



SPECIAL SUPPLEMENT

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

World Conservation Force Bulletin

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Final Zim Finding: Most and Best Available Information Ignored

Editor's Note: This month Regina Lennox, Conservation Force staff attorney, analyzes the information US Fish & Wildlife Service failed to consider in its most recent decision (shortened version).
- JOHN J. JACKSON, III

The July 22, 2014 negative enhancement finding by US Fish & Wildlife Service (USFWS) claims to be an "updated finding" and "the result of an analysis of this more recent information [received] from Zimbabwe and other sources," such as Conservation Force and Zimbabwe safari operators. **It is not.**

The enhancement finding discusses only a small portion of the material provided by the Zimbabwe Parks and Wildlife Management Authority (ZimParks) and Conservation Force.

It discusses little of the information in ZimParks' response to an April 4, 2014 USFWS inquiry (ZimParks' response). Instead, the finding consistently reuses language from its April 17 predecessor – indicating no "update" occurred. In at least a half-dozen places, it relies on documents USFWS apparently already had. And in multiple other places, it draws conclusions with no reference or citation, **making it hard to understand whether the basis of the finding is scientific ... or political.** Conservation Force provided more than 30 material documents that are never mentioned, discussed or distinguished (and that is a conservative count), but which clearly demonstrate that Zimbabwe's elephant population is huge and growing, and tourist hunting greatly benefits the elephant, as well as local communities



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and other wildlife.

This analysis breaks down the enhancement finding by subheading to evaluate the sources of the USFWS' conclusions and points to the disregarded documents provided by Conservation Force and ZimParks that vigorously refute the USFWS' negative finding.

MANAGEMENT PLANS

The enhancement finding discusses and discounts several national and regional elephant management plans and environmental policies provided by ZimParks. Among others, the finding criticizes Zimbabwe's 1997 "Policy and Plan for Elephant Management in Zimbabwe" as lacking "specific measurable outcomes." But USFWS' criticism is unwarranted, as explained in several documents that the

finding generally ignores.

First, Zimbabwe has a national elephant management plan – but **does not really need it.** As ZimParks explained in its response, Zimbabwe employs adaptive management. Adaptive management does not specifically require a formalized national plan, but is more of a consultative and experimental process. As ZimParks also explained, Zimbabwe has devolved wildlife management authority under CAMPFIRE and to private conservancies. This devolution makes a national elephant management

plan superfluous. Conservation Force provided USFWS with an example of an up-to-date local management plan from the Savé Valley Conservancy supported by population and human-elephant conflict studies, but the finding neglects to discuss or address these.

Second, the finding fails to acknowledge that – largely to address USFWS concerns – Zimbabwe's elephant management plan is under review. Conservation Force provided a draft program for a workshop to be held **this fall** to study and revitalize Zimbabwe's plan, which will specifically include "Objectives, Targets, and Activities." The enhancement finding ignores this crucial progress and demonstration of Zimbabwe's political will. Its selective review of this and other provided information leads one to wonder if a negative finding was a foregone conclusion.

POPULATION STATUS:

Here, the enhancement finding addresses little of the new information provided by ZimParks and Conservation Force regarding the population status of Zimbabwe's elephant. This information showed that **Zimbabwe systematically tracks many of its largest or at-risk elephant populations**, and substantiates

ZimParks' belief (shared by many experts and stakeholders) that Zimbabwe's elephant population is (far too) large and increasing. Instead, the enhancement finding generally reuses language from the April 17, 2014 version and paraphrases the AEFSG Elephant Database.

For instance, pages 6-7 of the enhancement finding reuse, almost verbatim, **two full paragraphs** and multiple sentences from its April 17 predecessor. In the only "updated" paragraphs, it misinterprets



two recent surveys provided by both Conservation Force and ZimParks, and not yet reflected in the Elephant Database. Among other things, the enhancement finding misreads 2013 survey results for Gonarezhou National Park, which show a growing elephant population and low recent carcass count. Although the survey indicates that poaching is low in Gonarezhou (which most consider to be a good thing), the USFWS finding suggests that the low carcass count reflects problems with the survey. USFWS apparently did not read a 2013 study on poaching in Gonarezhou submitted by Conservation Force. This study concluded that poaching declined in Gonarezhou from 2004-2010, likely as a result of increased law enforcement. The poaching decline occurred even though Zimbabwe experienced severe economic decline. See E. Gandiwa *et al.*, 21 Journal for Nature Conservation 133-42 (2013). The enhancement finding fails to acknowledge or distinguish this article, which obviously supports the 2013 survey results.

Another issue is the enhancement finding's selective review of survey results. It does not mention (1) the AEFSG's webpage of "new surveys," or (2) the six surveys provided and explained by Conservation Force and ZimParks which were all conducted since the 2001 countrywide survey. Taken together, these disregarded documents indicate that over 50,000 km² of elephant range have been surveyed **and over 70,000 elephant have been estimated in Zimbabwe since 2006.** Most egregiously, the enhancement finding somehow overlooks the 2007 survey of North West Matabeleland, which includes Hwange National Park. This document completely refutes the USFWS' stated "updated" concern – very similar to language in the April 17 version – that "Even areas within Zimbabwe that had expressed higher levels of poaching or human-elephant conflicts, such as Hwange National Park, do not appear to have been surveyed since 2001."

Further, the enhancement finding pays zero attention to the Hwange and Mana Pools game censuses provided and explained by Conservation Force in its June 6, 2014 comment. The elephant population of Hwange **has not only been estimated by air but has been visually counted by an annual foot census for over 40 years.** The census follows the same methodology each year so the data is comparable, and it monitors population trends. In 2013, in a 24-hour period, 85 teams counted **20,373 elephant** at select waterholes and pans. According to the census results, this count was among the highest since 2000, and elephant "have become the predominant species in the park." Similarly, an annual game census in Mana Pools National Park follows the same transects and methodology each year, and has documented an increasing population trend over the past 20 years.

Yet another problem is that the enhancement finding refers to PIKE data from 2011. But updated PIKE data became available at the beginning of July, at least two weeks prior to publication of the finding. In fact, Conservation Force submitted the updated PIKE data from the 65th Meeting of the CITES Standing Committee (SC65) to USFWS as an attachment to another elephant permit dispute (and sent it to the attention of the author of the July 22 Zimbabwe enhancement finding). USFWS representatives attended the SC65 meeting, and the report was posted and distributed. Its absence is critical because 2013 data shows decreased poaching in Zimbabwe, and both sites showed PIKE values below 0.5



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– meaning poaching is not a serious issue at those sites. USFWS’ assumptions are contrary to the facts.

REGULATIONS AND ENFORCEMENT

The enhancement finding cites nothing new to substantiate its expressed concerns about ZimParks’ budget and capacity. Although USFWS did not ask for information on ZimParks’ budget, ZimParks’ response states that it receives revenue from tourist hunting fees and concessions and explains how the revenue is used. But rather than engaging with ZimParks’ response, the entire first paragraph copies-and-pastes almost the same language as the April 17 version. Among other things, the July 22 finding erroneously refers to a “2002 CITES Panel of Experts” which did not exist (the April 17 finding referenced a “2013 Panel of Experts,” which also did not exist). **The error likely arose because this language was recycled not just from April, but from a 1997 enhancement finding** – back when there was, actually, a CITES Panel of Experts on Zimbabwe. The lack of fact-checking and recycling of language suggests the July 22 enhancement finding has not been “updated” at all.

The only document under this heading provided by Conservation Force or ZimParks is a report by expert Rowan Martin. The finding takes a sentence from this report out of context. It also ignores ZimParks’ response, which clarifies that ZimParks does not receive funds from the Zimbabwe treasury (and which explains why tourist hunting is so important to conservation there!). Conservation Force also provided the Gandiwa study, which concluded that law enforcement in Zimbabwe **strengthened** in 2004 because of the “transformation” of ZimParks to a parastatal authority, which “resulted in a direct increase in funds available for wildlife management.” The enhancement finding does not address or distinguish any of this. (Interestingly, USFWS criticizes Tanzania for not having adopted a parastatal structure.)

Instead, the enhancement finding relies on two ETIS reports from the 15th and 16th meetings of the CITES Conference of the Parties. Neither ZimParks nor Conservation Force provided this information because it discusses the illegal ivory trade, and does not apply

in a decision regarding the **legal export of elephant trophies for personal use**. ZimParks’ response shows that poaching in Zimbabwe is fairly low. This fact – which is not addressed in the enhancement finding – is supported by the most recent PIKE report, the Gandiwa study, and letters from numerous safari operators submitted by Conservation Force.

These letters and operator reports demonstrate that safari hunting operators play a large anti-poaching role. The enhancement finding acknowledges this, but concludes that the activism of safari operators is a failing of ZimParks, and operators cannot do enough to combat poaching. This conclusion makes little sense. As demonstrated in letters and reports Conservation Force and the Safari Operators Association of Zimbabwe (SOAZ) sent to USFWS, poaching in Zimbabwe is effectively controlled by safari operators. ZimParks reports low poaching offtake (only 293 elephant in 2013), especially given the size of Zimbabwe’s range and population. The 2013 PIKE data (which USFWS ignores) indicates poaching is not a problem in Zimbabwe. Obviously, the efforts of safari operators to supplement ZimParks **is working**. It seems impossible the enhancement finding would use operators’ very success (benefits) against them – but it did. Apparently, this is not enhancement to USFWS.

SUSTAINABLE USE

Here, the enhancement finding concludes that because Zimbabwe does not have “current” elephant population surveys, it cannot properly set export quotas. This conclusion is wrong, and the finding ignores material documents provided by Conservation Force.

This conclusion is wrong because ZimParks has data to indicate its quotas are sustainable. Zimbabwe **has current**

population surveys. ZimParks’ response indicates that poaching offtake is low (the finding somehow discounts this **specific** data because of the **general** increase in elephant poaching throughout Africa). The finding relies on “anecdotal evidence” to conclude that many problem elephant are taken in Zimbabwe, and this offtake may be too high for sustainable quota-setting. With such a large elephant population, problem animal control will always be an issue. But tourist hunting is part of the solution because hunters **take** problem animals. Conservation Force submitted an article from expert R.D. Taylor on this point, as well as a declaration from a hunter about his experience. The enhancement finding never acknowledges or distinguishes these documents. It also fails to engage ZimParks’ explanation of its quota-setting processes and instead criticizes the two exemplar documents provided with ZimParks’ response simply because it has its own view of proper quota-setting. It cites no references to substantiate its view.

Importantly, the enhancement finding never distinguishes the Rowan Martin study submitted by Conservation Force. Dr. Martin draws two key conclusions: first, tourist hunting has a negligible impact on population growth rates (even in a population subject to illegal hunting); and second, Zimbabwe’s large elephant population is the result of the imposition of sustainable quotas following a period of over-hunting. In short, Dr. Martin concludes that tourist hunting is biologically sustainable. (And as Conservation Force otherwise demonstrated to the USFWS, tourist hunting benefits the elephant because its revenue incentivizes habitat preservation and reduced human-elephant conflicts.)

REVENUE UTILIZATION

This section wins the prize for most egregious and unsupported. It generally criticizes the CAMPFIRE program as having “excessive retention of generated funds by district councils.” The **current** source of its criticism is unclear. The entire section is almost fully recycled from the April 17 version and cherry-picked from the 1997 finding. In 1997, the USFWS noted concerns, but Zimbabwe provided info to a CITES Panel of Experts showing the “excessive



retention" situation was improving, and USFWS **found** enhancement. Yet in 2014, in reusing the same language, no enhancement is found. How can the enhancement finding claim to be "updated" if it is selectively cut-and-pasted from 1997, and fails to consider multiple documents provided by Conservation Force, including a report, **using data current through 2013**, by the CAMPFIRE Association?

The finding concludes that "rural communities should benefit from revenue generated by sport-hunting." The CAMPFIRE Association report is full of examples of benefits. Among other things, the report notes that Zimbabwe government guidelines were amended (in 2002) to address excessive retention and **require** at least 55% of revenue generated in producer communities be distributed back. The report emphasizes that 90% of CAMPFIRE revenues come from tourist hunting (70% from elephant hunting). In real numbers, in 2012, elephant hunting generated over \$1.7 million in revenue for CAMPFIRE communities. According to the report, these dollars were reinvested in community projects like schools, clinics, and water supply infrastructure.

These benefits – and increased habitat – were all detailed in the CAMPFIRE Association report, a chapter from a text on wildlife conservation, multiple sworn declarations, a letter to *Science* from a leading biologist, a report by the Congressional Resource Service, and a USAID Report. And as far as "current" data, Conservation Force described an **April 2014** World Bank project in a CAMPFIRE district near Hwange National Park. The project aims to develop the area economically and environmentally and plans to rely on trophy hunting revenue to incentivize local communities. Yet none of these benefits were addressed, and none of these documents were distinguished in the enhancement finding.

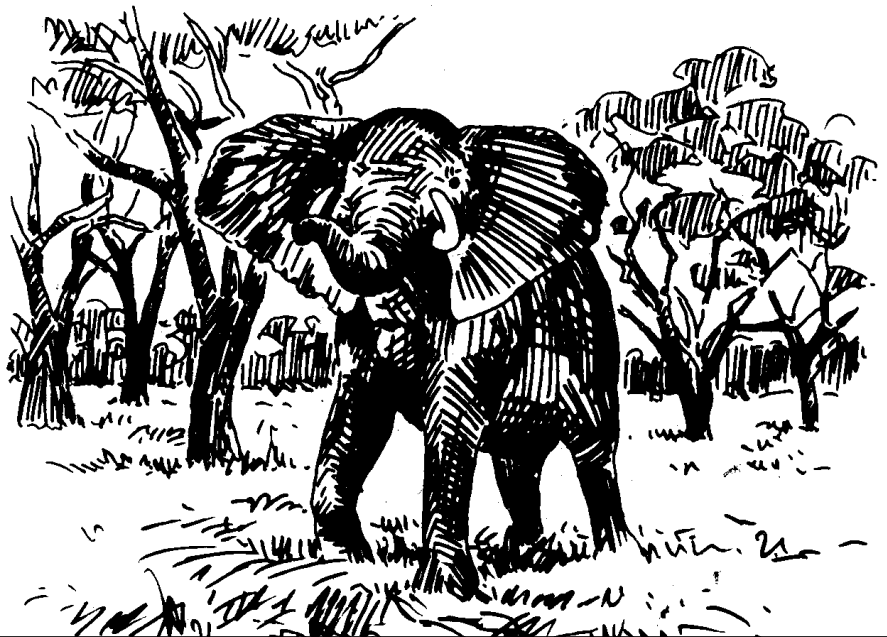
LOCAL CONSERVATION EFFORTS

This final section of the enhancement finding states: "much of the information provided by Conservation Force and other commenters addressed the economic impact of the suspension to local conservation efforts being carried out by individual landowners or lease-holders, safari outfitters and conservancies." This is simply untrue. Conservation Force submitted USFWS documents, ZimParks documents, population surveys/censuses, academic studies, information on transfrontier conservation areas (**which are wholly ignored in the enhancement finding, but are crucial because they show how Zimbabwe manages its shared elephant populations in cooperation with its neighbors**), information on hunting and elephant management in conservancies, anti-poaching information, and information on community benefits. Perhaps the finding is referencing declarations and letters submitted from safari operators, but contrary to the finding's mischaracterization, these **do not** simply address the economic impact of the trophy import suspension. They do much more – they represent a **coordinated** network of

safari operators and conservancies throughout Zimbabwe, and highlight the success of wildlife conservation, elephant management, and anti-poaching as it has legally been devolved around the country. The enhancement finding criticizes what it deems to be the absence of a government "mechanism" to support local conservation efforts. The devolution of wildlife management in Zimbabwe, as explained in ZimParks' response, is that mechanism. The USFWS' failure to understand the essential structure of conservation in Zimbabwe is a fundamental flaw (and not just in the enhancement finding, but in USFWS' understanding of wildlife management in Africa).

CONCLUSION

In short, the enhancement finding does not engage with any of the many documents that undercut its foregone conclusion of a negative finding. It relies on outdated or incomplete information, and cannot credibly claim to be "updated." Conservation Force intends to file an additional comment soon, to drive these points home to USFWS. We hope USFWS will listen, to save what is left of the hunting season in Zimbabwe. ■



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