



*"Embracing Innovation to Conserve the World's Animal Kingdom."*

**His Excellency Mr. Obed Mlaba  
South African High Commissioner to the UK  
South Africa House  
Trafalgar Square  
London  
WC2N 5DP**

11 July 2017

Dear Mr Obed Mlaba,

**"800 Skeletons" – 'Captive' Bred Lions Quota**

The Republic of South Africa Department: Environmental Affairs (DEA) released a media statement on 28 June 2017 titled *"Lion export quota for 2017 communicated to the CITES Secretariat in line with CITES requirements<sup>[1]</sup>."*

This DEA statement<sup>[1]</sup>, the proposed *"quota"* and the whole 'captive'/'canned' big cat breeding industry within South Africa raises a number of historical concerns:

- The 'need' for the supply of lion bones for potions with no proven efficacy;
- Perpetuating the trade in lion bones, stimulating the demand for lion bones with potential downside risks for precious and dwindling wild lion populations;
- Administration of the proposed *"quota"* - It would appear the DEA is 'sub-contracting' responsibility for the administration of the *"quota"* to the South African Predator Association (SAPA) – a self-interest driven association managed by the industry itself;
- Lack of legislative and CITES compliance;
- Lack of regulatory over-sight of the 'captive' breeding industry;
- The lack of any proven contribution of the 'captive' breeding industry to species conservation;
- The reputational damage being caused to brand South Africa by the public revulsion at South Africa's addiction to wildlife exploitation;
- Lack of international community support.

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## **Lions Bones vs. Tiger Bones**

In the DEA's referenced statement<sup>[1]</sup> the DEA cites a 2015 TRAFFIC study – using this citation, the DEA seeks to justify a perceived 'need' to substitute 'captive' lion bones for tiger bones:

*"A 2015 study commissioned by TRAFFIC raised concerns around the shift in lion and tiger bone trade; namely that when the trade in tiger bone was banned; the trade shifted and bones were sourced from South Africa, available as a by-product of the hunting of captive bred lions."*

*"South Africa reiterates its concern that if the trade in bones originating from captive bred lion is prohibited, lion bones may be sourced illegally from wild lion populations."*

The DEA is basically saying that the proposed "800 lion skeletons quota/trade" is necessary to make up for the lack of tiger bones post the 2008 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) "ban" - CITES decision 14.69<sup>[2]</sup> "Captive-bred and ranch specimens:"

*"Parties with intensive operations breeding tigers on a commercial scale shall implement measures to restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives" - CITES decision 14.69<sup>[2]</sup>*

However, it's a false-assumption that this "ban" has halted tigers "bred for trade in their parts and derivatives" to supply the manufacture of 'Tiger Bone Wine' and derivative products. The problem with the DEA's argument is that 'captive' tiger farms have actually increased<sup>[3]</sup> in Asia (China, Vietnam, Laos and Thailand) since the CITES 2008 "ban"<sup>[2]</sup> – and there are no signs of such abhorrent farming practices diminishing, or abating. China alone reportedly<sup>[3]</sup> has some 200 tiger farms holding 6,000 tigers; being bred to be executed to supply the manufacture of 'Tiger Bone Wine' and other derivative commodities.

Therefore, the conclusions that can be drawn from this DEA 'thinking' and false assumptions are:

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- South Africa’s supply of ‘captive’ lion bones has not replaced tiger bones used in the manufacture of ‘Tiger Bone Wine’ – the lion bones supplied by South Africa are a supplement to ‘captive’ tiger bones ‘manufactured’ within Asia’s burgeoning tiger farming industry<sup>[3]</sup> (despite the 2008 “*ban*” - CITES decision 14.69<sup>[2]</sup>);
- Prior to South Africa’s eagerness in 2008 to create a lucrative market to supply ‘captive’ lion skeletons from its abhorrent ‘canned’ hunting and ‘captive’ lion breeding industry, there was no threat to wild lions being poached to supply the lion bone trade (the lion bone trade simply did not exist). Now the DEA<sup>[1]</sup> is seeking to use the risk posed to wild lion populations by the self-created demand for lion bones as an excuse to perpetuate the ‘captive’ lion industry and bone trade – this is clearly ludicrous hypocrisy, symptomatic of the muddled thinking and self-interest driven machinations of South Africa’s captive hunting/breeding industry, its cohorts and the DEA’s complicity;
- Far from limiting demand for wildlife parts to manufacture ‘Tiger Bone Wine,’ South Africa’s actions since 2008 have actually stimulated the supply/demand and the threats this poses for the species in the wild.

### **Efficacy of ‘Tiger Bone Wine’ and Tuberculosis Risk**

Tiger bones are used in Traditional Chinese Medicine (TCM), ‘Tiger Bone Wine’ – a product with no independently proven efficacy. So, ‘Tiger Bone Wine’ is a TCM product that is marketed and sold at a premium based upon scientifically unproven efficacy – ‘Tiger Bone Wine’ is devoid of any human health benefits. So active participation in the supply and promotion of ‘Tiger Bone Wine’ is basically a fraudulent endeavour, driven by human greed and profiteering – nothing more.

However, there is a real danger that the consumption of ‘Tiger Bone Wine’ supplemented by lion bones may have serious, negative human health consequences. Lions are known to carry a Tuberculosis (TB) organism that is potentially harmful to human health, as highlighted within the 2017 “*Dying for a Myth*” paper<sup>[4]</sup> (copy attached):



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*"I am therefore of the opinion that uncontrolled exposure of humans to bones from animals, in particular lion bones, poses a risk for development of the form of TB known as bovine TB in particular, although not necessarily being limited to this form of TB only" - Professor Paul van Helden<sup>[4][5][6]</sup>, Director of the South African Medical Research Council's Centre for Molecular and Cellular Biology and Co-Director, DST/NRF Centre of Excellence for Biomedical TB Research*

There is increasing concern that the consumption of 'Tiger Bone Wine' derived from lion bones has led to a rise in TB within Chinese and Vietnamese communities (the correlation is being scientifically investigated at this time).

Therefore, active participation in the manufacture and supply of 'Tiger Bone Wine' is undoubtedly fraudulent, but may well also prove to be directly damaging to human health in the communities that consume this fraudulent product.

The potential liability for South Africa is accumulating. In the meantime, the DEA seeks to actively support this known fraudulent activity by facilitating the supply of 'captive' lion bones for 'Tiger Bone Wine,' seemingly ignoring the acknowledged risk of negative consequences for human health.

### **South African Captive Breeding Industry Legislation and Regulation**

Where is the independent scientific proof that the whole 'canned' hunting/'captive' bred lion/big cat industry is not *"detrimental to the survival of the species"* as required by:

#### ***"The Constitution<sup>[7]</sup>"***

South African's constitutional rights on the issue of 'sustainable' wildlife utilisation are enshrined at Section 24, *"Chapter 2, Bill of Rights, Environment."*

This section refers to ensuring everyone's right *"to an environment that is not harmful to their health or wellbeing;" "to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that" amongst other criteria "promote conservation," whilst ensuring "secure ecologically sustainable development and use of natural resources..."*



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So, how is the 'captive' breeding of African lions for example, considered a "*reasonable legislative*" measure that "*promotes conservation*" when there is no independent scientific evidence that the 'captive' big cat breeding industry provides any conservation value whatsoever, and never has since its manifestation in the 1990s?

It should be noted, that the South African lion/big cat breeding industry has been basically unregulated, especially since the 2010 South African legal ruling ("*The Supreme Court of Appeal (SCA) of South Africa Judgement,*" Case No. 72/10, 29 November 2010) declared 'captive' lion breeding as 'farming' and of no conservation value whatsoever.

The SCA found in favour of the predator breeders' lobby (of its own volition, "*mero motu*"), that 'since no captive bred lions have ever been released back into the wild, then lion farming had nothing to do with conservation.'

So, if the SCA has stated lion breeding is of no conservation value, how can the DEA sustain any notion that the same industry has any conservation merit and is not in fact "*detrimental to the survival of the species?*"

### **The Muddled Regulation of the 'Captive' Breeding Industry**

After the SCA's 2010 ruling, the DEA has been distanced further from direct regulatory over-sight of the 'captive' breeding industry (the DEA sets 'policy').

'Farming' logically forms part of the Republic of South Africa's Agriculture, Forestry and Fisheries (DAFF) remit, with its stated aim "*to manage the risks associated to animal health*" in accordance with the Animals Protection Act, 1962 (Act No. 71 of 1962). It is not clear how and when this Act will be applied to captive lion and predator breeding by the DAFF, as the DEA states on its own website that it is still "*liaising*" (Ref: DEA, Para 9 'Questions and Answers'<sup>[8]</sup>) on this issue with DAFF.

The registration of any captive ('canned') breeding facility is compulsory in terms of South Africa's 'Threatened or Protected Species' (TOPS) regulations and legislation, with TOPS compliance overseen by the DEA. However, there is anecdotal evidence that there is no clear registration database encompassing all such 'facilities.'



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In the absence of an over-arching regulatory oversight, it has fallen upon the Provincial offices to issue “Permits” in accordance with the National Environmental Management: Biodiversity Act (NEMBA).

Each ‘Province’ in South Africa has their own specifics under Province Ordinances, Regulations and Notice Sections. The Province is allowed a great deal of flexibility by the DEA to set standards for captive enclosures, eg. minimum hunting enclosure sizes and how long after being tranquilised an animal victim can then be ‘hunted’ etc.

The DEA’s own website ‘Questions and Answers’<sup>[8]</sup> section states that the “*Provincial conservation authorities are mandated in terms of their provincial legislation to regulate the manner in which lions are kept*” in accordance with Section 10(1) of the Animals Protection Act 1962 (Act No. 71 of 1962):

- (a) the method and form of confinement and accommodation of any animal or class, species or variety of animals, whether travelling or stationary;
- (b) any other reasonable requirements which may be necessary to prevent cruelty to or suffering of any animal; and
- (c) the seizure, impounding, custody or confining of any animal due to any condition of such animal, the disposal or destruction of such animals and the recovery of any expenses incurred in connection therewith from the owner of such animals.

However, there have been cases of poorly regulated hunting and shocking animal welfare practices within the ‘captive’ industry – most notably, the Walter Slippers’ case (Africa Geographic, 8 July 2016)<sup>[9]</sup>; this captive breeding facility in Limpopo Province housed emaciated lions even before any potential lowest bidder, skeleton capped “*quota*” market had been introduced. This example has instilled an escalating lack of faith in the DEA’s/DAFF’s/Provincial regulatory oversight of the captive lion/predator breeding industry from an animal welfare perspective.

### **National Environmental Management: Biodiversity Act (NEMBA)<sup>[10]</sup>**

The African lion (*Panthera leo*) is a “*Protected Species*” within the NEMBA listings<sup>[11]</sup>.



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NEMBA, specifically Chapter 4 (*"THREATENED OR PROTECTED ECOSYSTEMS AND SPECIES"*), Part 2 (*"Protection of threatened or protected species"*) and Part 3 (*"Trade in listed threatened or protected species"*) are therefore applicable.

NEMBA, Chapter 4, Part 2 (*"Listing of species that are threatened or in need of national protection"*) section 56.(1)(d). states *"protected species, being any species which are of such high conservation value or national importance that they require national protection..."* So the African lion is clearly stated as being of *"high conservation value"* as a *"protected species."*

NEMBA, Chapter 4, Part 2 applies (*"Restricted activities involving listed threatened or protected species"*) with section 57.(2)(a) stating that the Minister may prohibit any activity *"which is of a nature that may negatively impact on the survival of a listed threatened or protected species without a permit issued in terms of Chapter 7"* (*"Permits"*).

Before issuing Permits i.a.w NEMBA Chapter 7, where is the DEA's publically available evidence that the captive breeding industry, 'canned' hunting and proposed *"800 skeletons - captive produced lion bone trade under the quota system"* will not negatively impact on the conservation and global survival of the African lion (*Panthera leo*), a *"Protected Species?"*

Under NEMBA, Chapter 4, Part 3, 59.(e)., the Minister *"may make information and documentation relating to such an international agreement publicly available."* But why hasn't the Minister made the DEA's scientific evidence publically available in this case I wonder?

### **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

CITES Article IV<sup>[12]</sup> states:

*" .....an export permit shall only be granted for an Appendix II species [The African lion is currently Appendix II listed] when a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species" - (as acknowledged in the DEA's statement of 28 June 2017<sup>[1]</sup>)*

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Where is the referenced 'advice' for public scrutiny from the Scientific Authority of the State (the South African National Biodiversity Institute's (SANBI)) – what is the SANBI's required 'opinion/advice' (assuming it exists) based upon to say "*such export will not be detrimental to the survival of that species?*" Is the 'advice' based on a belief and hope in a theory, or real data based science that will pass independent scientific scrutiny, or does the 'advice' simply not exist?

The DEA states<sup>[1]</sup> that the SANBI:

*"...will investigate how the trade in captive produced lion bone under a quota system affects wild lion populations, and will further strengthen the evidence base for the annual review of the quota in order to ensure it is sustainable and not detrimental to wild populations."*

So, if an ongoing SANBI study is needed to assess the lion bone trade is not detrimental to the species, how can any current advice 'know' "*...such export will not be detrimental to the survival of that species*" as required by CITES?

There is a clear contradiction/opaqueness in the DEA's statement and lack of independently verifiable scientific backing for its stance.

### **The On-going Damage to Brand South Africa**

There is incalculable reputational damage being done to South Africa as a desirable tourist destination by the exploitation on show by the 'captive' breeding industry.

The DEA is seemingly blinkered and lacks supporting scientific evidence to show the 'captive' industry's positive contribution to species survival (as mandated by CITES, NEMBA and "*The Constitution*"). Regardless, South Africa's exploitative 'captive' breeding industry of iconic species lacks public support, both domestically and internationally – most find the industry abhorrent and an embarrassment to humanity.

Indeed, the renowned body of scientists, the International Union for Conservation of Nature (IUCN)<sup>[13]</sup> concluded in September 2016 that South Africa's 'captive' lion breeding industry should be prohibited:

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*"the prohibition by the South African Government on the capture of wild lions for breeding or keeping in captivity" and "terminating the hunting of captive-bred lions (Panthera leo) and other predators and captive breeding for commercial, non-conservation purposes" – IUCN Motion 009<sup>[12]</sup>*

Iconic species (such as the African lion) face global pressures that threaten their very survival. So the moral/ethical (not to mention legal) imperative is for crystal clear, independent science to support any commercial utilisation of such species – the 'science' to support South Africa's commercial utilisation simply does not exist.

The DEA<sup>[1]</sup> states that:

*"The decision on the annual export quota was reached following an extensive stakeholder consultation process during which the Department considered all variables, including scientific best practice. It cannot be said, therefore that this determination was made arbitrarily or in a non-transparent manner."*

The stakeholder consultation was not "extensive" (the window for public comments given by the DEA was just two weeks, 25 January - 2 February 2017<sup>[14]</sup>) and seemingly ignored any legitimate concerns raised, or else there would be more answers available publically; including the "scientific best practice" that was encompassed (supposedly) in the DEA's decision making.

In the absence of answers from the DEA, it can still be said that "this determination" was made arbitrarily by the DEA in a non-transparent manner.

In conclusion, when will South Africa move away from its increasingly unstable addiction to wildlife utilisation of iconic species (such as the African lion)? This on-going utilisation:

- has no independently proven scientific basis to show it's not detrimental to the species' survival;
- has no public/IUCN/international community support;
- but, potentially does have negative human health consequences that are being ignored in the supply of lion bones as promoted by the DEA.



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Yours sincerely,

Stephen Alan Wiggins

*Founder of International Wildlife Bond (IWB)*

**Reference:**

1. *"Lion export quota for 2017 communicated to the CITES Secretariat in line with CITES requirements,"* Republic of South Africa, Department; Environmental Affairs, 28 June 2017 - [https://www.environment.gov.za/mediarelease/lionexportquota\\_communicatedtocitessecretariat](https://www.environment.gov.za/mediarelease/lionexportquota_communicatedtocitessecretariat)
2. CITES decision 14.69 - <https://cites.org/eng/node/48507>
3. *"China's Revised Wildlife Protection Law: Concerns and Opportunities,"* Environmental Investigation Agency, 3 March 2017 - <https://eia-international.org/wp-content/uploads/Chinas-revised-Wildlife-Protection-Law-EIA-concerns-and-opportunities-1.pdf>
4. *"Dying for a Myth,"* Campaign Against canned Hunting, 31 May 2017 - <http://www.cannedlion.org/blog/dying-for-a-myth>
5. *"SA Exporting TB In Lion Bones?"* Campaign Against Canned Hunting, 14 September 2016 - <http://www.cannedlion.org/blog/sa-exporting-tb-in-lion-bones>
6. Science Watch, July 2009, Professor van Helden - Director of the South African Medical Research Council's Centre for Molecular and Cellular Biology and Co-Director, DST/NRF Centre of Excellence for Biomedical TB Research, which operates out of the Department of Biomedical Science, part of the Faculty of Health Science at Stellenbosch University - <http://archive.sciencewatch.com/ana/st/tub/09julSTTubvanHel/>
7. The Constitution of the Republic of South Africa, 1996 (As adopted on 8 May 1996 and amended on 11 October 1996 by the Constitutional Assembly) – *"The Constitution"* -

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- <https://www.sagc.org.za/pdf/legislation/Constitution%20of%20the%20Republic%20of%20South%20Africa%20%201996.pdf>
8. "Questions and Answers," DEA - [https://www.environment.gov.za/sites/default/files/docs/lionmanagementinSA\\_questions\\_answers2015.pdf](https://www.environment.gov.za/sites/default/files/docs/lionmanagementinSA_questions_answers2015.pdf)
  9. "Photos emerge of malnourished lions on breeding farm," Africa Geographic, 8 July 2016 - <https://africageographic.com/blog/photos-emerge-of-malnourished-lions-on-breeding-farm/>
  10. National Environmental Management: Biodiversity Act (NEMBA), 2004 - [https://www.environment.gov.za/sites/default/files/legislations/nema\\_amendment\\_act10.pdf](https://www.environment.gov.za/sites/default/files/legislations/nema_amendment_act10.pdf)
  11. National Environmental Management: Biodiversity Act (NEMBA), 2004, Amendment of Critically Endangered, Endangered, Vulnerable and Protected Species list - [https://www.environment.gov.za/sites/default/files/gazetted\\_notices/nemba\\_criticallyendangered\\_specieslist\\_g30568rg8801gon1187.pdf](https://www.environment.gov.za/sites/default/files/gazetted_notices/nemba_criticallyendangered_specieslist_g30568rg8801gon1187.pdf)
  12. "Article IV - Regulation of Trade in Specimens of Species Included in Appendix II," CITES - <https://cites.org/eng/disc/text.php#IV>
  13. "Terminating the hunting of captive-bred lions (*Panthera leo*) and other predators and captive breeding for commercial, non-conservation purposes," International Union for Conservation of Nature (IUCN), Motion 009, September 2016 - <https://portals.iucn.org/congress/motion/009>
  14. "Public invited to make written submissions on proposed lion export quota to the department in line with CITES requirements," DEA, 25 January 2017 - [https://www.environment.gov.za/mediarelease/africanlion\\_pantheraleo\\_exportquota](https://www.environment.gov.za/mediarelease/africanlion_pantheraleo_exportquota)