U.S. Fish and Wildlife Service
Division of Scientific Authority
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
Record of Advice on Import Permit Application

Application Number:	83091D
Date Received by DSA:	September 11, 2020
DMA Contact:	Miguel Richardson
Applicant:	Mark William Hansen Bluffdale, Utah
Specimens and Species:	Leopard (*Panthera pardus*) 1.0 Wild (South Africa, KwaZulu-Natal Province) One (1) personal sport-hunted trophy (life-sized mount; skin, skull, and claws)
Recipient:	Self
Type of Permit:	Appendix I Import (CITES)

ADVICE

After reviewing the above permit application, we find that the proposed import is likely to be for purposes that are not detrimental to the survival of the species.

BACKGROUND:

The leopard (*Panthera pardus*) has one of the largest geographic ranges of any terrestrial mammal in the world and occurs from southern Africa, through the Middle East, to eastern Asia from South Africa to eastern China and Russian Federation (Stein *et al.* 2016). The African leopard (*P. p. pardus*) is one of about nine leopard subspecies and occurs primarily in sub-Saharan regions (Jacobson *et al.* 2016). A habitat generalist, the leopard – all subspecies considered – occupies mesic woodlands, grassland savannas, and forests (Hunt 2011). Trees are an essential habitat component. Leopards are solitary, nocturnal, and territorial (Hunt 2011).

Home ranges are about 13–35 km^2 (Hunt 2011). Ambush predators, leopards prey primarily on medium-sized ungulates, especially deer (Family Cervidae) (Hanssen *et al.* 2017). They also scavenge prey taken by other carnivores. These carcasses are often cached in trees beyond the reach of smaller, more numerous predators (Stein *et al.* 2016). Adult leopards have few natural predators (Hunt 2011). The total population size of the leopard is unknown. In southern Africa, a regional range loss of approximately 21% has been reported (Stein *et al.* 2016). Given their larger body size, males are more desirable and thus more susceptible than females to being harvested by trophy hunters (Braczkowski *et al.* 2015). In general, the current population trend is declining due to harvest and habitat loss and fragmentation (Stein *et al.* 2016).

In 1975, the leopard as *Panthera pardus* was included in CITES Appendix I (UNEP 2020). In accordance with Resolution Conf. 10.14 (Rev. CoP16) on *Quotas for leopard hunting trophies and skins for personal use*, there are numerical limits to the quantity of trophies and skins from some sub-Saharan countries that have been approved by the CITES Parties that can be traded annually (CITES 2013).

In 1970, the leopard as *Panthera pardus* with (three subspecies) was listed as Endangered on the *United States' List of Endangered Foreign Fish and Wildlife*, the precursor to the Endangered Species Act of 1973, as amended (Service 1970). This listing was revised in 1972 with the three subspecies being deleted as separate listings and all leopard subspecies included with the species listing (*Panthera pardus*; Service 1972). This listing was modified in 1982 when certain populations were classified as Threatened (Service 1982; "In Africa, in the wild, south of, and including, the following countries: Gabon, Congo, Zaire, Uganda, Kenya"). The leopard currently is subject to a 90-day status review (Service 2016, 2017, 2020).

In 2016, the African leopard as *Panthera pardus* ssp. *pardus* was categorized as Vulnerable A2cd (ver 3.1) by the IUCN Red List (Stein *et al.* 2016). This rangewide finding was based on loss of habitat and prey, and exploitation. These conservation threats are not well understood, have not ceased, and are likely to continue (Stein *et al.* 2016).

The leopard is part of a joint initiative by the Convention on Migratory Species (CMS) and CITES: Joint CMS-CITES African Carnivores Initiative (CMS 2017a,b). Recognizing the potential benefits of working together, the two organizations have agreed to conduct joint activities addressing shared species and issues of common interest. In this regard, the two organizations have prioritized actions on the leopard, as well as the African lion (*Panthera leo*), cheetah (*Acinonyx jubatus*), and wild dog (*Lycaon pictus*). The conservation threats to be addressed include: habitat loss and fragmentation, conflict with humans, depletion of the prey base, and unsustainable or illegal trade practices. Specific joint actions are being developed and will be implemented over the next several years (CMS 2017a). These actions include cooperative conservation programs for carnivores in the several range States, as well as specific conservation activities (e.g., illegal trade analyses, biological monitoring, and capacity building).

According to South Africa Department of Environmental Affairs (DEA), leopards in that country are present in four general regions: one region along the southeast coast, one in the interior of KwaZulu-Natal, one encompassing Kruger National Park and the interior of Limpopo, and one in the Kgalagadi Transfrontier National Park area (CITES 2018a:2). These regions consist of

national parks, as well as private lands and game reserves. Protected areas with persisting leopard populations include Addo Elephant Park, Kalahari-Gemsbok National Park, and Karongwe Private Game Reserve (Jacobson *et al.* 2016:Supp. Doc. 1, page 32). Though leopards occur outside of protected areas, they have much lower densities in areas that have been subject to human disturbance and may be extirpated in the majority of unprotected areas (CITES 2018a:2; Jacobson *et al.* 2016:Fig. 1E). Jacobson *et al.* (2016:Supp. Table 5) estimate the extant range of leopards in South Africa to be approximately 401,300 km^2 (about 33% of total area).

There is no consensus among species experts about the current leopard population size in South Africa and estimates vary between 2,185 and 23,400 individuals (CITES 2018a:2). Density estimates also vary and range from 0.2 to 12.2 leopards/100 km^2 (CITES 2018a:11). While population trends at some sites are stable or increasing, preliminary results from the South African Leopard Monitoring Project – based on camera-trap stations – suggest an annual decline of 8% in the national population (CITES 2018a:3). In 2017, the total area covered by camera-trap stations amounted to 4,784 km^2 and the sampling effort comprised 33,605 camera-trap days (CITES 2018a:3). Sampling effort is projected to increase over the next several years and will facilitate improved leopard population size and trend estimates.

In the 2016 IUCN Red List assessment, Stein *et al*. (2016:5) stated that Southern Africa likely has the healthiest leopard populations in their entire range. Leopard populations elsewhere in Southern Africa appear to be decreasing from previous estimates with leopards disappearing from areas with increased human development and intensive conflict with humans (Stein *et al.* 2016:9).

According to the DEA, the primary threat to the persistence of the leopard population in South Africa is the illegal killing for skins and other body parts for traditional ceremonies and medicines (CITES 2018a:3–4). About 1500–2000 leopards are harvested annually for this purpose. Other threats include excessive off-takes of putative damage-causing-animals, the unethical radio-collaring of leopards for research and tourism, and habitat loss and fragmentation (CITES 2018a:4).

BASIS FOR ADVICE:

A. Applicant Information:

1. The applicant (Mark William Hansen, Bluffdale, Utah) requests authorization to import 1.0 leopard (*Panthera pardus pardus*) personal, sport-hunted trophy from South Africa.

2. The purpose of the proposed import is personal use. The leopard was taken from the wild in South Africa, KwaZulu-Natal Province, Magudu Game Reserve, Mkhuze District, Menlo Park, during a hunt on October 26, 2018, with Professional Hunter B.C. Suddaby and Hunting Oufitter Carlo Engelbrecht (Klipfontein Farm). A copy of the Ezemvelo KZN Wildlife Permits Office, Ordinary Permit No. OP 4137/2018 was submitted along with the application. A copy of South African Professional Hunting Register and Trophy Export Application No. 101482 was also submitted along with the application.

3. Magudu Game Reserve is located in KwaZulu-Natal Province. This province had a trophy quota of two leopards (≥ 7 years of age) for calendar year 2018.

B. South Africa Information:

4. The principal legislation in South Africa in regard to wildlife protection in the National Environmental Management Biodiversity Act, Act 10 of 2004 (NEMBA) (IUCN/SSC Cat Specialist Group 2017:149). Under the NEMBA, a wide range of wildlife activities are regulated, including: hunting, capturing, importing, exporting, or disposing of any such specimens (Obank *et al*. 2015:356–358). This act is supported by the Threatened or Protected Species Regulations 2007 (TOPS). Under the TOPS regulations, a wide range of activities are controlled, including: permit system, captive breeding operations, hunting, prohibition of specific activities, and protection of wild populations of listed threatened species (Obank *et al*. 2015: 358–360).

5. A third piece of legislation is critical for wildlife management in South Africa: Game Theft Act (No. 105 of 1991, as amended in Act 18 of 1996 and Act 62 of 2000) (CITES 2018a:10). Under this act, the State grants conditional ownership of wildlife to private landowners who obtain a Certificate of Adequate Enclosure (aka CAE). This act therefore serves as the foundation of an economically viable wildlife industry in that country.

6. In 2015, the CITES Scientific Authority of South Africa issued a non-detriment finding for *Panthera pardus* (Leopard) (Scientific Authority of South Africa 2015). Based on limited field data and the informed opinions of subject matter experts, the Scientific Authority concluded that legal local and international trade in live animals and the export of hunting trophies at current levels posed a high risk to the survival of leopards in South Africa. The Scientific Authority made several recommendations to address this situation (summarized):

    - Guidelines for the allocation of leopard trophy quotas must be developed and

provided to the provinces;

- A conditional leopard trophy quota allocation must be issued for 2015 with approval for 2016 conditional upon implementation of the 2015 requirements by the provinces;
- National norms and standards for the management and monitoring of leopard trophy hunting and putative damage-causing-animals must be developed; and
- The leopard norms and standards must be implemented by the end of 2019.

7. In response to this negative non-detriment finding, the South Africa DEA set provincial leopard hunting trophy quotas at zero for 2016, effectively banning leopard trophy hunting throughout South Africa for a year (Department of Environmental Affairs 2016). Based on a new review of available scientific information on the status and recovery of leopard populations in South Africa in 2017, the Scientific Authority furthermore recommended, and the Minister of Environmental Affairs agreed, that the zero export quota be extended for 1 year (Department of Environmental Affairs 2017a).

8. In 2017 and in accordance with the earlier Scientific Authority finding, the DEA published "Draft Norms and Standards for the Management and Monitoring of the Hunting of Leopard in South Africa for Trophy Hunting Purposes" (Department of Environmental Affairs 2017b). The intended purpose of these norms and standards was to manage the hunting of leopards in order to reduce the impact of hunting on the stability of the leopard population and to ensure that such hunting is carried out in an ecologically sustainable manner. This document had three main sections (summarized/paraphrased here):

    - Quota and Permit allocation for the Hunting of Leopard (Department of Environmental Affairs 2017b:16–17):--The hunting of a leopard must be strictly regulated by means of an individual hunting permit issued in the name of the local hunter or the hunting client. Either the local hunter or the professional hunter must pass a leopard hunting examination to confirm his/her competency. The local hunter or hunting outfitter must submit an application to the relevant authority in order to be eligible for the allocation of a leopard hunting quota. In the application, the hunter must identify a unique Leopard Hunting Zone. These zones will be confirmed or approved by the South African National Biodiversity Institute (SANBI) taking into account the status of the leopard population in that area, as well as other biological and management factors. Only one leopard hunting quota may be assigned to a zone. The hunting outfitter may apply for a leopard hunting permit on behalf of the hunting client. Written permission from the landowner must be obtained by the hunter and be submitted to the permit issuing authority. If in three attempts during a single hunting season, no leopard is harvested, the issuing authority may decide not to issue any additional quotas for that zone until the next hunting season.

    - Management of Leopard Hunts (Department of Environmental Affairs 2017b:17–18):--Only an adult male leopard that is at least 7 years old may be hunted. If a female or under-aged male is harvested, no quota will be issued for that zone for

the following hunting season. The use of cameras is encouraged to confirm the age and sex of the leopard prior to harvest. The hunting trophy must be reported to authorities within 12 hours. The hunting trophy must also be inspected by other authorities within 24 hours to confirm additional hunt details. Photographs and skin samples for genetic profiling must be taken and submitted to competent authorities to confirm age and sex of the leopard. The costs of the profiling are to be paid for by the hunter.

- Monitoring of Leopard Hunts (Department of Environmental Affairs 2017b:18–20):--Following a successful hunt, the leopard trophy measurements and associated photographs must be submitted to authorities on the designated form. Unsuccessful hunts must also be reported on the corresponding form. Provincial authorities must report hunt and trophy information to the DEA. Failure to submit the required information will result in the denial of leopard hunting quotas for the following hunting season. The DEA must use this information, along with any information from the SANBI or the Scientific Authority, to manage leopard hunting quotas in an adaptive manner. If the hunting of a leopard is done in such a manner that it could contribute to a disruption in the stability of the population, disincentives may be imposed on the hunter, the professional hunter, or the hunting outfitter.

9. Additional key principles also apply to leopard hunting norms and standards in South Africa (Department of Environmental Affairs 2017b:21–24):

    - Ensure an even distribution of hunting effort across leopard range in each province in South Africa
    - Restrict trophy hunting to males ≥ 7 years only
    - Ensure the mandatory submission of hunt return forms and trophy photographs from every hunt

10. In 2018, the zero export quota for leopard hunting trophies was lifted (SANBI 2018). Based on ongoing and long-term monitoring information from the National Leopard Monitoring Project (South African Leopard Monitoring Project; see above), seven leopard hunting zones with stable population trends were identified. The Scientific Authority recommended a quota of five male leopards ≥ 7 years of age in Limpopo and two males leopards ≥ 7 years of age in KwaZulu-Natal. As part of an ongoing adaptive management approach, the Scientific Authority concluded that a small quota, restricted to older males and coupled with the implementation of appropriate management systems as set out in the draft Norms and Standards for the Management and Monitoring of the Hunting of Leopard in South Africa for Trophy Hunting Purposes (see above) would not have a detrimental effect on the survival of leopards in the wild (Department of Environmental Affairs 2018). Zones with a declining or unknown leopard population trend were not approved for leopard export quotas (CITES 2018a:3).

11. At this time, no export quota has been announced for South Africa for 2019 (Michele Pfab; personal communication; December 4, 2019). Furthermore, the draft Norms and

Standards have not been finalized and the public participation process is ongoing. In a recent development, the Ministry of Environment, Forestry and Fisheries created a high-level panel – in part – to review leopard matters: Advisory Committee to Review Policies, Legislation and Practices on Matters Related to the Management, Breeding, Hunting, Trade and Handling of Elephant, Lion, Leopard and Rhinoceros (Department of Environmental Affairs 2019). This committee is expected to report back to the ministry in 12 months.

12. Leopard populations trends are monitored by the South African Leopard Monitoring Project (CITES 2018a:8). As mentioned above, camera-traps have been installed at 24 sites. Additional sites and camera-traps will be incorporated into the project in order to enhance data quality and quantity.

C. <u>CITES Export Quota Program:</u>

13. Within the context of CITES, South Africa initially had an approved export quota of 50 leopards established in 1987 at CoP7 (CITES 2018a:1). At CoP8 in 1992, the Parties approved an increase in the quota to 75 trophies and skins. Based on a Population and Habitat Viability Analysis, in 2005 the quota was again increased to 150 leopard hunting trophies and skins.

14. In accordance with Resolution Conf. 10.14 (Rev. CoP16), South Africa is allowed to export up to 150 leopards annually for personal use (CITES 2018a:8). Between 2005 and 2016, according to South Africa, about 73 leopards were exported annually (CITES 2018a:8). According to UNEP World Conservation Monitoring Centre, however, annual gross exports averaged about 140 skins and trophies, but ranged from 38 to 209 leopards (UNEP-WCMC 2020). This average, however, likely includes skins and trophies from multiple harvest years.

15. Given that leopard export quotas are developed using various methods, the Parties at CoP17 adopted four interrelated decision on *Quotas for leopard hunting trophies* (see AC29 Doc. 16; CITES 2017a,b). According to Decision 17.114:

> Parties, which have quotas, established under Resolution Conf. 10.14 (Rev. CoP16) on *Quotas for leopard hunting trophies and skins for personal use* are requested to review these quotas, and consider whether these quotas are still set at levels which are non-detrimental to the survival of the species in the wild, and to share the outcomes of the review and the basis for the determination that the quota is not detrimental, with the Animals Committee at its 30th meeting (July 2018).

16. The results of these reviews were considered by the Animals Committee at AC30 (CITES 2018b). During this time, a working group reviewed information submitted by leopard range states and made recommendations concerning quotas for 12 African countries to the Animals Committee. For South Africa:

> "*The WC recommends to the Animals Committee to inform the Standing Committee that it considers that the quotas for Leopards for South Africa, as mentioned in Resolution Conf. 10.14 (Rev. CoP16), are set at levels which are non-detrimental to the survival of the species in the wild*."

17. The Animals Committee adopted this recommendation (CITES 2018c:6).

18. At the 70th meeting of the Standing Committee (SC70; Sochi, October 2018), the Chair of the Animals Committee submitted document SC70 Doc. 55 on *Quotas for leopard hunting trophies (Panthera pardus): Report of the Animals Committee*. In the document, the Animals Committee informed the Standing Committee of the above recommendation. The Standing Committee noted the evaluation of the Animals Committee concerning the quotas for South Africa in Resolution Conf. 10.14 (Rev. CoP16) and invited the Secretariat to propose to the Conference of the Parties draft amendments to Resolution Conf. 9.21 (Rev. CoP13) on *Interpretation and application of quotas for species included in Appendix I* concerning approaches to review quotas for Appendix-I species, taking into consideration the recommendations of the Animals Committee in paragraph 5 f) of document SC70 Doc. 55 and opportunities to provide assistance to range States (CITES 2018d). These results were taken up by the 18th meeting of the Conference of the Parties.

19. Based on the discussions regarding Doc. 46 at CoP18, the Chair of Committee I established a working group to consider the revision of Resolution Conf. 9.21 (Rev. CoP11) in Annex 2 and draft decisions 18.AA to 18.HH in Annex 3 to document CoP18 Doc. 46. The working group, chaired by the United Kingdom of Great Britain and Northern Ireland, also included Botswana, the Central African Republic, Chad, Ethiopia, the European Union, Finland, Germany, Israel, Liberia, Malawi, Namibia, Senegal, South Africa, Spain, Uganda, the United States of America, and Zimbabwe; United Nations Environment Programme (UNEP); International Council for Game and Wildlife Conservation; International Union for Conservation of Nature (IUCN); and Cheetah Conservation Fund, Conservation Force, Dallas Safari Club, European Federation of Associations for Hunting and Conservation, Humane Society International, International Professional Hunters Association, IWMC-World Conservation Trust, Safari Club International, San Diego Zoo Global, World Wildlife Fund and Zoological Society of London (CITES 2019a). The working group prepared document CoP18 Com. I. 10 on the basis of document CoP18 Doc. 46 after discussion in the second session of Committee I (CITES 2019b). At the conclusion of CoP18 (i.e., plenary), the amendments to Resolution Conf. 9.21 (Rev. CoP17) on *Interpretation and application of quotas for species included in Appendix I* contained in the in-session document CoP18 Com. I. 10 had been accepted in Committee I and were adopted. The eight draft decisions in Annex 3 to document CoP18 Doc. 46 had also been accepted in Committee I and were adopted. Decisions 17.114 to 17.117 were deleted (CITES 2019c).

20. Therefore, based on the above information, we find that the current harvest levels are sustainable. As such, we advise that this import is likely to be for purposes that are not detrimental to the survival of the species.

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DSA BIOLOGIST:

JEFFREY JORGENSON Digitally signed by JEFFREY JORGENSON Date: 2020.09.14 10:31:10 -04'00'

Jeffrey P. Jorgenson, Ph.D.
Biologist
Division of Scientific Authority

DSA CONCUR:

Digitally signed by ELEANORA BABIJ Date: 2020.09.14 14:47:47 -04'00'

Eleanora Babij, Ph.D.
Chief, Branch of Consultation and Monitoring
Division of Scientific Authority