

AFRICAN ISSUES

# Killing for Conservation

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# Wildlife Policy in Zimbabwe



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important force in wildlife policy, and form formidable alliances to support or attack the policy of sustainable utilisation. In doing this, NGOs assert their own political agenda, which also assists in justifying their actions to their own constituencies or memberships and deflecting attacks from their opponents and critics.

## 7 The International Politics of the Rhino Horn & Ivory Trade

Trading in wildlife products was one of the most emotive issues in conservation and, during the 1980s and 1990s, this was indicated in the high-profile media campaigns by conservation organisations aimed at halting the trade. However, the campaigns surrounding saving elephants and rhinos failed to examine the complex nature of the politics of the trade in ivory and rhino horn. In particular, the trade in wildlife products operates within an international legislative and ideological framework that is often at odds with national policy agendas. This is nowhere more apparent than in the debates over the role of the Convention on International Trade in Endangered Species of Flora and Fauna (CITES).

The formation of global institutions to regulate the behaviour of states and non-state actors has been a central theme in international relations. Global conventions have been established in response to transboundary activities and problems where domestic legislation has proved inadequate, and so they are especially significant in the area of environmental management. They include attempts to regulate natural resources, such as the Law of the Sea, the International Whaling Commission and the Global Climate Convention. CITES recognises that the trade in wildlife and wildlife products can potentially undermine national conservation efforts, and this is clearly demonstrated by the trade in ivory, rhino horn and tiger bone. The trade in these products is global, because it reaches from range states in Africa and Asia, to middlemen trading states and finally to consumer states in the Far East, and such transnational trading, whether legal or illegal, clearly requires global management. In the 1960s and 1970s, domestic legislation in producing, trading and consuming states proved inadequate for controlling the ivory and rhino horn trade, and so CITES was drawn up in 1973. The focus of a number of global environmental agreements is prohibition, or the threat of prohibition, as a norm – that is, a standard rule to regulate the behaviour of parties. In the view of wildlife policy-makers in Zimbabwe, CITES has evolved from a regulatory regime to just such a prohibition regime with regard to certain

wild species. The tensions over the decision to ban trade in ivory and rhino horn highlight the deep divisions between Zimbabwe and the international community over the operation of a global norm. This is especially significant in the light of recent moves towards a qualified lifting of the ivory ban for Zimbabwe, Botswana and Namibia, and in many ways this shift highlights the influence that producer states can have on international conventions.

The parties to the convention have a general common goal, in that CITES functions to prevent trade threatening species with extinction, and, in establishing a global agreement, parties to a convention must assent to a set of norms and ideas. In the case of CITES, obtaining a consensus on these norms has proved problematic, because sharp differences have arisen over specific wildlife issues and particular species. This is partly because of diverging conservation philosophies and the levels of bargaining power held by the parties. The industrialised states and East African states are in favour of preservationist methods, and together they form an alliance of interests, along with international non-governmental organisations (NGOs), which view total trade bans as the proper means of ensuring the conservation of elephants and rhinos. In contrast, the southern African states, including Zimbabwe, are committed to a policy of sustainable use and, along with a number of ivory- and rhino horn-consuming states, they constitute an alliance in favour of reopening a legal trade. This has been especially important for conservation policy in Zimbabwe. The influence of CITES as a regulatory regime has highlighted the fact that Zimbabwe's wildlife policy operates in a domestic and international context. This chapter will assess CITES, investigate the efficacy of the ban on rhino horn trading and demonstrate the difference between it and the ivory ban. It will analyse the controversy over the ban on the international trade in ivory, including an examination of pro- and anti-ban positions and the role of NGOs as moral actors within CITES. Finally, this chapter will assess the effectiveness of the ivory ban in the 1990s and recent Zimbabwean attempts to overturn it.

## The Convention on International Trade in Endangered Species

International regimes have, in general, been formed by states seeking to control transboundary activities in order to guarantee benefits to dominant parties (Young, 1989). In the case of international environmental agreements, it is clear that certain norms, usually based on Western political ideologies, also have a critical role to play. These norms strictly control the conditions under which states can participate in and authorise certain activities (Nadelman, 1990: 479). CITES has proved to

be the most significant international conservation agreement for the Parks Department in Zimbabwe. In most cases, CITES provides a framework for regulation of trade in wildlife and wildlife products, although in the cases of two of the most high profile wildlife products (ivory and rhino horn) CITES has operated as a prohibition regime. As a result, CITES has been an important determinant of domestic wildlife policy, since the trades in rhino horn and ivory have been the most contentious issues.

CITES is a highly developed international regime, designed to control and regulate trade in wildlife and its derivatives. The wildlife trade is a global business, which encompasses legal and illegal trade in animals and plants. Trade Records Analysis of Flora and Fauna in International Commerce (Traffic) is affiliated to the World Wildlife Fund (WWF)-International and the organisation is responsible for monitoring trade in wildlife, especially illegal trade. Traffic estimates that the value of the wildlife trade is second only to the drugs trade among illegally traded goods, but recognises that accurate figures are impossible to obtain, since much of the wildlife trade is illegal and unrecorded. Estimates of the value of the legal trade stand at around US\$20 billion per annum, while Interpol suggests that the illegal trade is worth a further US\$5 billion per annum (EIA, 1994: 3). The scale of the wildlife trade led to calls for an international body to regulate it in order to prevent overexploitation of certain species. The outcome of discussions was that CITES was drawn up in 1973 and came into force in 1975. Since then, the number of species it covers has increased and the number of member states has grown to over 120 (Lyster, 1985: 240). The basic regulatory tools and principles of CITES are set out in a system of appendices where an Appendix I listing constitutes a trade ban, Appendix II allows controlled and monitored trading and an Appendix III listing requires the trading state to notify CITES in order to prevent overexploitation. CITES does have provisions for species to be transferred between the appendices: for instance, to include, delete or transfer a species requires a two-thirds majority vote of the parties at the biennial conferences. In addition, the convention has provisions for a split listing of a species, which allows certain populations of a single species to be listed on a different appendix (Wijnstekers, 1994: 14-16).

Although the criteria for a CITES appendix listing are presented as scientifically determined, they are subject to stark political disagreement, because, in effect, an appendix listing operates as an international norm. In general, all populations of a single species are treated equally under an appendix listing, regardless of its local, national or regional status (with the rare exception of split listings). The system of appendices has proved the most contentious issue for Zimbabwe, because policy-makers in government institutions and NGOs argue that the basic norm that underlies most of the operation of CITES as an institution is the precautionary principle. This principle requires parties to demonstrate that

trade is non-detrimental to the survival of the species being traded and, if there is any doubt, states are asked to cease all trade until non-detriment findings are proved (EIA, 1994: 5; O'Riordan and Jordan, 1995). It is the distinction between species listed on Appendix I and Appendix II that is significant and contentious for southern Africa in general, and Zimbabwe in particular. Species can be moved from Appendix I to II under certain circumstances, but so far very few have been down-listed in this way.

The Parks Department in Zimbabwe has argued that the distinction is arbitrary, since Zimbabwe's elephants can in no way be defined as endangered; rather, there are too many of them (DNPWLM, 1991: 5–7). For Zimbabwe, the Appendix I listing is meaningless and is more representative of the opinions of the politically dominant groups in CITES. In turn, pro-ban parties assert that Zimbabwe is defining its elephant population as a national resource, when elephants should be considered in terms of the continental population. In sub-Saharan Africa as a whole, elephants can be defined as endangered, but some areas have an abundance, while other areas were heavily poached and have not yet recovered. Debates over appendix listings reveal divisions over the definition of what constitutes endangered, partly because a species can be defined as endangered on a global, continental, regional or national level.

Nadelman argues that the operation of organisations in international society has homogenised and globalised norms and that, in general, these norms have been influenced by Western ideas and philosophies (Nadelman, 1990: 481). CITES operates two international norms – regulation of trade and prohibition – and the trade in ivory and rhino horn was first regulated and then prohibited. At a single stroke, a trade ban creates an international norm, because it relies on the idea that only halting all trade and consumption will allow a species time to recover its numbers (Princen and Finger, 1994: 131–4). Nadelman argues that parties to a convention adhere to norms out of habit, because it coincides with their own interests or because they fear the consequences of defiance (Nadelman, 1990: 480). The operation of norms has had an effect on the behaviour of parties to the convention. For instance, although a number of Zimbabwean conservationists openly state that Zimbabwe should leave CITES, and that the institution has lost all credibility, Zimbabwe has not yet done so. Any country would find it difficult to leave CITES, because of the political influence of the Northern states and green NGOs. Zimbabwe has so far not deviated from CITES rulings, because to do so would incur the wrath of the international green movement, and this would inevitably result in the removal of conservation aid by NGOs and bilateral aid by governments pressured by the large green NGOs. In addition, Zimbabwe would lose the prestige it has gained and would jeopardise hopes of effectively presenting its case at future CITES conferences.

The operation of global norms through CITES has caused splits in the convention, because the difficulty with global norms is that they do not

take account of differing local conditions. International laws, such as CITES, tend to treat wildlife as though it were in a social, political and economic vacuum, but wildlife in Zimbabwe is directly tied to local questions of land distribution and ownership. Zimbabwe has strongly argued for a re-examination of the role of CITES, with Dr Willie Nduku, Director of the Parks Department, stating that CITES had come to behave less like an organisation designed to facilitate and regulate trade, as it was initially intended to, and instead it was acting more as a conservation organisation. The dominance of industrialised states has been resented by many developing states which view it as another institution where their wishes have been overridden by those of the West. Nduku stated that he believed that CITES was dominated by Western industrialised states, and argued that the West had already lost its wildlife and so did not understand the pressures facing developing countries with an abundance of wildlife.<sup>1</sup> In addition, Deputy Director Rowan Martin approached the CITES secretariat in 1993 on the issue of reviewing the convention. However, he had to find a Western state to propose and partly fund the review because Zimbabwe's policies were unpopular in CITES and any suggestions for review which came from them would be immediately viewed with the suspicion that it was intended to unravel the whole CITES system. Finally, Canada agreed to propose a review, which was to be jointly funded by the USA and Canada. The demands for a re-examination of CITES revealed a significant division in CITES, and Rowan Martin felt strongly that Zimbabwe could not propose a review, because they would immediately be shouted down by Western states and green organisations.<sup>2</sup>

An important condition for the creation of a global prohibition regime is the influence of moral proselytism (Nadelman, 1990: 481–3). In the case of CITES, the role of moral entrepreneur has been played by NGOs, such as the International Union for the Conservation of Nature (IUCN) and WWF-International, which were critical actors in lobbying for the creation of CITES. Consequently, NGOs have retained a unique and powerful position in a convention that is essentially an organisation patronised by states. For example, biennial meetings are held to evaluate progress and consider new proposals, and NGOs and trade organisations are allowed to take part in the discussions, but are not allowed to vote on policy decisions (WWF, undated; Princen and Finger, 1994: 135–8). NGOs have been central in arguing for trade bans as a moral issue to save certain species, such as elephants, whales, rhinos and tigers. Clearly, CITES is not simply an organisation that is based around interstate diplomacy, since it involves multiple actors and complex bargaining between different interest groups.

<sup>1</sup> Interview Willie Nduku, Director, Department of National Parks and Wildlife Management (DNPWLM), 7.7.95, Harare; see also *Daily Gazette* 14.6.94 'Nduku Criticises CITES'.

<sup>2</sup> Interview with Rowan Martin, Assistant Director: Research, DNPWLM, 29.5.95, Harare.

The divisions between member states have contributed to the perception of CITES as ineffective. The failure of CITES to meet expectations has also been explained by critics as the result of the lack of enforcement capability. International regulation of trade between countries is problematic because it relies on individual nations enforcing the convention effectively, and CITES is poorly enforced across the globe. One WWF report, *Making CITES Work*, found that there was a failure among parties to have adequate national legislation, deficient trade controls and a failure to provide timely and accurate reports on infractions. In addition, it noted that the record of developing states has been no worse than that of wealthy nations, which do not have the excuse of lack of resources (Nash, [1994?]; see also WWF, 1982: 289–94). Many members of CITES fail to provide adequate funding for domestic authorities to ensure proper enforcement. For example, the USA has some of the best legislation to enforce CITES, in the form of the Lacey Act and the US Endangered Species Act. However, the body responsible for implementing that legislation, the US Fish and Wildlife Service, has been starved of funding, due to public sector cost-cutting exercises. The USA is a major importer of illegal wildlife products; however, in 1993, just eighty officers had primary responsibility for 70,000 reported wildlife shipments (EIA, 1994: 6–8). This brings the commitment of CITES member states to ending the illegal wildlife trade into question, since the demand for wildlife products in the world's wealthy states completely overwhelms the existing enforcement structure.

The problems with enforcement arise from the CITES system itself. CITES has suffered from financial difficulties. The budget for CITES as a whole is inadequate and, as a result, WWF suggested that the 1994 budget of 100,000 Swiss francs should be doubled (WWF, 1994b: 5). As early as 1979, Ian Parker carried out an influential study on the ivory trade, which concluded that a system of permits and licences was only as good as the people or institutions that issued them. CITES had created a demand for black-market permits, which could easily be purchased from corrupt officials, and identification of ivory as legal (rather than illegal) was a problem that allowed illegal ivory to enter the legal ivory trading system with forged as well as genuine permits (Parker, 1979: 221–4). It was clear that the mechanism through which CITES claimed to regulate the trade in certain species was flawed in itself, because permits were regularly forged and genuine ones were easily bought from officials.

One of the ways of accommodating the diverse interests of members is to rely on voluntary membership and enforcement. As with all international agreements, parties to CITES are not compelled to belong to the convention. CITES allows all member states to leave the convention or object to any of its provisions. This means that, if a member state objects, it can refuse to abide by the decisions of CITES by taking out a reservation at the time of the decision, but, if a reservation is ever reversed, it cannot be reinstated. Hunting trophies were made special exceptions under

Resolution Conf 2.11 in 1979 (Wijnstekers, 1994: 13). These provisions are considered by some conservationists to be trade loopholes, and the complexities and exceptions to CITES controls make it even more difficult for those responsible for enforcement to carry out their duties properly. They also provide member states with the opportunity to hold CITES to ransom by threatening to leave and trade outside the Convention. This raises questions over the powers of the Convention, since membership is voluntary and can be terminated at any time. Nevertheless, reservations also mean that the particular interests of members of an organisation of over a hundred parties can be accommodated. Despite numerous disputes with other parties, the southern African states have voluntarily remained members of CITES.

Critics of CITES have viewed this dependence on voluntary compliance as a serious weakness, which means that CITES lacks any real powers. For example, Robin Pellew, the director of WWF-UK, stated that the fundamental reason for the failure of CITES was a lack of political commitment. Rather than having real teeth, in the form of an ability to impose sanctions on the offending country, 'a weasel worded statement is patched together that administers a gentle slap on the wrist which the offending countries can brush aside'.<sup>3</sup> Of course, WWF has strong reasons for criticising the failings of CITES and its parties, because it is primarily concerned with conservation of wildlife, while states that are parties to CITES have other considerations. The criticisms levelled by WWF perhaps reflect that the Convention has not made decisions in accordance with their campaigns and philosophies. The USA, Britain and green NGOs, such as WWF-International and the Environmental Investigation Agency (EIA), have argued in favour of better law enforcement to improve the effectiveness of CITES (EIA, 1994).

## The rhino horn trade

The rhino horn trade provides an illuminating case study of the politics of CITES and trade bans. CITES is controversially viewed in Zimbabwe as an organisation that primarily seeks to ban trade in wildlife products, rather than one which acts as a regulator, despite more recent indications that CITES may be prepared to consider alternative options to an outright trade ban for ivory and rhino horn. The Parks Department has made clear its desire to reopen a legal and controlled trade in rhino horn. However, the mechanisms of CITES have thus far prevented the Parks Department from doing so. The issue of rhino horn trading has become an important moral theme for parties to CITES and related NGOs. Consequently, deviancy from the provisions of the convention is represented in terms of

<sup>3</sup> Robin Pellew, Director of WWF-UK, cited in *WWF News*, Summer 1994, 'Special Report on CITES', p. 10.

moral outrage and evidence of the attraction of financial profit over saving endangered species, and so the norms implicit in CITES have strictly controlled the behaviour of potentially deviant states, such as Zimbabwe.

The continuing illegal rhino horn trade is often cited as the prime example of the failings of CITES and of the negative effects of a ban on legal traders in wildlife products. The trade in rhino horn has been banned since 1977. However, between 1970 and 1990 the world rhino population declined by approximately 80 per cent (Cumming et al., 1990). Meanwhile, the prices for rhino horn have increased dramatically since 1975. What is clear is that the general trend of prices was upwards in the post-ban period: between 1975 and 1980 alone, the price of rhino horn experienced a twenty-one-fold increase (IUCN, 1980: 26). This rise in prices was not accompanied by a shortage of rhino horn, as is usually the case with such staggering increases; in fact, the supply expanded (IUCN, 1980: 27–35). Accurate prices are difficult to obtain, because the trade is illegal and dealers have also been unwilling to reveal how much they paid for rhino horn and how much they have stored away; even when rhino horn trading was legal, dealers under-reported the volume of trade. For example, in the period 1955 to 1980, trade records reveal that the declared exports from Kenya and Tanzania to Japan were between four and twelve times lower than the declared imports into Japan over the same period (Leader-Williams, 1992: 18).

The rise in demand and increase in rhino horn prices was closely linked to illegal trading syndicates, which stretch across Asia and into southern Africa. The involvement of powerful and influential criminal cartels, such as the Mafia, triads and Yakuza, contains problems for law enforcement. Due to the low penalties, lack of enforcement and potentially large profits to be made, drug cartels were also thought to be increasingly involved in the wildlife trade as an attractive alternative (EIA, 1994: 4). Taiwanese dealers have also played a significant role in keeping this trade open. Rhino horn commanded such high prices that dealers viewed buying horn as an investment, and it has been reported that 10 tonnes of horn are stockpiled in China and Taiwan (IUCN, 1992b: 75–6). There is also evidence that dealers were hoping to capitalise on the value of these stockpiles by making the rhino scarcer. When dehorned rhinos were killed in Zimbabwe, one of the possible explanations was that Taiwanese dealers had ordered the poaching cartels in Africa to kill all rhinos. In a sense, they were betting on extinction, because, if the rhino is made extinct by poaching, the value of these stockpiles will rise even further.<sup>4</sup> Recent research by EIA suggests that the rapid price rise for rhino horn in the late 1980s were engineered by a small group of Taiwanese businessmen, who wished to increase the value of their stock-

<sup>4</sup> Interview with John Gripper, Sebakwe Black Rhino Trust, 14.10.94. Ascott-Under-Wychwood, *Herald* 17.1.94 'Intensify International Bid to Save Rhino'.

piles, so they sold most of Taiwan's rhino horn to dealers in Hong Kong, who then sold it on to the Chinese dealers. This encouraged smugglers to buy up horn in southern Africa, evidenced by the increased number of Taiwanese citizens arrested in South Africa and a sharp increase in poaching activity after 1988 (EIA et al., 1993: 2–3). So far the dealers have managed to avoid all attempts to halt the illegal trade. Such dealers and criminal cartels are not known for abiding by the law, and any resumed legal trading would have to find a system that effectively makes illegal trading too risky for illegal dealers.

The high value and constant demand for rhino horn has made the rhino a target for poachers and dealers. However, these same two factors, profits and demand, are also what makes rhino horn trading so attractive to southern African range states. The demand from states in East Asia and the Middle East is rooted in deeply held cultural beliefs. The continued demand from these consumers is important, because these states have been targeted as future legal trading partners by southern Africa, and the reasons for demand for rhino horn need to be more fully explored.

East Asia has been the most important consuming region for rhino horn because it has had a long history of demand and cultural attachment to rhino horn for decorative carving and as a medicine. For centuries, the horn has been the most valuable part of the rhino (Bradley Martin and Bradley Martin, 1982: 53–5), but it was the horn's medicinal properties that made it a desirable commodity in the twentieth century. Changes in the world economy after the Second World War meant that East Asians were more and more able to afford traditional Chinese medicines. In China, Mao Zedong's promotion of traditional medicine increased demand for wildlife-based medicines.

Contrary to popular views, rhino horn has never been used as an aphrodisiac. Bradley Martin suggests that this myth began with traders, conservationists and travel writers, who bought rhino horn from the Indian traders they encountered in East Africa. The European visitors wished to know why the Chinese wanted horn and it is thought East African traders stated that it was an aphrodisiac, with an eye to increasing demand for the horn in Europe (Bradley Martin and Bradley Martin, 1982: 66–75). This aphrodisiac myth has since been perpetuated and is often repeated in conservation organisation campaigns to shut down East Asian markets for horn. Rather, it is the medicinal properties that make it so attractive. For a long time the properties of rhino horn were denied by Western medicine, and conservation organisations however, claimed that consuming medicine that contains rhino horn is the same as biting your fingernails. More recently, however, it has been accepted that rhino horn has the same properties as aspirin, which is used to treat common ailments, such as headaches and fevers. In the text on which much of Chinese medicine is based, the *Pen Ts'ao Kang Mu*, its main uses are cited as for reducing fever, for heart complaints and for other preventive purposes (IUCN, 1980). This is similar to Western medicine's use of aspirin to bring down fevers and as a blood thinner for heart patients.

Demand for the horn has arisen wherever there is a Chinese community, but the major markets remain China, Hong Kong and especially Taiwan. As Hong Kong, Macao, Japan and Singapore tightened up their wildlife trading laws during the 1980s, Taiwan took their place. This was only possible because of changes in the world economy, which witnessed the growth of East Asian economies (EIA et al., 1993: 2). The growth in these economies coincided with a rise in demand for rhino horn: more people could afford medicines and rhino horn was bought as an investment. Taiwan has developed a large demand for Chinese medicines, and hence rhino horn (Bradley Martin and Bradley Martin, 1982: 103). Taiwan is a type of black hole for international legislation, because of its special position in the international system, which arises from its history and relationship with China, meaning that Taiwan cannot be named in agreements and resolutions in CITES except as a part of China. However, Taiwan has failed to implement international legislation regarding trade in endangered species. For example, Taiwan holds some of the largest stockpiles of rhino horn, which were accumulated before the ban in 1985, but the authorities refused to destroy them in 1993 (EIA et al., 1993).

The rhino horn trade ban created an international norm that had to be applied at local and national levels. Although the Zimbabwean government was a keen supporter of the ban when it took effect in 1977, its policy position has changed. Graham Child, the director of the Parks Department in 1977, enthusiastically supported the ban at the time. However, he stated that he misjudged the situation and deeply regretted not fighting the ban. Like many southern African conservationists, he argued that sustainable use was the only option to ensure the continued survival of big mammals in Africa.<sup>5</sup> Southern Africa contains the last significant black and white rhino populations. In 1992, Zimbabwe, Namibia and South Africa contained 90 per cent of the continent's black rhino and they have all stated their interest in a legal trade in rhino products (DNPWLM, 1992b: 63).

The theory behind Zimbabwe's rhino conservation policy is based firmly within the framework of sustainable utilisation. The rhino has a potential economic value as a tourist attraction, as a hunting trophy and as a source of rhino horn. In practice, the only value the rhino has is as a tourist attraction, because all consumptive uses of rhino have been disallowed by the CITES Appendix I listing. The Parks Department has been keen to capture the full value of the rhino, and the Department argued that money generated from sport-hunted rhinos and sales of horn would contribute to conservation budgets, which, in turn, would provide for greater protection of rhino in the wild. In terms of environmental economics, consumptive uses of the rhino are presented as a trade off.

<sup>5</sup> Interview with Graham Child, Director, SAVE African Endangered Wildlife, and former Director of the DNPWLM, 27.2.95, Harare; *Economist* 9.10.93 'Save the Rhino,' p. 20.

The potential trophy fee for a rhino could be as high as US\$250,000, and the auction of one or two rhino hunts per year would contribute significant revenue to failing conservation budgets in Zimbabwe.<sup>6</sup> While the Department has stated its desire to see an end to illegal trade, it has argued that a legal trade conducted through government channels could be used to enhance conservation. The money raised from legal government sales of rhino horn, in theory, would be directly used for rhino conservation in the field (DNPWLM, 1992c). In addition, the potential funds from rhino horn sales could reduce Zimbabwe's dependence on external donors, and so free the Department from pressures to preserve their wildlife, which would then allow the Department more autonomy in decision-making (DNPWLM, 1992b: 63).

Controversially, Zimbabwe does not want the markets for rhino horn in the Far East to be closed. Although these markets are illegal and have so far contributed to the sharp decline in Zimbabwe's black rhinos, to close them down would effectively deny Zimbabwe any future legal trading partners. In fact, Zimbabwe has been accused of blocking CITES proposals to initiate trade sanctions against states that consume rhino horn. The Southern African Group for the Environment (SAGE) and EIA have stated that Zimbabwe and South Africa joined forces to prevent sanctions being imposed on Taiwan and China at a critical meeting in 1994 at Geneva on tigers and rhinos.<sup>7</sup> However, eventually, in 1994, trade sanctions were applied against Taiwan by the USA, valued at US\$25 million.<sup>8</sup> This was a largely symbolic measure, as the amount involved did not have a serious economic effect on Taiwan.

Another explanation for Zimbabwe's policy position is that the rhino horn trade ban has manifestly failed to halt the decline of the rhino, and in fact the Parks Department claimed that the ban was responsible for an increase in poaching in Zimbabwe.<sup>9</sup> The Parks Department argues that the ban has failed, so it is time to try another strategy, and that this could involve some consumptive and non-consumptive utilisation of rhinos. In fact, traditionally deep-green and preservation-orientated NGOs have begun to suggest that the failure of the ban could force a change in international policy on rhino horn trading (WWF, 1992: 2-3; Milliken et al., 1993: 55). The international ban on the rhino horn trade is a highly contentious issue, and it is clear that it is not purely a matter of applying neutral conservation principles. Zimbabwe's policy philosophy deviates from the norms established by CITES, and the idea of utilising rhinos as hunting trophies, farming them for horn and legally trading horn has been met with vociferous opposition. Conservation NGOs, acting as moral entrepreneurs within CITES, have actively opposed the

<sup>6</sup> *WWF News* Winter 1992-3 'On the Horns of a Dilemma'; DNPWLM (1992c: 19).

<sup>7</sup> *Financial Gazette* 7.4.94 'Zimbabwe Slated Over Rhinos'.

<sup>8</sup> *Guardian* 21.10.95 'Horns of Plenty'.

<sup>9</sup> *Herald* 13.1.93 'Sixty Four Held For Rhino Horn Deal'.

Zimbabwean Parks Department and conducted international publicity campaigns against them. Fear of the consequences of deviance from the norms in CITES have prevented Zimbabwe from converting its conservation philosophy into policy with regard to the rhino.

## The ivory trade

The case of the ivory trade is related to that of the rhino horn trade. As with rhino horn, Zimbabwe's policy position is to seek to resume trading, but, unlike the rhino horn ban, Zimbabwe did not willingly accept the ban, but lobbied hard against it. The ivory trade differs in a number of respects from the rhino horn trade. Firstly, there is no disagreement over the status of the rhino, and the fact that it is an endangered species is widely accepted. Yet there has been substantial disagreement over what constitutes endangered with regard to the African elephant. Again, this is related to major differences between opposing environmental ideologies, where critics of sustainable utilisation have argued for adherence to the precautionary principle, while Zimbabwe and its supporters have promoted sustainable utilisation for conservation. The second difference is that, while there is a degree of cultural attachment to ivory in East Asia, demand for rhino horn is based on a cultural demand for medicines. In contrast, ivory is required for luxury items, such as jewellery and ornaments, it is easily substituted by other materials, and it is subject to changing fashions, so, in principle, the ivory trade should be more easily controlled or shut down because fashions can be changed. For southern Africa, the ivory trade is a key policy issue, and the ban highlights important divisions between the interests of an international organisation and particular nation-states. It demonstrates the difficulties that an international system faces when it attempts to regulate the use of wildlife held within national borders.

CITES has evolved into an international prohibition regime because the environmental movement has favoured the precautionary principle and pro-banners have been the most dominant parties. Industrialised states have had the most influential position in CITES, and so the convention reflects Western values concerning legitimate use of animals. Through the CITES ban on ivory trading, the organisation has globalised Western values relating to wildlife conservation and to what constitutes legitimate use of animals (Nadelman, 1990: 484). The NGOs that promote moral and ethical arguments regarding legitimate use of animals have assisted the industrialised states in maintaining their powerful position. In the 1980s animal rights and preservationist NGOs and conservationists suggested that the only way to control the ivory trade was to cut demand. Conservationists argued in favour of a ban on ivory as the only way to stop ivory poaching and the eventual extinction of the African elephant (Care for the Wild [1992?]). The environmental movement

argued in favour of the precautionary principle – that to ban the trade was better than to risk the potential extinction of the species. Closing all markets for ivory was presented as an easier option for enforcement than attempting to shut down illegal activities in numerous trading entrepôts and range states. The elephant had become the victim of Barbier's concept of the economics of extinction (Barbier et al., 1990). In effect, poachers, dealers and buyers in the end use markets were gaining all the profits from ivory while the range states did not receive these benefits, because they were unable to establish their control over the resource, due to a lack of investment in wildlife protection and enforcement (Ivory Trade Review Group, 1989: 31–4; Barbier et al., 1990). The previous attempts to regulate the trade had failed to stem the rates of poaching, and so it was recommended that the African elephant be transferred to CITES Appendix I in 1989.

Conservation pressure groups, Western states and East African states formed a powerful alliance in favour of an ivory ban. Pro-ban African states actively courted an alliance with NGOs and Western states in order to obtain conservation funding. In turn, external support for anti-poaching assisted East African governments in another conservation agenda, which was to coerce local people into moving away from prime wildlife tourism areas (Peluso, 1993: 200–9). Tanzania and Kenya were two key East African elephant range states that publicly called for a ban on ivory trading, partly because they were the worst hit by poachers and argued that only a total ban would save their elephants. Richard Leakey of the Kenya Wildlife Services was especially prominent in calling for a ban, since Kenya had been hit hard by poaching and this had tarnished its reputation for wildlife conservation and its attractiveness to Western tourists.<sup>10</sup> It was clear that Kenya had to improve its image and assure Western conservation donors and organisations that it was not in favour of the trade, which was destroying its tourist industry and conservation record. In order to improve its image, Kenya publicly burnt 12 tons of ivory, worth US\$3 million, while rumours circulated that Leakey had been offered a large sum from an anonymous donor in return for burning the ivory (Bonner, 1993: 151). The publicity stunt worked and, as intended, conservation aid poured in (Milliken, 1994a). Leakey's extensive restructuring of the corrupt Kenya Wildlife Services impressed the World Bank and other donors so much that they approved grants and loans for conservation. Consequently, Kenya was in the fortunate position to be able to develop a donor-dependent conservation policy based on preservation.<sup>11</sup> The aid offered to Kenya for its pro-ban stance demonstrated the position that was taken by the majority of Western states and conservation organisations. In contrast, southern Africa was the proponent of continued, properly regulated ivory trade and was

<sup>10</sup> *Guardian* 20.7.95 'The Man Who Would Be Kenya': Woods (1999: 31–3).

<sup>11</sup> Interview with Raoul du Toit, DNPWLM/WWF, 7.5.96, Harare.



vilified for its anti-ban policies. Pro-banners were hailed as elephant saviours, who argued that a continued legitimate ivory trade would only provide a screen behind which the illegal trade could hide.

Opposition to the ban on ivory has stemmed from a fundamental disagreement over the best means of saving elephants and over the precise meaning of the term endangered species. Opponents of an ivory ban formed an alliance within CITES to lobby in favour of their policy position. The southern African pro-trade states have received support from Canada and Norway, whose sealing and whaling policies are constrained by international agreements in the same way as African elephant policies, and similarly, as the world's largest single ivory consumer, Japan has continued to be allied with the southern African states on the ivory trade issue.

Nadelman suggests that international prohibition regimes are more likely than other regimes to ignore the considerations of costs and consequences of decision-making and that, like crusades, they are pursued even when alternative approaches appear less costly and more effective. Deviance is rarely tolerated by international prohibition regimes, because it has the potential to undermine the regime (Nadelman, 1990: 524–5). Since the establishment of CITES, the alliance of preservationist states has wielded the most influence. This has meant that Zimbabwe and its allies have had difficulty in presenting sustainable use and controlled trade as effective methods of conservation and, as a result, pro-trade parties have been relatively isolated in CITES. The problem for pro-ban parties is that Zimbabwe holds one of Africa's largest elephant populations and is one of the last strongholds of the black rhino. The problem for Zimbabwe is that it is still reliant on conservation aid and other economic aid, and these resources are held by pro-ban parties and NGOs that favour preservation. As a result, the norms implicit in the CITES ban – that killing elephants for ivory will result in serious depletion of the species have had a profound and direct effect on the policy choices available to Zimbabwean wildlife conservation agencies.

Zimbabwe's policy position is to lobby for a resumption in the legal ivory trade arguing that legal trading would generate income for conservation budgets to support elephant conservation. Rowan Martin claimed that he was being approached by Asian dealers interested in the ivory held in the central store and that generally offers were around US\$1,000 per kilo, which meant that the 30-ton stockpile was worth US\$30 million (in 1995).<sup>12</sup> As ivory commands such a high price in hard currency, it could provide large amounts of revenue for conservation. In this sense, ivory represents Zimbabwe's comparative advantage in the international trading system, and yet Zimbabwe is blocked by international legislation, which means it cannot derive the total potential economic benefit from elephants (Barbier et al., 1990). Consequently, Zimbabwe's inability to

<sup>12</sup> Interview with Rowan Martin, Assistant Director: Research, DNPWLM, 29.5.95, Harare.

sell ivory and elephant products has been presented to the international community as an unacceptable waste of a national resource. Willie Nduku commented that he felt it was wasteful to destroy something that is continually produced by natural death, by 'problem animal control' operations and by culling, especially when that product is required by other states, such as Japan.<sup>13</sup> Zimbabwe has come to be viewed as the new hard-liner on this issue, since it refuses to modify its position.

One of Zimbabwe's key anti-ban arguments is that such a sweeping international policy ultimately hurts poor rural communities, especially by denying rights to utilise wildlife under the Communal Areas Management Programme for Indigenous Resources (Campfire). The international community has found this argument the most difficult to resist. Taylor and Cumming argue that elephant management policies must be politically possible, socially acceptable, technically feasible, ecologically sustainable and economically viable, and the ivory ban, they suggest, does not fulfil these criteria (Taylor and Cumming, 1993). At the time of the ban, Zimbabwe was embarking on its Campfire policy, which revolves around the idea that wildlife should be sustainably used for the financial benefit of the community. Rowan Martin argued that the ivory ban would result in a loss of revenue for Campfire areas, since they would be disallowed by the international community, from selling their most lucrative resource, and that, if wildlife was not an economically viable form of land use for communal farmers, they would simply swap it for another land use that was viable.<sup>14</sup> The debate surrounding the effectiveness of Campfire as a rural development and wildlife conservation strategy has proved to be the most powerful political weapon in Zimbabwe's argument in favour of a renewed trade in ivory. Opposers are characterised as misanthropes who seek to deny the rural poor a chance of earning a living from animals that are otherwise, at best, a nuisance and, at worst, crop destroyers and a threat to human life.

Lal argues that, in the post-Cold War world, globalisation of Western environmental ideas through green NGOs has constituted a new form of imperialism. The difficulty is that ecofundamentalism is presented in terms of rational science, while they are at heart moral crusades (Lal, 1995). It is clear that conservationists in Zimbabwe view the international green movement as having played an unwelcome and restrictive role in their policy formulation. The experience of Kenya during the height of poaching demonstrated the devastating effect that adverse publicity could have on the economically important tourist industry. International NGOs have the links to international media that could result in a damaging campaign to boycott Zimbabwe as a tourist destination, because of its conservation philosophy. One of the main arguments for the ban was that

<sup>13</sup> Interview with Willie Nduku, Director, DNPWLM, 7.7.95, Harare; *Environment Bulletin* Dec. 1994–Jan. 1995 'Battle Commences Over the Ivory Trade'.

<sup>14</sup> *Herald* 16.12.94 'Allow Trade in Legally Obtained Ivory and Rhino Horns: Campfire'.

it would stop poaching by removing the market for poached ivory. However, the Parks Department has always disputed this reasoning, arguing that bans only drive up the price of ivory and rhino horn. A number of conservationists in Zimbabwe stated that the ivory ban was directly responsible for an increase in elephant poaching. The feeling that the international community misunderstood the southern African position was particularly acute because Zimbabwe had a relatively good record on poaching in the 1990s, and it was felt that southern Africa was being punished for East African elephant management failures. This sentiment translated into charges of neocolonial behaviour against pro-ban parties at CITES and that the ban was an unjust international action.<sup>15</sup>

The notion that Zimbabwe has suffered from a lack of recognition for its success in wildlife conservation is deeply felt, because Zimbabwe is regularly denounced for elephant (and rhino) management failures, such as culling and sport hunting, by the same Western conservation organisations that congratulate the success and protectionist policies of East African states, such as Kenya. Indeed, Brian Child commented that Zimbabwe administered and managed its ivory stocks properly, but received no recognition for its good record.<sup>16</sup> In response to the need to strengthen the bargaining position of southern Africa in CITES and to a continued trade ban in 1991, Zimbabwe, Malawi, Botswana and Namibia joined together in a pro-trade alliance, the Southern African Centre for Ivory Marketing (SACIM), now renamed the Southern African Convention for Wildlife Management (SACWM) to reflect its broader role in conservation. The SACWM agreement was significant for CITES, because SACWM states contain approximately 150,000–200,000 of Africa's elephants (WWF, 1994). The SACWM treaty has its origins in the polarisation of the debate over the ivory trade, because the SACWM states insist that the ban on the ivory trade frustrates long-term and effective elephant management in southern Africa. SACWM has a common policy, involving sustainable utilisation of elephants (including a regulated legal trade in ivory) and community involvement in conservation (on the Campfire model) (DNPWLM, 1992a: 10; SACIM, 1994). So far, SACWM has had little power to change the international community's position on ivory trading, but it has continued to argue the southern African case. South Africa has also expressed an interest in joining SACWM (as it is not covered by the CITES ban) and, if South Africa joined SACWM, it would be strengthened and able to declare a reopening of the ivory trade. The problem that SACWM faces is that, of

<sup>15</sup> Interview with Keith Madders, Director, Zimbabwe Trust (UK), 12.10.94, Epsom, Surrey; interview with Brian Child, head of the Campfire Coordination Unit, DNPWLM, 16.5.95, Harare; interview with Charl Grobbelaar, Chief Executive of the Zimbabwe Hunters Association, 12.2.95, Harare; see also Dublin et al. (1995: 17).

<sup>16</sup> Interview with Brian Child, head of the Campfire Co-ordination Unit, DNPWLM, 16.5.95, Harare.

the ivory consuming nations, only North Korea has not joined CITES. Nevertheless, SACWM has threatened to leave CITES and trade ivory legally.<sup>17</sup>

The arguments over the ban revealed that the opposition and the protagonists were arguing from differing ideological standpoints. Animal welfare organisations and some conservation NGOs used animal rights arguments to demonstrate that the elephant had a value beyond commercial use. Elephants were presented as sensitive and intelligent creatures that deserved greater compassion and consideration. Preservationists simply suggested that all elephants should be preserved. Zimbabwe, on the other hand, was arguing from a utilitarian standpoint. Zimbabwe claimed that the African elephant could not be considered an endangered species according to CITES criteria for an Appendix I listing. It was argued that Zimbabwe's record on sustainable use of wildlife products had been a great success thus far (even increasing the number of elephants) and so it should be allowed to continue without external interference.

The particular nature of the ivory trade has been the subject of debate at CITES. The way in which legal and illegal ivory sales have mixed in the past has formed the centre-piece of the argument for the continued ban on ivory trading. Pro-banners have argued that a legal trade merely provides a cloak for illegal trading to continue, while pro-traders have favoured tighter controls to prevent corruption.

The African elephant was first placed on Appendix II in 1977, but, from then until the ban in 1989, there were numerous attempts to regulate the trade. It was during the 1970s and 1980s that the demand for ivory became so great that it began to threaten the survival of the species. As a result of the lucrative ivory trade, the numbers of African elephants were halved, from 1,300,000 to 600,000, in the 1980s (Dublin, 1994). During the 1980s, demand for ivory came from the luxury goods market in Europe and the USA, and the longer-standing trade with the Far East. Increased demand also came from the growing economies of the Far East, notably Hong Kong, Japan and China. The legal ivory trade was an important source of income for some states. For instance, it is estimated that, during the 1980s, the ivory trade was worth US\$50–60 million per annum to the continent as a whole (Barbier et al., 1990: 36). This was not a large sum when taken in the context of sub-Saharan exports as a whole, but, for a few countries, notably Zimbabwe, South Africa and Botswana, it was a significant source of hard currency. In Zimbabwe, the amount of money retained by Zimbabwe from the ivory trade was high, as, blessed with little poaching, Zimbabwe was able to sell much of its ivory legally on the international market, and such sales generated an estimated US\$11 million per annum. In addition, Zimbabwe was home to a thriving

<sup>17</sup> *Economist* 5.11.94 'Whose Elephants Are They Anyway?' p. 70.

carving industry, which consumed 30 tonnes of ivory per year and employed 400 people (Cumming and Bond, 1991: 24).

The rise in demand for ivory in the 1970s and 1980s came from Western Europe, the USA and the Far East, but it was the demand from Asia that became extremely important in the pre-ban period, since Japan and Hong Kong accounted for 75 per cent of world imports of ivory (Barbier et al., 1990: 53). Japan was the world's biggest single ivory consumer, as postwar incomes rose. It was reported that Japan alone was importing 1,900 tonnes of ivory per year prior to the ivory ban and that, by 1992, it had stockpiled 100 tonnes in anticipation of a renewed legal trade (EIA, 1992). In Japan, the demand for ivory tended to be for jewellery, for parts of traditional instruments and for small blocks of ivory to be carved into *hanko* (personal seals). Japanese investors also saw ivory as a stable commodity to invest in during the economic upsets of the 1970s and 1980s. They were attracted to it as a store of wealth, because in Japan ivory has cultural value and so its level of demand and price remains relatively stable, whereas in Europe and the USA it is a luxury item, which is subject to peaks and troughs in demand and related price fluctuations (Barbier et al., 1990; Bonner, 1993). It was important to investors to protect the value of ivory in domestic and international markets, and so in 1984 the Japan Ivory Importers Association was established, as importers became aware of the potentially adverse effects of the publicity surrounding the ivory trade. The association has a central fund for conservation and has made donations to CITES in the past (Thornton and Currey, 1991; EIA, 1994).

Hong Kong has also occupied a unique place in the international ivory trade. It was not a major domestic consumer, but instead it was a carving centre, which re-exported ivory to China, Japan, South Korea and Taiwan. Hong Kong became a major entrepôt and ivory stockpiler in the 1980s, because of a legal loophole in CITES, which allowed worked ivory to enter freely, and so from Hong Kong semi-worked or carved ivory could be legally exported to anywhere in the world without permits. In addition, at the time of the ban, Hong Kong was exempt for six months, due to its status as a colony, and Britain and China had taken out a special reservation on behalf of the Hong Kong traders, which allowed them to continue to sell as much ivory as possible. An EIA report claimed that 200 tonnes of ivory went missing (in effect, it was traded) from official stockpiles during this period and, as a result, the official figure of a 670 tonne stockpile has to be revised to 474 tonnes (EIA, 1992: 52).

The ability of the illegal trade in ivory to avoid all controls formed the centre-piece of the pro-ban argument. During the 1980s it was clear that poaching in East Africa was continuing at unsustainable rates, with the most notorious case being Kenya, where Richard Leakey, of the Kenya Wildlife Service, estimated that between 3,000 and 5,000 elephants were

lost per year to poachers in the 1980s.<sup>18</sup> One of the major problems with the pre-ban ivory trade was that the actors involved were dispersed across a range of countries and continents. This meant that CITES was unable to cover and regulate all aspects of the trade effectively. One of the most important controls was the ivory quota system, established in 1985. Each state determined their own export quota, related to the size of elephant population and the quality of management, and all existing stocks of ivory were legalised. This controversially legalised two ivory stocks held by Burundi and Singapore (neither of which has an elephant population of its own). CITES was severely criticised for the action (Thornton and Currey, 1991). Indeed, the amount of ivory legally traded in the mid- to late-1980s did decline. From 1979 to 1985, the minimum volume of raw ivory exported from Africa was estimated at 868 tonnes annually, and this fell to 587 tonnes in 1986 and just 176 tonnes in 1989 (Milliken, 1994a). Supporters argued that this was due to the success of the quota system and it just needed more time to work. However, it was more likely that it was the decrease in the average tusk size which accounted for the fall in tonnage traded, and so more elephants were being killed for less ivory (Barbier et al., 1990). The system was criticised as favouring poachers and corrupt officials by allowing them to benefit from sales of illegal stocks on the legal market. There was no obligation for states to submit their quotas in the CITES-recommended format, and very few states that submitted a non-zero quota in 1987 gave them in full format (Cumming et al., 1990). The quota system, when used properly, was nothing more than a statement of intent by producer countries. The CITES control systems were fairly easily avoided by traders, the primary legal loophole in the system being the failure of the quota system to cover worked ivory, since it did not require permits so raw ivory could be carved and was, in the process, instantly made legal (Ivory Trade Review Group, 1989).

The legal trade was conducted alongside a more extensive illegal ivory trade in the 1970s and 1980s. The illegal trade in ivory caused greatest concern and threatened the survival of the species. The extent of the illegal ivory trade is impossible to quantify. The illegal trade was dependent on well-organised and long-established smuggling routes, which stretched from Africa to Europe, the Middle East and the Far East. For example, in 1986, 17,000 tusks, worth an estimated US\$3.75 million, were auctioned in Mogadishu, and the sale came after the biggest seizure of illegal ivory in Antwerp. The tusks came from Somalia and were eventually destined for Dubai.<sup>19</sup> This demonstrates the extent of the routes used by smugglers, with Belgium acting as a popular entrepôt in the 1980s for illegal ivory, because of lax customs controls. In Dubai, they would have been carved to exploit the legal loophole in CITES, which

<sup>18</sup> Richard Leakey in his address to the Wildlife Society of Zimbabwe AGM 1994.

<sup>19</sup> *Herald* 2.3.86 'Auction Might Save Africa's Elephants'.

defined carved or semi-worked ivory as legal. One of the most striking features of the illegal trade in ivory is its fluidity, as it managed to avoid most regulations, and if one entrepôt is shut down, another quickly opens. For example, in 1984, when Macao began to enforce CITES rules, Singapore (a non-CITES state) took over its role, so that, by 1986, Singapore accounted for 55 per cent of world consumption of raw ivory (Barbier et al., 1990: 68–71). The involvement of triads and the Mafia in the ivory trade has also made it difficult to regulate. In debates about reopening the ivory trade, this factor is often ignored, but the interest that ivory attracts from criminal elements is a significant issue for law enforcement (Currey and Moore, 1994: 3; EIA, 1994: 4).

The involvement of officials in the illegal trade made it especially difficult to enforce CITES regulations. Such involvement neutralised the enforcement capacity of wildlife departments and of international attempts to stamp out the trade. Diplomatic immunity is widely used to protect movements of rhino horn and ivory. The use of privileges associated with the diplomatic bag means that wildlife products can be exported by diplomats with relative impunity. In a rare case when a diplomat was caught, the Indonesian Ambassador to Tanzania was stopped and found with ivory in his baggage in 1989 on his way to Singapore. Likewise, missionaries stationed in Tanzania, who were regarded as law-abiding and honest, were also implicated in smuggling ivory (Thornton and Currey, 1991: 132–47). The involvement of diplomats continued in the post ban period. For example, in 1995, Kenya requested that the United Nations (UN) lift diplomatic immunity on two UN officials (an American and a Sri Lankan) involved in the United Nations Operation in Somalia (UNOSOM), who were accused of smuggling ivory from Somalia to Kenya.<sup>20</sup> The extent of the illegal ivory trade and the poaching it fuelled were real causes for concern for conservationists in the late 1980s. It was clear that the numerous attempts to limit the trade had failed, and so for the majority of conservationists it seemed that a total trade ban was the only solution.

### The politics of the ivory ban

There were a number of actors involved in getting the ivory ban on the international agenda, but they formed two broadly opposing sides. Those against the ban were the southern African states and ivory consuming states, which generally promoted the policy of sustainable use as the most effective method of conservation. Those in favour of the ban included Western states, East African states and Western conservation organisations, which generally argued from preservationist standpoints.

<sup>20</sup> *Herald* 28.3.95 'Kenya Asks UN to Lift Smuggling Suspects' Immunity'.

The green NGOs argued from a position that was heavily influenced by deep-green and animal rights philosophies. The influence of NGOs over CITES parties came from their central role in establishing CITES and their rights to attend the biennial conferences. In turn, the industrialised states and East African states adopted the language of these organisations in response to pressure from campaigning organisations and their publics at home who wanted to see their government involved in 'saving the elephants'.

Until 1988, the idea of an ivory ban did not hold much currency, since CITES remained convinced that a controlled trade was sufficient to ensure that trade did not threaten the survival of the species (see Parker, 1979: 207). International concern centred around whether the elephant was in danger of extinction from the trade. Zimbabwe argued that the elephant could not be considered as endangered, while the opposition argued that to fail to institute a ban might lead to extinction. Multiple actors were involved in the decision to ban the ivory trade in 1989, and the methods used by the pro- and anti-ban interest groups in part explain the depth of feeling and high profile clashes that surrounded debates over the ban. From the point of view of anti-ban interest groups, those lobbying in favour of a ban were more concerned to placate domestic constituencies in industrialised states than with the need to examine the complexities of large mammal conservation in developing states.

International NGOs were critical actors in the decision to ban the ivory trade. They filled a diplomatic niche left at the end of the Cold War for non-state actors. Diplomacy related to urgent human rights and environmental issues was left to NGOs, rather than to nation-states, because traditional models of diplomacy have proved unable to respond to urgent threats that require rapid agreements and solutions (Princen and Finger, 1994: 29–32). Consequently, NGOs have occupied that space. The late 1980s and early 1990s were the heyday of the international environmental movement, and coincided with renewed debates over an international ivory ban. Princen and Finger argue that the case of the ivory ban constituted a form of resistance to dominant economic forces (Princen and Finger, 1994: 121–59). NGOs were moral actors that argued from ethical standpoints for an ivory ban, and their ability to communicate moral arguments to the public in industrial states ensured that ivory became a socially unacceptable commodity. NGOs were not constrained by any particular national interests, and were able to present themselves as operating from a moral standpoint drawn from genuine concern for elephant welfare. Elephants and rhinos were high profile flagship species for the conservation movement partly because they are large mammals that are easily identified by conservationists and their supporters in the West. Elephants, in particular, can be easily endowed with human-like characteristics, such as caring, grieving, sensitivity and being family-orientated. The popularity of this type of representation of animals in films and cartoons is evident in *Dumbo*, the *Lion King*, *Free Willy*, *A Bug's*

*Life* and *Babe*, and our screens are filled with such images of talking and feeling animals from early childhood.<sup>21</sup> Such anthropomorphic representations of elephants have made their continued survival an area of heated debate. The public in industrialised states have become accustomed to viewing certain mammals, such as whales and elephants, as having comparable intelligence and consciousness to those human beings. As a result of such attachment to these animals, their survival has become an industry that brings in funds to conservation organisations and states alike. The continued wrangles over how best to protect them carry multiple interests with them, and arguments from the varied interest groups resurface at the biennial conferences of CITES.

The role of NGOs in the ivory ban was so significant that Zimbabwe and other pro-trading interest groups have accused them of environmental imperialism. Eugene Lapointe commented that the 1989 meeting of CITES witnessed the explosion of the animal rights movement on to the international scene. He claimed that it dominated decision-making at that meeting and that the ten or twelve groups involved turned a forum for discussion into a farce, deprived states of their decision-making power and began the era of international blackmail in conservation.<sup>22</sup> It is very clear that NGOs had an important role in manipulating the media and public opinion to change the pro-trade stance of certain states and organisations. For example, EIA produced a highly influential report, entitled *A System of Extinction: The African Elephant Disaster*, which was circulated to all CITES parties. It denounced the pro-trade position, accused CITES of presiding over the extinction of the elephant and argued that Zimbabwe's policy position was determined by the need to protect domestic interests in the culling, hunting and ivory industries (EIA, 1989). Their role as public opinion manipulators was especially significant, because NGOs were not allowed to vote in CITES meetings, and so, while they had no votes, they did have a definite input into the decision-making process. In addition, if organisations could not change policies by persuading their home governments to pressure range states, NGOs could use their own conservation aid to induce states to follow the policies they perceived as best. Rowan Martin was concerned that conservation organisations have been the worst for offering aid with complex strings attached, and WWF-International and IUCN have both used conservation aid to push for their policies. In addition, it was reported that Rowan Martin was approached by the US delegation to CITES during the 1989 meeting and reminded that he should think of the aid that Zimbabwe received from the USA and World Bank when voting on the ivory issue (Bonner, 1993). Indeed, one conservationist in

<sup>21</sup> *Independent* 26.2.96 'When An Elephant Gets Emotional'.

<sup>22</sup> Eugene Lapointe, Secretary General of CITES, speaking at the Symposium on the Conservation and Sustainable Use of Natural Resources, held in Tokyo, 1 October 1993, Global Guardian Trust.

Zimbabwe commented that the American delegation at CITES could be 'really mean' if they did not get what they wanted.

The African Wildlife Foundation (AWF) can claim to have had a critical role. As late as 1988, there were no calls for an ivory ban. However, in 1988, AWF sent out an appeal to raise money and declared 1988 the Year of the Elephant. In their press conference they urged the American public not to buy ivory, but they still did not call for a total ban. The press conference aimed to shock the public about ivory poaching and jolt people into stopping buying ivory. The publicity, which talked in terms of a crisis facing elephants, made effective use of television and other media. Indeed, Zimbabwean Government documents noted the influence of the campaign on attitudes to ivory and Zimbabwe's policy (Martin et al., 1989). The campaign also represented an opportunity to increase funding for AWF elephant conservation programmes. The publicity caught the attention of a number of animal rights organisations. According to Bonner, the strongest attacks on those who opposed the ban came from the US-based Friends of Animals, which urged people to write to WWF denouncing their support for continued ivory trading (Bonner, 1993). By 1989, WWF caved in, fearing the loss of a large section of its membership, and thereby its funding, because by then elephants had become *the* environmental fad.

EIA also claims to have played a critical role in the campaign for an ivory ban, and certainly, from Zimbabwe's viewpoint, this is the case. Its investigation into the international illegal trade in ivory was financed by Christine Stevens of the US-based Animal Welfare Institute. The information it obtained on how illegal ivory was laundered into the legal trading system and on the extent and organisation of poaching was crucial in opening the world's eyes to the problem. EIA was a skilful media manipulator. For example, it filmed Daphne Sheldrick's famous elephant and rhino orphanage in Tsavo National Park. It was convinced that, if the British and American public saw these 'tiny casualties' of the poaching war their hearts would be won over (Pearce, 1991: 68–72; Thornton and Currey, 1991: 82). The footage on poaching in Kenya was used by Independent Television News (ITN); these powerful video images snowballed, along with other media coverage of the ivory issue, and afterwards the media attention focused the public mind on the ivory trade and ban. However, in some ways, WWF took the credit for bringing the situation to light, and it was inundated with letters of support and funds (Thornton and Currey, 1991: 200–14). Organisations used shock tactics to convey their message, and denounced those who opposed them as unconcerned with the plight of the elephant. This was not unusual amongst campaigning organisations, which recognise that creating an air of urgency through shock tactics is the only way to get their particular issue into the public mind and on to the political agenda.

EIA also teamed up with WWF-USA to draw up a proposal to ban the ivory trade. However, EIA was aware that the proposal would be more

credible if it was actually proposed by an African range state. As Kenya's conservation record was too tarnished, Tanzania was persuaded to propose it (Pearce, 1991: 73; Thornton and Currey, 1991: 195). EIA set about collecting information to prove that Zimbabwe's claims of an abundance of elephants were false and used the fact that Zimbabwe and apartheid South Africa had a unified position to criticise Zimbabwe. EIA accused Zimbabwe of double-counting – counting elephants before they crossed to Zambia and Botswana and counting them again when they returned. In addition, it claimed that Zimbabwe's assertion that its elephant population was increasing at 5–7 per cent per year was biologically impossible, and that such an increase was due to migration to the safety of Zimbabwe from heavily poached areas in Zambia. Lastly, EIA argued that Zimbabwe's complaints about extensive damage to vegetation by elephants were exaggerated and inaccurate (Currey and Moore, 1994: 11). Of course, these accusations were rejected by Rowan Martin of the Parks Department, who was representing Zimbabwe at CITES in 1989.

The importance of the ivory ban to NGO funds was illustrated by the behaviour of WWF. In debates over the ban, international NGOs realised that, in the long term, the fate of their organisation could be determined by its stance on the ivory issue. WWF-International, as one of the biggest conservation organisations in the world, received a great deal of credit for the ivory ban. However, its role was more ambiguous, since national chapters clearly disagreed with WWF-International, because it did not call for an ivory ban immediately. John Hanks, head of the WWF Africa Programme, was closely associated with the position of WWF-International, which remained anti-ban until 1989. Hanks was clearly in favour of sustainable use. The furthest the organisation would go was to support a split listing, meaning that southern Africa's elephants would go on Appendix II and the rest on Appendix I (Thornton and Currey, 1991: 254). Bonner has suggested that the position of WWF-International was determined by the large number of South Africans on its Executive Board and South African funders in the 1001 Club (Bonner, 1993: 69). However, WWF-USA and WWF-UK were more interested in a ban because of their home constituencies. Rowan Martin commented that Zimbabwe's biggest problems come from WWF-USA because their membership is comprised of 'people who want to save wildlife so they cannot support sustainable use'.<sup>23</sup> NGOs supported a ban partly to justify their own continuance, as for WWF-USA and WWF-UK to fail to call for a ban would have meant that memberships, and thus a major block of funds, would have been removed by supporters. Hence, when other animal rights-oriented organisations threatened to tell WWF members that the organisation was supporting the killing of elephants, it started to call for a ban (Pearce, 1991: 73; Thornton and Currey, 1991: 254). WWF, as a whole, is certainly

<sup>23</sup> Interview with Rowan Martin, Assistant Director: Research, DNPWLM, 29.5.95, Harare.

frightened of losing its fund-raising base, and the African elephant attracts a large amount of funding, and so it would have meant serious problems for the organisation if it ignored the sentiments of the membership base.<sup>24</sup> However, in listening to its membership base, WWF ignored the opinions of many elephant range states. Zimbabwe felt betrayed and has not forgotten the role of WWF, which many Zimbabwean conservationists consider to be a pathetically weak organisation in face of opposition from its membership.<sup>25</sup> The disagreements over the ivory ban between the WWF-International and national chapters revealed deep divisions in the organisation over the best means to manage elephants.

Finally, the ivory ban was instituted in 1989. A study by a consortium of NGOs had been commissioned by CITES on the status of the elephant, and the Ivory Trade Review Group (ITRG) report was used effectively by pro-ban parties to support their case. Overall, the ITRG report concluded that a ban was the most effective way of saving the African elephant, and it came at a time when the campaign for a ban was at its peak. However, the report did conclude that elephants in southern Africa were in no way endangered by the trade (Ivory Trade Review Group, 1989: 1–4). Yet the report was promoted as central to the pro-ban argument. Bonner suggests that the timing of the release of the report was politically motivated, because the study was not meant to be released for a further three months, in October 1989 (Bonner, 1993: 142). As a result, the USA, the UK, the European Community (EC), Switzerland, Australia, Canada and the UK on behalf of Hong Kong all announced full or partial ivory bans within two months (Pearce, 1991: 74; Wildlife Conservation International, 1992: 6). These unilateral bans immediately cut demand for ivory and had a devastating effect on the illegal and legal trade in Europe and the USA which had been heavily influenced by NGO campaigns, which meant a failure to vote for a ban would have been politically unpopular at home. The unilateral ivory bans established by the USA and Britain, and their pressuring for a total ban, meant that they could be seen to be doing something about the plight of the elephants. The debate at CITES centred on three proposals: a total Appendix I listing (a ban), a split listing for East and southern Africa, which allowed trade to continue for southern Africa, or a continuance of the status quo. It was clear that some kind of compromise was necessary to prevent southern African states simply leaving CITES altogether. The compromise was that countries could take out a reservation on the ban and apply for a downgrade to Appendix II for their elephants if their management policies met certain criteria. The outcome was seventy six in favour, eleven against and four abstentions, and formal trading ceased on 1 January 1990 (Bonner, 1993: 159). Shortly afterwards, the carving centres in Hong Kong and China virtually shut

<sup>24</sup> Interview with Keith Madders, Director Zimbabwe Trust (UK), 12.10.94, Epsom, Surrey.

<sup>25</sup> Interview with Rowan Martin, Assistant Director: Research, DNPWLM, 29.5.95, Harare.

down (Milliken, 1994a: 49–57). Zimbabwe, South Africa, Botswana and Namibia continued to hold reservations and were allowed to trade ivory amongst themselves and with non-CITES parties.

The ivory ban resulted in two years of mistrust and acrimony between southern African states and NGOs. It created deep divisions over conservation practice between East and southern Africa. Ban advocates presented Kenya and Tanzania as elephant savers and Zimbabwe and South Africa as elephant killers. In fact, there were only five African countries in favour of a ban at CITES. The 1989 decision resulted in total polarisation over the ivory issue between East and southern Africa and between southern Africa and the rest of the world. One of the problems with the debates over the ivory ban in the 1980s was that it treated the African elephant as a single population that covered most of the continent. In the post-ban period, Zimbabwe has been keen to point out that different populations of African elephants require different management policies. The experience of 1989 has heavily influenced debates about the ivory trade in the 1990s, and the mistrust and hostility created by the way the ban was instituted in 1989 carried over into subsequent CITES meetings, where pro-banners and anti-banners took increasingly entrenched positions.

### The post-ban ivory trade

The main components of the pro-ban argument were that only a ban would effectively halt the trade and that the ban would stop all poaching. Initially, the ban had the desired effect and demand was cut, especially in Western states, where it was easy to appeal to ideas of elephants being slaughtered to pay for Western vanity. This reversal of consumer opinion was one of the most important successes of the campaign to stop the ivory trade (Currey and Moore, 1994: 13). It has certainly had a lasting effect, since it is now considered socially unacceptable to buy or wear ivory. The collapse in demand made enforcement of the trade ban much easier. Poaching also declined, because of the drop in ivory prices and lack of access to legal markets, and this gave elephant populations time to recover. The price received by middlemen in East Africa for ivory dropped to US\$4.5 per kilo in 1990, which was a fraction of its pre-ban value (Currey and Moore, 1994: 4). However, this situation did not continue, because bans are fairly blunt and symbolic gestures. In instituting a ban, CITES parties did not consider how it would be enforced at a local level (despite the experience of the failed rhino horn ban) and, in the 1990s, it has become clear that the ban has achieved neither of its objectives as effectively as it was supposed to do, thereby allowing a political space in which pro-trade interest groups can continue to lobby for a reopening of a legal and tightly controlled ivory trade.

At each CITES conference since 1989, there has been a rerun of the level of debate which surrounded the ban in the first place. Over the

1990s, southern African range states became more convinced that the ban was not working and was, in fact, in contravention of their interests. The tenth CITES conference, held in the heated atmosphere of Harare, proved to be the arena where all the main interest groups converged to battle it out over a partial reopening of the ivory trade. The first proposal, to down-list the African elephant to Appendix II, was the most ambitious and politically contentious, but it was agreed amongst pro-trade interest groups that, if the down-listing proposal failed, the second choice was to allow Namibia, Botswana and Zimbabwe only to trade with Japan (as the largest ivory consumer), as long as the four states involved could prove that they had adequate controls to prevent illegal ivory trading. This was the first time that southern Africa had a real chance of overturning the ivory ban since 1989. The concerns of southern African states had to be taken seriously, because of the real possibility that Zimbabwe (in particular) would go it alone and declare a reopening of the ivory trade. Consequently, the same tactics of media hype, blackmail, with threats of withdrawal of aid, rumour and counter-rumour were used by alliances formed from the ever more entrenched 1989 interest groups. This meant that the conference was about for versus against, with little political space for uncertainty.

The animal welfare lobby again played a major part in the 1997 CITES meeting, despite their continuing role as lobbyists rather than voting members. In particular, the International Fund for Animal Welfare (IFAW) openly opposed Zimbabwe's position on the ivory trade. It was part of the Species Survival Network, a coalition of 50 NGOs, which included internationally-famous environmental NGOs, such as Greenpeace, formed in 1992 and dedicated to strict enforcement of CITES regulations. IFAW and its allies argued that Zimbabwe and other southern African states would not be capable of preventing illegal exports if CITES allowed a partial or total lifting of the ivory ban.<sup>26</sup> The management problems and the power struggle in Zimbabwe's Parks Department were also used to full effect as part of the discussions about the ivory ban. A confidential report by a panel of CITES experts noted that illegal ivory trading had continued unchecked in Zimbabwe, citing, for example, a consignment of carving made from 70 tusks that had been shipped to Japan. In addition, critics of the Parks Department's capacity to manage a legal ivory trade pointed out that, since the Department had been systematically starved of funds by the central government, it needed every source of revenue available, including the sale of ivory, and that its lack of management capability made it unlikely that the money would be used effectively for elephant conservation.<sup>27</sup>

<sup>26</sup> *Star* (South Africa) 11.6.97 'Reopening of Trade Slated as Danger to the Big Three'; *Star* 13.6.97 'Massive Illegal Wildlife Trade Revealed'; *Herald* 11.6.97 'Downlisting of Jumbo: IFAW Still Opposed'.

<sup>27</sup> *Mail and Guardian* 6.12.96 'Zim's Illicit Ivory Trade Exposed'; *Mail and Guardian* 31.6.97 'Zim Parks in Trouble'.

The pro-ban alliance also used the debt and aid question to try to force pro-trading states into withdrawing their proposal for a partial lifting of the ivory ban. The southern African states accused the animal rights lobby of engaging in international blackmail and spreading misinformation. It was reported that some observers at the CITES conference believed that members of the pro-ban alliance had paid some African countries to vote against southern Africa, thereby exploiting the historical split between East and southern Africa on the ivory trade. Indeed, it was also reported in the local press at the time of the conference that animal rights lobbyists and Northern states opposed to the trade had threatened to withdraw development aid from states that supported Zimbabwe, Namibia and Botswana, and that Northern delegates at CITES had stated they would only vote if there was a common African policy on the ivory trade.<sup>28</sup> In this way, the debt relief question was captured by animal rights NGOs and other anti-trade interest groups to force African states to promise never to engage in ivory trading.

On the other side, Zimbabwe and its allies in the Far East and the southern African region mobilised all its support; this included rural communities and their commitment to Campfire as the central means of legitimating a reopening of the ivory trade. A major political bargaining chip at CITES was that Zimbabwe held one of the largest and most secure elephant populations on the continent, and the delegates at CITES have always been aware of the importance of keeping such important elephant range states within the boundaries of the Convention. Consequently, during the conference it was intimated, that if CITES members did not take account of southern African interests, Zimbabwe would break the international trade ban. The Minister of Environment and Tourism, Chen Chimutengwende, suggested that, if CITES did not act in favour of Zimbabwe's interests, it would have made itself irrelevant to Zimbabwe.<sup>29</sup> The fact that Zimbabwe has such a large elephant population meant that this was a threat that none of the parties at CITES could ignore, even though it was a risky position for Zimbabwe to take. In response, the anti-trade interest groups accused the Zimbabwean delegates of blackmail and pursuit of selfish economic interests.

Secondly, the pro-trade alliance argued that, although organisations such as EIA have trumpeted the success of the Appendix I listing, the situation is more complex. The pro-trade interest groups argued that the ban had not shut down markets for ivory as effectively as its supporters suggested and that, since there was a continuing demand for ivory across the world, Zimbabwe had the right to utilise its resources to take

<sup>28</sup> *Herald* 12.6.97 'African States Divided On The Ivory Issue'; *Herald* 13.6.97 'Maveneko Rejects Debt Relief on Ivory'.

<sup>29</sup> *Herald* 16.6.97 'CITES or No CITES, We'll Go it Alone'; *Pretoria News* (South Africa) 17.6.97 'Zimbabwe Backs Off Threat to Break Ivory Ban'; *Guardian* 17.6.97 'Harare Resists the Ivory Sale Ban'; *Guardian* 18.6.97 'Ivory Trade States to Try Again After Near Miss'.

advantage of such markets. Overall, although ivory remains difficult to sell legally and the markets of the West have been closed, the illegal markets of Asia began to re-establish themselves as early as 1991. In addition, embryonic pre-ban Asian markets have continued to grow in North Korea and South Korea (Dublin and Jachmann, 1991: 62-3).

One of the main arguments for the ban was that it would stop poaching. Predictably, in line with their arguments against the ban in the first place, Zimbabwe continued to argue that poaching rose noticeably after the ban. Research by the IUCN African Elephant Specialist Group suggests that, where poaching did decline in the initial post-ban period, it was largely due to increased expenditure on law enforcement, rather than the ban *per se* (Dublin et al., 1995). Most donor funding was poured into East Africa and it is questionable whether the donor community would have been willing to provide as much finance for every African state as it provided for Kenya. Similarly, seizures of ivory have begun to increase again, with 35 tonnes discovered between 1992 and 1994.<sup>30</sup> This reflects the re-establishment of illegal markets and smuggling routes. The Zimbabwean policy position has continued to be that the ban frustrates elephant conservation in the long term and that Zimbabwe's problem is one of too many elephants rather than too few, leading to increased human-wildlife conflicts. In response, EIA has accused Zimbabwe of a politically motivated campaign of misinformation, which diverts funds away from real conservation to the politics of the ivory ban (EIA, 1992: 22).

The southern African alliance also captured and mobilised the debate surrounding debt relief and aid to argue in favour of a partial end to the ban. The Southern African Development Community (SADC) countries put forward a proposal for a debt for ivory buy-out for African range states that had huge stockpiles but were unwilling to engage in the ivory trade. The proposal was specifically drafted by the southern African pro-trade alliance to allay the fears of East African elephant range states and attempt to weld together a common African elephant policy. Conservationists had been concerned about the growing African ivory stockpiles, because the pressure to trade increased as the stockpiles grew. For example, the Trade Records Analysis of Flora and Fauna in International Commerce (Traffic) research indicated that, by 1995 the total continental stockpile was already 500 tons.<sup>31</sup> There have been repeated calls for a committee of CITES to investigate the issue of stockpiles (Dublin et al., 1995). One possible solution was that the stocks could be bought with a one-off payment from the World Bank's Global Environment Facility (GEF) and then burnt, or that conservation organisations could buy them.<sup>32</sup> In this way, African states would obtain revenue for their resources without a

<sup>30</sup> *Economist* 5.11.94 'Whose Elephants Are They Anyway?', p. 70; *Star* 13.6.97 'Massive Illegal Wildlife Trade Revealed'.

<sup>31</sup> *Traffic Dispatches* Sept. 1995, p. 6.

<sup>32</sup> Interview with John Gripper, Sebakwe Black Rhino Trust, 14.10.94, Ascott-Under-Wychwood.



renewed international trade. It was suggested that only ivory stocks outside southern Africa should be bought by Western aid agencies and then the money used to fund elephant conservation.<sup>33</sup>

Finally, the presence of Zimbabwean rural community groups at the conference was used to re-emphasise that ivory trading was as much about rural development as about revenue generation. The director of the Campfire Association, Taparendava Maveneke, stated that holding the conference in Harare was important, because it was the first time that rural communities had come face to face with key policy-makers in the field of international wildlife trading, and that this was significant because it meant parties at CITES would be made to understand the problems being faced by the various parties to the convention.<sup>34</sup> The Parks Department in Zimbabwe and its domestic and international allies have always been aware that Campfire forms the central political justification for continued commitment to sustainable utilisation. During the course of the conference, the Zimbabwean Government tried to convince members that were wavering on the ivory issue by organising weekend visits to Campfire areas.<sup>35</sup> The Campfire Association's vocal backing for a reopening of the ivory trade was a risky position in terms of international support for the programme, since it was feared that Campfire's support for the ivory trade would infuriate the US government, which, on the one hand, supported Campfire, but, on the other, was vigorously opposed to the ivory trade. Environmental NGOs have found the argument that wildlife is a resource to be used to benefit rural communities one of the hardest to reject. Indeed, there were accusations at CITES that environmental NGOs and preservationist Western states were frustrating developing countries by imposing a new form of imperialism in the realm of the environment through their insistence that African states could not be in charge of their own resources. This dispute essentially grew from competing definitions of wildlife as a national resource to be used for domestic benefits, and the view of Western states and international environmental NGOs that elephants were an international resource to be protected at all costs for the global good.

Finally, at the 1997 meeting, Zimbabwe, Namibia and Botswana were successful in having their elephant populations down-listed to Appendix II, with the proviso that trading would only be allowed in 1999 if adequate measures were introduced to ensure that trading could be sustainable and free from illegally hunted ivory. The vote was surrounded by accusations of a lack of transparency and of blackmail. In the first round of voting, the southern Africa proposal to down-list the region's elephants to Appendix II failed to obtain the necessary two-

<sup>33</sup> *Pretoria News* 17.6.97 'CITES Proposal to Buy Some of Africa's Ivory Stocks'; *Herald* 13.6.97 'Maveneke Rejects Debt Relief on Ivory Trade'.

<sup>34</sup> *Herald* 13.6.97 'Maveneke Rejects Debt Relief on Ivory Trade'.

<sup>35</sup> *Pretoria News* 13.6.97 'SADC Closes Rank On Elephant, Rhino'.

thirds majority. Consequently, there had to be a second round of voting, which focused on individual country proposals. The SADC countries pressed for a secret ballot, so that voting members could not be blackmailed by the animal welfare lobby or by aid donor countries, such as the USA. In return, the animal welfare lobby accused the SADC countries of making CITES lean towards a lack of transparency and democracy. In the end, the secret ballot meant that Namibia, Zimbabwe and Botswana could reopen a restricted trade with Japan. Of course, the decision was immediately met with the concern that this would provide a signal to poachers to go ahead and restart the levels of commercial poaching witnessed in East Africa in the 1980s.<sup>36</sup> It remains to be seen if the partial lifting of the ivory ban does result in a renewed onslaught on elephants, but undoubtedly the anti-trade interest groups will be regrouping to argue in favour of a renewed ban on ivory trading in the future.

In conclusion, CITES has come to be perceived in southern Africa as an example of an international prohibition regime. In southern Africa, it is reviled as an organisation that is interested in trade bans as a conservation method. The difficulty with blanket trade bans is that they cannot possibly take account of local conditions, because, at one stroke, trade bans create an international norm. The debates over the international trade in endangered species reveal major divisions between different factions of the conservation movement. On the one hand, there has been disagreement over the precise meaning of the term 'endangered', and CITES has been concerned to define what constitutes legitimate use of animals. It has moved beyond its initial role as a trade regulator to an organisation interested in conservation. In the context of CITES, the meaning of 'endangered' has been determined by NGO campaigns, which have played a critical part in influencing the direction of CITES. In this way, ideas of animal rights and deep-green ideologies have been globalised through international trade bans.

The trade ban on ivory and rhino horn has deepened divisions between supporters and opposers of sustainable utilisation. The ivory issue resulted in a deep mistrust between East African and southern African states over elephant management. The rift over elephants and rhinos demonstrates the difficulties involved in an international community attempting to regulate what is considered a national resource. It is clear that conservation policy has to operate at a domestic level and within an international context. This conflict of interests has arisen over a number of environmental issues, and the debate centres around whether environmental goods such as elephants or rain forests can truly be considered a national resource. Deep-green conservationists and environmentalists argue that elephants and rhinos are too important to be left to the vagaries of national policy, especially when the range states intend to cull, trade

<sup>36</sup> *Herald* 18.6.97 'CITES: Three States Down But Not Out'; *Herald* 20.6.97 'At Last, the Ivory Trade War is Won!'; *Mail and Guardian* 27.6.97 'All Clear for Ivory Trade'.

or sport hunt them. Some environmentalists have argued that these species are so symbolically important that they are a world resource, which should be subject to international management and policy decisions. In turn, range states, such as Zimbabwe, view this as a new environmental imperialism, arguing that Zimbabwean people have to live with elephants and bear all the costs of keeping them, and so the state is the only entity that should decide their fate. Moreover, policy-makers in Zimbabwe felt aggrieved that control over policy decisions has been taken away from them and passed to the international community, which they perceived to be dominated by preservationists. It is clear that Zimbabwe's domestic conservation policy has to operate within an international context and that that context has proved to be a significant constraining influence on the operation of sustainable utilisation as a policy.

## CONCLUSION

Environmental politics is caught in its own rhetoric, because environmental interest groups seek to present conservation as a policy based on a kind of neutral science that has no social, economic or political impact, and those same interest groups mobilise distinctly political ideologies of the environment to justify their own position and to denounce the stance of their opponents. The 1997 Convention on International Trade in Endangered Species (CITES) conference provided a perfect example of this. CITES Chair, Nobutoshi Akao, opened the conference by stating 'it is not an emotional and single-minded pursuit of a specific philosophical approach to conservation which should prevail here. It is reason, logic and cool-headed judgement, based on scientific data, which should be the basis of our decisions.'<sup>1</sup> This statement assumed that there are such things as reason, logic and an apolitical science in the realm of conservation and yet, of all the interest groups and institutions involved in Zimbabwe's conservation policy, CITES is the most highly politicised, because it spans the local, national and global. The failure to recognise that appeals to reason, logic and neutral science are as much a political ideology of conservation as any other approach to wildlife is one of the worst aspects of environmental politics. CITES, like other decision-making bodies, formulates policies and takes decisions based on political lobbying, which, in turn, relies on emotion, philosophical standpoints and political manoeuvring. Furthermore, the involvement of politics, emotion and ideology in conservation is not necessarily a negative factor. Rather, local people, national governments and international institutions have to find a political accommodation for their conservation decisions, and a situation that all parties can live with can only be reached through political negotiation, not through a supposed apolitical science of biological conservation.

The highly politicised nature of conservation is equally the case in campaigns run by international environmental NGOs to save wildlife in

<sup>1</sup> *Pretoria News* 10.6.97 'Clash Looms at CITES Conference'.