



Endangered Wildlife Trust
Position Statement

LIFTING OF THE DOMESTIC MORATORIUM ON RHINO HORN TRADE

26th November 2015

Start

The Endangered Wildlife Trust (EWT) notes the judgment handed down today in the High Court of South Africa, Pretoria, which effectively lifts the 2009 moratorium on the domestic trade of rhino horn.

It must be emphasised that this moratorium refers ONLY to the DOMESTIC trade in rhino horn, and is in no way a lifting of the ban on international rhino horn trade, which remains under the control of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora). In terms of CITES, the international trade in rhino horn remains prohibited. All domestic trade in rhino horn will also still remain subject to the issuing of a permit in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No 10 of 2004).

This decision of the court is not indicative of any position by the South African government on an international trade in rhino horn, and this judgement is instead the outcome of an application to the courts brought by two farmers. It is important to note that in reading his judgement, Judge Francis Legodi noted that his reasons for this decision included "... substantial non-compliance with consultative and participatory process by the members of sections 99 and 100 of NEMBA (The National Environmental Management: Biodiversity Act)".

The EWT further notes the decision of the Minister of Environmental Affairs, to appeal the court's decision. Should the application for leave to appeal be successful, it effectively means that the order of the court will be suspended pending the finalisation of the application and the appeal.

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