

The following article was first published in *International News for CAMPFIRE*, April 1997, by the Harare-based NGO Africa Resources Trust, and is reproduced with the author's permission. At the time of writing, the author was Project Manager of Africa Resources Trust, and had represented Africa on the CITES Animals Committee since 1992. Simon Ward contributed to this report.

## CITES: Authority Without Accountability or Responsibility

By Dr. Jon Hutton

If the Convention on International Trade in Endangered Species (CITES) did not exist it would have to be re-invented, but many of its signatories, from Africa in particular, would prefer to do without than re-invent it in its current form.

CITES was created in 1973 as an honest attempt to address what was then perceived to be a major conservation problem: international trade. Our understanding of conservation has grown since, and with it our awareness that not only has international trade never driven a species to extinction, but only rarely has it even been a major contributing factor. The principal cause of extinction, we now know, is the introduction of alien species to islands (three-quarters of the United States' extinct plants and birds once lived only in Hawaii), followed by habitat loss and then hunting, primarily for the pot. International trade ranks a distant fourth.



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Nonetheless, CITES' membership has grown to 130 nations who gather biennially at a cost of up to US\$6 million, to discuss a comparative non-issue, while there is still no convention addressing introduced animals, and, until the Biodiversity Convention came along, none addressing habitats either. The reason for this high level of interest is that CITES has become a tool for the developed world's booming animal protection industry to pursue an agenda fundamentally at odds with that of the Convention: the prohibition of trade.

CITES controls trade by placing species on lists called Appendices, the most restrictive being Appendix I. Species listed here are considered "endangered" and international trade in them is forbidden unless: i) the purpose is "non-commercial", such as live animals for breeding or zoos, or trophies derived from sport hunting (which are considered non-commercial because influential nations fudged the rules), or ii) both the exporting and importing countries have filed reservations against the listing of the species in question.

For animal protection NGOs, an Appendix I listing for their preferred species has become a Holy Grail that can be sold to donors as a major victory for conservation. Meanwhile, voting governments with no vested interest in a species find it politically expedient to concede to NGOs' demands in return for cheap green points that can be cashed in when it comes to tackling real issues, such as pollution.

### North vs. South

In practice, however, it is not a simple case of wildlife traders being put out of business. Rather, it is a case of developing countries bowing to the will of the industrialised world. CITES has become a battleground between North and South, on which developed countries - and those seeking their favours - assume all of the authority to impose trade bans on Southern resources, but none of the costs. In contrast, when Northern resources come under scrutiny, such as happened in 1992 when protection was proposed for bluefin tuna, backroom deals between governments and vested interests ensure the status quo is preserved.

The feeling of persecution which this engenders in the South is fuelled by countless small, but jarring, inconsistencies which, even if they don't always fit the convenient North vs. South paradigm, suggest the importance of geopolitical and/or economic clout in determining who controls trade. The depleted sturgeon, for example, is unprotected and likely to remain so; CITES permits for caviar, or even its prohibition, are surely the stuff of fiction. In contrast, all parrots are on Appendix II and many are on Appendix I, even though the range states often opposed their listing, because the protection of birds is an important fundraising issue for many northern NGOs.

There are inconsistencies in the treatment of Southern wildlife too, but the significant ones - exemptions to trade bans - all serve Northern interests. Endangered species flow virtually unimpeded to Northern laboratories and zoos, and Northern hunters demand their trophies and get them. While these exemptions may, coincidentally, benefit Southern countries, they would never be allowed if demand came from the South alone.

The South is also required to accept the popular new ethic of non-consumptive use of wildlife, notably eco-tourism, as an alternative rather than a complement to consumptive use. With each new CITES ban, eco-tourism comes closer to being the only alternative, causing Dr. Mostafa Tolba, then executive director of the U.N. Environment Programme, to warn CITES in 1992: "There are complaints - loud complaints - from a number of developing countries, that the rich are more interested in making the Third World into a natural history museum than they are in filling the bellies of its people."

## Compelling Myths

In the interests of conservation, equity and, most important, filling those bellies, CITES must now be brought back on track, and this means countering two compelling myths on which many of its decisions seem to be based. The first is that consumptive use of wildlife is incompatible with conservation. The second is that even if legal trade in wildlife is sustainable in theory, it cannot be controlled and inevitably spawns unsustainable illegal trade.

One example that simultaneously debunks both fallacies is the rhino.

CITES banned trade in rhino horn as long ago as 1977, when the black rhino population was faltering at about 67,000. Yet after nearly two decades of protection, poaching has reduced that number to perhaps 3,000 today. Clearly, the relation between legal and illegal trade is not as straightforward as some would believe.

Now contrast this with the white rhino. A hands-off approach to the few remaining animals in Zaïre has been hailed as a conservation disaster, but in South Africa, where white rhinos had all but disappeared by the 1950s, the story is different. Finding that hunters would pay thousands of dollars to shoot just one animal, and with a CITES exemption on the movement of trophies, ranchers began breeding rhino and today oversee herds numbering over 7,000.

Rhino ranching has clearly demonstrated how use of a natural resource can benefit both man and the resource itself, without succumbing to the predations of poachers. But what about a free-ranging and numerous species such as the elephant? Can trade in ivory, banned since 1989, ever achieve the same level of control? Rather than the categorical "no" heard from animal protectionists, the answer is a tentative "yes".

Granted, poaching does pose special problems at the point of production, but once ivory enters trade it should be no harder to control than all the precious metals and gems Africa ships world-wide every day. "History speaks otherwise!" cry the protectionists, but the fact is that before the ivory trade was banned, both the supply and demand sides were aware of the illegal trade but lacked the political will to stop it. However, southern Africa, the only region with a serious interest in resuming trade, has that political will, and furthermore has developed methods - such as "finger printing" of tusks or the attaching of holograms - that promise an equivalent of hall marks for gold or serial numbers for bank notes.

These new methods deserve to be tested, but the general rule with bans on wildlife use is that once they are in place, they are hell to get rid of.

Southern Africa's range states have already gone through every hoop CITES could invent, culminating in a visit by a panel of experts which adjudged the elephant populations and control mechanisms of two of them to meet the criteria for downlisting. On the strength of this, in 1992 they asked for a "split listing" that would put their populations on Appendix II but leave others on Appendix I. But CITES moved the goal posts and, with no supporting evidence, rejected the proposal on the grounds it could harm the recovery of east African populations.

These same governments have also suffered affronts to their dignity, notably insinuations that they are at best administratively inept, and at worst inherently corrupt. Sometimes these are vocalised, sometimes they take less overt forms. The U.S. Endangered Species Act, for example, incorporates a CITES rule requiring countries exporting Appendix I species to show "non-detriment" to the population. But in addition, it requires the importing country to go further and demonstrate benefit. CITES rules are not tough enough for the U.S., and the scientific findings of Southern countries must be duplicated because they are untrustworthy.

## Wasted Resource

Against this backdrop of demeaning treatment, why all the fuss about elephants?

In part, the answer is that this "charismatic megafauna" now ranks alongside whales as a symbol for the animal protection movement. CITES regulates trade in myriad species and passes most rulings without fanfare, but like all omnipotent rulers history will judge it by the wars it has fought. That war has been over elephants, into which so much energy has been channeled that UNEP's Tolba also warned CITES it had come "dangerously close to being a one-species show."

The other half of the answer is that elephants represent a resource with tremendous potential for alleviating poverty, now being wasted.

Elephant numbers have been falling gradually in many range states for perhaps a century, primarily because of habitat loss, but in the 1970s and '80s this trend accelerated sharply, particularly in east Africa, with the onset of rampant ivory poaching. In southern Africa, however, elephants survived relatively unscathed, such that Zimbabwe today has a growing population of about 65,000, or 35,000 more than the number considered optimum by the government. Yet despite this, CITES banned trade in elephant products because some populations - not the species - were considered endangered.

In the case of Zimbabwe, this meant the loss at a single stroke of revenue equivalent to 28% of the budget of its Department of National Parks and Wild Life Management. It also lost one of the key resources for its nascent Campfire Programme.

Campfire - or "Communal Areas Management Programme for Indigenous Resources" - was launched in 1987 to give rural communities control over the harvesting of their resources, with emphasis on communities on marginal agricultural land but with wildlife. By allowing these communities to harvest their wildlife, it was reasoned, they would convert less habitat to agriculture and actively police against poaching, thereby benefiting both the wildlife and themselves.

Campfire is today acclaimed as a sustainable use success story, but its gains have come with almost all its eggs in one basket: sport hunting. Generating 90% of Campfire's cash income, hunting provides a precarious economic foundation, especially as many animal protectionists would gladly see even this exemption under CITES removed. But if trade in elephant products were to reopen, not only would revenues grow, the flow would also become steady rather than seasonal, and a broader economic base would offer the security needed to invest in the future.

The most valuable resource denied Campfire is, of course, ivory. Zimbabwe currently has in storage 33 tons, mainly derived from problem animal control, with an estimated value on the international market of nearly US\$4 million. Of this, half belongs to impoverished rural communities. Yet CITES has effectively frozen their strongest asset, and rendered meaningless the accumulation of more.

They have also been denied another easily forgotten market: elephant hide. Logistical requirements that include trucks, sackloads of salt, and a lot of time had always ensured the hide trade stayed legal, but the CITES ban on trade in "elephant products" makes no distinction between hide, ivory or elephant-tail fly swatters. And the loss is significant: in 1988 Zimbabwe earned US\$1.77 million from hide exports, compared with just over US\$2 million for ivory. With hide now being produced only as a by-product of problem animal control and sport hunting, output is way down, yet even so, at pre-ban prices Campfire communities lost the right in 1992 to earn an estimated US\$93,000.

To put this in perspective, the legal minimum wage for Zimbabwe's seasonal farm labourers is US\$1.20 a day, and many work for half that. Yet CITES imposes trade bans on these and other impoverished Southerners, assuming all of the authority and none of the responsibility. Authority without responsibility, of course, is not the recipe for good conservation. It is the recipe for abuse.

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