

Assessing CITES: Four Case Studies

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INTRODUCTION

There are various factors that threaten the conservation status of wild species of fauna and flora. Among these, habitat conversion, fragmentation and destruction account for the most species losses. Excessive commercial exploitation accounts for a much smaller, but still significant, proportion of losses. CITES is intended to protect those species that are threatened by excessive commercial exploitation. To do this, it focuses on a very narrow aspect of commercial exploitation, namely transactions that take place across international borders (ie, international trade). CITES is not designed to address issues such as supply mechanisms, domestic trading regimes or consumer demand. CITES is, therefore, very limited in its potential effectiveness as a conservation tool. Not only does it fail to address issues of habitat loss, but it also fails to create mechanisms to control the supply of wildlife products and it has no direct means to influence consumer demand. As currently structured, CITES operates as a largely restrictive mechanism rather than as an enabling one. Implicit in its existing structure is an assumption that all trade is somehow bad for conservation unless proven otherwise. CITES measures, therefore, tend to emphasize limitations on trade rather than ways to facilitate trade that may ultimately enhance the status of wild species.

In theory, CITES is supposed to supplement, not replace, effective control of the supply of wild species (field protection). In practice, however, there are many cases where field protection is completely lacking and CITES provides the only readily available mechanism for controlling commercial exploitation.

Can CITES trade measures replace the need for effective field protection? The following four case studies suggest that it cannot. Each of

these cases highlights serious shortcomings of the existing CITES mechanism and they offer some insights that can be used to design more effective wildlife trade regulation policies and mechanisms.

CASE STUDY I: RHINOS

Background

There are five extant rhino species, two in Africa and three in Asia. The African species are the black rhino and the white rhino. Black rhino numbers have dropped from an estimated 65,000 in 1970 to about 2,600 in 1998. In the last six years numbers have increased in three range states: South Africa, Namibia and Kenya. Elsewhere, they continue to decline. There are two separate populations of white rhino. The northern population declined from some 2,000 in 1970 to a single population in Zaire of 17 in 1984. Since then this population has increased to about 25 and remains highly endangered. The southern white rhino was almost extinct at the turn of the century and was reduced to a single population of perhaps 20 animals in the Hluhluwe-Umfolozi district in South Africa. However, with careful management numbers have grown to some 8,440 today, and continue to increase.

The Asian species are the Indian, Javan and Sumatran rhinos. Indian rhino numbers have fluctuated; there was an increase in the early 1980s followed by a decline in the late 1980s and another recovery in the 1990s to a level of 2,041 animals by 1998. Javan rhino numbers appear to have remained fairly stable over the last decade or two, at some 70 animals. Sumatran rhino numbers have dropped considerably during the 1990s from an estimated 600–1,000 to the existing level of about 400.

In Africa, black and white rhinos were widely exterminated by hunting until conservation measures were implemented. Subsequently, rhinos have been eliminated by poaching for their horn. In Asia, the forest-dwelling Javan and Sumatran rhinos have been largely eliminated through habitat loss, although poaching for rhino products has also played a role. Indian rhinos have been affected by habitat loss, hunting and poaching for horn.

Rhino horn is a highly sought-after commodity. The horn of both Asian and African species is used as an ingredient in traditional Chinese medicines, to treat serious fevers and various other ailments. African horn is also used in Yemen to carve traditional dagger handles.

Other rhino body parts are also used in traditional medicines, especially in Southeast Asia where virtually every single body part has some use.

Ironically, the southern white rhino was probably the rarest of all rhino species and subspecies at the turn of the century, whereas today it is more numerous than all the other rhino species put together. The southern white rhino is the only true rhino conservation success story and in examining CITES' policies towards rhinos it is worth considering the factors that have contributed to this success and contrasting these with the factors that have led to the decline of all other rhinos.

CITES measures

The white rhino and the three Asian species were listed on CITES Appendix I at the founding conference in Washington DC in 1973. The black rhino was moved to Appendix I in 1977. After the Appendix I listings, the price of rhino horn rose dramatically in all consumer markets. For example, in Japan, recorded import prices per kg increased from US\$75 in 1976 to US\$308 in 1978; in South Korea prices increased from US\$49 in 1976 to US\$355 in 1979 and US\$530 in 1981; and in Taiwan they rose from US\$17 in 1977 to US\$477 in 1980. In Yemen, the wholesale price of horn increased from US\$764 in 1980 to US\$1,159 in 1985. Trade continued despite the ban and demand was further fuelled by speculative stockpiling (T Sas-Rolfes, 1995).

The Appendix I listings of all rhino species had no discernible positive effect on rhino numbers, and did not seem to stop the trade in rhino horn. If anything, the Appendix I listings led to a sharp increase in the black market price of rhino horn, which simply fueled further poaching and encouraged speculative stockpiling of horn. Recognizing the failure of the Appendix I listing, in 1981 the Parties at the third Conference of the Parties passed a resolution (Resolution Conf 3.11) on the rhino horn trade. This resolution called on nations that were not Parties to CITES to also take measures to prevent the international trade in rhino products, and it called for a moratorium on the sale of all government and parastatal stocks of rhino products. Subsequent to this resolution, rhino poaching and trade continued unabated in most African countries. For example, between 1981 and 1987 Tanzania's black rhino population dropped from 3,795 to about 275 and Zambia's dropped from 3,000 to just over 100 (Milliken, Novell and Thomsen, 1993).

The obvious failure of Resolution Conf 3.11 prompted a further resolution to be passed at the sixth Conference of the Parties (COP) in 1987. This resolution (Resolution Conf 6.10) called for even stricter measures, including the complete prohibition of trade in all rhino products, both internationally and domestically. It also called for the destruction of government stocks of rhino horn, and suggested that affected countries should be financially compensated for destroying their stockpiles. Since the 1981 Resolution had been ignored by the governments of several countries the new resolution recommended that Parties should exert political, economic and diplomatic pressure on any countries that 'continued to allow the trade in rhino horn'. This later resolution was again ignored by several consumer countries and range states. Most range states refused to destroy their stockpiles of rhino horn and several key consumer countries failed to implement domestic legislation. Rhino horn trade and poaching continued: for example, Zimbabwe's black rhino population was reduced from 1,750 animals in 1987 to 430 in 1992, despite a policy of shooting poachers on sight. To protect its remaining rhinos, the Zimbabwean Wildlife Department had them all dehorned and moved to a few intensive protection zones, where they remain under constant surveillance by heavily armed guards.

Dissatisfied with the performance of the CITES ban, the governments of South Africa and Zimbabwe concluded that it would make more sense to allow a controlled legal trade in rhino horn. Wildlife departments in both countries had obtained significant stockpiles of horn through seizures from illegal traders, dehorning operations and the retrieval of horns from dead animals. At the eighth COP in 1992 South Africa submitted a proposal to downlist its white rhino population to Appendix II and Zimbabwe did the same for both its white and black rhino populations. These proposals were all rejected by the conference.

In 1992 the United Nations Environment Programme (UNEP) appointed a 'special envoy for rhinos', and provided him with funding to visit various countries to persuade their governments to abide by CITES. At the same time, the US government threatened four consumer nations with trade sanctions under the Pelly Amendment. This piece of US legislation empowers the US President to suspend all wildlife and fisheries trade between the US and any country considered responsible for diminishing the effectiveness of an international treaty designed to protect a threatened or endangered species. Governments of consumer nations responded to these pressures by passing laws and intensifying efforts to control illegal trade, but these efforts only served to drive the trade further underground.

In 1993 UNEP held a meeting in Nairobi to raise funds for rhino conservation. At the meeting, the range states requested US\$60 million in emergency funds over the next three years, but only US\$5 million were pledged over the next 12 months. South Africa reiterated its belief that a legal trade in rhino horn offered a potential solution, because sales of legally held rhino horn stockpiles could provide a substantial source of revenue to conservation agencies.

In South Africa, the Natal Parks Board ably demonstrated how effective commercial use and management could enhance the status of rhinos. After initially reintroducing white rhinos to many state parks and reserves, the Natal Parks Board embarked on a programme to re-establish white rhino populations on private land. White rhinos became increasingly popular among private landowners as a 'draw-card' species, both for trophy hunting and non-consumptive tourism (ie, for game-viewing purposes). Since 1986, the Natal Parks Board has auctioned white rhinos to the private sector. In 1990, the Natal Parks Board also started auctioning black rhinos. Increased demand and rising prices for live rhinos have ensured that private landowners have a strong incentive to conserve and breed rhino populations. At the time of writing, at least 20 per cent of the white rhino population in South Africa is in private hands. Tourist viewing and trophy hunting revenues have been considerable and have mostly been reinvested in rhino conservation. The Natal Parks Board has also raised considerable revenues from its auctions, the proceeds of which are also reinvested directly into conservation.

After an initial meteoric rise, the prices of live white rhinos started to stabilize in the early 1990s. In 1994, at the ninth COP, South Africa again applied to have its white rhino population downlisted to Appendix II, subject to an annotation. The annotation provided that only live animals and trophies would be traded commercially. All other trade would continue to be prohibited. To the surprise of some this proposal passed comfortably. What effect did this have? At the subsequent 1995 Natal Parks Board auction, the average price of a live white rhino once again increased. This was certainly because the market for live white rhinos had been expanded to allow international bidders to participate in the auction. The outcome of the Appendix II downlisting was thus positive for conservation, as the Natal Parks Board was able to generate further revenues. At the tenth COP in 1997, South Africa applied to CITES to change the Appendix II annotation to allow for trade in parts and derivatives, but with a zero quota. This proposal was not accepted by the required majority of parties.

Lessons

The CITES Appendix I listing of all rhino species failed to stop either trade or poaching. With the exception of the southern white rhino, all rhino species appear to remain critically threatened. Although poaching levels have dropped in recent years and some populations appear to be increasing, it is not clear that this is as a direct consequence of the successful implementation and enforcement of CITES. Where there have been successful rhino conservation efforts, it appears to have more to do with high levels of field protection than with the successful implementation of CITES policies. So, if consumer demand for rhino horn should rise again in the future, the consequences for wild rhino populations could be dire. Conservation agencies would need to find increased funding for field protection at a time when the budgets of most conservation agencies are being reduced. This raises the question of where the increased funding is to come from.

The South African experience with the southern white rhino suggests a possible way forward. There, white rhinos have provided a source of revenue for their owners, and this has provided the incentive and the means to invest in rhino conservation. The next step may be to allow South Africa to sell legal stockpiles of horn. This is what the Natal Parks Board has been investigating. Unfortunately, however, the CITES system is steeped in politics. All South Africa's proposals to resume trade were rejected, either because there were no immediate or direct benefits for other range states with limited field protection measures in place, or because environmental lobby groups were concerned with the effect on more contentious proposals, such as the re-establishment of a legal ivory trade.

CASE STUDY 2: ELEPHANTS

Background

There are two extant elephant species, the African elephant and the Asian elephant. The African elephant definitely survives in nineteen range states and possibly in another eighteen. The Asian elephant survives in thirteen range states. African elephant numbers are thought to have dropped from more than 1.3 million in 1979 to roughly 632,000

in 1989, and were thought to be between 286,000 and 580,000 in 1995. Scientists estimated the Asian elephant population at between 30,000 and 55,000 animals in 1990.

The main cause for the African elephant's decline has been poaching for ivory. In contrast, the main cause for the Asian elephant's decline has been habitat loss and encroaching human population. Habitat loss and human encroachment is also a factor affecting the African elephant in some parts of its range and will become increasingly important in the future. Only fully mature Asian elephant bulls have tusks sufficiently large to be attractive to poachers; ivory poaching constitutes a lesser, but still significant, threat to Asian elephants. Both African and Asian elephants are also poached for their meat and hide in some parts of their range.

Traditionally, elephant ivory has been widely used for ornamental purposes. The demand for ivory is strongly entrenched in Asian culture. In Japan, ivory is especially prized for making traditional personal seals called hankos. Japan, Hong Kong and Singapore have been major centres for working ivory to make ornaments. Although previously substantial, the demand for worked ivory and ivory ornaments has dropped considerably in Europe and North America since the 1989 ivory ban. During the 1980s demand for ivory increased strongly in Asian countries such as South Korea and Taiwan (Barbier, Burgess, Swanson and Pearce, 1990) and there is evidence that this demand persists.

CITES Measures

The Asian elephant was listed on Appendix I at CITES inception. The African elephant was initially listed on CITES Appendix II, in 1976. This listing clearly failed both as a trade measure and as a conservation measure. In an attempt to make the listing more effective, special resolutions were passed at the third, fourth, fifth and sixth Conferences of the Parties.

At the fifth COP the Parties introduced a management quota system which took effect in 1986. A subsequent study by the Ivory Trade Review Group (ITRG) revealed that neither the management quota system, nor any of the earlier CITES resolutions were sufficient to control illegal poaching and trade. They concluded that the CITES Appendix II listing of the African elephant had been a failure. 'Weak management and enforcement capacity' was cited as the key reason for this failure.

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ENDANGERED
SPECIES
**THREATENED
CONVENTION**

THE PAST, PRESENT AND FUTURE OF CITES,
the Convention on International Trade
in Endangered Species of Wild Fauna and Flora

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