

**MEMORANDUM**

**TO**

**THE HON MINISTER OF  
DEPARTMENT OF ENVIRONMENTAL AFFAIRS & TOURISM**

**ON**

**HUNTING IN THE  
ASSOCIATED PRIVATE NATURE  
RESERVES  
ADJOINING THE  
KRUGER NATIONAL PARK**

**PREPARED AND SUBMITTED BY THE  
ASSOCIATED PRIVATE NATURE RESERVES (APNR)**

**11 JULY 2005**

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## 1. EXECUTIVE SUMMARY

The recent opposition to the hunting in the Associated Private Nature Reserves (APNR) has been orchestrated by persons who are either philosophically opposed to hunting or, for various reasons, have a grievance with the APNR management. We respect a person's right to hold a view that opposes hunting, and know that we will probably never change this. However, in our case, we find that often the ecological facts are being twisted to fit ethical arguments.

The opposition to trophy/commercial hunting in the APNR must be examined in two separate contexts. These are firstly a biodiversity, conservation, wildlife management and legal context and, secondly, an ethical one that embraces hunting in general. This memorandum, with its focus on wildlife management and facts, only addresses the former.

The APNR is an informal forum where its member reserves come together to discuss and consider issues of common concern. Its member reserves presently comprise Timbavati, Klaserie, Umbabat and Balule Private Nature Reserves. The Reserves form a buffer-zone to the Kruger National Park (KNP). The total size of the APNR is approximately 185,000 hectares. The Timbavati, the oldest of the Reserves celebrates its 50<sup>th</sup> year of existence in 2005. (see map on following page)

Very limited commercial and trophy hunting is conducted by all of the Reserves within the APNR. All of the individual Reserves are associations-not-for-gain and hence all proceeds generated by such hunting activities are applied almost exclusively to the aims and objectives of the Reserves, being the conservation, rehabilitation and management of the fauna and flora within the Reserves.

The sources of revenue available for the Reserves are effectively limited to:

- sustainable utilisation of the resources within the Reserves,
- eco-tourism, and
- the individual landowners within the reserves.

It is generally accepted that sustainable hunting has a far lesser impact on natural resources than eco-tourism. The reserve Associations rely extensively on hunting and the landowners themselves as sources of income. An eco-tourism bed-levy contributes to the operating costs of the Timbavati. Hunting cannot be replaced by eco-tourism: this is a common misconception. Many areas within the APNR are not suitable for eco-tourism and any potential effort to generate revenue from tourism would not be viable

The effect of the sustainable utilisation policies of the APNR on the biodiversity of the area are so negligible it cannot even be measured.

Conversely, removing hunting as a source of revenue will have a detrimental

effect on the ecology, employment and community projects in the area and may result in a reduction in size of “open area” buffer zones in general.

We believe that the development of trophy/ commercial hunting adjoining National Parks and other state owned protected areas can be an effective strategy in expanding the area of land devoted to biodiversity conservation, by developing an economically viable and sustainable form of land use in communally and privately owned areas that would otherwise be unproductive for agriculture. This appears to be in line with the aims and objectives of national legislation in the form of the Protected Areas Act 57 of 2003 and Biodiversity Act 10 of 2004 (PAA).

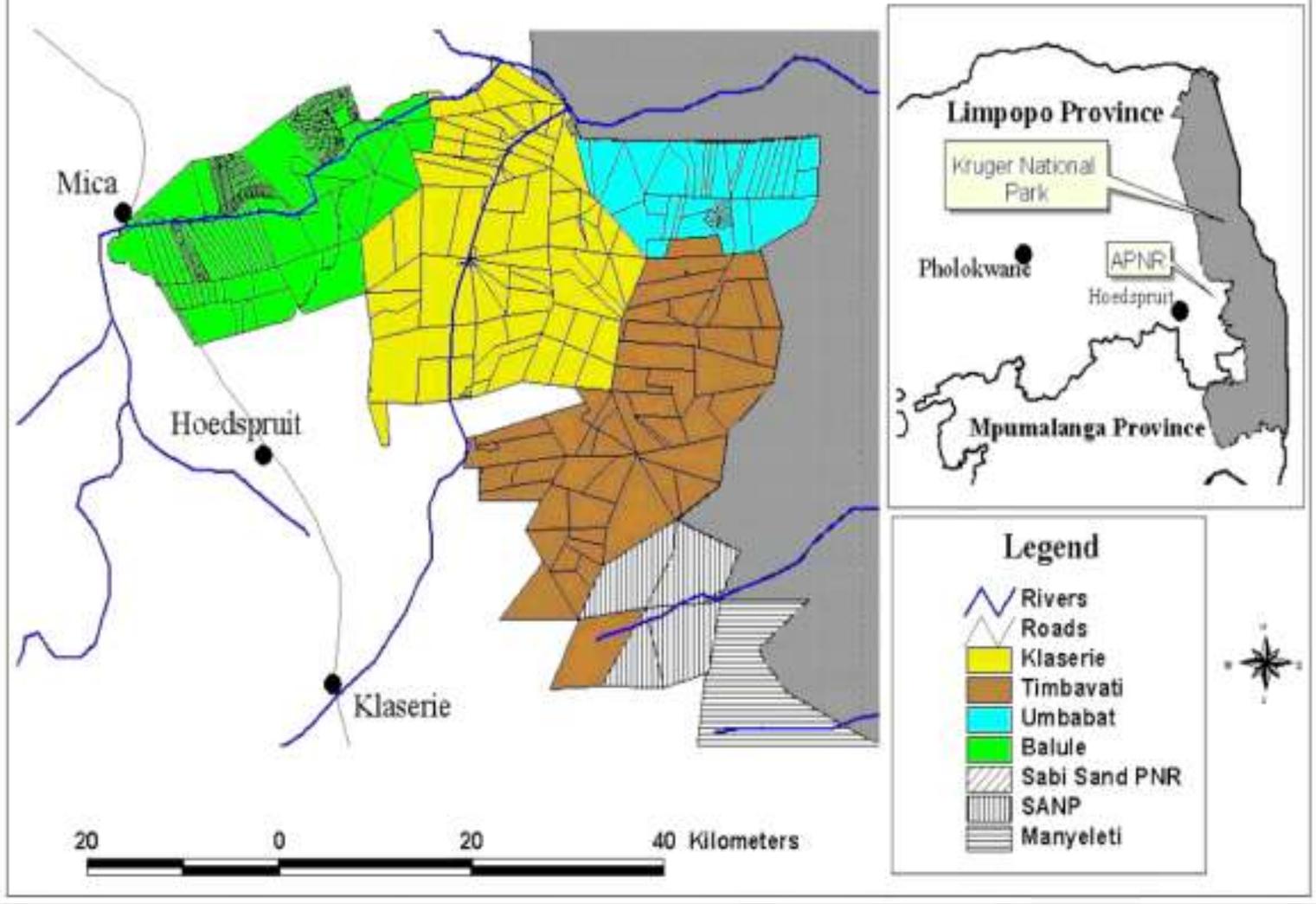
The process applied by the APNR is allocating hunting permits is consultative and is decided in collaboration with the KNP and the Limpopo Department of Economic Development, Environment & Tourism. (DEDET).

The APNR conducts hunting on a legal, sustainable, ethical, scientific and measurable manner. In addition, its hunting practices and policies are conducted in accordance with the APNR Management Plan, the APNR Sustainable Utilisation Protocol, the APNR agreement with SANParks, and with prior consultation and approval of the KNP and Limpopo DEDET. Furthermore, hunting is permitted by the internal Constitutions of each Reserve.

Sustainable utilisation is an internationally recognised practice and forms the basis of the Convention on Biological Diversity, which South Africa ratified in 1995. All new legislation in South Africa, including the National Environmental Management Act, Biodiversity Act, and especially the Protected Areas Act (PAA), allow for sustainable utilisation in protected areas, including nature reserves and national parks.

We trust that the panel will objectively evaluate the facts surrounding the issue, and the wider ramifications that their recommendations will have on increasing the area of land devoted to conserving biodiversity in South Africa. We hope that the panel's recommendations will be on the basis of principles that will further the interests of biodiversity conservation, sustainable rural development and of making optimum use of marginal land in southern Africa.

### Locality map of the Associated Private Nature Reserves (APNR)



## **2. BACKGROUND**

### **2.1. The history of hunting in the APNR**

As mentioned above, the APNR consists of Timbavati, Klaserie, Umbabat and Balule Private Nature Reserves, each of which is comprised of a number of farms and owners. The fences between the farms within each reserve were removed when they were formed and those between the reserves as the APNR (Fig. 1) was consolidated, over a period of time.

Hunting has been taking place on most of the farms that comprise the APNR ever since they were first settled. Initially there was only a cattle fence between the Kruger National Park (KNP) and these farms. Hunting took place prior to the formation of the component Private Nature Reserves and has continued ever since their formation in the early 1950's

Trophy hunting and game capture continues to take place in Manyeleti Nature Reserve and Letaba Ranch in Limpopo Province, state-owned land which also has an unfenced boundary with the KNP.

Although Manyeleti is state-owned, as part of the open system, it is invited to, and does attend, the Joint Committee meetings with the APNR and KNP, which take place five times a year.

What we find very difficult to understand is that both the opponents to hunting in the APNR, and DEDET, choose to ignore this in their arguments that "National Assets" are being hunted in the APNR.

### **2.2. The removal of the fences**

The fence between the KNP and the APNR was removed more than 10 years ago. (This begs the question: why is there only now a public debate about the issue? The reason will be made clear below.)

Prior to the removal of the western boundary fence of the KNP, SANParks had no objection to the trophy/ commercial hunting in the APNR and agreed that it would continue once the fence was removed. Subsequently, in 1996, an Agreement was signed between SANParks and the APNR (Appendix 5). Briefly, both parties agreed that:

- The premise and objective of the Agreement is the extension and creation of ecological unity between the APNR and the KNP;
- That a Joint Committee with equal representation of both the KNP and the APNR would be formed to integrate the management philosophies

and principles of both the KNP and APNR and that DEDET Limpopo would participate fully at senior level at these meetings.

- That the ecological management of the KNP and the reserves that comprise the APNR will be carried out in terms of the principles and policies set out in the respective Management Plans, as approved by the SANParks and the Committees of the respective reserves. The APNR Management Plan is based upon the KNP's Master Plan. It was further agreed that the ecological management of the reserves remain the responsibility of the committees in terms of the Management Plan of the APNR. Hunting has always formed an integral part of this management plan for the APNR.

### **2.3. The recent opposition to hunting**

The recent spate of media attention aimed at the APNR and more specifically the Timbavati is as a direct result of the Timbavati enforcing the conditions of its internal Constitution on two errant landowners, who, in retaliation have launched a political and media campaign against the Timbavati.

It would appear as if these particular opponents to hunting in the APNR do not oppose the hunting and game capture that takes place elsewhere within the open area (such as Letaba Ranch). There has also been no opposition from them to the hunting that has taken place in the area within the KNP fence that belongs to the Makuleke community.

Much of the publicity appearing in the printed and electronic media, radio and television has been specifically directed, by these opponents, at the management of APNR, and in particular, the management of the Timbavati. This attack is considered to be a ploy by these opponents to undermine the reputation of the APNR, and an attempt to portray the hunting policies of the APNR and in particular, the Timbavati, in a poor and prejudicial light.

Copies of some of these media articles are attached hereto in Appendix 10.

### **2.4. Relationship with SANParks and the KNP**

The APNR has an excellent relationship with the KNP, both at an operational level as well as at an executive level.

In a press article appearing in the Mail and Guardian online on the 23<sup>rd</sup> March 2005, Dr David Mabunda, CEO of SANParks, was quoted stating that:

*“We (SANParks) have a good relationship with the Timbavati Association, and they are excellent conservationists. Hunting in private reserves, contractual and provincial parks is allowed within the*

*framework of provincial legislation and sustainable use of natural resources. This framework means that hunting can only take place if it is based on scientific studies, scoping exercises, aerial surveys and the granting of a permit to hunt by the Limpopo department responsible for conservation. SANParks scientists and rangers are part of the process that determines [hunting operations].*

*We have reached an agreement with Timbavati and other privately owned reserves that border on the Kruger National Park. This agreement states that the area would be managed in accordance to the management plan that applies to the Kruger National Park. And our policy is open to the sustainable use of natural resources.”*

## **2.5. The Scoping Report**

The Scoping Report (Appendix 3) was carried out following the process prescribed by DEDET. The report and its conclusions were complemented by DEDET for the manner the information was analysed and interpreted, and upon which their decision to allocate and issue permits had been based in 2003.

It is worth noting that that this Scoping Report is the most detailed study into the potential ecological effects of trophy hunting done in this country to date. (Refer to Appendix 8.2 – Mike Mentis Affidavit).

In its decision of the 6<sup>th</sup> May 2003, DEDET stated that:

*“The departmental evaluation of the scoping report concludes that the report complies with the minimum requirements for scoping reports and has investigated, assessed and communicated all the identified potential impacts on the environment, socio-economics conditions and the cultural heritage satisfactorily for the purpose of scoping.*

*There is a low probability that the level of hunting as recommended in the report would have a significant negative impact on the environment, socio-economic conditions and the cultural heritage of the APNR. The gaps in data as identified by the scoping report and the recommendations to address these gaps are considered to be adequate.*

*This Department is therefore of the opinion that hunting for the current season may continue under the following conditions for the KPNR, TPNR and UPNR.”*

## **2.6. The allocation of revenue from hunting**

The APNR and its component Nature Reserves are non-profit bodies. The revenue generated from the hunting goes either towards offsetting the management costs of the reserves or towards community outreach

programmes. The loss of this revenue will have a negative impact on the success of these endeavours.

Commercial/ trophy hunting in the APNR is governed by the Hunting Protocol which a dynamic document that is being continuously refined as new scientific data becomes available from the studies undertaken by researchers in the APNR (Appendix 1). The revenue generated from this commercial/ trophy hunting contributes significantly towards the management of the area and the conservation of habitats and species.

In Timbavati's case, 100% of all revenue is directed towards the ecological management of the Reserve and associated costs, which in turn provides employment for a large number people from the surrounding area.

Management activities of all the Reserves include: veld condition assessments, ecological aerial census, firebreak and fence maintenance (the western APNR fence line delimits the western allowed perimeter of buffalo as defined by the Department of Animal Health. It is there to underpin international agreements and the cost of maintaining this is being borne by private associations who do not necessarily have any interest in those agreements), erosion control, bush clearing, alien vegetation control, game census, vegetation and habitat monitoring and wildlife and environmental research.

Furthermore the Constitution of the Timbavati and other Reserves specifically prohibit the owners of farms from conducting or benefiting in any way from commercial/ trophy hunting which may take place on their farms. All trophy/ commercial hunting is conducted by and for the benefit of the respective non-profit Associations.

### **3. SUSTAINABLE UTILISATION WITHIN THE APNR**

#### **3.1. The Sustainable Utilisation policies of the APNR**

It is only in the fairly recent past that its impact hunting on the environment has been considered and wildlife management policies and programmes have emerged.

In keeping with this trend, and over the last 15 years, the APNR adapted the master plan developed by the KNP, to suit its own unique needs. A management plan was initially compiled which included a component relating to Sustainable Utilisation. This plan was continually adapted and modified in conjunction with KNP and DEDET to take cognisance of developing research in the field of wildlife management.

During the negotiations, in and during 1994, for the removal of the fences

between the KNP and the APNR, representatives of the KNP were intimately involved in the development of this management plan. The approval by the KNP of this management plan was seen as a prerequisite for the removal of the fences.

The Timbavati Sustainable Utilisation policy, contained in this management plan, ultimately paved the way for the development of the current Sustainable Utilisation policy for the entire APNR.

This Sustainable Utilisation policy is contained in its:

“Protocol For The Sustainable Utilization Of The Wildlife Resources Through Professional, Eco/Green And Sport Hunting Or Capture And Translocation” (‘the Protocol’).

A copy of the Protocol is annexed hereto (Appendix 1).

This Protocol, which is widely regarded as an exemplary model for Sustainable Utilisation in the Greater KNP System, was developed in consultation with a wide variety of experts and interested and affected parties.

The latest amendments to the Protocol were accepted in October 2004 at a meeting attending by, amongst others:

- representatives of the APNR,
- Bert Howard, Joel Hancock of DEDET,
- Ian Sharp, ecologist for DEDET,
- Dr Piet de Villiers - Specialist scientist (elephant buffalo and impala),
- Dr Paul Funston – Specialist scientist (lion)
- Dr Freek Venter – Head: Conservation Services, KNP

The Protocol still forms part of this management plan and is used as the basis for the proposals for hunting allocations made yearly to DEDET.

The Protocol is premised on the notions of conservation of biodiversity and sustainable utilisation of natural resources and provides, *inter alia*, as follows:

*“All utilisation of the natural resource will be governed by the underlying principles of ecological sustainability, taking into consideration economic and social requirements. In determining off take numbers, due regard will be taken of the population dynamics and general wellbeing of the particular species.*

*All decisions must be based on accepted techniques and methodology and be in the realm of accepted conservation practice. This will be based on recent, up to date and relevant data on the particular population. As far as possible the population should be seen in the broader APNR context and even in the greater KNP context and not merely on a farm or Reserve basis.”*

The Protocol details specific guidelines applicable to professional hunting, eco/green hunting, sport hunting and capture and translocation of specific species. The protocol provides that the guidelines are ‘*specific to the manner of utilization as also the species, which need to be described and adhered to throughout*’.

Danie Pienaar – Head, Scientific Services, KNP states in his attached affidavit (Appendix 8.1):

*“There are many forms of natural resource utilisation. Hunting is one form of utilisation of natural resources. Provided it is undertaken sustainably, it is entirely consistent with the overall objectives of the Master Plan of the Greater KNP system, which is premised on the notion of sustainable utilisation.*

*Eco-tourism is another form of utilisation of natural resources. Although there are exceptions, in general hunting has a far lesser impact on natural resources than eco-tourism. The latter usually requires fairly extensive infrastructure development, including lodges, roads and water reticulation systems and results in a greater number of people on the land than is typically associated with hunting operations.*

*I am very familiar with the management plan of the APNR, which was developed by a former Head of Conservation of the KNP, Dr. Saloman Joubert. I am also familiar with the APNR Hunting Protocol. Both of these are consistent with the Master Plan of the Greater KNP system. “*

### **3.2. The regulation of hunting in South Africa and specifically, Limpopo Province**

The PAA specifically states that one of its objectives is “to promote sustainable utilisation of protected areas...”. This includes national parks and nature reserves as defined.

Section 50 of the same Act specifically allows a nature reserve to “carry out or allow a commercial activity ..[which] may not negatively affect the survival of any species...”. Furthermore the management of the nature reserve must “establish systems to monitor the impact of activities allowed...”.

Hunting in the Limpopo Province has been regulated by the provisions of the Nature Conservation Ordinance 12 of 1983 (‘the Ordinance’), which was assigned to the Northern Province (as it then was) with effect from 31 March 1995, the provisions of the National Environmental Management Act 107 of 1998 (‘NEMA’), and more recently, the Limpopo Environmental Management Act No 7 of 2003 (‘LEMA”)

LEMA (and in particular Chapters 4 and 5 thereof) operates within a framework that recognises that hunting (including trophy hunting) may be

lawfully undertaken provided certain conditions are met. In particular, section 33 read with section 31 provides that hunting can be undertaken within a declared Private Nature Reserve (such as the APNR) by a non-owner of land, provided that the owner himself has a permit to hunt in the reserve and has authorised the non-owner to hunt on his land. The non-owner, in turn, is also required to obtain a permit.

Permits may be obtained for the hunting of “specially protected wild animals” (which include elephant); “protected wild animals” (which include buffalo) and game (which include most common species of buck).

The procedure developed specifically for the regulation of hunting in the APNR involves the following:

1. The process begins with a game census which is usually undertaken in August or September each year.
2. On the basis of this data and further scientific studies undertaken, each reserve motivates their proposed “off-take” figures to DEDET at the Joint Committee meeting which takes place in October each year. The proposals typically specify the species, number, sex and even age of the animals in respect of which hunting allocations are proposed.
3. The proposed off-takes are then considered by the representatives of DEDET and if approved, prospective applicants may then apply for the requisite permits from DEDET in accordance with the allocations.
4. In the case of the Timbavati, the Klaserie and the Umbabat, hunting permits are issued in the name of the respective wardens, who have been given the authority to apply therefore by the individual land owners in the reserves. Once a client has been procured by the respective reserve to hunt the animal mentioned on the warden’s permit, the hunting permit is transferred to the client.
5. Since the issue of the hunting permit to the client is a formality (once the allocations have been approved by the DEDET), in practice the application and issue of the permit to the client usually occurs only a few days before the hunt is due to commence.
6. This procedure was recently confirmed by DEDET in a document prepared by its Klaserie office and sent to the APNR late last year. A copy of this document is attached marked “Appendix 12” . .

## **4. WILDLIFE WITHIN THE APNR**

### **4.1. The contention that animals migrate from the KNP to the APNR**

There are no large mammal migrations between the KNP and the APNR. It was only western boundary sub-populations of zebra and wildebeest that migrated into the APNR during the summer months. This was curtailed by the erection of the KNP western boundary fence. This migration has not recurred since the fence was removed. (The winter months are the safari hunting season). (Refer to Appendix 6, Conclusion on p8)

### **4.2. The status of the wildlife populations in the APNR.**

- The ungulate biomass per km<sup>2</sup> in the APNR is higher than that in the KNP overall and the adjoining areas of the KNP in particular. It is also higher than the upper level of that which would be expected from the formula of Coe *et al.* 1976
- The lion density in the APNR is higher than it is in the KNP.
- The Buffalo density in the APNR is higher than that in the adjoining area of the KNP and the KNP as a whole.
- Populations of elephant and buffalo in the APNR are still increasing notwithstanding the fact that hunting that takes place of both species.
- Species that are not hunted are declining.

### **4.3. The factors controlling wildlife populations in the APNR**

The primary factor controlling population numbers of most ungulates in the APNR is rainfall and its effect on vegetation, with subsidiary factors being bush encroachment, the fire regime and the introduction of numerous artificial water points.

Lion predation is also considered to be having a negative impact on wildebeest, waterbuck and giraffe populations.

### **4.4. The impact of Trophy hunting on the wildlife populations in the APNR**

- There is no evidence that trophy hunting in the APNR has any effect on the density (numbers) of the species that are hunted in the APNR.

- There is no evidence that the hunting in the APNR has had any negative impact on the gene pool in terms of the physical criteria that are used to classify animals as "trophies".

The Executive Summary of the Scoping Report draws the following conclusions:

*"The probability that hunting in the APNR impacts negatively on the KNP is very low:*

*The probability that current levels of hunting in the APNR impact negatively on overall APNR game populations is very low.*

#### **4.5. The question of the game in the APNR being a "National Assets".**

At present, wildlife populations on the APNR remain "*Res Nullius*". Contrary to allegations in the media, there is no ambiguity or possibility for another interpretation under the current legal framework.

For this wildlife to become a "state asset", a change in legislation will be required. If this occurs, will the State assume responsibility for managing the wildlife and the habitats on which it depends? Furthermore, will the state compensate the private landowners for the "assets" it now owns?

The Panel is requested to refer to clauses 6.4 and 6.4.1 of the Scoping Report (Appendix 3)

### **5. PROBABLE AND POSSIBLE CONSEQUENCES OF A BAN ON HUNTING ON LAND ADJACENT TO NATIONAL PARKS AND STATE OWNED PROTECTED AREAS.**

The principle of preventing hunting on land that adjoins a National Park with no intervening fence is not one that applies only to the APNR. Such a ban will preclude the development of any wildlife utilisation project over the stretch of very marginal communal land between the Letaba and Punda Maria gate. In Limpopo Province it will severely limit the extent to which Marekele National Park can be integrated into the proposed Waterberg Biosphere Reserve as hunting is an important form of land use on many of the neighbouring properties. As stated elsewhere in this memorandum, hunting occurs in similar areas throughout the world (for example, the buffer land surrounding Yellowstone National Park). Hunting is an activity that is practiced in many provincial parks in South Africa.

Unfenced properties adjoining National Parks and state owned protected areas may decline to be incorporated into greater Biosphere Reserves. More worrying is that some may choose to re-place the intervening fences that have been removed.

Possible consequences of a ban on hunting within the APNR which would be a direct result of financial constraints include:

1. Reduction in ecological work such as erosion control, seep-line rehabilitation, alien vegetation control;
2. Retrenchment of staff. Landowners and the APNR management authorities employ approximately 1,200 people;
3. Reduction in research projects;
4. Lack of fence line maintenance, which will include the KNP's effective western boundary;
5. Reduction in anti-poaching patrols;
6. Cessation of community projects such as the:

➤ **Timbavati Bush School:**

The primary objective of the Bush School is to enlighten disadvantaged children from surrounding communities to ecosystem functioning and the critical role of protected areas such as the APNR.

The school accommodates 8 pupils from grade 8 at a time, over a four day course, 37 times a year.

Recently a group was received from Dept of Health and Social Services, Mpumalanga. Please see attached letter of thanks (Appendix 11)

➤ **HIV/ Aids Clinics and Programmes:**

The APNR is in the process of finalising the establishment of 3 mobile HIV/ Aids clinics within the APNR. The project is being done in collaboration with an international NGO.

➤ **bursary programmes for disadvantaged individuals:**

The Timbavati send four disadvantaged students a year to the SA Wildlife College.

➤ **donations to the surrounding communities:**

Klaserie and Balule recently donated 17 km of fencing to

neighbouring schools (see Appendix 10.5)

Other possible consequences could include:

1. Re-erection of boundary fences by private landowners, thereby claiming “ownership” of the animals on their properties.
2. The collapse of the structures of the private reserves, with individual landowners pursuing their own agendas and no longer having to abide by the Constitution of the respective Reserves. Ultimately, this could result in uncontrolled development on the immediate boundary of the KNP wilderness area. (An example of this can be seen with the proposed Rietvley development). The KNP would then have to negotiate with individual landowners rather than well run Associations.
3. Deproclamation of land proclaimed as a nature reserve.
4. Some of the APNR reserves are currently negotiating with the SANParks to be proclaimed as part of the KNP, in terms of the Protected Areas Act. A ban on hunting in these Reserves will severely compromise this process as it is unlikely that landowners will agree to having to forgo hunting rights in order to be proclaimed as part of the KNP.

## **6. SUGGESTIONS REGARDING CENTRALISATION OF PERMITS ISSUED WITHIN THE OPEN AREA**

The recent media exposure regarding an elephant hunt in a farm within the open area, but not part of the APNR, or KNP, highlights a concern which the APNR has already raised with DEDET. Balule has objected to the landowner concerned (see Appendix 9).

In our opinion, it is essential that in order to maintain the scientific principle of sustainable utilisation, all hunting allocations within the open system that border the APNR must be coordinated through the APNR, the Joint Committee meetings held with the KNP and DEDET, or a similar centralised body.

If the APNR is expected (as it should be) to conduct expert studies and assessments (game counts) and be bound to documents such as Management plans, Hunting Protocols, and internal Constitutions etc, so to should anyone else who wishes to apply for permits within the open system. Currently, this is not applied to non-APNR land/ members within the open system.

A draft agreement with DEDET of this nature has been formulated. However, DEDET has suspended all negotiations.

There are a number of farms, proclaimed and unproclaimed, that border on the APNR, or are within APNR reserves, that do not officially form part of any one of the reserves and do not abide by either the APNR Management Plan, the APNR Hunting Protocol or the Constitutions of the respective reserves.

The APNR has performed the necessary Scoping Report, and conducts annual scientific studies such as veld assessments and aerial censuses. Based on these, hunting allocations are looked at in aggregate for all the reserves to ensure that such allocations are sustainable.

Failure to allocate permits through the APNR/ Joint Committee by independent farms and reserves within the open system means that some hunting allocations within the open system are not aggregated and are not monitored. This could lead to unsustainable hunting allocations being made within the open system.

Furthermore, we believe that the proceeds from any commercial hunting activities outside the APNR but within the open system, should be allocated entirely to the conservation of these areas.

## **7. THE SCOPING REPORT ON TROPHY HUNTING IN THE APNR**

### **7.1. Background on the Scoping Report**

The Scoping Report (International Conservation Services 2003 ) (Appendix 3) was carried out according to the guidelines specified by the DEDET. The Plan of Study was approved prior to the collection and analysis of data. Following the preparation and circulation of a Background Information Document, a public meeting for Interested and Affected Parties (IAPs) was advertised and then held on 14 September 2002 in Hoedspruit. The final document addressing the IAPs concerns and making recommendations where necessary was completed in early 2003.

The Chief Directorate Environment of DEDET commented on the Scoping Report as follows :

*"The study was found to be of a very difficult nature and in general it is felt that the consultants have produced a very good document that will serve as a basis for such investigations in the future". ( Refer: Scoping Report, Appendix 3, page 269)*

### **7.2. The chief concerns about Trophy hunting in the APNR**

The concerns identified by the consultants can be grouped into the ecological, socio-economic and ethical issues discussed below.

### **7.2.1. That animals hunted in the APNR are from the Kruger National Park**

This point is the deepest concern to those who oppose hunting in the APNR. Critics state that animals migrate from the KNP into the APNR and it is also maintained that the creation of artificial water points in the APNR attracts animals from the KNP.

The facts:

It is true that in the past there was an annual migration ( Fig 2 ) into the APNR of the western boundary population of zebra and wildebeest ( Smuts 1972, Smuts 1974 and 1974, Whyte 1988 ). Once the western boundary fence to the KNP was erected in 1961, this migration could no longer take place and these populations declined drastically ( Whyte 1988).

When the fence between the APNR and the KNP was removed in 1993, the old migration did not re-establish itself. The probable reasons for this are that there were no longer any surviving animals in the KNP populations that had retained the migratory behaviour and, more likely, that the APNR is no longer an attractive habitat for wildebeest and zebra.

Over the period between the erection of the fence and its subsequent removal in 1993, the APNR and Sabi Sand experienced significant changes in habitat and consequently ungulate species composition. This was primarily as a result of bush encroachment engendered by over-grazing as a consequence of the introduction of numerous artificial water points and the passage of a wet cycle. The consequences of this habitat change have been a reduction in suitable habitat for wildebeest and zebra and increase in habitats that favoured impala and buffalo.

The subject of past migrations within the area of the Great Limpopo Transfrontier Conservation Area was reviewed (Anderson, 2003) and it was concluded that apart from the three wildebeest and zebra sub-population migrations and regular seasonal movement of eland in the north, there were no true mammal migrations in and adjoining the KNP (Appendix 6).

We would like to draw the panel's attention to the very pertinent comments made in the letter on the 10<sup>th</sup> Feb 2002, to the Scoping Report consultants, from the Limpopo Province Chief Directorate DEDET ( Ref 16/1/6/H-1 ) :

*“The point ( section 6.4) as to whether the game found in the APNR reserves are national assets begs further comment. Does the national asset only refer to the organisms that can move e.g. game animals? Should the habitat not also be considered a national asset? If so, then it could be said that the money generated from hunting is being*

*used to protect a national asset i.e. the protection of the habitat by applying the funds to environmental conservation through reserve management. The focus cannot only be on the game animals, even in the KNP, funds generated from the sale of elephants or elephant products such as ivory are used to conserve the habitat as a whole".*



The table below summarizes the information on the spatial behaviour and water dependence of those the more numerous large mammals within the APNR (Table 1). It will be seen from this that most of the large mammals found in the APNR are in resident species populations.

**Table 1**  
**The spatial behaviour and water dependence of the more numerous game animals in the APNR.**

Species	Spatial behaviour	Home range or Territory size Km <sup>2</sup>	Water dependence	Maximum distance from water	Migratory behaviour
Elephant	H/range	523	Obligate	>10	No
White rhino	Territorial	1-13	Obligate	< 10	No
Giraffe	Non Territorial	20-160	Facultative	>50	No
Zebra	Nomadic	100-200	Obligate	6	Yes
Buffalo	Non-Territorial	10-250	Obligate	17	No
Wildebeest	Territorial/Migratory	3	Obligate	10	Yes
Kudu	H/range	5-11	Obligate	4	No
Sable antelope	Territorial	15-30	Obligate	3	No
Waterbuck	Territorial	1.5-8	Obligate	2	No
Impala	Territorial	.08-0.5	Obligate	1.6	No
Warthog	H/range	0.6-1.7	No	3	No
Lion	Territorial*	20-400	Obligate	?	No
Leopard	Territorial	10-63	Facultative	?	No

Data from: Bothma (2002); Clegg (1999); Estes (1991); Owen-Smith (1996); Mills (1990); Mills & Retief (1984); Pienaar (1969); Skinner & Smithers (1990); Western (1975); Whyte (2001); Young (1970).

### **7.2.2. That the Trophy hunting impacts negatively on populations in the APNR and the KNP**

The contexts in which the populations could have been negatively affected are in population numbers, gene pool and behaviour.

The panel is requested to refer to the Scoping Report, in which it states that :

*“Climatic factors, dispersal out of the KNP, and internal harvesting (eg for TB research) are factors that impact much more on the KNP populations than hunting could. The cumulative effect of hunting on top of the already listed factors is considered to be negligible as the other factors operate at orders of magnitude larger than the hunting and as none of the species involved are at a threshold of minimum population viability. Hunting in the APNR in its present form is therefore considered to have minimal impact on the KNP environment.”*

Similarly, as already mentioned above, the Executive Summary of the said report draws the following conclusions:

*“The probability that hunting in the APNR impacts negatively on the KNP is very low:*

*The probability that current levels of hunting in the APNR impact negatively on overall APNR game populations is very low”*

In further mitigation of potential, negative effects of trophy hunting on the various species, the APNR’s Hunting Protocol was been specifically structured, in conjunction with specialist studies, to minimise these effects.

#### ***Changes in species composition***

There have been changes in the species composition and population numbers in the APNR over the decades. However, ecologists who have assessed this have shown that the over-riding factor in affecting populations is rainfall, habitat change brought about by over utilization ( Walker *et al*, 1987 ; Peel 12990 - 2001; Zunckel & De Wet 1992)

#### ***Trophy species***

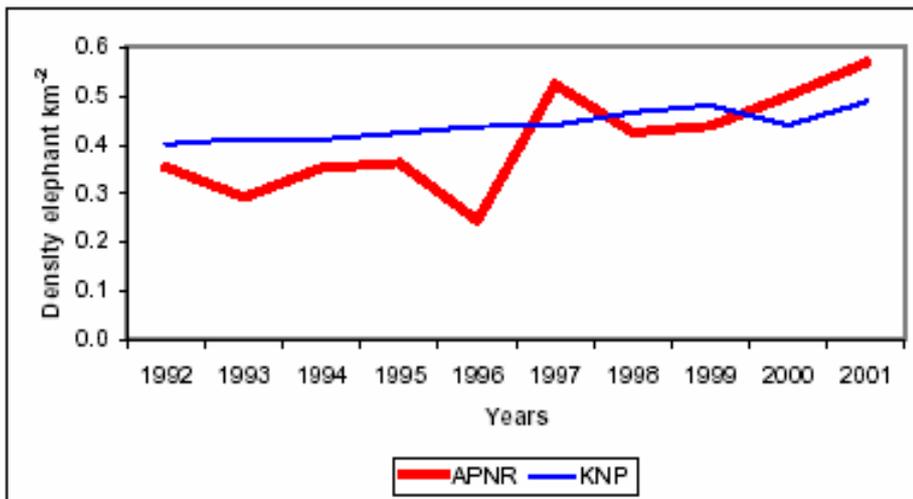
The species that are at the core of the trophy hunting issue are considered below:

Elephant:

Total number of trophy hunts in current season: 2  
Total estimated population as at October 2004: 763

Although elephants have occurred in the APNR since its formation, it is obvious that the elephant population in the APNR is part of the larger KNP population and there is movement of bulls between the two areas.

Like the greater KNP elephant population, the density of the APNR elephant population continues to increase (Fig. 3). The fact that it is increasing at a slightly faster rate than that in the KNP and reflects increment from both breeding and dispersion into the APNR from the KNP.



**Fig.3 The increase in elephant numbers in the APNR and the KNP between 1992 and 2001 (from International Conservation Services 2003)**

The trends in the buffalo and elephant population numbers in Klaserie (Fig 4) are mirrored throughout the APNR. However, the distribution is not uniform, for example in the Umbabat, elephant census results have increased from 3 in 1985 to 150 in 2004.

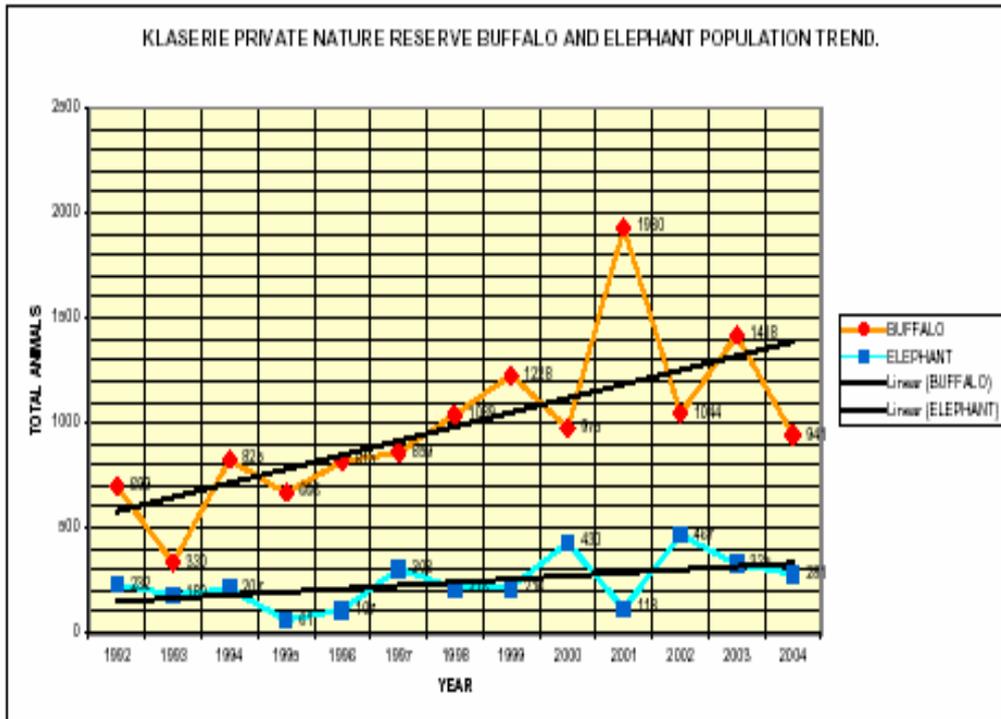


Fig.4 Graph illustrating the growth of the elephant and buffalo

We must draw the attention of the panel to the fact that the growing elephant population is having a very noticeable impact on the Biodiversity of the APNR. Most, if not all, the Kiaat *Pterocarpus angolensis* have been killed as a result of damage caused by elephants and the Marulas *Sclerocary birrea* appear to be following suite. The inevitable actions to address the KNP elephant population issue puts the discussion of the hunting of elephant bulls as trophies into a proper perspective.

At the public meeting in Polokwane, on 18<sup>th</sup> April 2005, Mr Van der Spuy implied that that the tusk size in the KNP was being negatively impacted by trophy hunting in the APNR. Dr F. Venter from the KNP was present and he was asked whether the KNP management had noticed any decline in tusk size in the KNP and he stated that no such change had been noted.

The protocols for hunting elephant in the APNR are given in Appendix

1. It will be seen from this that the APNR has a commitment to ethical and responsible hunting and the upper limit for tusk size has been set at 70lbs a side. This year, 2005, the elephant hunting in the Klaserie Nature Reserve and Umbabat will be directed at old bulls with small tusks. If there were to be any response to this selection (which we doubt) it would favour the survival of animals with genes for big tusks.

### Lion

Total number of hunts in current season: 2  
Total estimated population as at October 2004: 167

The first consideration is whether the hunting of trophy lions in the APNR is having any negative impact on lion numbers? Also whether it is acting as a "sink" and that lions shot in the APNR are being replaced by an influx from the KNP. (Unfortunately, the results and conclusions from the study undertaken by J. Turner have not yet been made available to the APNR).

Based on calculations done from direct counts and call-ups, the best recent estimates for the APNR lion populations are;

2001 - 139  
2004 - 167

The Scoping Report found that the lion density in the APNR is higher than that in the KNP . Funston (2004) also concluded that at 10.4 lions /100 km<sup>2</sup>, the APNR harbours a lion population of similar density to the KNP 10.0 lions/100 km<sup>2</sup>,KNP. It is therefore highly unlikely that the APNR would function as a sink for this species. Instead, it can be expected that the APNR would itself function as a source habitat, with dispersal of animals to surrounding areas. In this case, hunting may be an appropriate management tool to reduce conflict with adjoining land users by targeting specific males before dispersal (Venter & Hopkins 1988).

We refer to panel to statement made by the provincial Limpopo Province Chief Directorate Environment (Ref : 16/1/6/H-1) of 10th Feb 2003 ) when commenting on the "source and sink " hypothesis discussed in the Scoping Report:

*"Of greater concern would be the number of lion that are being destroyed by farmers in the Phalaborwa area. Many more are shot annually than the one or two shot by hunters in the APNR. Such impacts have far greater impact on the regional lion populations than the hunting presently applied within the APNR."*

The APNR commissioned a study on the hunting of trophy lion and this was carried out by Dr. P. Funston and his recommendations are being put into effect and the populations monitored.

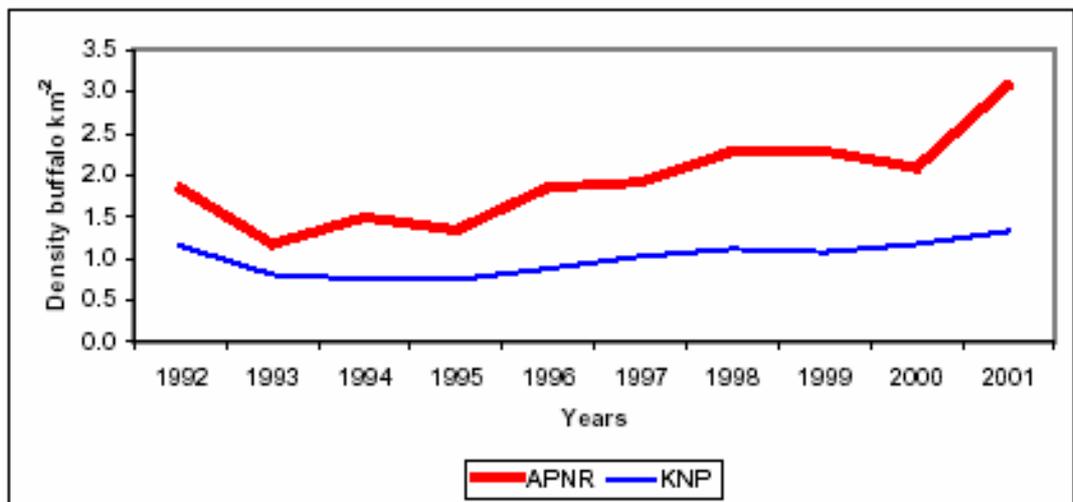
## Buffalo

Total number of trophy hunts in current season: 18  
Total estimated population as at October 2004: 3,673

Trophy buffalo are a key component of the hunting packages offered in the APNR and a quota of non-trophy bulls is also allocated to members.

Firstly, as the buffalo populations in the APNR reserves have continued to increase over the period of the trophy hunting (Fig. 3 and Fig.4 ), logic has it that the hunting in the APNR has no impact on buffalo numbers.

Whether removal of buffalo from the APNR acts as a sink, drawing buffalo from the KNP is also very unlikely as the density of buffalo in the ANPR is higher than that in the KNP (Fig 5) .



**Fig. 5 The change in buffalo density over time in the APNR and KNP**

Critics of the Trophy hunting maintain that the selection for trophy males reduces the quality of the criterion for which those males are being selected. It is agreed that when such selection is very heavy, that this could be a problem.

However, to quote from the Scoping Report:

*"Vaughan-Kirby hunted extensively between the Komati and Olifants rivers along the Lebombo, including areas lying within the present Kruger national park. He writes: '.. the average width of horns inside the bend at the widest part is about 35 inches' (Vaughan-Kirby, 1886; p. 549). A randomly selected skull with an inside measurement of 35 inches gave an outside measurement of 39,37. Whilst recognising that one is not dealing with an extensive sample size to arrive at an*

average for the outside measurement, it seems unlikely that trophy size has declined over a period of 120 years."

The Scoping report showed clearly (Fig. 6) that while the buffalo population has been increasing, the proportion of trophy buffalo shot each year has in fact been decreasing. With proportionally fewer bulls being taken from the population and members being restricted to non-trophy bulls, it is obvious that any selection for horn size is decreasing.

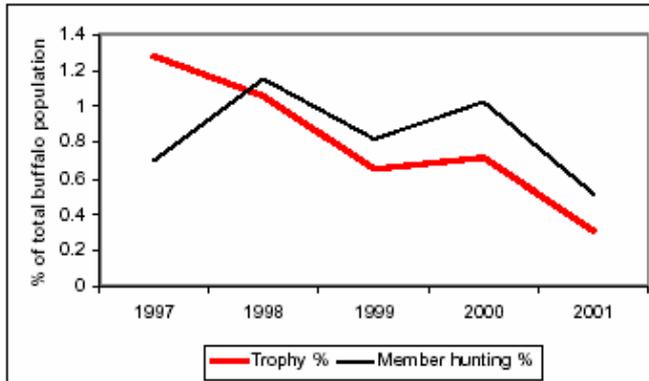
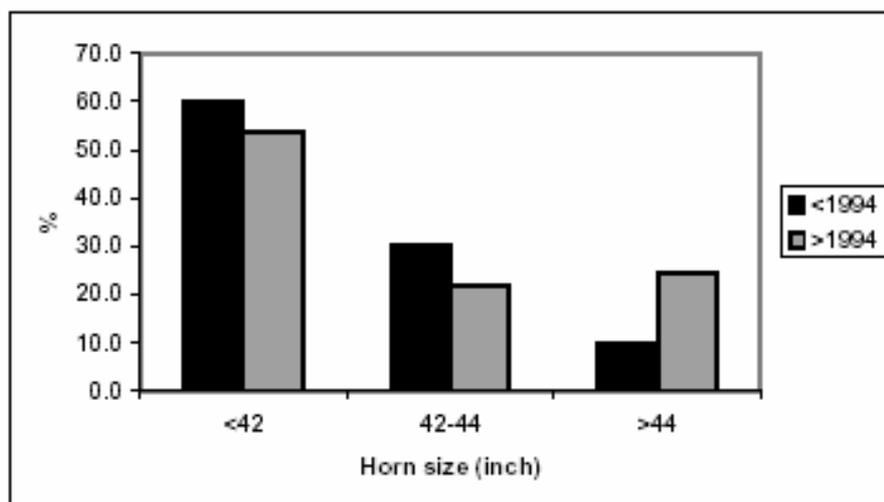


Fig. 6 The change over time in the percentage of buffalo hunted in the APNR in relation to the total buffalo population. Note the declining hunting pressure ( International Conservation Services 2003. )

Using data from the trophy hunting in the Timbavati the Scoping Report illustrated (Fig 7) that there was no real difference in buffalo horn size between Kirby's time and today. This indicates that selection pressure for horn size is not at a level where it has a negative effect on horn size in the population.



**Fig. 7** Frequency distribution of horn size (as measured by outside spread in inches) of buffalo hunted in the Timbavati Private Nature Reserve prior to and after 1994. Sample size <1994 = 100, >1994 = 41).

In essence, the concerns about the impact of hunting of buffalo bulls can be simply answered by two facts. The buffalo population is increasing and the average horn size of bulls shot as trophies has not changed for over 100 years. There is only one conclusion to be drawn from this, and that is that the hunting of buffalo has been and still is at a level that it has no measurable impact on the population.

### **7.2.3. The impact of trophy hunting on other ungulates**

There have been significant changes in the populations of other species in the APNR. These have been as a consequence of population crashes (Fig. 8) during drought years ( Walker *et al.* 1987 ; Peel 1990-2001). There has been no trophy hunting of these species for a number of years and their failure to recover is seen as a consequence of habitat change, predation by lion and possible increased competition from buffalo and elephant.

The Sabi Sand, where there is no hunting, has experienced a similar drop in wildebeest over the same period. Here recent attempts at re-introducing large numbers of wildebeest have met with failure and again the problem is considered to be selective predation by lions in an area where the cover has become progressively more dense.

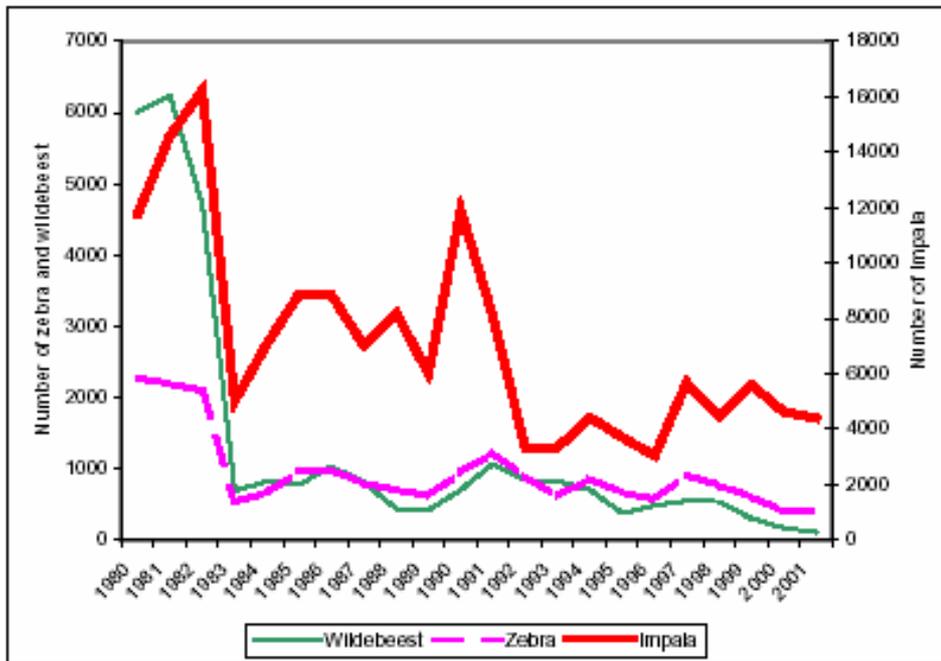


Fig. 8 The change in population wildebeest, zebra and impala. ( Note the impact of the 1983/84 and 1992/93 droughts.

#### 7.2.4. Carrying capacity and Stocking rate in the APNR

The herbivore Carrying Capacity of the APNR and the present Stocking Rate are a management issue that many believe wildlife managers believe overshadows any debate on hunting.

We draw the panel's attention to the following statement made in the Scoping Report:

*"The animal biomass has again increased during the last few years in the APNR to a point well above the mean guideline for carrying capacity (and even slightly above the upper guideline), as formulated by Coe et al. (1976), as reported by Peel (1990 - 2001)."*

This issue is of deep concern to us in that the attention being directed at restricting the numbers of trophy animals to be removed from the APNR is not where the focus of concern should be. It should be towards the APNR's ongoing efforts at implementing actions to maintain biodiversity and the restore condition of the natural habitats.

### **7.2.5. The potential negative impact of hunting on tourism**

There is a concern that the Trophy hunting may have a negative effect on eco-tourism, that game will become skittish and that people will see wounded and dead animals.

For more than twenty years, trophy hunting has been taking place in Pilanesberg National Park and Borakalalo Game Reserve and for more than fifteen years in Madikwe Game Reserve. These state owned protected areas all have higher levels of tourism than the APNR, yet properly managed trophy hunting has been undertaken without any conflict with visitors or causing undue skittishness in the game.

The Timbavati has been conducting trophy hunting since 1982 and currently has 9 eco-tourism lodges. The APNR management also find it is unacceptable for visitors to be offended by viewing aspects of hunting and every effort is made to keep this from the public eye.

### **7.2.6. Concern over the principle of hunting adjacent a National Park**

Concern was raised over the principle of hunting adjacent a National Park. The situation in the APNR is not unique to South Africa or other SADC countries. A more detailed revue of where such hunting also takes place is given in Section 11.

## **8. THE PUBLIC PARTICIPATION MEETING AT POLOKWANE**

Representatives of the APNR and International Conservation Services who did the Scoping Report attended the public participation meeting at Polokwane on the 18<sup>th</sup> April 2005.

The salient point made by opponents to hunting in the APNR:

### **8.1. The issue of ownership of the game**

Both provincial representatives and those members of the public opposed to hunting in the APNR raised the issue of the ownership of the game in the APNR.

In order to destroy the perception that some parties are intentionally trying to create, it should be made quite clear upfront that prior to the fence being dropped, the APNR was stocked with almost all the species of game to be found in the Kruger National Park and in fact was most probably overstocked.

The minutes of the meeting record the opening remarks of the Chairman as follows:

*"It was confirmed that the purpose of the meeting was to provide Government with information why the suspension should not be re-imposed. He stated that it was Government's view that the animals being hunted in these game farms were State Assets as a result of the fences having been taken down."*

The Chairman explained the Department's view of the legal status of these animals as being State Assets. When pressed by Dr Anderson as to whether this would entail a change in the legislation, neither the Chairman nor the Government representatives chose to respond.

It was then pointed out that when people living along the KNP boundary claim compensation for crop damage or lion predation on livestock, the KNP response has always been that the animals are *Res nullius* and do NOT belong to the Government and therefore compensation could not be paid.

Should the status of game in the open system change to "State Assets" it would beg the question as to whether the State would have to recompense the owners of such land for the game that was introduced as "State Assets" with the dropping of the fences.

We again refer the panel's attention to the Scoping Report (clause 6.4 and 6.4.1), Section 2.9 and Section 4.1 above and very pertinent comments of the 10<sup>th</sup> Feb 2002 made in the letter to ICS from the Limpopo Province Chief Directorate for Environment ( Ref 16/1/6/H-1).

## **8.2. The failure to provide the APNR with documentation**

At the public participation meeting, the chairman informed the participants that a copy of all documents submitted by interested parties at the meeting would be provided to those who provided a written request. Despite two written requests and three telephonic requests by the author of this document, for copies of the documentation provided by those opposed to hunting in the APNR, these have not been forthcoming. See (Appendix 2).

## **9. LIMPOPO PROVINCE BAN ON HUNTING**

On 30 March 2005, the Chairman of the APNR received a copy of the decision made by an authority of the Limpopo Province in which it was simply stated that:

*"Following current conflicts and concerns raised on hunting activities in the APNR, you are hereby formally informed of the department's decision to suspend all hunting activities forthwith."*

No reasons for the decision were given.

On the 20<sup>th</sup> January 2005, approval was granted by DEDET's Polokwane office, authorising the hunting of specific numbers of particular species of animals in the APNR in the 2005/2006 season, and was in accordance with the procedures developed by DEDET for the determination of hunting allocations in the APNR.

As a result of the decision of DEDET, and their failure and/or reluctance to revoke their aforesaid decision, the APNR Reserves sought relief from the High Court of the Transvaal Provincial Division.

On the 19<sup>th</sup> April 2005, it was ordered by the Honourable Justice De Villiers that:

1. *THAT the decision of the first respondent, taken on 29 March 2005, in terms of which all hunting activities on all private game farming properties adjacent to the Kruger National Park were suspended with immediate effect and the authorisations granted by the Department of Finance and Economic Development (Limpopo Province) ("the Department") to the second, third and fourth applicants [Timbavati, Klaserie and Umbabat] for the removal of game in 2005/ 2006 were withdrawn, is set aside.*
2. *THAT the second respondent [MEC: Dept of Finance and Economic Development – Limpopo], on application by the applicants forthwith and without delay, issue the requisite permits to hunt game on the land comprising the second, third and fourth applicants by the Department on 20 January 2005, provided that this shall not prevent the first or second respondents from suspending hunting activities provided that such suspension shall be effected in a reasonable, lawful and procedurally fair manner and shall not precede the outcome of the process initiated by the third respondent [The Minister of Environmental Affairs and Tourism] on 6 April 2005.*
3. *THAT the second respondent pay the costs of this application on an opposed basis, such costs to include the costs of two counsel.*

A copy of this Order of Court is attached hereto as Appendix 7.

## **10. THE POLITICAL OUTCRY**

### **10.1. ANCYL**

On the 8<sup>th</sup> May, about 80 members of the ANC Youth League were bussed

from Bushbuckridge to Timbavati to protest against the hunting in the APNR.

This was after four letters were addressed to the ANCYL, without response. Furthermore, the Chairman of the Timbavati had travelled from Durban to Nelspruit, at the insistence of Mr Thulani Moripe, in order to address his concerns. Mr Moripe failed to attend.

The Kruger Park Times (Vol 2 issue 3 May 12 to May 25. Appendix 10.4)) reported that not all members of the delegation were aware of what the protest was about. Some thought it was because "jobs were being offered", others thought it was because "someone had been killed".

Mr Moripe made a statement to the press that the protest was because "Timbavati intended killing 2000 of its 6000 buffalo". This was after the Timbavati had stated, in writing, that the extent of commercial hunting in the Timbavati amounted to 22 buffalo (12 trophy) from a population of about 2,800.

After the failed picket, Mr Moripe called several owners in Timbavati and threatened to have their farms invaded if their demands were not met. These demands included:

- keeping people of other nationalities out of the Timbavati, and
- the opening of 20 new eco-tourism lodges in the Timbavati at a cost of R500 million each, such developments to exclude the existing landowners.

## 10.2. UDM and Bantu Holomisa

In about July 2004, Mr Holomisa was invited to Zuma Zuma lodge within the Timbavati, where he was provided with:

*"...a cardboard box filled with documents that show that commercial hunting of trophy game is conducted illegally [in the Timbavati], and therefore I asked Minister van Schalkwyk and Collins Chabane of Limpopo province to investigate the matter." (Mail & Guardian, 23 March 2005)*

The Minister responded by appointing the panel of experts and Limpopo Province by suspending all hunting activities within the APNR.

Mr Holomisa's allegations as per his open letter to Collins Chabane of Limpopo of 10 March 2005 (Appendix 10.1), accused the Timbavati of:

- **hunting commercially while the APNR agreement with SANParks (Appendix 8) "prohibits commercial hunting"....**

Section 3 clearly explains the APNR agreement with SANParks (Appendix 5) which delegates the management of the Reserves to the

APNR Management Plan (Appendix 4)) and the Constitution of the Reserves, both of which allow commercial hunting.

- **Contravening “their own constitution prohibiting commercial hunting”.....**

Clause 13.1.1.2 of the Timbavati Constitution states:

*“the Association, in the interests of the continued and responsible management and running of the Reserve shall be entitled to determine, in its sole and absolute discretion, the circumstances under which it shall allow and support sustainable economic activities, including but not limited to Professional/Trophy Hunting within the area of the Reserve and all lands incorporated thereunder in accordance with its rules, regulations and protocols relating thereto as they may exist from time to time, and in accordance with generally accepted integrated environmental management practices;”*

- **The destruction of a national asset for the commercial gain of a private institution....**

Animals within the APNR are “res nullius”. (see section 4.5 ). The Timbavati and the other APNR reserves are associations-not-for-gain. All revenue is allocated to the Aims and Objectives of the Associations.

- **Spending only 6% of its budget on conservation.....**

The entire revenue of the Timbavati is allocated to the management and conservation of the Reserve and associated costs.

Attempts by the Chairman of the Timbavati to meet with Mr Holomisa were rejected. The aforementioned press releases and open letters were the source of all other media stories that followed.

We find it extraordinary that a politician from a minority party was allowed to cause such damage to the reputation of the APNR, to get the Minister to appoint this panel of experts to look into the issue of hunting in buffer zones and to get the Limpopo government to suspend hunting within the APNR.

## **11. HUNTING IN AND ADJOINING PROTECTED AREAS IN SADC COUNTRIES**

### **11.1. Hunting on unfenced areas adjoining the KNP**

Safari hunting and game capture take place in Manyeleti and Letaba Ranch. These areas are managed by the provincial Dept of Parks & Tourism who apply for permits from the provincial Directorate for Environment. There is an MOU between the province and the KNP on hunting on Letaba Ranch where the fences fell down some years ago have now been officially dropped. The reason why these animals are not regarded as "National Assets" and those in the APNR are, has not been explained.

There has been hunting on the area belonging to the Makuleke community that lies within the perimeter of the KNP fence. The provincial Directorate for Environment is again responsible for issuing permits for this area.

In the current planning of the Limpopo National Park which adjoins the KNP in Mozambique, there are "buffer zones" within the park perimeter where trophy hunting is planned. If the so called "state-owned" assets cross into Mozambique, will the SA government expect compensation for these animals?

In April 2005, fishing for tigerfish from the Limpopo Province's Makhuya Park in the Levuvhu river has been advertised in "The Complete Flyfisherman". The facts are that the boundary of the KNP is not the centre of the river, but the western bank and that fishing is in the same category as poaching. Limpopo Province are permitting fishing in the KNP for what are, in this case, clearly "National Assets".

### **11.2. Hunting in and adjoining protected areas in South Africa**

The concept of creating larger protected areas by linking natural areas in order to increase diversity and to create biodiversity corridors has borne fruit in the development of Conservancies and on a larger scale in the development of Biosphere Reserves and Transfrontier Conservation Areas. Nowhere in this philosophy has it ever been recommended that hunting be prohibited as a form of land use.

In South Africa, there has been trophy hunting for over twenty years in the following state owned protected areas which also have tourist lodges, are open to the general public and have a higher density of tourist use than the APNR. This hunting has long been accepted by the public and the media:

- Pilanesberg National Park
- Madikwe Game Reserve.
- Borakalalo Game Reserve.
- Botsalano Game Reserve.

- Songimvelo Game Reserve.
- Mthethomusha Game Reserve

Hunting in buffer areas adjoining protected areas has been regarded as the norm in many parts of Africa. Some examples of protected areas in SADC countries, Africa where hunting takes place there and is no fence between the protected area and the hunting area are shown below:

- South Africa: Mkuze Game Reserve (South Africa)
- Zimbabwe: Hwange National Park
- Zimbabwe: Mana Pools National Park
- Botswana: Chobe National Park
- Botswana: Moremi
- Botswana: Kgalagadi
- Zambia: Lower Zambezi National Park
- Zambia: Kafue National Park
- Zambia: South Luangwa National Park
- Zambia: North Luangwa National Park
- Tanzania: Serengeti National Park
- Tanzania: Selous Game Reserve (where hunting takes place inside the reserve).

## 12. CONCLUSION

The impact of the trophy hunting in the APNR is at such a low level that its impact on the species populations cannot even be measured. Hunting in the APNR has no influence on the size of the different herbivore populations in the reserves.

There is no scientific evidence that the level of removals currently practised have any impact on the lion population.

There is also no scientific evidence that there is any decline in the trophy quality of trophy species in the APNR or the KNP.

The facts surrounding the issue of trophy hunting in the APNR have been clouded by emotion, and the self-interests of a few landowners, politicians and government officials and at times by distortion of the truth and misinformation. We feel that the clearest detailed perspective of the situation is still to be found in the Final Scoping Report of 2003.

To enable the panel to make the most sensible recommendations on this issue, they will need to consider the answers to the questions below:

- Is the hunting on private or Communal land adjoining National Parks legal under current legislation and common law?
- Does the KNP/SANParks accept the sustainable utilisation of natural resources on areas adjoining its estates where the intervening fence has been removed?
- Is the trophy/ commercial hunting within the APNR being undertaken in a sustainable manner?
- Is the hunting being conducted ethically, responsibly, consultatively and is it being effectively and scientifically monitored?
- Is the hunting being conducted for the benefit of the ecology and conservation in general?
- Will the prohibition of hunting on properties adjoining National Parks have a detrimental effect on moves to increase the area of land under a form on management that that will help in the conservation of landscapes and biodiversity?

In our opinion, the answer to all of the above questions is an unequivocal YES.

Furthermore, you will need to establish whether:

- when fences between protected areas and private or Communal land are dropped, does the right to the use of the game on that land now rest with the state?
- if the game does become a "State Asset", will the state also assume the responsibility for habitat management and protection and how will this be achieved on privately owned land? Will the private owners be compensated for the change in ownership?
- all hunting applications within the open system adjoining the APNR and KNP should be applied for through the APNR and Joint Committee, or similar body established in order to ensure sustainable allocation of hunting permits within the open system?

The sustainable utilisation policies of the APNR are above reproach. We conduct very limited commercial/ trophy hunting on a scientific, consultative, transparent, sustainable, legal, measurable basis for the benefit of conservation.

Whilst we would welcome national consistency on hunting policies and procedures, a temporary suspension or permanent ban on hunting in buffer zones, and specifically the APNR, would be contrary to the spirit and intention of the prevailing legislation and will be detrimental to the interest of conservation in general. It could severely curtail the future expansion of buffer zones and protected areas.

We believe the APNR policies and procedures could be utilised as a model for national policy. The APNR offers its full cooperation and assistance in the formulation of a national policy.

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