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FACILITIES (FARMS AND INDIVIDUALS) KEEPING AND BREEDING ASIAN BIG CATS IN CAPTIVITY IN SOUTH AFRICA: UNDER DECISION 17.229

Dear Pascal,

We are writing to you on behalf of two South Africa CITES Observer organisations, namely: Ban Animal Trading (<http://www.bananimaltrading.org>) and the EMS Foundation (www.emsfoundation.org.za) with regard to facilities/individuals keeping Asian big cats (mainly tigers) in captivity in South Africa. We are very concerned that South Africa's lax and unregulated approach is contributing directly to the demise of tigers and the growth of the tiger bone industry.

South Africa's management practices and controls are totally inadequate for such facilities and as a consequence there is nothing to prevent Asian Big Cats from entering illegal trade from or through the breeding and keeping facilities in South Africa, including with regard to the disposal of specimens from Asian Big Cats that die in captivity.

There are also a number of individuals in South Africa that are breeding and keeping Asian Big Cats in their backyards in city suburbs.

Since early 2016, including in the recent past (3 October 2017 and 14 December 2017) we have asked South Africa's Department of Environmental Affairs (DEA) if they know the number of Asian tigers in South Africa and if they monitor and audit the facilities in South Africa that keep Asian Big Cats, but they have continuously and consistently replied that they do not as they are 'exotics' and therefore it is not DEA's responsibility. This despite the fact that they are CITES Appendix I animals.

During our conversation with Mr Tjiane Deputy Director: CITES Policy Development and Implementation, Biodiversity and Conservation, Department of Environmental Affairs on the 3rd October 2017 we asked:

Question: *Are people allowed to hunt tigers in South Africa?*

DEA Reply: *I don't know, you must ask the provinces. We don't regulate hunting of tigers here.*

During our meeting with Mr Tjiane, Deputy Director: CITES Policy Development and Implementation, Biodiversity and Conservation, Department of Environmental Affairs on the 14th December 2017 in relation to South Africa's procedures vis-à-vis the lion bone quota, we asked:

Question: *....So there is a possibility that I could replace the lion bones that you've now put the tag on with tiger bone, and hope for the best, that you don't pick it up. I mean, that's possible.*

DEA Reply: *Yes. I can send a piece of anything in South Africa and stick something in, you won't know.*

In addition, in terms of CITES regulations, all facilities breeding Appendix 1 animals (whether indigenous or exotic) need to be registered with CITES by the National Authority. However, South Africa does not have one facility listed with CITES for any Asian big cats, despite the fact that there are many places that are breeding them in South Africa and we have a burgeoning international trade in tigers.

Another problem is that the South African authorities are allowing tigers to breed with lions as well as with other sub-species of tigers. Very often these predators are kept in the same enclosures.

Aware that under Decision 17.229 taken at COP 17, held in South Africa in September 2016 (<https://cites.org/eng/node/48653>) the CITES Secretariat was directed to conduct a review of the number of facilities keeping Asian big cats in captivity in the territories of CITES Parties and the number of Asian big cats kept in these facilities, on the 24th January 2018 we wrote to DEA as follows:

Question: *We are aware that under Decision 17.229, the CITES Secretariat is directed to conduct a review of the number of facilities keeping Asian big cats in captivity in the territories of CITES Parties and the number of Asian big cats kept in these facilities. The EMS Foundation understands that the Secretariat has issued a Notification to the Parties to seek such information from the Parties. Does DEA have this information? If so please can it be provided to ourselves? If DEA does not have this information, how does it plan on obtaining it and what is the timeline?*

We received no reply and we sent a reminder email to DEA on 16th February 2018, to which we received this brusque reply from Mpho Tjiane, Deputy Director: CITES Policy Development and Implementation, Biodiversity and Conservation, Department of Environmental Affairs:

DEA Reply: *Yes email received and we will be communicating with Secretariat on how we will deal with this matter as you can appreciate that there are 9 Provinces in South Africa and we have to coordinate the information. We have no time lines to achieving this goal as we have not planned.*

In terms of Schedule 4 of South Africa's Constitution, Environment is a shared competency between national and provincial governments. We are concerned by DEA's apparent strategy to blame the provinces when it comes to the provision of information in relation to the implementation and fulfilment of South Africa's obligations in term of international treaties it is a signatory to, such as CITES. This appears to be a convenient tactic on DEA's part to mask its lack of compliance, oversight and implementation, particularly as there are established government forums represented by all the provinces, DEA and SANBI which meet regularly and where information is shared.

A recent example of DEA's obfuscation is that in a meeting between ourselves and the Limpopo province Director for Wildlife Trade and Regulation, Mr. Sam Makhubele and his team, on the 22nd February 2018, we asked if their department had ever received a request from DEA in relation to Asian Big Cats, specifically:

1. Species concerned
2. Name of establishment
3. Address of establishment
4. Date of establishment of the facility and last known date on which it was still in operation
5. Source of information about the existence of the facility.

Their reply was one of surprise, and they stated categorically that no request to the Limpopo province from DEA had ever been sent or received.

In 2015 a TRAFFIC/Wildcru report, *Bones of Contention*, raised serious concerns about the growing trade in tigers and their parts and products from South Africa, and that tiger bones from South Africa may be laundered as Lion bones using CITES Appendix II. Limitations in the South African legislation applying to endangered exotic animals have made it possible for an unregulated domestic trade in Tigers. The report also flagged the lack of transparency by the government and the industry on the matter. The *Bones of Contention* Report estimated that there were more than 280 Tigers (mainly Bengal Tigers) in at least 44 facilities in South Africa. Our research has shown that the industry is growing as there are more facilities and more tigers. Our research clearly shows that inbreeding is rampant and given the lack of regulation or control by South African authorities and the intersecting demand for tigers in Southeast Asia, tigers are facing obvious exploitation for cruel market-driven consumptive purposes.

Please find appended a list of facilities we were able to trace. This list is by no means exhaustive, as the number of facilities/individuals and number and species of Asian Big Cats is not known, regulated or quantified in South Africa. The list is as a result of internet searches and on-site investigations conducted by Ban Animal Trading and the EMS Foundation.

Yours Sincerely,



Smaragda Louw
Director
Ban Animal Trading



Michele Pickover
Director
EMS Foundation