



“SERVING THE HUNTER WHO TRAVELS”

“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

Reflections On 10 Years Of Conservation Force

■ Conservation Force was ten years old in September; ten years from its formal incorporation. It was initially formed by hunting leaders at the request of others in the community. Since that time it has expended approximately 12 million dollars on the ground in “smart” wildlife and habitat projects, and its volunteers and directors have donated another 5 million dollars in expert legal and biological services. It has come to be supported by approximately 125 supporting organizations, foundations and also networks with hundreds of others around the globe. It has offices in Metairie, Louisiana; Paris, France; College Town, Texas; in Newfoundland; and in Johannesburg, South Africa. It has officers and directors that serve on all the most relevant organizations in the world, from IUCN’s specialist groups to CIC in Budapest. Present species projects span the globe, from markhor in Pakistan to polar bear in the Arctic.

Its advocacy highlights range from the defeat of the CITES listing proposal of urial and the ESA listing proposal of the Peninsula population of desert sheep in Baja to the defeat of the HSUS

and Fund for Animal suit to ban the importation of argali trophies. Its educational materials have included everything from posters and bumper stickers on *America’s Abundant Wildlife* and *Hunters Pay for Most Conservation*, to the Chardonnet African Lion Study to Whitman and Packer’s *Guide-*



line to Aging African Lion in Southern and Eastern Africa. It has partnerships with organizations as diverse as WWF and WCS, and its leaders serve on dozens of committees and boards around the globe.

Time has proven Conservation Force to be one of the most direct, effi-

cient and effective means for sportsmen and women to further their interests. It is time for a special thanks to all the individuals and organizations that have trusted and invested in the Force.

The World Conservation Force Bulletin started before Conservation Force did. The first bulletin was issued January, 1997 - Volume 1, Number 1. That initial issue covered eight topics, including the new law prohibiting firearms and ammunition possession by any person convicted of misdemeanor domestic violence, another explaining ballot referendums and initiatives, the truth behind the movie *The Ghost and the Darkness*, an announcement that Ducks Unlimited had exceeded the \$1 billion dollar mark for conservation, Defenders of Wildlife was circulating a petition to reintroduce wolves in the Adirondacks, the IUCN had rejected the membership of IFAW - which then lost its membership appeal, CITES had proposed listing all urial, and more.

All of the issues in that first Bulletin are still relevant today, particularly one I’ve not yet mentioned entitled

Polar Bear Sport Hunting Regulations Coming Soon. That first issue of the Bulletin was the eve of the publication of the polar bear regulations that would soon permit importation of polar bear by US hunters for the first time in a quarter of a century. Read on about that and other issues first covered in this Bulletin that are now coming to a head.

SPECIAL REPORT

**Polar Bear
Bear Listing Proposal:
USGS Releases Reports**

In September, the US Geological Survey (USGS) released nine recent studies ordered by the USF&WS “to help inform their final decision” on the petition to list all polar bear as “threatened” under the Endangered Species Act. The concluding report will shock you. The USGS is the scientific think tank of the US Department of the Interior. The reports employ the most advanced state of knowledge and science available today and have been prepared by the foremost authorities in the world. Nevertheless, they contradict each other in part and are largely based upon assumptions and speculation concerning global warming and partially related ice melt – loss of habitat for bear and seal. Members of the IUCN Polar Bear Specialist Group still seem to be the predominant participants and authors of the reports.

The most shocking report is the last report entitled *Forecasting the Range-wide Status of Polar Bears at Selected Times in the 21st Century*. Using what it reported to be “the best available information” built upon the other eight reports, it concludes that two-thirds of the world’s current polar bear population will be lost by mid-century. It divides the world’s most up-to-date populations (24,500 in all) into four “ecoregions.” All bear will be “extinct” in three of those four ecoregions, and the total number of bears will decline in the fourth. They will be extinct in two of the four ecoregions within 45

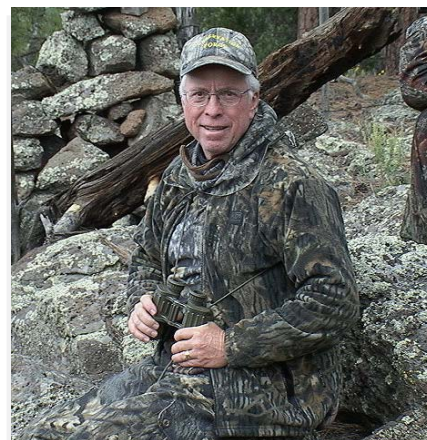
years, and those two ecoregions contain approximately two-thirds of the current range-wide population of the world “regardless of local management actions.” The third ecoregion population “most probably will be extirpated at and beyond 75 years.”

The one ecoregion population expected to survive is the Archipelago that currently has 5,000 bears and consists of the Gulf of Boothia, McClintock Channel, Lancaster Sound, Viscount-Melville Sound, Norwegian Bay and Kane Basin. It currently contains one-fifth of the world’s polar bear population and is expected to be dramatically reduced. It also contains one population that is below carrying capacity and another that Conservation Force long ago petitioned the Service to permit imports from – the Gulf of Boothia.

These conclusions are largely the opinion of one expert without peer review. The conclusions appear to be contradicted by those addressing the particular factors lifted from the other eight reports. The first report addresses the “Uncertainty in Climate Model Projections of Arctic Sea Ice Decline.” It points out that the issue is summer ice, which is lowest in September, not winter ice, which exists six months of the year. (The winter is six months and the autumn, spring and summer are two months each.) The Arctic re-ices in the winter and is expected to continue to do so. Thus the issue is the amount of ice melt in the summer. The uncertainty of the projection of Arctic climate change “is relatively high” and projections of summer sea ice are even more uncertain. “Inherent unpredictability would prevent us from issuing detailed forecasts of climate change beyond about a decade,” the report states.

Some reports assume that bears will be extirpated from an area and will not use it if it has less than 50 percent ice coverage. Other reports state that ice coverage of 50 percent or more is simply a preferred habitat state. That is a substantial difference that is not taken into account.

One report was on the population status of polar bear in the Northern



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World Conservation Force Bulletin

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Beaufort Sea because of its connection to the Southern Beaufort Sea. It concluded that “currently the Northern Beaufort polar bear population appears to be stable” and that “ice conditions remain suitable for feeding through much of the summer.” Some declines in the mid-1970’s and 1980’s “were associated with periods of very heavy ice” but not at the present. There is actually a “trend toward a slow increase in population today,” but “not statistically significant.”

Another report was done on the population status of Southern Hudson Bay. “It is the most southerly population in the species’ range.” The finding is that the Southern Hudson Bay

population has not changed from the mid-1980’s.

“Although less available habitat will likely reduce polar bear populations, exact relationships between habitat losses and population demographics remain unknown,” according to the one report predicting the future distribution of polar bear. Nearly all the reports repeat the notion that the loss of summer sea ice is taking place “faster than forecasted.” However, in contradiction, three of the past six years are considered “good years” (2001-2003) with improved ice conditions. It is inherently unsound to put weight on any short-term rises and falls. The polar bear scientists demonstrate

a bias when they step beyond the bounds of the climate and ice models to draw their conclusions outside of their expertise. In fact, one report on the Southern Beaufort Sea states “if conditions were to remain similar to 2001-2003, the population would increase over the next 45 to 100 years,” yet the reports harp on select years in isolation following that period rather than observance of the expert climate models. The polar bear scientists now claim to know better than the climatologists.

The more than 600 pages of reports can be found on the web at <http://www.usgs.gov/newsroom/special/polar%5Fbears>.

Briefly Noted

New USF&WS CITES Regulations:

The USF&WS has finally adopted its proposed internal regulations for CITES wildlife and plants. They include the long awaited trophy import and export regulations, a change in the definition of the term “trophy” and complete rejection of the two CITES Resolutions intended by the Parties to facilitate trophy trade.

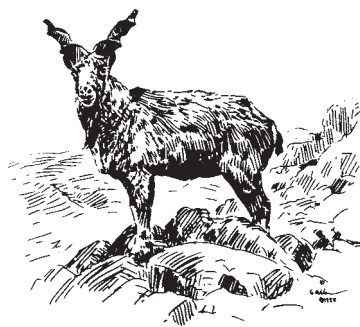
The final regulations were published in the Federal Register on August 23 and became effective on September 24, 2007 (72 FR 48402-48494). This version of the proposed rules was first proposed in the Federal Register on May 8, 2000, but not finalized in large part due to the strong objections to them. They were republished as a proposal on June 28, 2006 and the hunting world objected to much of the proposal again. Many of the objections were successful in the final published regulations.

First the good news. Tax deductions for donations of trophies made to a museum are not automatically prohibited as a prohibited commercial use of an Appendix 1 species. The Service had proposed prohibiting such donations, but has removed the phrase that would have treated all such donations as being prohibited economic gain.

For the first time, the regulations allow for retrospective issuance of

documents in select cases, such as when the absent permit or other irregularity in the permit is not attributable to the hunter – as when a technical error is made by an official of the exporting country. This should be of enormous value to innocent hunters and trophy import brokers when their trophies are seized.

Despite suggestions by animal rights groups to the contrary, the Service still allows importation of Appen-



dix 1 hunting trophies as non-commercial trade. Nevertheless, read below about the new definition of “trophy”.

The final rule includes special regulations governing import of trophies of markhor and black rhinoceros should imports ever be permitted. In the case of black rhino, the skin, skull or horns, whether mounted or loose, should be individually tagged appro-

priately (country, number in relation to quota and year of export). That is a lot of tags! Further, no more than one markhor and one black rhinoceros trophy can be imported per year by an individual hunter.

The downside of the regulations include the complete rejection of the Resolutions of CITES intended to provide guidance for importation of Appendix 1 hunting trophies. The Service expressly states it will not honor CITES quotas but instead will have to make its own non-detriment determination. Second, the Service will not accept the biological findings of exporting nations for Appendix 1 species as Resolution 2.11 revised provides. Nor will it limit its examination. Instead the Service reasons it must make its own biological and management findings independently to determine that the “purpose” of the import is not detrimental. This is a circular rationale that we’ve not seen before, but it codifies the longstanding practice of the Service that has made importation of trophies from new destinations all but impossible in practice. The Service now has regulations that directly conflict with the two Resolutions of CITES covering hunting trophies and knows well that it is in direct conflict with Resolutions aimed at the Service because of its past and present unilateral

practices. Its attitude in the past and “low priority” treatment of import permit applications have caused a host of problems for hunters and range nations alike.

The regulations also change the definition of “hunting trophy.” The term no longer includes any “utilitarian” object manufactured from the animal, such as jewelry, elephant hair bracelets, clothing, bookends, etc. Those have to be coded as “P” for “personal” items but no longer should be coded as “H” designating hunting trophies. It is not clear in the case of Appendix 1 species if import of such items is prohibited and will be seized as contraband or simply need to be coded “P” for personal. We are seeking clarification. The final regulations imply that these non-trophy items are still importable if coded properly as “P” for personal. The explanation of the change is rather sparse considering the importance and the nature of the change. Do you include the items in your permit application as additional “personal” items? How is the USF&WS going to treat exporting nations that describe the items as trophies?

The regulations make it clear that any item imported contrary to CITES becomes “contraband” at the time of import, thus there is no custodial or property rights to it. That is not new, but is quoted here as a reminder. As long as one is in possession of an illegally imported item, the statute of limitations for prosecution does not begin to run.

The regulations specify how Appendix 1 trophies and parts can be used after import. They can only be used for primarily non-commercial purposes and any condition or limitation the Service places on the face of the import permit must be honored.

We will keep readers informed as these new regulations are implemented and interpreted. They are far less onerous than originally proposed and incorporate many of the suggestions of the international hunting and conservation community. On the other hand, the stubborn resolve of the International section of the Service (Division

of Management and Division of Scientific Authority) not to honor CITES’ two hunting trophy Resolutions and the Service’s peculiar requirement that utilitarian items not be “coded” as trophies will certainly be a hardship on range nations and permittees alike. Just because it is final regulation does not make it a legal regulation, particularly if it does not have a basis in law, is arbitrary or capricious, or is contrary



to CITES. We have it under review.

HSUS Up to No Good: In a sneak attack on hunting and related programs, the HSUS has succeeded in getting New York Congresswoman Nita Lowey to insert an anti-hunting directive in a foreign appropriations bill Report. The language in the Report is on page 61 and states:

“The Committee is concerned about reports that USAID directly and indi-

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rectly supports recreational, sport and trophy hunting in its assistance programs in Africa. The Committee directs USAID to provide no funds to programs that support or promote recreational, sport, or trophy hunting as a conservation tool.”

No one knew of the language in the Report, so it went unnoticed as the bill cleared the House and later the Senate.

The directive language could be very destructive. Over a period of time USAID projects involve hundreds of millions of dollars, hundreds of millions of acres of land in developing nations and the welfare of millions of people. International conservation organizations long ago learned that tourist hunting is vital to communal-based natural resource management. It is uniquely suited to simultaneously contribute significantly to rural development, economic growth and wildlife conservation in many areas of Africa and the developing world not accessible or viable for other growth activities where local communities bear the burden of living with wildlife. The benefits generated by tourist hunting to local communities create a previously unrealized local value for wildlife and habitat, thereby creating strong incentives for communities to manage their lands. These programs provide conservation and social benefits like growth, revenue, poverty reduction, improved livelihoods and empowerment – all of which alleviate human impoverishment and suffering.

The Report directive is a message to developing nations to avoid hunting even indirectly if they want foreign aid. It is a message to USAID staffers that tourist hunting is taboo, which in turn warns AID applicants away from its use. It directly undermines some of the best rural development programs in the world. It discourages hundreds of biologists, anthropologists and other field specialists from utilizing hunting as a conservation and/or human development tool.

It is a sneak attack that must be turned back. Tourist hunting works - it should be encouraged. – John J. Jackson, III.