept responsibility for the loss of conservation benefits when it defers or denies trophy imports. The polar bear is not threatened or endangered, yet the USFWS has treated it as if it was on the brink of extinction. The USFWS and Marine Mammal Commission are two institutions that threaten the bear themselves. They continue to ignore the fact that American hunters and fishermen are not just part of the equation; they are the engine to the whole conservation machine. The USFWS stubbornly insists upon treating polar bear harvest by sportsmen as being additive and detrimental. The built-in bias of the USFWS once again has led it to a decision which actually compromises the species. It’s unscientific to treat sport hunting as an additive loss when in fact it reduces the overall take by over a hundred bear a year (more than 20 percent) and shifts the harvest to surplus males. It’s unscientific to treat the Canadian polar bear as if it was critically endangered when the IUCN and scientific community have found that it is not threatened at all. Worst of all, the IUCN as well as the Canadian authorities and Congress say that its conservation is “dependent” upon the sport hunting programs the USFWS has just obstructed and admittedly refused to acknowledge. The USFWS has contradictorily determined that the bear is too critically in jeopardy to permit adaptive management by the Canadians. Even worse, the USFWS has taxed the Canadians \$1,000 per bear and is sending the money someplace else! It is time for Congress to wake up the Service. It is also time for Congress to remove the Marine Mammal Commission from the polar bear trophy import process. I hope Congress is listening. In the meantime, this writer urges U.S. hunters to continue hunting Eastern NWT for the good of the polar bear and our fellow hunters, the Inuits. No one is going to stop work-

ing on the import of those bears. Eventually, Congress will act or the imposed quota methodology of the USFWS will be satisfied. Let’s keep working with our

friends in Canada. Eighty percent of every dollar you spend polar bear hunting is for conservation of the bear while sport hunting has no negative effect ac-

cording to the IUCN Polar Bear Specialist Group and is sustainable and the best use of the bear according to the IUCN Sustainable Use Group.

CITES Proposals

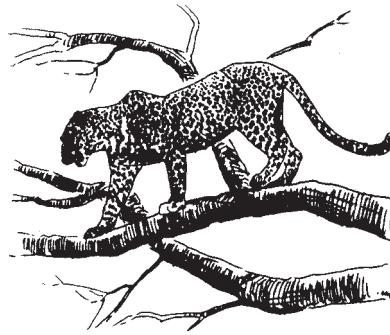
“...the import of trophies from the largest brown bear population in the world is now at risk.”

Some of the proposals for the 10th Conference of the Convention on International Trade in Endangered Species (CITES) that is scheduled for June 9-20 are particularly significant to hunters who travel.

Brown Bear: The most threatening proposal to hunting is the one by Finland, Bulgaria and Jordan to list all European and Asian (includes Russian) populations of *Ursus Arctos* on Appendix I of CITES. This is expected to stop all sustainable use of brown bear from Europe to Kamchatka and imperils the import of those trophies into all of the European Union (EU) countries and the United States. Russian authorities and those of some European countries are reportedly adamantly opposed to the listing of their bears. The proposal arises out of the misinformation campaign about the bear parts trade. If adopted, this proposal would add to the massive loss of hunting in Asia that has occurred over the past 20 years. The listing and resulting restrictions on export and import of trophies of all of the Asian cats, elephants, rhino, argali, markhor, urial (pending), brown bear (pending), etc. pales all other hunting losses world over. The loss of bear hunting with dogs or with bait in a few Western states is of no consequence in comparison. Restrictions on imports of bear trophies into the US from Europe and Russia can be expected to raise the demand in Alaska with resultant price increases, loss of opportunities and perhaps reduction in trophy quality. Theoretically, listing the bears on Appendix I should not stop the import of trophies from hunting. The “Namibian Resolutions” adopted at the Ninth CITES Conference of the

Parties were intended to solve the trophy import problems growing out of Appendix I listings. Those resolutions were intended to get importing countries to honor the licensed, regulated sport hunting programs of the exporting countries. Nevertheless, the European Union has adopted stricter domestic measures and the US Fish and Wildlife Service have thus far ignored the purpose and intent of the Namibian Resolutions. In summary, the import of trophies from the largest brown bear population in the world is now at risk.

Jaguar: The good news is that Venezuela has proposed that a trophy ex-



port/import quota be permitted for its jaguar. Theoretically, thanks to the Namibian Resolution I mentioned earlier, that should help solve the trophy import problem arising from the fact that it is listed as an Appendix I species. Unfortunately, the jaguar is also listed as “endangered” under the US Endangered Species Act (ESA). Despite a provision in the ESA and regulations that authorize the import of trophies of endangered species, the USFWS has never granted a permit for the importation of an “endangered” species from the wild taken by a sport hunter. The best hope for Venezuela’s

conservation program is reform of the ESA during its ongoing reauthorization process in Congress.

African Elephant: Namibia, Zimbabwe and Botswana have each filed separate proposals to downlist their respective elephants and have co-sponsored each other’s proposals. These are very well devised proposals and are being smartly handled. In fact, they are a lesson in diplomacy. Let’s take Namibia’s proposal for example. It requests only a qualified downlisting that will allow government to government sales, once each year until the following CITES conference reviews the matter again. The sales would be limited to government-stockpiled ivory. Absolutely no culling or harvesting from live elephants would be involved. The sales proceeds are to be spent exclusively on elephant conservation, including community benefits. The single shipment each year is to have all appropriate observers in attendance and all tusks are to be inventoried and marked. To top it off, the three countries presented their proposals in an all-of-Africa elephant meeting in Senegal in November and invited suggestions from all of the other African nations. Who could deny such transparent, risk-free and beneficial proposals? We shall see....

Urial: All urials are headed for Appendix I treatment throughout their entire range at the 10th Conference in June. They are being treated as a nomenclature problem - i.e., all populations are being said to have been intended to be originally listed. Consequently, US authorities may treat them as all being listed even before June, or treat them as all being listed in June instead of 30 days after the meeting.

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It is advisable to get your trophies in now. Ask for import under the “hardship” provisions if you have already taken the trophy and can’t get it in until after Appendix I CITES import permits are required. At this writing, you don’t need an import permit yet.

More on Bears: Concern about the bear parts trade is fueling over-reaction worldwide. It is proving to be a perfect vehicle for the animal rights strategic plan to turn the bears of the world into the Anti hunters’ biggest fundraiser ever. The parts trade was cited by the Antis in British Columbia as a reason to stop all bear hunting this past year. That anti-hunting bear initiative failed to get sufficient signatures to get on the ballot but it demonstrates how persuasive the bear protection argument is. British Columbia has by far the largest bear population in the world. Its black bear population alone has been estimated to be somewhere between 120,000 and 382,200 animals. Of course, Russia has the largest brown bear population. No population is too large to be beyond attack. The ballot attacks on bear hunting techniques in the Western states and in Michigan are but a speck of the overall attack on bear hunting. One could argue, and the Antis will argue, that the trade in antlers is reason to list all antlered deer as well. Brace yourselves for what’s coming. The CITES Secretariat, under the direction of the CITES Animals Committee, has requested all range states that have bears to provide information on the status of their wild bear populations. He has also requested information on trade threats and legislation/regulatory controls on the killing of bears and on trade in their parts and derivatives. This occurred after Susan Liebermann of the US Office of Management Authority asked that it be put on the CITES Standing Committee agenda. She had also put it on the earlier CITES Animals Committee agenda and chaired the subcommittee that drafted the alarming language. Before employment by USFWS, by the way, Liebermann was a biologist and spokeswoman for Human Society of the United States (HSUS). Since her

employment by USFWS, she has been a pivotal figure in the CITES Bird Trade ban, which was then high on the HSUS agenda as the bear parts trade is now. The Secretariat’s request for information on bears has gone out to all countries of import, export, re-export, and consumption of parts and derivatives of bears. The catch-all request solicits information on the countries’ enforcement efforts to interdict illegal shipments of bear parts and derivatives, on their legislative/regulatory controls, on trade in these parts and derivatives, on their prosecutions relating to illegal trade in bear parts or derivatives, on the kinds of bear derivatives available on their market, on their efforts to promote the use of substitutes in traditional medicine and on their education programs. The upshot is, the entire bear trade issue has



been included on the agenda of the 10th meeting of the parties in Zimbabwe in June! The Animals Committee, according to the official Notification To The Parties, has recognized “the serious problem of conservation of bears throughout the world caused by the continued illegal trade in their parts and derivatives...” Liebermann chaired the subcommittee that produced this notification! This is adding to the “cry of wolf” and is part of a growing misinformation campaign. For example, the black bear population in North American is stable or increasing throughout its range with 350,000 to 400,000 in the USA alone. In Louisiana, the only place it is listed as “threatened,” its low population has nothing to do whatsoever with the bear parts trade; has been stable but low for nearly a century; and is now increas-

ing. Even grizzly numbers in the Yellowstone ecosystem are improving. The number of females with cubs has doubled, consequently the number of cubs has doubled. Nevertheless, the panic is contagious. More Bear Protection Bills (H.R. 619 and S. 263) have been introduced in Congress based upon the false assumption that the bear parts trade is threatening US bears. Commonly called “Bear Viscera Bills,” they would initiate federal jurisdiction over bears for the first time, thereby extending the reach of those same people who just issued the polar bear rules I mentioned above! Some hunting groups may be innocently supporting this bill which contradictorily affirms the growing misconception that even America’s growing bear population is being depleted by the bear parts trade. It has long been said that hunters can be their own worst enemy because left alone they would pass so many restrictions that they would end hunting. There is no question that hunters initiated and were principally responsible for passage of the Marine Mammal Protection Act, the Endangered Species Act and even the Lacey Act. When you combine the misguided efforts of hunters together with the desire for more authority by the USFWS and the agenda of the animal rightist, the possible results are alarming. HSUS is pushing these bear bills; that should say enough. Go bear hunting while you can, do it ethically and take your son or daughter with you. In the future, unless we get organized and effective, most bears may be taken in problem animal control at dumps instead of as game animals upon fields and mountainsides. - *John J. Jackson, III.*

(*Editor Note:* For more information on Conservation Force and/or the services available through Jackson’s alliance with *The Hunting Report*, write: Conservation Force (One Lakeway Center, Suite 1045, Metairie, LA 70002. Tel. 504-837-1233. Fax 504-837-1145); or *The Hunting Report*, 9300 S. Dadeland Blvd., Suite 605, Miami, FL 33156-2721. Tel. 305-670-1361. Fax 305-670-1376.)