

INTERNATIONAL WILDLIFE LAW CONFERENCE

THE LEGAL FRAMEWORK FOR TROPHY HUNTING
UNTANGLING A GORDIAN KNOT

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Leuven Centre
for Global
Governance Studies



Trophy hunting?



BRIEFING PAPER
April 2016

Informing decisions on trophy hunting

A Briefing Paper for European Union Decision-makers regarding potential plans for restriction of imports of hunting trophies

‘legal, well-regulated trophy hunting programmes can play an important role in delivering benefits for both wildlife conservation and for the livelihoods and wellbeing of indigenous and local communities living with wildlife’



Trophy hunting?

- Where is trophy hunting allowed?
- When is it allowed?
- What animals can be hunted?
- How do you transport your trophy home?
- What about weapons?



What?

CMS, art. III(5)

Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species.

Exceptions may be made to this prohibition only if:

- a) the taking is for scientific purposes;
- b) the taking is for the purpose of enhancing the propagation or survival of the affected species;
- c) the taking is to accommodate the needs of traditional subsistence users of such species;
- d) extraordinary circumstances so require;

provided that such exceptions are precise as to content and limited in space and time. Such taking should not operate to the disadvantage of the species.



What?

Bern Convention, art. 6

Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild fauna species specified in Appendix II.

The following will in particular be prohibited for these species:

(a) all forms of deliberate capture and keeping and deliberate killing;



What?

Bern Convention, art. 9

Each Contracting Party may make exceptions from the provisions of Articles 4, 5, 6, 7 [...] provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned:

- for the protection of flora and fauna;*
- to prevent serious damage to crops, livestock, [...] and other forms of property;*
- in the interests of public health and safety, air safety or other overriding public interests;*
- for the purposes of research and education, of repopulation, of reintroduction [...];*
- to permit, under strictly supervised conditions, on a selective basis and to a limited extent, the taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers.*



Bringing it home

CITES

Appendix I: export permit & import permit

Appendix II: export permit

- Household effects?



Bringing it home

CITES

- Exporting country: CITES general suspension of trade
- CITES: relevant Appendix and applicable quota
- Exporting country: export permit (under quota)
- Importing country: country-specific restrictions on import of hunting trophies



Bringing it home

Zimbabwe



Bringing it home

Zimbabwe export	United States import	Europe import	Australia import
<u>African elephant</u> Export permit (Appendix II) Annual quota: 500 animals	Threatened species import permit Assessed on case-by-case basis	Annex B, but import permit Netherlands: no import	No import
<u>Lion</u> Export permit (Appendix II)	Threatened species import permit Assessed on case-by-case basis	Annex B, but import permit France & Netherlands: no import	No import



Weapons

Acquisition/ownership

Transport

- Intra-EU
- External?



Weapons

Type of weapons:
e.g. bowhunting/handgun

Size requirements:

Class A Game (Elephant, Buffalo, Hippo)

Minimum calibre 9.2mm with muzzle energy of at least 5.3 kilojoules.

Class B Game (Lion, Giraffe, Eland)

Minimum calibre 7mm with a muzzle energy of at least 4.3 kilojoules.

Class C Game (Leopard, Crocodile, Kudu, Gemsbok, Zebra,...)

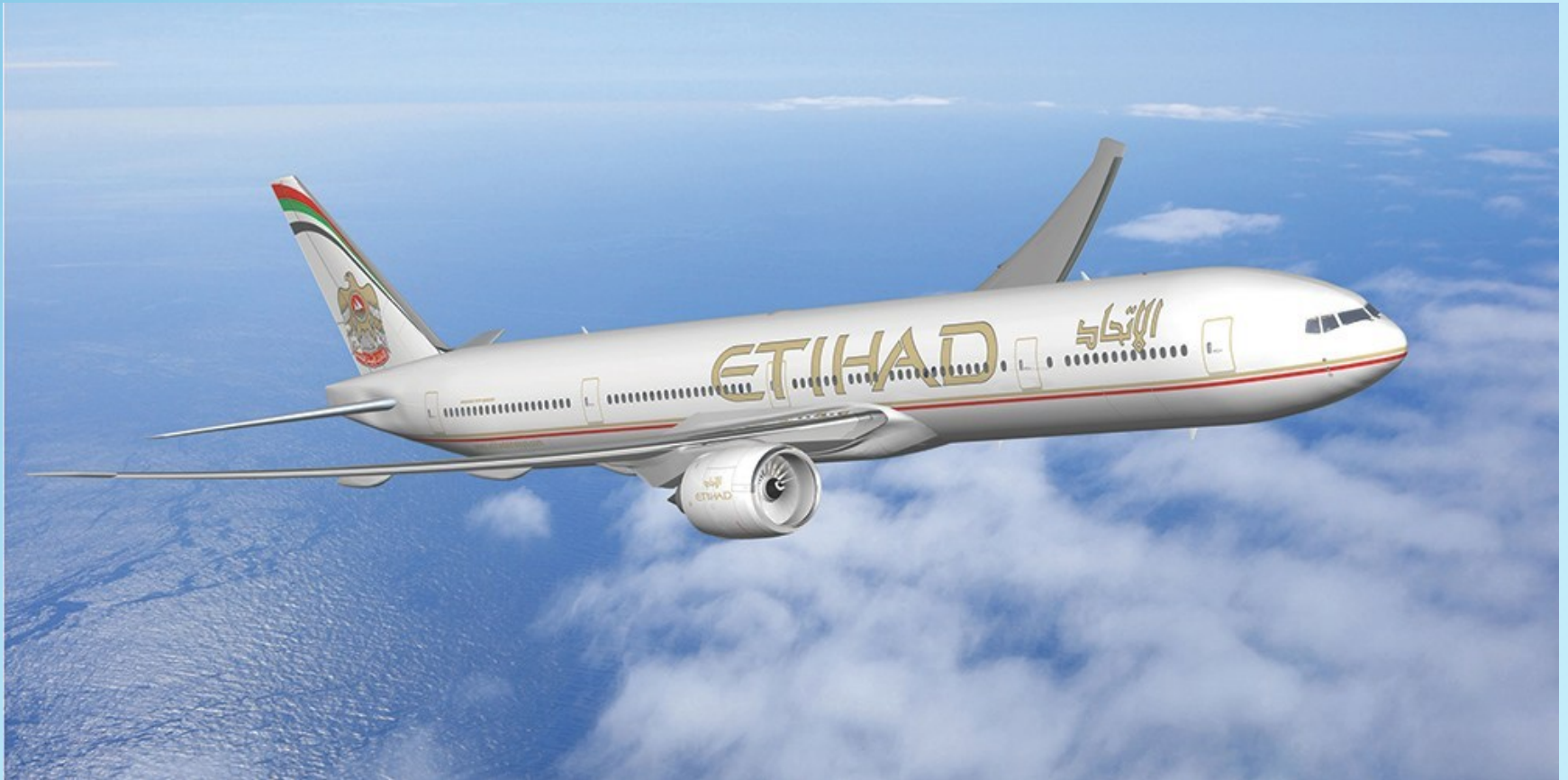
Minimum calibre 7mm with a muzzle energy of at least 3 kilojoules.

Class D Game (Warthog, Impala, Duiker, ...)

Minimum calibre 5.6mm with muzzle energy of at least 850 joules.



Informal restrictions



Some remarks



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Thank you!

Questions?

Remarks?

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