

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

RESPONSE TO DOCUMENT FROM DAVID SHEPHERD WILDLIFE FOUNDATION
BY THE CITES MANAGEMENT AUTHORITY FOR NAMIBIA

1. The attached document has been submitted by Namibia.
2. The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries.

Response to document from David Shepherd Wildlife Foundation

by

the CITES Management Authority for Namibia

It is regrettable that this document was only made available just before the meeting of the Conference of the Parties (29 May 2007), although it clearly was produced in support of the proposal submitted by the Governments of Kenya and Mali, as evident from the recommendations at the end of the document, possibly as some sort of shock tactic. This report was requested from Kenya by Namibia when Proposal 6 was placed on the web site, but we were officially informed that it was still in its draft form and it was not provided to us.

It is impossible now to respond to the whole document, and the CITES Management Authority of Namibia generally does not respond to documents of this nature. It is furthermore typical of similar documents previously distributed on CITES issues by animal welfare or animal rights groups, i.e. it aims to cast doubt on the integrity of the Management Authority, individual staff members and the country as a whole.

We were not given the opportunity to comment on this document, nor provide other information that we consider as important to place this documents and some of its assertions in proper context. The document contains many allegations, unverified statements and personal opinions, mostly from unknown sources, and interpretations and insinuations about the implementation of CITES and conservation management in Namibia. The document quotes parts of a number of internal or official documents that are not in the public domain and were acquired by unknown means. The existence of these documents nevertheless only shows that there is a healthy internal debate within the CITES Management Authority and its partner organizations about challenges to be faced. Most importantly, the document from the David Shepherd Wildlife Foundation (DSWF) is one-sided in being completely silent on the many progressive conservation programmes and achievements of Namibia, and responses taken by Government to deal with challenges encountered. We will be very happy to elaborate on any aspect of our conservation management programme mentioned in the report to any interested party, but we are not intending in this response to address all such issues because of time constraints.

This response by the CITES Management Authority of Namibia is nevertheless intended to clarify some of the issues raised in the document. Firstly, it is essential to consider the bigger picture:

- Namibia has an increasing elephant population, now numbering 16,000, and three times larger than in 1989;
- Namibia has the largest population of black rhinoceros in the world, and an innovative programme of public-private partnership in rhinoceros conservation through its rhino custodianship scheme and community-based natural resource management;
- The incidence of illegal hunting of these species in Namibia is amongst the lowest in Africa;
- Namibia has an effective anti-poaching and wildlife law enforcement system, and close cooperation has been established between the Namibian Police (which has a special unit on protected natural resources) and the Customs Service of the Ministry of Finance. In fact, two of the cases mentioned in the document were detected by the Police and Customs, leading to seizures of worked ivory and prosecution;
- Namibia has an extensive and restrictive legal framework for all aspects of the acquisition of raw ivory and rhinoceros horn, manufacturing and trade. This legal framework is nevertheless fragmented and somewhat outdated in certain aspects (but is currently being updated and consolidated through the development of a new Act).

The document from DSWF draws attention especially to the trade in worked ivory in Namibia. The CITES Management Authority of Namibia does not endorse any particular finding or conclusion of the document. We are fully aware of the current situation based on our own information, surveillance of the trade and consultation with law enforcement agencies. We have previous experience with reports from animal welfare or animal rights organizations that resulted in a skewed portrayal because of interviewing and data collection techniques that bordered on entrapment, coercion or were otherwise unacceptable because of the selective use of information, statements and quotes out of context, and the unauthorized acquisition of official or internal documents.

The document from DSWF presents findings that are at odds with the information available to the Management Authority. A sample of trade outlets under surveillance for the past nine months to a year indicate a much

smaller number of ekipa typically on display, and very little turnover, and in some cases none, as evidenced from the same ekipa being displayed over this period. Furthermore, none of the major source countries for tourists to Namibia has reported any seizure of ekipa from Namibia, and it seems that the incidence of trading and the purported threat from this trade has been exaggerated in the report. The use of ivory substitutes is common in Namibia, and it is not easy to distinguish between ivory and other materials, especially since some items are manufactured to resemble ivory ekipa, which casts further doubt on the accuracy of the report.

Although there is no evidence to support an increase in the trade in ekipa rather than an increase in the visibility of this trade, recorded incidences of what appears to be recently manufactured ekipa (although some of these items are definitely re-worked antique ekipa, many of which are in poor condition) the Management Authority in 2006 concluded that the situation warranted further attention, because of new trade dynamics, namely that evidence emerged of the involvement of non-nationals in the trade, and that informal curio traders started to offer ekipa for sale. Recent seizures and prosecutions also highlighted that it has become increasingly difficult to differentiate between authentic antique (pre-Convention) ekipa and other similar items to a legal standard acceptable by Namibian Courts.

We have accordingly taken the following actions:

- A new consolidated wildlife trade bill has been drafted to replace all existing proclamations, regulations and ordinances with an Act of Parliament, which will facilitate law enforcement and enable penalties to be increased. This bill has been submitted to the legal drafters of the Ministry of Justice and will be enacted in the course of 2007;
- Until the new Act is in place, it was decided to defer seizures and prosecutions of small scale artisanal trade but to increase surveillance and monitoring of such trade. However, cases of attempted manufacturing of ekipa, import or unauthorized acquisition and possession of raw ivory are still vigorously prosecuted;
- To delay the implementation of the new manufacturing and export system approved at CoP13 until the new Act is in place;
- To refuse the issuance of any export documentation in accordance with the decision of CoP13 and pertaining to any other worked ivory specimen unless legal acquisition could be unambiguously proved, and
- TRAFFIC has been requested and agreed to assist Namibia in the monitoring of trade in worked ivory.

It is evident that these actions have not pleased all traders, as evident from the misinformation that they allegedly provide to potential buyers, as referenced in the report from DSWF.

As part of the domestic ivory trade action plan, the MET produced an information leaflet and a poster advising non-residents that it was illegal to buy any form of ivory. The information was disseminated through the Ministry of Finance (Customs) and the Ministry of Home Affairs & Immigration at border posts including all international airports.

MET has scheduled another information campaign for 2007, and it has for example already negotiated that such information will be provided to every passenger in every incoming intercontinental flights to Namibia. In addition, other information will be displayed at major border entry points and trade outlets (which until the new Act is in place, can not be compelled to display such information, but we are certain that a significant number of outlets will voluntarily display such information).

The actions specified above were taken in good faith and to ensure that Namibia would not engage in international trade in worked ivory under CITES, even only for the non-commercial purposes as approved at CoP13, until all issues have been addressed. DSWF alleges that there appears to be unwillingness from Namibia to even acknowledge that there are problems. This is false, as indicated by the actions taken as specified above.

In conclusion, the proposed amendment by Kenya and Mali concerning ekipa is completely inappropriate and out of proportion, as the issue is already being addressed by the Management Authority. Lastly, the Secretariat will be invited to assess Namibia's control system prior to any authorization of exports of ekipa in terms of the current annotation.

Regarding protected areas, which in fact do not relate directly to CITES, but are referenced here because the authors of the document from David Shepherd Foundation saw it fit to refer to these areas, Namibia has made

considerable achievements:

- Fourteen per cent of the land surface is included in the protected area network, an area of more than 100,000 square km;
- The proclamation of a further large national park has been agreed, and it is scheduled to be implemented in 2008;
- Negotiations are under way to create the largest contractual national park in southern Africa, as well as a further smaller contractual park and an additional nature reserve;
- Namibia is in the process of developing with its neighbours three large transfrontier conservation areas, including the Kavango-Zambezi Transfrontier Conservation Area that includes the core habitat of the largest elephant population and involving Angola, Botswana, Namibia, Zambia and Zimbabwe;
- Namibia is in the process of incorporating co-management principles in its protected area management strategy, to ensure that parks and adjacent land units are collectively managed for common objectives, to ensure the greatest scale of habitat protection, connectivity and economic benefits to neighbouring people;
- Namibian parks host populations of global importance, e.g. the largest black rhinoceros population in the world;
- Namibia has managed its parks as sources of wildlife for restocking elsewhere. For example, in 2006, more than 600 large mammals were translocated from Etosha NP to neighbouring lands. In 2007, Namibia concluded an exchange transaction with South Africa and Zambia that made 12 black rhinoceroses available for reintroduction to Zambia. Further game species will be translocated in the course of the year for restocking other areas;
- Namibian parks inherited a form of development characterized by unsustainable infrastructure such as fences and roads, and management plans aimed at managing parks in isolation from neighbouring land. New realities have guided the development of a new management approach that would endeavour to reduce dependence on large scale fixed infrastructure and would better integrate parks in regional economies and promote co-management with neighbouring land units. For example, new management plans have been developed for Etosha NP, Namib-Naukluft Park, and similar plans for the Bwabwata NP, Mudumu NP and Mamilili NP are expected to be completed this year. These plans are scheduled to be submitted for Ministerial approval in 2007. These plans are very different from previous management planning attempts, in that business plans form an integral part of these plans, one of the few instances where this has been done, and recognized at the recent Global Environment Facility (GEF) summit in Cape Town, South Africa, to be an important advance in achieving a sustainable resource base for the management of protected areas;
- The Ministry of Environment and Tourism has recently completed a five year strategic plan, and the next step would be to make changes to the organizational structure. One of the objectives is to delegate more authority to park managers at regional level, and to provide an integrated organizational component responsible for managing parks in which all essential services are incorporated. Such services have been fragmented thus far, giving rise to institutional overlaps or gaps.
- The Ministry of Environment and Tourism has established a large GEF project in support of the protected areas, and is in the process of negotiating significant additional support for parks through the Millennium Challenge Account (MCA) facility of the Government of the United States of America. Namibia is the first country to have prioritized the use of the MCA facility for such purposes. In addition, a significantly increased budget allocation has been negotiated for the Ministry as a whole, and its protected area management programme in particular, costed at approximately N\$100 million per year. Park usage fees are collected by MET (and not by NWR as stated in the report). Of the fees, 75% goes to Treasury, but 25% is retained for conservation management through the Game Products Trust Fund (GPTF) earmarked for community development and wildlife management projects within the elephant range. Projects already funded include human elephant conflict management, water provision and protection, improvement of park infrastructure, and patrol vehicles amongst others.
- The Ministry is in the process of establishing an own vehicle fleet, and 20 new vehicles have been acquired in the past year, with more to follow.
- No matter what this document from David Shepherd Foundation states, there is a very low to insignificant threat level to wildlife in protected areas, as evidenced by the very low incidence of illegal hunting of elephants, black rhinoceros and other species as previously reported to CITES, and the low incidence of seizures of elephant ivory in other countries that implicate Namibia as origin. Anti-poaching units have been re-equipped and are fully functional – also see the information document on

rhinoceros conservation in Namibia).

- Additionally, because of the incentive-based conservation approach practiced by MET, communities neighbouring protected areas play a very important role in supporting the MET anti-poaching and law enforcement efforts. This is especially true in the case of Etosha NP.
- Partly related to parks is the issue of human-wildlife conflicts, which is a far greater priority at present than any aspect of poaching or trade. There has been a dramatic increase in the incidence of especially elephant-induced crop and infrastructure damage. We have our hands full in dealing with such conflicts. A first national policy on human-wildlife conflict management has been completed, and innovative approaches such as self-insurance schemes have been included, possibly a first for Africa.

Finally, in recognition that wildlife are not and should not be confined to parks, and the need to integrate parks in larger rural areas, Namibia's conservancy programme should be mentioned as a complementary conservation strategy. Conservancies surround virtually all parks, and the 51 registered conservancies cover more than 100,000 square km and represent nearly 10% of the human population. This programme has been widely acclaimed as one of the best of its kind, and is of very high priority to the Ministry and of far greater conservation significance than any other programme.

Regarding the aspects of poaching and illegal trade mentioned in the DSWF document, it is correct that between 1997 and 2003 only four rhinos were illegally killed in Namibia and 37 horns were seized in Namibia during the same period. It is not correct to compare the level of recorded illegal hunting in rhinos with the number of seizures, since the majority of seizures were obviously of old specimens. This difference can not be ascribed as an inability to detect poaching of rhinos in Namibia.

Concerning references to the smuggling of ivory to supply the Namibian market, it is regrettable that some of the information related to illegal trade in ivory captured in this report had not been communicated to law enforcement agencies on time to enable proper investigation. Namibia does not understand how an organization which claims to have a conservation interest would elect not to report credible information to the authorities in a manner and time to enable investigation and prosecution in favour of releasing it for propaganda purposes at the CoP.