

SPECIAL REPORT



**31 August
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**UNDER SIEGE:
RHINOCEROSES
IN SOUTH AFRICA**

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INTRODUCTION

Trophy hunting in the 19th century devastated rhinoceros populations in Africa. By the 1920s there were fewer than a hundred of the southern white rhinoceroses left in the Umfolozi region in KwaZulu-Natal. Preservation, overt protection and habitat and range expansion strategies led to the growth in the number of rhinoceroses in South Africa and brought them back from the brink of extinction. An important component of these strategies was the prohibition of hunting. There is now a completely different situation at play, where the hunting, poaching and trade of rhinoceroses, both illegal and legal, are once again not only severely impacting on the species but also causing untold suffering and death for the individuals involved.

Rhinoceros poaching has reached a 15-year high in Africa and Asia and there are therefore justifiable concerns about the current protection and management of these animals in South Africa as well as the need for public discourse and involvement. South Africa is currently entrusted with over 90% of the world's population of white rhinoceroses, but at the same time it has become abundantly clear that not only are rhinoceroses in South Africa facing one of their worst threats ever as a species, but they are literally under siege. According to the Department of Environment rhinoceros poaching in South Africa has reached the highest levels in decades. In the short space of 19 months, poaching of rhinoceroses in South Africa has accelerated to a rate almost six times higher than that of the previous eight years and at the same time a report by international conservation bodies claims the country has become the conduit of most of the rhinoceros horns leaving the African continent.

The threats rhinoceroses are facing are linked to South Africa's current uncompassionate conservation policies of overt consumptive use and trade and inadequate policing, enforcement measures and resources to protect rhinoceroses. And as with elephants the trade, sale and hunting of rhinoceroses in South Africa is driven by commodification, commercialisation and profit rather than by compassion or robust science.



Despite the fact that protected areas and reserves are fenced and that South Africa is supposed to have one of the most heavily patrolled conservation areas in Africa, according to the latest South African National Parks (SANParks) figures: 82 rhinoceroses were killed by poachers in South Africa national parks during 2008 (36 of them in the Kruger National Park) while 52 were killed in national parks during the first half of 2009.¹ This means that at least 134 rhinoceroses have been killed in South Africa since the start of 2008 to date. Most of them were shot, usually with military rifles, although some were killed by snares.

The number of rhinoceroses poached on private land is not in the public domain.

Zimbabwean wildlife experts reported the poaching of at least 80-90 rhinoceroses in 2008. Some researchers claim the figure is much higher. At the same time Zimbabwean authorities have said that rhinoceros poaching has reached serious proportions, particularly in the south eastern Lowveld, a region situated to the north of the Kruger National Park.

Despite the dramatic increase in poaching South Africa remains the world's top rhinoceros hunting destination and both SANParks and Ezemvelo KZN Wildlife (EKZNW) sell large numbers of these animals to private buyers, including hunters.

Alarmingly, in addition to the poaching figures listed above South African authorities last year also acknowledged that rhinoceros horns were being taken out of the country through hunting permits which were used to launder horns as legal hunting trophies.

Also of major concern is that although the increase in rhinoceros poaching has raised considerable international concern the Department of Environment said earlier this year that it has no central database recording rhinoceros hunting permits issued by the provinces and that it also has no database of statistics relating to rhinoceros poaching prior to 2007. As of July 2009 the Department had still not compiled hunting statistics for 2008. The lack of an accurate central database means that risk analysis is not possible and effective or adequate responses or plan cannot be devised. Moreover, figures provided by Environmental Affairs and SANParks are often inconsistent and differ from one another.

Rhinoceroses have been exported from South Africa to zoos and safari parks around the world. However, there is no policy in place relating to the sale of wild animals into captivity despite the fact that this is highly problematic, contested and has serious welfare implications, and has received much national and international attention. The Department stated in February 2009 that "there is no policy relating to the sale of wild caught rhinoceroses into captivity."

This Report attempts to establish to what degree comprehensive information could be obtained from the government agencies responsible for these issues, namely the Department of Environment, SANParks and the provincial conservation agencies and officials. It is also intended to draw together some topical statistics and the policy stances of some of the authorities managing rhinoceroses in South Africa. Although rhinoceroses occur in all South Africa's provinces the focus of this document has been confined to the organisations responsible for the bulk of the country's rhinoceros population.

This Report reveals a worrying trend: enormous suffering, a lack of centralised statistics and data, an uncoordinated response from authorities, insufficient enforcement and resources to adequately

¹ According to SANParks figures for the period 2000-2008 about 120 of the animals were killed.

protect South Africa's rhinoceros population and a general way of thinking that promotes killing instead of protection and respect.

OFFICIAL STATISTICS: CONFUSING, CONFLICTING AND INCOMPLETE

South Africa is the bastion of the world's white rhinoceroses (*Ceratotherium simum*) population and along with Namibia holds the bulk of the black rhinoceros (*Diceros bicornis minor* and *D. b. bicornis*) populations.

In 1977 rhinoceroses were listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), thereby banning all international commercial trade except in exceptional circumstances and in pre-Convention specimens. Since 1994 the South African population of white rhinoceroses was down-listed to Appendix II and this allowed trade in live animals and trophy hunting.

The IUCN Species Survival Commission Rhinoceros Specialist Group (AfRSG) estimated that as of 31 December 2007, Africa's white rhinoceros population was approximately 17 500 with 16 273 living in South Africa (See *Figure 1*). According to KZN Wildlife there are approximately 2500 rhinoceroses in the province (state and private). There are apparently approximately 4000 rhinoceroses on private land throughout South Africa.

Figure 1

WHITE RHINOCEROSES POPULATION FIGURES (AFRSG)	
1993	6 736
2005	13 571
2007	16 723

Africa's black rhinoceros population was estimated at 4 200 of which a total of approximately 1 488 occurring in South Africa and 1 400 in Namibia. South Africa is the major range state of the south-central black rhinoceros and the majority of the south-western black rhinoceroses – 1 394 – occur in Namibia. Kenya is the stronghold of the eastern black rhinoceroses with 577. A further 67 were listed in Uganda.

Although the Department of Environment told ARA in November 2008 in writing that South Africa had about 9 000 white rhinoceroses and 1 350 black rhinoceroses these figures differ from those calculated by the AfRSG which publishes its figures every two years. They also differ from those contained in a press release issued by SANParks CEO Dr Mabunda in July 2009 which stated that the Kruger National Park had between 9 000 – 12 000 white rhinoceroses. In response to a Parliamentary question by the Democratic Alliance on the 7th August 2009 the Minister of Water and Environmental Affairs said that the current estimated population in the Kruger National Park of white rhinoceroses is 10 800 and 300 for black rhinoceroses. The Minister also added that in the Kruger National Park the last population census for white rhinoceroses was undertaken in 2008 and for black rhinoceroses the census was done in 2007.

The above figures also differ from those given to ARA by SANParks in February 2009 which stated that the Kruger National Park, Marakele, Mapungubwe, and Mokala reserves collectively had a white rhinoceros population of approximately 10 879 animals in 2008 (See *Figure 2*). Also according to SANParks the combined rhinoceros population figure for these four parks was 8003 in 2007. This represents an unlikely increase of 31% in just a year. While in July 2009 Dr Mabunda said the Kruger National Park rhinoceros population was increasing at 11.9% per annum.

Figure 2

RHINOCEROSES POPULATION FIGURES IN PARKS CONTROLLED BY SANPARKS²									
Species	Sub-species	Park	2002	2003	2004	2005	2006	2007	2008
Black	D.b.bicornis	Addo, Karoo, Mokala, Mt Zebra	37	54	54	58	63	75	79
	D. b. minor	KNP, Marakele	365	373	398	416	n/a	428	n/a
White	C.s.s	KNP, Marakele, Mapungubwe, Mokala	5651	6169	6723	7318	8003	8716	10879

TURNING RHINOS INTO GOODS AND CHATTEL

South Africa is Africa's biggest wildlife trader and its market is booming. The trade in wild animals is a story of cruelty and environmental devastation in which wild animals are no longer individual beings but just a mass of commodities. Trade in mammals, birds and reptiles from Africa have grown dramatically since the early 1990s. Government agencies, such as SANParks and provincial conservation bodies (which are supposedly tasked with protecting South Africa wild animals and our heritage), profit-motivated animal dealers and middlemen, and a seemingly bottomless market, drive this trade, which hides behind the vague, flawed, cruel, unsustainable and indefensible concept of 'sustainable use'. In South Africa the term 'sustainable use' has become an anathema used to mask activities killing animals merely for fun and it is an alibi for profit-making, exploitation and gratuitous violence against wild animals.

On the ground, these policies are literally translating into a war against wildlife. Wild animal, who were victims and suffered under colonialism and apartheid, now continue to be victims under 'sustainable use' policies. But despite this the mainstream conservation organisations in South Africa support the government's consumptive use and the trade in wild animals because they too see them as merely 'renewable natural resources'. It is inconceivable that these organisations and the South African government take this position because the trade in wild animals is subject to inadequate and problematic local and global controls and treaties which are beset by weak national and international enforcement and implementation mechanisms.

Worldwide the trade in wild animals is governed by the CITES (the Convention on International Trade in Endangered Species of Flora and Fauna) agreement. Like all other international treaties, it is also about politics, trade-offs and deal-making. CITES has failed wild animals because it does not provide for issues of ethics and compassion. It remains silent on the basic ethical question of whether it is even appropriate to engage in international trade. It appears to be concerned not so much with protecting species as with allowing trade in endangered ones, which makes it almost Orwellian in character. CITES does not deal specifically with the protection of wild animals. It operates on the premise that wild animals, even endangered ones, have an economic value and can be commercially traded, and because it accepts the concept of 'sustainable use' as a way of managing wild populations, it regulates rather than prohibits trade. The CITES Secretariat works exclusively with the International Union for the Conservation of Nature (IUCN) and its members and tends to disregard the input of other organisations, particularly animal protection ones. The Secretariat is also reluctant to share information with those who criticise the 'sustainable use' model.

² According to SANParks, "The population numbers are presented in park groups as we are careful not to publicly indicate the exact populations of rhinoceroses in specific parks, so as not to encourage poachers."



Photograph: D Pienaar Mpumalanga Parks Board

The toll the wildlife trade is taking on the environment is increasing, particularly in the context of global over-consumption. Human desire for 'exotic' animals for food, cultural practices, possession and status has produced an endless and unrelenting demand for wild animals and this is having a catastrophic effect on their survival, particularly because the market value of a specimen is usually related to its scarcity. The trade commonly involves a high degree of crime, and the illegal trade continues to exist parallel to the legal one. In fact, in many instances the legal trade stimulates and feeds the illegal one. Animals may be acquired illegally but thereafter traded legally, and all in the name of 'free enterprise'.

South Africa's trade in wild animals takes place mainly through extensive live auctions, catalogue sales, the Internet and private telephone deals, for both local and overseas clients. However, it is largely through auctions that the commercial value of a species is established. South Africa is almost unique in auctioning indigenous animals; in most other countries this practice is not allowed. The revenue the sales of wild life by provinces and national parks is rising annually.

SANParks profits from sales of animals and plants have increased dramatically, particularly within the last few years, and from 2006 to 2008 they have more than doubled. For example, according to their Annual Financial Statements income from fauna and flora as at 31 March 2006 was R11 579 000.00, as at 31 March 2007 R15 420 000.00 and R25 070 000.00 as at 31 March 2008. Trade is lucrative and Parks are becoming increasingly dependent on it as an income generating method. For the animals this often means that they are literally paying with their lives.

National Parks are sites of global biodiversity and wildlife heritage and these areas should not be made to 'pay to stay' but should be paid for and funded by governments, international sources and ethical ecotourism rather than through sales and consumptive use. Protected areas and reserves should be a place of sanctuary for wildlife and conservation agencies have a responsibility towards

these animals from the cradle to the grave. The sale of animals in our Parks is driven by an economic imperative. The provincial and national government derive large sums of money from direct sales to the private sector. National and provincial conservation authorities maintain that animals are being sold because they are either 'problem animals' or 'surplus animals' but there is no evidence for this and the real reason seems to be financial gain and to boost their operating budgets. These economic enticements are very likely to result in more animals being removed than populations can withstand.

Rhinoceroses are sold annually at auctions by SANParks, KZN Wildlife and other provincial conservation authorities. Private owners also sell rhinoceroses. SANParks and provincial conservation authorities have a history of selling rhinoceroses to private landowners, for hunting and even to zoos and they do not seem to be concerned about what the fates of the animals are once they are sold. According to SANParks between 1997 and 2009 it has sold 940 white rhino from the Kruger National Park. Other available figures are that between 2002 and the end of 2008, SANParks sold 474 rhinoceroses for R73.19 million (see *Figure 3*). In addition in 2007, two bull black rhinoceroses were sold from Addo Elephant National Park.

Figure 3

SALE OF WHITE RHINOCEROSES BY SANPARKS		
Year	Number	Monetary value
2002	38	R 6 million
2003	37	R4.3 million
2004	57	R6.6 million
2005	59	R6.14 million
2006	96	R10.85 million
2007	88	R16 million
2008	99	R23.3 million
Total	474	R73.19

Ezemvelo KwaZulu-Natal Wildlife (KZN Wildlife) sold 261 rhinoceroses between 2004 and August 2008 for R44 417 500.00 (See *Figure 4*).

Figure 4

EZEMVELO KZN WILDLIFE RHINOCEROSES SALES (South African Rands)							
Auction Date	Species	Catalogue Auction ³	Live Auction	Total	Catalogue	Live	Total in ZAR
19 June 2004	White	7	30	37	761,000.00	3,513,500.00	4,274,500.00
19 June 2004	Black	3	0	3	395,000.00	-	395,000.00
14 May 2005	White	30	24	54	2,447,500.00	2,640,000.00	5,087,500.00
13 May 2006	White	14	19	33	1,920,000.00	2,485,000.00	4,405,000.00
19 May 2007	White	9	24	33	1,457,500.00	4,420,000.00	5,877,500.00
1 Sept 2007	White	37	0	37	8,750,000.00	-	8,750,000.00
17 May 2008	White	13	19	32	3,725,000.00	5,635,000.00	9,360,000.00
23 Aug 2008	White	32	0	32	6,268,000.00	-	6,268,000.00
TOTAL		145	116	261	R 25,724,000.00	R 18,693,500.00	R 44,417,500.00

³ Rhinoceroses sold by catalogue are only captured once a buyer has been found.

The prices for rhinoceroses vary between bulls and cows. Those sold for hunting purposes generally increase in price according to the size of the animal's horn (See *Figure 5*). At a recent Eastern Cape auction a large male white rhinoceros with a very long horn was sold for R795 000 although average prices are usually much lower.

Figure 5

AVERAGE PRICE PER WHITE RHINOCEROSES BY YEAR IN SOUTH AFRICAN RANDS ⁴	
2002	157 894
2003	116 216
2004	115 789
2005	104 067
2006	113 028
2007	181 818
2008	235 353

There appears to be little scientific or ecological reason to remove rhinoceroses from our parks, reserves and protected areas. There is not an overpopulation of white rhinos in the Kruger National Park. ARA has yet to see scientific data demonstrating that there is a rhinoceros 'surplus' or any rationale in targeting the specific individuals that are selected. There is also real cause for concern for the animals' welfare, during capture, transportation and after the sale. Often these animals are shot within days of their traumatic relocation. It is also likely that mothers and calves will be split up - wildlife dealers prefer mothers and calves because they get "two for the price of one". The mothers and calves will later be separated, with the young rhinoceroses possibly ending up in a zoo while the mother is sold to a trophy hunt.

Although many animal protection and animal rights organisations, some scientists and conservationists oppose the practice, CITES allows South Africa to export and sell wild-caught live rhinoceroses into captivity. "The country can export them to appropriate and acceptable destinations which includes zoos and safari parks where the country of import's Scientific Authority must, in writing, indicate that the destination is appropriate and acceptable" the Department of Environment said in a statement in response to questions for this report. They added that in South Africa, "there is no policy relating to the sale of wild caught rhinoceroses into captivity."

Most rhinoceroses are sold to buyers within South Africa. Some are sold to private reserves and wildlife ranches while others are sold to hunting farms. Rhinoceroses are also sold to zoos and safari parks in other parts of the world. The majority of white rhinoceroses in captivity in zoos, safari parks and other facilities around the world have their origins in South Africa. The AfrSG estimated that in 2006 there were about 760 white rhinoceroses (10 of which were northern white rhinoceroses) and 240 black rhinoceroses in captivity globally. CITES records show that live rhinoceroses are regularly exported from South Africa and CITES figure show that at least 175 permits were issued for the export of live rhinoceroses in 2006 and 2007 alone (see *Figure 6*).

⁴ Average price 2002-2008 – R154 409.

Figure 6

CITES EXPORT PERMITS ISSUED FOR LIVE WHITE RHINOCEROSES FROM SOUTH AFRICA: 2002 - 2007	
Year	Number
2002	44
2003	48
2004	42
2005	23
2006	122
2007	153
2008	Not available
Total (six years)	332

Both SANParks and KZN Wildlife⁵ claim they do not sell rhinoceroses to zoos, but there is no way to independently verify this. Moreover, both of these agencies have no processes in place to follow up on buyers or their destinations so it is very possible and likely that some of their buyers are merely middlemen and rhinoceroses and are then sold onto zoos and hunting destinations.

An obvious loophole is “permit laundering” in order to obfuscate the true origin of the rhinoceros and to fraudulently turn wild animals into “captive bred” and in this way a CITES permit can be issued. Rhinoceroses in national and provincial parks are sold to zoos via a third party- they are bought on an auction by wildlife dealers and traders moved to another province and then kept there for few weeks or months. The CITES permits would thus only reflect the origin as a “breeding farm” and that the rhinoceroses are not wild-caught but “born in captivity” despite the fact that the rhinoceros originated from a national or provincial park. This loophole was used in August 2008 when 3 young wild rhinoceroses sold on the EKZN Wildlife auction were sold to the Augsberg Zoo in Germany and again when 5 rhinoceroses were export in October/November 2008 from South Africa to zoos in Germany and Austria: two to Schmiding Zoo (Austria); two to Dortmund Zoo (Germany) and one to Schwerin Zoo (Germany).

The fact that the South African government even allows the sale of rhinoceroses to zoos overseas reinforces misguided notions put forward by zoos that having rhinoceroses in captivity is the only way to ensure the future survival of species. Implicit in this position is that there is a chauvinistic view that Africa cannot be trusted to ensure habitat protection for its wild animals.

It is not clear how many of the animals sold at SANParks auctions are later hunted, although it is common knowledge that many are selected because they qualify as trophy animals. SANParks has never denied that the rhinoceroses they auction off could be hunted: contracts of sale do not stipulate that the animals sold – those supposedly protected by legislation against hunting - may not be hunted and there is no system or process in place to inspect destinations or adequate checks and balances in place to monitor and ensure that the animals that they have sold are not cruelly treated or hunted. And hunted many (if not most) certainly will be.

In addition, according to Dr Mabunda, SANParks does not feel it is under any obligation, nor do they see it as necessary to publicly reveal the names of buyers or the terms of the sales. For ARA this is an indication that administrators are showing insufficient concern for the welfare of animals after their sale and that they are not adequately accountable to the public.

⁵ KZN Wildlife told ARA in a written response to questions that “It is our contention that there are enough captive bred/orphan animals to supply the zoo market and we are loath to send wild-caught adult animals to such places,” and “we have not done so for many years.”

SANParks statements such as: “since 2002 however, we have not sent any rhinoceroses to zoos and have only sold rhinoceroses to private buyers in South Africa” or “To your questions regarding policies, it is inappropriate for us to set policies for issues that are not under our control” and “the sale of rhinoceroses to sources outside of national parks is governed by the provincial conservation permits,” ring hollow because they have not put a policy in place relating to the sale of wild caught rhinoceroses into captivity or to hunting destinations. SANParks also appears to be abdicating its national responsibility when it claims that because the permits are issued by the provinces this precludes them from having such a policy. In terms of the South African Constitution, responsibility for the Environment is a shared and concurrent competency between the national government and the provinces and therefore, surely, SANParks and the provincial authorities have a close working arrangement and the terms of the permits can be jointly agreed upon?

The sale of rhinoceroses to the “highest bidder” with no responsibility after the sale, all under the guise of so-called “conservation”, is definitely not an ethical way to protect and manage wild animals. On 12 July 2009 the *Sunday Independent* revealed that SANParks intended selling between 200-350 rhinoceroses from the Kruger National Park, a record figure for any year. Although, according to SANParks they expected to raise between R35 and R50 million from these sales, it is unclear what this money will be used for and it is unknown if any of it will be used for rhinoceros protection.⁶

Although initially stating in the media that SANParks would never allow its animals to be hunted it has eventually conceded that it was likely that some of the animals would later be hunted. SANParks also initially said that their sale of rhinoceroses was based on scientific reasons, however their Director of Conservation Services, Dr Hector Magome, admitted during an interview on radio station *SAFM* that there was no scientific justification for their removal. As a result, despite attempts to link the sale to ‘scientific management’, worrying ethical questions have instead been raised about SANParks’ rhinoceros conservation programme where rhinoceroses from national Parks find themselves as put-and-take animals, traumatised by capture and transportation and made to die in pain on a piece of land far away from where they have been born and abandoned by the very South Africans whose mandate it is to ensure their protection.

One buyer also told the *Sunday Independent*⁷ that he dehorned rhinoceroses once they arrived on his farms. He said he was stockpiling the horns so he could sell them if the market was reopened. This also brings into question whether or not SANParks’ recent auction of white rhinoceroses from the Kruger National Park could be contributing to the exploitation of legal trophy hunting by those involved in the rhino horn trade. As previously stated, SANParks does not see a conflict with selling the rhinoceroses to trophy hunters, claiming that the animals are no longer their responsibility after the sale. This unwillingness to monitor the rhinoceroses’ welfare after the sale opens the door to the poaching “loophole”, i.e. once the rhinoceroses are sold on to trophy hunters, as in the case of the Dwesa hunt, “hunting clients” had access to the rhinoceroses - and their horns.⁸

⁶ SANParks put out a statement on 23 July 2009 saying that R2 million would be made available to employ 57 additional rangers, increase the number of motorbikes for the rangers and purchase a state-of-the-art crime information management system. It is unclear how R2 million (which is a very minor amount) could cover all these costs.

⁷ 19 July 2009.

⁸ See Page 19 for more information on the hunting of rhinoceroses at Dwesa.

CAUSE FOR GRAVE CONCERN: THE ESCALATION OF POACHING

The illegal killing of wild animals poses an urgent threat to their survival and involves enormous cruelty, trauma and death for individual animals, family groups and social groups. For purposes of this Report ARA attempted to quantify the current scale of illegal killing of rhinoceroses in South Africa.

It is common cause that poaching of wildlife is widespread across southern Africa and regularly takes place across international boundaries, however, no organisation or governmental body keeps a central database of statistics relevant to the region. The piecemeal nature of the data storage is further compounded in South Africa where records and details of poaching information are spread out amongst all nine provinces, SANParks and the South African Police Services (SAPS). Relevant provincial conservation officials meet two or three times a year but there is no central database where all the provincial poaching statistics and information can be viewed simultaneously.

South Africa and its neighbours have flourishing illegal wild animal markets and in South Africa, particularly, this is compounded by its geographical location and relatively sophisticated infrastructure. Indeed, poaching is taking place in an increasingly organised scale. Africa has seen the unprecedented annihilation of wild animals as a result of poaching and it is being fuelled by the profits that are made by commercial wildlife traffickers (often to satisfy consumer demand abroad) and uncontrolled commercial exploitation. This is part of a global problem which according to Interpol is worth some US\$12 billion a year. Throughout Africa, money is the driving force of this illegal trade and it is motivated by greed and aided by corruption, inadequate ranger staffing, public and state attitudes to wildlife, lack of public awareness, lack of data and lack of adequate law enforcement.

There are three general categories of consumptive use of wild animals: commercial trophy hunting, illegal poaching (including subsistence hunting), and commercial farming. Nearly all illegal poaching is commercial. For purposes of this report 'poaching' is defined as hunting wild animals for food and entrepreneurial exploitation, including the bushmeat trade for local and urban trade, trafficking (locally and cross-border) and trade in live animals and body parts. The traditional medicines market is an important component in the illegal wildlife trade. The killers come in a variety of forms: they may be local people, they may be using snares, they may be using guns or they may be the lowest link in a massive international mafia-type chain of wildlife trade that is today almost as big as the drug trade. Poachers are thus often highly organised armed gangs, hardened criminals or part of syndicates and triads.

It is commonly believed that wild animals are safe in Reserves and Protected Areas. However, research is showing that many of the reserves in southern Africa are heavily targeted by armed poachers. Of concern is that in some instances the park rangers themselves are poaching. According to a research study undertaken by GL Warchol, LL Zupan and W Clack entitled Transnational Criminality: An Analysis of the Illegal Wildlife Market in Southern Africa, shows "numerous instances of rangers poaching for bushmeat, elephant ivory and rhino horn. One Kruger ranger was arrested for shooting 20 white rhinos and another admitted to killing at least 46 over 12 years to pay his gambling debts."⁹

⁹ *International Criminal Justice Review*, Vol. 13, No. 1, 1-27 (2003)

South Africa is pushing to open up and undertake a legal trade in rhinoceros products despite the fact that the insatiable international demand for rhino horn has ensured that rhinos are regularly killed by poachers in southern Africa. Moreover, the general lack of transparency through the media has fuelled speculation that the South African government is losing the battle against poachers. Nevertheless, South Africa has argued at CITES that its vigorous and proactive anti-poaching efforts have kept rhino populations stable and therefore the rhino should be down-listed (this would allow South Africa to trade in rhinoceros horn).

Since 1994 South Africa has not destroyed its rhinoceros horn stockpiles and since 1997 South Africa's position is to try and have white rhinoceroses down-listed to Appendix 11 and to push for the legal trade in rhino horn. Legalising trade in rhino horn would prove disastrous for the species as the market far exceeds the supply. If the legal trade is allowed, poaching would accelerate, and horns from illegally killed animals would not be distinguishable from those that had been stockpiled. This would further endanger the remaining wild populations of rhinoceroses globally.

The demand for horn has been the underlying cause of population declines and legalising the trade in rhinoceros horn would prove disastrous for the species, just as the trade in ivory nearly caused the extinction of both species of elephants. The demand and market for rhinoceros horn far exceeds the supply and would not be appeased by the few hundred horns that enter the trade each year from South Africa. Poaching would accelerate, and horns from illegally killed animals would not be distinguishable from those that had been stockpiled. This would further endanger the remaining wild populations of rhinoceroses around the world, since their horns might be represented as legally obtained.



An ARA report published in March 2007 (*Consuming Wild Life: The Illegal Exploitation of Wild Animals In South Africa, Zimbabwe and Zambia*¹⁰) revealed a marked increase in rhinoceros poaching in South Africa over the previous five years. There is also a highly-organized nature to much of the poaching and illicit trade in rhinoceroses that are currently taking place. Very considerable profits appear to be involved and there are strong grounds to suspect the involvement of money-laundering. It is clear that rhino poaching, far from being under control, is reaching crisis proportions and that the lack of adequate enforcement, coupled with the context of 'sustainable use', has allowed heavily armed syndicates and other poachers to profit and benefit from this situation.

Rhinoceros poaching has put South Africa in the spotlight, even within the framework of CITES and they will have to answer serious questions at the next CITES Conference of the Parties, to be held in Doha in March 2010.

Following the decline of rhinoceroses in Asia, Asians began to import African rhinoceros horn. The market in rhinoceroses horn has been extremely difficult to control, since the horn can be reduced to a powder that is easily smuggled, sold surreptitiously, or in some countries openly, in a vast network of apothecary shops in Asia and throughout the world. With a potential market of hundreds of thousands, the future of these animals is bleak. Throughout the millions of years that rhinoceroses have existed, their armoured hide and horns have helped them defend themselves against a wide variety of predators, but against a legion of new weapons and cold-blooded greed, they may not survive much longer.

At a meeting of the SADC (Southern African Development Community) Rhinoceroses Range States on 14-15 March 2005 it was stated that at minimum the horn stockpile in South Africa in 2004 was as follows:

- A minimum of 5748 horns, about 11 674 kg held by conservation & private sector and this constitutes 66% of Africa's horn stockpile (17 620 kgs.)
- KwaZulu-Natal and SANParks between them hold 72% SA rhinoceros horns

The meeting also noted that "Databases differ between provinces" and there is a "need for a consolidated database."

In a recent statement the Department of Environment said that; "the marking of rhinoceroses horn is compulsory in terms of the Threatened or Protected Species Regulations (TOPS) and the Department is responsible to ensure compliance of TOPS by organs of state. Provincial conservation departments ensure compliance by private owners. The norms and standards which will be published for public comment give guidelines on how the marking must be done. All hunting trophies are being micro chipped and most of the provincial conservation authorities and SANParks have marked their horns." However, also according to the Department, they do not "have a database of how many privately owned horns have been marked, yet."

Given the problems of accountability and corruption in the provinces, ARA is concerned about South Africa's ability to manage the rhinoceros horn stockpiles effectively and stockpile quantities do not always match officially registered volumes. Compliance problems are apparent from both government and private sectors, particularly in South Africa, where the private ownership of rhinoceroses is large, as discrepancies in registered horn data and independent data have been found. Inadequate rhinoceros horn stockpile management also increased the risk of horns finding their way into illegal markets.

¹⁰ http://www.animalrightsafica.org/Archive/Consuming_Wild_Life_290307_final.pdf

One of the arguments used for justifying the reopening of the legal trade in rhinoceros horn is that revenues made from the sales would be ploughed back into rhinoceros conservation, however not even all the revenue made from the sale of rhinoceroses is being put back into rhinoceros protection, but merely goes into a general fund. In addition, if money is needed for the protection of the species then why not rather use a percentage of the revenue made from rhinoceros ecotourism.



Photograph: S Hughes EKZNW

In response to rising levels of rhinoceros poaching in both Africa and Asia, at its 57th meeting (Geneva, July 2008), it was agreed that a CITES Rhinoceros Enforcement Task Force should be convened to address illegal trade. While in July 2009 a joint IUCN, WWF and TRAFFIC Briefing to CITES, entitled *Status, Conservation and Trade in African and Asian Rhinoceroses* stated that, “South Africa is the source of most horns leaving Africa, and the current trade involves rhinoceros horns from neighboring countries, including Zimbabwe and Mozambique. An increasing proportion of horns entering illegal trade have come from poached rhinoceroses, as well as through abuse of trophy-hunted white rhinoceroses and domestic acquisition of horns from the private sector.”

Although the trade in rhino horns and any derivative or products was prohibited in terms of a national moratorium approved by the MINMEC and published in Government Gazette No. 21301 (Notice No.835) there is some ambiguity as the export of rhino horns as part of a hunting trophy is still permitted, although the intention is that all applications for the hunting of rhinoceroses must be referred to the national Department of Environment for recommendation and that the Department would be compiling a database of hunters to ensure that a hunter does not hunt more than one rhinoceros in different provinces per year.

According to the Department of Environment, 76 Rhinoceroses were killed illegally during 2008, of which 36 were killed in the Kruger National Park and “approximately 10 were killed illegally in 2007.” As pointed out earlier there are discrepancies and inconsistencies when it comes to government

statistics and data, as can be seen from the SANParks statistics, released in July 2009, for the number of rhinoceroses (white and black) poached in national and provincial parks during the past nine and a half years (Figure 7).

Figure 7

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 (Jan-July)	TOTAL
KNP	0	4	20	14	7	10	17	10	36	26	144
Gauteng	0	0	0	0	0	0	0	0	0	1 ¹¹	1
Limpopo	0	0	0	0	0	0	0	0	22	2	24
Mpumalanga	0	0	0	0	0	0	2	3	2	3	10
North West	0	0	0	0	0	2	0	0	7	3	12
Eastern Cape	0	0	0	0	0	0	0	0	1	1	2
KZN	7	2	5	8	3	1	5	0	14 ¹²	16 ¹³	61
TOTAL	7	6	25	22	10	13	24	13	82	52	254

The above figures (Figure 7) also differ from the figures obtained by ARA from SANParks in February 2009 (Figure 8) for the number of rhinoceroses poached in national parks, which were as follows:

Figure 8

2002	2003	2004	2005	2006	2007	2008	TOTAL
14	8	7	10	17	10	36	102

(Note: these figures are again not consistent with figure released, in writing, by SANParks in 2007. In 2007 SANParks said that 17 rhinoceroses had been poached in 2002 and 11 in 2003).

Moreover Figure 7 (for 2009) differs from an official reply from SANParks on 7 July 2009 which stated that the number of rhinos (both black and white) killed by poachers in the Kruger National Park in 2009 was 1 black rhino and 21 white rhino.

The number of rhinoceroses poached on private land is not in the public domain and this lack of transparency prevents monitoring and enforcement agencies from getting a full picture of the extent and nature of rhinoceros poaching.

Despite the widely acknowledged increase in rhinoceroses poaching over the past five years the Department of Environment still has to contact each province to compile poaching statistics data, a task which by the department's own admission, it does not undertake regularly. A similar situation exists with data on elephant hunting, the shooting of damage causing elephants, the number of elephants held in captivity and also the number of lions held in captivity for "canned lion" hunting.

¹¹ This figure does not include the killing of Toliwe at the end of July 2009, a white rhino on a private reserve in the Cradle of Mankind, who had six bullet wounds and who had been alive while the poachers tried to saw off the horn.

¹² According to EKZNW 12 white rhinos and 1 black rhino were killed in 2008. *The Witness* reported one additional incident in December 2008, bringing the total to 14.

¹³ None of the poaching incidents that occurred in the Hluhluwe-Imfolozi game reserve and in Opathe Heritage Park near Ulundi had been made public via normal media channels by EKZNW. In addition, according to EKZNW acting director of biodiversity conservation, Sifiso Kheswa, quoted in a SAPA report dated 27 August 2009 the number of rhinoceroses poached in KZN thus far in 2009 is nineteen (http://www.int.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20090827170019305C136631).

In response to questions relating to poaching statistics for this report the Department stated, that "The department does not keep a database of how many animals were killed per province..... No data is available for the previous years as the department does not keep a database of these killings. It is kept within provinces and with South African National Parks." Linked to this and of concern is that, despite authorities having revealed a major abuse of rhinoceroses hunting permits, the Department had, as at February 2009, still not collated rhinoceroses hunting data for 2008.



Implicit in the lack of transparency, inconsistent government statistics, the lack of adequate central databases, is that the number of rhinoceroses lost to poachers and poaching syndicates is far higher than the official figures.

RECENT EXAMPLES OF POACHING INCIDENTS AND CASES

Some examples of incidents and cases are:

- In the Western Cape three cases involving the illegal possession of four rhinoceros horns were reported in 2004.
- In North West two rhinoceroses, a mother and a calf were killed in 2005.
- Criminals in possession of at least 44 rhinoceros horns had been arrested, and in most cases convicted, in the Free State in 2005 and 2006. (Some of the horns were old and may have come from stockpiles).
- In May 2005 five rhinoceroses were poisoned at a waterhole in the Nwanedi Nature Reserve in Limpopo(a provincial park) . A wide variety of other wild animals were also killed and poachers removed the horns from all five. (Note: The illegal killing and poaching of these 5 rhinoceroses is not included in any statistics obtained from either the Department of Environment or SANParks.)

- A Vietnamese national apprehended in May 2006 and 2 rhinoceros horns received diplomatic immunity.
- In August 2006 several people were arrested in different parts of the country after being linked to the illegal killing of at least 14 rhinoceroses. At one stage two of the men posed as tourists to the Hluhluwe Imfolozi Park (HIP) and killed the animals during their visit.
- January 2007: The arrest of two brothers for poaching in a KwaZulu-Natal reserve has led to several more arrests and the discovery of a countrywide syndicate implicated in the slaughter of at least 14 rhinoceroses. Snagged in the police net were a third brother , the owner of a luxury hunting lodge, the owner of a hunting concession in Mozambique and a game farm in Limpopo, a Chinese consortium based in Port Elizabeth; and a runner who allegedly transported severed rhinoceros horns, as part of the smuggling pipeline out of South Africa.
- In April 2008 thieves broke into Reinet House Museum in Graaff-Reinet and seized a white rhinoceros horn from a 120-year-old exhibit. This was followed by a similar incident at the Amatole Museum in King William's Town, the Grahamstown Observatory Museum and the Oudtshoorn Museum.
- In November 2008 an official at the Vietnam Embassy in Pretoria was filmed by an undercover camera from SABC's 50/50 programme, accepting rhinoceros horn from a known smuggler.
- Seven men appeared in the Thabazimbi Magistrates Court in January on charges of killing six rhinoceroses and shooting another three in December 2008. According to investigators, in December 2008 in Hluhluwe-Imfolozi (KZN), poachers cruelly hacked a rhinoceros's hind legs with a sharp instrument, in an attempt to cut the hamstring, and chopped off the horns while the animal was possibly still alive.
- In December 2008 poachers killed a rhinoceros at Shamwari, a private reserve in the Eastern Cape.
- December 2008 poachers shot nine and killed six rhinoceroses in the Thabazimbi in Limpopo Province.
- In January a rhinoceros was killed at the Kwantu private reserves, in the Eastern Cape.
- In January 2009 SANParks and Environmental Affairs announced that 11 suspects had been charged in connection with poaching both white, and black, rhinoceroses. The accused include five Mozambicans, three Chinese nationals, two South Africans and one person of unknown nationality.
- In April 2009 a Vietnamese man was arrested in Pretoria after being discovered in possession of the body parts of 10 rhinoceroses and lions.
- In April 2009 Cape Town's national Iziko Museum, 2 priceless white rhinoceros horns dating back to the late 1800s were stolen.
- May 2009 16 horns stolen from a stockpile at an unnamed private reserve.
- In June 2009 a gang stole 10.5kg of black rhinoceros horn worth approximately R850 000.00 from the Addo Elephant National Park stockpile.
- In July 2009 four men and a woman of Chinese origin were arrested in Ulundi after eleven white rhinoceroses had been killed in the Ophathe Game Reserve in KwaZulu Natal.
- A semi tame white rhinoceros that had been used in television advertisement was shot dead in Gauteng north of Johannesburg in late July 2009.
- Recently South African syndicates have been linked to extensive rhinoceros (and other) poaching in Zimbabwe.¹⁴
- In 2008 and 2009 alone high level members of the Vietnamese Embassy in South Africa have been involved in illegal rhinoceros horn trade: Moc Anh, the First Secretary, Pham Cong Dung and the Commercial Attaché Khanh Toan.

¹⁴ *Cape Argus*, 16 August 2009

- According to Renier Els, manager of the Thaba Tholo, a private reserve in the North West province, poachers had shot 14 rhinoceroses there, six of which died. (From the SA Hunters and Game Conservation website, 20 July 2009).

WAGING WAR: HUNTING RHINOS IN SOUTH AFRICA



Photograph from www.huntingreport.com of a white rhino hunted by a Danish hunter at the Cradock Private Game Reserve in the Eastern Cape in May 2009.

Around the globe, millions of animals are killed annually for 'sport' in the form of trophy hunting. Trophy hunting is a brutal activity that is all the more callous and culpable because it involves gratuitous killing. South Africa is not only the leading advocate of trophy hunting on the African continent but also one of the leading hunting capitals of the world – second to the USA and probably the leader in the hunting of lion, rhinoceros and elephant.

The word *trophy* means a memorial of a victory in war, consisting of spoils taken from the enemy as a token of victory and power. It is within this domain of conquest, exploitation, and elitism that a war is being waged against animals. Trophy hunting is about being able to kill at will and getting pleasure from having power over life and death. Notions of ethics do not enter into it. Trophy hunting may be a lucrative business, particularly the killing of the so-called 'big five', but it invites exploitation and abuse at all levels. It raises issues of class, societal values, economics, science, genetics and ideology and involves debates about ownership, race, ritual, the culture of guns, dehumanisation and societal violence in general. There is a dark and repugnant side to the trophy hunting industry.

At the core of the trophy hunting industry in South Africa are issues of power, exploitation, domination of 'the Other', and the siphoning off of 'resources' from the South to the North. The industry panders to a well-heeled international elite, hunters largely from the North. Overwhelmingly, most African hunting trophies come from South Africa and overseas hunters describe the country as a 'hunting wonderland'. It is fast becoming one of the most popular trophy hunting destinations in the world. But although it may be a hunter's paradise, for the animals it is hell on earth. Wild animals are being used to satisfy the desires of a small minority of people who enjoy killing healthy living beings for fun. And when it comes to issues of conservation, what the hunting community is working hard at is conserving itself and government's current pro-hunting policies. The pro-hunting lobby has the ear of government, while the voices in opposition are met with deafness.

In South Africa trophy hunting is a practice that is not only becoming endemic but is also extremely difficult to monitor or police and is fast becoming a front for poaching and illegal activities as the current war on rhinos has shown. The hunting industry is far from being under control. Canned hunting has not been outlawed and the reality is that most trophy and sport hunting in South Africa is canned to a greater or lesser extent and the industry is growing.

Currently prices for white rhinoceroses trophy hunts advertised on websites such as *Hunt Network* are R600 000 per rhinoceroses and hunters could pay R2 million to kill a black rhinoceros, depending on the size of the horn. The hunting lobby is quick to link the increase in the number of rhinoceroses in South Africa to the fact that rhinoceroses are hunted. However, there is no evidence of this and it is an assertion rather than something that has been scientifically proven. It is protection of the species that has contributed to their survival rather than hunting. Removal of animals from the breeding pool through trophy hunting or other consumptive practices jeopardises the gene pool and the availability of animals for live reintroduction to save the species. Most animal protection organisations are of the view that by allowing rhinoceroses to be hunted and targeted by wealthy trophy hunters the protection and conservation efforts and needs of the species have been undermined and the South African government is once again reaffirming their preference for trophy hunting.

Indeed, by avidly promoting the hunting of rhinoceroses the South African government is putting the species at risk because their endorsement of the commodification and exploitation of rhinoceroses is creating and sanctioning a market and demand for rhinoceros body parts. Trophy hunting in South Africa has also become a way to legally launder rhinoceros horns into the illegal trade. As early as August 2008, several reports appeared in South African newspapers stating that wildlife traffickers were legally obtaining hunting permits to move rhinoceros horns to the Far East. The scheme involves the purchase of rhinoceroses on auctions, usually from national and provincial parks and then the removal of the rhinoceroses to private reserves, mostly in the Limpopo and North West provinces. Hunting permits from provincial conservation authorities are obtained and because conservation authorities usually do not check on whether the hunts actually take place the permits are used to launder rhinoceros horn. ARA has even been told that some rhinoceroses were killed in the crates they arrived in.

A species that has a price on its head cannot properly be protected because by its very nature the legal market encourages the illegal market. Within this context, a question worth asking is how much money do South African taxpayers have to pay out for anti-poaching activities as a consequence?

Despite the fact that the black rhinoceros (*Diceros bicornis*) is a critically endangered species (improved protection has seen numbers rise to 3,100, but this is still a far cry from the 1970 estimate of 65,000) and that the species is still being threatened by poaching to satisfy the demand for

rhinoceros horn for Yemeni dagger handles, traditional Chinese medicines, and ornaments, the 13th Conference of the Parties (CoP13) of CITES in October 2004 approved quota applications by Namibia and South Africa each to "sport hunt" 5 male black rhinoceroses per year. The Central African Republic, Chad, Nepal, India, and Kenya, opposed the proposals. At the time Winnie Kiiru of Born Free Foundation (Kenya) expressed concern that renewed trophy hunting quotas for this species "would send a horrible message to poachers that the rhinoceros trade is open again. One has to ask why the global community would allow Africa's black rhinoceroses to be shot for trophies, while seeking to eradicate trade in horns for traditional medicines or ceremonial purposes. If this isn't overturned, rest assured, poaching will escalate across Africa, including in my home country - Kenya. It's quite simple, really, all international trade in black rhinoceroses must be prohibited."

On one hunting outfitters website alone (<http://www.africatrophyhunting.com>) the following black rhinoceroses were listed as hunted and "green" hunted in South Africa (the information and pictures below come directly from the website (<http://www.africatrophyhunting.com/TrophyRoom.asp?sf=8&PageStack=%2FTrophies.asp%3Fsf%3D8&Id=55> - accessed on 30 August 2009):

Client: Fred Leonard:Photo-T&C Safaris

Species: Black Rhino-First Black Powder Gun Dart Hunt Ever!

Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Undisclosed-2008: Photo T&C Safaris

Species: Black Rhino-Rifle Trophy Hunt

Region: Mkuze Game Reserve-KwaZulu Natal Province-SA



Client: George Brilling-2008: Photo T&C Safaris

Species: Black Rhino-Rifle Trophy Hunt

Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Larry Bucher-2007: Photo T&C Safaris

Species: Black Rhino-Rifle Dart Hunt

Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Rashid Sardarov-Outfitter/PH Peter Thormahlen-2007

Species: Black Rhino-Rifle Trophy Hunt: Photo T&C Safaris

Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Seth Ringer-2007:Photo -T&C Safaris

Species: Black Rhino-First Crossbow Dart Hunt Ever!!!

Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Dr Buzz Madson-Photo: T&C Safaris -2007
Species: Black Rhino-First Handgun Dart Hunt Ever!!!!
Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Mrs. Colleen Cline-Photo: T&C Safaris-2005
Species: Black Rhino-First Rifle Dart Hunt Ever!!
Region: Mauricedale Game Reserve-Mpumalanga Province SA



Client: Undisclosed-PH P Thormahlen -Photo: T&C Safaris
Species: Black Rhino-First Rifle Trophy Hunt in 30 years!!!
Region: Mauricedale Game Reserve-Mpumalanga Province SA

The vast majority of these black rhinoceros hunts took place at Mauricedale Game Reserve which is owned Mr John Hume. Hume also bought 72 rhinoceroses at the recent Kruger National Park auctions and, according to newspaper reports, has apparently bought approximately 200 from SANParks in the recent past. At least 10 of the rhinoceroses that were recently sold to Hume died during the translocation process. The fact that SANParks has chosen to sell so many rhinoceroses to one single buyer, particularly given the increase in the illegal killing of rhinoceroses and the stockpiling of horns by private individuals, has also been brought into question by various

organisations and individuals. Despite this SANParks defended their action and said “there is nothing wrong with selling a number of rhinos to a single operator”.¹⁵

The practice of using trophy hunting as a means of feeding the market for rhino horn in the East was sufficiently serious for the Minister of Environment in February 2009 (through Government Gazette - No. 31899), to place a moratorium on the sale of rhinoceroses horn and limiting hunters to killing one rhinoceroses per year. If and how this policy will actually be implemented is of concern. For example, three months later, in May 2009, the Dwesa Nature Reserve (a provincial reserve in the Eastern Cape) allowed 6 rhinoceroses to be killed by the highest bidders - African Scent Safaris. Vietnamese clients of African Scent Safaris hunted two rhinoceroses and had the horns exported to Vietnam. In mid July 2009 members of PHASA (Professional Hunters' Association of South Africa) were advised not to “book and conduct hunts with nationals from Vietnam or other Far Eastern countries” until the government had “removed this abuse of the SA legal system.” However, not only can this not be officially enforced as PHASA is a self-regulating body but it makes a bigoted assumption that all hunters from the Far East or Vietnam are potential poachers.

An update relating to the management of rhinoceroses was published in Government Gazette No 32426 in July 2009. This Gazette announced regulations intended to further tighten controls on rhinoceros hunting and the sale of rhinoceros horn. The Government Gazette also stated that all live rhinoceroses sold from either state or privately owned properties must also be micro-chipped but this is already compulsory in terms of the Threatened or Protected Species (TOPS) legislation which came into force in February 2008. Despite this the Department of Environment said that it did not know how many privately owned horns had been marked yet.

To ensure the conservation and survival of rhinoceroses as a species they should not be sold off to be killed as hunting trophies but rather they should only be translocated in order to expand the range of the species. Instead of this precautionary approach, SANParks appears to prefer to rather promote and actively facilitate the trophy hunting of rhinoceroses which they supposedly hold in custody and care on behalf of all South Africans, not only through live sales but also by allowing hunting along Kruger's ever-increasing porous borders. But wild animals in and from protected areas in South Africa are not simply government property or a “natural resource” to do with as bureaucrats please. They are sentient creatures deserving of care and respect. Nevertheless, the internet is littered with boasts of hunters from Europe and the USA who seem to get a perverse thrill from killing “Kruger animals”, from what they often offensively refer to as the “Dark Continent”, and sticking them on their walls as symbols of domination and prowess. So, on the one hand, SANParks says it goes totally against their mandate and legislative regulations to allow hunting in the national parks, but on the other hand, they appear to be smoothing the way and encouraging trophy hunting and the killing of the animals that are supposed to be under their protection.

Rhinoceroses living in the Kruger National Park are moving across unfenced boundaries on the Park's western border into the Associated Private Nature Reserves (APNR) and on the Park's Eastern border into Mozambique where they can then be privately sold to foreign trophy hunters for exorbitant sums. SANParks should be at the forefront of having the problematic, outdated and contested notion of wild animals being *res nullius* (i.e. that they are ownerless and can be freely exploited) legally replaced with the concept of wild animals as *res publicae* (in public ownership). Removal of fences between national parks and private or communal land does not mean that the State has “lost” ownership or that the wild animals are now “ownerless”. This also applies to animals that leave Parks through gaps in poorly maintained fences. *Res nullius* has no place in South Africa – it was first proposed as a political justification for white ownership of land in the Cape in the 1830s and

¹⁵ SANParks Media Briefing 14 July 2009.

is closely linked to colonial and imperial notions of possession and ownership. It is in conflict with the South African Constitution and is no longer justifiable in our democratic society.

Hunting statistics generally, are difficult to obtain, the permit system is unclear and the basis on which “quotas” for the killing of particular individuals and species are decided appears arbitrary and largely unscientific. According to the Department of Environment in 2007 a total of 229 export permits were issued for rhinoceroses hunting trophies but only 197 rhinoceroses (including two black rhinoceroses) were hunted. While in 2006 a total of 205 export permits were issued but according to provincial statistics on 96 rhinoceroses (including four black rhinoceroses) were hunted. The Department argues that the discrepancy in figures is because “compilation of CITES annual reports is based on the number of permits issued, and not on actual exports because not all CITES permits are endorsed at points of exit. Sometimes the taxidermy processes takes longer than a year and although the permit was issued in one year, the actual export will only take place the next year.”

As at end of February 2009 the Department was unable to provide figures, replying: “figures for the 2008 hunting season are not available yet, but should be available shortly.” When ARA requested a breakdown of the 2006 and 2007 figures they responded that “the Department does not keep a database of the number of permits issued by each province and we can thus not give a breakdown per province.”

The only province in South Africa that was able to supply ARA with rhinoceros hunting statistics was KwaZulu Natal. According to EKZNW between 2004 and 2008 127 rhinoceroses (including 1 black rhinoceros in 2008) were killed through hunting in the province. The figures are broken down as follows: 2004 – 22; 2005 – 26; 2006 – 25; 2007 – 30; 2008 – 23. In June 2009 Kwazulu-Natal Nature Conservation Board issued a tender (number EKZNW 21/2009) for the hunting of a black rhinoceros male at the Emakhosini-Opathe Heritage Park.

Obtaining information from the Limpopo province is extremely difficult and this sadly has been the experience of ARA for the past number of years. In this particular instance, although the relevant official promised to supply statistics on a number of occasions he failed to do so. ARA is extremely concerned by the apparent lack of compliance by Limpopo with national legislation and as a consequence international agreements and treaties. This situation is particularly alarming, given the large number of wild animals in the province.

In fact, the situation in relation to accessing data and statistics from the other provinces that have rhinoceroses is equally dismal. Rhinoceroses are hunted in several other provinces but statistics, despite several attempts at obtaining these, were not available at time of writing.

Another cause for disquiet is so-called “green hunting”. This usually involves the darting of an animal with a drug to allow a tourist or “hunter” the opportunity of being photographed with a live animal. The animal is then given an antidote and released again. This practice is problematic because many animals, particularly rhinoceroses, were being darted repeatedly with serious consequences for their health. Theoretically, “green hunting” may now only take place if it is to allow bone fide scientific management, scientific or veterinary work. The Department of Environment stated that “according to TOPS, an animal may be darted (immobilized or tranquillized) by a veterinarian or a person authorized by a veterinarian in writing and in possession of a valid permit, for carrying out a disease control procedure or a scientific experiment or for management purposes, for veterinary treatment of the animal or for translocating or transporting the animal.”

Compliance and monitoring in terms of the restrictions listed above may be a problem as it continues to take place in many other parts of the country and is widely advertised by safari and

tourism operators.¹⁶ A senior veterinarian who has worked in the wildlife industry for 22 years told ARA that many green hunts take place illegally but under current legislation authorities are unable to prevent irregularities. “It is easy to make up a story as to why you may want to dart a rhino. For example, all a vet needs to say is that he is inserting a micro-chip – one day it is for the front horn, the next time for the rear horn and the next time it may be to insert a subcutaneous chip,” he said. “It goes on all the time and the provincial authorities keep on issuing the permits.” He added, “repeated darting is life threatening and completely unethical.”

CONCLUSION

South Africa is quite literally the last bastion for white rhinoceroses in the world but the colossal growth of rhinoceroses killing and the concomitant insufficient anti-poaching capacity ability and poor record keeping means that rhinoceroses are facing untold suffering, exploitation and death which has the potential to once again threaten the survival of the entire species.

Generally, the threats rhinoceroses in South Africa are facing are:

- Government policies that promote overt consumptive use.
- Trophy hunting.
- Trade in live rhinoceroses.
- The demand for rhinoceros horn.
- Poaching.
- Inadequate government anti-poaching units, inadequate field protection and inadequate anti-poaching training.
- Insufficient funds and resources to protect rhinoceroses.
- The inability of SANParks and provincial conservation authorities to properly police areas under their control.
- Lack of enforcement.
- Lack of data.
- Inconsistencies in statistics and discrepancies.

Although the Minister states via a Government Gazette notice that the certain information relating to rhinoceroses must be kept in a provincial database and any changes relating to translocation, export out of a province, natural mortalities, hunting etc, must be reflected in such database and that the national Department, “will keep the database and keep a national database” this has clearly not been the case to date despite increases in poaching and illegal rhinoceroses horn exports.

Despite the loophole of rhinoceros hunting permits as a means of laundering rhinoceros horns into the market, as of end July 2009 the Department had still not collated poaching figures for 2008. The Department was also unable to give rhinoceroses poaching statistics prior to 2007 because “no data is available for the previous years as the department does not keep a database of these killings. It is kept within provinces and with South African National Parks.”

Given the status of rhinoceroses as one of the iconic species of South African conservation it is unclear why the Department had not deemed it necessary to maintain a central database relating to the species earlier. It is also extremely difficult to obtain accurate and up to date figures from most of the provinces. These, and similar deficiencies in national record keeping, have also been revealed in two recent ARA Reports: *Consuming Wild Life: The Illegal Exploitation of Wild Animals In South*

¹⁶ EKZN Wildlife does not allow green hunting on its reserves

Africa, Zimbabwe and Zambia and Silences¹⁷ And Spin Doctoring: Access To Information On Elephants In South Africa¹⁸. Furthermore, the Department has been shown to supply inaccurate information in response to questions asked in Parliament. This further highlights the inefficiency of data collection.

The Department consistently argues that it is not required to keep a centralised data base as the duty of keeping statistics falls on the provinces that are responsible for the issuing of permits. This, despite the fact that it has never been clearly explained how provincial hunting quotas are arrived at and that the permit system in most provinces is not only poorly administered but systems and methodologies (where they do exist) vary from province to province. Officials in the national office of the Department of Environment have to contact officials in each province whenever they need access to statistics of this nature and they have regularly commented that it is difficult to obtain accurate data from the provinces. Moreover, some provinces still have rhinoceroses on “exemption permits”, which means that individual permits for the hunting of rhinoceroses is not required.

It is unclear how the Department can confidently supply information to CITES, or indeed Parliament and the Minister, when officials regularly admit that provincial data keeping is in many cases poor. By allowing “sustainable use” to trump issues of conservation, biodiversity protection and concern for the welfare of wildlife, government conservation agencies seem to be interpreting their mandate as custodians in way that is contentious and contested. As a consequence they need to give a public account of how they discharge their custodial role and they need to be accountable to their stakeholders.

In July 2009 SANParks gave the assurance that the South African National Defence Force had been brought in to “to guard the porous border near Kruger National Park” and they he “welcomed the decision by the South African government to return the military to patrol the 450km national border on the eastern boundary of the KNP as the exit of the military 3 years ago had created even more pressure on the work of the rangers.” It can only be hoped that this will actually occur because defence analysts say that the SANDF lacks capacity and the SANDF was already “grossly underfunded and under strength” and did not have the troops to conduct borderline operations. The background to this that in 2005, Cabinet decided to return borderline control to the police and the handover was meant to have been completed by March 31 2009, but the decision was reversed at literally the last minute at the request of the police and on 3 July 2009 Minister of Defence, Lindiwe Sisulu, said her department had “agreed … in principle … that the defence of our borders might need to remain in the hands of the defence force” and that “these are matters that are under discussion at the moment”.

It is clear from all of the above that there is an urgent need to:

1. Improve data collection at both provincial and national level;
2. Re-examine the permit system under which government sellers of rhinoceros abrogate their responsibility with regard to what happens to the animal once it has been sold;
3. End all rhinoceros hunting in South Africa because it has been proven to be as great a problem as poaching;
4. Re-examine the entire CITES reporting procedure because it is quite clear that limited and often inaccurate information is submitted;
5. Open the policy of ‘sustainable use’ and trophy hunting to public debate;
6. Publicly publish through websites up-to-date applications for hunting permits and hunting statistics;

¹⁷ http://www.animalrightsafica.org/Archive/Consuming_Wild_Life_290307_final.pdf

¹⁸ www.animalrightsafica.org/Archive/Elephants/Silences_and_Spin_Doctoring_an_ARA_Report_Oct_2008_final.pdf

7. Impose an immediate moratorium on all capture, sale, translocation and hunting of rhino in South Africa;
8. Convene a public consultative workshop to deal with rhino management in South Africa that will result in National Norms and Standards for the Management of Rhino (Black and White) in South Africa (similar to that for elephant).

The fate of humans and other animals is inextricably linked and to meet the growing threats to our shared world and the massive extinction of species, only a sweeping restructuring of the way we see ourselves and our role in the natural world can help turn this backlash around. Urgently needed are new, ethics-based approaches to wildlife conservation. The way conservation is currently practiced in South Africa has become part of the problem, not part of the solution.