Template for Stakeholder Comments per White Paper Section: Written comments to whitepaper@dffe.gov.za by 11th November 2022.
Name of Stakeholder: FOUR PAWS in South Africa
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11th November 2022

Dear Director-General,

FOUR PAWS in South Africa greatly appreciates the opportunity to provide comments in response to the consultation on the revised Draft White Paper on Conservation and Sustainable Use of South Africa's Biodiversity published on the 28th of October 2022. As previously stated, we were encouraged by the intention set out in original Draft White Paper to transform the current status of conservation, animal welfare and the sustainable use of South Africa's biodiversity and wish to make further comments on this revision. This response will be based upon our submission to the previous Draft White Paper, the deadline for which was extended to September 2022.

We are the South African office of the international animal welfare organization, FOUR PAWS, which seeks to protect animals under direct human influence. Our expertise lies within the topic of big cat protection. Our work involves research into the commercial big cat industry i.e., the farming of lions and non-native tigers and the subsequent trade of big cats and their parts. Our most recent report was released at the beginning of 2022 entitled, *Year of the Tiger? Big cat farming in South Africa: the need for international action*. We also have extensive expertise in the rescue of captive-born big cats to our LIONSROCK Big Cat Sanctuary in the Free State, which has rescued over 100 big cats from exploitation. The facility is a True Sanctuary, meaning that no exploitation of animals occurs, there is no breeding, no trading, and no human interactions. The topic of big cats in South Africa will be the focus of our comments on this consultation.

In addition, we've taken the opportunity to share the results of a survey we have recently released on the perceptions of the South African public with regards to their opinions on the treatment of big cats in South Africa. The survey covers commercial trade, private keeping and trophy hunting. This is highly pertinent, given that lions and leopards were specifically included in the draft policy position on sustainable use and conservation of five iconic South African species, and that South Africa has implications on non-native species that are kept and traded in the country.

We were encouraged by the objective of the initial Draft White Paper to transform the current status of conservation of South Africa's biodiversity and applauded Minister Creecy and the Department for taking these important steps. However, there are a number of key progressive aspects of the previous draft that have been removed from this revision. These included the repeated indication of the significance of intrinsic value of biodiversity and the rhetoric throughout the original draft that we must recognize animal sentience, welfare and wellbeing and specific values such as the One Health/Welfare approach within legislation. Without these points we fear the Department has retracted much of the progressive commitments and instead has fallen back to an outdated anthropocentric-driven way of thinking, that puts economic value and commercial gain above intrinsic value, zoonotic disease prevention and the protection of biodiversity from exploitation. We hope our comments will help South Africa to establish itself as a leader in wildlife conservation.

Yours Faithfully,

Fiona Miles
Director

What do you see as main <u>benefits, Implementation/ Compliance costs and risks?</u>	What <u>amendments</u> do you propose?
General Comments	
The initial Draft White Paper on the Conservation and Sustainable Use of South Africa's Biodiversity published on 8 July 2022 (First Draft White Paper) clearly indicated the serious intent of the Department of Forestry, Fisheries and the Environment (Department) to make transformative changes to the way South Africa approaches biodiversity conservation. However, we are concerned that this second draft omits or, at the very least, places lessened importance on a number of key principles, such as nature's intrinsic value beyond economic worth. As stated in our previous comments, safeguarding nature & wildlife would, in itself, have significant economic benefits in the form of tourism, reputation and investor sentiment and we are concerned, both for the ramifications on South Africa's biodiversity and reputation. The acknowledgement of animal sentience within the first Draft of the White Paper, indicated that the Department sought to transform the sector with progressive leadership that would enable South Africa to effectively protect its renowned biodiversity, yet we are concerned about the consequences of this deviation from these improvements. This Draft White Paper seems to have taken on an anthropocentric-focused vision that seeks commercial gain and economic profit before conservation and biodiversity protection. We would like to reiterate our concerns of the very notion of sustainable use, throughout this response we will raise issues that were not addressed within the paper in relation to the recognition of sentience and the impacts on native and non-native big cat species. We are concerned that the paper now ceases to fully recognise animal welfare or acknowledge that South Africa is a signatory to the International World Organization for Animal Health (founded as OIE). Regardless, South Africa is a signatory and as such, must recognise animal sentience and accept that animals have the capacity to experience positive	We urge the Department to ensure that the key progressive steps that were outlined in the First Draft White Paper are included and afforded the same significance in subsequent drafts. There is a risk that South Africa will not position itself to truly transform the sector away from commercial models of exploitation and conservation only through economic profit. South Africa must take steps to truly recognise and include animal sentience, welfare, and well-being in law. In doing so, it must end not only the captive lion breeding industry, but the entire South African commercial big cat industry should be reformed. We would urge the Department to adopt the precautionary principle with regards to the sustainable use as a means to take preventative action, while the future that this current Draft of the White Paper remains uncertain. While we applaud the commitment South Africa has announced it will phase out the captive lion breeding industry, tigers (which are endangered and non-native to South Africa) are also intensively bred for a commercial trade in live animals and their body parts from and within South Africa. The species is of course sentient and has similar spatial and ecological needs to other big cat species. South Africa must take actions to ensure non-native species are protected. Of the South African public that were interviewed in our survey, 71% said that Government should include other big cat species in the proposed changes to legislation (phase out of the captive lion industry). Given the commercial big cat industry extends to South Africa's trophy hunting of leopards, we would urge the Department to consider how this White Paper, which previously contained progressive positions of animal welfare, sentience and well-being, contradicts the hunting of leopards and how to address this. Leopards are an Appendix I species in terms of CITES

and negative feelings including the feeling of pain and ability to experience suffering. This was previously reflected in the First Draft White Paper and worryingly has been omitted from this revised version. It should be noted that the captive lion breeding industry is in direct conflict with this notion. The lion breeding industry has been allowed to flourish and grow unregulated for decades and as a result, it has caused the unnecessary suffering and killing of thousands of animals. The welfare of a lion is a complex issue as the animals have vast spatial, social, and ecological needs. Needs that cannot be met when kept in enclosures that are a fraction of their home range in the wild and housed together in unnatural groupings and conditions that are vastly different to what any wild lion would experience. The conditions of the animals and keeping conditions are not the only welfare concerns but also the way they are bred, which has been documented many times to show inbreeding and a lack of genetic diversity and purity, doing the exact opposite of true in-situ conservation efforts. There can be little doubt that the welfare needs of an animal such as a lion or any big cat, can be met when bred in captivity and fed by humans. The captive lion industry is driven simply by commercial profit and does not consider the welfare of the animals aside from what aids the delivery of such profits. There have been numerous studies, reports and investigations that have demonstrated how the animals are often kept in poor captive conditions, overcrowded, disease-ridden enclosures [A;B;C;D]. In our 2022 independent opinion survey, of the South African public who had visited a captive big cat facility, at least one in three were concerned about the size of the enclosure the big cats were kept in, the number of animals per enclosure, and the condition of the animals.	and listed as vulnerable according to the IUCN Red List, and as such, the hunting and trade of these animals and their body should be heavily restricted to protect their wild populations. As such, South Africa must take steps to ensure it adequately undertakes this commitment and reduces the killing of leopards for profit. Further research is required to ascertain the true economic value of the captive breeding industry versus the economic loss that South Africa incurs due to the captive breeding industry damaging tourism, South Africa's reputation and investor sentiment. The primary purpose of s24 of the Constitution is to protect the environment, not to promote social and economic development**.** The White Paper should accordingly omit any provisions that afford social and economic development equal weight to environmental protection. In order to improve the conservation status of all big cats, the captive breeding of CITES Appendix I specimens should be criminalized in South Africa, in addition to South Africa ending the breeding of captive lions.

Further reports have demonstrated how the captive lion industry has acted as a conduit for illegal trade, not only for lions but other big cat species, such as tigers [4]. These reports are not one-off cases, they are an example of the way the nation-wide industry operates, which facts and statistics are backed by the seizure records of the South African authorities. The captive tiger industry in South Africa is suspected to have grown in recent years in response to the pausing of the lion bone quota export in 2017 and 2018. This is difficult to assess as no one knows how many tigers there are in the country, but trends can be noted through assessment of data from the Convention on International Trade of Endangered Species (CITES) Trade Database. It can also be concluded with some confidence that the increase in media reports and tigers sold on the public domain that the number of tigers that are kept in South Africa as pets is also increasing. This is an issue that has been reported much more frequently in the last few years and demonstrates how easily accessible tigers are in South Africa and how little their keeping is regulated. Importantly, the captive breeding of tigers for commercial trade in live animals and parts both within and from South Africa directly contravenes CITES Decisions and Resolutions. This has been reported to the Department for Forestry, Fisheries and Environment a number of times by FOUR PAWS and is extensively documented in the previously mentioned FOUR PAWS report*, Year of the Tiger? Big cat farming in South Africa: the need for international action.* The commercial big cat industry in South Africa also extends to the significant export trade in leopard parts through hunting trophies and the trade in live jaguars and their parts from captive sources has also increased in recent years.	

Currently wild populations of all five big cat species of the Panthera genus are in decline, with trade being a contributing factor to these population trends. Encouraging the trade of live animals and their parts from captive sources stimulates the demand for the use of their parts in other areas of the world. All big cat parts can be used interchangeably as once the skin is removed, it is not easily possible to distinguish between species. This means that all big cat species are threatened by commercial trade, thus, South Africa has the potential to contribute to the conservation of non-native big cat species. In addition, it means that captive big cats and wild populations of big cats are equally at risk. The draft White Paper should outline how South Africa seeks to be seen as a global player in conservation, but it is important to recognise that whilst big cat farms (breeding lions and tigers) are allowed to grow and export thenSouth Africa is not only contributing to the decline of an indigenous species in the lion but also contributing to the decline and negatively affecting conservation efforts in other areas of the world for the tiger.

A https://pubmed.ncbi.nlm.nih.gov/32962130/

B https://www.citizen.co.za/news/south-africa/crime/2126858/nspca-lays-animal-cruelty-charges-against-north-west-lion-farmer/

C https://drive.google.com/file/d/1qeMMn2d-kzJqqjYA2kU8doUJ6sGRPt1f/view

D https://www.iol.co.za/news/south-africa/limpopo/lion-teeth-and-claws-seized-as-vietnamese-national-arrested-in-limpopo-f4ab8894-a68b-45f1-a42a-416cc154a39c

Interpretation of Legislation

In excess of 30,000 species are currently under threat of extinction and the resulting loss in biological diversity is bound to have a devastating impact on ecosystems and the value that humans derive from these species. Many of these species are threatened due to the high value that some live animals or their parts fetch in the international marketplace.[1] The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),[2] to which South Africa is party, is the primary instrument that sets out the international legal framework to halt trade in endangered species and regulate trade in other species. It is important to note that the purpose of CITES is to prevent unsustainable trade, not to promote sustainable trade.[3]

Section 24 of the Constitution states that:

"Everyone has the right—

(a) to an environment that is not harmful to their health or wellbeing; and

(b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that—

(i) prevent pollution and ecological degradation;

(ii) promote conservation; and

(iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development."[4]

Here, it is important to take note of the qualifying terms used. S24(b) clearly expresses that the environment should be protected through measures that promote conservation. The use of natural resources and promotion of economic and social development, however, have been qualified by the requirement for these actions to be "ecologically sustainable" and "justifiable" respectively. The primary purpose of s24 is thus to protect the environment, not to promote social and economic development. The White Paper should accordingly omit any provisions that afford social and economic development equal weight to environmental protection. An anthropocentric exploitive approach to conservation would likely lead to further increase in trade and the degradation of success in conservation efforts. It is furthermore worth reiterating that the Constitution prevails over any other law and conflicting intention that may be set by policy makers and the captive breeding industry.

How Does Captive Breeding Adversely Affect Conservation?

South Africa's lions are listed in CITES Appendix II and lion bone has been legally traded internationally from South Africa since 2008 when the first CITES permits were issued. The captive breeding of lions as a legal commercial activity has increased significantly since 2008.[5]

[1] Hugo M. Mialon et al., *International Trade and the Survival of Mammalian and Reptilian Species* 1 SCI. ADV. 8, eabh3442 (2022).

[2] Convention on International Trade in Endangered Species of Wild Fauna and Flora, art. VII, para. 4, March 3rd, 1973, 993 U.N.T.S. 243.

[3] TANYA WYATT, IS CITES PROTECTING WILDLIFE?: ASSESSING IMPLEMENTATION AND COMPLIANCE 11 Routledge, (Taylor & Francis Group) (2021).

[4] Constitution of the Republic of South Africa, 1996 (Constitution), at § 24.

CITES Appendix I species are subject to an exception that treats them as being in Appendix II if they are captive-bred for commercial purposes.[6] As mentioned above, leopards, tigers and jaguars, all of which are listed in CITES Appendix I, are thus also bred in captivity for commercial gain in South Africa.[7]

A comprehensive study[8] published in 2022 shows strong evidence that CITES listing of commercially targeted mammalian species leads to improvements in conservation status and that prohibitions on international trade have been successful in advancing the survival of mammalian species. Importantly, these prohibitions were shown to be particularly effective when there are no exceptions to the Appendix I prohibition. As mentioned above, the captive breeding of listed species has furthermore been shown to fuel demand and increase the value of specimens, which could incentivize illegal trade in wild populations.[9]

CITES sets minimum standards for international trade in wildlife and, if a country wishes, it may implement stricter measures nationally. It is thus our recommendation that, in order to improve the conservation status of all big cats, the captive breeding of Appendix I specimens should be criminalized in South Africa, in addition to South Africa ending the breeding of captive lions.

As mentioned previously, the purpose of CITES is to prevent unsustainable trade, not to promote sustainable trade by creating mechanisms that promote captive breeding for commercial gain. This sentiment was previously echoed in Guiding Principle 9.4.9 of the initial version of the Draft White Paper, which instructed that nature has intrinsic value regardless of whether it benefits humans and that such intrinsic value must not be discounted against economic value.

[5] VL Williams et al., *A Roaring Trade? The Legal Trade in Panthera Leo Bones from Africa to East-Southeast Asia* 1,18 PLoS ONE 12(10): e0185996 (2017).
[6] Convention on International Trade in Endangered Species of Wild Fauna and Flora, art. VII, para. 4, March 3rd, 1973, 993 U.N.T.S. 243 [CITES].
[7] Kieran Harkin & Sarah Locke, *Year of the Tiger? Big Cat Farming in South Africa: The Need for International Action* (last visited Apr. 11, 2022) https://media.4-paws.org/a/e/4/4/ae445daeb7163daba12521cc1c79a6a71b8fc1e0/FOUR%20PAWS%20Year%20of%20the%20Tiger%20Report.pdf.
[8] Hugo M. Mialon et al., *International Trade and the Survival of Mammalian and Reptilian Species* 1 Sci. Adv. 8, eabh3442 (2022), at 1-2.
[9] Tanya Wyatt, Is CITES Protecting Wildlife?: Assessing Implementation and Compliance 11 Routledge, (Taylor & Francis Group) (2021), at 65.

Traditional Medicinal Use of Animals:

The use of animals for traditional medicinal purposes is rapidly expanding, despite concerns about the impact of the trade on biodiversity.[10] Various critically endangered (CR), endangered (EN), vulnerable (VU), near threatened (NT), and vulnerable (VU) vertebrate species (listed on the IUCN Red List)[11] are being traded for traditional medicinal purposes in South Africa, some of which may be acquired from captive breeding facilities, including:[12]

- African buffalo (*Syncerus caffer*) (NT)
- African savanna elephant (*Loxodonta Africana*) (EN)
- African wild dog (*Lycaon pictus*) (EN)
- Brown hyaena (*Parahyaena brunnea*) (NT)
- Ground pangolin (*Smutsia temminckii*) (VU)
- Hippopotamus (*hippopotamus amphibius*) (VU)
- Leopard (*Panthera pardus*) (VU)
- Lion (*Panthera leo*) (VU)

Animal-based traditional medicines are often made from animal tissues and organs that are processed into various forms such as slices, powders or tablets. This makes it difficult to identity the species being traded.[13] Increasing demand for animal parts furthermore encourages traders to include various potentially harmful adulterants in medicines or to mislead consumers as to what they are actually buying. It is thus likely that some products are fake and that consumers or traders are unable to verify the species being traded.[14] The availability of animal parts from captive breeding facilities is further exposing consumers to the risk of purchasing harmful, unidentifiable animal-based products from unmonitored facilities that may be evading the provisions of the Meat Safety Act 40 of 2000. This influx of animal parts from captive breeding facilities furthermore increases the risk of zoonotic diseases spreading from captive breeding facilities to traditional medicinal markets. Robust efforts must thus be made, in order to protect consumers and promote conservation of species, with a view to maintaining ecological sustainability in light of cultural demands.

[10] Willem Nieman et al., *Traditional Medicinal Animal Use by Xhosa and Sotho Communities in the Western Cape Province, South Africa,* JOURNAL OF ETHNOBIOLOGY AND ETHNOMEDICINE, VOL. 15, NO. 1, 2019, at 1.
[11] https://www.iucn.org/resources/conservation-tools/iucn-red-list-threatened-species#RL_index ; https://www.iucnredlist.org/ (last visited Feb. 23, 2022).
[12] Martin John Whiting et al., *Animals Traded for Traditional Medicine at the Faraday Market in South Africa: Species Diversity and Conservation Implications*, JOURNAL OF ZOOLOGY (1987), VOL. 284, NO. 2, 2011, at 88,92.

Various Stakeholders: The White Paper affects the interests of numerous stakeholders that have differences in ideology, purpose, scope and agenda, including environmentalists, preservationists, animal protection organizations, breeders and pro-hunting groups. This diverse group of stakeholders make valuable contributions to the conservation of species by sharing their specialized knowledge and bringing varied, opposing viewpoints to the table, to provide decision makers with a balanced understanding of the pertinent issues. Each of these stakeholders hold valid interests in the matter. It is thus important to understand that the economic interests of the captive breeding industry do not prevail over the interests of South African citizens or animal protection organizations. **Protected Areas:** Whilst it is important that the government implement effective strategies to protect and conserve South Africa's iconic wildlife and habitats, this is certainly not the only method to achieving optimal conservation. Ending captive breeding would play a pivotal role in protecting South Africa's biodiversity. Captive breeding and environmental protection do not operate in isolation from each other.	

[13] Fan Yang et al., *DNA Barcoding for the Identification and Authentication of Animal Species in Traditional Medicine,* HINDAWI, EVIDENCE-BASED COMPLEMENTARY AND ALTERNATIVE MEDICINE, 2018, at 2.
[14] VL Williams et al., *Reptiles Sold as Traditional Medicine in Xipamanine and Xiquelene Markets (Maputo, Mozambique),* S AFR J SCI., 2016, at 4.

1.3 VISION, MISSION, AND IMPACT STATEMENT	
We are supportive of both the Vision and Mission as set out in the White Paper, but have made recommendations for clarity of the Mission.	We would urge the Department to consider clarifying that socioeconomic development should only be delivered in a manner that is also ecologically sustainable. In order to be ecologically sustainable, it is likely that the benefits to socioeconomic development will be long term and may not achieve 'quick wins.' For example, tourism is a major industry to the South African economy. Ethical, environmentally and animal-friendly tourism is a growing industry, where the majority of tourists seek ethical wildlife experiences. Transitioning to an ethical tourism industry, where the sector involves wildlife, would help to secure and enhance socioeconomic development, though it would involve significant steps such as the reform of the commercial big cat industry, as a previously mentioned. These are recommendations that FOUR PAWS proposed during the consultation of the First Draft White Paper that have not been considered. In addition, we are disappointed to see the removal of some important points from within the longer original impact statement. This includes: b) "Conservation efforts will focus not only upon relatively natural landscapes, but will include abandoned crop fields, near natural areas, and wilderness that provides ecosystem goods and services" and "promote conservation of wildlife heritage, including water sources," e) "Biological diversity is best conserved in the wild (in-situ), through the conservation and restoration of ecosystems and natural habitats, and the maintenance and recovery of viable populations of species in these managed and natural ecosystems." We urge the Department to reinstate the above sections.
1.5.1 STATUS OF BIODIVERSITY	
While we agree with the status of biodiversity in South Africa, the assessment was limited to a relatively high level positioning. It could have been improved to address which species were most threatened, in order to inform this Draft White Paper.	A more detailed status of biodiversity assessment should be undertaken to understand exactly which native species are most threatened in South Africa and what the immediate contributors to their decline are. We note these recommendations have not been considered in the revised Draft White Paper and we urge the Department to consider them.
1.5.2. PRESSURES AND DRIVERS	

The Draft White Paper documents increasing international wildlife trafficking syndicates in South Africa, supplying species subject to global trade bans to overseas markets. FOUR PAWS in South Africa would like to emphasise that our research (reported in *Year of the Tiger? Big cat farming in South Africa: the need for international action),* demonstrates the lack of adequate and effective regulations for the keeping and breeding of all big cats in South Africa. In addition, that the existence of a legal lion bone trade has allowed a partially regulated legal industry to flourish whilst also acting as a conduit for an illegal trade (for example, of other big cat species from South Africa. e.g. tigers). The United Nations Office for Drugs and Crime (UNODC) previously reported that some of South Africa's facilities breeding tigers in South Africa, may be the source of illegal international trade and that the breeding facilities seem not to align with CITES Decisions (specifically 14.69) . We commend the addition that much of the harvesting of indigenous plants and animals for traditional medicinal uses is practiced unregulated and that overharvesting may lead to local extirpation of key species.	We are encouraged to see the addition of reference to the Convention of International Trade of Endangered Species of Flora and Fauna and in particular, reference to ramification of *commercial* trade of species. We would like to see big cats referenced in regard to commercial trade and we urge that the Department ends the captive lion breeding industry, and the wider commercial big cat industry. South Africa must address and implement international agreements (CITES Decisions), alongside targeting international wildlife trafficking syndicates to protect all big cat species. We look forward to seeing the progression of the development of the Lion Task Team to tackle this matter and urge the Department to widen the group's scope to include the phase out of the intensive breeding and trade of all big cat species.
2. DEFINITIONS	

We would applaud the new draft definition of sustainable use within the white paper. This outlines a much more progressive approach, than seen previously, that addresses ecological integrity of the ecosystem in which animals reside. “Ecologically sustainable use” as per Section 24 of the Constitution, is not included throughout the document. The word “ecologically” must be included with the term “sustainable use” throughout the Draft White Paper, as no use can be sustainable if it is not ecologically sustainable. The revised definition of Conservation is an improvement to the First Draft White Paper, which had a heavily anthropocentric focus. We are encouraged to see the inclusion of ‘intrinsic value’ of biological diversity within the definition. In addition, acknowledgement of animal sentience and the conservation of species cannot be achieved if the approach to “sustainable use” of biodiversity allows for any captive breeding of big cats. The existence of a commercial captive big cat industry will not only contradict the acknowledge of welfare and sentience but further damage the reputation of South Africa in conservation and eco-tourism. It should additionally be noted that the intensive farming of wild animals in general, as is described within the Department’s Draft Game Strategy, is also incompatible with the recognition of animal sentience and intrinsic value of biodiversity. We would urge that the Government clarifies whether the wildlife species that have previously been listed as agricultural animals, for example lion, cheetah, giraffe, will continue to be listed as such or whether this list will be revoked.	The word “ecologically” must be included with the term “sustainable use” throughout the draft white paper, as no use can be sustainable if it is not ecologically sustainable. South Africa must proceed with plans to end the commercial captive lion breeding industry and include other big cat species within this legislation. This is necessary to sufficiently reflect animal sentience and well-being for big cats in South Africa.
9.4. GUIDING PRINCIPLES	

The Guiding Principles have been considerably shortened from 16 Guiding Principles to only four key Guiding Principles: Transformation, Sustainable Development, Good Governance and Decision-Making. While we appreciate the need to streamline these, we are concerned that a number of valuable themes have now been omitted from this Draft White Paper. One key progressive Guiding Principle from the First Draft White Paper was 9.4.9 Intrinsic Value. We are concerned that the removal of this Guiding Principle, alongside fewer references to intrinsic value of biodiversity throughout this paper, is an indication the Department wishes to put less emphasis on this value as priority. Guiding Principle 9.4.9 was invaluable in demonstrating the true value of nature and an incredibly important principle to the white paper.	FOUR PAWS in South Africa urges the Department to consider adding wording from Guiding Principle 9.4.9 and 9.4.10 (as per the First Draft White Paper) within this revised version as follows: 9.4.9 "Intrinsic Value: Nature and ecological systems have intrinsic value and must be conserved, such that nature has its own right, independent of human uses, and even if it does not directly or indirectly benefit humans. This intrinsic value must not be discounted against more readily assigned economic value of nature." 9.4.10 "Existence Value: The existence value of nature is the use people derive from knowing of the existence of biodiversity, and that others and future generations can also enjoy biodiversity. This existence value must not be discounted against more readily assigned economic values of nature." Without this inclusion, there is a concern that the Guiding Principles take an anthropocentric-centered view. We would like to reiterate that human benefit should be ancillary to the protection of the environment, and it should not be the primary goal.
4. GOALS AND ENABLERS	
4.1 Goal 1: Biodiversity Conservation Promoted	
As stated in response to the First Draft White Paper, the policy objective of 1.6 "Support, complement and enhance in-situ conservation and ecologically sustainable use through ex-situ practices" is problematic. This is because it creates the opportunity to further commercially exploit wild animals, through a number of concerning expected outputs and expected outcomes. Three expected outputs we would like to discuss further, include: • Expected output 8 "Risk of domestication of wild animals minimized" • Expected output 10 "educational role of ex-situ conservation facilities strengthened to make demonstrable contribution to in-situ conservation" • Expected output 11 "responsible ex-situ propagation and breeding for commercial purposes should also have a demonstrable conservation benefit, or, must at the least,	Ex-situ practices must be limited to exceptional circumstances where these practices are absolute necessary to protect the species populations in the wild and thus, contribute to conservation. This would include for example, rescue, rehabilitation, or breeding in captivity, only for the purpose of release into the wild to bolster wild populations. Expected output 11 of Goal 1, under policy objective 1.6 regarding promotion of biodiversity conservation, must be re-written to ensure the captive lion breeding industry cannot continue under the claim of sustainable use or for commercial purposes. We propose the amendment of wording included in Expected Output 11: "Responsible ex-situ propagation and breeding should also have a demonstrable conservation benefit"

advance sustainable use." The expected outcome of the reduced risk of the domestication of wild animals will be invaluable both to the conservation of wild lion and the prevention of exploitation of captive lions. We urge the inclusion of other big cat species, in particular tigers, within this as previously mentioned. However, the expected output 11 is in direct conflict with the reversal of the domestication of wild species and raises the concern that the captive lion breeding industry will be allowed to continue under the claim of advancing sustainable use. It was the promotion of sustainable use that allowed the establishment of the captive lion breeding industry in South Africa. This has seen the country receive international pressure to reverse it, which the Government has made the first commitment towards. In addition, we would raise the concern that Expected Outcome 8 of Policy Objective 1.6 contradicts the nature of the Draft Game Meat Strategy that was circulated by the Department earlier this year. Its very premise is based upon the domestication, captive keeping and consumption of wild animal species. Again we would like to reiterate that the captive big cat industry in South Africa has clear commercial intent. Lions and tigers are used to make profit at every stage of their lifecycle. As cubs, animals are used in cub petting and as photo props. As juveniles they may be used in 'walk with' experiences, before they are hunted for trophies or used as breeding stock, before their bones and other body parts may be shipped to other parts of the world. There is no true conservation claim with regards to captive big cats in South Africa. Captive lions and other big cats in South Africa have no genetic or ecological value, given that they are born and bred in captivity and can never be released into the wild. Therefore, their breeding has no conservation benefit. Instead, the trade in captive animals is detrimental to wild populations, as it encourages the demand for use in live animals and their parts elsewhere, which threatens wild populations, and, captive lions are known to harbour zoonotic diseases which risk transmission to the wild population. In the First Draft White Paper, this point aligned with Policy	In addition, we would urge the inclusion of wording to safeguard prevention of zoonotic disease, such as was included in the First Draft White Paper under Policy Objective 3.9 "Prevent where possible, or minimize risk of animal-human transmission, and further evolution, of zoonotic diseases associated with wild animals." Important expected outcomes that are notably missing from the revised Draft White Paper include: 1. "Integrated approach, such as One Health/One Welfare, preventing or minimizing the evolution and animal-human transmission of zoonotic diseases associated with biodiversity, and the unnecessary interaction of people with wild animals." 5. "Strengthened legislation, mechanisms and tools mitigate and reduce risk of zoonotic disease evolution or animal-human transmission, from biodiversity conservation or ecologically sustainable use practices, including from ex-situ housing of wild animals." 7. "Greater understanding of zoonotic disease risks associated with specific species or contexts, through research and monitoring." We would urge that Department to add wording pertaining to zoonotic disease prevention and in particular, the One Health/One Welfare approach must be included within the Draft White Paper. This was a key progressive element that was widely applauded for its inclusion and its omission from the second draft is hugely concerning.

objective 1.5 'prevent where possible, or minimise the risk of the animal-human transmission and further evolution of zoonotic diseases associated with wild animals,' however, this objective has been completely omitted from the revsied Goals with no focus on zoonotic disease prevention. In addition, we would like to share that our 2022 survey indicates that 66% of the South African public that were interviewed in our survey, do not support big cat farming for commercial purposes in South Africa.	

Goal 2 Sustainable Use	
We noted in our previous submission that there were too many variations of the term 'sustainable use' that are used throughout this White Paper, and that this was particularly relevant in this Goal. Variations included 'ecologically sustainable use', 'responsible sustainable use,' and 'sustainable use'. We recommended that using only the term 'ecologically sustainable use' would eliminate the possibility for exploitative loopholes, it seems in this revision, the most common used term is 'sustainable use,' we would urge the Department to only use the phrase 'ecologically sustainable use' to remove the potential for loopholes. We support the addition of Policy Objective 2.5: Promote duty of care towards all components of biodiversity, including humane practices, actions and activities towards wild animals. However, while the recognition of wellbeing within this section is positive, we believe the Department has rescinded much of the important recognition of animal welfare, sentience and intrinsic value that was applauded in the First Draft White Paper. This is true of the entire document.	Recommend that only 'ecologically sustainable use' is the only variation used within this document. This will eliminate the possibility for exploitative loopholes to develop. We commend the Department for removing wording that suggests that international wildlife trade directly promotes biodiversity conservation, equitable socio-economic development, and protects biodiversity heritage. International wildlife trade can be highly detrimental to wild populations species, for example, it can stimulate the demand for the use of wild animals and their parts elsewhere. This in turn can allow the exploitation of captive animals and threaten wild populations. FOUR PAWS recommends that the Department includes the progressive wording from the First Draft White Paper that referenced throughout the document, the importance of animal sentience, welfare, wellbeing and intrinsic value of biodiversity. This is greatly lacking from this revision. In addition, we urge the Department to adopt the precautionary principle with regards to sustainable use of South Africa's biodiversity. This would ensure that unknown consequences of practices are not taken at the detriment of conservation – this principle would be a significant tool for wildlife protection in South Africa.
Goal 3 Equitable access and benefit sharing	

We are concerned about the policy objective 3.1 Promote and regulate access to, and benefit sharing from, the use and development of South Africa's indigenous genetic or biological resources, their information and data, and it's expected outputs and outcomes. Access and benefit sharing schemes can only be implemented in an ecologically sustainable manner.	We urge the Department to include that these can only occur in an ecologically sustainable way and in a manner that ensures animal welfare, sentience and intrinsic value has been recognized and considered.
Goal 4 Biodiversity Conservation and Sustainable Use is Transformative	
As with much of this revision of the Draft White Paper, we are concerned that this section takes on a very anthropocentric goal. The first policy objective, adopt an integrated approach that is in line with Ubuntu and its expected outputs	
Goal 8 Promote the Conservation and Sustainable Use of Biodiversity at the International Level	
We support the important notion that conservation of biodiversity is common concern of all nationals. This underpins the principle that biodiversity has its own intrinsic value and must be protected in its own right. As stated in the Draft White Paper, South Africa has committed, by way of active participation, in a range of international agreements towards the aim of promotion of conservation of biodiversity. This includes CITES and as previously stated, FOUR PAWS is concerned that South Africa is at risk of contravening a number of CITES Decisions e.g. Decision 14.69 and Resolutions e.g. Resolution Conf. 12.10, in regards to big cats (namely, non-native tigers). These concerns have been well-reported to the Department of Forestry, Fisheries and Environment by ourselves.	We urge the Department to address the risk of contravention of CITES Decisions and Resolutions with regards to non-native species and implement existing CITES Decisions and Resolutions for big cats as effective national policy and legislation. This will require a comprehensive audit of all facilities captively breeding and trading big cats in South Africa. 'Facilities of concern' should be identified using existing guidelines and transition away from commercial exploitation models and only breed and/or trade for strict conservation purposes.
10.4. Policy Objectives and expected outcomes	
10.4.2 Placing Sustainable Use in Context: a progressive definition for use in Policy and Legislation	

We are encouraged to see the transformation of South Africa's biodiversity and conservation sector is supported by the acknowledgement that there are a number of challenges associated within this space that must be addressed. Of those challenges listed within the Draft White Paper, we would like to record that we believe a number apply to the captive and commercial big cat industry in South Africa (as previously detailed). These include practices and processes that: • Are not ecologically sustainable • Promote economic gain for the select few • Are not socially (or culturally) sensitive given the significance of these species in the wild. We support the understanding that these "threaten South Africa's reputation as a conservation leader and undermine competitiveness as a global ecotourism destination." This is reflected in our independent survey that demonstrated that 68% of the South African public asked, believe that South Africa's reputation is damaged because of the export of captive big cats.	We hope that alongside our support of specific pieces this section, the Government will seek immediate action, through the establishment of the Lion Task Team, to phase out the captive lion breeding industry and address the wider commercial big cat industry in South Africa. In addition, we would like to again, reiterate that in discussion of "sustainable use", the word "ecologically," must precede the phrase, to ensure there is not exploitation of its premise.
10.4.2.1 Sustainable Use of components of biodiversity	
All four detailed components of sustainable use of biodiversity, as per this section, are incredibly important. These include that sustainable use: a) Does not contribute to the long-term decline in the wild b) Does not disrupt the ecological integrity of the ecosystem in which it occurs c) Ensures benefits to people that are fair, equitable and meet the needs and aspirations of present and future generations d) In the case of animals, is humane, and does not compromise their well-being.	We urge the Department to seek immediate action, through the establishment of the Lion Task Team, to phase out the captive lion breeding industry. This must include other non-native species and must address the country's wider commercial big cat industry in South Africa, that includes hunting.

All four of these components directly contradict South Africa's commercial big cat industry. This includes the captive breeding and subsequent trade of big cats and their body parts (lions and tigers) and the trophy hunting and subsequent trade of big cats and their body parts (for example, leopards). The captive breeding industry contributes to the long-term decline in the wild by ensuring there is demand for the use of animals and their body parts elsewhere. This exploits captive animals and threatens the wild population. In addition, captive breeding can disrupt the ecological integrity of the ecosystem, through the threat of increased risk of zoonotic disease found in captive big cat facilities[5] and by the possible, eventual removal of the species from the wild if the demand succeeds the survival of the wild population. Point C) encapsulates very importantly that "sustainability implies continuity." Again, some of the key benefits from biodiversity that South Africa should be seeking, include gains in the long-term that will come from eco-tourism. The commercial big cat breeding industry and eco-tourism are not compatible and this must be urgently addressed (i.e. both the captive big cat breeding industry and the hunting industry), for South Africa to establish itself as a leader in the eco-tourism sector. Similarly, the commercial big cat industry in South Africa is in no way compatible with ensuring that animals are treated humanely and in a way that does not compromise their well-being. The very nature of captive big cat farming, trophy hunting, trade in live animals and their body parts, can not be humane nor without compromise to their well-being. 5 https://pubmed.ncbi.nlm.nih.gov/32962130/gov/32962130/	In addition, we would like to again, reiterate that in discussion of "sustainable use", the word "ecologically," must precede the phrase, to ensure there is not exploitation of its premise.
10.4.3 Placing animal well-being in context (REMOVED from the revised Draft White Paper)	
An important section that has been omitted from this revision of the Draft White Paper is section 10.4.3 titled "Placing Animal Well-being in Context". FOUR PAWS was in broad agreement with this section. There were a number of important points we supported, including that anthropogenic activities must be regulated by legislation and international	We recommend that section 10.4.3 on Placing Animal Well-being in Context be reinstated. It should be highlighted that according to the principles within this section, the captive big cat industry does not align with well-being and cannot continue in any form. We therefore support the Department's plans to take action through the establishment of the Lion Task Team, to

conventions. We were also encouraged to see the recognition of South Africa is a signatory to the International World Organization for Animal Health. It is vital that South Africa takes action to acknowledge that animal welfare is closely linked to animal health; the health and well-being of people; and the sustainability of socio— economic and ecological systems, and we are therefore hugely concerned that this section has been removed.	phase out the captive lion breeding industry. This must include other non- native species and must address the country's wider commercial big cat industry in South Africa, that includes hunting.
11.3.4 GAPS WITHIN EXISTING LEGISLATION (REMOVED from the revised Draft White Paper)	
While this section has been removed from the revised Draft White Paper, we suggest that the Draft White Paper should include wording to encourage the enactment of legislation that reflects Decisions and Resolutions taken at the United Nations Conference of the Parties for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).	FOUR PAWS recommends that South Africa enacts legislation that reflects the Decisions and Resolutions taken at the United Nations Conference of the Parties for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). FOUR PAWS has written to the South African Ministry of Forest, Fisheries and the Environment on this matter and outlined several Decisions and Resolutions related to big cats that are not implemented in South Africa. We understand Decisions and Resolutions taken by Parties through CITES are not legally binding at Party level but in light of South Africa wishing to be a global leader in conservation, and the context of this White Paper consultation, we urge South Africa as a matter of urgency to ensure there is effective national legislation that echoes international agreements. Whilst some of the Decisions are not specifically for a species named in the White Paper, it is important to acknowledge that all captive breeding and trade in big cats and their parts have a knock-on effect on each of the big cat species. Additionally, FOUR PAWS recommends that South Africa revises existing legislation and policy to ensure matters such as the disposal of carcasses on breeding farms, the registration of births and deaths and the movement of all species listed in the White Paper (and indeed all related species such as tigers) are written into legislation and enforcement authorities are given an improved mandate to ensure such issues are enforced and those circumventing and ignoring such legislation and policy are held to account. Currently, provincial authorities do not know how many lions and other big cats' species are held in their jurisdiction and there are no records of disposal of carcasses or registration of births and deaths. This facilitates illegal trade which is why issues such as these and the enforced registration of all captive

	breeding operations much remain paramount in combatting illegal trade.
ENABLER 2 Enhanced Means of Implementation	
We are supportive of increased public education, awareness, capacity building, and championing of the value and importance of biodiversity as per policy objective E2.1.	With regards to policy objective E2.1, we would urge the department to include reference to the importance of the intrinsic value of biodiversity. We do have concerns surrounding policy objective E2.3: 'indigenous/traditional knowledge and practice provide localised solutions to biodiversity conservation and sustainable use.' This must be in a manner that is both ecologically sustainable and humane. This is an imperative.