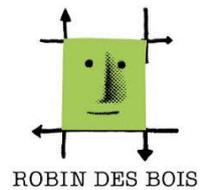


HUMANE SOCIETY INTERNATIONAL



Correspondent: Dr Mark Jones
Associate Director, Born Free Foundation
Broadlands Business Campus
Langhurstwood Road
Horsham, United Kingdom
RH12 4QP
Email: markj@bornfree.org.uk

To:

Mr Jorge Romero Jorge.RODRIGUEZ-ROMERO@ec.europa.eu

Ms Dagmar Zikova Dagmar.ZIKOVA@ec.europa.eu

Mr Gael De Rotalier Gael.DE-ROTALIER@ec.europa.eu

Member State CITES Management Authority representatives and Scientific Review Group members

European Commission
Environment DG
B - 1049 Brussels
Belgium

November 2017

Dear Mr Romero, Ms Zikova, Mr De Rotalier, and Member State representatives,

Importation of hunting trophies from Tanzania into the European Union

The undersigned organisations were disappointed to see the ‘positive opinion’ reached at the 79th Scientific Review Group (SRG) meeting in June 2017¹ in relation to hunting trophies derived from certain elephant populations in Tanzania, and the maintenance of its ‘positive opinion’ on lion specimens (including hunting trophies) from Tanzania. These positions effectively authorise Member States to issue permits allowing the import of such trophies into the European Union.

Tanzania’s elephant and lion populations have suffered devastating declines in recent years, resulting in reduced numbers and densities of both species, and disruption of population stability, including through the disproportionate decline in certain demographic groups.

The SRG’s ‘positive opinions’ for trophies derived from lions and elephants appear to be based on reports and recommendations emerging from a field visit to Tanzania conducted by a delegation of SRG members from the United Kingdom, Austria, and Hungary in August 2016².

The reports focus heavily on recent efforts by the authorities in Tanzania to improve transparency and reduce corruption in relation to its wildlife management practices; efforts that we welcome. However, we are concerned that the reports give undue weight to unverified and unpublished information provided by Tanzanian authorities as well as organisations and individuals in Tanzania

¹ https://circabc.europa.eu/sd/a/99eb1f53-73c7-4ccf-9264-2f53f0f64827/79_summary_SRG.pdf

² <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=33601> and <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=33600>

with interests in trophy hunting, and insufficient weight to peer-reviewed, science-based data collected from the target populations, and independent scientific and expert opinion.

Given the declines of elephant and lion populations in Tanzania, the lack of evidence that trophy hunting practices in Tanzania produce "significant and tangible conservation benefits" for the species (as required by the SRG guidelines for Annex A species) , and the lack of transparent governance of and sound management plans for the target populations, we maintain that the import requirements of the European Union's Wildlife Trade Regulations are not fulfilled for elephant and lion trophies from Tanzania. We therefore believe the SRG should revisit its opinions adopting a precautionary approach, which is enshrined in EU policy, recognising that it is impossible to ensure that imports from such depleted and disrupted populations will not be detrimental to the survival of the species.

We therefore urge the SRG to reconsider its opinions on hunting trophy imports from Tanzania into the European Union at the earliest opportunity.

Further details relating to our concerns are provided in the annexes to this letter.

Thank you for your kind consideration, and we remain available to discuss these issues further with you at your convenience.

Sincerely,



Dr Mark Jones

For and on behalf of the following organisations:

Animal Conservation and Welfare Foundation	Gesellschaft zur Rettung der Delphine e.V.
Animal Defenders International	Humane Society International
Animal Welfare Institute	Humane Society of Canada
Animals Asia Foundation	Humane Society of the United States
Born Free Foundation	OceanCare
CATCA Environmental and Wildlife Society Center	Pro Wildlife
for Biological Diversity	Robin des Bois
Cetacean Society International	Shark Research Institute
EMS Foundation	Species Survival Network
Eurogroup for Animals	Wildlife Impact
Four Paws	Wildlife Protection Society of India

Annex I – elephant trophy imports

At its 79th meeting on 21st June 2017³, the EU Scientific Review Group adopted a ‘positive opinion’ for the importation of trophies of *Loxodonta africana* from the following Tanzanian ‘ecosystems’:

- Serengeti (15)
- Tarangire-Manyara (10)
- Katavi-Rukwa (13)
- Selous-Mikumi (36)

subject to the following conditions:

- quotas allocated at ecosystem level do not exceed >0.3% of managed population, and
- trophy animals are male (tusks >20kg or 160cm in length), and
- quota reviewed annually and adjusted, as necessary, to take into account most recent population data).

We challenge the positive opinion for elephant trophies from the Tanzanian ‘ecosystems’ concerned on the following grounds:

- No country in Africa has suffered worse levels of elephant poaching than Tanzania in recent years. The Great Elephant Census estimated that Tanzania lost 60% of its elephants to poaching over a five-year period to 2014⁴. Tanzania’s current Elephant Management Plan published in 2010 fails to account for this devastating decline.
- One of the worst affected areas is the Selous- Mikumi ecosystem, the former stronghold of elephants in East Africa. Rampant poaching has reduced the population in the Selous Game Reserve by 90 % in fewer than 40 years - yet this is one of the areas where the SRG has concluded that exports are non-detrimental, permitting the highest number of trophy exports.
- Despite recent declines in the level of poaching, it is premature to conclude that poaching has subsided in Tanzania to the point where elephant populations can substantially recover and withstand trophy hunting pressures. The prominent role of Tanzania as the source of a high proportion of ivory in illegal trade is well established (eg Wasser et al. 2015⁵). Robson et al. (2017)⁶ concluded that the numbers of elephants in the Katavi-Rukwa Region, Selous, Mikumi, and Serengeti were way below their expected number according to modelling using ecological benchmarks and zero poaching levels.
- The likelihood of comprehensive, detailed, regular counts of all elephant populations being conducted by the Tanzanian authorities to continuously and accurately assess the impacts of trophy hunting and other pressures on elephant populations, and to inform annual reviews and adjustments of quotas , is low.
- The SRG’s usual practice is to establish opinions on a species/country basis. The establishment of opinions on an ‘ecosystem’ basis raises serious questions about how the EU

³ https://circabc.europa.eu/sd/a/99eb1f53-73c7-4ccf-9264-2f53f0f64827/79_summary_SRG.pdf

⁴ <http://elephantswithoutborders.org/what-we-do/great-elephant-census/>

⁵ <http://science.sciencemag.org/content/349/6243/84>

⁶ <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0175942>

can effectively monitor activity at this level. The fact that the SRG has limited the positive opinion to certain ecosystems confirms concerns on the overall situation in Tanzania and demonstrates that the SRG obviously feels unable to decide on a positive opinion for the entire country.

- There is a lack of clarity around how the quota for each ‘ecological system’ has been determined. The approach also fails to account for the highly migratory nature of elephants and their movement between ecosystems.
- The claimed justification that the level of offtake proposed in the quota is below maximum recommended levels fails to recognise that quotas should be based on estimates of TOTAL offtake (including both legal and illegal killing), not just trophy offtake.
- The report on which the opinion is based fails to take into account evidence from a number of sources recommended in the SRG guidelines (see Attachment A)⁷, such as relevant scientific literature, scientific surveys, and consultation with relevant experts. It focusses on data and information gained from Tanzanian government authorities and stakeholders with vested interests in maintaining or increasing revenues from hunting operations, but fails to recognise the need for independent third-party verification. A recent study in Eastern and Southern African countries found that trophy hunting operators overstate the economic and social benefits of their activities (Murray 2017⁸), and the United States Fish and Wildlife Service (USFWS) Endangered Species Act Enhancement Findings in both 2014⁹ and 2015¹⁰ concluded there was no evidence to support the claim that sport-hunting of elephants in Tanzania enhances the survival of the species.
- The report gives no clear indication that appropriate ecological risk assessments have been conducted, nor that relevant scientific literature has been considered.
- The report also fails to provide clear evidence on which to base the assumption that trophy hunting is the only option to fund Wildlife Management Areas, or that the activity results in significant and measurable poverty reduction and socio-economic development. Evidence on which to base claims that trophy import bans are directly resulting in conversion of wildlife conservation areas to agro-pastoral land, or increases in human-wildlife conflict, is lacking, and the report fails to recognise the fact that community-managed sites in Tanzania have had the highest numbers of elephant carcasses in recent years¹¹.
- The report fails to recognize the contribution made to conservation by non-consumptive uses: A 2017 study¹² examined the implication of upgrading conservation areas from Game Reserves to National Parks on local community livelihoods, drawing on lessons from Saadani National Park in Tanzania. Unlike game reserves where licensed human consumptive uses, such as trophy hunting, are permitted, National Parks allow only controlled non-consumptive uses, such as walking safaris, game driving and photographic tourism. The authors concluded that while there are problems and challenges to be resolved, people’s

⁷ <http://ec.europa.eu/environment/cites/pdf/srg/guidelines.pdf>

⁸ <http://www.hsi.org/assets/pdfs/economists-at-large-trophy-hunting.pdf>

⁹ <https://www.fws.gov/international/pdf/enhancement-finding-2014-elephant-Tanzania.PDF>

¹⁰ <https://www.fws.gov/international/pdf/enhancement-finding-2015-elephant-Tanzania.PDF>

¹¹ https://tnrf.org/files/proceedings_of_the_3rd_cbnrm_forum_final_report31082016.pdf

¹² Michael, E., & Naimani, G. M. (2017). Implication of Upgrading Conservation Areas on Community’s Livelihoods: Lessons from Saadani National Park in Tanzania. *Journal of the Geographical Association of Tanzania*, 36(1).

livelihoods after change of status from a Game Reserve to a National Park has been more positive than negative. The study also reported that despite some problems they encounter, villagers were very positive about the national park designation because their life was reported to have improved as a result of the status change. Villagers also reported improved social infrastructure and job opportunities including expanded market for their goods.

- The positive opinion does not meet the criteria outlined in the SRG Guidance on importation to the EU of hunting trophies from Annex A-listed species. In particular the report on which the opinion is based:
 - fails to demonstrate that the import requirements for Annex A specimens are fulfilled, given that the SRG guidelines determine that ‘the only obvious case of an importation not being detrimental to the survival of the species is if it is clearly beneficial to its survival, i.e. if it produces significant and tangible conservation benefits for the species, or, in exceptional cases, if it is clearly benign but also produces wider benefits to society.’ The report gives insufficient detail on how positive conservation benefits and benefits to local communities will be guaranteed, or how revenues will be accounted for in a transparent manner;
 - recommends a positive opinion for the import of elephant trophies from ecosystems that have recently suffered significant declines in elephant populations (during which trophy hunting operations continued), which clearly remain extremely vulnerable to any form of exploitation;
 - recognises the ongoing threat of corruption (which has dogged Tanzanian wildlife management in general, and the allocation of hunting blocks in particular, for decades) but fails to adopt an appropriate precautionary approach, particularly given that Tanzania ranks 116th in the 2016 Transparency International Corruption Perceptions Index¹³, with natural resource management singled out as particularly problematic (Missing the Mark, 2016¹⁴). Recent news reports of the murder of conservationist Wayne Lotter of the PAMS Foundation, instrumental in significantly curbing poaching and wildlife trafficking¹⁵, and convictions of police officers in association with the smuggling of ivory trophies¹⁶, confirm that Tanzania still has a significant way to go to inspire confidence that it has corruption under control;
 - provides no information on the impact that poaching has had on elephant population demographics (which has been shown to induce stress which has long-term negative impacts on reproductive function, eg Gobush et al. 2008¹⁷), and fails to account for the fact that the very demographic that might be preferentially targeted by trophy hunters (mature adults) has been disproportionately impacted by poaching, thereby failing to establish true biological sustainability;
 - fails to recognise that Tanzania’s 2010 Management Plan is outdated, and that Tanzania’s CITES National Ivory Action Plan was deemed not to have been

¹³ https://www.transparency.org/news/feature/corruption_perceptions_index_2016#table

¹⁴ <http://democrats-naturalresources.house.gov/imo/media/doc/Missing%20the%20Mark.pdf>

¹⁵ <https://www.theguardian.com/environment/2017/aug/17/leading-elephant-conservationist-ivory-shot-dead-in-tanzania>

¹⁶ <http://www.dailynews.co.tz/index.php/home-news/53046-police-officers-jailed-35-years-on-poaching-charges>

¹⁷ <http://faculty.washington.edu/wirsinga/Gobush2008.pdf>

substantially achieved by the CITES Secretariat in 2016¹⁸; The CITES Secretariat stated in SC69 Doc.29.3 Annex 6¹⁹ that, since the CoP16 analysis, organised criminal elements operating in Kenya, Tanzania and Uganda have continued to move large quantities of ivory into, between, and out of these three countries, which collectively constitutes the greatest illicit ivory trade flows out of Africa between 2009 and 2014. The report provides that since 2012, corruption issues have continued to be a major problem in all three countries, with various reports documenting serious governance shortfalls at ports of entry and exit, within government institutions charged with protecting wildlife, and by political and economic figures in these countries, including ivory stock thefts, and various judicial failings such as ordering the release of seized ivory or suspects on bail, or imposing mediocre penalties; and

- does not provide clarity on the requirement that management plans are in place that will be monitored by professional biologists, nor confidence that plans can be 'promptly modified'.

¹⁸ <https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-24-R1.pdf>

¹⁹ <https://cites.org/sites/default/files/eng/com/sc/69/E-SC69-29-03-A-13.pdf>

Annex 2 – lion trophy imports

The EU Scientific Review Group maintains a positive opinion for the importation of specimens (including hunting trophies) of *Panthera leo* from Tanzania which was last confirmed at its 77th meeting in November 2016²⁰.

The report and recommendations following a field visit to Tanzania conducted by an SRG delegation in August 2016²¹ recommended that this opinion be maintained, in accordance with current age-sex based restrictions and a total quota of 207 trophies, allocated in accordance with density recommendations [0.5 lions/1,000 km², with the exception of Selous to which a recommendation of 1.0/1,000 km² applies].

We challenge the opinion on the following grounds:

- The positive opinion fails to follow a precautionary approach, given the large number of assumptions and lack of verifiable evidence in the SRG Tanzania field visit report, and given the widely reported recent and predicted future declines in lion populations in Tanzania and more widely across East Africa. Note the recent paper in Nature identifying overexploitation (including hunting) as the biggest threat to biodiversity²².
- The SRG report lacks input from sources independent of the Tanzanian authorities. Tanzania has expelled independent lion scientists and sources affiliated with the hunting industry are now heavily involved in lion surveys. It is well known that Dr. Craig Packer, who spent decades researching lions in the Serengeti was expelled from the country after exposing the unsustainability of lion trophy hunting and the level of corruption²³ in the trophy hunting industry. Independent scientist Dr. Henry Brink was similarly removed from his post of studying the population status of lions in Selous Game Reserve. Jerry Belant of Mississippi State University – who is affiliated with trophy hunting lobbying group Safari Club International (SCI) – is now in charge of lion population research in the Serengeti after Dr. Packer's removal from the project.
- The SRG's field visit report appears to attempt to discredit the most recent IUCN assessment of *Panthera leo*²⁴ and subsequent peer-reviewed studies, which inferred a serious overall decline (60%+) in lions in Tanzania (and East Africa generally) over the period 1993-2014, and estimated a 37% probability that lions in East Africa will decline by a further 50% over the next two decades²⁵. The IUCN assessment provided a population estimate for Tanzania of 7,345-13,316, considerably less than the outdated TAWIRI estimates cited in the SRG report (17,564 (Ikanda and Packer 2006) and 16,800 (Mesochina et al. (2010)). The IUCN estimates were inferred from several well-studied Tanzanian populations. As is pointed out in the SRG report, lion densities are thought to correlate positively with degree of

²⁰ https://circabc.europa.eu/sd/a/0aa2eda6-758c-4855-94e0-feaf020bec42/77_summary_srg.pdf

²¹ <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetailDoc&id=33601&no=49>

²² <http://www.nature.com/news/biodiversity-the-ravages-of-guns-nets-and-bulldozers-1.20381>

²³ Packer, C. Lions in the Balance: Man-Eaters, Manes and Men with Guns. University of Chicago Press (2015). ISBN 13: 978-0-226-09295-9.

²⁴ <http://www.iucnredlist.org/details/15951/0>

²⁵ Bauer, H., Chapron, G., Nowell, K., Henschel, P., Funston, P., Hunter, L. T., Macdonald, D.W. & Packer, C. 2015. Lion (*Panthera leo*) populations are declining rapidly across Africa, except in intensively managed areas. Proceedings of the National Academy of Sciences, 112(48), 14894-14899.

protection, suggesting that declines outside of protected areas are likely to have been even greater. The cited estimates in the SRG report do not appear to be substantiated or peer-reviewed, nor does there appear to be ongoing independent monitoring of Tanzanian lion populations.

- Some of the criticisms made in the SRG report of published peer-reviewed data have been addressed by the authors, although this is not accounted for in the report. In particular, criticisms over Bauer et al (2015)'s modelling of future decline²⁶ have been answered ("Our assessment is based on the widely accepted criteria of the Red List and is entirely consistent with similar trends described for specific sites and for Africa as a whole")²⁷.
- There are some major gaps in the findings of the SRG report, with admitted absence of verification of some of the data provided by the Tanzanian authorities. Yet this data seems to be given greater weight than published, peer-reviewed data. Indeed some cited findings in the report do not appear to be publicly available at all (including the Crosmar *et al.* study of the Selous Game Reserve) and some of the report's conclusions appear to be entirely unsubstantiated (such as the claim that recent reforms of the wildlife regulations substantiate the political commitment to adopt best practice models, or that international trade in lion bones is not a serious problem in Tanzania).
- The most recent IUCN Red List assessment of lions concluded, *inter alia*, that trophy hunting of lions may have at times contributed to population declines in Tanzania among other countries, citing Packer et al. 2009, 2011, & 2013.
- To suggest that population assessments of an average of one local lion population each year can give a sufficient overview of the national population is wholly inadequate, given the clear differences in fortunes of different populations in areas afforded different levels of protection. That "*Tanzania seems to be aware that solid population data are a prerequisite for sustainable use of lions and willing to further invest in surveys*" sounds encouraging though highly speculative. In order to ensure a credible Non-Detriment Finding the SRG should await the outcomes of surveys before reaching a positive opinion.
- The claim in the SRG's field visit report that sightings of lions in Katavi provide evidence that the population is not completely extirpated there may be true, but this does not indicate that the population is healthy, increasing, or capable of sustaining trophy offtake.
- Corruption and transparency issues continue to raise concerns in relation to Tanzania. The USFWS has questioned Tanzania's transparency and scientific objectivity in terms of trophy data²⁸.
- Serious concerns exist with Tanzania's lion trophy age verification process and its transparency. Verification that lion A was shot by client B on date C appears problematic. It should be noted that the International Foundation for the Conservation of Wildlife (IFG), with which Tanzania has a Memorandum of Understanding for trophy verification purposes,

²⁶ Bauer, H., Chapron, G., Nowell, K., Henschel, P., Funston, P., Hunter, L. T., Macdonald, D.W. & Packer, C. 2015. Lion (*Panthera leo*) populations are declining rapidly across Africa, except in intensively managed areas. *Proceedings of the National Academy of Sciences*, 112(48), 14894-14899

²⁷ Bauer, H., Chapron G., Nowell K., Henschel P., Funston P., Hunter L., Macdonald D., Dloniak S., Packer C. Reply to Riggio et al.: Ongoing lion declines across most of Africa warrant urgent action. 2016a. PNAS 113 (2) E109; published ahead of print December 30, 2015, doi:10.1073/pnas.1522741113. Available at <http://www.pnas.org/content/113/2/E109.full>

²⁸ Fish and Wildlife Service, Endangered and Threatened Wildlife and Plants; Listing Two Lion Subspecies, 80 Fed. Reg 79,999 (December 23, 2015)

is a pro-hunting organisation and cannot be considered impartial. IFG is led by Dr. Philippe Chardonnet whose findings and publications have repeatedly been questioned by independent scientists on the basis of a bias in favour of lion hunting in Tanzania.

- The allocation system for hunting blocks in Tanzania has long been wracked by corruption²⁹, and the assumption that communities receive significant revenues from trophy hunting is in serious question³⁰. Legal analysis³¹ of the recent Government push to attract investment in hunting blocks reveals alarming discretionary powers that rest with key executives.
- There seems to be little consideration in the SRG report of the wider implications of offtake of particular age and sex groups within populations, assuming instead that offtake based purely on a proportion of a population or land area will be sustainable.
- It should be noted that as of September 2016, Tanzania remained in Category 2 of the CITES National Legislation Project.

We note that a recently published IUCN report³² on the handling of wildlife cases in the Tanzanian court system identified, *inter alia*, serious failings in the judicial system when it comes to wildlife crimes, including fines for foreign offenders that are “typically very low when compared to the value of the trophy”, making wildlife crime in Tanzania “extremely low risk, relative to its high potential benefits”. In addition, the study noted that “according to the Global Corruption Barometer, 86% of respondents in Tanzania perceived the judiciary as corrupt or extremely corrupt”.

²⁹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3776777/>

³⁰ <http://www.hsi.org/assets/pdfs/economists-at-large-trophy-hunting.pdf>

³¹ <http://breakthroughattorneys.com/investment-in-wildlife-sector/>

³² <https://portals.iucn.org/library/sites/library/files/documents/2016-044.pdf>