



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 May 2015

FWS Issues Two More Black Rhino Import Permits

In late March, the Director of the U.S. Fish and Wildlife Service (FWS) issued a news release announcing that the determinations had been made to issue two more trophy import permits for black rhino from Namibia. Both permit applications were filed and handled by Conservation Force. One rhino had already been taken and the other was the one sold at the Dallas Safari Club's Conservation Auction in January of 2014, 14 months before the hunt is to be taken.



John J. Jackson III

The media seems to have been educated by the events. They now get it. See www.cnn.com/2015/04/07/us/texas-namibia-black-rhino-hunt/ for an example of more balanced coverage over the course of events and time.

In the news release, Director Dan Ashe said that the "disproportionately large share of ... (US) hunters who book trophy hunts in Africa... gives us (FWS) a powerful tool to support countries that are managing wildlife populations in a sustainable manner and incentivize others to strengthen their conservation and management programs." In short, the reward of the permits should serve as a model for others. The Director said the two permits combined provided approximately \$550,000 in purposeful funding.

The Director stated that, "In North America, trophy game hunting has led to the restoration of the white-tailed

deer, elk, moose and a number of other species." Note the term 'trophy.' Director Ashe also cited the International Union for the Conservation of Nature (IUCN) and other international wildlife management and conservation organizations that recognize that "well managed wildlife programs that include

limited, sustainable sport hunting can and have provided significant long-term benefits to the populations of many species." He adds that, "The future of Africa's wildlife is threatened by poaching and illegal wildlife trade, not responsible, scientifically managed sport hunting."

This is one of the strongest positions in favor of hunting as a conservation tool, particularly "trophy hunting," ever to be witnessed. It was made despite all the early media hype, 15,000 individual comments, and more than 135,000 petition signatures.

With the promise of the permit

for Corey Knowlton, the FWS asked Conservation Force to transfer the \$350,000 it has been holding since the Dallas Safari Club Auction. The transfer of the \$350,000 has been made to the Game Products Trust Fund 14 months after the auction. All total the three import permits Conservation Force handled have provided \$775,000 in direct funding to the special Namibian Trust Fund excluding other costs and income. DSC and Conservation Force covered all costs, and Conservation Force even transferred the interest earned on the funds to the Game Products Trust Fund.

If you wish to read more lauding of Namibia's sustainable use based conservation strategy and the crucial role of trophy hunting, see <http://www.fws.gov/international/permits/black-rhino-import-permit.html>.

Again, this is the ultimate validation of hunting as a conservation tool. Of course, the antis are threatening to sue. What does that say about them? They would prefer the species cease to exist than be sustainably used. These people don't like us and don't genuinely care about interdependent game and rural people. ■



Antis File Petition to List All Elephant as Endangered

On February 11, 2015, four anti-hunting organizations filed a petition to list all elephant as endangered under the Endangered Species Act (ESA). The petitioners are The International Fund for Animal Welfare (IFAW), Humane Society International (HSI), The Humane

Society of the United States (HSUS) and The Fund for Animals (FfA). The petition is 130 pages long and obviously took months to prepare by pseudo-experts.

What is unique about this petition is its emphasis that legal trade

endangers elephant. As unprecedented as the recent poaching crisis has been, less than ten pages are devoted to that. Fifty-five (55) pages build a case that legal trade is over-utilization that endangers the elephant. Five (5) pages address loss of habitat, fifteen (15) pages are directed at inadequacy of

existing regulatory mechanisms and one page (1) covers disease as a threat. They are emphatic that legal trade has stimulated illegal trade, therefore legal trade has to be eliminated.

The antis take full advantage of the FWS suspension of trophy imports from Tanzania and Zimbabwe. They quote heavily from the suspension findings and FWS news releases about the rationale behind the suspensions. In doing that, they take a great deal out of context and demonstrate a lack of genuine knowledge about elephant and elephant management.

The FWS is required to make a 90-day finding whether or not a review is warranted and that takes a year or more in practice. In fact, the height of the recent poaching crisis has passed and is behind us. The poaching may not yet be at a level that can be sustained but it is close to that point.

There is too little reason to bear the costs of so many elephant without legitimate use and value. Also, I fully expect the suspension of elephant imports from Tanzania and Zimbabwe to be lifted long before the elephant can be listed if the petition does survive the 90-day finding process. ■

EU Trophy Import Permits Now Required

The EU member states have a long history of less strict treatment of hunting trophy imports. Personal hunting trophies have been importable for non-commercial purposes without import permits. Now that has changed for six species: African lion, polar bear, African elephant, southern white rhinoceros, hippopotamus and argali sheep. Trophies of those animals now require a prior import permit from the importing EU member state before import.



new measures address these problems by introducing a requirement for an import permit guaranteeing that the origin of the trophy is legal and sustainable. The permit will only be delivered once the EU is convinced that the import meets criteria demonstrating that it is sustainable. If the criteria are not met, the import will be banned.

The Commission's website states that stricter controls apply to these Annex B, XIII listed species, under No. 865/2006 as

now amended "due to concerns as to the sustainability of trade in these hunting trophies or for which there are indications of significant illegal trade."

Though "iconic" species have been under the microscope since their Annex B listing in 2006, the current wildlife trafficking crisis has caused this new regulation. This is among the first of the EU regulations to address the crisis, according to the Commission.

The EU Commission press release states that, "Trophy hunting is a widespread practice and, when managed sustainably, it can help conserve species and generate income that benefits rural communities while protecting biodiversity."

Nevertheless, the release also states that, "The hunting of iconic species is a very sensitive area and one where Europe needs to lead at international level to promote responsible practices. I am confident that today's Regulation takes an important stand against illegal and unsustainable hunting of these precious species. These steps are an important contribution to keeping the trade legal and safe." One cited example of the need for the "stricter measures" that cannot be denied:

For example, the system was abused by criminal gangs to import rhino horns as hunting trophies which were then fraudulently exported to Vietnam. The

The permits will not be issued as a matter of course. They will be based upon a determination that the trade is both sustainable and legal. These are "stricter domestic measures" beyond CITES. Of course, CITES requires export permits for all of these species, so now both import and export permits will be required. The import permits/certificates requirement is effective immediately. It applies to all trophies of the six species, including those already taken. ■



SPECIAL SUPPLEMENT

World Conservation Force Bulletin

EDITOR/WRITER
John J. Jackson, III

PUBLISHER
Barbara Crown

Copyright ©2015 by Dagga Boy Enterprises LLC. ISSN 1052-4746. This bulletin on hunting-related conservation matters is published periodically free of charge for subscribers to The Hunting Report, 12182 SW 128 Street, Miami, FL 33186. All material contained herein is provided by famed wildlife and hunting attorney John J. Jackson, III with whom The Hunting Report has formed a strategic alliance. The purpose of the alliance is to educate the hunting community as well as pro-advocacy of hunting rights opportunities. More broadly, the alliance will also seek to open up new hunting opportunities worldwide and ward off attacks on currently available opportunities. For more information on Conservation Force and/or the services available through Jackson's alliance with The Hunting Report, write:

Conservation Force
3240 South I-10 Service Road West, Suite 200
Metairie, LA 70001
Tel. 504-837-1233 Fax 504-837-1145
www.ConservationForce.org

For reprints of this bulletin or permission to reproduce it and to inquire about other publishing-related matters, write:

The Hunting Report
12182 SW 128 Street
Miami, FL 33186
Tel. 1-800-272-5656 Fax 305-253-5532

Remember to favor
Conservation Force's Corporate Sponsors:



www.hornady.com/



ripcordtravelprotection.com

The leaders in their fields.

Electronic Registration of Firearms and Ammo for International Travel

We have been swamped with inquiries about the new regulations for export of firearms and ammunition, including shotguns and shells. I am the Chairman of the Temporary Transportation of Firearms Committee (TTF) of the World Forum on Shooting Activities. The World Forum represents the shooting community before the United Nations. That committee of the World Forum is manned by the NSSF President, The NRA's top UN lawyer, the President of SAAMI, the President of the World Forum, SCI's top firearms expert, et al. Despite every effort, we are not satisfied that we have the full picture yet. The responsible agencies are just now broadcasting guidance and explanation. Nevertheless, we now know enough to issue some advice ourselves.

The first piece of advice is to just hire a broker for \$75 to electronically register your firearms and ammunition. By the time you get this, thousands of firearms owners traveling internationally with their firearms will have had their guns and ammunition registered for them by these professionals who are keeping up with agency guidance and regulations. It should protect you from criminal charges at the very least and save your sanity. That is my advice for the time being. I have been working first hand with John Meehan of Fauna and Flora Customhouse Brokerage (www.faunaandflora.com), Coppersmith Global Logistics (www.coppersmith.com), Bob Kern of The Hunting Consortium (www.huntingconsortium.com) and Steve Turner of Travel With Guns (www.travelwithguns.com). I know John Meehan is registering any hunter, but I think Steve Turner is only registering when he is the travel agent for the traveling hunter that requires the service. I have already walked through too many registrations with these professionals and too many frustrated travelers to advise you to do it yourself.

A book could already be written about this, but here is a brief introduction. All firearms and ammunition have long been considered "implements of war" and import or export has required a license with one

relevant exception. There has been a continuing Presidential exemption for foreign traveling sportsmen, shooters too, for up to three firearms and 1,000 rounds of ammunition, if personally owned, for personal use and for return (of course, not used ammo). This exemption from licensing has required the owner to "declare" the items at the time of export. There was no agency declaration form or procedure, but in due course the normal Customs Declaration Form served the purpose - Form 4457. In 2012 the electronic registration procedure was added to the books, 22 CFR 123.17-18, but was not implemented. Recently, on February 19, President Obama issued an Executive Order that all trade must be tracked through the electronic portal (*Streamlining the Export/Import Process for America's Businesses*, Executive Order 13659).

The system requires registration of guns and ammo electronically before temporary export. To enter the system the person must first have an Employer Identification Number from the IRS, which requires its own electronic application if you do not already have one. There are professional service providers who can help you with that initial step as well.

Now shotguns and shells and muzzleloading rifles require registration/declaration for the first time, but unlike implements of war that fall under Department of State authority, shotguns come under the Department of Commerce. They are not implements of war but they are exports. Of course, black powder for muzzleloaders has been wholly prohibited for some time. Read on for the most recent information from Customs and Border Patrol. Once again, we advise the traveling hunter to hire a professional to provide the service for you. Ultimately, we hope this electronic pre-registration system will simplify traveling within the bounds of law if the respective agencies will eliminate the many kinks in the process and duplication.

The Presidential Executive Order is intended to provide a "single window" for exports and a "transition from paper-based requirements and procedures...by

December 31, 2016." It may eliminate the need to obtain a 4457 Declaration Form from Customs that is a perplexing problem for those departing from an airport where Customs is absent or has limited hours.

U.S. Customs and Border Protection Website Information **Traveling outside of the U.S. - Temporarily taking a firearm, rifle, gun, shotgun or ammunition abroad for hunting purposes**

What is the process for a traveler temporarily taking a firearm, rifle, gun, shotgun or ammunition abroad for hunting purposes?

To temporarily export a firearm, regulations require that the traveler declare their firearms to CBP using the Automated Export System (AES). AES has a free web-based internet application known as AESDirect that allows the traveling public to make their declarations electronically. The submission of the information is known as the Electronic Export Information. The travelers must file their declarations for controlled commodities, including rifles, handguns, and associated ammunition, at least eight hours prior to their departure from the United States. The export of shotguns can be made up to two hours prior to departure from the United States. Under the Department of State regulations, 22 CFR Parts 120-130 the export of rifles, handguns and associated ammunition is controlled. Under the Department of Commerce regulations, 15 CFR Parts 730-779, the export of shotguns and shotgun shells are also controlled, depending upon the destination.

The phone number for the Dept. of State Help Desk is 202-663-2838

The phone number for the Dept. of Commerce, Exporter Services is 202-482-4811

More information about using AESDirect can be found at <http://aesdirect.census.gov/>.

CBP advises travelers to become familiar with the importing requirements of the countries that they may be traveling through or visiting. The countries may have more restrictive laws and regulations regarding the use of firearms within their countries.

The traveler may also have a Certificate of Registration completed, CBP Form 4457. This document is supplemental support document for the declaration and entry of the firearm(s) upon return to the United States. However, it does not meet the requirements for export.

Upon returning to the United States, the traveler will make a regular declaration regarding the personal effects and goods that they are carrying and ensure that they declare any firearms and ammunition. To satisfy the Bureau of Alcohol, Tobacco, Firearms

and Explosives requirements for the re-importation of a firearm please refer to 27 CFR 478.115(a). The ATF regulations allow for the use of the CF 4457 upon re-importation, and does not require an approved import permit (ATF-6), provided that CBP is satisfied that the firearm was previously exported from the United States and is now being returned. To establish such proof, a bill of sale, receipt, copy of ATF Form 4473, household effects inventory, packing list, or registration on Customs Forms 4457 or 4455 may be used, if the registration form is

https://help.cbp.gov/app/answers/detail/a_id/323/kw/export%20hunting%20rifle/session/pbWUvMTQyODAwNjc5OC9zaWQvQmtCQUVUlaW0%3D/suggested/1

completed prior to departure from the U.S. For military personnel, a properly executed Department of Defense Form 12521 signed by either the serviceman's commanding officer or an authorized Customs officer may be used. The acceptability of such proof is within the purview of the Customs officials at the port of entry.

Customs and Border Protection (CBP) advises travelers to register their firearms prior to taking them overseas to expedite clearance upon their return to the United States. ■

Two More Negative Elephant Import Decisions Made By FWS

On March 26 the US Fish & Wildlife Service (FWS) made a negative enhancement finding for import of elephant hunting trophies from Zimbabwe in 2015. As in 2014, the finding is not final. The FWS has emphasized that it can and will change its finding if more adequate information is provided. The 18-page determination is a challenge but one we feel can be met before the year is finished.



The FWS has not yet made the two findings that are necessary for Tanzania elephant imports in 2015. Unfortunately, the Director denied the administrative appeal we argued orally in February in a very brief two page letter of no substance that did not address the many points and documents we had raised. We still expect to reopen Tanzania imports and need permit applicants for the 2015 season. If you are elephant hunting in Tanzania in 2015 or during the finish of that season that carries over into the first few months of 2016, then please contact me for free assistance. There were only 7 elephant taken in Tanzania in 2014, hunting operators pumped millions of dollars into anti-poaching, and the

international community is pumping approximately 200 million into the country but the FWS did not make the necessary positive findings. That said, the population surveys have not yet been analyzed for release.

The decision to deny our administrative appeal was dated March 31, two months after the oral argument, and the substance was in only a few sentences in two paragraphs. Despite all the promising improvements, the negative non-detriment finding was based upon the most recent available population studies which, according to the FWS, showed a decline so concerning "that any level of take...might not be sustainable." The Service must review the most recent population surveys "to evaluate whether the level of poaching has significantly decreased," but those surveys have not been made available. For the enhancement finding, the Service has not ignored the demonstrated benefits of the hunting but, "must look at the overall elephant management program, of which sport-hunting is only one component." That means enhancement from the underlying hunting activity is not enough to

establish enhancement. That should be a short-term problem with the hundreds of millions of dollars in aid being poured into the country.

Unfortunately, Zimbabwe is not getting such favored aid and the struggling wildlife authorities are well aware of that fact. Zimbabwe has the largest remaining elephant population outside of Botswana, but too few agencies are offering to help and what help is offered is but a token. ■

From Safari Club International Foundation

Attention International Hunters: This is a request to international hunters who wish to protect future hunting opportunities in Africa. The ability to export and import hunting trophies is continuously being challenged in many countries by anti-hunting organizations. Please help the world better understand the level of economic contributions, jobs and conservation impact generated by hunters in 2013 and 2014. If you hunted in Africa in 2013 or 2014, please take a few minutes to complete a confidential survey located here: <http://www.surveygizmo.com/s3/1702255/Africa-Hunting>. This anonymous survey is being conducted by Southwick Associates on behalf of the Safari Club International Foundation (SCIF). Your input will help us report the economic importance of hunting in Africa. Your response and identity will remain 100% private and you will never be contacted by anyone as a result of taking this survey. ■

Conservation Force Sponsor

Grand Slam Club/Ovis generously pays all of the costs associated with the publishing of this bulletin. Founded in 1956, Grand Slam Club/Ovis is an organization of hunter/conservationists dedicated to improving wild sheep and goat populations worldwide by contributing to



GRAND SLAM CLUB/OVIS

game and wildlife agencies or other non-profit wildlife conservation organizations. GSCO has agreed to sponsor Conservation Force Bulletin in order to help international hunters keep abreast of hunting-related wildlife news. For more information, please visit www.wildsheep.org.