



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

NATIONAL ASSEMBLY

(For written reply)

QUESTION NO. 2206 {NW2503E}

INTERNAL QUESTION PAPER NO. 21 of 2023

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Mrs A M M Weber (DA) to ask the Minister of Forestry, Fisheries and the Environment:

(1) Considering that tigers are not protected in the Republic and are kept in various provinces as pets, what measures has her department put in place to ensure that all provinces adhere to the regulations of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora, of which the Republic is a signatory, that commercial trade in all tigers and their parts and derivatives are prohibited;

(2) whether she intends to add tigers and all exotic cats to the National Environmental Management Biodiversity Act, Act 10 of 2004, regulations of the Alien and Invasive species (AIS) list 3 for mammals; if not, why not; if so, what are the relevant details?

2206. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

- 1) As indicated in the response to Question 1868 of 13 May 2022, the following measures have been implemented to ensure compliance with Resolution Conference 12.5 (Rev CoP18):
 - Adopted the national CITES Regulations, 2010, to ensure that there are provisions for deterrent penalties and to ensure that it addresses illegal trade in and/or possession of illegally traded specimens of native and non-native Asian big cat species, as well as

products labelled as or claiming to contain specimens of native and non-native Asian big cat species;

- Ongoing capacity building with provincial CITES Management Authorities on matters relating to permitting and compiling the CITES Annual Report;
- Ensuring that Environmental Management Inspectors (EMIs) receive the relevant and effective training and support in the gathering and use of information, wildlife crime investigative techniques, collecting evidence, inter-agency liaison and cooperation, and preparing cases for prosecution;
- Encouraging conservation authorities and the South African Police Service (SAPS) to apply strict enforcement controls and vigilance in addressing illegal trade in Asian big cat specimens and any associated illegal trade in specimens of other big cat species;
- Encouraging the SAPS to use innovative enforcement methods, such as anti-money laundering approaches, forensic analytical techniques, intelligence-led enforcement and strengthening enforcement efforts at key points of entry and exit;
- Ongoing monitoring of compliance with the provisions of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA) and its associated Regulations at the OR Tambo International Airport (ORTIA) and other ports of entry and exit. This function was previously performed by EMIs of the Department of Forestry, Fisheries and the Environment (DFFE), but will now be performed by officials from the Border Management Authority (BMA), which has been established in terms of the Border Management Authority Act, 2020 (Act No. 2 of 2020). Officials from the BMA will be checking compliance with, among others, permits issued for the export, re-export or import of CITES-listed species (such as tigers) in relation to consignments moving through ORTIA. If any compliance inspection requires a follow-up criminal investigation, it will be referred to the DFFE EMIs for appropriate action;
- The DFFE also ensures that certain key role-players are aware of the requirements of biodiversity legislation. An example is the development of training material for the South African Revenue Service Customs officials, which is now part of the Customs training curriculum;
- The DFFE worked with the laboratory at the South African National Biodiversity Institute (SANBI) to ensure that the DNA of lion could be differentiated from tiger bones. This was done when South Africa was legally exporting lion bones from captive-bred lions to ensure

that no tiger derivatives illegally entered the trade (Note: The last legal shipment of lion bones was exported in 2019 under the 2018 CITES quota).

- 2) List 3 of Notice 3 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEM:BA), Regulations of Alien and Invasive Species relates to a list of invasive mammal species, which forms part of the list of invasive species that was published in *Government Gazette* No. 43726 of 18 September 2020 in terms of section 70 of NEM:BA.

Tigers do not conform to the definition for "invasive species" in NEM:BA as they are not introduced to the wild and will, therefore, not be included in List 3 for invasive mammal species. Tigers that are in the country were introduced before invasive species regulations were implemented and were mainly introduced for domestic purposes and regulated in terms of the Animal Protection Act administered by the Department of Agriculture, Land Reform and Rural Development (DALRDD). Provinces have different regulations for keeping/breeding/selling non-indigenous cat species in terms of respective provincial conservation legislation.



MS B D CREECY, MP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 12/6/2023