



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

Department of Environment, Forestry and Fisheries
Attention: Ms. Magdel Boshoff
Private Bag X447
Pretoria
0001
South Africa

26 November 2024

Dear Ms Magdel Boshoff,

**'National Environmental Management: Biodiversity Act (10/2004):
Consultation on the Draft Notice prohibiting certain activities involving
African Lion (Panthera leo)'**

Please find attached a submission as requested in Government Notice 5555 of 2024 *"National Environmental Management: Biodiversity Act (10/2004): Consultation on the Draft Notice prohibiting certain activities involving African Lion (Panthera leo)"* as notified in Government Gazette, No. 51581, Department of Forestry, Fisheries and Environment (DFFE), dated 15 November 2024.

Please find International Wildlife Bond's (IWB's) submission here within (submitted by e-mail to revisedlionprohibition@DFFE.gov.za).

Yours sincerely,

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‘National Environmental Management: Biodiversity Act (10/2004): Consultation on the Draft Notice prohibiting certain activities involving African Lion (Panthera leo)’

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

1 Introduction

The consultation draft notice prohibition is welcomed - *"A Person may not, in respect of a live specimen of African lion (Panthera Leo), establish and register a new captive breeding facility, a new commercial exhibition facility or a new rehabilitation facility, or establish and other new controlled environment."*

However, the proposals do not address the establishment of similar new commercial facilities to exploit other big cat species, or the implementation of the stated policy position *"To end the captive keeping of lions for commercial purposes and close captive lion facilities....."* (as per para 6.1, ["The Policy Position on the Conservation and Sustainable Use of Elephant, Lion, Leopard and Rhinoceros,"](#) Gazette 50541, 24 April 2024).

1.1 Captive lions and other big cat species

A consultation process initiated in 2018 culminated in a High Level Panel (HLP) being convened in South Africa – The Republic of South Africa's Cabinet approved late April 2022 the [High Level Panel's \(HLP's\) report \(High Level Panel Report 15 December 2020\)](#).

The HLP (Chaired by Pam Yako) recommended a majority view (62.5%) that the captive lion breeding (CLB) industry, canned hunting and derivative products is 'humanely' 'halted':

"Minister puts in place a process to halt and reverse the domestication of our iconic lions, through captive lion keeping, breeding, and commercial use, putting in place ethical and humane procedures for euthanasia of existing captive lions" – [Report, Para 9.3.19.3, "Recommendations" page 329](#)

On the 15 November 2024, the Republic of South Africa, Department of Forestry, Fisheries and the Environment announced a consultation in the Government Gazette 51581 (Vol 713, No. 5555) ["National Environmental Management: Biodiversity Act \(10/2004\): Consultation on the Draft Notice prohibiting certain activities involving African Lion \(Panthera leo\)"](#)

This proposal encompasses a prohibition (Para 2) that *"A Person may not, in respect of a live specimen of African lion (Panthera Leo), establish and register a new captive breeding facility, a new commercial exhibition facility or a new rehabilitation facility, or establish and other new controlled environment."*



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However, the exemption to the above prohibition being the establishment of a new facility for sanctuary of live sterilised lions from the captive lion breeding industry.

The above is welcomed, but the rest of the proposals are limited in terms of:

1. encompassing other big cat species within the prohibition – tigers, leopards etc. will remain subject to commercial exploitation within new (and existing) captive breeding facilities established for such purposes.
2. encompassing any proposals to phase out pre-existing captive lion (and other big cat species) breeding facilities.

"The Policy Position on the Conservation and Sustainable Use of Elephant, Lion, Leopard and Rhinoceros," Gazette 50541, 24 April 2024) at para 6.1 states the policy objective is "To end the captive keeping of lions for commercial purposes and close captive lion facilities, put a halt to the intensive breeding of lions in controlled environments, and end the commercial exploitation of captive and captive-bred lions."

The proposals to achieve this policy aim remains long-overdue, opaque and does not include other big cat species so exploited. For example, to reiterate, tigers are among other big cat species exploited within South Africa (*"IWB's HLP Submission,"* para 10.1 - p 160 -161, para 13.4 - p 252 – 253). There is nothing in the proposals that acknowledges this, or seeks to eliminate any new facilities being created to expand such exploitation of tigers for example – in clear contravention of CITES [Resolution Conf. 12.5 \(Rev. CoP18\), 1.\(h\)](#) which urges *"Parties and non-Parties on whose territories tigers and other Asian big cat species are bred in captivity to ensure that adequate management practices and controls are in place to prevent parts and derivatives from entering illegal trade from or through such facilities."*

2 Conclusions

The draft notice proposed prohibition does not address pre-existing facilities (a [Policy objective](#), para 6.1), or the fact that other big cat species have the potential to still be exploited within new facilities and pre-existing facilities – the required prohibitions require urgent scope and implementation.



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The proposed prohibition of new captive lion breeding, commercial exhibition or rehabilitation facility, or establish any other new controlled environment (with the exemption of sanctuaries) is welcomed.

The proposal states that it has become critical to prevent new facilities being established *“whilst a process to facilitate the **voluntary exit** of captive lion facilities is currently underway, and in anticipation of a broader legislative process to be initiated in due course to phase out the captive lion industry.”*

This latter statement implies exit from the captive lion industry will not be compulsory, but only by voluntary consent – this does not engender any confidence that pre-existing captive lion industry facilities will close any time soon. However, first the details of any voluntary exit mechanism and/or the *“broader legislative process”* is awaited before final conclusions and likely outcomes can be fully assessed.



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