

18 July 2024

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**Re: Environmental Investigation Agency Comments on the Draft Biodiversity Management Plan for Black Rhinoceros (*Diceros bicornis*) and White Rhinoceros (*Ceratotherium simum*) in South Africa**

The Environmental Investigation Agency (EIA) welcomes the opportunity to submit comments and recommendations to the South African Department of Forestry, Fisheries and the Environment (DFFE) on the draft Biodiversity Management Plan for Black Rhinoceros (*Diceros bicornis*) and White Rhinoceros (*Ceratotherium simum*) in South Africa in terms of Government Notice 4980 of 18 June 2024 (Government Gazette 50829).

EIA is an international organization with offices in Washington, DC and London, UK that campaigns against environmental crime and abuse. Our investigations focus on transnational organized wildlife crime, with a focus on rhinos, elephants, Asian big cats, and pangolins. EIA has worked to protect species like white and black rhinos from poaching and illegal trade for nearly four decades.

## Introductory Comments

EIA remains alarmed by the ongoing rhino poaching and rhino horn trafficking affecting white and black rhinos in South Africa and throughout the rest of their range in Africa, and we therefore welcome the production of this draft Biodiversity Management Plan (BMP). Given EIA's decades of experience working to protect threatened species from illegal trade and related crimes, our comments focus primarily on the trade components of the BMP.

As the BMP rightly recognizes, organized criminal syndicates are responsible for rhino poaching and trafficking rhino horn from Africa to meet consumer demand in Asia, and it is this poaching and rhino horn trafficking that pose the greatest threat to the continued survival of white and black rhinos. Sadly, South Africa remains engulfed in a rhino poaching crisis as evidenced by the severe, record-breaking rates of illegal rhino killings in KwaZulu-Natal in recent years.<sup>1</sup>

It is therefore deeply concerning that a central tenet of the BMP appears to be the promotion of commercial rhino horn trade – both domestic and international. The proposed Actions under Objectives

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<sup>1</sup> EIA. (2024). Another Devastating Year for Rhinos in KwaZulu-Natal, South Africa. Available at: <https://eia.org/blog/another-devastating-year-for-rhinos-in-kwazulu-natal/>

4 and 5 aim to facilitate rhino horn trade, despite the fact that the BMP refers to the need to meet the prerequisites identified under Option 3 of the Committee of Inquiry (COI) before rhino horn trade can be considered. Indeed, fully realizing the COI Option 3 prerequisites before considering rhino horn trade is also enshrined in the Policy Position on the Conservation and Sustainable Use of Elephant, Lion, Leopard and Rhinoceros, for which the BMP is ostensibly a vehicle for implementation.

The BMP is riddled with contradictions with respect to its stated aims and proposed actions relating to rhino horn trade. The draft Plan struggles to reconcile reducing demand for rhino horn with promoting trade in rhino horn, which inherently requires *increasing* demand. This core issue also features in South Africa's draft National Biodiversity Economy Strategy (NBES), with its goals that are "directly pertinent" to the BMP, which describes the need to generate new demand for rhino horn by creating a rhino horn market targeted at foreign tourists from Asia.

The BMP envisions that upon implementation, "rhino conservation decision-making, practice and sustainable use is evidence based," yet there is *no evidence* to suggest that unleashing domestic and international trade in rhino horn – especially prior to achieving the COI Option 3 prerequisites – will alleviate poaching pressure and reduce demand. The draft Plan predicts the reduction of poaching and trafficking, increasing metapopulations of both rhino species, and significantly mitigated demand risk, but fails to explain how promoting trade in rhino horn and rhino horn products will produce these results.

It is alarming that the DFFE seems to believe that achieving the COI Option 3 prerequisites should only apply to the pursuit of international rhino horn trade and not domestic rhino horn trade. While the provisions on future international rhino horn trade are accompanied throughout the BMP by the caveat that a legal trade proposal to CITES will only be developed for approval once conditions stipulated by the COI are met, the BMP (and the NBES) call for immediate action to develop and implement domestic trade in rhino parts and derivatives without any precautionary reservations.

The BMP states: "At the time, the COI was strongly of the view that interventions in specific areas are essential for an effective response to rhino poaching in South Africa, irrespective of any stance on international trade in rhino horn." The five areas for intervention – security, community empowerment, demand management / reduction, biological management, and responsive legislative provisions that are effectively implemented and enforced – are critical for ensuring that South Africa mounts an effective response to rhino poaching.

To move forward with domestic rhino horn trade prior to achieving the COI Option 3 prerequisites while South Africa remains mired in a rhino poaching crisis would be incredibly dangerous and counterproductive to the stated Vision and Goals of the BMP.

The utilization and trade of rhino horn, either domestically or internationally, will not alleviate poaching pressure on rhinos. Instead, it will increase poaching pressure and illegal trade by stimulating demand, complicating enforcement efforts and providing opportunities to launder poached and other illegal sources of rhino horn onto legal markets. The evidence accumulated over decades of attempts to legalize trade in products from threatened wildlife is starkly clear on this fact not only for rhinos, but also for other species like elephants, pangolins, and tigers.<sup>2</sup>

**EIA strongly urges DFFE to amend the draft BMP so that all rhino horn trade-related objectives and actions instead promote demand reduction and the strict restriction of trade in order to**

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<sup>2</sup> EIA. (2012). Blood Ivory Available at: <https://eia-international.org/wp-content/uploads/EIA-Blood-Ivory.pdf>; TRAFFIC (2016). An Overview of Pangolin Trade in China. Available at: <https://www.traffic.org/publications/reports/pangolin-trade-in-china/>; EIA. (2013). Hidden in Plain Sight. Available at: <https://eia-international.org/wp-content/uploads/EIA-Hidden-in-Plain-Sight-med-res1.pdf>

**protect white and black rhinos from the main threat to their survival: poaching and illegal trade in rhino horn. Proposals to enhance and otherwise pursue domestic and international trade should be removed from the BMP.**

## **Comments on Objective 4 and Associated Actions**

EIA supports Objective 4, “To effectively manage / reduce demand for rhino derivatives,” in principle; however, many of the proposed aims and actions would undermine this objective if implemented.

For instance, the aim to achieve this objective via “enhance[d] domestic trade through local beneficiation of rhino and its derivatives” is wholly antithetical to demand reduction. Given the lack of any existing demand for rhino horn in South Africa (aside from speculative stockpiling), enhancing domestic trade will depend on increasing demand for rhino horn and rhino horn products. Stimulating demand for rhino horn will severely exacerbate the current threat to white and black rhinos posed by poaching and illegal trade, which are fueled by the very demand the BMP seeks to intensify.

While legal domestic trade in rhino horn may be confined within the borders of South Africa, the negative repercussions it will have on African and Asian rhino populations, organized crime, law enforcement efforts, and demand reduction will be global in scope. A radical shift in trade policies to actively undercut the CITES ban on international commercial rhino horn trade in one country will result in major enforcement challenges in all countries affected by the illegal rhino horn trade. This is especially true for South Africa, which is home to the majority of Africa’s rhinos and Africa’s stockpiled rhino horn.

When reading the BMP together with the NBES, it is clear that Asian tourists are a core demographic for enhanced domestic trade. The governments in countries that have historically hosted illegal consumer markets for rhino horn such as China and Vietnam have spent millions of dollars on awareness, demand reduction, and behavior change campaigns to eliminate demand for rhino horn, have strengthened their domestic legislation to prevent the trade and use of rhino horn, and have embraced a whole-of-government approach to enforcing legislation on wildlife protection, organized crime, and corruption to tackle the illegal trade in rhino horn and other illegal wildlife products. It is extremely doubtful that these countries will be willing to erase years of progress on countering rhino horn trade.

**EIA strongly recommends amending Objective 4 and its supporting actions so that they are aimed only at reducing demand for rhino horn and prohibiting trade.**

*BMP Proposed Action: Develop and implement a Demand Management Strategy which has mechanisms to overcome potential tensions between demand reduction & trade promotion*

The BMP fails to elaborate on any theory of change to explain how enhancing domestic trade in rhino horn will result in the envisioned reduction in poaching, trafficking, and risk of demand. Rather than explain how the paradoxical challenge of reducing demand through increasing trade will be surmounted, the draft Plan proposes to develop and implement a Demand Management Strategy that will “overcome potential tensions between demand reduction and trade promotion.” The BMP is silent on the approach such a strategy will take to overcome these tensions.

The BMP proposes an incredibly ambitious deadline of June 2025 for completion and approval of the Demand Management Strategy. Given that a decade has passed since the COI was appointed in 2014 and the demand management / reduction area for intervention has seen “the least implementation

progress” according to the BMP, the June 2025 timeline for completion of the Demand Management Strategy seems impracticable.

**EIA recommends this action be amended so that the Demand Management Strategy focuses solely on demand reduction to support global anti-rhino horn trafficking enforcement efforts and behavior change campaigns aimed at eliminating demand for rhino horn.**

*BMP Proposed Action: Develop and review MoUs with rhino horn transit and user states.*

The BMP fails to provide any details on what the expected aims and content of new MoUs would entail, nor does it provide the names of any transit or “user” states with which South Africa does not already have an MoU and may seek to develop new MoUs. EIA is not opposed to the development of new MoUs in principle, however any MoU that seeks to promote or facilitate trade in rhino parts and derivatives would be detrimental to rhino conservation.

**EIA recommends that any future MoUs and/or other bilateral agreements focus on law enforcement cooperation to enable effective intelligence sharing and collaboration on investigations into transnational organized criminal networks involved in the trafficking of rhino horn and other illegal wildlife products. MoUs should avoid promoting or facilitating trade in rhino parts and derivatives.**

*BMP Proposed Action: Undertake or commission studies in consumer markets to better understand consumer patterns, attitudes, and behaviors*

There have been numerous government and NGO studies focused on rhino horn consumption and consumer attitudes that are available in the public domain (for example USAID in 2018,<sup>3</sup> TRAFFIC in 2018,<sup>4</sup> TRAFFIC in 2021,<sup>5</sup> USAID in 2022<sup>6</sup>). There is no need to dedicate limited resources to conducting yet another study on these issues, much less a study every three years as proposed in the BMP.

The conservation and enforcement efforts undertaken by South Africa and other rhino range states, transit countries, and countries with illegal rhino horn markets have made significant progress in the global movement to eliminate rhino poaching and rhino horn trafficking. Awareness of the illegality and conservation impacts of rhino horn trafficking is at an all-time high, organized trafficking networks are being dismantled, and rhino populations in some countries are increasing.

Moreover, it is unclear what purpose these studies would serve. Prior studies on attitudes and changes in behavior of rhino horn consumers have been aimed at supporting demand reduction initiatives. Conducting such studies for the purposes of market research to facilitate the development of a domestic rhino horn market in South Africa targeted at foreign tourists, which seems like a strong possibility when considering this proposed action with the rest of the proposed actions and objectives in the BMP, would be a gross misuse of resources and blatantly contravene CITES Resolution Conf. 9.14 (Rev. CoP19), which urges Parties affected by rhino poaching and trafficking to “as a matter of priority work with all user

<sup>3</sup> USAID. (2018). Research Study On Consumer Demand For Elephant, Pangolin, Rhino And Tiger Parts And Products In China. Available at: [https://www.usaidrdw.org/resources/reports/inbox/usaidthina\\_wildlife-demand-reduction\\_english\\_presentation\\_june12\\_2018\\_final.pdf](https://www.usaidrdw.org/resources/reports/inbox/usaidthina_wildlife-demand-reduction_english_presentation_june12_2018_final.pdf)

<sup>4</sup> TRAFFIC. (2018). Consumer Demand for Rhino, Elephant, and Pangolin Products in Vietnam. Available at: <https://www.traffic.org/publications/reports/consumer-demand-for-rhino-elephant-and-pangolin-products-in-vietnam/>

<sup>5</sup> TRAFFIC. (2021). Illegal wildlife trade and consumer demand reduction efforts in Thailand: A Situation Analysis. Available at: <https://www.traffic.org/publications/reports/illegal-wildlife-trade-and-consumer-demand-reduction-efforts-in-thailand-a-situation-analysis/>

<sup>6</sup> USAID. (2022). Review of USAID Wildlife Asia Social and Behavior Change Communication (SBCC) Campaigns. Available at: [https://www.usaidrdw.org/resources/reports/inbox/review-of-uwa-sbcc-campaigns\\_sep-2022.pdf/view](https://www.usaidrdw.org/resources/reports/inbox/review-of-uwa-sbcc-campaigns_sep-2022.pdf/view)

groups and industries to develop and implement well targeted strategies for reducing the use and consumption of rhinoceros parts and derivatives, with the aim of achieving measurable change in consumer behavior.”<sup>7</sup>

**EIA recommends this proposed action be removed from the BMP.**

*BMP Proposed Action: In collaboration with TRAFFIC, implement a monitoring system to gather information relating to prices paid to poachers and the quantity of horn traded.*

As with the previous proposed action, it is unclear how implementing a monitoring system for the price and amount of trafficked rhino horn would contribute to reducing demand for rhino derivatives. Moreover, it is unclear why DFFE is proposing to work with an independent NGO to obtain this information rather than request this information from the South African Police Service and other enforcement agencies in South Africa.

**EIA recommends this proposed action be removed from the BMP.**

*BMP Proposed Action: Set criteria, monitor, and report on progress towards targets that will give effect to the Rhino COI Option 3 requirements to be met for potential commercial international trade in rhino horn to take place.*

EIA is firmly opposed to international commercial trade in rhino horn because of the negative impacts it would have on rhino poaching and rhino horn trafficking. Nevertheless, a system to monitor and evaluate progress toward achieving the interventions identified under Option 3 of the COI would be beneficial.

**EIA recommends a system to monitor and evaluate progress toward achieving COI Option 3 targets should be totally separate and uncoupled from any consideration to pursue international commercial trade in rhino horn.**

*BMP Proposed Action: Develop proposal for legal international trade in rhino horn from protected wild rhinoceros for conservation purposes for Cabinet approval once conditions stipulated by the COI are met.*

EIA reiterates its firm opposition to any commercial trade in rhino parts and derivatives. Legal trade in rhino horn does not alleviate poaching pressure on rhinos, but instead increases poaching pressure and illegal trade by stimulating demand, complicating enforcement and providing opportunities to launder poached and otherwise illegal rhino horn onto legal markets.

While recognizing that funding is crucial for conservation, the idea that international commercial trade in rhino horn will generate consistent and sustainable funds for conservation and communities is a simplistic, one-dimensional, and unsustainable intervention to multi-faceted issues including, but not limited to, stimulating and maintaining rural economies and addressing socio-economic issues such as poor governance and corruption.

At the past three CITES CoPs in 2016, 2019, and 2022, CITES Parties voted overwhelmingly to uphold the ban on international commercial rhino horn trade, indicating that there is little support for authorizing

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<sup>7</sup> CITES Resolution Conf. 9.14 (Rev. CoP19) on the *Conservation of and trade in African and Asian rhinoceroses*. Available at: <https://cites.org/sites/default/files/documents/COP/19/resolution/E-Res-09-14-R19.pdf>

international commercial trade in rhino horn. Several Parties who made interventions cited their concerns that allowing international trade in rhino horn could incentivize poaching.

Given the potential for stimulating demand for rhino horn, and thus the potential for an increase in the illegal killing of rhinos, EIA believes that the promotion of international commercial trade as envisaged by the BMP does not meet the definition of sustainable use as set out in the White Paper, or as envisaged by section 1(1) of the National Environmental Management: Biodiversity Act, Act 10 of 2004. EIA further submits that this Policy approach does not meet the Duty of Care imposed by the White Paper regarding sustainable use.

EIA respectfully requests that DFFE refer to EIA's previous comment submissions for the Policy Position, High-Level Panel, NBES, and white and black rhino non-detriment findings for detailed arguments against commercial trade in rhino horn.

**EIA recommends that this proposed action be removed from the BMP, and that DFFE adopt a position against submitting or supporting a proposal to amend the CITES appendices to enable commercial international trade in rhino horn from any rhino range state, notwithstanding the complete implementation of COI Option 3 requirements.**

*BMP Proposed Action: Develop and implement a strategy for regulated domestic trade in rhino parts and derivatives*

EIA strongly opposes this proposed action and is disappointed that South Africa continues to promote the commercial value and consumptive utilization of rhino horn. Advocating for and instituting policies that promote trade in rhino parts and derivatives undermines the effectiveness of the CITES international commercial trade ban and directly contravenes Resolution Conf. 9.14 (Rev. CoP19) as explained previously in these comments.

According to the DFFE South Africa's existing, limited domestic rhino horn market is contributing to illegal trade. The DFFE has previously expressed its "serious concern that some of the rhino horn which was sold in terms of permits issued by the department as part of the legal domestic trade has been linked to illegal activities."<sup>8</sup>

One of the most high-profile cases of illegal trade facilitated by South Africa's legal domestic market involved the April 2019 seizure of 181 rhino horns that originated from the stockpile of a private rhino owner who operates the largest captive rhino breeding facility in South Africa.<sup>9</sup> The horns were being transported without the proper permits and were destined for "South East Asian markets" according to the official police statement.<sup>10</sup>

On 10 June 2020, the two suspects were convicted of illegal possession and transportation of rhino horn, and one suspect was also convicted of forgery.<sup>11</sup> The forgery charge related to documents authorizing the suspects to carry the horns on behalf of the buyer. The two men were ordered to pay small fines and received suspended prison sentences.

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<sup>8</sup> DEFF. 2019. Department of Environment, Forestry and Fisheries reports back on rhino poaching in first six months of 2019. Available at: [https://www.environment.gov.za/mediarelease/barbaracreecy\\_rhinopoaching\\_sixmonthreportback\\_july2019](https://www.environment.gov.za/mediarelease/barbaracreecy_rhinopoaching_sixmonthreportback_july2019)

<sup>9</sup> Beega, S. 2019. SA's largest private rhino breeder, John Hume, says seized horns are his property [Saturday Star]. Available at: <https://www.iol.co.za/saturday-star/sas-largest-private-rhino-breeder-john-hume-says-seized-rhino-horns-are-his-property-22221195>

<sup>10</sup> South African Police Service. 2019. Available at: <https://www.saps.gov.za/newsroom/msspeechdetail.php?nid=20103>

<sup>11</sup> DFFE. 2020. The department welcomes conviction and sentencing of two men for rhino horn smuggling. Available at: [https://www.environment.gov.za/mediarelease/rhinohorn\\_poachersconviction](https://www.environment.gov.za/mediarelease/rhinohorn_poachersconviction)

This case clearly demonstrates how South Africa's domestic rhino horn market is contributing to illegal trade and underscores how South Africa's domestic rhino horn trade regulatory framework can be exploited to facilitate international rhino horn trafficking. Moreover, microchipped horns have been seized abroad in countries like China, indicating that stockpiled horns are being trafficked internationally. It will be impossible to effectively regulate and trace the legal origin of worked rhino horn that has been carved into trinkets or ground into powder. These kinds of worked products will create an immense burden on South African enforcement agencies and enforcement agencies in all countries affected by rhino horn trafficking.

Corruption is recognized as key driver of illegal wildlife trade. The National Integrated Strategy for Combating Wildlife Trafficking identifies that wildlife trafficking has become a national security threat because "corruption linked to wildlife trafficking in South Africa is not only hampering the Government's ability to prevent wildlife trafficking, but has allowed criminal networks to establish criminal elements within government structures responsible for the detection, investigation and prevention of such trafficking." SANParks recently instituted an Integrity Management Plan for Kruger National Park due to the role corruption has played in the decimation of its rhinos, and a similar strategy is in development for implementation by Ezemvelo-KZN Wildlife at Hluhluwe-iMfolozi Park. Given the existing corruption issues, it is inevitable that creating new legal markets or expanding existing ones will only further embed corruption and increase trafficking.

Establishing a domestic trade in rhino horn would undercut decades of progress to put a stop to rhino horn trafficking achieved by South Africa and the rest of the global community, and would risk making South Africa an international pariah when it comes to the conservation of endangered species.

**EIA recommends that South Africa abandon the proposed action and introduce a new action to prohibit all commercial domestic trade in rhino horn.**

## **Comments on Objective 5 and Associated Actions**

EIA supports Objective 5, "To enhance legislative implementation and develop responsive legislation and policy," in principle; however, several of the proposed aims and actions would undermine existing protections for white and black rhinos by stimulating demand and encouraging trade in rhino horn.

*BMP Proposed Action: Analysis of existing legislation to identify gaps in conservation and sustainable use of rhinos including in addressing illegal activities and stumbling blocks to develop domestic markets*

EIA supports conducting an analysis of existing legislation to identify gaps in conservation including in addressing illegal activities, however we strongly disagree with the underlying premise of this proposed action, i.e., that existing legal provisions prohibiting domestic rhino horn trade are "stumbling blocks."

Existing restrictions on legal domestic trade in rhino horn were designed to mitigate the risk, as much as is possible, that legal trade in rhino horn facilitates or contributes to poaching and illegal trade. Rather than "stumbling blocks," these trade restrictions are safeguards against rampant trade that would lead to increased poaching and declining rhino populations, and there is room for improvement to further strengthen these protections.

In 2020, DFFE promulgated domestic rhino horn trade regulations which included explicit prohibitions on restricted activities, including the production and trade of worked rhino horn, small rhino horn pieces, and

rhino horn powder.<sup>12</sup> These commonsense trade restrictions were necessary due to the impracticality of effectively implementing a traceability scheme for modified rhino horn. Once a rhino horn is carved, cut, or ground into powder, it is impossible to verify its legality aside from conducting costly DNA testing. The risk of illegal trade and subsequent negative impacts on wild rhino populations did not justify pouring vast amounts of time and money into developing a risky and unworkable regulated market for worked rhino horn products.

Unfortunately, these regulations were withdrawn after a lawsuit was brought against DFFE for updates to TOPS regulations.<sup>13</sup> At time of writing, the domestic rhino horn trade regulations have not been reissued for implementation. This poses serious legal and enforcement risks for rhino horn trafficking.

**EIA recommends that DFFE promulgate the domestic rhino horn trade regulations, including the regulations for prohibited activities, as a matter of urgency, and that any analysis of existing legislation be applied to further strengthening South Africa’s legal protections for rhinos including restricting domestic trade in rhino parts and derivatives.**

*BMP Proposed Action: Develop a policy/legislation for the management of rhino horn stockpiles*

EIA supports the development and implementation of a consistent stockpile management and disposal policy for both government-held and privately owned rhino horn stockpiles. We further recommend that the stockpile management policy calls for destruction as the preferred management strategy, unless kept for legitimate enforcement and scientific purposes. At the very least, a rhino horn stockpile management policy and supporting legislation should provide stockpile owners an avenue for voluntary, legal destruction of their rhino horn.

Destruction is the most efficient management practice that addresses the high costs of securing stockpiles against theft. It also supports the CITES ban on trade in rhino horn by sending a powerful message that these wildlife products are not commodities to be bought and sold.

There is a significant amount rhino horn held in private hands in South Africa owing to an expectation from some stockpile holders that international and/or domestic trade will become an economically and legally viable option in the future, and due to the widespread adoption of dehorning as an anti-poaching tactic by government and private rhino managers. As of 2020, there were reportedly 27,641 kg of rhino horn in government stockpiles and 47,544 kg of rhino horn in private stockpiles.<sup>14</sup> EIA has also been informed by rhino conservation stakeholders in South Africa that the current legal framework makes it extremely difficult to legally destroy rhino horn stockpiles.

All rhino horn stockpiles are at risk of theft, and high security costs create an added burden for the private citizens and government agencies responsible for safeguarding ivory and rhino horn stockpiles. Indeed, in July 2023 South Africa experienced its worst rhino horn stockpile theft in years when thieves broke into North West Parks Board rhino horn storeroom and stole 51 rhino horns.<sup>15</sup>

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<sup>12</sup> DFFE. (2020). Notice Prohibiting the Carrying Out of Certain Restricted Activities Involving Rhinoceros Horn. Available at: [https://www.dffe.gov.za/sites/default/files/legislations/nemba\\_rhinohornrestricted\\_activitiesprohibition\\_q43386gon625.pdf](https://www.dffe.gov.za/sites/default/files/legislations/nemba_rhinohornrestricted_activitiesprohibition_q43386gon625.pdf)

<sup>13</sup> DFFE. (2023). Withdrawal of government notices published in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) in Government Gazette No. 47984 of 03 February 2023. Available at: [https://www.dffe.gov.za/mediarelease/creecy\\_withdrawalgovernmentnotices](https://www.dffe.gov.za/mediarelease/creecy_withdrawalgovernmentnotices)

<sup>14</sup> High-Level Panel. (2020). Report of the High-Level Panel of Experts for the Review of Policies, Legislation and Practices on the Matter of Elephant, Lion, Leopard and Rhinoceros Management, Breeding, Hunting, Trade and Handling. Available at: [https://www.dffe.gov.za/sites/default/files/reports/2020-12-22\\_high-levelpanel\\_report.pdf](https://www.dffe.gov.za/sites/default/files/reports/2020-12-22_high-levelpanel_report.pdf)

<sup>15</sup> EIA. (2023). Rhino Horn Stockpiles are Increasing – So is Their Role in the Illegal International Trade. Available at: <https://eia.org/blog/rhino-horn-stockpiles-are-increasing-so-is-their-role-in-the-illegal-international-trade/>

There have also been a number of private rhino owners, many of whom also possess significant rhino horn stockpiles, that have been linked to criminal activities involving rhinos and rhino horn trafficking. For instance, in 2019 two individuals were arrested and later convicted for their role in trafficking 181 horns sourced from a private stockpile and allegedly destined for Southeast Asia;<sup>16</sup> also in 2019, China seized a consignment of 245 kg of rhino horn in which several horns were microchipped, suggesting that at least some were derived from stockpiles;<sup>17</sup> in 2021 alleged rhino horn trafficker Dawie Groenewald was arrested once again for trafficking 19 rhino horns while out on bail for another case involving rhino horn trafficking;<sup>18</sup> and in 2023 a prominent rhino owner was arrested after his farm was raided and more than two dozen dead rhinos and 10 unmarked rhino horns were found on his property.<sup>19</sup>

Implementing a rhino horn stockpile management and disposal policy that endorses destruction of privately held stockpiles (with limited exceptions for enforcement and scientific purposes) will be challenging, especially while South Africa maintains its legal domestic rhino horn market and continues to support calls for legalizing international ivory and rhino horn trade in the future. However, a consistent stockpile management and disposal policy that streamlines protocols across the provinces for both the government and private sector will ease the regulatory burden for government agencies and private citizens and reduce the risk that rhino horn from stockpiles finds its way onto the illegal rhino horn market.

**EIA supports this proposed action and strongly recommends that the stockpile management policy call for the destruction of rhino horn stockpiles, unless kept for legitimate enforcement and scientific purposes.**

*BMP Proposed Action: Revise the CITES regulations in order to align to the Policy Position on rhinos*

EIA supports revising CITES legislation to align with most Policy Position actions for implementation for rhinos, specifically to phase out intensive management and captive breeding of rhinos for commercial purposes and to only authorize export of live rhinos to appropriate and acceptable destinations on the African continent.

EIA would further support revising CITES regulations to align with the Policy Position provisions that clearly set out a position against international commercial trade in rhino horn from any source, including from captive-bred rhinos. While the Policy Position leaves an opening to pursue commercial trade at CITES once COI Option 3 requirements have been met, EIA strongly recommends that updates to CITES regulations fully comply with CITES trade restrictions and leave no opening for international commercial trade in rhino horn while such trade is prohibited by CITES.

**EIA supports this proposed action in part, and further recommends that any updates to CITES regulations fully implement CITES trade restrictions on international trade in rhino horn.**

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<sup>16</sup> Carnie, T. (2020). 'I Want My Horns Back' Says Rhino Baron after Trade Deal Goes Pear-shaped. Daily Maverick. [online]. Available at: <https://www.dailymaverick.co.za/article/2020-06-14-i-want-my-horns-back-says-sa-rhino-baron-after-trade-deal-goes-pear-shaped/>

<sup>17</sup> EIA. (2023). Rhino Horn Stockpiles are Increasing – So Is Their Role in the Illegal International Trade. [online]. Available at: <https://us.eia.org/blog/rhino-horn-stockpiles-are-increasing-so-is-their-role-in-the-illegal-international-trade/>

<sup>18</sup> Viljoen, B. (2024). 14 Years on: Trial Date Set for Dawie Groenewald, Co-accused. Polokwane Review. [online]. Available at: <https://www.citizen.co.za/review-online/news-headlines/local-news/2024/03/08/dawie-groenewald-back-in-court-in-oct/>

<sup>19</sup> Ogao, E. (2023). US National Arrested in South Africa on Wildlife Trafficking, Weapons Charges. ABC News. [online]. Available at: <https://abcnews.go.com/International/us-national-arrested-south-africa-wildlife-trafficking-weapons/story?id=105995418>

## Comments on Enabling Conditions and Activities

EIA recognizes the urgent need for sustainable financing to support rhino conservation, management, and protection in South Africa, and therefore strongly supports activities to secure sustainable financing via alternatives to rhino horn trade. Indeed, providing tax incentives for those who safeguard rhinos on their property was one of the suggestions EIA offered when responding to specific questions posed by the High-Level Panel to EIA based on our written submission, and we are pleased to see this included in the BMP.

Effective communication is a critical enabling condition to secure public and government buy-in and resources for effective rhino conservation policies, implementing activities, and enforcement. In the past, South Africa has struggled to communicate a clear position on the issue of rhino horn trade to both domestic and international audiences. Unfortunately, the draft BMP perpetuates this communication struggle by attempting to walk a fine line between outright support for trade and endorsing restrictions on trade that would prevent legal markets from contributing to increased demand, poaching, and trafficking.

EIA strongly encourages South Africa to join the vast majority of CITES Parties, including Asian rhino range states and countries that have historically been consumers of rhino horn, by lending its full support to implementing the CITES ban on international commercial trade in rhino horn through the communication of clear policy positions against trade supported by domestic legislation that prohibits commercial trade in rhino parts and derivatives. By communicating unequivocally that South Africa supports the prohibition of commercial trade in rhino horn it will send a clear message to governments, civil society, and wildlife criminal actors that South Africa will do everything in its power to ensure that it will always remain a bastion for thriving, wild, and secure white and black rhino populations.