



Department
for Environment
Food & Rural Affairs

Consultation on controls on the import and export of hunting trophies

November 2019



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Context

Introduction

1. Climate change and global biodiversity decline are interlinked threats for wildlife and people. Biodiversity is declining at a dangerous and unprecedented speed, and species extinction rates are accelerating, with up to 1 million species threatened. Overexploitation is one of the drivers of species extinction and additional pressures on vulnerable species can result from unsustainable or inappropriately managed activity. Transformative changes are needed to restore and protect nature¹.
2. In the 25 Year Environment Plan, the UK government committed to providing international leadership in protecting and improving international biodiversity and undertaking international action to protect endangered species. To address the challenges facing nature today, the government recently announced a new £220m International Biodiversity Fund, which will support a tripling of Defra's renowned Darwin Initiative, increased funding for work to tackle the illegal wildlife trade, including the Illegal Wildlife Trade Challenge Fund, and a new £100m Biodiverse Landscapes Fund to protect and restore key landscapes and their ecosystems.
3. The UK's international leadership is underpinned by a strong commitment to ensuring that our domestic policy does not threaten the conservation of species abroad. Whilst we recognise that some conservationists believe that trophy hunting can be an effective conservation tool, supporting local livelihoods and attracting revenues for other conservation activities, we also acknowledge concerns around the practice of trophy hunting. As a result, we are reviewing our current controls on the import and export of hunting trophies to understand whether further action is required to address these concerns.
4. The Queen's Speech set out our commitments to protecting and improving the environment for future generations, which included bringing forward proposals to ban imports from trophy hunting. We are now seeking your input on this topic. As well as consulting on future policy options, we are also issuing a call for evidence on the scale and impacts of the import and export of hunting trophies.
5. This consultation and accompanying call for evidence provide an opportunity for you to present your views and supply evidence to inform aspects of government policy and action on the import and export of hunting trophies. The consultation does not extend to whether the practice of trophy hunting should be banned nor does it cover the domestic sale or possession of hunting trophies.
6. We are grateful for any evidence or information that you can provide to address any of the issues raised as part of the consultation. Evidence can come in many forms and could be numerical data, case studies, personal experiences, or reports and documents, whether they are historic or new. The consultation will be open for 12 weeks, to anyone with an interest. It will close on the 25 January 2020.

Confidentiality and data protection

7. This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office. Representative groups are asked to give a summary of the people and organisations they represent and, where relevant, who else they have consulted in reaching their conclusions when they respond.
8. Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes. These are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.
9. If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the EIRs and the Freedom of Information Act (FOIA) and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.
10. This consultation is being conducted in line with the Cabinet Office “Consultation Principles”, which can be found at: <https://www.gov.uk/government/publications/consultation-principles-guidance>. If you have any comments or complaints about the consultation process, please address them to: Consultation Coordinator, Area 6B, 6th Floor, Nobel House, 17 Smith Square, London, SW1P 3JR. Or email: consultation.coordinator@defra.gov.uk

How to respond

11. You can either respond via the online form (preferred): <https://consult.defra.gov.uk/wildlife-management/trophy-hunting-consultation/>

in writing to: Hunting trophy team, Seacole building, 2 Marsham Street, London, SW1P 4DF

or by emailing huntingtrophyconsultation@defra.gov.uk.

Responses must be received by 11:59pm on 25 January 2020.

About you

Question 1: What is your name?

Question 2: What is your email address?

Question 3: What is your organisation?

If you're replying as an individual, please type 'individual'.

**Question 4: Would you like your response to be confidential?
(Required)**

Background

12. Trophy hunting takes place globally, in Europe, North and South America, Asia, Africa and Australasia. It is typically a lawful, regulated activity managed by government wildlife agencies, protected area managers, indigenous and local community bodies, private landowners or conservation organisationsⁱⁱ.
13. Decisions on the legality and standards of trophy hunting are made by national or local governments. However, the international trade of endangered species, including hunting trophies derived from them, is subject to global agreement and regulated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)¹.
14. Trophy hunting takes different forms, and a wide variety of species are hunted, including both endangered and non-endangered speciesⁱⁱ, as well as animals from both wild and captive bredⁱⁱⁱ populations. Two of the terms used when talking about trophy hunting are 'canned hunting' and 'captive-bred hunting'. Canned hunting is a term used to describe the killing of animals within small enclosures where they have little or no chance of escape, such enclosures often being situated in areas outside the natural range of the species concerned. The animals are predominantly bred in captivity for this purpose. Captive-bred hunting refers to animals that are bred in captivity to be hunted later, although this hunting does not necessarily take place within a confined enclosure^{iv}.

What is a hunting trophy?

15. A hunting trophy is defined by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)^v and under the EU Wildlife Trade

¹ See: [Current policy and legislation relating to import and export of hunting trophies to and from the UK](#).

Regulations², as a whole animal, or a readily recognisable part or derivative of an animal, specified on any accompanying CITES permit or certificate, that:

- i. is raw, processed or manufactured;
- ii. was legally obtained by the hunter through hunting for the hunter's personal use;
- iii. is being imported, exported, or re-exported by or on behalf of the hunter, as part of the transfer from its country of origin, ultimately to the hunter's state of usual residence.

16. This definition applies for the specific purpose of regulating hunting trophies under CITES and the EU Wildlife Trade Regulations. It provides a useful starting point to understand what we mean when we talk about hunting trophies. We may wish to use a modified definition for any restrictions taken forward following this consultation, and different options may require a different approach.

Question 5: Is there anything you would consider to be a hunting trophy that falls outside of the definition found in CITES and the EU Wildlife Trade Regulations?

- a. Yes
- b. No
- c. If yes, please add more information

Question 6: Is there anything that falls within the definition used in CITES and the EU Wildlife Trade Regulations that you consider should not be treated as a hunting trophy?

- a. Yes
- b. No
- c. If yes, please add more information

Question 7: Do you envisage any challenges or difficulties which might arise from using the definition in CITES and EU Wildlife Trade Regulations, for example, when it comes to enforcement?

- a. Yes

² The EU Wildlife Trade Regulations are a set of EU regulations which implement CITES in the EU. They comprise: Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein (the parent Regulation), and its tertiary legislation: Commission Regulation (EC) No. 865/2006 laying down detailed rules concerning the implementation of Council Regulation No. 338/97, Commission Implementing Regulation (EU) No 792/2012 laying down rules for the design of permits, certificates and other documents provided for in Council Regulation No. 338/97 and Commission Implementing Regulation (EU) No. 1587/2019 prohibiting the introduction into the Union of specimens of certain species of wild fauna and flora in accordance with Council Regulation No. 338/97.

- b. No
- c. If yes, please add more information

Current policy and legislation relating to import and export of hunting trophies into and from the UK

17. The import and export of hunting trophies is regulated by legislation and policies that originate from internationally agreed rules.

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

18. The UK is party to an international agreement that aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival. This agreement is called the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and there are 183 parties³ to the Convention around the world.
19. CITES regulates international trade in over 35,000 species of wild animals and plants, their products (such as animal skins) and derivatives (such as food or medicine). All import, export, and re-export of species covered by CITES—including hunting trophies—is regulated through a permitting and certification system, which aims to ensure that international trade in listed species is sustainable, lawful and traceable.
20. The species which are covered by CITES are reviewed every three years at the Conference of the Parties. They are contained in three Appendices⁴ to the agreement. Species are afforded differing levels of protection, depending on the Appendix in which they are listed:
- **Appendix I** includes species threatened with extinction. Trade is permitted only in exceptional circumstances.
 - Species included in **Appendix II** are not necessarily threatened with extinction but trade is controlled to avoid over-exploitation.
 - **Appendix III** includes species which are already subject to trade restrictions in at least one country, where that country has requested the cooperation of other CITES parties to prevent unsustainable or illegal exploitation.
21. A specimen of a species listed on one of the CITES Appendices may only be imported into or exported (or re-exported) from a State which is party to the Convention if the appropriate documentation is presented for clearance at the port of entry or exit. Each party to the Convention has a Management Authority, which is responsible for the issue

³ 'Parties' here means states (countries) or regional economic integration organisations (such as the EU) that are a Party to CITES.

⁴ All the species listed under CITES can be found at the following link, listed by Appendix.
<https://www.cites.org/eng/app/appendices.php>

of permits and certificates [for the imports, \(re-\)exports and commercial use of endangered species](#) and a Scientific Authority to provide them with technical and scientific advice.

EU wildlife trade regulations

22. In the European Union (EU), CITES is implemented through a set of regulations known as the EU Wildlife Trade Regulations⁵. The UK currently meets its obligations under CITES through these regulations, and the European Union (Withdrawal) Act 2018 will ensure that they remain part of UK law⁶ after we leave the EU.
23. The EU Wildlife Trade Regulations list all CITES (and some non-CITES) species in four Annexes (A-D)⁷ with varying levels of protection^{vi}.
- Annex A - The most endangered species are listed in Annex A (which is broadly equivalent to CITES Appendix I)
 - Annex B - Species threatened by commercial trade are listed in Annex B (broadly equivalent to CITES Appendix II)
 - Annexes C and D contain CITES Appendix III-listed species⁸ and some non-CITES-listed species.

Controls of hunting trophies

24. Imports and exports of hunting trophies into and from the EU (and, as a result, the UK) are subject to strict controls under the EU Wildlife Trade Regulations. All applications for permits or certificates to import hunting trophies into the EU are assessed to make sure that the import would not have a harmful effect on the conservation status of the species, or on the extent of the territory occupied by the relevant population of the species. The table^{vii} below summarises the requirements needed for each Annex⁹.

⁵ See footnote 2.

⁶ The regulations will be subject to amendments to ensure that they remain operable after we leave the EU. The operability regulations for CITES made under the European Union (Withdrawal) Act 2018 are: the Trade in Endangered Species of Wild Fauna and Flora (Amendment) (EU Exit) Regulations 2018 (SI 2018/1408), the Environment (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2019 (SI 2019/559), and the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019 (SI 2019/473). A draft statutory instrument has been laid to correct an error in SI 2019/473. The draft amending statutory instrument is available here: <http://www.legislation.gov.uk/ukdsi/2019/9780111189139>.

⁷ The [current list of species included in the Annexes of the EU Wildlife Trade Regulations](#) is available.

⁸ Except where an EU Member State has entered a reservation.

⁹ Where hunting trophies do not require permits or certificates, this is because they fall within the exemption for personal and household effects contained in the EU Wildlife Trade Regulations (see Article 7.3 of Council Regulation (EC) No 338/97).

Annex	Type of trade	<p align="center">Documents required:</p> <p align="center"><i>Note: documents have to be obtained before trade takes place and presented to a Customs officer upon introduction into/(re-)export from the EU</i></p>
<p>A and the six species in Annex B subject to stricter measures</p>	<p align="center">Import (1st import into the EU)</p>	<p>(Re-)export document issued by country of origin of specimen (that the hunt took place in) and import permit issued by the EU Member State of destination</p>
	<p align="center">Export (leaving the EU)</p>	<p>Export permit issued by EU Member State of export and import permit issued by country of destination. Note: the import permit is only required when the species is listed in Appendix I of CITES.</p>
	<p align="center">Re-export (leaving the EU again) or Reintroduction (returning again to the EU)</p>	<p>"Copy for the holder" of an EU export/import permit (presented at first exit from or entry into the EU) or Stamped copy of a (re-)export document (presented at first entry into the EU) or [for re-export] Re-export certificate (issued by country of re-export)/ [for reintroduction] Import permit (issued by an EU Member State)</p>
<p>B (excluding the six species in Annex B subject to stricter measures)</p>	<p align="center">Import (1st import into the EU)</p>	<p>(Re-)export document issued by country of origin of specimen.</p>
	<p align="center">Export (leaving the EU)</p>	<p>Export permit issued by EU Member State of export.</p>
	<p align="center">Re-export (leaving the EU again) or Reintroduction (returning again)</p>	<p>"Copy for the holder" of an EU export/import permit (presented at first exit from or entry into the EU) or Stamped copy of a (re-)export document</p>

	to the EU)	(presented at first entry into the EU) or [for re-export] Re-export certificate (issued by country of re-export)/ [for reintroduction] Import permit (issued by an EU Member State)
C & D		No permits, certificates or notifications required

25. An import or export permit can only be issued where the competent scientific authority has been satisfied that:

- For imports: the introduction into the EU would not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species (this is also referred to as a non-detriment finding or “NDF”) and the import is for one of the permissible purposes¹⁰ or for other purposes which are not detrimental to the survival of the species concerned.
- For exports: the capture or collection of the specimens in the wild or their export will not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species (this is also referred to as a non-detriment finding or “NDF”).
- The applicant has provided documentary evidence that the specimens have been obtained in accordance with the legislation on the protection of the species concerned (for example, an export permit);
- The management authority in the EU Member State has been satisfied that the specimen is not to be used for primarily commercial purposes; hunting trophies cannot be imported to be sold.

26. Where an import is found to be detrimental to the conservation of the species, or unsustainable (i.e. an NDF cannot be made), the import permit application will be refused and the trophy in question cannot legally be imported.

27. There are six species in Annex B which are subject to stricter measures than the others listed in that Annex, which mean that they are treated similarly to Annex A species. This is intended to address concerns about potential negative conservation outcomes of trophy hunting on these species, which are:

- Southern White Rhinoceros (*Ceratotherium simum simum*)
- Common Hippopotamus (*Hippopotamus amphibious*)

¹⁰ See article 4.1(a)(ii) of Council Regulation (EC) No. 338/97. An example of a permissible purpose would be for research or education aimed at the preservation or conservation of the species.

- African Elephant (*Loxodonta africana*)
- Argali Sheep (*Ovis ammon*)
- African Lion (*Panthera leo*)
- Polar Bear (*Ursus maritimus*)

28. The commercial use, including purchase, sale, display and use for commercial gain, of Annex A specimens within the EU is also restricted and may only occur in limited circumstances.¹¹

Implementation in the UK

29. In the UK, the Control of Trade in Endangered Species Regulations 2018 (COTES) implement the controls contained in the EU Wildlife Trade Regulations, including enforcement provisions, offences and penalties.

30. The Animal and Plant Health Agency (APHA) is the CITES Management Authority responsible for issuing CITES permits and certificates for hunting trophies in the UK. The Joint Nature Conservation Committee (JNCC) is the UK Scientific Authority for animals and provides scientific advice to APHA on the effects of trade on the animal species concerned, including a formal assessment of the sustainability of the trade (an NDF).

31. Enforcement of the import and export controls in the EU Wildlife Trade Regulations is the responsibility of the UK Border Force and the police. UK Border Force is responsible for checking the presence and validity of import and export documentation at the UK border. COTES makes provision for domestic enforcement activity away from the UK border, which includes powers and sanctions available to the police and APHA compliance officers.

Domestic wildlife legislation

32. In addition to the import and export controls set out above, domestic wildlife legislation in England and Wales includes provisions prohibiting the sale and possession of certain dead wild animals, which extends to trophies derived from them. Similar provisions exist in Scotland and Northern Ireland. Under the Wildlife and Countryside Act 1981¹² and the Conservation of Habitats and Species Regulations 2017¹³, the possession or sale of parts and derivatives (which includes hunting trophies) of wild birds and certain other protected species¹⁴ is unlawful (subject to specified exceptions).

¹¹ See Article 8 of Council Regulation (EC) No. 338/97.

¹² See sections 1(2), 6, and 9(2).

¹³ See regulation 43.

¹⁴ Species listed on schedule 5 to the Wildlife and Countryside Act 1981.

Extent

33. This consultation applies to the UK. We will fully respect the devolution settlements throughout the process and will continue to work with Devolved Administrations on this issue.

World Trade Organisation and EU obligations

34. The UK is a member of The World Trade Organization (WTO), which is the international body that operates a global system of trade rules^{viii}. Its main function is to help producers of goods and services, and exporters and importers, to conduct their business by ensuring that trade flows as smoothly, predictably, and freely as possible. Any measures taken to further restrict the import and export of hunting trophies would need to be in accordance with our international trade obligations.

35. While the UK is a member of the EU, we will continue to meet our EU obligations. This means that any new restrictions on imports and exports of hunting trophies which go further than those contained in the EU Wildlife Trade Regulations would need to be in accordance with EU law. After we leave the EU, any new restrictions would need to be considered in accordance with our future relationship with the EU.

36. On the 17 October 2019, the UK and EU jointly agreed a new Withdrawal Agreement. This includes special arrangements for Northern Ireland, reflecting the unique circumstances there. Consideration of the options proposed in this consultation will need to take account of such arrangements.

Trade data

37. According to information from the CITES trade database¹⁵, current UK imports of hunting trophies from all species in Annex A and the six species in Annex B which are subject to stricter measures are fairly low. In 2017, fewer than 100 hunting trophies entered the UK, and fewer than 200 entered in 2016. The number of exports of hunting trophies are very low; fewer than five hunting trophies each year were exported from the UK in both 2017 and 2016.

38. In some cases, multiple trophies are imported from the same animal, so the number of trophies imported and exported is not necessarily equal to the number of animals hunted. It is also worth noting that the database was not designed for the purpose of evaluating the import and export of hunting trophies, and does contain discrepancies. This may be due to a number of factors, including where an export permit is granted for a trophy but the trophy is never actually exported.

¹⁵ The trade database is accessible here: <https://trade.cites.org/>. The data shown here was obtained using the following search parameters: from 2016 to 2017, exported from all countries, imported into the UK, from all sources, purpose 'hunting trophy', all trade terms, all taxons.

39. We do not have data on imports and exports of hunting trophies for which there is no import or export permit requirement¹⁶. We are seeking evidence on the scale of imports of trophies from these other species as part of the call for evidence.
40. Of those species listed in Annex A to the EU Wildlife Trade Regulations (and the six species listed in Annex B that are subject to stricter measures), the four species of which trophies are most commonly imported to the UK are African elephant (*Loxodonta africana*), lion (*Panthera leo*), leopard (*Panthera pardus*) and common hippopotamus (*Hippopotamus amphibius*)^{ix}.

Discussion

41. The debate surrounding hunting trophies, and how they are obtained, provokes strongly held views by those who care most deeply about the fate of endangered species, the protection and welfare of animals, and the rights of communities to choose the best strategy for the conservation of their wildlife.
42. Further restrictions on the import and export of hunting trophies may disincentivise trophy hunting of certain species as, depending on the approach taken, a hunter would find it more difficult, or may be prevented entirely, from bringing their trophy to, or taking it from, the UK.
43. Some argue that allowing the import and export of hunting trophies generates incentives for landowners to maintain and restore wildlife, which benefits species conservation. Trophy hunting can provide much needed economic and social benefits in places where there are few alternative viable sources of incomeⁱⁱ. Lawful, regulated trophy hunting can be used as a way to raise revenue to fund additional conservation measures, such as anti-poaching initiatives and breeding programmes, which can benefit not only those species which are being hunted, but other species too^{x xi}.
44. Without the income created by trophy hunting, there is a risk of land being converted for use by livestock or for food crops, which would lead to loss in biodiversity and habitat^{xii xiii}. There are arguments that this income builds the tolerance of local populations to instances of loss of crops and livestock or human injury and death caused by living alongside wild animals, and reduces the illegal killing of wildlifeⁱⁱ.
45. However, the extent to which communities and conservation truly benefit from the income generated by the import and export of hunting trophies is contested^{xi xiv}, and some argue that there are alternative ways in which to deliver benefits to conservation and local people.
46. While there are controls in place which aim to ensure that imports and exports of hunting trophies do not harm the survival of the species in question, there is evidence that badly managed trophy hunting can have negative impacts on wild populations, including populations of non-target species^{xv}. Problems are caused by over-harvesting local wild populations, the introduction of animals for hunting purposes in areas which

¹⁶ I.e. for species not in Annex A or B of the EU Wildlife Trade Regulations.

are outside the natural range of the species, and the removal of predators in an areaⁱⁱ. Some hunting areas are fenced, which can prevent migration and increase competition between animals.

47. The hunting of animals which have been bred in captivity with a view to taking trophies (including canned trophy hunting), is not generally considered to create the same incentives for habitat restoration or tolerance of living alongside wildlife as discussed above. However, hunting captive-bred animals does not impact wild populations^{xvi}, as these animals are often bred specifically for this purpose, do not contribute to the wild population and are kept entirely separate from it.
48. There are other considerations beyond the conservation and economic arguments, most obviously ethical and welfare concerns, which shape society's views on whether the import and export of hunting trophies should be further controlled.
49. Some have raised concerns that the breeding, keeping, or killing of animals for hunting trophies is detrimental to the animal's welfare. There have been some reports of sub-standard animal welfare relating to poorly managed trophy hunting, which has caused physical and mental stress to animals^{xvii xviii xix xx}.
50. We understand that there is widespread discomfort about the killing of an animal from an endangered species solely to obtain a trophy^{xxi xxii xxiii}. There are many differing viewpoints, and judgement on this issue is fundamentally based on individual and societal perspectives. This consultation seeks input on whether the import and export of hunting trophies should be further controlled, rather than asking for your views on the practice of trophy hunting itself.

Proposed action

51. Four options are included in this consultation for consideration. They are:
 - a. Option one: A ban on the import and export of hunting trophies from certain species;
 - b. Option two: Stricter requirements for clear benefits to conservation and local communities to be demonstrated before hunting trophies from certain species are permitted to enter or leave the UK;
 - c. Option three: A ban on all hunting trophies entering or leaving the UK;
 - d. Option four: Do nothing - continue to apply current controls based on internationally agreed rules.
52. The options do not need to be considered as exclusive. Options may be combined, for example hunting trophies from a limited number of species may be prohibited entirely, with strict import requirements being adopted for others. We would be interested in hearing your views on these options, including suggestions for modification or refinement.

53. The proposed options are limited to the movement of hunting trophies to and from the UK. For convenience, in the options below, where 'import' and 'export' are referred to together, they are taken to cover re-export and reintroduction, although we recognise that under the current controls, slightly different rules apply (and there would also likely be similar differences under any new controls taken forward following this consultation).
54. These four options will not affect the legality of trophy hunting as a practice, nor the ownership, or domestic sale of hunting trophies within the UK. The Government takes the conservation of species in the UK seriously. Under domestic and EU wildlife legislation¹⁷, there are a range of restrictions already in place covering the sale and possession of animals, their parts and derivatives. We do not propose to review these at this time, nor do we consider it would be necessary to add further restrictions. Existing rules protecting UK wildlife will continue to apply. Some of the options set out in this consultation could restrict exports related to hunting in the UK.

Options

Option one: A ban on hunting trophies from certain species entering or leaving the UK.

55. This option would stop hunting trophies from certain species from entering or leaving the UK. We propose that a ban would apply to hunting trophies from species listed in Annex A or B of the EU Wildlife Trade Regulations, or another list of species which could be identified with the aid of IUCN Red List or other frameworks. Annex A and B of the EU Wildlife Trade Regulations include those species which are threatened with extinction, or may become threatened with extinction, and for which trade is already strictly regulated under CITES.
56. Under this option, the import into and the export from the UK of hunting trophies from species listed on Annex A or B, or another list of species which could be identified with the aid of IUCN Red List or other frameworks, would be prohibited. This prohibition would be enforced at the UK border by Border Force, which would have the necessary powers to detect and pursue illegal movement. Consideration of this option will need to take into account special arrangements for Northern Ireland, reflecting the unique circumstances there.
57. This option may disincentivise trophy hunting of certain species in other countries by people who wish to bring their trophy back to the UK and may also disincentivise people hunting in the UK who want to take their trophy overseas. There is a risk that benefits to conservation and local communities from well-managed trophy hunting of certain species would be lost.
58. We would welcome comments on any exemptions you think should be considered were this option taken forward and why. For example, whether exemptions should be

¹⁷ See [Current policy and legislation relating to import and export of hunting trophies into and from the UK](#)

introduced under this option for hunting trophies that have been obtained from species prior to them being listed on EU Wildlife Trade Regulations Annex A or B, or another list of species which could be identified with the aid of IUCN Red List or other frameworks, or hunting trophies which are being re-exported or re-introduced. Documentary evidence may be required by APHA to show that an item to be imported or exported qualifies for any exemption.

59. This option would see the UK diverge from international rules on the international trade in endangered species and go further than equivalent EU standards by introducing stricter controls on hunting trophies from additional species. Under this option, there would be no change to the rules which apply to the import and export of hunting trophies from animals of a species not listed on the chosen framework.

Option two: Stricter requirements for clear benefits to conservation and local communities to be demonstrated before hunting trophies from certain species are permitted to enter or leave the UK.

60. Under this option, there would be stricter requirements on the import and export of hunting trophies from certain species. An applicant for an import or export permit for a hunting trophy would have to demonstrate that the hunt from which the trophy originated has contributed clear benefits to conservation and local communities prior to the permit being granted.

61. We propose that the stricter requirements would apply to those seeking import or export permits for hunting trophies from all species listed in Annex A or B of the EU Wildlife Trade Regulations¹⁸, or another list of species which could be identified, for example with the aid of the IUCN Red List or other framework. As part of an application for a permit, the applicant would have to prove that the hunt from which the trophy originated was beneficial to conservation and local communities – a stricter test than the current requirement to prove that it is non-detrimental to the survival of the species in the wild.

62. The applicant would need to provide evidence that the hunting trophy (i) is from a well-managed trophy hunting operation, (ii) has delivered significant and tangible conservation benefits for the species in question; and (iii) has benefitted, and been conducted in cooperation with, any local communities which share the area with the species concerned.

63. When evaluating the benefits, the conservation status of the species in question, and the impact of the hunting operation on local communities would be taken into account. The evidence would be reviewed by JNCC, as the Scientific Authority, who would assess it and any other relevant information before advising on whether a permit

¹⁸ Across all options, the EU Wildlife Trade Regulations will become the EU Wildlife Trade Regulations as retained in UK law once we leave the EU. Footnote 11 provides further information.

should be issued. Under this option, evidential requirements would need to be clearly defined and transparent.

64. Where the evidence is considered not to demonstrate that the criteria has been fulfilled, the permit would not be issued and the import or export of the trophy would be unlawful. This would be enforced at the UK border by Border Force, which would have the necessary powers to detect and pursue illegal movement. Those who have been granted a permit to import or export a hunting trophy from species listed on Annex A or B, or another list of species which could be identified with the aid of IUCN Red List or other frameworks, would need to present this as they declare the goods at customs.
65. This option is intended to recognise the potential benefits that some people believe trophy hunting can bring, while introducing greater scrutiny. This will ensure that the UK does not play a role in supporting trophy hunting through badly managed operations or operations which provide no significant and tangible benefit to conservation or local communities. This approach could drive improvements in trophy hunting operations and reduce instances of poorly managed trophy hunting, while retaining the conservation and livelihood benefits that result from well-managed trophy hunting.
66. We would welcome comments on any exemptions you think should be considered should this option be taken forward and why. For example, whether there should be exemptions for hunting trophies that have been obtained from species prior to the species' listing in Annex A or B of the EU Wildlife Trade Regulations (or where another list is used, before inclusion on that list), or for hunting trophies which are being re-exported or reintroduced. Documentary evidence may be required by APHA to show that an item to be imported or exported qualifies for any exemption.
67. Under this option, there would be no change to the rules which apply to the import or export of hunting trophies from animals of a species not listed in Annex A or B of the EU Wildlife Trade Regulations, or such other identified list of species.

Option three: A ban on all hunting trophies entering or leaving the UK.

68. Under this option, there would be a ban on the import and export of hunting trophies from all species to and from the UK. This option may disincentivise trophy hunting of certain species in other countries by people who wish to bring their trophy back to the UK and may also disincentivise people hunting in the UK who want to take their trophy overseas. There is a risk that benefits to conservation and local communities from well-managed trophy hunting of certain species would be lost.
69. This prohibition would be enforced at the UK border by Border Force, which would have the necessary powers to detect and pursue illegal movement. Consideration of this option will need to take into account special arrangements for Northern Ireland, reflecting the unique circumstances there.
70. This option is the most far reaching of the options proposed, and careful consideration would be needed to ensure that it does not inadvertently impact other activity. We

would welcome comments on any exemptions you think should be considered were this option taken forward and why. For example, should there be exemptions for the re-export and/or re-introduction of hunting trophies?

71. This option would see the UK diverge from international rules on the international trade in endangered species and go further than equivalent EU standards by introducing stricter controls on additional species.

Option four: Do nothing - continue to apply current controls based on internationally agreed rules.

72. Under this option, we would not change our [current policy](#) or practice on hunting trophies and would maintain controls at the current level. Under this option, import and export permit applications for hunting trophies from Annex A or the six Annex B species subject to stricter measures, as earlier referenced, would continue to be subject to significant scrutiny from APHA and JNCC, ensuring that import and export is only permitted where it will not be detrimental to the survival of the species in the wild.

73. This option would allow the UK to be able to influence best practice in relation to trophy hunting operations globally and reduce instances of poorly managed trophy hunting, as those operations that do not meet the UK's strict requirements would find their operations less attractive to the UK market (as hunters would not be able to take their trophies back home to the UK). This option retains the conservation and livelihood benefits that result from well-managed trophy hunting.

74. This option could be considered to maintain the current balance between the benefits that trophy hunting can bring, and the need to ensure that trophy hunting does not negatively impact on the survival of endangered species.

Question 8: We set out a number of options above. We would like to understand your preferred option and the reasons for that preference.

Please state your first and second preferred options:

- a. Option one: A ban on hunting trophies from certain species entering or leaving the UK.
- b. Option two: Stricter requirements for clear benefits to conservation and local communities to be demonstrated before hunting trophies from certain species are permitted to enter or leave the UK.
- c. Option three: A ban on all hunting trophies entering or leaving the UK.
- d. Option four: Do nothing - continue to apply current controls based on internationally agreed rules.
- e. None: Please suggest any alternatives.

Please add any comments on your preferred options, including any reasons for your preference.

Question 9: Options one and two introduce further restrictions for certain species. Which species do you think these further restrictions should apply to?

- a. Species listed on Annex A or B of the EU Wildlife Trade Regulations
- b. Species listed on IUCN Red List
- c. Other
- d. Please add any comments

(If b.) Please specify which IUCN Red List categories you think these further restrictions should apply to (e.g. critically endangered, endangered, vulnerable)?

(If c.) Please tell us which species you think should be affected by further restrictions on the import and export of hunting trophies, either by identifying a framework to use, or submitting your own list, accompanied by an explanation for your answer.

Question 10: Do you think there should be different restrictions on hunting trophies imported and exported to and from countries within the EU, compared with countries outside of the EU?

While the UK is a member of the EU, we will continue to meet our EU obligations. This means that any new restrictions on imports and exports of hunting trophies which go further than those contained in the EU Wildlife Trade Regulations would need to be in accordance with EU law. After we leave the EU, the European Union (Withdrawal) Act 2018 will ensure that the EU Wildlife Regulations remain part of UK law. Any new restrictions would need to be considered in accordance with our future relationship with the EU. If new controls are taken forward, consideration will need to be given to whether those controls should also apply to movement to and from EU countries.

- a. Yes
- b. No
- c. Please add any comments. Where you think there should be different restrictions, please provide information on what you think the differences should be and why.

Question 11: Do you have additional information or evidence on:

- a. Potential impacts of increased restrictions as set out in options one to three?
- b. Potential barriers to implementation for options one to three?

Question 12: In options one, two and three, do you think there should be different restrictions on hunting trophies obtained from; wild animals, captive bred animals, or animals involved in canned hunting?

- a. Yes

- b. No
- c. Add any comments

(If a.)

- i. hunting trophies from captive bred animals (including canned) should have additional controls
- ii. hunting trophies from wild animals should have additional controls
- iii. Other

Question 13: For options one, two and three, do you think there should be any exemptions considered? Please state your reasons why.

- a. Yes
- b. No
- c. Please add any comments

Enforcement

75. At ports, Border Force is currently responsible for enforcing prohibitions and restrictions on certain goods being imported into or exported from the UK. To do this effectively, it has been granted enforcement powers, including the power to seize, and to detain goods^{xxiv}.

76. We propose Border Force would use its existing powers to enforce at the UK border any new prohibitions placed on the import or export of hunting trophies introduced following this consultation. Away from the UK border, we would ensure that the police would have the necessary powers to enforce any new prohibitions. Where other authorised persons (such as APHA compliance officers) are required to enforce any new prohibitions, we would ensure that they would have the necessary powers to do so.

77. Where the option taken forward involves new prohibitions being put in place, we propose a mixed regime of civil and criminal sanctions for breaches of those prohibitions. We propose that any new criminal sanctions would be consistent with existing offences under the Control of Trade in Endangered Species Regulations 2018 (COTES). For instance, those found guilty of a criminal offence under COTES are liable to a fine and/or a maximum prison sentence of up to five years¹⁹.

78. Similarly, we propose that any new civil sanctions would also be consistent with those found in COTES and would include: compliance notices, monetary penalties, enforcement undertakings and non-compliance penalties. The type and level of civil penalty applied would be dependent on the type and severity of the offence. An existing regulatory body would be responsible for imposing civil sanctions.

¹⁹ For offences under Paragraph 1 of Schedule 1 to the Control of Trade in Endangered Species (COTES) Regulations.

Question 14: Do you agree with our proposed enforcement regime?

- a. Yes
- b. No
- c. Please add any comments

Glossary

Acronyms

APHA - The Animal and Plant Health Agency

CITES – The Convention on International Trade in Endangered Species of Wild Fauna and Flora

COTES - Control of Trade in Endangered Species (Enforcement) Regulations 1997

EUWTR – EU Wildlife Trade Regulations

JNCC - The Joint Nature Conservation Committee

NDF – Non-Detriment Finding

Definitions

Annexes (A, B, C and D) – The EU Wildlife Trade Regulations list all CITES (and some non-CITES) species in four Annexes (A-D) with varying levels of protection.

APHA - the CITES Management Authority responsible for issuing CITES permits and certificates for hunting trophies in the UK.

Appendices (Appendix I, II and III) – the appendices to CITES contain lists of species afforded different levels or types of protection from over-exploitation under CITES, of which there are over 35,000. Species that are the most endangered among CITES-listed animals and plants are listed in Appendix I.

CITES - An international agreement concluded between States, the aim of which is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

Conference of the parties – All the Parties of CITES referred to collectively. The Conference meets every two to three years to review the implementation of the Convention.

Derivative - Any processed part of an animal or plant (e.g. medicine, perfume or a watch strap).

EU Wildlife Trade Regulations – a set of EU regulations which implement CITES in the EU.

IUCN Red List of Threatened Species - The world's most comprehensive inventory of the global conservation status of plant and animal species.

JNCC - the UK Scientific Authority for animals. JNCC provides scientific advice to APHA on the effects of trade on the animal species concerned, including a formal assessment of the sustainability of the trade (an NDF).

Management Authority - A national management body, which is responsible for implementing CITES in its country. It is the only body competent to grant import and export permits and re-export certificates on behalf of that Party.

Non-detriment finding - A conclusion by a Scientific Authority that the import or export of specimens of a particular species would not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species.

Permit - An official document issued by a Management Authority of a Party of CITES to authorize the export or import of a specimen.

Scientific Authority - A national scientific advisory body responsible for providing technical and scientific advice to its Management Authority.

Specimen - Any animal or plant, whether alive or dead.

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