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## “SERVING THE HUNTER WHO TRAVELS”

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

### Special To The Hunting Report World Conservation Force Bulletin

by John J. Jackson, III

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#### DATELINE: WASHINGTON

#### News Analysis

### Assessing The Impact Of Interior Dept. Turnover

International hunting interests are bound to be impacted by the turnover of leadership within the US Department of Interior. We view it as a setback for administrative reform of the Endangered Species Act (ESA) and for improvements in trophy importation and relief from excessive trophy seizures.

It all began with the exodus of Secretary Gale Norton. That was followed by the departure of Judge Craig Manson who served as Assistant Secretary of Interior over Parks and Wildlife, i.e., parks and the US Fish and Wildlife Service. The Director of the US Fish and Wildlife Service (USF&WS), Steve Williams, also resigned to head the Wildlife Management Institute.

Matt Hogan became the Acting Director of the US Fish and Wildlife Service until David Hall was appointed. Then, Matt became Acting

Assistant Secretary of Interior to replace Judge Craig Manson. Now, Matt Hogan has left the Department of Interior. He recently agreed to head the Association of Fish and Wildlife Agencies, which has changed its name from the International Association of Fish and Wildlife Agencies.

David Smith, the Assistant to the



Assistant Secretary of Interior over Parks and the US Fish and Wildlife Service, has now resigned.

These people had promised reform of the restrictions on importation of hunting trophies so that tourist hunting could more fully serve the conservation of listed game animals. Of

course, game animals have an added chance for survival because of their game animal status if licensed, regulated hunting can be utilized as a tool to proactively support them.

The leaders have left office without getting any ESA administrative reform completed at all. They were heading ESA trophy importation reform in the Bush Administration. The Bush Administration has not completed the ESA trophy importation reform that began and was almost completed during the Clinton Administration. They had also promised to provide Conservation Force with a draft Memorandum of Understanding to make trophy import permitting more customer-friendly, conservation-responsible and accountable. That promise grew out of the *Whitehouse Conference on Cooperation Conservation*, at which federal agencies offered to work cooperatively with NGOs for common conservation causes. The focus on that conference was on domestic issues, but we prevailed upon them to include import permitting. Now, they have departed without completing any of those important promises.

Significant turnover continues at

the USF&WS staff level as well. Javier Alvarez resigned from his position as Branch Chief for non-detriment findings and trade monitoring in the Division of Scientific Authority. He is expected to be replaced by Rosemary Gham who has been in the International Office in the past.

The impact of these changes in leadership and staff are significant. The relationship-building and education process must start all over again with new appointees and staff. Literally, everyone that we have relied upon for nearly six years has bailed-out.

So what is the status quo? Despite promises from the Department of Interior and unprecedented efforts on the part of Conservation Force, no trophy import permits for new species or new destinations of any kind have been issued for more than six years! Importation of those “threatened” species that have been stalled in limbo include Mozambique elephant trophy import permits pending back to the year 2000 when that country adopted its elephant management plan and reopened elephant hunting. It includes polar bear from the Gulf of Boothia region that Conservation Force petitioned the USF&WS to begin permitting when the long awaited state-of-the-art population study demonstrated its increasing population. It includes trophy importation of game species listed as “endangered,” such as Markhor in the Torghar Project in Pakistan; captive-bred black faced impala in Namibia; wood bison in the Yukon; and cheetah in Namibia.

Our experience confirms that the USF&WS treats trophy import permitting as a “low priority” (low and not a priority) that is not to be favored. There is a prevalent bias against permitting, i.e., an unfavorable attitude. The Service has had the habit of growing its responsibilities without a corresponding budget or competent personnel. They even have a record of hiring permitting personnel and other staff from the Humane Society of the United States (HSUS). We are talking about people who are offended at the very sight of a mounted trophy.

To top it off, the Service has be-

come more unforgiving of permitting errors and mistakes. Seizures of trophies at time of import have worsened. The solicitors treat trophies as “illegal contraband” when there is any CITES or ESA error whatsoever, which wholly deprives the importing hunter of any equitable remedy, i.e., the solicitors turn a legal deaf ear to claims that the seizure is excessive or that the technical error should be forgiven or that the hunter is personally innocent of any fault. If this were not bad enough, Judge Craig Manson authorized the publication of the proposal to adopt new restrictive CITES trophy regulations before he left office and Matt Hogan and David Smith bailed out before these proposed new regulations were resolved. That proposal wholly rejects the quota and non-detriment resolutions adopted more than a decade ago by CITES to address the obstructive practices and policies of the USF&WS. That proposal would follow the suggestions of anti-hunting interests that the term “trophy” no longer includes “functional” items made of animal parts such as elephant feet and bone jewelry and that donations to charitable museums be made a criminal offense. Those that have bailed out have left us facing the prospect of the worse CITES importing regulations and practices ever to be proposed and no ESA reform.

In summary, we have not moved forward. We have stalled over the past six years with dire consequences for our range nation conservation partners. Many conservationists in foreign countries have understandably lost their faith to continue. The empty promises have frustrated Conservation Force leadership and wasted our energy and resources as well.

There have been positive domestic developments in the past six-years, but they have not been relevant to hunters who travel and the conservation programs dependent upon those tourist hunters. Now, those who promised reform are gone. There is still time for this administration to help us, but it probably has to be ordered and policed from the very top down, not from the bottom up.



**JOHN J. JACKSON, III**  
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Conservation Force has forged a new partnership with the US Sportsmen Alliance (USAA) to better represent hunters on some of these issues such as the proposed CITES regulations. All contributions to Conservation Force are tax deductible to the maximum extent permitted by law.

Send contributions in any amount to Conservation Force at: 3240 S. I-10 Service Rd., W. Suite 200, Metairie, LA, 70001-6911. We need your help now.

**DATELINE: PERU**

**News Analysis**  
**Sustainable-Use Fight**  
**Erupts At CITES Meet**

**T**he 22<sup>nd</sup> CITES Animals Committee meeting was held in Lima, Peru July 6-13. This was the last meeting of that Committee before the 14<sup>th</sup> Conference of the Parties that is scheduled in The Hague, Netherlands June 3-15, 2007. The issue at the meeting of most importance to the international hunting community was the relevance and applicability of sustainable use to CITES. Specifically, the 13<sup>th</sup> agenda item was entitled *Synergy Between CITES and the CBD*, i.e., CITES and the Convention on Biological Diversity. The issue to be resolved by the Animals Committee was the applicability or relevance of the Convention on Biological Diversity’s *Addis Ababa Principles and Guidelines for Sustainable Use* to the non-detriment findings exporting countries must make before permitting export of species listed on Appendix I and II.

Sustainable use is an important concept that has evolved over the past 15 years. It embodies the concept that all use is not detriment and, conversely, too much protection can be detrimental to the survival of listed species. Some species don’t fare as well when not traded. Some actually decline when “protected”, i.e., decline when trade is banned or limited or made too cost prohibitive due to over regulation. Just as trade can benefit some species,

a trade decline or ban can have the opposite effect, i.e., contribute to the decline. Worse, a ban on trade can even itself be the cause of the decline in the status of a species. Trade bans are temporary measures that themselves can cause loss of local interests, reduce research, reduce management budget revenue, contribute to the conversion of habitat, etc.

The *Addis Ababa Principles and Guidelines* were adopted by the Convention on Biodiversity after years of work. Yours truly has been active in the underlying concept from its inception. There are others who are opposed to the very idea.

At the Animals Committee meeting in Peru, a Working Group was selected to determine its applicability so that the Animals Committee could re-



port it to the Parties at the next Conference of the Parties. Of course, Conservation Force, yours truly, got on the Working Group, but so did Humane Society International (HSI), the International Fund for Animal Welfare (IFAW), the David Shepherd Wildlife Foundation and others.

The meeting did not begin well at all! Intersessionally, range countries had volunteered to do case studies of the usefulness of the *Addis Ababa Principles and Guidelines* for particular species. A *Summary of Case Studies to Assess the Relevance of the Addis Ababa Principles and Guidelines For the Sustainable Use of Biodiversity to CITES* was provided as the primary working paper, AC22, Doc. 13.1, Annex 2. It had a misleading “Summary” of the case studies because all of the case studies were not in at the time of

its preparation. It concluded that **“From the case studies, the *Addis Ababa Principles and Guidelines* are not appropriate for the decision-making process under CITES, particularly with respect to making non-detriment findings”**. In short, it was total rejection from the get-go. Some countries, like Australia, concluded that none of the 14 practical principles were relevant or applicable to the making of CITES non-detriment determinations. Australia had tested the principles on its great white shark, trade of which is prohibited by Australia, and found no principle applicable for there was no trade at all. On the other hand, Mexico and Venezuela found nearly every principle applicable to other species.

We can’t duplicate the Working Group debate here except to state that Conservation Force was the most outspoken in favor of the relevance of the principles and HSI, IFAW, and the David Shepherd Foundation were the most outspoken against the “relevance or applicability” of the principles to NDF (non-detriment findings). The sustainable-use side prevailed after a head-to-head debate with the lawyers for HSI and IFAW. Conservation Force had the help of Mexico, IUCN, IWMC, the Ornamental Aquatic Trade Association, SCI Foundation, et al.

The USF&WS, HSI, and IFAW took the position that a non-detriment finding was a strictly biological, status type of finding. It is a finding by the scientific authorities based upon biological science not the economic and sociological sciences. The *Addis Principles* (which were frequently properly titled “*Practical Principles*”) went beyond simple biological non-detriment findings to broader management considerations. (It is ironic that the USF&WS position completely contrasted its position of Appendix I elephant hunting trophies in the early 1990s. Then, their non-detriment determination was based upon social, economic and management criteria far beyond the biological status of the species.)

We argued that the *Practical Principles* were already being used in the

CITES training programs, that they were implicit in CITES language and activities, that economics and sociology were sciences too, that a sound sustainable-use determination varies from case to case, even from land neighbor to land neighbor, and often the statistical analysis of available data on a species status is of less importance than other relevant sciences that might call for trade that could benefit the species and that the Principles could be useful **voluntary** considerations, and that all of the 14 principles had been found applicable to making non-detriment findings when all of the case studies were considered together, i.e., for a fact each separate principle was found applicable in one or more of the case studies.

Note: we too don't want them to be regulatory mandates as some were in the Elephant Suit in the early 1990s. Then, other considerations were used negatively to prevent import of elephant hunting trophies. But there are many instances where the cause of the declining status of a species warrants trade even if the naked numbers don't. This is certainly true when the lack of legal, regulated trade is contributing to the decline.

We won this round (complete reversal of the opening “conclusion”), but we have our own reservations and concerns that the principles not become binding regulations, i.e., that we not hang ourselves. The Working Group's finished report, which was adopted verbatim by the Animals Committee, reads as follows (PC16/AC22, WG4, Doc.1):

The working group recommends that the following text, based upon the review of the annexes to document AC22 Doc. 13.1/PC16 Doc. 13.1, and the case studies, the summary and the conclusion in Annex 2, should form the basis for a report to be submitted by the Animals and Plants Committee at CoP14 that, in compliance with Decision 13.6, identifies those principles and guidelines from the *Addis Ababa Principles and Guidelines for the Sustainable use of Biodiversity* that are of most relevance to CITES:

1. Whereas CBD provides general guid-

ance to parties on how to address a broad range of biodiversity issues through national implementation, CITES is regulatory in nature, species specific, and focuses on international trade in wildlife.

2. Although CITES does not have a definition of sustainable use, the case studies show that the elements of the Addis Ababa Principles that are generally relevant to CITES are either already implicit in the language of CITES or are promoted by CITES. That, e.g., refers to practical Principles 1, 2,4,7,9, and 12, elements of which are incorporated in the “Checklist to assist in making non-detriment findings for Appendix II exports.”

3. From the case studies included in Annex 1 of Doc. 13.1/PC16 Doc. 13.1 it is evident, that the *Addis Ababa Principles and Guidelines* are not always immediately applicable for the decision-making process under CITES, particularly with respect to making non-detriment findings.

4. It is recognized that the *Addis Ababa Principles and Guidelines* are, on a case by case basis, relevant to the work of CITES (in addition to the Principles referred to in paragraph 3, e.g., Principles 5,6, 8, 11), and may be considered for possible development of further taxa-specific NDF-guidelines. (NDF= non-detriment findings)

5. Propose the amendment of Resolu-

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tion Conf. 10.4 to acknowledge the use of the Addis Ababa Principles and Guidelines as a voluntary additional tool that can be used in making NDFs.

#### SPECIAL REPORT

### News... News.... News New Hunting Threats Are Emerging At USDA

**T**hreats to hunting are growing within the Animal Health and Inspection Service (APHIS) of the US Department of Agriculture. New packing requirements, taxidermist certification and shipment limitations due to fear of anthrax, BSE and CWD are causing problems. For example, the recent limitation that no more than two trophies can be in a shipment from a BSE-infected country such as Spain appears arbitrary and capricious.

Conservation Force and one of its important Supporting Organizations, the National Taxidermist Association (NTA), have formed an NTA Conservation Committee to identify the APHIS issues and develop a plan to address each. For example, we expect to file a formal petition to have APHIS rescind its two-animals-per-shipment limits.

In the past, Conservation Force employed a veterinary PhD candidate as an intern to help solve these issues as they arose. Our efforts proved very successful and included joint comment campaigns with the National Taxidermist Association. They were very effective. That is no longer enough. We must step up our efforts. There has been a change of personnel in the Import and Export section of APHIS. The new staff do not understand the hunting community. The regulations are complex and confusing. It is a daunting task but in our many years, we have not seen any other organization understand or deal with these issues effectively. We need to retain scientific experts in veterinary diseases and file formal administrative petitions to work out of this building crisis. We need to do it now. Again, we need your tax-deductible support. - *John J. Jackson, III.*