



# **PERSPECTIVES ON DEHORNING & LEGALISED TRADE IN RHINO HORN AS TOOLS TO COMBAT RHINO POACHING**



**1 - 3 March 2011**



**The South African Mint Company, Gateway,  
Centurion**



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## **WORKSHOP REPORT**

**Convened by:**

**The Endangered Wildlife Trust**

**Sponsored by:**

**The South African Mint Company**

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The Endangered Wildlife Trust encourages workshops and other fora for the consideration and analysis of issues related to conservation, and believes that reports of these meetings are most useful when broadly disseminated. The opinions and recommendations expressed in this report reflect the issues discussed and ideas expressed and do not necessarily reflect the opinion or position of the Endangered Wildlife Trust.

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## List of Acronyms

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AfRSG	IUCN African Rhino Specialist Group
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CoP	Conference of the Parties
CPA	Criminal Procedure Act, 51 of 1977
DACERD	North West Department of Agriculture, Conservation, Environment and Rural Development
DEA	Department of Environmental Affairs
DNA	Deoxyribonucleic acid
DTEC	Northern Cape Department of Environment, Tourism and Conservation
EKZNW	Ezemvelo KwaZulu-Natal Wildlife
EWT	Endangered Wildlife Trust
GDARD	Gauteng Department of Agriculture and Rural Development
IRF	International Rhino Foundation
IUCN	International Union for Conservation of Nature
ISS	Institute for Security Studies
LEDET	Limpopo Department of Economic Development, Environment and Tourism
MET	Ministry of Environment and Tourism, Namibia
MTPA	Mpumalanga Tourism and Parks Agency
MEA	Minister of Environmental Affairs
NEMBA	National Environmental Management: Biodiversity Act, 10 of 2004
NGO	Non-governmental organisation
NWCRU	National Wildlife Crime Reaction Unit (DEA)
NWP	North West Parks and Tourism Board
NPA	National Prosecuting Authority
PHASA	Professional Hunters' Association of South Africa
PROA	Private Rhino Owners Association
POCA	Prevention of Organised Crime Act
SANParks	South African National Parks
SAPS	South African Police Service
SADC	Southern African Development Community
SAVA	South African Veterinary Association
SSC	IUCN Species Survival Commission

SOP	Standard Operation Procedures
TCM	Traditional Chinese Medicine
TOPS	Threatened or Protected Species
TRAFFIC	Wildlife Trade Monitoring Network
WESSA	Wildlife and Environment Society of Southern Africa
WRSA	Wildlife Ranching South Africa
WWF	World Wide Fund for Nature
WWF-ARP	WWF-African Rhino Programme
WRSA	Wildlife Ranching South Africa

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## **WORKSHOP REPORT**



### **SECTION 1**

#### **EXECUTIVE SUMMARY AND WORKSHOP PROCESS**

## EXECUTIVE SUMMARY

African rhino populations are under tremendous pressure. Black Rhinoceros (*Diceros bicornis*) numbers crashed from about 100,000 in 1960 to a mere 4,850 today and the White Rhinoceros (*Ceratotherium simum*) was rescued from the brink of extinction in 1895 from a handful of individuals in northern KwaZulu-Natal. Thanks to years of conservation protection and translocations the species now numbers around 20,150, of which 93.2% occur in South Africa. However, South Africa's proud contribution to the persistence of this species is now being threatened by an unprecedented spate of poaching by well organised criminal syndicates. This threat is highly complex and will require innovative solutions. Dehorning of individual rhinos and the legalising of trade in rhino horn are often presented as possible solutions to reducing the illegal hunting or poaching of rhino for their horns, although it has also been widely argued that they may in fact present additional problems and exacerbate the situation.

During November 2010, the Department of Environmental Affairs (DEA) convened a National Rhino Summit with the aim of developing a strategy for government in the fight against rhino poaching. Based on findings at this summit the South African Government commissioned a dehorning impact study as not enough is known or understood about the impacts or opportunities presented by the dehorning of rhino. The Department also concluded that a study to determine the feasibility and viability of legalising trade in rhino horn should be commissioned and, should the outcome of the studies be positive, the Minister of Water and Environmental Affairs (MWEA) will consider initiating the process towards legalising the trade in rhino horn.

The purpose of this workshop, hosted by the Endangered Wildlife Trust (EWT), was therefore to:

- assemble the relevant stakeholders and expertise on rhino management;
- determine the viability of dehorning of rhino as a deterrent to poaching;
- determine the impacts that dehorning of rhino may have on individual animals as well as the various industries involved with rhino management and conservation;
- investigate the legalising of the trade in rhino horn as a possible solution to curb poaching; and
- to identify gaps in knowledge relevant to all of the above.

The outcomes of the workshop include a comprehensive assessment of the legal trade in rhino horn as a tool to combat poaching as well as a detailed assessment of the efficacy of dehorning as a deterrent to poaching. It is hoped, that this will guide and inform follow-up actions and decisions.

## THE WORKSHOP PROCESS

The workshop was conducted over two and a half days and provided a platform for rigorous debate with expert input informing the discussions. The morning of the first day was dedicated to presentations covering regulation regarding legalising trade and economic considerations, ethics and behavioural considerations, current supply and demand in the rhino horn market, and case studies from Zimbabwe and Namibia.

Presenters were tasked with presenting factual statements in their presentations on the various areas of their expertise and to conclude with their personal opinion (depending on their area of expertise) on:

- The economic viability of legalising the rhino horn trade;
- Whether legal trade and dehorning will reduce poaching; and
- The practicality of dehorning.



A number of published papers were made available to all workshop participants a week prior to the workshop, which afforded participants the opportunity to become familiar with up-to-date information on the dehorning and trade. Please see Appendix 2 for a list of published papers.

Forty-one people attended the multi-stakeholder workshop, representing the conservation non-governmental organisation (NGO) community, DEA, provincial conservation departments, Ezemvelo KwaZulu-Natal Wildlife (EKZNW), National Prosecuting Authority (NPA), South African Police Service (SAPS), South African Veterinary Association (SAVA), International Union for Conservation of Nature (IUCN) Species Survival Commission (SSC) African Rhino Specialist Group (AfRSG), Private Rhino Owners Association (PROA), Wildlife Ranching South Africa (WRSA) and the Professional Hunters Association of South Africa (PHASA) (see Appendix 1 for a list of participants). Seven specialists also attended the workshop from the Ministry of Environment and Tourism, Namibia, and Big Game Parks, Swaziland.

A summary of the participant's expectations from the workshop included:

1. An improved understanding and perspective for ethical decision making related to rhino dehorning;
2. A platform for amending and / or supplementing legislation;
3. The production of an IUCN report for the CITES Conference of the Parties (CoP);
4. Insight to finding a possible solution to the poaching problem;
5. An improved understanding and perspective on trade information; and
6. To learn and understand.

The workshop process comprised a series of plenary and working group sessions in which working groups completed tasks designed to facilitate free thinking, brainstorming, discussion and debate and, finally, synthesis and consensus building. To contextualise dehorning and legalising trade in rhino horn as a deterrent to poaching, workshop participants were tasked with developing a strategy in the short- to long-term based on available resources and then developing action steps for each of the objectives identified.

## **ASSESSMENT SUMMARY**

### **Legal trade in rhino horn as a tool to combat poaching**

One of the greatest hurdles South Africa will need to overcome in order to legalise trade in rhino horn is to prove to the CITES Parties that internal effective trade controls have been implemented and are sufficient to prevent the laundering of illegally obtained rhino horn. Once this hurdle is overcome, willing, compliant, regulated and established trading partners as approved by the CITES Secretariat would also need to be identified.

An improved central information system linked to the permitting system is an important step toward trade controls to provide transparency around how horns have been obtained (traceability). Workshop participants urged that this should become a national government function. The current lack of buy-in from certain individual rhino owners and their mistrust towards organs of state due to the alleged leakage of information is another important hurdle to overcome.

An important point raised during the workshop discussions was that the CITES Secretariat deals with governments and not with individuals. It was explained that when the once-off sale of elephant ivory was approved by the CITES Secretariat, it was under the proviso that the money would be used for elephant conservation or community development adjacent to elephant project areas. A similar proviso would apply to any once off-sale of rhino horn. Legally traded rhino horns would potentially be deposited with government and a mechanism

or policy would be required to ensure that the money accrued from legal trade is fed back into rhino conservation initiatives. Government would be unable to reallocate the money back to the private sector without arranged conditions so the concept of the money being accrued directly to the private rhino owners is not that simple.

The concern raised by conservationists was that if the costs incurred by rhino owners are not recovered it will become difficult to achieve the goal agreed to by all participants, which is fundamentally to grow rhino numbers and to reduce poaching.

### **The efficacy of dehorning as a deterrent to poaching**

Whilst dehorning has proved to be a partial deterrent to poaching in some areas such as the Zimbabwe Lowveld, experts at the workshop agreed that it should not be seen as the only measure and must be combined with other anti-poaching methods such as improved law enforcement and anti-poaching patrols, improved intelligence, and collaboration. Even though it is at the discretion of individual rhino owners as to whether dehorning is appropriate, the risks associated with dehorning should be carefully considered. These risks include the risk associated with the capture process and cutting the horn off too close to the growth point. The costs associated with regular dehorning and the allocations of resources need to be balanced against the effectiveness of dehorning as an anti-poaching measure.

In a confined area social interaction within rhino populations is more intense and the social effects stemming from dehorning may be observed if an area is overstocked (high-density populations). It was suggested that extensive research should be conducted on the social effects of dehorning in small populations and if there is a need to dehorn an entire population in confined conditions. Participants could not agree on whether dehorning could contribute to a reduction in poaching. However all agreed that dehorning simply displaces the crime as poachers just move to another population.

### **Conclusion**

A large number of workshop participants agreed that both dehorning and the legalising of trade in rhino horn are potential measures to growing rhino numbers and reducing poaching. A vast amount of work is required to get to the point where either or both options can be seriously considered and that both could be regarded as part of a multi-pronged approach to securing rhino populations from the onslaught of poachers.

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### **SECTION 2**

#### **PRESENTATIONS**

(The papers presented at the workshop were sourced from a variety of contributors and reflect the opinions of these contributors and not necessarily those of all the workshop participants)

## **DEHORNING OF RHINO AND TRADE IN HORN – DEPARTMENT OF ENVIRONMENTAL AFFAIRS (DEA) PERSPECTIVE**

### **SONJA MEINTJES – DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

**The South African Constitution, in the Bill of Rights**, states in section 24 on the Environment that everyone has the right- ... (b) to have the environment protected, for the benefit of present and future generations, **through reasonable legislative and other measures** that (ii) promote conservation; and (iii) secure ecologically sustainable development and **use of natural resources** while promoting justifiable economic and social development.

**National Environmental Management: Biodiversity Act (NEMBA), 2004** regulates restricted activities which are permitted under the Threatened or Protected Species regulations (TOPS) and which include: hunting, catching, capturing or killing any living specimen of a listed TOPS species by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, luring, alluring, discharging a missile or injuring with intent to hunt, catch, capture or kill any such specimen; importing, exporting or re-exporting, having in possession or exercising physical control over any TOPS listed specimen, conveying, moving or otherwise translocating, selling or otherwise trading in, buying, receiving, giving, donating or accepting as a gift, or in any way acquiring or disposing of any specimen and any other prescribed activity which involves a specimen of a TOPS listed specimen.

#### **Threatened or Protected Species regulations**

Both black and white rhino are listed on TOPS, thus regulated under TOPS. There are prohibited activities involving rhino in regulation 24 of TOPS, prohibited methods of hunting in regulation 26 and compulsory registration requirements in regulation 27.

**International trade is regulated under:** The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which is in place for member states wishing to control / regulate international trade in CITES listed species. South Africa published CITES regulations in March 2010.

**Dehorning:** The outcome of the discussion on dehorning at the Rhino Summit held in November 2010 included that the DEA commission a dehorning impact study, that dehorning can be considered as an interim security measure subject to the requirements of the law and where feasible and that no dehorning should be allowed in National Parks.

#### **Outcomes of Minister's Rhino Summit held in October 2010**

The outcome of the discussion on possible legal trade at the Rhino Summit included that a study to determine the feasibility and viability of the legal trade in rhino horn will be commissioned. Should the outcome of the study be positive and the Minister of Water and Environmental Affairs decides that a process of legalising the trade in rhino horn should be initiated, the following will have to be done: cabinet approval for the process, approval by the National Scientific Authority before South Africa can submit such a proposal to the CITES Conference of Parties, and lobbying of CITES Parties for support of a rhino horn trade proposal will have to take place well before the Conference of Parties. The DEA realises that in accordance with the Constitution, rhino horn is a renewable resource which could potentially be used in a sustainable manner and will, in line with the outcomes of the Ministers Rhino Summit, commission the study on legal trade in rhino horn.

## **DEHORNING RHINO: WELFARE, ETHICS AND BEHAVIOURAL ISSUES**

### **KAREN TRENDLER – WORKING WILD**

Dehorning and legalising the trade in rhino horn are being considered as possible deterrents to poaching. The issues are complex. In preparation for this presentation, it became increasingly apparent that there is inadequate data. More research and a better understanding of all the components are necessary to make ethical, informed and responsible decisions (and ensure that we do the right thing, in the right way for the right reasons).

Rhino horn is a tubular, non-bony hair-like structure, consisting of keratin, calcium and melanin; growing continuously throughout the life of the rhino and may be broken off during normal activities. The horn, which is non-living tissue, can be cut off whilst the animal is chemically immobilised. There are risks associated with anaesthesia and immobilising a large animal. But if a 'rhino experienced' wildlife vet, using the correct drugs, procedures and precautions, carries out the dehorning procedure these risks can be reduced. If this is done incorrectly it can cause infection, maggot infestation, cavitations in the horn and re-growth deformities.

Rhinos use their horns for self-, calf-, and territorial defence, foraging, digging and displays. The effects of dehorning on behaviour and thus welfare and survivability have not been well researched, with positive, negative and neutral effects reported. The differences in impacts on behaviour appear to be related to differences in vegetation density, habitat, predator type and density, rhino population dynamics, status, sex, age and whether it is an extensive or intensive management situation.

Dehorning rhino as a deterrent to poaching has limitations. A stub of horn remains and re-grows and sufficient horn remains to have 'poaching' value. Revenge killing and killing to reduce 'need to track' have been reported on dehorned rhino. Dehorning transfers but does not eliminate security risk. Dehorning in some areas may push poaching into areas where rhino are not dehorned. The South African National Parks (SANParks), EKZNW and North West Parks and Tourism Board (NWP) have decided not to dehorn for economic, logistical and tourism considerations. Dehorning in other areas may put additional pressure on these populations. Dehorning should be considered as only a single tool and must be combined with increased security and management options.

Rhino horn is primarily used in traditional medicine in East Asia. Rhino horn has been proven to have no medicinal properties. The demand has increased as a result of economic growth, 'marketing' and easier access.

The impacts of legalising trade are unknown and may have negative impacts for rhino conservation, putting more vulnerable Asian rhino populations at risk. Indications from research on other high value wildlife products indicate that legalising trade would not stop the black market illegal trade.

Rhino horn is associated with organised crime (drugs, weapons, human trafficking and wildlife). The South African wildlife industry's reputation, especially with industry involvement and our current status with regards to crime and corruption is poor. The proposal for trade should be carefully considered in view of the circumstances, unknowns, risks, ethical issues and would benefit only a few.

From an ethical perspective "There is never the right way to do the wrong thing"

## **DRIVERS OF THE TRADE IN RHINO HORN**

### **ALLAN MOORE – MAQUBU NTOMBELA FOUNDATION**

In the last year South Africa lost 333 rhinos compared to 133 poached in 2009. Indeed, more rhino were poached in 2010 than the cumulative total of the past decade. This catastrophe begs the question: What are the drivers of the trade in rhino horn?

Rhino horn is composed mostly of keratin protein, which is also the major component of any hair, fingernails, cockatoo bills, turtle beaks and animal's hooves. The other ingredients are calcium and melanin. A person therefore gains the same medicinal value from rhino horn as from biting their nails.

It has long been believed that the Yemeni market was the most significant for illegal trade, however a 2009 IUCN and the Wildlife Trade Monitoring Network (TRAFFIC) report ([www.cites.org/common/com/SC/58?E58i-10.pdf](http://www.cites.org/common/com/SC/58?E58i-10.pdf)) shows that a large percentage of horn is now destined mainly to the Traditional Chinese Medicine (TCM) markets in China, Thailand and Vietnam, but is also found in TCM stores throughout the region. It is mainly used to cure fever and the effects of strokes. In an official Vietnamese Government website, the use of rhino horn is being touted as a cure for cancer. Although this has nothing to do with the government or its policy, there is no attempt to decry or disparage this theory. Research has been done to give truth to the age old claims that a natural mixture of keratin, calcium and melanin can reduce fever. Research conducted by the Chinese University in Hong Kong found that large doses of rhino horn could slightly lower fever in rats, but so does extracts from the horn of Saiga antelope and Water Buffalo. The problem is that the doses dispensed by TCM are only a fraction of those used in the experiments. The use of rhino horn in Yemen is mainly for ceremonial and decorative purposes. Although traditional Jambiya handles are made from rhino horn, today the handles are made from water buffalo horn, camel nails or even plastic.

Today gold is trading at approximately \$1,410.96 an ounce ( $\pm$  \$49,665.80 / kg) whereas a kilogram of rhino horn hits the black market in Asia at between \$50,000 and \$60,000 a kilogram.

Money and greed, not medicine or daggers are the real drivers behind the trade in rhino horn. More crock cures and false claims will be made in the name of rhino horn in an attempt to drive up demand. A higher demand will lead to an increase in the value of the product. The higher the value, the bigger the risk a poacher will be willing to take.

The law in South Africa should be made equal. The province that has suffered the biggest loss of rhino (57) is the North West Province and is also the only province with a fine that is half that of the other provinces at US\$14,000, which range from \$28,000 to \$35,000. The provincial fines are not in line with the fines prescribed in terms of the National Environmental Management Biodiversity Act, which currently stand at US\$1, 4 million.

It is the author's belief that the trade in rhino horn should be banned. Government should, under strict criteria, be permitted to sell the horn from deceased or surplus animals in a transparent and strictly monitored process, similar to the Kimberley process for the sale of diamonds. The author also believes that, despite objections from provinces that might be tourist-asset poor, government must make a conscious decision to be either a green destination with a managed wildlife population that will satisfy environmental organisations and drive tourism to the country, or be a hunting friendly destination, which will attract fewer tourists. Consumers in the rest of the world are very aware of what type of destination South Africa professes to be and they do follow the hunting trade show circuit.

## **REGULATING THE RHINO HORN TRADE: ECONOMIC CONSIDERATIONS AND IMPLICATIONS FOR POLICY**

### **MICHAEL 'T SAS ROLFES – INDEPENDENT CONSERVATION ECONOMIST**

Rhino horn has a long historical precedent of use in various Asian cultures for both ornamental and medicinal purposes. A surge of demand in the early 1970's for the making of ornamental dagger handles was followed by the Convention on International Trade in Endangered Species (CITES) Appendix I listing of all rhino species in the mid-1970s, effectively banning all international trade in rhino horn. This was followed by a dramatic rise in the price of horn, which fuelled rampant poaching throughout most African range states until the early 1990s. At that time, the demand for rhino horn appeared to have abated somewhat and the ban was assumed to have finally worked. More recent experience demonstrates that was not the case.

Michael 'T Sas Rolfes started analysing the economic incentives for rhino conservation in 1989 by focussing on the role of the private sector. Evidence emerged that private owners would be motivated to act in the interests of conservation under conditions of legally defensible private property rights, market pricing and open markets. The key to conserving rhinos is to make them more valuable alive than dead to the people who actually control their destiny! His 1993 MSc thesis examined optimal harvesting of rhinos and rhino horn and concluded that under a legal trading regime, society as a whole would invest more in live rhinos than under a trade ban. In 1994, Michael led a detailed study for WWF / TRAFFIC on the world trade in rhino horn. The study, which was not published at the time, examined other illegal markets with similar characteristics and drew several conclusions:

By far the most effective deterrent for poaching is early detection of poaching intrusions before rhinos are actually killed. If the probability of detection is low, all subsequent measures (arrest, conviction, punishment) act as weak disincentives for criminals. The strong and persistent underlying demand for rhino horn also shows limited sensitivity to changes in price (the technical term for this is "price-inelastic demand"). This is a characteristic shared by products such as alcohol, tobacco and certain illegal drugs. Experience has shown that banning such products is ineffective, if not counterproductive, as it simply drives up prices and creates attractive profit opportunities for professional crime syndicates. Enforcement efforts typically fail as these syndicates co-opt corrupt members of government to work with them.

Intensifying enforcement, closing legal loopholes (such as the recent fake Vietnamese trophy hunts in South Africa) and destroying stockpiles of horn are all actions that simply restrict the supply of horn to the market and drive up the price, thereby providing increased incentives to poachers and illegal traders. The CITES ban on the rhino horn trade does not appear to be enforceable. Legal trade may be a better option, as the provision of a continuing sustainable supply to the market would eliminate speculative demand and prices would drop, while the proceeds from legal trade could be re-invested into conservation. However, legal trade would only reduce, not eliminate, incentives to poach, and continued rhino security will always be necessary.

The most effective way to conserve rhinos is most likely through a combination of three factors: providing an increased and sustainable supply of horn to the market, re-investing the proceeds of sales into field protection and other deterrent measures such as dehorning. If the underlying demand for rhino horn persists, as seems likely, the restrictive CITES approach to rhino conservation will probably drive the rhino ever closer to extinction in the wild.

## **CURRENT SUPPLY AND DEMAND IN THE RHINO HORN MARKET - A MODEL FOR REGULATING THE RHINO HORN TRADE (REWARDS TO TRADE)**

### **MICHAEL EUSTACE – PRIVATE (INVESTMENT MANAGER)**

The total number of rhino killed in 2010 through poaching and pseudo trophy hunts was approximately 540 animals. In addition, private farmers probably sold around 100 horns illegally. It is assumed that 143 horns went into stocks and 500 went onto the market. 500 horns is an approximation of the total supply of horns from Africa.

The price of horn is estimated to be US\$ 40,000 per kg at the retail level and US\$ 20,000 at the wholesale level. Price brings demand into balance with supply, therefore at a lower price there would be more demand. Flooding the market to bring down prices to discourage poaching would not work as speculators would buy the horn for later sale. There is also not enough horn to allow for flooding the market over the medium and long-term.

A “central selling organisation” could be established, such as De Beers had, to control the supplies of legal horn. Partnerships with Chinese state pharmaceutical companies would be necessary in order to control the retail market in China and also for more effective policing of the illegal trade.

South Africa could sustainably supply 400 horns from natural deaths (from both private and state owned populations), 400 from stocks and 400 from game farmers cropping half their horns. That is 1200 horns without the need to kill one animal. The farmers are important to provide volume over the long-term.

Illegal goods typically sell at a 30 % discount so if the volume increased from 500 to 1200 and the wholesale price of legal horn dropped from US\$ 20,000 per kg to US\$ 15,000, illegal horn would fall from US\$ 20,000 to US\$ 10,000. Together with increased law enforcement risks, that price fall could put criminals out of business. It is probably best to assume that 100 per annum will continue to be poached but that is only 0.4 % of the population and is manageable.

Speculative demand should fall away given the role of a powerful “central selling organisation” that can reduce prices at any time.

1200 horns, at an average weight of 4 kg, selling at US\$ 15,000 per kg would raise US\$ 72 million per annum. In comparison, illegal horn sales and pseudo trophy hunts currently raise US\$ 14 million per annum. If poaching is controlled, the South African rhino population should increase by 20,000 over the next 12 years. That has a present value, at current prices, of ZAR 1.6 billion. The more money that wildlife can generate, the stronger is the case for having it.

The 60,000 rhino of 1970 should have increased to 600,000 today, however there is only 4 % of what we should have had. That is our scorecard. Banning trade has been ineffectual and has pushed the trade of rhino horn underground and money is being made by criminals rather than parks. To hope that things will change for the better, while following the same failed strategy, is senseless.

Changing the mind of CITES is going to be a challenge but the rewards will be substantial. South Africa needs conviction not disarray. A regulated trade is a better plan.



## **CITES AND THE RE-OPENING OF RHINO HORN TRADE**

### **COLMAN O'CRIODAIN – WWF INTERNATIONAL**

At present, almost all species and populations of rhino are listed on Appendix I of the Convention on International Trade in Endangered Species (CITES), thus outlawing international commercial trade in horn from wild rhinos. In the case of the South African and Swaziland populations of southern white rhino, hunting trophies and live animals destined for “appropriate and acceptable destinations” are treated as Appendix II specimens but all other specimens are treated as Appendix I, so commercial international trade in wild rhino horn remains illegal.

Provision for such trade would, therefore, require amendments to Appendices I and II of CITES. Normally, such amendments can only be decided at meetings of the Conference of the Parties to the Convention (CoP). The next such meeting is scheduled for early 2013, although it is noted that the Government of South Africa does not anticipate being ready to submit an amendment proposal at that stage. A more likely timeframe therefore is the following meeting, which will not take place until late 2015 or early 2016.

Adoption of such amendment proposals at CoP meetings requires endorsement by a two-thirds majority of those present and voting. There are 175 Parties to CITES at present but the number that actually vote rarely exceeds 160 and is usually considerably less. Therefore, opponents of such a proposal only require 54 votes (maximum) to block it. Based on past experience, it can be assumed that Kenya and India will definitely oppose any such proposal and they will bring a certain number of like-minded countries (at least 20) with them. It will, therefore, be crucial to convince some of the countries that tend to favour strict protection for very vulnerable species but that are open to considering exceptional cases. Crucial in this regard are the 27 EU countries, who are obliged by their treaty to vote as a block and who normally influence the votes of others. Similarly, the USA, which has a high regard in CITES circles, will have an influence that goes well beyond its single vote.

Based on the experience of the limited ivory trade that CITES has allowed on two occasions in ivory from southern Africa, it is to be assumed that CITES Parties will require cast-iron evidence that legal horn trade would not facilitate laundering of illegally obtained horn. In this regard, they are likely to demand that the present poaching levels be brought under control and that there is full transparency regarding existing stockpiles. Furthermore, since it is illegal to trade seized Appendix I specimens, they may demand that any horn to be traded comes from bona fide legal sources, e.g. natural mortality.

In the case of ivory, the CoP also required that prospective importing countries identify themselves and demonstrate that their internal trade controls were sufficient to prevent laundering of illegally obtained ivory. It remains to be seen whether any such country would come forward in the case of rhino horn, since such trade is illegal in most prospective importing countries at present. Even if a trading partner came forward, the practical difficulties of demonstrating internal controls for rhino horn would be much greater than for ivory, because of the nature of their respective uses.

Based on these considerations, it is the view of this author that it will be extremely difficult to secure adoption of an amendment proposal and that failure would carry substantial reputational risks for South Africa.

## **THE ELEPHANT TRADE INFORMATION SYSTEM (ETIS) EXPERIENCE**

### **DAVID NEWTON – TRAFFIC EAST / SOUTHERN AFRICA**

The Elephant Trade Information System (ETIS) represents a refinement of BIDS (the Bad Ivory Database System), a database system which TRAFFIC developed in 1992 to hold information on global ivory seizures. BIDS was one of the first attempts to monitor ivory trade developments in an era when most ivory transactions were illegal and traditional data sources did not provide meaningful information.

At the 10th meeting of the Conference of the Parties to CITES, the Parties adopted Resolution Conf. 10.10 (Trade in Elephant Specimens). Amongst other things, this resolution mandated Parties to report all ivory and elephant product seizures through a CITES process so that they could be included in ETIS. A specific data collection form was subsequently developed and circulated by the CITES Secretariat to all Parties in March of 1998.

To date TRAFFIC has captured approximately 15,500 records of illegal ivory trade on ETIS representing seizures of about 15,000 kg per annum. The most recent ETIS report submitted by TRAFFIC to the CITES CoP15 in 2010 shows an increasing trend in illegal ivory confiscations, in the size of individual shipments and in the organised nature of illegal ivory crime. The most heavily implicated countries involved in illegal ivory trade in Africa are Nigeria and the Democratic Republic of Congo while in Asia Thailand plays the most prominent role. This illegal trade continues despite the existence of a rigidly controlled legal trade comprising CITES approved “one-off” sales of ivory to approved buyers (China and Japan) that demonstrate excellent tracking and auditing of all purchased ivory from raw form to finished products. Given that the same level of monitoring and transparency do not exist within the rhino horn trade it is not advisable to legalise this trade. In addition, the following considerations count against setting up a legal trade:

- Many of the people currently in the rhino horn business are bona fide criminals.
- Complicity of the game industry as poachers and / or suppliers of illicit horn. There is little confidence that landowners and the wildlife industry professionals put conservation aspects ahead of monetary gain.
- Is this ongoing illegal trade the interface South Africa wants, especially with Asia?
- How will South Africa prevent unscrupulous individuals, who are currently engaged in illegal rhino horn trade activities, from future engagement in a legal trade?
- As rhino horn has no medicinal value and its current “value” is based on a perception that it cures a dread disease, there is in fact no clear commercial commodity. The market could collapse at any time.
- There is no clear end consumer.
- The availability of an import market is questionable as South Africa has no formal trading partner(s).
- Most traditional importing countries (for instance China and Vietnam) have legislation prohibiting the use of rhino horn in traditional medicine or its importation. Unless the government of an importing country is willing to change national laws, how would South Africa expect to engage in a legal trade?

## **ZIMBABWE LOWVELD: DEHORNING EXPERIENCE**

### **RAOUL DU TOIT – INTERNATIONAL RHINO FOUNDATION**

The end-2010 total of black and white rhinos in the Zimbabwe Lowveld conservancies was 530. Poaching in these areas has declined since 2008 due to 1) concerted action against poachers, facilitated by intelligence systems, resulting in a higher proportion of poachers being arrested or killed in armed encounters; 2) strategic translocations of rhinos. Strategic dehorning of rhinos has also been undertaken. An average of 62 rhinos (black and white) have been dehorned in Lowveld conservancies each year over the past three years.

The dehorning is undertaken to reduce reward for poachers within a reward / risk equation:

$$\text{Poaching pressure} = \frac{\text{Reward to poacher (illegal sale of horn)}}{\text{Risk to poacher (of being arrested or killed)}}$$

Dehorning reduces the amount of horn that the poacher can obtain by killing a rhino and therefore the payment that he receives from the sale of the horn (which is increasingly sold at a price per kilogramme rather than a price per horn). However, strong anti-poaching effort to maintain the risk to the poacher is essential since if the risk he faces is low, then he will accept a low reward, therefore he will still poach dehorned rhinos. Can we say if dehorning is effective in reducing rhino mortality? The overall annual mortality rate of dehorned rhinos in four Lowveld conservancies (9.1 %) has been less than the annual mortality rate of horned rhinos in the same areas (14.1 %) suggesting that dehorning has been effective.

In Lowveld populations, 100 % dehorning of rhinos has never been undertaken due to the high cost of doing so. Instead, dehorning has been opportunistic (i.e. when rhinos are immobilised for other reasons such as translocation, treatment of injuries, ear notching, etc.) or strategic (e.g. dehorning rhinos that live near a main road that poachers tend to use).

Displacement of dehorned rhino bulls from their home ranges has not been detected during the intensive monitoring that is undertaken in Lowveld conservancies. The social interactions of rhinos are more complex and more long-term than is appreciated by those who view rhinos simplistically as solitary, highly aggressive animals that fight a lot and need intact horns to do so. Another suggestion is that dehorned rhinos will have a higher rate of calf mortality than horned rhinos, due primarily to a reduced ability to defend their calves against predators. However, the average intercalving interval for a sample of 23 dehorned black rhino cows in Lowveld conservancies was found to be 31.2 months (2.6 years compared to an average of 2.76 years for horned rhinos within 85 black rhino populations that have been closely monitored by the Southern African Development Community (SADC) Rhino Management Group), and natural population growth rates have consistently been over 7 % per annum. Therefore it appears that dehorning has not had an adverse effect on population growth in these populations.

In general therefore, the Zimbabwean experience suggests that dehorning can be effective in reducing poaching of rhinos unless the risk to poachers of being detected is so low that it is still worth the poachers obtaining horn stubs. It also suggests that behavioural and ecological effects arising from dehorning are not significant in relation to the greater risk of horned rhinos being poached.

## **A CASE STUDY AND PRACTICAL ISSUES FROM NAMIBIA**

### **PIERRE DU PREEZ – DIRECTORATE SCIENTIFIC SERVICES NAMIBIA**

Just before Namibia's independence from South Africa, rhino poaching escalated to unprecedented heights due to political disarray, uncertainty of what the future held and general lawlessness. Two areas were targeted: western Etosha National Park and the free living population in the Kunene region. Capacity to deal with the 1989 onslaught was totally inadequate, for example:

Kunene (Damaraland): Ministry of Environmental and Tourism (MET) had rangers on motorbikes from 1986 onwards in the former Damaraland and a small fleet of vehicles for senior staff. There were no dedicated anti-poaching units, no communal conservancies and a great deal of MET's time was spent on elephant problems in the communal farms of Damaraland and the adjoining commercial farms.

Etosha National Park: Due to the vast areas and lack of infrastructure, rangers were patrolling on horseback and for 2.1 million ha there were only three Conservation Officers in charge of the different areas with four Chief Rangers and 10 Rangers. Furthermore Etosha National Park had no dedicated anti-poaching units.

MET was therefore in no position to combat the sudden surge in poaching and as a result it was decided on dehorning and immediate translocation of animals in high risk areas as an interim measure to give the MET a window of time to better equip, train and mobilise more security staff in the field. At the time the following was the reasoning for the dehorning and translocations:

- Rendering the individual less attractive to the would-be poacher;
- Forcing the possible poacher to look for alternatives;
- Poacher has to spend more time in the "hunting area" (increasing chance of being caught);
- Decreasing the density of rhino in high risk areas significantly;
- Removing target animals to more secure areas; and
- More effective security, unknown area to poachers.

Rhino were then both dehorned and removed from Kunene and Etosha National Park, which reduced the density of rhino in both areas. The following actions were then taken simultaneously to safeguard the remaining animals<sup>1</sup>:

- Strategy / standard operating procedures were developed;
- Contingency plans were put in place;
- Staffing levels were significantly increased;
- Anti-poaching Units were established in Kunene and Etosha National Park;
- Intelligence networks were developed;
- Investigations were done with close cooperation from the Protected Resources Unit of Namibian Police (NamPol);

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<sup>1</sup> Shortly after these actions were put in place the main syndicates were apprehended and successfully prosecuted. Since that upsurge in poaching (1989 - 1991) Namibia lost less than 10 animals in the following two decades. It is important to note that the actions were not one off's e.g. dehorning took place in 1995 for the last time. Since then 67 communal conservancies were gazetted with full wildlife utilization benefits to communities. Training and funding support increased significantly from different donor agencies. Namibia has a hotline in place as a precautionary measure against poaching. National and regional security workshops take place with action plans. New technology e.g. tags are put in place as early warning systems and Namibia has contributed significantly to the RhODIS database.

- Budgets / Allowances were significantly increased;
- Equipment was bought;
- Training commenced;
- Community support through Community-Based Natural Resource Management programmes was initiated;
- Save the Rhino Trust and World Wildlife Fund (WWF) (NGO support and much needed funding were secured);
- Press (information was provided to indicate that a serious effort was being made to combat poaching; and
- Stiffer penalties were gazetted for rhino and elephant related crime.

However, it is important to note that dehorning is not without disadvantages, for example:

- Ethical and / or moral reasons;
- Unethical to disfigure an animal albeit temporarily;
- Permanent damage to horn (disfigurement of animal permanently);
- Possible biological consequences for the individual;
- Can't defend itself during interspecies conflict;
- Can't defend itself against predators;
- Can't defend its calves against predators; and
- Chronic infection.

In conclusion, it is important that if you don't understand your threat and you dehorn, you will dehorn in the false hope of stopping poaching whereas if you do it to put off poachers in the immediate future then it is a management tool which might buy you time and resources to effectively protect rhino.

## **RHINO HORN – THE ORGANISED CRIME ANGLE**

### **ANNETTE HÜBSCHLE – INSTITUTE FOR SECURITY STUDIES**

Annette Hübschle, Senior Researcher of the Organised Crime and Money Laundering Programme, presented the linkage between rhino horn poaching and organised crime networks. Research findings are based on a 3-year regional research project on organised crime trends in southern Africa.

The definition of 'organised crime' used for the project consisted of the following elements:

- a crime committed by two or more perpetrators, who are aware of each other's existence and general role, and who are acting in concert;
- it is a serious crime;
- it is a crime committed repeatedly; and
- motivated by the prospect of financial gain.

The presentation dealt with the main methods and idiosyncrasies facilitating organised crime in South Africa and the region. The research found that loosely-associated multinational networks were dominant. They operate on an *ad hoc* basis with each member servicing a specific function. Any 'service provider' within the network is replaceable and the relationship between the different nodes is tenuous and based on size and type of the operation.

Tacit collusion of law enforcement agents, government officials and politicians facilitates many organised crime activities, while different networks are increasingly collaborating with one another. Organised criminals prefer convenience and speed when it comes to smuggling goods and commodities. The research found that criminals preferred legal border points and airports in spite of the region's long and porous borders.

The presentation then explored why the illicit trade and poaching of rhino horn had increased and the level of organisation and professionalism of the criminals. It was argued that the rhino poachers were highly organised, professional and multinational. The use of hunters, helicopter pilots, vets, agents and middlemen indicates a clear division of labour. The presenter rejected claims that opportunistic criminals had entered this highly lucrative market as rhino poachers had international partners and high-tech equipment. Smuggling methods and law enforcement challenges were explored.

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**1 - 3 March 2011**

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## **WORKSHOP REPORT**



### **SECTION 3**

#### **STRATEGY AND ACTION STEPS**

# Strategy Development

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The majority of the group agreed that the vision *is to improve the conservation status of the species (maintain and grow the species) both in situ and ex situ* and that to achieve this vision there is a need to grow rhino numbers and reduce poaching. Certain workshop participants questioned the value of *ex situ* populations as conservation measures. The primary objective identified at the workshop was to reduce poaching to an acceptable minimum level.

The group began by considering available options and resources to reduce poaching in the short- to long-term. A short-term outcome was defined as having a high impact; addressing an immediate need or crisis; being cost effective and which is sustainable (timeframes were not specified for long- and medium term outcomes at the workshop). In many instances, due to the timelines involved, certain outcomes were not considered to be high impact at this time. This however did not mean that the group felt they were not important. Dehorning was parked, as it was not considered a strategy but a tool in reducing poaching. Please see the Section 4 Plenary Assessment / Debate.

After an initial group brainstorming session, the following key issues were identified:

Please note that the points listed below each key issue were discussion points captured during the workshop process. These points do not necessarily represent outcomes or actions.

## **1. Short-term outcomes**

### **1.1 Improved detection of contraband**

- Increased effort in reducing poaching.
- Prevention measures to stop horns leaving the country illegally.
- Could be counterintuitive by reducing supply (red herring).
- South Africa's porous border needs to be taken into account; there is no information as to how and where the horn is being smuggled out.
- Detection provides information used in investigations and prosecutions.

### **1.2 Increased human capacity and resources**

- Resources include equipment to check for microchips in the horn at the port of entry and exit.
- Trained designated Environmental Management Inspectors.
- Education and awareness within government, civil society, the private sector and the media.

### **1.3 Improved security of rhino populations**

- Translocation of individuals from hot spots to more secure areas.
- Train individuals involved in the protection of rhino.
- Invest in anti-poaching efforts and security.

### **1.4 Improved law enforcement**

- An increased number of enforcement staff is needed.
- Increase penalties.
- No prosecutorial bail provisions so court cases are finalised more efficiently.
- Increased arrests, prosecutions and convictions.
- Improved investigations or special investigations to ensure prosecution.



- Need well organised anti-poaching efforts and intelligence gathering.
- Specialised police units or dedicated police officers in problem areas.
- Enlarge the current intelligence network.
- Witness protection.
- Cross border movement.
- Price customers are ultimately willing to pay.

#### 1.5 Improved centralised information system

- Improved intelligence.
- Secure centralised international database for government and the private sector.
- Better record keeping and information on penalties and outcomes of court cases.
- National permitting system, not divided into nine provinces.

#### 1.6 Increased cooperation and collaboration at three levels: domestic, Southern African Development Community (SADC) and international

- Between government departments / organs of state (permitting procedures).
- Between government and the private sector.
- Greater cooperation from international import companies and countries.
- Bilateral diplomatic relations.
- Political will and international influence.
- Standardisation and harmonising of SADC regulations and procedures.

#### 1.7 Price information not to be publicised

- Provides information on how much money can be made in the buying and selling of rhino horn.

### 2. Medium-term outcomes

#### 2.1 Due to a lack of knowledge on various aspects, research needs to be done on:

- Dehorning.
- Feasibility of legal trade.
- Understanding consumer markets and drivers.

#### 2.2 Community involvement and the promotion of a sense of ownership

- Awareness programmes.
- Enabling rhino owners to decide on appropriate measures and take action that they believe is essential to rhino conservation.

#### 2.3 Cleaning up corruption in the industry

- Judicial awareness and sensitisation (anti-corruption).

#### 2.4 Community and private sector incentives

- Incentives to encourage investing in rhino protection.

### 3. Long-term outcomes

#### 3.1 Legalise Trade<sup>2</sup>

- Lift the moratorium on trade in South Africa.
- Difficulty in obtaining trading partners that satisfy CITES criteria.

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<sup>2</sup> WWF indicated that this was not a neutral outcome and therefore they did not support legalised trade per se. Other participants indicated that legalised trade would be a desirable long-term outcome if it could be demonstrated to effectively combat poaching.

- Horn prices are unclear.
- Considering South Africa's internal processes and pending feasibility study, a proposal to CITES may only be available for the CoP in 2016. Certain steps are needed to adopt legalised trade and therefore not immediate.
- International requirement regarding stockpile management and transparency around horn management (traceability is important).
- It was suggested that the moratorium on local trade be lifted to trade in currently available horn and that the trade is centralised through one or two investors in a structured manner (similar to the Kimberley Protocol).

### 3.2 Campaign to promote non-consumptive use (how to reduce demand)

- Education in the Asian markets to attempt to reduce consumption and ultimately demand.

### 3.3 Adopting custodian programmes

- Learn from the experiences in Namibia (these programmes involve the State giving rhinos to private farmers and landowners to look after on behalf of the State, the incentives being non-consumptive tourism, etc.).



Figure 1: The suggested strategies to reduce rhino poaching.

# Action Steps

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The groups were tasked with developing action steps for each of the objectives identified.

**Group 1** tackled rhino security and **improved law enforcement**, tagged with the improvement in the detection of contraband and price information.

## Objective 1: Increased security of rhino

1. Increase the number of foot soldiers on reserves and farms stocking rhino.
2. Increase informer network capacity.
3. Distribute TRAFFIC's standard operating procedures (SOP) with regard to stockpile management guidelines to the industry.
4. Develop rewards for good performance.
5. Relocate animals from high risk areas.
6. Establish anti-poaching units.
7. Maximise communications between SAPS, field rangers and private rhino owners.

## Objective 2: Improved law enforcement

1. Improve communications between SAPS, field rangers and the NPA.
2. Ensure that investigations are guided by prosecutors.
3. Increase combined operations between various stakeholders.
4. Oppose / refuse bail applications by individuals suspected of rhino poaching and related offences.
5. Elevate rhino related crimes to Schedule 6 of the Criminal Procedure Act (CPA).
6. Provide training on crime scene management at various levels.
7. Provide training on the chain of custody, for example SAPS and provincial government officials.
8. Conduct magistrate training and awareness.
9. Conduct prosecutor training and awareness.
10. Create a pool of expertise that can be relied on during court proceedings.
11. Improved support for National Wildlife Crime Reaction Unit (NWCRU).
12. Enlist more specialised SAPS investigators.
13. Reduce delays in court proceedings.
14. Improve access control to areas where rhino occur.
15. Ensure cooperation by Civil Aviation Authority in sensitising pilots with regard to Protected Areas.
16. Provide awareness raising pamphlets and posters at all ports of entry and exit.
17. Increase awareness through media (TV and radio).
18. Implement TOPS nationally across all provinces.

## Objective 3: Improvement in the detection of contraband

1. Increase intelligence networks.
2. Supply equipment where needed.
3. Train operators of security scanners in the detection of rhino contraband.
4. Increase the use of sniffer dogs.
5. Increase security at ports of entry and exit (e.g. airports, borders and bus stations).
6. Increased inspection of all freight exiting the country.
7. Improved detection measures and controls at courier companies.

Objective 4: Price information not to be publicised

1. Emphasise price of live rhino.
2. Putative damage (loss of future offspring).
3. Loss of opportunity cost.
4. Reduced value of the animal at auction<sup>3</sup>.
5. Dispel the myth of speculative price (supposed black market price), Institute for Security Studies (ISS) to conduct further studies.
6. Auction price versus price per kilogram (to avoid “trophy” hunts being sold in accordance with the estimated horn weight).

**Group 2** determined the actions necessary for **legalising trade** and, linked to that, an improved centralised information system and research.

Objective 1: Improved centralised information system

1. Overcome the challenges of gathering the information from the private sector, (includes TOPS and Norms and Standard requirements). The types of challenges include the fear of information leakage and abuse of information, different interpretation in different provinces, the different types for permit issuance.
2. Update current stock information (e.g. birth and deaths). Wildlife Ranching South Africa (WRSA) proposed to approach the DEA for an amnesty period for rhino horn owners accounting for the origin of the horn.
3. Populate a central database of all rhino populations and horns and link to DEA permitting system so as to ensure integration. Secure and trustworthy system is needed to hold confidential information.
4. Amend TOPS Regulation to facilitate forensic sampling.
5. Undertake a comprehensive audit of available data.

Objective 2: Legalise Trade

1. Ensure the registration of both live rhino and horn with DEA prior to lifting moratorium.
2. Establish a central stockpile facility.
3. Display analogous control between trading partners which accounts for processing and consumption.
4. Obtain verification for the CITES Secretariat of potential trading partners.
5. Prepare influential voting blocks.
6. An assessment of the existing management of rhino populations and stockpiles to be conducted by an independent panel (CITES Standing Committee).
7. Research to be conducted on end user expectations and requirements.

Objective 3: More research is needed in the following areas:

1. Understand end consumers use (global market).
2. Understand the effects of dehorning.
3. Determine the feasibility of legal trade.
4. Collate existing knowledge and develop a comprehensive protocol for dehorning.

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<sup>3</sup> WRSA considered it important to publicise the value of rhino horn, as rhino are not being poached due to their live value, but rather for their horn.

**Group 3:** determine the actions necessary to promote **community and private sector involvement** through incentives and custodian programmes.

Objective 1: Community involvement and promotion of sense of ownership

1. Create awareness programmes for communities adjacent to Protected Areas through environmental education, media, People and Parks Programme (park residents, neighbour policies).
2. Identify rhino ambassadors who can contribute to awareness e.g. in the entertainment industry, political figures, specific events and fund raising activities such as concerts.

Objective 2: Community and private sector incentives

1. Promote non-consumptive tourism opportunities.
2. Rhino tracking.
3. Facilitate free entry for communities into Protected Areas to increase a sense of custodianship.
4. Conduct free security / anti-poaching courses for game guards.
5. Waive certain permit fees e.g. registration under TOPS Regulations.
6. Enable priority assistance with law enforcement and prosecution especially with poaching cases.

Objective 3: Adopting custodian programmes

1. Adopt custodian programmes whereby suitable private farmers / communities adjacent to national and provincial parks with rhinos are identified.
2. Train community guards for rhino security.
3. Train managers on rhino management.
4. Provide veterinarian assistance as well as assistance with game capture.
5. Support on-going monitoring of rhino management including securities and law enforcement.

**Group 4** identified the action steps necessary for cleaning up **corruption** in the industry, increasing human **capacity** and resources and increasing **cooperation and collaboration**.

Objective 1: Cleaning up corruption in the industry

1. Encourage informants to report illegal dehorning, illegal translocation and illegal shooting of rhino by professional hunters and landowners.
2. Develop a system of rewards for information supplied by informants.
3. Coordinate existing crime lines and establish more where necessary.
4. Develop a centralised permitting system to track hunts from hunting permit to taxidermist.

Objective 2: Increase human capacity and resources

1. Train officers involved with wildlife trade work in enforcement ethics, counter bribery training, etc. All necessary training materials already exist and simply need funding for implementation.

2. Make compulsory the vetting of government officials involved with wildlife trade monitoring.
3. Empower the industry through compulsory membership (linked to a more efficient permit issuing system).
4. Fill vacant positions in government (NGOs to lobby government that these positions are filled).

Objective 3: Increase cooperation and collaboration (domestic / regional / international)

1. Establish a coordinating mechanism for all actions stemming from this and previous rhino meetings in the form of a Biodiversity Management Plan in terms of the NEMBA.
2. Engage with Vietnam, Thailand and China and get investigations going in the country.
3. Make better use of embassies and ambassadors to enhance law enforcement effort.

**Group 5** discussed **dehorning and the non-consumptive use** to reduce black market demand.

Objective 1: Dehorning

1. Clarify the rationale for dehorning. There are 2 reasons: a) as anti-poaching measure (security) and b) horn stockpiling.
2. De-stigmatise dehorning that is conducted for security (reduce perception that dehorning is being done to sell horns illegally). Present a fact sheet and give guidance.
3. Develop a code of practice (covering veterinarian / welfare / regulatory aspects). This is already in process with SAPS and veterinary authorities.
4. Gather data on dehorning effects, those who are dehorning must be obliged to provide information on the outcomes.
5. Declare an indemnity period which will allow individuals involved in illegal dehorning to also start with a clean slate. This indemnification process will need consideration by legal experts.
6. Centralise permit applications to ensure greater confidentiality of information that can be leaked to criminals, as well as a central stockpile to facilitate horn storage for private sector to reduce risk of horn heists from private owners (improve control of privately-owned horns and better record-keeping).

Objective 2: Non-consumptive use (reducing black market demand)

1. Secure buy-in from stakeholders to adopt non-consumptive use practices, rather than maximising value of horn for legal trade (these are mutually exclusive approaches).
2. Engage with relevant Asian representatives and advisers to gain a better understanding e.g. explore the possibility that the current demand in Vietnam is less and TCM is not deeply rooted in the culture - a more modern society may be amenable to changing perceptions.
3. Influence Asian communities within southern Africa to make them more aware of risks and reasons not to deal with or use illegal wildlife products.

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### **SECTION 4**

#### **PLENARY ASSESSMENT**

# Legalising the trade in rhino horn

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A summary of the discussions held is as follows:

Before the moratorium on trade in rhino products, every South African citizen was able to legally sell and exchange rhino horn (with a permit) within South Africa. The South African Government realised that some international citizens were purchasing horns legally in South Africa and exporting the horns illegally. Government then decided that the best way to deal with the problem was to place a moratorium on the trade of any rhino products in South Africa until such time that they gain control over the trade situation. It was then that legal hunting in South Africa started increasing as a means of accessing rhino horn, because in terms of CITES, South Africa may trade in live rhino and hunting trophies. South Africa's Norms and Standards<sup>4</sup> allow for the export of a hunting trophy as a memento of the hunt, but precluded domestic trade between South African citizens.

Counter arguments to the moratorium include the perception that as a result of this moratorium being placed on domestic trade of rhino horn, many owners are challenged with criminal activities around the storage of horns (personal safety of owners). Some owners are supporting the proposal to establish legalised trade to an accredited buyer where a database is maintained of the stockpiles and traceability is afforded. A workshop participant suggested that the lifting of the moratorium needs to be accompanied by regulated trade and government needs to provide the regulations or there will be no control.

Lifting the moratorium may not make a difference to reduce poaching in the short-term, as individuals that want the horn are not going to benefit from legal domestic trade in South Africa as syndicates will still not have legal access to the horn. Only those individuals that see the opportunities in regulated trade in horn are going to purchase the horn if the moratorium is lifted. As the demand stems from other countries, lifting the moratorium on rhino horn in South Africa will not contribute towards reducing illegal trade.

South Africa needs a two-thirds majority vote at CITES to legalise the trade in rhino horn, and going forward South Africa will need to prove a level of control over the current illegal trade happening in the country. Government currently lacks information on the trade and one of the aims of the moratorium was to enable government to take stock of the number of live rhino and rhino horn. Therefore, data on rhino horn in South Africa, as required by legislation, needs to be recorded (micro-chipped, photos taken, length measured, etc.) as required by the Norms and Standards. These data need to be captured into a central national database. The moratorium has been in place for over a year and government is struggling to populate the database. Without cooperation from the private sector and provincial bodies this task is impossible. When the TOPS regulations were published, rhino horn owners were requested and required to register their horns and obtain the necessary permits. Until South Africa is able to regulate internal trade of horn via legislation, government will not be able to convince CITES that they are aware of, or in control of, the illegal trade in South Africa.

Concern was raised around the impact or ramifications trade will have on other countries in the region. The most pressing issue for South Africa at the moment is that the country will be under scrutiny at the CITES standing committee this year with regards to its record of poaching and if the moratorium is lifted at this point, South Africa could face compliance proceedings.

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<sup>4</sup> Norms and Standards for the marking of rhino horn and hunting of white rhino for trophy hunting purposes – Government Notice R 756 published on 23 February in Government Gazette No 32426.



Workshop participants then debated what would actually happen to the market if the moratorium was lifted. It was suggested that stockpiled horns acquired from deceased animals would probably be bought in South Africa and exported. This would not bode well with CITES but would potentially reduce poaching pressure as it would feed existing horns into the market.

This last point was debated, as it was claimed that the small number of horns that could reach the international market through horns being sold under legal trade in South Africa, would not make any difference to the price of horn and would not drop the value of horns enough to reduce poaching incentive.

Workshop participants agreed that the Chinese market is massive (anywhere between 500 – 2000 horns per annum) and the quantity being supplied to the market is unknown. This includes the stockpile quantities that have seeped into the market and horns from mortalities that have not yet been discovered. The supply and demand for horns are not quantified. If South Africa lifts the moratorium it may ease the demand but due to these uncertainties it may not stop the poaching. Paper trails (permits) have resulted in the sale of horn going underground and therefore legal domestic sales will not make a difference in reducing poaching.

The facilitator asked the group if South Africa should start the process of legalising trade. This includes, among others:

- determine stockpiles quantities in South Africa;
- obtain buy-in from everyone in the industry;
- confidently declare South Africa's position to CITES; and
- make inroads with regards to the reduction in poaching.

It was agreed that South Africa may have to defend itself at the next CITES CoP against an up-listing proposal. If South Africa's white rhino are listed on Appendix I it is unlikely to benefit rhino conservation in the country. Based on this, South Africa should first get its house in order, so as to defend its position. If the process of motivating for legalised trade in rhino horn is well thought out, planned and prepared, objections to the legalising of trade (with certain conditions), may be reduced. It was however noted that the decision to legalise trade may change based on the information gathered through the process of 'getting the house in order' and this may need to be evaluated over time for feasibility.

Some participants were of the opinion that CITES should take cognisance of the fact that South Africa's rhino population had increased from 200 in 1910 to 20 000 in recent years, a magnificent achievement.

The group was then tasked with breaking into smaller units and each one formulating a statement that encapsulates their perspective on the possibility of the legalised trade in rhino horn being effective as a tool for rhino conservation.

The following draft resolutions on legalising trade were formulated by each group:

**Group 1:** By implementing the high impact strategies identified at this workshop we aim to maintain the Appendix II CITES listing in order to effectively conserve rhino populations through sustainable utilisation.

**Group 2:** Trade in registered, marked and deoxyribonucleic acid (DNA) profiled rhino and rhino horn may be considered through a controlled system with trading partners who have been verified by the CITES Secretariat as having national legislation for the implementation

of CITES Appendix I and enforcement and compliance systems in place. Legalising the trade in rhinos must be contingent on traceability.

**Group 3:** Poaching of rhino threatens the future existence of rhino in the world and it is the responsibility of the countries that have rhino in their territories to conserve and protect these rhino in the interest of the international world. With rhino being a flagship species, this proves that conservation efforts can succeed to bring an animal from the brink of extinction to viable population numbers. The poaching of rhino is directly linked to the value of its horn and the inaccessibility of it as a valuable commodity to certain people and their cultural beliefs. Now, we propose that the trade in rhino horn be legalised under strict regulated control.

**Group 4:** Embark upon a complete centralised rhino record-keeping system and improved rhino security to support a proposal for international legalised trade, in collaboration with rhino range states.

**Group 5:** To maximise incentives for sustainable breeding of rhinos, within natural breeding situations, by legal marketing of rhino horn through an institutionalised, internationally approved process that ensures 1) monitoring and control of this trade and 2) a significant return of income to meet rhino conservation needs in public, private and community areas.

**Group 6:** Transparency in the rhino industry through investigations and research, locally and internationally, to achieve wise management of rhino populations through the implementation of a registered Biodiversity Management Plan.

**Group 7:** We propose putting in checks and balances and systems to create a favourable climate which may facilitate the consideration of an application by South Africa to CITES for a regulated, legalised trade in rhino horn. This will require adequate stocks, inventory and monitoring of stocks and chain of custody in both import and export countries, off-take of horn at sustainable, measurable levels which also allows for continued growth of the rhino population, reducing poaching to acceptable and sustainable levels, effective law enforcement, full compliance with domestic policies and regulations, the development and maintenance of a comprehensive database of relevant information and full collaboration and cooperation from all relevant sectors.

**Group 8:** South Africa being compliant with the CITES CoP 14 Resolution 9.14, this forum proposes that South Africa initiates the necessary process of legalising the rhino horn trade through the approval of CITES, on condition that the appropriate control measures are demonstrated to be functional and in compliance with Conservation and the IUCN principles of Sustainable Utilisation.

The majority of the forum agreed on the following statement; however it was noted that certain participants remained totally against any form of legalised trade:

***The forum proposes putting in checks and balances and systems to create a favourable climate in order for an application to CITES for regulated legalised trade in rhino horn (black and white).***

It was again stated that some conservation NGOs may not object to the decision to legalise trade when the time comes and that legalising trade is a perfectly legitimate objective for many people at the workshop but that it is critical that South Africa gets its house in order through implementing the full range of measures necessary for a proposal to the CITES CoP to even be considered. Concern was however raised by some conservation NGOs that the only reason there is a call to put systems in place is in order to legalise trade and that these measures should be implemented regardless of a legalised trade being assured or not.

Summary of the measures that need to be in place for legalised trade to be considered:

1. Legal international trade in rhino horn would require an amendment to Appendix I and II of CITES, which would require endorsement by a  $\frac{2}{3}$  majority of CITES Parties voting at a meeting of the CoP (the next meeting is in 2013 and subsequent meetings are every 3 years thereafter)
2. Endorsement is unlikely to be forthcoming unless the present poaching levels are brought under control; and
3. Based on the experience with ivory sales under CITES:
  - a. Trade may be limited to suitable pre-approved trading partners who have proven that their internal trade controls are sufficient to prevent laundering of illegal horn - no country has expressed an interest in legal horn import to-date.
  - b. A fund should be set up to enable communities to benefit from this trade.

# Dehorning as a tool to reduce poaching

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An open forum discussion was held on dehorning as a potential tool to reduce poaching in South Africa. Two questions were posed to the group to facilitate the discussion:

1. Whether dehorning *is or is not an option* in South Africa?
2. If dehorning is an option, how will / should it work?

Michael 't Sas Rolfes (Private) opened the debate by stating that legally it is an owner's right to decide whether or not to dehorn their rhino and not up to the forum to prescribe. Dehorning is, however, seen as a desperate measure and a last resort, and is site (location) and case specific. Therefore a blanket statement on whether dehorning is a viable option should not be made.

Joseph Okori (WWF-African Rhino Programme (ARP)) reminded the forum that dehorning requires a permit and wanted the DEA's input on this. Sonja Meintjes (DEA) elaborated on the discussions held at the recent Rhino Summit and confirmed that the DEA will issue permits to those rhino owners that feel dehorning is the only option to secure their populations and will not contest if an owner applies for a permit to authorise dehorning. Dehorning will, however, not take place in National Parks but may possibly be allowed in smaller provincial parks, if necessary. More research is needed as many are unsure what the effects of dehorning will be on populations and / or individual rhinos. A study on the effects of dehorning has therefore been approved and the terms of reference of the study are currently being drawn up by the DEA.

Karen Trendler (Working Wild) reiterated that most parks are managed for tourism and / or aesthetic purposes and therefore dehorning may not be an option (Sam Ferreira, SANParks, *pers. comm.*). Karen also highlighted the cost involved in dehorning. Rod Potter (EKZNW) stated that EKZNW does not support dehorning, although this might change in the future. The EKZNW stance is that there are other ways to keep animals alive to make it a cost effective business.

Pelham Jones (WRSA / PROA) stated that this issue had been discussed among the PROA members and it was agreed that each individual owner must make a decision which will depend on his specific situation and that it was seen as a discretionary issue. Factors that need to be considered are, amongst others, the costs involved, tourism impacts, size of the park, etc. In a confined area, social interaction is much more intensive and it has happened that dehorned animals have been killed by lesser bulls / cows. Pelham did recommend that if dehorning is to take place that it must be done: i) according to a protocol; and ii) all animals must be dehorned. He suggested that there is a need for a scientifically sound protocol / guideline.

John Wesson (WESSA) cautioned that dehorning could lead to a false sense of security and that most horn re-growth is visible within a year. John also warned that dehorning will not necessarily stop syndicates and that dehorned rhino could still be targeted.

Raoul du Toit (International Rhino Foundation (IRF)) reiterated that social effects around dehorning might possibly be seen if an area is overstocked. Social effects must therefore be reviewed in terms of carrying capacity.

Mick Reilly (Big Game Parks) agreed with Raoul in terms of social effects being related to carrying capacity. Mick confessed that he would be reluctant to dehorn again as poachers

just move their focus from one population to another and that the threat would have to escalate drastically before considering dehorning again. Half the weight of the horn is left on the animal after dehorning which still leaves enough for a poacher to go after. Mick agreed that dehorning is a deterrent, which provides much needed time in a crisis situation, so it is a crisis response. Joseph Okori stated that dehorning should go hand in hand with record keeping / stock taking.

Richard Emslie (IUCN) explained that to reduce poaching one needs to shift the cost benefit so that the cost to poachers are increased and the benefits to poachers are decreased. Dehorning can be part of a strategy to achieve this by reducing the amount of horn per rhino poached. However, it should be remembered that dehorning is not risk free and includes the risk of mortality and social issues in rhino populations. It therefore seems that dehorning is only feasible for small populations which are very vulnerable and under threat, and not at high densities. Adri Kitshoff (PHASA) stated that she strongly supports any measure to support conservation but is unsure as to what effect dehorning would have on income.

Michael Eustace (Private) stated that some owners leave 1,2 kg behind when they dehorn rhino and that there is +/- 0.8 kg growth per annum. Michael questioned whether it is possible to try and cut off the entire horn? Raoul du Toit confirmed that it was possible<sup>5</sup> to take a larger proportion of the horn than is typically removed through dehorning, but more thorough dehorning would have to be very carefully done close to the germinal layer and would take a while. Poachers usually cut off the bone as it is much faster.

Colman O'Criodain (WWF International) questioned that if National Parks hold the largest population of rhino and is not intending to dehorn, whether dehorning of private populations would really make a contribution?

*The discussion then moved towards issues of penalties for poaching:*

Ted Reilly (Big Game Parks) recommended that South Africa moves towards a mandatory custodial sentencing, for example, a 5-year minimum sentence without a magistrate having the discretion to suspend the sentence. He stated that this had worked in Swaziland.

Marilè van Heerden (NPA) stated that in South Gauteng the decision was made not to take fines or accept pleas in terms of section 105 of the CPA. She added that they always call witnesses in aggravation of sentencing and is also attempting to include racketeering charges for all parties involved in poaching. The main problem exists at airports and Marilè explained that a pattern can be identified where it always seems to be the same attorneys and interpreters representing accused in rhino poaching cases.

Jana Pretorius (SAVA) questioned why the fines given to poachers are always so low? Marilè explained that in order to charge someone for an organised crime certain factors need to be considered. For example, there must be more than one person acting in the furtherance of a common purpose, so a group. The penalties provided for in terms of Prevention of Organised Crime Act, 121 of 1998 Prevention of Organised Crime Act (POCA) are much higher than those for common law or other statutory offences.

Ted Reilly stated that in Swaziland, if a poacher caught on the ground implicates the kingpin, the State can transfer the charge to him. Any judicial officer that frustrates the ends of justice will go to jail.

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<sup>5</sup> Removal of the entire horn has inherent risks including problems with re-growth, deformed horn re-growth, infection, maggot infestation, cavitations (cracks and splits in horn).

Richard Emslie suggested that the National Wildlife Crime Working Group keeps a database on every single court case involving rhino poaching and reports on the progress of cases, conviction rates, the sentences being handed down and who the magistrates were, once a year. Marilè stated that this is currently being done through the national office that is able to report on the number of convictions, the number of cases still on the roll and those still pending. The NPA is also currently training magistrates and raising awareness among the judiciary as many have no frame of reference on what a rhino horn actually looks like and the size. The media can also play a big role in deterring poachers when they publish details on successful convictions and any harsh sentences handed down. A summary report is taken to Parliament every year.

Mick Reilly mentioned that Swaziland's legal regime provides for the review of sentences and that this should be considered as an option in South Africa.

Pelham Jones stated that the issue of dehorning was also raised at a recent LeadSA meeting based on the huge media interest and everyone wanting to hear the good-news stories. It seems that good-news stories are not being published by the media and there are perceptions that there are rhinos being killed in droves with very few arrests. For example the media reports on individuals being released on R1000 – R2000 bail (e.g. Hamanskraal case where ~30 rhino were shot and the perpetrators were released and never seen again). Pelham has requested national data from SANParks who referred him back to the NPA and unfortunately they can only provide data for South Gauteng. Pelham indicated that even though there are data on the number of arrests made, feedback on convictions and sentences handed down is lacking. This feedback assures investors that something is being done and the public also realise that the investigation units are making a difference. Poachers will also realise the risk involved. Annette Hübschle (Institute for Security Studies) stated that the facts of the case need to be considered as it is often publicised that a 10 year sentence was handed down for poaching rhino, however it was actually five years for poaching and five years for fraud, running simultaneously.

Colman O'Criodain added to Richard's and Pelham's points of progress, news and reporting, and stated that it is important in the context of the CITES Standing Committee, that South Africa is seen to be doing more, arrests do not really mean that much and more is still needed. The Committee will be looking to see harsher sentences, to show momentum and real progress. It will only then be seen that South Africa is getting real traction on the issue.

The Free State Department of Economic Development, Tourism and Environmental Affairs strongly supports a protocol document setting out how much horn must be left, equipment used to dehorn, reasons for dehorning and a public awareness campaign.

David Newton (TRAFFIC) agreed that a guidance document is useful, however, there are many concerns around trade and the high levels of security that surround trade issues and in this case a guidance document is inadequate. It needs to be documented that if anyone is interested in trade then there are requirements that need to be fulfilled and firmly demonstrated.

*The facilitator then summarised the outcomes of the open forum discussion as follows:*

- The DEA is finalising the Terms of Reference for the study on dehorning that they will be commissioning.
- PROA and WRSA have their own approaches towards dehorning.
- All participants agreed that a comprehensive guide integrating all available protocols on dehorning needs to be compiled and should include sections:
  - a. Highlighting the success of dehorning and its role;
  - b. Emphasising concerns around dehorning, risks and challenges associated with dehorning;
  - c. Emphasising the role of dehorning as part of a suite of options and not the only solution and how it should not be seen as a stand alone solution to address rhino poaching;
  - d. Describing situations where dehorning can and may not work;
  - e. Listing steps to follow when dehorning is used as a management tool, such as the relevant permitting issues; and
  - f. Building on the South African Veterinary Association (SAVA) document on dehorning for veterinarians that includes all information needed.

# **PERSPECTIVES ON DEHORNING AND LEGALISED TRADE IN RHINO HORN AS TOOLS TO COMBAT RHINO POACHING**

**1 - 3 March 2011**

**The South African Mint Company, Gateway, Centurion**

## **WORKSHOP REPORT**



### **SECTION 5**

#### **FINAL PLENARY: WAY FORWARD**



# System Intervention

The facilitator discussed Donella H. Meadow's items in *Places to Intervene in a System: Strategic Levers for Managing Change in Human Systems*. Nine items comprise a list of areas that need to be changed to make a significant impact:

1. The **mindset** or paradigm out of which the goals, rules, feedback structure arise.
2. The goals of the system.
3. The power of **self-organisation**.
4. The **rules** of the system (incentives, punishment, constraints).
5. **Information flows**.
6. Driving **positive feedback** loops.
7. Regulating negative feedback loops.
8. Material **stocks and flows**.
9. Numbers (subsidies, taxes, standards).

The facilitator summarised the points above and how they relate to the strategy to reducing poaching (see **table 1** below as presented by the workshop facilitator using certain action steps from certain objectives that were mapped to Meadow's 9 Strategic Levers). Point 8, *material stocks and flows* are the markets involved in the trade and he noted that this was not seen as the most important place to intervene. However, point 6 and 7 were the feedback loops to, for example the press (press coverage) and deterring poachers when the media publish the sentences handed down. Point 5, *information flows* was highlighted as an important component in developing centralised information systems. Point 4 depicts the changing of rules in the system which can be related to improved law enforcement and community and private sector incentives. How can the rhino community organise itself to prevent poaching? The mindset could be seen as the non-consumptive drive (how to reduce demand and therefore end-user markets and the supply chain) and changing the mindset of the end consumer.

**Table 1: Certain action steps as mapped to Meadow's 9 Strategic Levers.**

System Intervention	Group	Strategy	Actions
1. Mindset	3	Incentives	Prompt none consumptive tourism opportunities.
	2	Research	Understand end consumers use (global market).
3. Self Organising	3	Incentives	Conduct free security / anti-poaching courses for game guards.
	3	Custodian programmes	Adopt custodian programmes whereby suitable private farmers / communities adjacent to National and Provincial parks with rhinos are identified.
	3	Custodian programmes	Train community guards for rhino security.
	3	Custodian programmes	Train managers on rhino management.
	4	Anti-corruption measures	Train officers involved with wildlife trade work in enforcement ethics, counter bribery training, etc.
	4	Anti-corruption measures	Make compulsory the vetting of government officials involved with wildlife trade monitoring.
	4	Anti-corruption measures	Empower the industry through compulsory membership.
	4	Anti-corruption measures	Fill vacant positions in government.

System Intervention	Group	Strategy	Actions
	4	Cooperation and collaboration	Establish a coordinating mechanism for all actions stemming from this and previous rhino meetings in the form of a Biodiversity Management Plan in terms of the NEMBA.
	4	Cooperation and collaboration	Engage with Vietnam, Thailand and China and get investigations going in the country.
	4	Cooperation and collaboration	Make better use of embassies and ambassadors to enhance law enforcement effort.
	1	Increase security of rhino	Increase the number of foot soldiers on reserves and farms stocking rhino.
	1	Increase security of rhino	Relocate animals from high risk areas.
	1	Increase security of rhino	Establish anti-poaching units.
	1	Increase security of rhino	Maximise communications between SAPS, field rangers and private rhino owners.
	1	Law enforcement	Improve communications between SAPS, field rangers and the NPA.
	1	Law enforcement	Ensure that investigations are guided by prosecutors.
	1	Law enforcement	Increase combined operations between various stakeholders.
	1	Law enforcement	Provide training on crime scene management at various levels.
	1	Law enforcement	Provide training on the chain of custody, for example SAPS and provincial government officials.
	1	Law enforcement	Conduct magistrate training and awareness.
	1	Law enforcement	Conduct prosecutor training and awareness.
	1	Law enforcement	Create a pool of expertise that can be relied on during court proceedings.
	1	Law enforcement	Improved support for the NWCRU.
	1	Law enforcement	Enlist more specialised SAPS investigators.
	1	Law enforcement	Reduce delays in court proceedings.
	1	Law enforcement	Ensure cooperation by Civil Aviation Authority in sensitising pilots with regard to Protected Areas.
	1	Law enforcement	Implement TOPS nationally across all provinces.
	2	Information system	Amend TOPS Regulations to facilitate forensic sampling.
	2	Legalise Trade	Obtain verification for the CITES Secretariat of potential trading partners.
	2	Legalise Trade	Prepare influential voting blocks.
	2	Legalise Trade	Research to be conducted on end user expectations and requirements.
	2	Research	Understand the effects of dehorning.
4. Rules	3	Incentives	Facilitate free entry for communities into Protected Areas to increase a sense of custodianship.
	3	Incentives	Waive certain permit fees e.g. registration under TOPS Regulations.
	3	Incentives	Enable priority assistance with law enforcement and prosecution especially with poaching cases.

System Intervention	Group	Strategy	Actions
	3	Custodian programmes	Provide veterinarian assistance as well as assistance with game capture.
	4	Anti-corruption measures	Develop a centralised permitting system to track hunts from hunting permit to taxidermist.
	1	Increase security of rhino	Develop rewards for good performance.
	1	Law enforcement	Oppose / refuse bail applications by individuals suspected of rhino poaching and related offences.
	1	Law enforcement	Elevate rhino related crimes to Schedule 6 of the Criminal Procedure Act (CPA).
	1	Law enforcement	Improve access control to areas where rhino occur.
	2	Legalise Trade	Ensure the registration of both live rhino and horn with DEA prior to lifting moratorium.
	2	Research	Collate existing knowledge and develop a comprehensive protocol for dehorning.
5. Info Flows	3	Incentives	Rhino tracking.
	3	Custodian programmes	Support on-going monitoring of rhino management including securities and law enforcement.
	4	Anti-corruption measures	Encourage informants to report illegal dehorning, illegal translocation and illegal shooting of rhino by professional hunters and landowners.
	4	Anti-corruption measures	Develop a system of rewards for information supplied by informants.
	4	Anti-corruption measures	Coordinate existing crime lines and establish more where necessary.
	1	Increase security of rhino	Increase informer network capacity.
	1	Increase security of rhino	Distribute TRAFFIC's SOP with regard to stockpile management guidelines to the industry.
	2	Information system	Overcome the challenges of gathering the information from the private sector.
	2	Information system	Update current stock information (e.g. birth and deaths).
	2	Information system	Populate a central database of all rhino populations and horns and link to DEA permitting system so as to ensure integration.
	2	Information system	Undertake a comprehensive audit of available data.
	2	Legalise Trade	Display analogous control between trading partners which accounts for processing and consumption.
	2	Legalise Trade	An assessment of the existing management of rhino populations and stockpiles to be conducted by an independent panel (CITES Standing Committee).
6. Positive Feedback	3	Community involvement	Create awareness programmes for communities adjacent to Protected Areas.
	3	Community involvement	Identify rhino ambassadors who can contribute to awareness.

System Intervention	Group	Strategy	Actions
	1	Law enforcement	Provide awareness raising pamphlets and posters at all ports of entry and exit.
	1	Law enforcement	Increase awareness through media (TV and radio).
8. Stocks and Flows	2	Legalise Trade	Establish a central stockpile facility.
	2	Research	Determine the feasibility of legal trade.

The analysis indicates that 33 action steps relate to Self Organising (capacity building, training and coordinating). Thirteen of the 65 actions steps relate to Information flows (central database) and 10 to Rules (incentives, punishment and constraints). It was noted that low emphasis has been placed on changing the mindset. Changing the goals of the system is not something that can easily be changed and ultimately everyone wants to grow rhino numbers and see a reduction in poaching.

- Michael 't Sas Rolfes suggested that the analysis would be strengthened if a cost benefit was done on each item (how much will it cost to be effective).
- Concern was raised that many strategies have been developed and items have been prioritised and re-prioritised, yet there is no coordinating mechanism for implementation.
- It had been suggested earlier in the workshop that a Biodiversity Management Plan be developed to coordinate all strategies.
- The counter argument to the point listed above was that many strategies are important and needed. However there has been a proliferation of new organisations in the last couple of years and their purpose was to coordinate these strategies; an example is LeadSA who established the Rhino Action Group (RAGe) to coordinate rhino conservation. If people are apprehensive about working together in a collaborative way, don't want to share information, and coordinate themselves from within, then getting anyone else to do the coordinating will not work.
- Most individuals do not have much say around the prosecutorial process and sentencing which can only be coordinated by the NPA and government, and it is up to the private rhino owner to determine if dehorning is an appropriate measure. If a consensus can be reached around who is undertaking which aspects of the strategies then organisations can self-organise and align with other organisations to make meaningful contributions. There is an existing structure tackling rhino poaching in South Africa, which consists of SAPS, the Defence Force, DEA, NWCRU and other stakeholders (SADC Rhino Management Group) and security investigations are run from this central point. Where can this forum support this structure?
- The group agreed to determine which organisations were undertaking which activities based on the objectives highlighted during the strategy session and pick an area of influence and provide feedback to the forum.

Action Plan for:	Existing structures identified	Can forum assist?
Information system	DEA	Assist government by encouraging individuals to provide information (industry and provincial).
Anti-corruption measures (industry and government)	SAPS is responsible for litigation and NPA for prosecution of corruption (government has compliance and policies).	Place pressure on government, provincial authorities and SAPS to do what they should. Report corruption.

Action Plan for:	Existing structures identified	Can forum assist?
Community involvement and sense of ownership	Provincial departments have a directorate dealing with communities, SANParks has the People and Parks Programme, and each Provincial Conservation Authority is dealing with communities and private community initiatives. WRSA and PROA are currently looking at expansion programmes and include wildlife ranching areas that have been involved in land claims but are still managed as wildlife ranching areas.	The forum can help with sensitising the communities to rhino issues and include custodian programmes which government should be made aware of (e.g. WWF Black Rhino Project in EKZNW). The forum can learn from Namibia's community empowerment and involvement experiences. Namibia to provide community conservancy and custodian programme case studies and information to SA government (Ben Beytel).
Community / Private Sector Incentives	Look at incentives through waiving permit fees, national access to funding for empowerment and poverty alleviation, etc.	Private sector can play a role by lobbying and influence. Government is working on generating incentives but are restricted by legislation.
Increased collaboration and cooperation	TRAFFIC plays a big role however there are many fragmented groups and government forums.	Each organisation that has a role to play needs to drive the process.
Increase security of rhino	WRSA has done a "needs analysis" and held workshops with a number of fora that include SANParks and the investigation unit. The value return now has a price tag, it shows that private landowners are burdened with a huge security cost and face a loss of assets and price deterioration. The needs identified from a national basis include training of staff related to anti-poaching and rhino monitoring.	Rhino owners should within their limited ability (resources) protect rhino (struggle with firearms for their game guards).
Improve law enforcement	DEA, NPA and SAPS.	All individuals are responsible for law enforcement. Diplomatic influence will also play a part.
Legalise Trade	DEA is currently commissioning a study to determine the feasibility and viability relating to legalising trade in rhino horn.	Lobby government when the time comes and help with getting South Africa's house in order to take the process forward.
Research	TRAFFIC Work Programme	Provide information.

A plenary discussion was held on finalising the workshop report and determining which statements made during the workshop were agreed on (based on a show of hands of the 41 participants) and to what level as well as which statements they did not agree with. Please note that some organisations had more than one representative:

#### Statements around legalising trade

Aspects	A / D	Level
In the current situation a proposal to CITES would fail and would damage South Africa's reputation.	Agreed	100 %
Reasonable time for preparation of a robust proposal to be presented to CITES is at least six years.	Agreed	100 %
In six years the present poaching crisis must be contained.	Agreed	100 %
There must be complete disclosure of stockpiles (include register, marking and DNA profile) and assessment by independent experts under the	Agreed	100 %

Aspects	A / D	Level
supervision of CITES.		
South Africa must get SADC support.	Agreed	100 %
Potential trading partners must be identified.	Agreed	95 %
Trading partners must have adequate internal controls to prevent laundering and be verified by the CITES Secretariat.	Agreed	100 %
Need to determine the size of the market.	Agreed	95 %
South Africa needs to prepare influential voting blocks.	Agreed	95 %
Adequate controls along the value chain are needed.	Agreed	98 %
Cleaning up the industry first before trade.	Agreed	100 %
Lifting moratorium on domestic trade will be counter-beneficial to legalising international trade.	Agreed	100 %
Trade must benefit rhino conservation.	Agreed	100 %
A “central selling organisation” must be established.	Agreed	95 %
Horn trading is a legitimate issue to consider.	Agreed	98 %
Legalised trade should be motivated within the CITES framework.	Agreed	100 %
Is not an immediate option (earliest CITES CoP likely to be 2016).	Agreed	100 %
Need to gain better understanding of demand.	Agreed	Uncertain
Need to gain a better understanding of prices along supply chain.	Agreed	100 %
South Africa rhino owners need to abide by registration and stockpile controls (deficiencies in white rhino database must be addressed as a necessary precursor to trade resolution).	Agreed	100 %
Systems for traceability must be established.	Agreed	100 %
There must be adequate reward to rhino owners to trade.	Agreed	98 %
Legalised trade must be promoted in the context of incentives for rhino conservation and wildlife-based land use.	Agreed	98 %
Private rhino owner must register for trade.	Agreed	100 %
Legal trade will not stop poaching.	Agreed	98 %
Storing and transport of rhino horn is dangerous.	Agreed	100 %
There is a risk of loss of conservation reputation for South Africa.	Agreed	100 %
Sale only of legally obtained horn.	Agreed	98 %
South Africa needs to get its house in order.	Agreed	100 %
Legal trade will reduce stockpiling.	Uncertain	
Clarification of amnesty (documentary proof of the legal origin of the horn, this is a CITES requirement).	Agreed	100 %

### Statements around dehorning

Aspects	A / D	Level
Dehorning is not a blanket strategy and should be implemented on a case-by-case basis.	Agreed	100 %
Dehorning is not a solution in itself and should not be done in isolation (it helps reduce reward for poachers but anti-poaching measures need to be maintained).	Agreed	100 %
Not suitable for big parks due to aesthetic and financial factors e.g. Kruger National Park.	Agreed	100 %
Dehorning is costly.	Agreed	100 %
Guideline protocol is needed for cutting horns.	Agreed	100 %
Dehorning needs to go hand-in-hand with a central stockpile and register.	Agreed	100 %
Dehorning is a partial deterrent effect that is lost over time as the horn grows back.	Agreed	100 %
Dehorning has no impact on breeding rate.	Agreed	80 %
Rhino are not displaced due to dehorning.	Agreed	98 %

Dehorning crowds out crime (poachers focus on another population).	Agreed	98 %
Dehorning can be decided on by the landowner or reserve manager.	Agreed	100 %
Risk transfer of horn possession from animal to owner.	Agreed	100 %
Need permits for dehorning.	Agreed	100 %
Need qualified personnel to undertake the dehorning function.	Agreed	100 %
DNA and recording samples needed during dehorning.	Agreed	100 %
There is a <i>severe</i> risk of death / injury with darting (without adequately qualified veterinarians).	Disagreed	98 %
There is a <i>minor</i> risk of death / injury with darting (with adequately qualified veterinarians).	Agreed	98 %
Dehorning could have a detrimental impact on trophy hunting.	Agreed	100 %
Dehorning reduces risk but does not eliminate the risk due to residual horn and re-growth.	Agreed	100 %
Opportunity costs of dehorning (not an additional cost if the exercise is done in addition to another procedure e.g. treating an injury animal).	Agreed	100 %
Dehorning increases the risk of laundering horns (increased temptation).	Agreed	100 %
Dehorning does not have very negative behavioural effects on rhino.	Agreed	80 %

# **PERSPECTIVES ON DEHORNING AND LEGALISED TRADE IN RHINO HORN AS TOOLS TO COMBAT RHINO POACHING**

**1 - 3 March 2011**

**The South African Mint Company, Gateway, Centurion**

## **WORKSHOP REPORT**



## **SECTION 6 APPENDICES**



## Appendix 1: Rhino Workshop Participants List

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#### LIST OF INVITEES UNABLE TO ATTEND THE WORKSHOP

Invitee	Institution
Andrew Rossaak	WESSA
Basie Dirole	North West Department of Agriculture, Conservation and Environment (DACERD)
Chris Foggini	Wildlife Veterinary Unit, Zimbabwe Ministry of Agriculture, Mechanization and Irrigation.
Chris Galliers	WESSA
Corrie Maritz	South African Police Service
Dave Cooper	EKZNW
Deon Vlok	NPA
Div de Villiers	Department of Economic Affairs and Tourism, Eastern Cape
Elise Haber	Department of International Relations and Cooperation
Harriet Davies-Mostert	Endangered Wildlife Trust
Hleli Mcosini	NPA
Hugo van der Westhuizen	Frankfurt Zoological Society
Ian Craig	Northern Rangelands Trust
Ilze Keevy	University of the Free State
Johan Jooste	HAWKS
Johan Malan	SANParks
Juan de Beer	Mpumalanga Tourism and Parks Agency (MTPA)
Kallie Booyse	Gauteng Department of Agriculture and Rural Development (GDARD)
Ken Maggs	SANParks
Lisa Steyn	SAPS
Markus Hofmeyer	SANParks

Mike Knight	SANParks
Muleso Kharika	DEA
Natanya Van Niekerk	South African Mint Company
Paul Gildenhuis	CapeNature
Peter Morkel	OI Jogi Ranch, Kenya
Pieter van Niekerk	Northern Cape Department of Environment, Tourism and Conservation (DTEC)
Reinhardt Holtzhauzen	Wildlife Ranching South Africa
Riaan de Jager	Limpopo Department of Economic Development, Environment and Tourism (LEDET)
Roger Collinson	Etosha National Park
Rusty Hustler	North West Parks and Tourism Board

## Appendix 2: Workshop Documentation

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## Appendix 3: Workshop Programme

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1 - 3 March 2011

South African Mint Company, Midrand

<b>TUESDAY 1<sup>ST</sup></b>	<b>MARCH 2011</b>	<b>DAY 1</b>
08:30 – 09:00	Delegates arrive and registration	
09:00 – 09:30	Welcome and Introduction	
09:00 – 09:30	Presentations (20 minutes) <ul style="list-style-type: none"> <li>▪ Government perspective. (Sonja Meintjes, Department of Environmental Affairs)</li> <li>▪ The welfare, ethical and behaviour issues around dehorning of rhino (Karen Trendler, Director: Working Wild)</li> <li>▪ Drivers of the trade in rhino horn. (Allan Moore, Maqubu Ntombela Foundation)</li> <li>▪ Regulating the rhino horn trade: economic considerations and implications for policy. (Michael 't Sas Rolfes, Independent Conservation Economist)</li> <li>▪ Current supply and demand in the rhino horn market. A model for regulating the rhino horn trade. Rewards to trade. (Michael Eustace, Investment Manager)</li> <li>▪ CITES regulations regarding legalising trade and possibilities of opening trade in rhino horn. (Colman O'Criodain, Wildlife Trade Policy Analyst Species Programme WWF International)</li> <li>▪ The Elephant Trade Information System (ETIS) experience. (David Newton, National Representative: TRAFFIC East / Southern Africa)</li> </ul>	
<b>13:30 – 14:30</b>	<b>Lunch Break</b>	
14:30 – 16:00	Presentations continued... <ul style="list-style-type: none"> <li>▪ Providing a case study and the practical issues with dehorning of rhino from Zimbabwe. (Raoul du Toit, Africa Program Coordinator, International Rhino Foundation and Director, Lowveld Rhino Trust, Zimbabwe)</li> <li>▪ Providing a case study and the practical issues with dehorning of rhino from Namibia. (Pierre Du Preez, Chief Conservation Scientist – Rhino Coordinator, Directorate Scientific Services Namibia)</li> <li>▪ Rhino horn – the organised crime angle. (Annette Hübschle, Senior Researcher, Organised Crime &amp; Money, Laundering Programme: Institute for Security Studies)</li> </ul>	
16:00 – 18:00	Initial discussions as relevant	
<b>18:30 –</b>	<b>Icebreaker</b>	

**WEDNESDAY 2<sup>ND</sup> MARCH 2011****DAY 2**

09:00 – 13:00 Biological Practicality and Economic Sustainability.  
**13:00 – 14:00 Lunch Break**  
14:00 – 17:30 Economic Sustainability (continued) and the effect on rhino poaching.

**THURSDAY 3<sup>RD</sup> MARCH 2011****DAY 3**

09:00 – 11:00 Consensus on key certainties and uncertainties.  
**11:00 – 14:00 Lunch Break**  
14:00 – 17:30 Action Plans and allocation of tasks.  
  
14:00 – Workshop closure  
14:30 – Departure by delegates

## Appendix 4: The Endangered Wildlife Trust

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The EWT is one of the largest non-governmental conservation organisations in southern Africa and was established in 1973. Our dedicated, specialist programmes collectively coordinate around 80 projects throughout southern Africa. These programmes focus on specific issues, species and ecosystems ranging from conserving wetlands and grasslands to addressing the irresponsible use of poisons and agro-chemicals to protecting the last remaining Blue Swallows that breed in South Africa.

We also work extensively with partners, turning stakeholders into supporters and colleagues. Farmers, organisations such as South African national electricity utility Eskom and the Airports Company of South Africa, as well as communities and developers are learning that the best solution for the environment is also the best long-term solution for people.

The EWT fills the key niche of on-the-ground conservation action. Our specialist programmes and large team of skilled field staff are deployed throughout southern Africa and focus on applied fieldwork, research and direct engagement with stakeholders. Our work supports the conservation of species and ecosystems, and recognises the role that communities play in successful conservation programmes.

We focus on identifying the key factors threatening biodiversity and develop mitigating measures to reduce these. Through a broad spectrum of partnerships and networks, we develop innovative methodologies and best practice guidelines that help to reduce negative environmental impacts and promote harmonious co-existence and sustainable living for both people and wildlife.

**Our Vision:** A healthy planet and an equitable world that values and sustains the diversity of all life.

**Our Mission:** The Endangered Wildlife Trust is dedicated to conserving threatened species and ecosystems in southern Africa to the benefit of all people.

The EWT fulfils its Mission by:

- initiating and implementing conservation research and action programmes;
- preventing species extinctions and maintaining biodiversity and ecosystem functioning;
- supporting sustainable natural resources and management;
- communicating the principles of sustainable living and empowering people by capacity building, education and awareness programmes to the broadest possible constituency; and
- taking a strong leadership and advocacy role in promoting environmental and social justice.