



MINISTERIAL TASK TEAM REPORT

To identify and recommend voluntary
exit options and pathways for the
captive lion industry

For submission to the Minister of Forestry,
Fisheries and the Environment



PREPARED BY
Ministerial Task Team

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15 February 2024

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List of Acronyms and Abbreviations

AGRA	African Game Ranchers Association
ATM	African Traditional Medicine
AIA	Animal Improvement Act
APA	Animals Protection Act
AWPCO	Animal Welfare, Protection and Conservation Organisations
BCEA	Basic Conditions of Employment Act
BMP	Biodiversity Management Plan
CAM	Complementary and Alternative Medicine
CHASA	Confederation of Hunting Associations of South Africa
CONTRALESA	Congress of Traditional Leaders of South Africa
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CTFA	Cosmetic, Toiletry & Fragrance Association
CKD	Chronic Kidney Disease
CPHC	Custodians of Professional Hunting and Conservation
DAERL	Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (Northern Cape)
DALRRD	Department of Agriculture, Land Reform and Rural Development
DEDEAT	Department of Economic Development, Environmental Affairs and Tourism (Eastern Cape)
DEDECT	Department of Economic Development, Environment, Conservation and Tourism (North West)
DESTEA	Department of Small Business Development, Tourism and Environmental Affairs (Free State)
DFFE	Department of Forestry, Fisheries and the Environment
DTIC	Department of Trade, Industry and Competition
EMI	Environmental Management Inspectorate
GDARD	Gauteng Department of Agriculture and Rural Development
GnRH	Gonadotropin Releasing Hormone
HLP	High-level Panel
IATA	International Air Transport Association
IUCN	International Union for Conservation of Nature
LRA	Labour Relations Act
LIFO	Last In, First Out
LEDET	Limpopo Department of Economic Development, Environment and Tourism
LiMF	Lion Management Forum
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MTT	Ministerial Task Team
MTPA	Mpumalanga Tourism and Parks Agency
NACSSA	National Association of Conservancies and Stewardship of South Africa
NSPCA	National Council of Societies for the Prevention of Cruelty to Animals
NEMA	National Environmental Management Act

NEMLA	National Environmental Management Laws Act
NEMBA	National Environmental Management: Biodiversity Act
NGO	Non-Governmental Organisation
NLWG	National Lion Working Group
NDF	Non-Detriment Findings
NPA	National Prosecuting Authority
N&S	Norms and Standards
PAAZA	Pan-African Association of Zoos and Aquaria
PAPA	Performing Animals Protection Act
PEC	Permit Evaluation Committee (Free State)
PHASA	Professional Hunter's Association of South Africa
POPI	Protection of Personal Information Act
PPC	Parliamentary Portfolio Committee
PPE	Personal Protection Equipment
SABHSSA	South African Black Hunters & Sport Shooting Association
SAHPRA	South African Health Products Regulatory Authority
SANS	South African National Standards
SAPA	South African Predator Association
SAPS	South African Policy Service
SATTA	South African Taxidermy & Tannery Association
SAVC	South African Veterinary Council
SANBI	South African National Biodiversity Institute
SATSA	Southern Africa Tourism Services Association
SETA	Sector Education and Training Authorities
SOP	Standard Operating Procedures
SWOT	Strength, Weakness, Opportunities and Threats
THP	Traditional Health Practitioners
TOPS	Threatened or Protected Species
ToR	Terms of Reference
WRSA	Wildlife Ranching South Africa
WTA	Wildlife Translocation Association

Disclaimer

This report is a collaborative effort, compiled by a group of experts who made up the Ministerial Task Team (see section 1.5 for a list of members). The content herein reflects a general consensus reached through extensive discussions, negotiations, and compromises among the team members. It is important to note that while every effort has been made to ensure a unified perspective, individual members may not fully endorse specific wordings or ideas presented. The report represents a collective compromise and amalgamation of varied viewpoints to achieve a cohesive outcome. However, broader outcomes described in each chapter as well as the conclusion and recommendations within this report have the full support of all the majority members of the Ministerial Task Team.

Executive Summary

In accordance with Section 3A of the National Environmental Management: Biodiversity Act (NEMBA), Minister Barbara Creecy of the Department of Forestry, Fisheries and the Environment (DFFE) established the Ministerial Task Team (MTT) to propose voluntary exit options and pathways for South Africa's captive lion industry. In response to the High-level Panel's (HLP) majority recommendations, which called to halt and reverse the domestication of the iconic African lions, to halt the lion derivative sales, the hunting and tourist interactions with captive and captive-bred lions, Minister Creecy directed the MTT to formulate a set of "win-win" voluntary exit options and pathways.

This report provides:

- a synopsis of the industry's growth since the 1990s;
- a summary of its enabling legal framework;
- a contemporary perspective on a more ethical wildlife industry;
- an extensive stakeholder engagement overview, while focussing on engagement outcomes;
- the results of an industry-wide national audit of lions and facilities;
- the results of a national audit of the regulatory framework pertaining to the captive lion industry;
- the recommended options for a voluntary exit; and
- protocols and best practices for the keeping of lions during the voluntary exit process.

The recommendations herein reflect diverse perspectives from government, industry, experts, and civil society.

Until the end of 2019, there was a substantial growth in the captive lion industry, which was later moderated by the COVID-19 pandemic in 2020, while showing some signs of recovery in hunting over the past year. However, industry revenue has suffered due to restrictions on the importation of captive-bred lion trophies (particularly to the United States from 2016), the absence of an international commercial trade CITES lion bone export quota since 2019, and a growing awareness and concern regarding animal welfare issues (especially with growing cost pressures in the sector) resulting in mounting reservations about the nation's tourism and conservation reputation. Moreover, the industry's future is potentially constrained by future regulations and the DFFE's aspirations to curb the establishment of new facilities and ultimately phasing out of the industry in line with the HLP recommendation.

Furthermore, the industry is not aligned with the constitutional recognition of the right to a healthy environment, or the policy direction of the country, namely with the recently published White Paper on the Conservation and Sustainable Use of South Africa's Biodiversity, and, in particular, with the objectives in the draft Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros to end commercial captive lion practices.

In summary, the captive lion industry confronts escalating ethical, regulatory, conservation, and economic hurdles, with the MTT recommendations aiming to alleviate biodiversity risks and economic insecurity through mutually beneficial voluntary exit solutions for those facilities that elect to pursue this path.

Globally, African lions are classed by the IUCN Red List of Threatened Species as "Vulnerable" in terms of their conservation status; however, in South Africa, they are assessed as "Least Concern", mainly due to the expansion of the managed wild lion population making the total wild lion population around 3,500 individuals. While disease risks, such as bovine tuberculosis, persist, the notion of captive breeding for conservation is dismissed due to the presence of stable or even growing wild lion populations. This report utilises the Biodiversity Management Plan's classification of lions into wild, managed wild, and captive categories. In addition to their crucial biodiversity role, lions occupy a unique cultural and spiritual niche in South Africa, reinforcing the criticism of their commercial exploitation.

Holding the world's largest captive lion population of around 8,000 individuals, the country faces numerous challenges such as misalignment with global conservation trends, questionable tourism practices, inadequate regulation, and persistent animal welfare and well-being issues. The industry's deficiency in social license and departure from international norms present formidable challenges to its sustainability.

Given these challenges, in August 2018, the South African Parliamentary Portfolio Committee for Environmental Affairs held a Colloquium on captive lion breeding for hunting in South Africa and its recommendations, adopted by the national assembly, urged the then Department of Environmental Affairs to urgently review policies and legislation on captive breeding of lions for hunting and the lion bone trade with a view to putting an end to this practice. This was followed by a High-level Panel (HLP) of experts, established in 2019. The HLP's majority recommendations to effectively close the captive lion industry were accepted by the Minister, which led to the establishment of the MTT for voluntary exit from the captive lion industry (comprising experts from diverse backgrounds). The MTT's term concluded in December 2023, and was required to submit its report¹ to the Minister for consideration.

In developing the voluntary exit options and pathways, the following key guiding principles were considered in conjunction with the Terms of Reference (ToR):

- The imperative of preventing unemployment for vulnerable individuals.
- Underlying pillars of sustainable use as encapsulated by the White Paper.
- Relevant principles outlined in the White Paper (2023) and NEMBA, among other maximising conservation benefit while minimising potential conservation risks.
- Safeguarding animal welfare and well-being in accordance with Mellor's Five Domains Model, encompassing physical, physiological, and mental health considerations, and consistent with the definition of animal well-being in NEMBA and the White Paper.

Public Participation

Consistent with the ToR, significant emphasis was placed on public participation and stakeholder engagement by the MTT. This included actively reaching out to stakeholders through notices and a media campaign and engaging key stakeholders with diverse interests in the industry, including the general public, lion owners and industry associations, government departments, existing lion safe havens, animal welfare and protection organisations, conservation organisations, traditional health practitioners, other professionals (SAVC, NSPCA, LIMF, SANBI) and civil society representatives. An adaptive approach ensured the use of effective engagement mechanisms, fostering trust and encouraging constructive responses from various sectors within the industry. Importantly, the MTT included feedback sessions providing opportunity for iteration of inputs as the thinking of the MTT developed in response to the comments and submissions. Furthermore, these feedback sessions gave all stakeholders an opportunity to respond to the draft voluntary exit options.

Following a comprehensive review of inputs and recommendations from stakeholders, the MTT meticulously documented and synthesized key suggestions and responses (Tables 4.3 to 4.13 in the report). Many stakeholders addressed sector-wide concerns, such as facility owners, their legal legitimacy, implementing a phased exit, establishing uniform regulations, animal well-being, enhancing monitoring and compliance capacity, incorporating best practice recommendations, and considering options like rewilding and euthanasia of lions.

Amongst the many proposals submitted and recommendation made specifically to voluntary exit, industry stressed the importance of compensation, with certain stakeholders proposing varied rates based on a

¹ The report is confidential until the Minister has considered it and released it to for public publication. All personal information is omitted in terms of the POPI Act.

facility's duration of existence. Meanwhile, other stakeholders (including potential anonymous funders) supported the notion of offering incentives as an alternative to compensation, taking into account that this is a voluntary exit initiative. The importance of confidentiality was articulated in the negotiations with facility owners interested in voluntary exit. Stakeholders reiterated the need for uniform regulation and best practices for animal well-being, as well as measures to enhance compliance monitoring of the voluntary exit process for a facility. There were mixed views on options like rewilding and euthanasia of healthy lions, sale of lion bone stockpiles and other such options. Assessing the financial viability of post-exit enterprises, including alternative land use and lion safe havens, was also stressed. Furthermore, removing lions from the captive lion industry into lion safe havens was seen a contradictory by lion industry.

The stakeholder recommendations significantly influenced the MTT's formulation of voluntary exit options and pathways, with an acknowledgment that sector-wide challenges are beyond the scope of the MTT's mandate. In addition, specialist stakeholder organisations and wildlife experts, provided a range of recommendations and best practices that were consolidated into best practices protocols for lions held in captivity by facilities that voluntarily exit (chapter 8), and in determining the potential costs of different voluntary exit options.

National Audit of Captive Lions and Facilities

In accordance with the ToR, the MTT conducted an audit through compiling a comprehensive database of known captive lion facilities, utilising existing verifiable data sources, recent inspection records and data from provincial authorities (verified against their permits) as of September 30, 2023. The MTT considered a lion as captive unless actively managed under the LiMF or part of managed wild populations as defined by SANBI². Data analyses involved capturing, collating, and curating information in Excel, with descriptive statistics used for analysis. Despite challenges, the MTT obtained valuable data from government sources, provinces, and compliance inspections, which form the basis for the audit's findings.

The audit results indicate, that at the end of September 2023, South Africa had a significant captive lion population of 7,838 lions across 348 facilities, with the Free State having the largest population (n = 3,226)³. The Free State primarily engages in breeding and exports lions to predominantly the North West and Limpopo for captive hunting. Since 2005, the captive lion industry reveals an overall increase in the number of lions and facilities, but a decrease in the number of lions per facility, suggesting a trend of downsizing and/or diversification, such as focusing to other captive carnivore species.

The presence of other carnivores in captivity, particularly tigers, indicates an emerging trend that may replace lions under industry pressure. Tigers, non-indigenous to South Africa, face weaker regulations, posing risks similar to those associated with lion hunting and commercial international trade. The stockpiles of lion bones are estimated at 3,163 skeletons and whole carcasses, with no legal export quotas since 2019, raising concerns about potential illegal trade. The captive lion industry contributes to employment, with an estimated 1,568 to 2,069 employees engaged in various activities, but their time is not necessarily exclusive to captive lion care or use.

National Audit on Provincial Regulations

A comprehensive audit of provincial nature conservation and biodiversity laws and policies, and legislation governing captive lions, reveals a considerable degree of improvident divergence. Despite being a concurrent

² There is inconsistency among provinces in categorising captive lions, especially in regions with both captive and managed wild metapopulation lions. The classification dilemma arises when captive lions are released as free roaming lions into larger fenced areas, and managed wild lions are sometimes also included in provincial records on captive lion numbers. To address this inconsistency, a decision was made to define lions as captive unless actively managed under the Lion Management Forum (LiMF) or if the reserve is listed as having managed wild lions, as provided by SANBI.

³ Note: Free State reported a decrease of about 500 lions since the end of September 2023, which had no substantial impact on the national population as these lions were relocated to other provinces.

responsibility shared between national and provincial governments, the varied legislation and policies indicate underlying differences in the approach to managing captive lion facilities. These discrepancies encompass governance of captive lion well-being, breeding, hunting, and trade, and showcasing variations in issues such as enclosure standards, hunting permissions, and euthanasia practices. Notably, certain provinces exhibit more stringent regulations, with the Northern Cape disallowing captive lions in the province, while others lack clear policy frameworks. This lack of uniformity not only presents challenges in regulating the industry, but also complicates monitoring, compliance and enforcement and may even compromise on the well-being of animals that are exported from provinces, where certain activities are restricted. Given the divergent policies, achieving coherence in industry data at a national level becomes challenging, underscoring the imperative for a coordinated and standardised approach to regulating the captive lion sector and addressing potential inter-provincial risks given the large amount of movement of lions across provincial borders.

Between 2015 and 2020, Environmental Management Inspectors (EMIs) from DFFE and provinces conducted a joint, nationwide compliance inspection of 257 captive lion facilities in South Africa, encompassing 6,898 lions. Of these, 38.9% of facilities were identified as non-compliant, and enforcement measures were initiated against just five facilities (four in North West and one undergoing a civil court case in Mpumalanga). Key inspection findings included discrepancies in TOPS permits, deficient post-issuance compliance monitoring, overdue permits, and concerns about carcass disposal. The audit revealed challenges such as inadequate resources, monitoring capacity issues, EMI expertise gaps in animal welfare, non-uniform permitting systems across provinces, limited facility access, and difficulties in conducting thorough checks due to time constraints. Recent 2023 inspections echoed these earlier results and emphasised additional issues like non-compliance with mandatory lion marking in North West, stressing the necessity for enhanced record-keeping and consideration of animal welfare and well-being. In essence, these findings emphasise the need for a robust, cohesive, and standardised approach to regulate South Africa's captive lion industry, incorporating stricter penalties for recurrent violations.

Furthermore, the costs of administration and compliance far exceed revenue generated from permit fees, resulting in operational and capacity challenges for the DFFE and provincial authorities to effectively oversee the industry. These deficits raise concerns regarding possible shortcomings in regulatory supervision and consumes government resources that should be designated for bona fide conservation initiatives. The public's trust and confidence in the Department's ability and commitment to allocate adequate resources for conservation is at risk. It highlights the urgency to optimise revenue collection by adopting cost reflective tariffs and fees, to enable allocation of funds appropriately for biodiversity conservation amidst existing budget constraints.

The concurrent legislative mandates have resulted in an abundance of nature conservation statutes in South Africa, at times causing significant inconsistencies and a lack of a conducive legislative environment for managing the captive lion industry. The provinces exhibit diverse regulatory landscapes, from the absence of captive lions in the Northern Cape, to policy gaps in Limpopo for the captive lion industry. Further, inadequate resources and competency lags impede effective enforcement, with penalties for non-compliance often insufficient to serve as effective deterrents for non-compliance. A comprehensive legislative reform across all provinces, in line with international best practices, is recommended. Coordination between authorities and improved animal well-being competency training are essential. The long-standing challenges with compliance in the captive lion industry, despite the industry's stated commitment to garner support for compliance efforts, provides little confidence that self-regulation can be successful. A sustainable regulatory solution is required, suggesting voluntary exit is one of the first steps towards a longer-term prohibition on the commercial keeping and use of captive lions as proposed by the HLP.

Voluntary Exit Pathways and Options

In the formulation of voluntary exit options and pathways, the recommendations stemming from the public participation process were translated into a comprehensive set of potential exit options. This set was further

developed and refined into three distinct pathways and ten possible options. The methodology employed to ascertain their viability and associated risks involved a thorough SWOT analysis for each option. The analysis addressed a set of prerequisites, encompassing:

- ensuring humane euthanasia for compromised lions through a Quality of Life Assessment,
- implementing population control measures to halt the growth in the number of captive lions, and
- incorporating contractual arrangements to prevent purchasing of lions and re-entry into the industry.

A detailed delineation of the exit options and pathways were formulated, culminating in a decision-making tree. The primary focus is on "win-win" strategies that align with biodiversity conservation, ethical and responsible tourism, and socio-economic development. Time-bound voluntary exit options, preferably not exceeding 24 months, seek to minimize risks and alleviate the burden on under-resourced provincial authorities (noting that industry requested a longer period).

The surrender of lion bone stockpiles is also a crucial aspect of the exit strategy. Each option necessitates adherence to specific protocols, emphasising ethical treatment and animal well-being. The recommendations underscore the imperative for standardised, coordinated, and time-limited exit strategies to enhance the captive lion industry's transition.

Utilizing the SWOT analysis for each option, the feasibility of voluntary exit options was systematically ranked against criteria encompassing practicability, closure timeframe, and other relevant factors. These options form a framework that guides the development of voluntary exit contracts with each volunteering facility owner. The entire process is underpinned by an assessment of socio-economic impacts, particularly on vulnerable workers, while prioritising the well-being of the captive lions involved in the voluntary exit.

The following voluntary exit options were identified that can be used as building blocks to create a variety of voluntary exit strategies to suit a wide range of circumstances:

Mandatory Prerequisites⁴:

- A. Humane euthanasia of compromised lions
- B. Population control preferably by surgical sterilisation

Most Viable Voluntary Exit Options Involving Live Captive and/or Captive-bred Lions in Order of Priority:

- 1) Humane euthanasia of all lions and permanent exit from the industry
- 2) Phase out through trade opportunities for a period of 24 months⁵
- 3) Surrender of lions to lion safe havens

Less Viable Voluntary Exit Options Involving Live Captive and/or Captive-bred Lions:

- 4) Surrender of lions to authorities
- 5) Repurposing of an existing facility to a lion safe haven
- 6) Repurposing of an existing facility for biodiversity conservation and sustainable use⁶

⁴ For all exit options, no tactile animal interaction are, including but not limited to cub petting, walking with lions and using lions as photo props.

⁵ Trade in this instance can include captive hunting and the domestic trade in live lions and/or lion skeletons, parts and derivatives. The international trade in lion skeletons and live lions is excluded from this voluntary exit option. Furthermore, animal welfare and well-being need to be guaranteed during the phase-out period.

⁶ Even though this is the only voluntary exit option with biodiversity conservation benefits, this option comes among others at substantial costs involved with dismantling existing infrastructure, creating an adequate predator perimeter fence, the need for land acquisition and ecosystem restoration, the lack of suitable habitat and the time to achieve the objective is long-term.

Viable Voluntary Exit Options Involving Lion Bone Stockpiles:

- 1) Lion bone stockpiles surrendered to authorities
- 2) Lion bone stockpiles for trade out for a period of 24 months⁷

A set of best practice protocols have been meticulously formulated by experts to offer necessary guidance required at each juncture of the process. These protocols carefully outline not only quality of life assessment guidelines, the preferred ethical and humane method of euthanasia, responsible carcass disposal, best practice population control and transport, but also provide best practices for the keeping of African lion in controlled environments. Additionally, they provide fundamental measures to safeguard the optimal welfare and well-being of lions throughout the entire voluntary exit period. These protocols stand as a crucial component of the overall strategy, setting stringent criteria to uphold ethical and humane treatment standards for the conditions and care of the captive lions involved in the voluntary exit process.

This report outlines a comprehensive set of recommendations to effect the voluntary exit from the captive lion industry with mutually beneficial voluntary exit solutions. Faced with ethical, regulatory, conservation, and economic challenges, the MTT views the voluntary exit programme as the first of many steps to achieve the DFFE's policy objective to legally close the captive lion industry. Much of the work of the MTT can be utilized to develop a "win-win" medium to long term exit strategy aligned with biodiversity, ethical and responsible tourism, and socio-economic development.

However, it is counterproductive to implement voluntary exit options if measures are not put in place to halt the growth of the industry through breeding and new entrants. As such, it is recommended that a moratorium be placed on the opening of new facilities and the breeding of lions.

Importantly, the voluntary exit options and pathways should not be seen in isolation, or as rigid. They are intended to provide a framework to initiate a process of engagement with any specific facility that elects to pursue the voluntary exit process. The MTT has worked with a number of different facilities in different provinces, and with different circumstances, in order to assist them in developing facility specific voluntary exit pathways that owners see as attractive, and which will ensure continuity of income and employment of workers. This involves drawing on elements from different options in unique sequence. For example, phase out through trade opportunities for some of the lions, and surrender of some of the lions to lion safe havens, followed by repurposing of facility to other economic activity unrelated to wildlife in controlled conditions. Many permutations are possible to create a facility specific pathway.

The MTT notes the broader policy context that is unfolding for the industry, this report provides a resource for government and private stakeholders to draw on for their own purposes in planning for exit from the captive lion industry. The report can not only be used by those wanting to voluntary exit but can also provide the basis for a broader strategy for the closure of the captive lion industry, and detailed processes for closure which may need to be developed.

The contribution of all the stakeholders who participated in this process, and the work of the panel itself, will provide a degree of stability and structure to processes that will unfold over the next years. Win-win solutions for voluntary exit have been provided, but also that over time, facility owners and government will be able to draw on this report for reasonable, sensible, and smooth options, in the interest, and for the well-being, of owners, workers, and the lions.

⁷ Trade in lion skeletons, parts and derivatives can only include legal local trade, as there is currently no CITES export quota for the international trade in such products.

Report Highlights

- The MTT process included extensive engagement with general public, lion owners and industry associations, government departments, existing lion safe havens, animal welfare and protection organisations, conservation organisations, traditional health practitioners, other professionals (SAVC, NSPCA, LiMF, SANBI) and civil society representatives.
- The audit concluded that South African currently has 7,834 captive lions in 348 facilities and about 3,163 lion skeletons and carcasses in stockpiles.
- Between 1,568 and 2,069 employees are involved in the captive lion industry and their time is often shared between other wildlife and/or agricultural related activities.
- There is a lack of alignment of legislation between provinces and some very dated ordinances are still in use.
- Levels of permit compliance in the captive lion industry are low and consequences for non-compliance are minimal and seldom enforced.
- The Voluntary Exit options identified include:
 - Humane euthanasia of all lions and permanent exit from the industry
 - Phase out through trade opportunities for a period of 24 months
 - Surrender of lions to lion safe havens
 Less Viable Voluntary Exit Options Involving Live Captive and/or Captive-bred Lions:
 - Surrender of lions to authorities
 - Repurposing of an existing facility to a lion safe haven
 - Repurposing of an existing facility for biodiversity conservation and sustainable use
- Viable Voluntary Exit Options involving lion bone stockpiles include:
 - Lion bone stockpiles surrendered to authorities
 - Lion bone stockpiles for trade out for a period of 24 months
- Voluntary Exit Options are not stand alone and can be combined and adapted to meet the specific requirements of the volunteering facility.
- A set of protocols have been developed to ensure the well-being of the lions involved in the voluntary exit process.
- Best practice guidelines for the keeping of lions that remain in captivity, as part of voluntary exit, have been developed related to: nutrition, environment, physical well-being, behavioural well-being and the mental domain.

Key Recommendations

- **Voluntary exit should be the first step towards the longer-term objectives as outlined in the draft Policy Position.**
 Since the initial establishment of the captive lion industry in the 1990s, this sector has presented multiple regulatory challenges with no real solutions (see chapter 6). We therefore recommend that voluntary exit from the captive lion industry should only be the first step in a longer-term prohibition, as is outlined in the draft Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros.
- **Finalise Engagement with Voluntary Exit Candidates.**
 Facilities that have voluntarily shown an interest in exiting the captive lion industry, need to be actively engaged with to complete the process of exiting the industry through mutually agreed terms for voluntary exit.
- **Lion bone stockpiles**
 Given the reports of the illegal exports of lion bones, parts and derivatives, the MTT recommends the rapid implementation of a government-sanctioned acquisition and mass-incineration of all known lion

bone stockpiles, to prevent its illegal export and signal its commitment to ending this practice. Facilities that wish to take this offer must also comply with the principles of voluntary exit, namely sterilisation, animal welfare and well-being.

- **Short-term measure - Ministerial Directive**

As a short-term measure and to facilitate the recent amendments in legislation, the MTT recommends that the Minister issues a directive, to guide the issuing and renewal of permits:

- a. Foster a consistent understanding of animal well-being through the necessary keeping requirements and ensure that all facilities possess the necessary capacity, both in terms of finances and personnel, to comply with the animal well-being requirements as in NEMBA.
- b. Amend the maximum duration of permits for restricted activities involving captive and/or captive-bred lions to a 12-month validity, with the possibility of annual extensions.
- c. To support this recommendation, the capacity of provincial permit issuing authorities and EMIs are provided through required training, in particular around animal well-being. Furthermore, effective tools need to be facilitated to implement uniform guidelines across the nine provinces.
- d. Progressively implement permit fees that are reflective of the true administrative costs relating to regulating the commercial captive lion industry, thus reducing the reliance on national and provincial nature conservation budgets, releasing resources to strengthen the required capacity for oversight of compliance of the industry, and diverting resources for the badly needed nature conservation programmes.

- **Moratorium on new facilities**

To protect the benefits of the voluntary exit outcome from potential undermining through the establishment of new facilities, the MTT proposes that the Minister and the DFFE finalize the proposed regulations which prohibit the establishment of new captive lion facilities.

- **Moratorium on breeding**

To meet the longer-term objectives as outlined in the draft Policy Position, the MTT recommends to urgently publish and conduct thorough consultations on regulations that enforce a moratorium on captive lion breeding to mitigate population growth through single sex separation or sterilisation of all lions. This action will aid in safeguarding the goals of the voluntary exit initiative against potential compromise.

An extensive list of all recommendations can be found in chapter 9.

1 Introduction

The Ministerial Task Team (MTT) was appointed by the Minister of Forestry, Fisheries and the Environment (DFFE) (see section 1.5) with an overall mandate to identify and recommend voluntary exit options and pathways for the captive lion industry. This chapter serves to provide context of the captive lion industry in South Africa, the regulatory framework of captive lions, the conservation status of the African lion (*Panthera leo*), as well as the history and background that led to the establishment of the MTT and its Terms of Reference (ToR).

1.1 Captive Lion Industry in South Africa

South Africa is one of the few countries in Africa that allows the intensive captive breeding and keeping of lions and other large felids for commercial purposes. Despite its legal status, the sector of commercial captive keeping, breeding, handling, and hunting of captive bred lions, as well as the commercial international and non-commercial trade of lions, body parts and its derivatives (hereafter referred to as the captive lion industry) has been a contentious issue for many years and has raised a range of concerns, including but not limited to animal welfare and well-being, and has been identified as a threat to South Africa's reputation as a leader in wildlife conservation and ecotourism (HLP Report, 2020).

The keeping and breeding of captive lions commenced in the early 1990s, primarily to supply hunting operations. However, since 2008 lions have also been killed for their bones, which have subsequently been exported in increasing numbers to Southeast Asia for the traditional medicine industry. Additionally, a significant number of tourism-based activities benefit from commercial captive lion breeding via non-consumptive activities, such as cub petting, walking with lions and voluntourism. Furthermore, a substantial live international trade in captive-bred lions, in particular to Southeast Asia, takes place under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) under the trade purpose of zoos (Z), commercial (T), breeding in captivity (B), and circuses or travelling exhibitions (Q).

The captive lion industry has grown substantially since the 1990s. In 2005, about 2,500 lions were kept in 45–50 facilities, which more than doubled by 2013 to approximately 6,200 lions in 149 facilities (Williams et al., 2015). Although current and accurate information on the scale of the industry is lacking, the Minister of Forestry, Fisheries and the Environment, Ms Barbara Creecy, stated in August 2019 that there were 7,979 lions in captivity in 366 TOPS registered facilities. Additionally, the diversity and quantities of other indigenous and non-indigenous species, particularly felids, such as cheetah (*Acinonyx jubatus*), leopard (*Panthera pardus*), caracal (*Caracal caracal*), serval (*Leptailurus serval*), tiger (*Panthera tigris*), jaguar (*Panthera onca*), puma (*Puma concolor*), and liger (captive born hybrid between a male lion and female tiger), in this industry is largely unknown.

There are four recognised revenue streams that can be identified in the captive lion industry: (1) the breeding and keeping of lions; (2) the trophy and domestic hunting industry; (3) the non-consumptive tourism and volunteering sector; (4) and the live trade and trade of lion bones, parts and derivatives to both Southeast Asia with a limited domestic market (Figure 1.1) (Green et al., 2021). Lions can be maintained within one distinct sector (e.g., specifically bred and used solely for captive hunting), or may be traded between sectors at different stages of their development. A recent survey of 117 captive lion facilities reported that 65% of facilities examined should be considered 'multi-purpose', with 79% having engaged with the hunting sector and 66% having sold skeletons to lion bone traders (Williams and 't Sas-Rolfes, 2019). Since 1997, South Africa has issued CITES permits to legally export live African lion, or their body parts and derivatives under 26 different trade terms, including skeletons, hunting trophies and live lions (Table 1.1).

Trophy hunting

South Africa is the primary exporter of lion hunting trophies across sub-Saharan Africa with 80% of all trophies originating from the captive population between 2009–2013 (Di Minin et al., 2016). According to the CITES

Trade Database records, South Africa declared the export of more than 14,000 lion trophies⁸ from the captive population between 1999–2021, including 10,223 hunting trophies, 1,212 bones, 798 skeletons, 753 claws, 482 skulls and 223 skins (Figure 1.2). Approximately 60% of these lion trophies were destined for the United States. Exports of lion trophies peaked in 2016, after which a ban on imports of trophies from captive-bred lions to the United States was imposed by the US Fish and Wildlife Services. In subsequent years, South Africa exported on average slightly more than 400 captive bred lion trophies per year to countries such as Germany, Spain, Scandinavian countries, and new destinations including China, Russia and Eastern European countries. A domestic market for trophy hunting, often referred to as recreational hunting, also exists and was reported to create an average annual income of ZAR 230,000 per facility between 2012–2017 (S1 Table K in Williams and 't Sas-Rolfes, 2019), although it is not clear both how many hunting facilities across South Africa are involved in the domestic market and the total number of hunting clients these facilities receive annually.

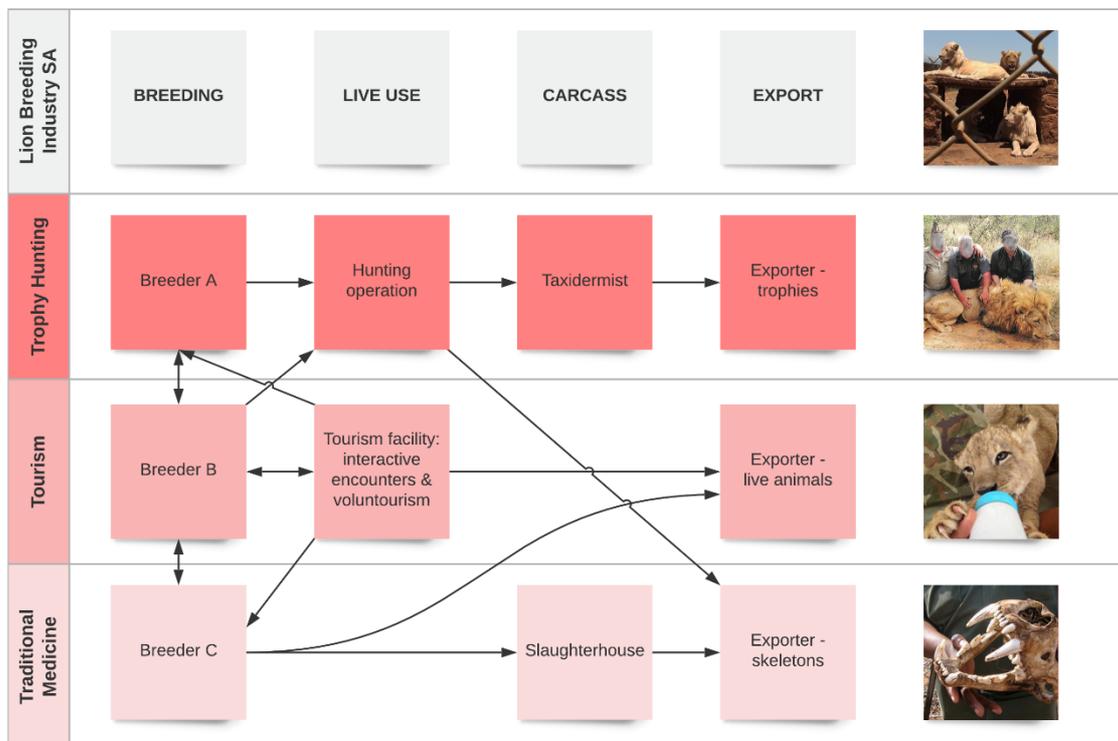


Figure 1-1 The three recognised revenue sectors in South Africa’s commercial captive lion industry (Source: Green et al., 2021).

⁸ CITES reported quantities do not necessarily represent the number of lions killed, e.g. bones and skins could be from the same animal as the trophy.

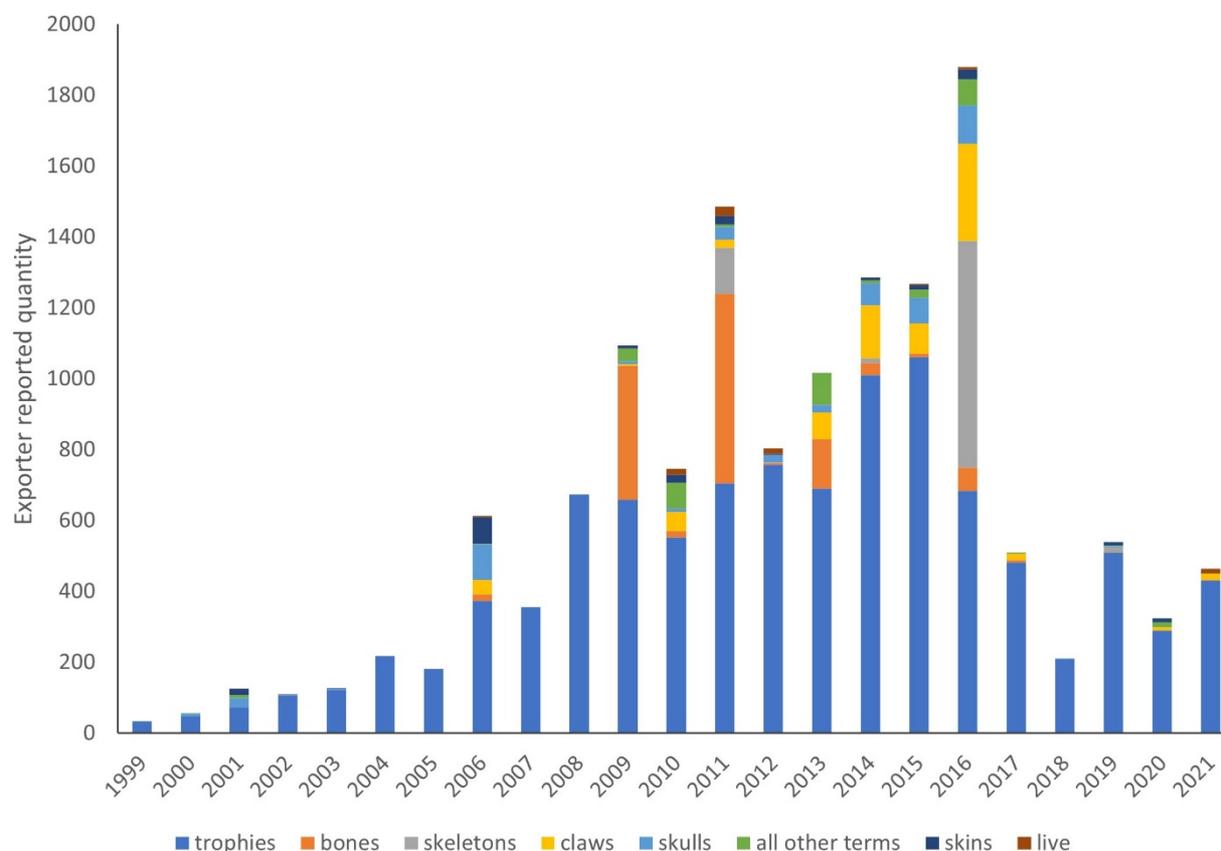


Figure 1-2 South Africa's declared quantities of hunting trophy exports from the captive lion population for the period of 1999–2021 (data from CITES Trade Database).

Tourism and volunteering sector

The domestic and international tourism and voluntourism sectors play an important role as one of the revenue streams in the captive lion industry (Harvey, 2020). Many cubs born in captivity in South Africa are taken prematurely from their mothers, which brings the mother back into oestrus much more quickly than would happen under wild conditions, leading to intense breeding cycles. Many cubs are introduced into petting enclosures at 3–4 weeks of age, to provide paying tourists with photographic opportunities, while international paying volunteers hand-rear and bottle-feed the cubs (Chorney et al., 2022), sometimes under the guise of false conservation messaging (Hunter et al., 2013). Many of these animals ultimately supply the hunting industry and/or the lion bone trade (Figure 1.1) (Green et al., 2021).

This chain of non-consumptive captive wildlife tourism activities poses significant risks to the safety of workers and visitors, through their physical interactions with habituated lions and other big cats. These kinds of interactions have resulted in at least 52 reported incidents involving animal attacks affecting 58 victims since 1996, including 18 deaths (Marnewick and de Waal, 2023).

Lion bone trade

A trophy export typically includes the skull, teeth, claws, skin, and floating bones, with the remainder of the skeleton considered a by-product that is subsequently exported as part of the lion bone trade. Lion bones, parts and derivatives have been exported to Southeast Asia since 1998 and in increasing volumes since 2008 (Williams et al., 2017). Research has shown that many skeletons exported in 2017 included the skulls (EMS Foundation & Ban Animal Trading, 2018) and a peer-reviewed study later confirmed that around 30% of the

commercial captive facilities breed and keep lions purely for the trade in bones and derivatives (Williams et al., 2017).

Prior to the establishment of a CITES lion bone export quota, the legal trade in lion bones to the international market began in 2008 with 60 skeletons, increasing to 1,771 skeletons in 2016 (Williams et al., 2017; Williams et al., 2021) totalling in excess of 6,000 skeletons by 2017 (Bauer et al. 2018) (Figure 1.3). During the legal bone trade period, Laos was the primary destination for lion bones, followed by Vietnam, Thailand and China (Williams et al., 2017). A process for an annual quota for the bone trade from South Africa’s captive lion population was agreed at the 2016 CITES Conference of the Parties (CoP17) through an annotation to Appendix II. Whereas a zero annual export quota remains for wild lions, “*annual export quotas for trade in bones, bone pieces, bone products, claws, skeletons, skulls and teeth for commercial purposes, derived from captive breeding operations in South Africa, will be established and communicated annually to the CITES Secretariat*”.

In both 2017 and 2018, the DFFE set an annual lion bone export quota of 800 skeletons. However, in August 2019 a High Court judgement ruled that the setting of the bone quota in 2017 and 2018 was “unlawful and constitutionally invalid” and that consideration should have been given to welfare issues relating to lions in captivity when determining the quota (National Council of the Society for Prevention of Cruelty to Animals v Minister of Environmental Affairs and Others, 2019). Since this ruling in 2019, DFFE has deferred the setting of a CITES lion bone export quota.

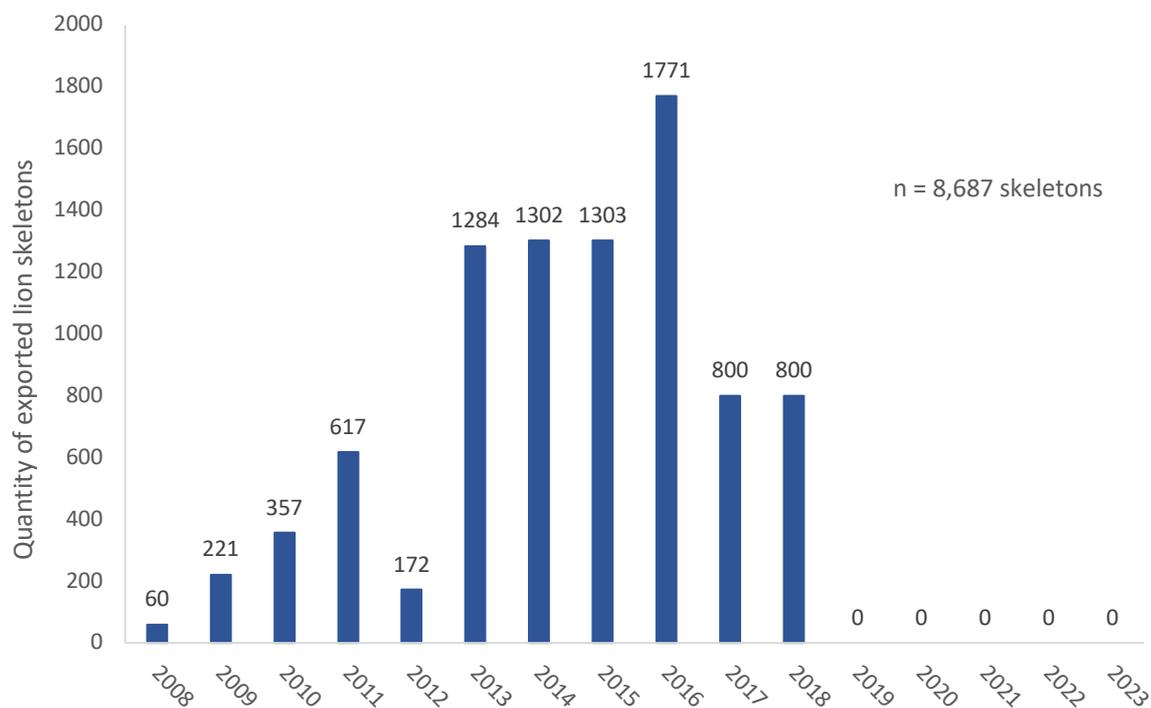


Figure 1-3 Legal international trade in lion bones from South Africa during the period of 2008–2023 (Data sources: Rademeyer, 2012; Williams et al. 2015; Williams et al., 2017).

Live trade

The live international trade has grown considerably over the past two decades, totalling 2,775 captive bred lions exported through CITES by South Africa (Figure 1.4). The top three trade purposes documented on the CITES permits are zoos (Z), commercial (T), and breeding in captivity (B) with the vast majority of lions being

imported by China, Thailand, Pakistan, Vietnam and Bangladesh. This raises not only welfare concerns by exporting live captive bred lions to potentially substandard facilities overseas, in particular in Southeast Asia, but also red flags that the CITES live trade may be used as a legal loophole to launder live lions for the Southeast Asian bone trade.

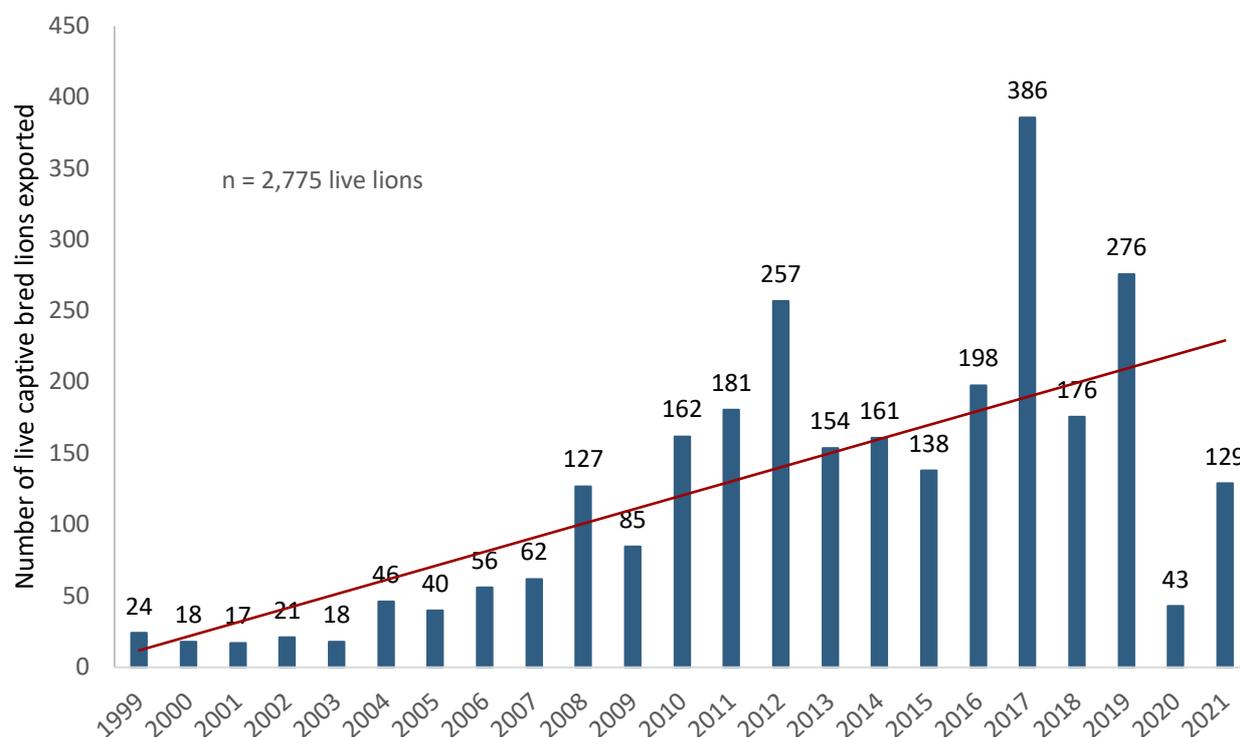


Figure 1-4 South Africa’s declared quantities of live captive bred lion exports during the period of 1999–2021 (data obtained from CITES Trade Database).

1.2 Regulatory Framework for Captive Lions

The captive lion industry is regulated in South Africa under a significant number of national and provincial statutes and regulations, and international trade from the industry is regulated under international trade agreements. The management of indigenous captive wildlife falls under the mandate of DFFE and provincial nature conservation departments. However, historically the welfare mandate of captive wild animals falls under the Department of Agriculture, Land Reform and Rural Development (DALRRD) and concurrent national and provincial jurisdiction. However, on June 30, 2023 the National Environmental Management Laws Amendment Act, 2022 (NEMLA) was promulgated, bringing changes to the biodiversity legislative framework, and mandating DFFE to regulate the well-being of wild animals in South Africa.

1.2.1 Constitution of the Republic of South Africa (108 of 1996)

The Constitution of the Republic of South Africa, 108 of 1996 (Constitution), is the supreme law of the Republic. Section 24 in the Bill of Rights together with its subsections is the starting point when it comes to matters that broadly affect the environment. Section 24 states:

‘Everyone has the right –

- (a) to an environment that is not harmful to their health or well-being; and
- (b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that –

- (i) prevent pollution and ecological degradation;
- (ii) promote conservation; and
- (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.

The High Court of South Africa clarified that animals in captivity constitute biodiversity for the purposes of National Environmental Management: Biodiversity Act, 10 of 2004 (NEMBA), and that the obligations arising from Section 24 apply similarly to animals in captivity (NSPCA v Minister of Environmental Affairs and Others, 2019).

Environment and nature conservation are among the functional areas of concurrent national and provincial legislative competencies under Schedule 4A of the Constitution. This means that both spheres of government are mandated to legislate and regulate matters affecting the environment, and read with other sections of the Constitution, such as Section 40, government comprises of national, provincial and local spheres, meaning that the duty to protect the environment falls on everyone and to every sphere and organ of government, including municipalities (Le Sueur and Another v Ethekweni Municipality and Others, 2013). The Constitution delineates powers between various branches of government and levels of governance and these divisions can create spheres of legislation that can potentially come into conflict. For example, conflicts may arise when laws passed by one branch or level of government are seen as infringing upon the powers or rights reserved for another. For example, Section 146 provides that, under certain circumstances, national legislation prevails over provincial legislation where a matter cannot be regulated effectively by provinces, applied uniformly across the country and where national legislation is necessary for the protection of the environment. When read with section 156, all three spheres of government can pass laws pertaining to the environment.

The High-level Panel (HLP) report identified the key challenge of a lack of coordination and harmonisation of legislation and policy resulting from shared competencies, as prescribed in schedules 4 and 5 of the Constitution (referred to as 9+1+1, namely nine provinces, one national DFFE, and one national DALRRD) (HLP Report, 2020). While the national biodiversity legislative framework consists primarily of post 1996 constitutional era legislation, the current provincial conservation landscape consists to a large extent of pre-1994 legislation, some going back as far as the 1960's, with only three provinces (Mpumalanga, Limpopo and Northern Cape) having promulgated laws post the Constitution. Additionally, provinces like the North West and Eastern Cape have multiple pre-1994 laws regulating biodiversity, alongside the national laws such as NEMBA. Furthermore, in most provinces biodiversity conservation is combined with other portfolios of economic development, agriculture and tourism. (See also chapter 6 for a more detailed analysis of the provincial legislation and regulations pertaining to captive lions).

The current lack of harmonisation of the laws has not only led to a disconnect between national and provincial conservation legislation but has also created unnecessary constraints on authorities who often have to coordinate among different import and export permits, as well as bureaucratic delays, further stretching the already limited capacity to adequately implement the laws. Over the years, there has been widespread dissatisfaction and criticism from broader society, academics, officials responsible for administering the laws and judicial rulings, regarding the state of provincial conservation legislation, particularly at the provincial sphere of government (Kidd, 2011; Khohliso v State and Another, 2014). The slow pace or lack of legislative changes and harmonisation across the country maybe undermining the full realisation of the right to have biodiversity protected for the equitable benefit of all, which was also identified in the problem statement of the White Paper, namely *proliferation of biodiversity and conservation legislation, uneven governance, limited capacity and declining allocation of resources in the management of biodiversity, and inadequate revenue generation efforts*. This has resulted in including a principle in the White Paper on good governance, as well as an enabler to integrate policy and practice across government and the effective implementation of Multilateral Environmental Agreements.

1.2.2 National Environmental Management: Biodiversity Act, 10 of 2004

The National Environmental Management Act, 107 of 1998 (NEMA) is the national framework law for the environment and serves as the enabling law to the realisation of the objectives of the Section 24 of the Constitution. The NEMBA, 10 of 2004 is one of the pieces of legislation passed within the framework of the NEMA, which prescribes the principles to which all environmental management practices in the country are required to follow. For biodiversity conservation specifically, the NEMBA is the primary national law. The State, through its organs that implement legislation applicable to biodiversity, must manage, conserve and sustain South Africa's biodiversity and its components and genetic resources; and implement the NEMBA as one of the means to achieve the progressive realisation of ecological sustainability called for in the Constitution.

Section 8 of the NEMBA states that it should prevail in the event of any conflict between its provisions and other legislation pertaining to the management of biodiversity. The NEMBA also prevails over municipal by-laws, while conflict with provincial biodiversity laws must be resolved under section 146 of the Constitution.

The High Court judgement in the case NSPCA v Minister of Environmental Affairs (2019) stated that animals in captivity constitute biodiversity for the purpose of the NEMBA, and that the obligations arising from Section 24 of the Constitution apply similarly to animals in captivity (paragraphs 70–74). Hence, the NEMBA in its entirety applies to all wild animals irrespective of whether they are in a natural free-roaming situation or in captivity.

As stated above, this judgement also led to the inclusion of animal well-being in the NEMBA through the NEMLA Act, 2 of 2022 (Government Notice 2203 in Government Gazette 46602, dated June 24, 2022), which came into operation on the June 30, 2023. Under the provision made for animal well-being, this means:

“the holistic circumstances and conditions of an animal, which are conducive to its physical, physiological and mental health and quality of life, including the ability to cope with its environment”.

Under Section 9A of the NEMBA, the Minister may, by notice in the *Gazette*, prohibit any activity that may negatively impact on the well-being of an animal, and under Section 97, the Minister may make regulations pertaining to the well-being of animals.

Lions are currently listed as vulnerable in terms of the NEMBA, which means that a permit is required if a person intends to carry out any restricted activity involving the species. Under the NEMBA, a “restricted activity” means:-

- (a) hunting, catching, capturing or killing a live lion by any means, method or device whatsoever, including searching, pursuing, driving, lying in wait, luring, alluring, discharging a missile or injuring with intent to hunt, catch capture or kill;
- (b) importing into the Republic;
- (c) exporting from the Republic, including re-exporting from the Republic;
- (d) having in possession or exercising physical control over;
- (e) growing, breeding or in any other way propagating, or causing it to multiply;
- (f) conveying, moving or otherwise translocating;
- (g) selling or otherwise trading in, buying, receiving, giving, donating or accepting as a gift, or in any way acquiring or disposing of; or
- (h) any other prescribed (by regulation) activity.

Note: the restricted activity in the NEMBA refers to killing rather than euthanasia, as this is not defined in the Act. If a permit is issued for euthanasia, the restricted activity to be authorised by the permit would be killing.

Non-Detriment Findings

In accordance with Sections 61 and 62 of the NEMBA, the Scientific Authority of South Africa is required to make Non-Detriment Findings (NDF). An NDF is a requirement under CITES and refers to scientific assessments determining whether a particular international trade related activity would negatively impact on the survival of the species in the wild. The last NDF for lions the Scientific Authority was published in 2018 and stated that *“the legal local and international trade poses a low to moderate, but non-detrimental risk to the species in South Africa. The Scientific Authority does not consider the export of captive-bred lion trophies or captive-bred live lion for zoological or breeding purposes to be detrimental to the wild lion population in South Africa. At present there is no evidence to suggest that the lion bone trade between South Africa and East-Southeast Asia is detrimental to South Africa’s wild lion population. In accordance with the annotation to the Appendix listing of the African lion that was adopted at the 17th Conference of the Parties to CITES, a quota for the export of skeletons derived from captive breeding operations must be established and revised on an annual basis to ensure sustainability, and measures must be implemented to prevent any detrimental impact to wild lion populations.”* However, the NDF does not consider whether the export of captive-bred lion trophies or captive-bred live lion for zoological or breeding purposes is detrimental to the survival of lions in the wild outside of South Africa. Furthermore, this NDF is currently well out-of-date.

1.2.3 Threatened or Protected Species (TOPS) Regulations, 2007

The TOPS Regulations, 2007, regulates among others the permit system, registration of captive breeding operations and hunting, and provides for the prohibition of particular restricted activities involving specific listed threatened or protected species, including lions, leopard and cheetah. Non-indigenous large felids, such as tiger and puma, are regarded as “alien species” under the NEMBA; however, the possession, breeding and trade of such species is still regarded as a restricted activity under chapter 8, and therefore requires a permit.

Under the TOPS Regulations, any person may apply for a possession permit for the keeping of a specimen or a product or derivative of a listed threatened or protected species. Depending on the nature of the activities involved, permits are generally valid for 12 months, except for a standing permit, which may be issued for a period of 36 months. Standing permits, as referred to in TOPS Regulation 5(2), are restricted to, among others, veterinarians, registered captive breeding operations, registered sanctuaries or registered rehabilitation facilities, registered commercial exhibition facilities and registered wildlife traders working with any listed threatened or protected species.

According to TOPS, provincial departments responsible for biodiversity conservation may exercise their duty as the issuing authority for TOPS permits. To date, two provinces, namely Western Cape and Mpumalanga, have not fully implemented the TOPS Regulations. This is not prohibited under the Constitution, provided that they have provincial laws and regulations that are not in conflict with the values of the Constitution, and that protect the same species and are in line with the conservation objectives required under Section 24.

Amended TOPS Regulations and species list were republished for public comment in the Government Gazette (no 49469 and 49470 respectively) on October 12, 2023.

1.2.4 White Paper and Policy Position

White Paper on the Conservation and Sustainable Use of South Africa’s Biodiversity

The [White Paper on the Conservation and Sustainable Use of South Africa’s Biodiversity, 2023](#), (hereafter referred to as the White Paper) was approved by Cabinet on March 29, 2023 and published in the Government Gazette (no 48785) for implementation on June 14, 2023. The White Paper provides broad policy context with four goals, namely enhanced biodiversity conservation, sustainable use, equitable access and benefit sharing, and transformed biodiversity conservation and sustainable use.

The White Paper identifies among other issues challenges in practices within the sector that have brought South Africa into disrepute in terms of inappropriate and illegal practices, activities, or actions that compromise animal well-being, as well as ecosystem and genetic integrity, that have negatively affected the country's reputation as a world leader in biodiversity conservation.

Furthermore, the White Paper has considered specific elements pertinent to the captive lion industry, such as the reconceptualisation of sustainable use, inclusion of the Principle of Duty of care, and the inclusion of specific Policy Objectives that relate to issues of animal well-being (e.g. 1.6 Promote well-being and humane practices, actions, and activities towards wild animals), ex-situ animals (e.g. 1.7 Support, complement, and enhance in-situ biodiversity conservation through sustainable ex-situ practices), and duty of care (e.g. 2.5. Promote duty of care towards all components of biodiversity).

Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros

Whereas the White Paper provides broad policy context, the Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros that was developed in parallel, provides clarity on concerns around the use of captive bred lions and its regulatory landscape that were identified in, among others, the HLP report and the Colloquium report on captive lion breeding for hunting. This Policy Position was initially published for public comment in June 2021 and extended for a further 30 days in September 2021. The DFFE Gazetted a revised draft [Policy Position](#) on September 19, 2023 (no. 49319) for public comments for 30 days.

Pertaining to lions, the revised draft Policy Position sets the following as a conservation and sustainable use policy objective:-

- to enhance species management to end the captive keeping of lions for commercial purposes and close captive lion facilities,
- to put a halt to the intensive breeding of lions in controlled environments,
- and to end the commercial exploitation of captive and captive-bred lions.

Furthermore, an international commercial trade-related policy objective includes the intent to promote live export of lions only to range states or any other appropriate and acceptable destinations with suitable habitats on the African continent.

1.2.5 Biodiversity Management Plan (BMP) for the African Lion (*Panthera leo*)

The BMP for species, published in terms of section 43 of the NEMBA, are binding plans for the management of species, such as the African lion. In terms of Section 46, BMPs should be reviewed every five years to assess compliance with the plan. The most up-to-date BMP for lions was published in 2015 (Funston and Levendal, 2015) and is due for review.

The objectives of the BMP for lions are to:

- Improve the conservation status of lions within a broader conservation context.
- Develop and implement effective communication tools that are informed by scientific research.
- Ensure legislative alignment both provincially and nationally and improve capacity to implement legislation effectively.
- Establish a lion forum or working group to assist in the implementation of the BMP.
- Ensure the alignment of this BMP with lion conservation plans in neighbouring countries and link with international working groups.

The National Lion Working Group (NLWG) was established to assist in the implementation of actions set out in the 2015 BMP. Because the NLWG includes the captive population, work was also undertaken to address some of the concerns regarding the captive bred population. This includes the question of whether the captive bred population contributes to the conservation of the wild population. Furthermore, the DFFE Biodiversity Enforcement & Compliance Unit is actively carrying out compliance inspections for captive lion facilities in all eight provinces.

1.2.6 Convention on International Trade in Endangered Species of Wild Fauna and Flora

The CITES treaty governs the international trade in listed wildlife and plant species with the aim of ensuring that such trade does not threaten the survival of the species. In South Africa, CITES is implemented through NEMBA: CITES Regulations 2010, under which the African lion is listed in Appendix II. This makes the African lion, according to the CITES trade regulations, the only large African felid that may be legally traded internationally for commercial purposes. However, an NDF is a legal prerequisite for the export of this listed species. South Africa issues CITES permits to legally export lions, its body parts and derivatives under 26 different trade terms (Table 1.1).

A process for an annual quota for the bone trade from South Africa's captive lion population was agreed at the 2016 CITES Conference of the Parties (CoP17) through an annotation to appendix II. Whereas a zero annual export quota remains for wild lions, *“annual export quotas for trade in bones, bone pieces, bone products, claws, skeletons, skulls and teeth for commercial purposes, derived from captive breeding operations in South Africa, will be established and communicated annually to the CITES Secretariat”*.

In both 2017 and 2018, the DFFE set an annual lion bone export quota of 800 skeletons. However, in August 2019 a High Court judgement ruled that the setting of the bone quota in 2017 and 2018 was “unlawful and constitutionally invalid” and that consideration should have been given to welfare issues relating to lions in captivity when determining such quota (National Council of the Society for Prevention of Cruelty to Animals v Minister of Environmental Affairs and Others, 2019). Since this ruling in 2019, the DFFE has deferred the setting of a CITES lion bone export quota.

Table 1-1 CITES Trade terms and their codes that may apply to the export of lion and its body parts and are included in the guidelines for the preparation and submission of CITES annual reports.

Body	BOD	Leather product - small	LPS
Bones	BON	Live	LIV
Bone products	BPR*	Meat	MEA
Carving-bone	BOC	Piece-bone	BOP
Claw	CLA	Rug	RUG
Derivatives	DER	Skeleton	SKE
Ear	EAR	Skin	SKI
Foot	FOO	Skin piece	SKP
Fur products - large	FPL	Skull	SKU
Fur products - small	FPS	Specimen - scientific	SPE
Heads	HEA*	Tail	TAI
Jewellery	JWL	Tooth	TEE
Leather product - large	LPL	Trophy	TRO

* Previously reported trade terms that are no longer included in the guidelines for the preparation and submission of CITES annual reports, but may appear in historical trade records.

1.2.7 Animals Protection Act (APA), 71 of 1962

The APA, 71 of 1962 includes wild animals in captivity or under the control of any person and is South Africa's primary animal welfare statute. It was drafted prior to the development of the Five Freedoms and the subsequent Five Domains model (see also Section 3.3 Animal well-being) and aims to prevent unnecessary cruelty, rather than to promote care or welfare of animals and does not refer to, or define, welfare or well-being. The APA lists provisions such as:

- Ill-treatment, neglect or torturing of animals.
- Confinement, chaining or tethering of animals in certain circumstances.
- Poisoning animals without reasonable cause.
- Denying food or water to an animal or abandoning an animal.
- Confinement and accommodation of animals, whether travelling or stationary.

The APA has a number of loopholes with the most significant being the inclusion of the word “*unnecessary*”. For example, section 2(1) m(i) states “*conveys, carries, confines, secures, restrains or tethers any animal under such conditions or in such a manner or position or for such a period of time or over such a distance as to cause that animal unnecessary suffering*”. The word places the onus to prove lack of necessity on the prosecution, rather than for the offender to prove the action or omission to have been necessary under the circumstances (Centre for Environmental Rights et al., 2018).

While welfare and the APA fall under the auspices of the Minister of DALRRD, the National Council of Societies for the Prevention of Cruelty to Animals (NSPCA) is empowered to enforce the provisions of the APA under the SPCA Act (169 of 1993). The NSPCA is in practice the sole statutory body tasked with responding to wild animal welfare complaints, conducting welfare investigations and regulating good welfare practices, throughout South Africa, without state funding or resources. Hence, their lack of sufficient resources and capacity to effectively increase monitoring and enforce compliance is a matter of serious concern and should be rectified if the country is fully realising the biodiversity obligations under the Constitution.

The NSPCA inspectors investigate and inspect captive lion facilities on an on-going basis to ensure the provisions in terms of the APA are not contravened. Inspections are carried out both on a reactive and proactive basis, as well as investigating any animal welfare complaint the NSPCA receives. A range of issues are checked during inspections, such as administrative documents, animal emergency plans for sick or injured animals or when an animal escapes, fencing, protocols and methods for emergency euthanasia, veterinary services, biosecurity measures, physiological and physical health of the animals, behaviour, source, type, quantity and frequency of feeding, hygiene of food storage and preparation areas, enclosure size and hygiene, provision of shelter and enrichment, water delivery, potential overcrowding and the presence of a management camp.

Any issues or APA contraventions found during these inspections are reported to the relevant provincial nature conservation authorities. Inspections may also result in prosecution and/or warnings issued to rectify a contravention of the APA, and/or notices for recommendations made to improve animal welfare conditions.

1.2.8 Performing Animals Protection Act (PAPA), 24 of 1935

The PAPA, 24 of 1935 together with the Performing Animals Protection Regulations, 2016, regulate the exhibition or training of performing animals and falls under the administration and responsibility of DALRRD. The PAPA states that “*no person shall exhibit or train or cause or permit to be exhibited or trained for exhibition any animal of which he is the owner or has the lawful custody or use any animal for safeguarding unless such person is a holder of a licence.*” The definition of “*exhibit*” means to expose for show at any entertainment to which the public are admitted whether for payment of money or otherwise, and “*train*” means to train for the

purpose of exhibiting or use for safeguarding. The PAPA also provides for measures of enforcement, site inspections, suspension of licences, cancellation of licences for non-compliance, husbandry, and welfare requirements for the animals in use, and defines offences and penalties. The PAPA and the 2016 Regulations is national legislation that must be enforced in all nine provinces.

The responsibility for animal welfare monitoring under PAPA is delegated to state veterinarians. Apart from animal health checks, many aspects covered in a Veterinary Procedural Notice are required to be approved or endorsed by a facility veterinarian, such as a health and welfare plan for all the species/animals, the site where the animals are kept or work, indicating the area(s) allocated to each species, including shelter, feed and water points, examination areas, storage and disposal areas for waste and mortalities, animal training (equipment and methods), and all associated records and registers. Biannual veterinary visits, animal movement notification, and monitoring of animals used in the filming industry are also regulated to ensure the welfare of performing animals.

All facilities that hold captive lions for public exhibition, train lions for exhibition or for shows, advertisement or film purposes, must ensure they have a PAPA Licence applicable to the required legislation. Although the Western Cape insists on the issuance of PAPA licences to exhibiting captive lion facilities, it is unclear how the act is implemented in South Africa's other seven provinces with captive lions.

1.2.9 Animal Improvement Act (AIA), 62 of 1998

The AIA, 62 of 1998 makes provision for the breeding, identification and utilisation of genetically superior animals to improve the production and performance of animals in the interest of the Republic. In May 2019, the AIA was amended to include 26 indigenous wild animal species, including African lion, and six non-indigenous species of deer into Table 7 of the regulations. Animals declared as landrace breeds can also be used for genetic manipulation, embryo harvesting, in-vitro fertilisation and embryo transfers (Somers et al., 2020).

On the July 22, 2019, the DFFE made a statement that the inclusion of species such as white rhinoceros (*Ceratotherium simum*), black rhinoceros (*Diceros bicornis*), lion and cheetah in Table 7 of the AIA by no means removes these animals from the jurisdiction of the Department, and both the NEMBA and the associated TOPS Regulations still apply (DEFF, 2019).

On March 3, 2023, High Court judge van Niekerk set aside the amendments of the AIA, describing the listing as "irrational" and the impugned decisions as having "potential catastrophic results" for wildlife in South Africa. He further stated that DALRRD actions conflicted with conservation legislation, including the NEMA and NEMBA, were detrimental to conservation objectives and infringed on the rights enshrined in Section 24 of the Constitution (Endangered Wildlife Trust v Minister of Agriculture, Land Reform and Rural Development and Others, 2023).

1.2.10 Legislative Gap Analysis

As part of the HLP's work, a comprehensive legislative gap analysis of national legislation pertaining to the five target species was conducted. The focus areas were directly linked to the ToR of the HLP, namely keeping in captivity, hunting, population management, trade, stockpiles, handling and well-being, communities, and impacts and benefits. This legislative gap analysis resulted in a heat map (Table 1.2), indicating areas and issues where legislative provisions do not exist (highlighted in red); where legislative provisions exist but must be updated or expanded to ensure responsible regulation and governance (highlighted in orange or yellow, with orange indicative of a more urgent need for revision); and where the legislative provisions are sufficient (highlighted in green).

For lions, two distinct legislative areas are highlighted in red (Table 1.2), namely the fact that lions are the only target species allowed to be hunted as a put and take animal (row A), and that in terms of lion bone stockpiles guidance is not provided and neither do regulations exist on the marking on lion bones (row F). Furthermore, concerns were raised in terms of the breeding and keeping (row B), trade (row C), and handling (row E) of lions relating to the TOPS Regulations, where legislative provisions must be urgently updated and/or expanded to ensure responsible regulation and governance. Only in terms of the impact and benefits relating to Section 2 of the NEMA were the legislative provisions considered sufficient and no immediate attention required.

The HLP sub-committee anticipated that changes to the legal framework could be built into the existing national legislation and regulations, with the possibility of developing additional norms and standards to guide decision-making.

Some of the progress made to date since the publication of the HLP report includes the amended TOPS Regulations with a provision on animal well-being published for public comment in October 2023 (section 1.2.3); the publication of the White Paper on the Conservation and Sustainable Use of South Africa's Biodiversity (section 1.2.4); the well-being mandate in the NEMBA has been promulgated into law (section 1.2.2), the re-publishing of the Draft Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros with the goal of phasing out the captive lion industry (section 1.2.4); and the draft notice to prohibit new facilities published for public comment in September 2023. The NEMBA is currently under revision and is expected to be released for public comments in 2024.

Table 1-2 Legislative analysis heat map - adapted for African lions only from the HLP report (2020)⁹.

High-level panel terms of reference area		Lion
A	Hunting - The National Norms and Standards for Hunting Methods in South Africa have not been finalised to date. Lions are highlighted red as they are the only target species allowed to be hunted as a put and take animal and hunted under the influence of narcotics, and this distinction lacks a proper basis.	2A
B	Breeding & Keeping - When reviewing TOPS Regulations: (i) Regulation 10 does not provide sufficient guidance to officials in making their decisions, thus facilitating poor regulation of breeding and keeping the target species; and (ii) The regulations make the keeping of stud books only necessary "where appropriate". The subcommittee views this as being insufficient.	2B
C	Trade - When reviewing TOPS Regulations, Regulation 10 does not provide sufficient guidance to officials in making their decisions, thus facilitating poor regulation in relation to trade. When reviewing the CITES Regulations, it is noted that these lack sufficient guidance to govern instances where a CBO does and should qualify for trade, and how this is balanced with broader security concerns in South Africa and ecological sustainable use (with broader benefits established so wild species of the target species are protected).	2C
D	Management: Included herein is population management and general management. When reviewing NEMA: <ul style="list-style-type: none"> The NEMA s2 principles apply to all decisions which may affect the management of the environment (which, by its definition in NEMA, includes all target species). It is noted that Integrated Environmental Management seems to be missing in the regulation of the target species. Lessons learnt from other forms of integrated environmental management could be of immense value – specifically financial provisioning, risk analysis etc. 	2D

⁹ Disclaimer: Table 1-2 has been reproduced verbatim from the HLP report (2020) for those areas pertaining lion and there may be areas the MTT does not have full clarity on.

	<p>When reviewing NEMBA:</p> <ul style="list-style-type: none"> • A key objective of the Act is to provide for the management and conservation of biological diversity within the Republic, and of the components of such biological diversity. • A Biodiversity Management Plan has been drafted for lion. • Powers given to the Minister to list TOP species and provide legal protection to them (when read with s57). <p>When reviewing TOPS Regulations: Regulation 10 does not provide sufficient guidance to officials in making their decisions, thus facilitating poor management decisions.</p>	2D
E	<p>Handling - When reviewing TOPS Regulations:</p> <ul style="list-style-type: none"> • Regulation 10 does not provide sufficient guidance to officials in making their decisions, thus facilitating poor regulation for the handling of the target species. • Base line provisions within environmental legislation are not in place to ensure welfare of the target species is achieved. This is left to the APA and the resultant challenges with mandates (as identified in the NSPCA Lion Bone case (NSPCA v Minister of Environmental Affairs and Others, 2019)) must be noted. 	2E
F	<p>Other (other key species related issues) – stockpiles: Guidance on stockpiles is not provided beyond that permits are needed – this is an oversight. For lion bones, no regulation on the marking on lion bones are provided, with this viewed as an oversight.</p>	2F
G	<p>Other (other key species related issues) – well-being When reviewing the N&S for management of elephants, the subcommittee requests that consideration be given to developing similar N&S for the other species, given that the N&S relating to elephant management are viewed as forward thinking, integrating all the key issues of the HLP in one document.</p>	2G
H	<p>Other (other key species related issues) – impact and benefits NEMA s2 principles include:</p> <ul style="list-style-type: none"> • that the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardized. • Equitable access to environmental resources, benefits and services to meet basic human needs and ensure human well-being must be pursued and special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination; and • The social, economic and environmental impacts of activities, including disadvantages and benefits, must be considered, assessed and evaluated, and decisions must be appropriate in the light of such consideration and assessment. 	NEMA and NEMBA

Legislative Analysis Heat Map Key

Legislative provisions do not exist.	Legislative provisions must be urgently updated or expanded to ensure responsible regulation and governance.	Legislative provisions must be updated or expanded to ensure responsible regulation and governance.	Legislative provisions are sufficient, i.e., requiring no immediate attention.
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1.3 Conservation Status of African Lions

In 2014, the International Union for Conservation of Nature (IUCN) assessed lions for the IUCN Red List of Threatened Species as a “Vulnerable” species globally. Between 1993–2014, the lion population has experienced a reduction of 43% (over 21 years or about three lion generations) (Bauer et al., 2016) and lion population continue to decline to an estimated 23,000 individuals (Nicholson et al., 2023). Key threats to the species were identified as habitat loss, reduction in suitable prey, indirect poaching, and targeted poaching for parts.

The wild lions in South Africa have a stable to slightly increasing population size of approximately 3,500 individuals (Miller et al., 2016) and the species is classed as “Least Concern” in the Red List of Mammals of South Africa, Swaziland and Lesotho. This conservation status dichotomy between the global and South Africa’s lion population is mainly due to the expansion of their population in fenced private game reserves, where the managed wild lion populations, although highly fragmented, has grown by 16% since 1993.

According to the Red List of Mammals of South Africa, Swaziland and Lesotho, there are no major threats to lions in the assessment region. Disease has been a threat to the free-roaming lion population, especially bovine tuberculosis in Kruger National Park and Hluhluwe-iMfolozi Park. Bovine tuberculosis is however not spread within lion subpopulations through intraspecific interactions and can only be sustained in the population through infected prey, particularly buffalo (Maruping-Mzileni, 2015). Within Kruger National Park, bovine tuberculosis has not had any detectable impacts on the lion population and the disease threats within this national park are minimal (Ferreira & Funston 2010).

The prevailing view amongst carnivore specialists, in terms of the suitability and necessity of using captive-bred lions for conservation purposes, is that the lack of a safe and suitable habitat for rewilding and population restoration purposes and the adequate availability of wild lions, makes the use of captive-bred lions redundant. The HLP report states that the rewilding of captive-bred lions is not feasible from conservation principles and captive breeding is currently not necessary for conservation purposes. The author of a recent study conducted on rewilding of captive lions found that there was no available habitat to reintroduce the offspring of the rewilded lions (Booyens, 2021)

Categories of lions

The BMP for the African lion defines three categories of lion, namely:

- **Wild lions:** Lions that completely fulfil their role in biodiversity processes, are largely unmanaged, and exist only in formally proclaimed national parks and game reserves. Conservationists do not actively manipulate vital rates and lion demographics.
- **Managed wild lions:** All lions that have been re-introduced into smaller fenced reserves (< 1,000 km²) and are managed to limit population growth and maintain genetic diversity. Managers actively manipulate some vital rates and demographics.
- **Captive lions:** Lions bred exclusively to generate money. Managers actively manipulate all vital rates and demographics.

In accordance with the MTT mandate as outlined in the ToR, the focus is on **captive and captive-bred lions in controlled environments** (Table 1.3 for definitions). Hence, the MTT decided that lions would be considered as captive, unless they are actively managed under the Lion Management Forum (LiMF) or if the reserve is included in the Enhancement Findings List of managed wild lions as obtained from the South African National Biodiversity Institute (SANBI).

Table 1-3 Relevant Threatened or Protected Species (TOPS) Regulations definitions from the amended 2007 and unpublished 2023 versions. Further relevant definitions can be found in the glossary of terms.

Term	TOPS definition 2007	TOPS definition 2023 (draft for consultation)
Captive bred	Bred in captivity or captive bred, in relation to a specimen of a listed threatened or protected animal species, means that the specimen was bred in a controlled environment.	A specimen of a listed threatened or protected species that was bred and born in a controlled environment.
Captive breeding operation / facility	Means a facility where specimens of a listed threatened or protected animal species are bred in a controlled environment for: <ul style="list-style-type: none"> (a) Conservation purposes; or (b) Commercial purposes. 	A facility that is a controlled environment where specimens of a listed threatened or protected animal species are bred.
Controlled environment	Means any enclosure designed to hold specimens of a listed threatened or protected species in a way that – <ul style="list-style-type: none"> (a) prevents them from escaping; (b) facilitates intensive human intervention or manipulation in the form of the provision of – <ul style="list-style-type: none"> (I) food or water; (II) artificial housing; or (III) health care; and (c) may facilitate the intensive breeding or propagation of a listed threatened or protected species, but excludes fenced land on which self-sustaining wildlife populations of that species are managed in an extensive wildlife system. 	Means any enclosure – <ul style="list-style-type: none"> (a) that is insufficient size for a specimen or a group of specimens of a listed threatened or protected species to be self-sustainable; (b) that is designed to hold such a specimen or specimens in a manner that – <ul style="list-style-type: none"> (i) prevents it from escaping; and (ii) requires intensive human intervention or manipulation in the form of the provision of – <ul style="list-style-type: none"> (aa) food or water, or both (bb) artificial housing; (cc) health care; (dd) predator or parasite control; or (ee) any combination of the above interventions; and (c) where natural selection does not play a role.
Extensive wildlife system	Means a system that is large enough, and suitable for the management of self-sustaining wildlife populations in a natural environment, which requires minimal human intervention in the form of - <ul style="list-style-type: none"> (a) the provision of water; (b) the supplementation of food, except in times of drought; (c) the control of parasites; or (d) the provision of health care: 	Means any natural environment that is not a controlled environment, but excludes an enclosure that is a controlled environment within such extensive wildlife system.

1.4 High-level Panel of Expert Recommendations

In August 2018, the Parliamentary Portfolio Committee for Environmental Affairs convened a Colloquium on “Captive lion breeding for hunting in South Africa; harming or promoting the conservation image of the country”. The recommendations of the Colloquium were adopted by the national assembly on December 6, 2018, including that “*the Department of Environmental Affairs should as a matter of urgency initiate a policy and legislative review of captive breeding of lions for hunting and lion bone trade with a view to putting an end to this practice*”.

Subsequently, the Minister of DFFE appointed a High-Level Panel (HLP) of experts in 2019 to review policies, legislation, and practices on matters of elephant, lion, leopard and rhinoceros management, breeding, hunting, trade and handling.

The HLP's overall vision was *“secured, restored, and rewilded natural landscapes with thriving populations of Elephant, Lion, Rhino, and Leopard, as indicators for a vibrant, responsible, inclusive, transformed, and sustainable wildlife sector”*.

In respect of the captive lion industry, the HLP recognised that: -

- Rewilding of captive lions is not feasible from conservation principles and captive breeding is currently not necessary for conservation purposes.
- The commercial lion business involving intensive and selective breeding, handling, canned hunting and bone and other derivative trade presents a threat to South Africa's reputation with associated political and economic risks including negative impacts on the broader photo-tourism market, and tourism to South Africa in general (Harvey, 2020).
- The captive lion industry threatens South Africa's reputation as a leader in the conservation of wildlife, and as a country and destination with iconic wild lions, as the housing of wild or captive-bred lions is perceived as the domestication of this iconic species.
- There is a lion non-detriment finding (NDF) that suggests that trade in captive trophies and captive live specimens and lion bones does not impact negatively on wild populations.
- The captive lion breeding and hunting industry presents a direct risk to the trophy hunting industry in terms of the hunting of wild lions and trophy hunting in general, and feeds the perception that the hunting of farmed or semi-tame animals occurs in South Africa.
- The captive lion industry provides very little economic activity benefiting a few relative to the other components of the sector, including relatively few jobs (van der Merwe et al., 2017).
- The captive lion industry does not contribute meaningfully to transformation in South Africa.
- The captive lion industry does not contribute to the conservation of wild lions.
- The trade in lion derivatives poses major risks to wild lion populations in South Africa, including concerns raised by communities adjacent to Kruger National Park about increasing lion poaching in the park, and, especially, wild populations in other countries with relatively low levels of conservation funding to protect them.
- The trade in lion derivatives poses a major risk of stimulating illegal trade, including through the laundering of poached parts.
- There are demonstrable (peer reviewed) zoonotic risks associated with the intensive breeding and keeping of lions, which poses a high risk of an epidemic of existing or new zoonotic diseases, emerging in South Africa, and moving abroad (Green et al., 2020). COVID-19 outbreaks have occurred in a number of animal species, including felids, with the potential for mutation and back-infection to humans. The World Organisation for Animal Health have listed lion as one of the species with a high susceptibility to infection.
- The captive lion industry does not represent ecologically sustainable use.
- There is the presence of a large number of lions currently in captivity in many locations.
- There are major concerns over work conditions and safety of workers on lion farms (Four Paws, 2021).
- There are major concerns about the safety of tourists visiting these facilities and many attacks and fatalities have been reported (Marnewick and de Waal, 2023).
- Although some operators may implement acceptable standards of welfare, there are major welfare contraventions in the industry in general (Green et al., 2022).
- Investors in captive lion breeding, keeping, and use through hunting, interaction tourism, derivative sales etc. do so at their own risk, as with any investment in a novel or developing industry.
- An existing stockpile of lion bones is registered with the Department.
- There are risks to employment, the economy, and the lions themselves associated with an immediate ban on trade with captive lions and derivatives.

The HLP Majority Recommendations Pertaining to Captive Lions

The HLP report provided majority and minority recommendations in terms of captive lions. However, the Minister indicated in her speech on May 2, 2021¹⁰ that the Department will be adopting the majority recommendations on these issues, with the goal that South Africa does not breed lions in captivity, keep lions in captivity, or use captive lions or their derivatives commercially (HLP report, 2020). The HLP's report including the section pertaining to captive lions was adopted by Cabinet and released on May 2, 2021.

To achieve this goal, the majority of the HLP recommended that the Minister:

- Puts in place a process to halt and reverse the domestication of the iconic African lion, through captive lion keeping, breeding, and commercial use, putting in place ethical and humane procedures for the euthanasia of existing captive lions;
- Puts in place policy decisions for an immediate halt to: (1) the sale of captive lion derivatives, including the appropriate disposal of existing lion bone stockpiles and lion bone from euthanised lions; (2) the hunting of captive bred lions; and (3) tourist interactions with captive lions, including, so-called voluntourism, cub petting, etc; and
- Engages with other Departments and the Sector Education and Training Authorities (SETAs) to identify mechanisms to protect employment of workers on captive lion facilities, including redeployment to other components of the wildlife sector, repurposing/retraining, and/or incorporation into the agricultural sector.

1.5 Establishment of the Ministerial Task Team

As part of the wider implementation of the HLP recommendations, the Minister is of the view that a well-supported process could successfully provide stakeholders in the captive lion industry the option of a voluntary exit, with win-win outcomes. To this end, the Minister started the process to establish a Ministerial Task Team (MTT) with an overall mandate to identify and recommend voluntary exit options and pathways for the captive lion industry.

Timeline

- On August 12, 2022, the Minister published a notice of intention to establish an MTT to identify and recommend voluntary exit options and pathways from the captive lion industry.
- A call for nominations of suitable persons to serve on the MTT was made in Government Notice No. 2379 published in the Government Gazette 46706 and in the Sowetan and Beeld newspapers.
- After the closing date of the notice of intention to establish the MTT and the call for nominations, the Minister constituted a screening, evaluation and shortlisting panel to adjudicate on the nominations and make recommendations for consideration by the Minister.
- On December 7, 2022, the Minister formally established the MTT and appointed eight suitably qualified persons as members of the MTT (Table 1.4) under Section 3A of the NEMA. The Minister also published the ToR (Appendix 1) for the MTT (Gazette No. 47666).
- The work of the MTT was to commence as soon as possible and to be completed by June 30, 2023. However, on June 13, 2023 the Minister extended the term for the MTT until December 31, 2023, as issued in the Government Gazette (No. 48783) (Appendix 2).

¹⁰ <https://www.dffe.gov.za/statement-minister-creecy-release-report-high-level-panel-2-may-2021>

Focus Areas

The ToR outlines five main focus areas, in addition to providing advice to the Minister on matters related to the captive lion industry, namely to:

1. Develop and undertake a process for the engagement of all stakeholders in the captive lion industry and relevant issuing authorities, including any vulnerable workers.
2. To plan and oversee an audit of existing captive lion breeding and keeping facilities nationally to confirm the number of lions, and their age and sex, stockpiles of lion parts and derivatives; the practices and uses within that facility; and the number, level of employment, and skills of workers; and other potential land use options within the biodiversity economy.
3. Develop and oversee the initial implementation of a voluntary exit strategy and pathways from the captive lion industry for stakeholders who wish to pursue this option. This exit strategy should consider all possible options, and prevailing issues within the captive lion industry, including the following:
 - (a) domestication of lions in controlled environments;
 - (b) exploitation of captive and captive-bred lions;
 - (c) the captive breeding of lions;
 - (d) voluntary surrender or disposal of lions, including the circumstances under which lions may continue to be held in captivity in South Africa;
 - (e) voluntarily closure of captive lion facilities, considering the mechanisms and conditions for mutual agreement, as well as a final compliance inspection;
 - (f) voluntary disposal options for lion parts and derivatives, with an associated audit process;
 - (g) the future employment of affected workers;
 - (h) the conservation and socio-economic impact of this voluntary strategy, as well as any potential unintended consequences;
 - (i) the development of Standard Operating Procedures, Guidelines, or other documentation to support effective and efficient voluntary exit by participants in the captive lion industry; and
 - (j) engaging with the relevant sphere(s) of government on the proposed exit strategy, mechanisms, Standard Operating Procedures, Guidelines etc., to ensure they are consistent with existing legislation, mechanisms, tools and government policy.
4. Identify, mobilise and endorse potential funding mechanisms, sources and procedures to support the voluntary exit strategy and pathways.
5. Undertake additional tasks as identified during the course of their work.

Table 1-4 Members of the Ministerial Task Team appointed by the Minister to identify and recommend voluntary exit options and pathways from the captive lion industry.

Member MTT	Appointment date	Short bio with relevant expertise
Mr. Kamalasen Chetty (chair)	December 7, 2022	Has extensive executive experience in the public, private and NGO sectors, including research in public policy, quality assurance in the pharmaceutical industry, infrastructure projects for the World Bank, managing municipalities, and was the MD of EDS/HP Enterprises Services in Southern Africa. He currently works on Climate Finance for Infrastructure. He has degrees in Chemistry, Economics and Management.
Mr Obeid Katumba	December 7, 2022	Is an admitted attorney, with a master's degree in environmental management and governance, and a background in biodiversity conservation. He was previously trained and served as an

		Environmental Management Inspectorate inspector (EMI grade 2). At the time of his appointment to the MTT, he worked at the Endangered Wildlife Trust, in particular within the Wildlife and Law project.
Dr Kelly Marnewick	December 7, 2022	Has a PhD in Wildlife Management from the University of Pretoria and a research background in large carnivore conservation, human-wildlife conflict, monitoring and trade. She is Chair of the IUCN African Lion Working Group and President of the Southern African Wildlife Management Association. She has more than 10-years of experience in the NGO sector and currently works in academia.
Adv. Justice Mnisi	December 7, 2022	Is qualified and authorised to practice as an Advocate of the High Court in terms of the Admission of Advocates Act, 74 of 1964 with 23 years of general Legal Experience in both the public and private sectors. His practice was established in February 2011. Prior to the establishment of his own practice, he was employed by the National Prosecuting Authority for 11 years.
Dr Christine Steyrer	March 1, 2023	Is a qualified veterinarian with over 10-years of experience working in various practices and clinics, with both domestic animals and wildlife species. During the last three years she has worked primarily with big cat species in a welfare setting, focusing on all aspects of the well-being of the animals. She has expertise in caring and keeping for big cats, including general husbandry and facilities, nutrition, physical and mental health, geriatric care and transport. She also worked for one year for the Import/Export Policy Unit of DALRRD, dealing with requirements and inspection reports, and veterinary procedural notes on export facilities.
Ms Pricilla Stiglingh	December 7, 2022 <i>Resigned at the end of July 2023 for personal reasons.</i>	Has extensive experience in the nature conservation, captive wildlife and animal welfare industry, including formal tertiary education at the University of South Africa. Her 15 years' experience spans academic, research, policy and legislative work in the field of nature conservation and wild animal welfare, including the captive wildlife industry.
Ms Carla van der Vyver	December 7, 2022	Has a Master's degree in Environmental Management, and extensive experience in biodiversity conservation, wildlife management, environment and various agriculture sectors. Her 30-year experience covers conservation practice, policy and legislation, captive and managed wild lion management, conservation and management of multiple wildlife species including threatened or protected species, academic research, drafting of management plans, dangerous game and other wildlife species, and environmental impact assessments under a wide variety of conditions. African lions, both captive and managed wild lions, are her area of specialty.
Dr Louise de Waal	December 7, 2022	Has an academic background in environmental science and a PhD in Environmental Management with 36-years of work experience, including in academia, tourism and NGO sector. She has developed a broad knowledge of wildlife and conservation issues in Southern Africa. More recently, she has focused predominantly on the commercial captive breeding of big cats in South Africa through advocacy, lobbying and scientific research in animal welfare issues, zoonotic diseases, and the captive lion industry at large, including its trade value chains, relevant legislation and its legal loopholes, and players involved.
Dr Peter Caldwell	December 7, 2022 <i>Resigned early in the process for personal reasons and was replaced by Dr Christine Steyrer.</i>	Wildlife veterinarian with expertise in large carnivores.

2 Towards a Contemporary and Ethical Wildlife Industry

The HLP identified a vision that provided an aspirational horizon against which to reference their work, thinking and recommendations, namely: *“Secured, restored, and rewilded natural landscapes with thriving populations of elephant, lion, rhino and leopard, as indicators for a vibrant, responsible, inclusive, transformed and sustainable wildlife sector.”* It is against this background that the work of the MTT framed their work in terms of a contemporary and ethical future wildlife industry.

The commercial captive breeding of lions, the trade of their parts and derivatives, and tourism interactions in South Africa are controversial and result in heated, divisive debates between several sectors of society, including the hunting fraternity, conservation sector, animal welfare organisations, animal rights groups and the general public. This industry is primarily profit driven with very little conservation benefit. As a result, the South African government has been under considerable pressure for a number of years from both domestic and international voices to reform this sector of the wildlife industry.

2.1 Why Lions?

While South Africa has many conservation challenges, the captive lion industry has received a lot of attention, including the Parliamentary Colloquium, the work of the HLP and the existence of this MTT. We propose several reasons for why lions have received such focus.

Member of the Charismatic Big Five

Lions are a member of the Big Five (together with elephant, buffalo, leopard and rhinoceros) and are iconic to Africa and its people. The species is a major attraction to both photographic tourists and trophy hunters visiting Africa. Due to their iconic status, activities related to lions and their management are also of international concern.

Cultural Significance

In South Africa, lions play a significant role culturally and spiritually, with a role in African traditional medicinal practices, in particular the use of bones, fat and claws. In engagements with the HLP, the Congress of Traditional Leaders of South Africa (CONTRALESA) expressed an unambiguous view that the captive lion breeding industry and the hunting of captive bred lions were unacceptable. Lions are associated with royalty, and traditional leaders are the custodians of these animals and their cultural values. CONTRALESA further expressed the view that white lions are the pride of Africa and should not be in private hands, but should rather be under the custodianship of government as they hold a particular place in the spiritual well-being of the nation (HLP report, 2020).

Magnitude of the Captive Lion Population

South Africa has the largest captive lion population in the world with an estimated 8,000+ lions held in captivity, which is substantially more than the wild lion population. The sheer magnitude of the number of lions kept and bred in captivity for commercial purposes attracts concern and attention.

International Trophy Hunting Debate

Trophy hunting of wild animals is considered a valuable tool in the conservation toolbox through the generation of income, increased tolerance for wildlife, and provision of incentives to conserve species and habitat (Lindsey et al., 2006), with the potential to have positive impacts on conservation (Dickman et al., 2018). While a global movement against trophy hunting is growing (Di Minin et al., 2016), such campaigns often do not make a distinction between genuine wild trophies and captive origin trophies, which bolsters the anti-hunting position and introduces complexity to the debate (e.g., Schroeder, 2018). The repercussion of a blanket ban on trophy hunting or imports of trophies may have a negative impact on financing the

conservation of species and their habitats, although evidence is lacking to answer the pressing questions of where and how hunting contributes to just and sustainable conservation efforts (Di Minin et al., 2021). A section of the hunting industry believes there is no “fair chase” in the hunting of captive-bred lions because these animals are believed to be human habituated or even released into relatively small hunting camps. Thus, the hunting of captive bred lions has been used to damage the reputation of trophy hunting in general, which was also the conclusion of the Parliamentary Colloquium.

Misalignment with Global Trends

Captive lions are among other uses bred for hunting, body parts and, until 2019, for bones that were traded to southeast Asia to be used in Traditional Chinese Medicine. Tiger bones were the original product, but with a ban on the use of tiger bones due to the impact on tiger conservation, lion bones have been introduced to supplement and even substitute for tiger bones. It is therefore alarming that South Africa’s captive lion industry diverges from the international trend of moving away from the commercial farming of wild animals for their body parts e.g. ending of farming tigers for bones (Nowell, 2010), bears for bile (Davis et al., 2022) and minks for their pelts (Frame, 2022).

Unregulated Nature of the Captive Lion Industry

The divergent provincial legislation, lack of a centralised national database, absence of standard operating procedures, lack of compliance capacity and inconsistencies in permit conditions across South Africa have been identified as major concerns in the ability to effectively monitor the captive lion industry. This prevents the industry from being properly regulated, enables low compliance and prevents the necessary challenges with regards to animal welfare from being adequately addressed (de Waal et al., 2022; Heinrich et al., 2022).

Ethical and Responsible Tourism

Voluntourism attracts paying international volunteers to work at some of the captive lion facilities in South Africa. Placements are often advertised under the guise of conservation or wildlife rehabilitation. Additionally, both domestic and international tourists are attracted to facilities to interact with cubs for photographic opportunities (Chorney et al., 2022). This business model requires a continuous supply of cubs, typically claimed to be orphaned, but generally are taken prematurely from their mothers to attract these volunteers to raise the cubs and/or tourists to interact with them. This need has resulted in some voluntourism and photographic tourism facilities being linked to supplying lions to the captive hunting industry (Figure 1.1).

Concern has also been raised around deceitful messaging and the exploitation of young and vulnerable tourists. There have been several campaigns and tools developed that support tourists in making informed decisions, such as the development of the Captive Wildlife Attractions and Activities Guidelines and Decision-making Tool by the Southern Africa Tourism Services Association (SATSA). This demonstrates that the tourism industry has a need to be empowered to make ethical choices around activities, such as tactile interactions and walking with predators. Furthermore, captive lions involved in the tourism industry detract from genuine wildlife tourism experiences involving wild lions in their natural habitat.

Animal Welfare Concerns

There have been several high-profile cases of animal welfare transgressions at commercial captive lion facilities, including neglected and malnourished animals, overcrowding, removal of young cubs from their mothers, excessive breeding rates for females, handling of young cubs by tourists for photographic opportunities, poor hunting practices by captive lion hunters preventing a quick kill and inhumane euthanasia methods to harvest bones. These cases have raised further awareness of the unethical practices and nature of the industry, and the inability to regulate the industry effectively (Chorney et al., 2022; Green et al., 2022).

Social Licence

Social license to run a business or activity is the informal permission given by society and is earned by ethical practices, environmental responsibility, and positive societal impact. While this is not a legal requirement it is crucial to obtain and foster trust, acceptance and long-term sustainability, and is gained by aligning with societal needs and values.

Existing global awareness campaigns and documentaries (Blood Lions documentary, 2015; Lions, Bones & Bullets documentary, 2021; The Tiger Mafia documentary, 2016), political and societal pressure, and even the existence of this MTT indicate that the captive breeding and commercial use of lions does not have the required social licence to operate. Without the buy-in from all stakeholders, including the general public, this practice will continue to be in the spotlight, generate pressure on the government and detract from pressing conservation issues.

On August 21 and 22, 2018, the Parliamentary Portfolio Committee for Environmental Affairs convened a Colloquium on Captive Lion Breeding for Hunting in South Africa: harming or promoting the conservation image of the country. On the December 6, 2018, the recommendations of the Colloquium were adopted by the national assembly, who represent the people of South Africa. One of the recommendations was that “the Department of Environmental Affairs should as a matter of urgency initiate a policy and legislative review of captive breeding of lions for hunting and lion bone trade with a view to putting an end to this practice”.

2.2 Conservation Implications

There are concerns around the potential negative impact of the captive lion industry on wild lion populations and broader conservation efforts in South Africa. These include either an increased demand for wild lion trophies, or a decreased demand for wild lion trophies due to cheaper and easier obtainable captive trophies (both having potential impacts on wild lion populations). Further concerns have been raised around the trade in lion bones to southeast Asia and the potential impact on wild lion and tiger populations through poaching due to an increased demand (Williams et al., 2019). The most recent African Lion Red List Assessment indicates that poaching of lions for their body parts are a threat to their conservation status (Nicholson et al., 2023).

Additionally, many countries have introduced bans on the importation of captive lion trophies and in some cases, all lion trophies, e.g. Australia, Finland, France, the Netherlands, and the USA, as well as about 45 airlines that began refusing to carry any hunting trophies as cargo in 2015 (HSI, 2015; Schoeder, 2015). This has far reaching implications on funding the conservation estate across Africa.

The diversion of resources, such as for research relating to captive-bred lions, pseudo-sanctuaries, pseudo-lion conservation projects, and a focus on captive lion breeding detracts from other pressing conservation needs, such as protecting endangered species, preserving critical habitats, and combating illegal wildlife trade.

2.3 Conservation Consequences of Voluntary Exit from the Captive Lion Industry

It should be noted that when conservation assessments are undertaken through the IUCN Red Listing process, captive wild animals, including African lions, are not considered in the assessments. Lions in captivity therefore have no impact on the conservation status of the species. However, the voluntary exit from the captive lion industry creates a progressive constriction of the supply and potentially a gradual reduction for the demand of captive lion bones, parts and derivatives in the major export markets. The ongoing implementation of the HLP recommendations on captive lions, i.e. the closure of South Africa’s captive lion industry, could have further positive implications for the conservation of lions in the wild.

Increased Demand for Wild Lion Trophies

Noting that there is no evidence to support that a well-managed trophy hunting quota has negative impacts on the conservation of lions, an increased demand for wild lion trophies due to the unavailability of captive trophies could have a positive conservation outcome. Supply and demand will result in more money being obtained for wild lion trophies, resulting in direct benefits to wildlife management areas in which hunting takes place through increased revenue (Lindsey et al., 2012).

Hunting of wild lions provides a strong incentive for conservation through the financial benefits from coexistence, which are not present in captive lion hunts.

Possible Increase in Opportunities to Export Hunting Trophies from other African Range States

If South Africa effectively closes down the captive hunting industry, there is a possibility that there may be more export opportunities for lion trophies originating from other African range states, with concurrent conservation benefits. Australia for example has banned the importation of all lion trophies due to the inability to distinguish wild from captive origin trophies (DCCEEW, 2015). The closure of captive lion hunting could provide an opportunity to review such a policy.

Improved Allocation of Scarce Conservation Resources

A significant amount of resources are utilised in attempting to manage, monitor, measure compliance and raise awareness around the captive lion industry. This is done both nationally and internationally and has not only placed a burden on South Africa's nature conservation management and law enforcement, but also on importing countries, who have had, for example, to amend policies and increase compliance inspections to ensure that all lion parts and derivatives are compliant (see also section 6.4 on the cost of compliance monitoring). With the closure of the industry, these needs would be negated, and conservation, compliance and monitoring resources can be allocated to genuine conservation requirements. This includes permitting efforts, inspection for legal and welfare compliance, law enforcement efforts, customs requirements, monitoring of trophy imports by foreign countries, and research and conservation funding.

Improved Ability to Monitor and Regulate Illegal Trade

With the legal presence of captive lion parts and derivatives in the market, the compliance monitoring of trade is complicated. This is due to difficulties in determining the origin or source of the parts, allowing for the laundering of illegal bones through the legal bone market (Coals et al., 2019). If the captive lion industry is closed down and legal sources of lion bones, parts and derivatives are no longer available, any lion products found by law enforcement can therefore be considered illegal. It also makes the laundering of wild lion parts through the legal captive market impossible.

There is clearly an illegal trade in lion bones, parts and derivatives (mostly bones) from the South African captive lion industry (see examples of seizures of large quantities in e.g. Laos). These parts are leaving South Africa undetected despite the efforts put in place by the monitoring, compliance and enforcement sector (see Williams et al., 2021 for examples). Thus, with a trade that is not able to be regulated, stopping the legal source of the products would stop the illegal trade from the captive industry.

Reduction in Incentives for Poaching

Lion poaching is often driven by the demand for body parts (Everatt et al., 2019) and captive lions in South Africa have also been targeted for this purpose (Marnewick, K., Unpublished data). Critics of the captive lion industry propose that the provision of parts increases demand, and thus incentivises the poaching of wild lions. There is a counter argument that captive lions reduce the pressure on wild lion populations through the provision of parts to supply the market demand. While there is little empirical evidence for either argument,

there has not been a lion bone quota since 2019, but there has also not been a documented increase in wild lion poaching for their bones.

Re-alignment with Global Trends in Conservation and Tourism

The captive lion industry has drawn international criticism and negative attention to South Africa's conservation and tourism practices (see earlier in this section; HLP report, 2020). The voluntary exit as a first step in closing down the captive lion industry, sends a positive message demonstrating a commitment to ending captive breeding and aligning with contemporary global trends, thereby enhancing South Africa's reputation in wildlife conservation and tourism practice.

Ending the practice of breeding and keeping captive lions for commercial purposes could improve the country's global reputation regarding wildlife conservation and management. It will also bring South Africa back in line with contemporary global trends that have moved away from captive breeding (e.g., bears for bile and mink for pelts) and towards a holistic approach to both conservation and ethical and responsible tourism.

3 Guiding Principles for Voluntary Exit Options and Pathways

The ToR of the MTT as outlined in section 1.5 clearly delineate the MTT's boundaries and objectives, and define a set of deliverables, with the overall goal to provide stakeholders in the captive lion industry with the option of voluntary exit with win-win outcomes. The guiding principles outlined in this chapter are the overarching values and rules that provided a framework to the decision-making processes, in considering all the potentially available voluntary exit options and pathways, and in making any recommendations.

The mission statement of the White Paper on the Conservation and Sustainable Use of South Africa's Biodiversity is to conserve and manage South Africa's biodiversity, and ensure healthy ecosystems, ecological integrity and connectivity, with transformative socio-economic benefits to society for current and future generations through ecologically sustainable, and socially equitable uses of what people value from nature. The MTT have used this mission statement in terms of our vision for the conservation of lions and their habitat in South Africa through secured, restored, and/or rewilded natural landscapes with thriving populations of self-sustaining and free roaming lions.

Furthermore, for the purpose of this report, the MTT has applied the following definitions for "voluntary" and "exit":

"Voluntary" refers to something that is done willingly or by choice, without coercion or obligation. It implies that an action or decision is made out of one's own free will and without external pressure or compulsion. It means that the individual or entity involved has the freedom to participate or abstain from the activity or decision at hand.

"Exit" means an act of leaving a place, departing from, a way or passage out, in this context from the captive lion industry.

3.1 Preventing the Loss of Employment of Existing Workers in the Captive Lion Industry

One of the core principles guiding the voluntary exit programme is making a concerted endeavour to minimise labour loss. This involves the development of appropriate voluntary exit options and pathways that are designed to generate ample employment opportunities, thus absorbing the existing labour pool as extensively as possible. In discussions with facility owners on alternative income generation activities, the programme places a premium on employment generation. This includes giving preference to initiatives that involve expanding and strategically reallocating employees to other business segments of the volunteering captive lion facility owners. The overarching aim is to foster a transition that safeguards employment to the greatest extent possible.

In exceptional cases retrenchment may be required. The initiative is driven by the volunteering facility owner, after all possible options are exhausted. In these instances, Section 189 of the Labour Relations Act (LRA) guides employers in operational requirement dismissals, with consultation, fairness, and adherence to selection criteria (see also section 5.4.5). Severance pay is mandated for retrenched employees, and employers must issue notices and make specified payments. The legal framework recognises the voluntary retrenchment process but emphasises fair treatment and negotiated additional benefits ("know as sweeteners"). Where required the Department of Labour may be called upon to coach and assist with implementing best practices in such retrenchment processes.

3.2 Sustainable Use

Sustainable use refers to the responsible and prudent utilisation of natural resources in a way that meets the needs of the present generation without compromising the ability of future generations to meet their future needs. It involves managing resources in a manner that ensures their long-term availability, while minimising negative environmental, social and economic impacts (e.g. Kuhlman and Farrington, 2010).

The concept of sustainable use recognises that natural resources, such as water, forests, fisheries and minerals, are finite and should be managed wisely to ensure their continued availability and productivity. It emphasises the importance of balancing resource extraction or utilisation with conservation and regeneration efforts. The United Nations (UN) 2030 Agenda for Sustainable Development, adopted by all UN member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. Its 17 Sustainable Development Goals reflect the urgency to, among others, end poverty, improve health and education, reduce inequality, and promote economic growth, while tackling climate change and working to preserve our oceans and terrestrial ecosystems.

The IUCN outlines five key pillars for sustainable use:

1. **Legal Frameworks:** This pillar emphasises the need for clear legal frameworks that support and regulate the sustainable use of natural resources. It involves creating laws, policies and regulations that encourage responsible use, while preventing exploitation.
2. **Economic Viability:** Sustainable use should be economically viable, ensuring that the use of natural resources generates income and benefits for communities without depleting or harming those resources in the long-term. This involves practices that balance economic gains with environmental conservation.
3. **Social Equity and Inclusivity:** The sustainable use of natural resources should consider and prioritise the needs and rights of local communities, indigenous peoples, and stakeholders, who rely on these resources for their livelihoods. It involves the fair and equitable distribution of benefits and participation in decision-making processes.
4. **Ecological Integrity:** This pillar emphasises the maintenance and conservation of the integrity and health of ecosystems. Sustainable use should not compromise the health and functioning of ecosystems, ensuring the long-term viability of the natural environment.
5. **Governance and Adaptive Management:** Effective governance structures and adaptive management approaches are crucial for sustainable use. This involves monitoring, evaluating and adjusting resource management strategies based on scientific knowledge and changing environmental conditions.

These pillars provide a framework for balancing human needs with the conservation of ecosystems and biodiversity, promoting practices that allow for the continued use of natural resources without compromising their availability for future generations.

There are two approaches to natural resource management that aim to balance the utilisation of resources with their long-term conservation, namely consumptive and non-consumptive sustainable use. The main difference between the two lies in the way resources are utilised and/or consumed. Although consumptive use harvests natural resources for human needs, its goal will always focus on managing the activities in a manner that allows for the continued availability of the resource(s) for future generations. The non-consumptive approach emphasises the conservation and preservation of ecosystems and their components and aims to generate economic and social benefits while minimising negative impacts on the environment.

In the NEMBA “sustainable”, in relation to the use of a biological resource, means:

- the use of such resource in a way and at a rate that:
- (a) would not lead to its long-term decline;

- (b) would not disrupt the ecological integrity of the ecosystem in which it occurs; and
- (c) would ensure its continued use to meet the needs and aspirations of present and future generations of people.

The HLP identified that this definition of “sustainable” is dated and misaligned with the strong approach to sustainability detailed in South Africa’s National Framework for Sustainable Development, and therefore proposed for this definition should be updated.

The White Paper (2023) defines sustainable use as:

the use of any component of biodiversity in a manner that:-

- a) is ecologically, economically and socially sustainable;
- b) does not contribute to its long-term decline in the wild or disrupt the genetic integrity of the population;
- c) does not disrupt the ecological integrity of the ecosystem in which it occurs;
- d) ensures continued benefits to people in a manner that is fair, equitable and meet the needs and aspirations of present and future generations; and
- e) ensures a duty of care towards all components of biodiversity for thriving people and nature.

Intensive wildlife farming, such as the breeding of wild animals in controlled environments for commercial purposes, can pose risks around their ecological, economic, and social sustainability, as well as raising animal welfare concerns. Selier et al. (2018) identified a number of significant risks association with the intensive management and selective breeding of game to biodiversity at the ecosystem and species levels, as well as to other sectors of the biodiversity economy of South Africa. They concluded that intensive management and selective breeding of wild animals may compromise the current and future contribution of the wildlife industry to biodiversity conservation.

All components of the above definition of sustainable use are relevant to intensive breeding of lions in controlled conditions or hunting of captive-bred lions in extensive systems. The definition is broad and indicates the need to consider each point under the specific circumstances and in the context of a particular facility that may pursue voluntary exit, including both of the consequences and/or unintended consequences that may arise when considering all of the elements.

Section 24 and Sustainable Use

Section 24 of the Constitution of South Africa is an integral part of the country's Bill of Rights, emphasising the importance of a healthy environment for the well-being of its citizens and future generations (see also section 1.2.1). It places a responsibility on the state to enact legislation and take measures to protect and preserve the environment, promote conservation, and securing ecologically sustainable development and the use of natural resources, while promoting justifiable economic and social development.

Section 24 of the Constitution seeks to provide constitutional protection of the environment and the HLP explored the wording “justifiable economic and social development” in this section of the Constitution (see also Annexures D1 & D2 – HLP Report, 2020). In a legal opinion it was stated that the purpose of Section 24 is not to protect or regulate social or economic development generally. In this context “justifiable economic and social development” means development that protects the environment, prevents environmental degradation, promotes conservation and secures ecologically sustainable use of natural resources. It requires a balance between the principles of conservation and sustainable development (HLP Report, 2020).

In *BP Southern Africa (Pty) Ltd v MEC for Agriculture, Conservation, Environment and Land Affairs* (2004) the High Court held in regard to property and environmental rights that “*in any dealings with the physical expressions of property, land and freedom to trade, the environmental rights requirements should be part and*

parcel of the factors to be considered without any a priori grading of the rights. It will require a balancing of rights where competing interests and norms are concerned.”

The Court furthermore stated that *“pure economic principles will no longer determine, in an unbridled fashion, whether a development is acceptable. Development, which may be regarded as economically and financially sound, will, in future, be balanced by its environmental impact, taking coherent cognisance of the principle of intergenerational equity and sustainable use of resources in order to arrive at an integrated management of the environment, sustainable development and socio-economic concerns. By elevating the environment to a fundamental justiciable human right, South Africa has irreversibly embarked on a road, which will lead to the goal of attaining a protected environment by an integrated approach, which takes into consideration, inter-alia, socio-economic concerns and principles.”*

It clearly points out that social and economic development without consideration of its effects on the surrounding environment, biodiversity and wildlife would not be justifiable (HLP Report, 2020). Furthermore, the Constitutional Court has identified the need to protect individual animals against suffering and concluded that animal welfare is intrinsic to our constitutional values. This leads to the concept that the right of the individual to use biological resources sustainably will not outweigh the intrinsic value of the individual animals involved in such activities (see also section 3.3).

3.3 Animal Well-Being

Animal sentience refers to the ability of animals to feel and experience emotions such as joy, pleasure, pain and fear (Mellor, 2019). A global consensus exists that an animal’s capacity to feel both positive and negative states underpins animal welfare (Kumar et al., 2019). While there are ongoing debates around exactly which organisms can be considered sentient (e.g. Mikhalevich and Powell, 2020), scientists generally agree that this includes all vertebrates (Proctor, 2012; Brakes, 2019). The recognition of animal sentience over the last three decades (e.g. Duncan, 2006; Proctor, 2012) has created a radical shift in the way we view the moral status of animals and how we provide for and ensure their welfare and well-being (Mellor, 2016).

According to Bilchitz (2016), South African policymakers, legislators as well as courts have largely avoided recognising the interests of animals in law since the inception of the country’s constitutional democracy in 1994. South Africa’s main animal protection legislation is the APA, which is a criminal statute that sits under the authority of the DALRRD and is largely enforced by the NSPCA. The legal definition of an animal in the APA is *“any equine, bovine, sheep, goat, pig, fowl, ostrich, dog, cat or other domestic animal or bird or any wild animal, wild bird or reptile, which is in captivity or under the control of man”*. The APA prohibits a range of acts or omissions that, whether intentionally or negligently, inflict *“unnecessary suffering upon animals”*. It is qualified by language, such as *“cruelly”*, *“reasonable”* and *“unnecessary”*, and lists various scenarios under which animals would suffer physical pain. However, the APA does not set any specific standards for welfare in a proactive manner.

Although there is no formal recognition of animal sentience in South Africa’s legislation or policy, the Supreme Court of Appeal of South Africa recognised animals as sentient beings that are capable of suffering and of experiencing pain in 2008 (para 33, NSPCA v Openshaw, 2008). In 2016, the Constitutional Court judgment stated that *“animal welfare is connected with the constitutional right to have the environment protected”* and that *“showing respect and concern for individual animals reinforces broader environmental protection efforts”* (NSPCA v Minister of Justice and Constitutional Development, 2016). Additionally, the judgement made the groundbreaking statement that *“the rationale behind protecting animal welfare has shifted from merely safeguarding the moral status of humans to placing intrinsic value on animals as individuals”* (para 57).

The position of animal welfare was further strengthened in the High Court lion bone judgement in 2019 stating that *“even if they [lions] are ultimately bred for trophy hunting and for commercial purposes, their suffering,*

the conditions under which they are kept and the like, remain a matter of public concern and are inextricably linked to how we instil respect for animals and the environment of which lions in captivity are an integral part of” (para 71). The judgement concludes that “it is inconceivable that the State Respondents could have ignored welfare considerations of lions in captivity in setting the annual export quota” and “...if as a country we have decided to engage in trade in lion bone, which appears to be the case for now, then at the very least our constitutional and legal obligations that arise from Section 24, NEMBA and the Plan require the consideration of animal welfare issues” (para 74) (NSPCA v Minister of Environmental Affairs and two others, 2019).

The latter case has led to the DFFE accepting the mandate around the well-being of wild animals (both wild and captive) and the NEMBA now includes a definition of well-being, meaning the holistic circumstances and conditions of an animal, which are conducive to its physical, physiological and mental health and quality of life, including the ability to cope with its environment. The NEMBA further states that consideration needs to be given to the well-being of animals in the management, conservation and sustainable use thereof. The NEMBA now also empowers the Minister by Notice in the Gazette to prohibit any activity that may negatively impact on the well-being of an animal.

The NEMBA definition of animal well-being is in line with Mellor’s Five Domains Model for animal welfare assessment (Figure 3.1), which recognises four functional domains (nutrition, physical environment, health, and behavioural interactions) and a fifth domain of the animal’s mental state (Mellor et al., 2020). The first four domains focus on conditions that give rise to either negative or positive experiences (affects) that all contribute to the animal’s mental state. More specifically, Domains 1–3 focus mainly on factors that disturb or disrupt particular features of the body’s internal stability and are ultimately essential for the survival of the animal.

Mellor’s Five Domains Model incorporates contemporary verified scientific thinking of relevance to animal welfare. Examples of both negative and positive conditions in the four physical or functional domains and how these impact on the mental domain can be found in Figures 3.2–3.5.

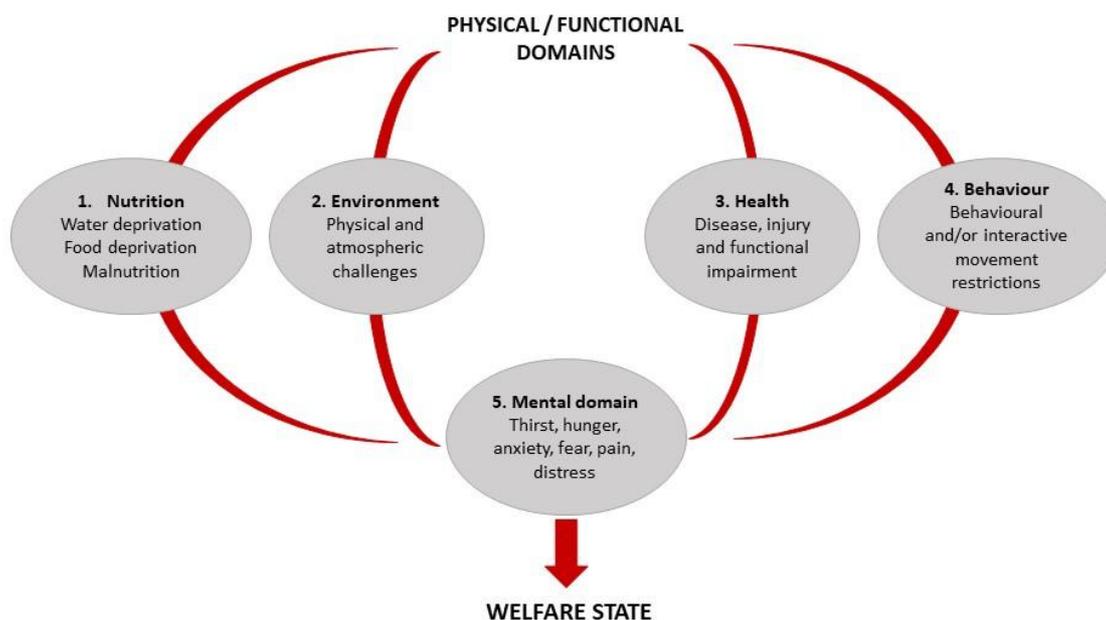


Figure 3-1 The 2020 Five Domains welfare model, which recognises four functional domains (nutrition, physical environment, health and behavioural interactions) and a fifth domain of the mental state (Mellor et al., 2020).

Nutritional Conditions and their Associated Affects

Negative Conditions		Positive Conditions	
Nutritional inadequacies:	Negative affects:	Nutritional opportunities:	Positive affects:
Restricted water intake	→ Thirst	Drink correct quantities of water	→ Wetting/quenching pleasures of drinking
Excessive water intake	→ Water intoxication		
	→ Hunger (general)	Eat enough food	→ Postprandial satiety
Restricted food intake	→ Hunger (salt)		→ Pleasure of salt taste
	→ Weakness of starvation		
Poor food quality	→ Malaise of malnutrition	Eat a balanced diet	→ Pleasures of food tastes/smells/textures
Low food variety	→ Eating-related boredom	Eat a variety of foods	→ Masticatory pleasures
Voluntary overeating	→ Feeling bloated or overfull	Eat correct quantities of food	→ Comfort of satiety
Force-feeding, excessive energy intake	→ Gastrointestinal pain, nausea/malaise		→ Gastrointestinal comfort

Figure 3-2 Domain 1: Nutrition. Examples of nutritional imbalances and opportunities and their associated negative and positive affects assigned to Domain 5: Mental State. (Source: Mellor et al., 2020).

Physical Environmental Conditions and their Associated Affects

Negative Conditions		Positive Conditions	
Unavoidable physical conditions:	Negative affects - forms of discomfort:	Enhanced physical conditions:	Positive affects - forms of comfort:
Close confinement; overcrowding	→ <i>Physical</i> : general stiffness, muscle tension	Space for spontaneous locomotion	→ <i>Physical</i> comfort
Unsuitable substrate, wet/soiled ground	→ <i>Physical</i> : musculoskeletal pain, skin irritation	Suitable substrate, well-drained ground	→ <i>Physical</i> comfort
Air pollutants: NH ₃ , CO ₂ , dust, smoke	→ <i>Respiratory</i> : breathlessness, air passage irritation/pain	Fresh air dissipates contaminants	→ <i>Respiratory</i> comfort
Aversive odours	→ <i>Olfactory</i> : revulsion at foul or repellent odours	Foul smells dissipated by fresh air & good hygiene	→ <i>Olfactory</i> comfort
Thermal extremes	→ <i>Thermal</i> : chilling, dampness, overheating	Effective shelter and shade available	→ <i>Thermal</i> comfort
Loud or otherwise unpleasant noise	→ <i>Auditory</i> : impaired hearing or ear pain	Effective noise control measures are in place	→ <i>Auditory</i> comfort
Light: inappropriate intensity	→ <i>Visual</i> : eye strain due to flashing, glare or darkness	Light intensity kept at tolerable levels	→ <i>Visual</i> comfort
Monotony: ambient, physical, lighting	→ Malaise from unnatural constancy	Within-day environmental variability maintained	→ Congenial variety and predictability
Unpredictable events	→ Anxiety, fear, hypervigilance	Predictability achieved by established routines	→ Relaxation-based ease and calmness
Physical limits on rest and sleep	→ Exhaustion	Conditions conducive to rest and sleep	→ Well rested

Figure 3-3 Domain 2: Physical Environment. Examples of unavoidable and enhanced physical conditions and their associated negative and positive affects assigned to Domain 5: Mental State. (Source: Mellor et al., 2020).

Health Conditions and their Associated Affects

Negative Conditions		Positive Conditions	
Presence of:	Negative affects:	Minimal or no:	Positive affects:
<i>Injury:</i> acute, chronic, husbandry mutilations	→ Pain (many types), breathlessness, debility, weakness, sickness, malaise, nausea, dizziness	Injury	→ <i>Comfort</i> of good health and functional capacity
<i>Disease:</i> acute, chronic		Disease	→ <i>Comfort</i> of good health and functional capacity
<i>Functional impairment:</i> due to limb amputation, other therapies; genetic, lung, heart, vascular, kidney, gut, neural, or other problems		Functional impairment	→ <i>Comfort</i> of good health and functional capacity
<i>Obesity or leanness:</i> physical and metabolic consequences	→ Affects of being too fat or thin, and of metabolic and pathophysiological sequelae	Extreme body condition scores	→ <i>Comfort</i> of good health and functional capacity
Poisons	→ Many affects due to mode of action	Poisoning	→ <i>Comfort</i> of good health and functional capacity
Poor physical fitness, muscle de-conditioning	→ Physical weakness and exhaustion	Poor fitness (fitness level good)	→ <i>Vitality</i> of fitness and pleasurable vigorous exercise

Figure 3-4 Domain 3: Health. Examples of negative and positive health conditions and their corresponding affects assigned to Domain 5: Mental State. (Source: Mellor et al., 2020)

Behavioural Interactions and their Associated Affects			
INTERACTIONS WITH THE ENVIRONMENT			
<p>Exercise of 'agency' is impeded:</p> <p>Invariant, barren, confined environment (ambient, physical, biotic)</p> <p>Inescapable sensory impositions</p> <p>Choices markedly restricted</p> <p>Environment-focussed activity constrained</p> <p>Foraging drive impeded</p>	<p>Negative affects:</p> <p>→ Boredom, helplessness</p> <p>→ Depression, withdrawal</p> <p>→ Various combinations: startled by unexpected events, neophobia, hypervigilance, anger, frustration, negative cognitive bias</p>	<p>Exercise of 'agency' is promoted</p> <p>Varied, novel environment</p> <p>Congenial sensory inputs</p> <p>Available engaging choices</p> <p>Free movement</p> <p>Exploration, foraging</p>	<p>Positive affects:</p> <p>→ Interested, pleasantly occupied</p> <p>→ Likes novelty, post-inhibitory rebound</p> <p>→ Calm, in control</p> <p>→ Engaged by activity</p> <p>→ Energised, focussed</p>
INTERACTIONS WITH OTHER ANIMALS			
<p>Animal-to-animal interactive activity constrained</p> <p>Significant threats</p> <p>Limits on threat avoidance, escape or defensive activity</p> <p>Limitations on sleep/rest</p>	<p>→ Loneliness, depression</p> <p>→ Yearning for company</p> <p>→ Thwarted desire to play</p> <p>→ Sexual frustration</p> <p>→ Thwarted hunting drive</p> <p>→ Anger, anxiety, fear, panic, insecurity, neophobia</p> <p>→ Exhaustion</p>	<p>Bonding/reaffirming bonds</p> <p>Rearing young</p> <p>Playing</p> <p>Sexual activity</p> <p>Hunting</p> <p>Absence of threats</p> <p>Using refuges, retreat or defensive attack</p> <p>Sleep/rest sufficient</p>	<p>→ Affectionate sociability</p> <p>→ Maternal, paternal or group rewards</p> <p>→ Excitation/playfulness</p> <p>→ Sexually gratified</p> <p>→ Alert engagement, highly stimulated</p> <p>→ Secure, protected, confident</p> <p>→ Energised, refreshed; post-inhibitory rebound</p>
INTERACTIONS WITH HUMANS			
<p>Negative human attributes and behaviour:</p> <p><i>Attitude:</i> uncertain, fearful, indifferent, insensitive, impatient, oppressive, belligerent, domineering, callous, cruel, vindictive</p> <p><i>Voice:</i> hesitant, angry, loud, shouting</p> <p><i>Aptitude:</i> inexperienced, unskilled, untrained, unqualified</p> <p><i>Handling/controlling:</i> erratic, rough (slap, hit, kick, grab, poke, beat, whip); excessively forceful, violent; punishment-focussed; more negative pressure than is needed for training objective</p>	<p>Animal behaviours and negative affects:</p> <p>→ <i>Behaviours (e.g.):</i> long flight distance, hypervigilant, attack/fight, hyper-reactive, escape avoidance, freezing, cowering, appeasing, withdrawn, non-compliant</p> <p>→ <i>Affects:</i> anxiety, fear, panic, terror, neophobia; insecurity, confusion, uncertainty, persistent unease; helplessness; pain from injuries; negative cognitive bias</p>	<p>Positive human attributes and behaviour:</p> <p><i>Attitude:</i> confident, caring, sensitive, patient, kind, empathetic</p> <p><i>Voice:</i> confident, calm, clear, encouraging, pleasantly rhythmic</p> <p><i>Aptitude:</i> experienced, skilled, trained, qualified</p> <p><i>Handling/controlling:</i> skillful, gentle (stroke, touch, push, guide); firm, temperate, restrained; reward-focussed; mimics allo-grooming by conspecifics; using subtle pressure cues, secondary reinforcers and timely release of aversive stimuli</p>	<p>Animal behaviours and positive affects:</p> <p>→ <i>Behaviours:</i> short flight distance, calm alertness, at ease with imposed hands-off or hands-on contact, compliantly responsive, explores novel events, seeks contact, variably bonded with humans</p> <p>→ <i>Affects:</i> calm, confident, at ease, feels in control; enjoys variety; finds being bonded with humans rewarding</p>

Figure 3-5 Domain 4: Behavioural Interactions. Examples of interactions with the environment, other (non-human) animals and humans, where animals' capability to freely exercise agency would be impeded or enhanced, and examples of the corresponding affects assigned. (Source: Mellor et al., 2020)

4 Focus Area 1: Stakeholder Engagement in the Captive Lion Sector

The ToR for the MTT on voluntary exit options and pathways for the captive lion industry includes as the first focus area to develop and undertake a process for the engagement of all stakeholders in the captive lion industry and relevant Issuing authorities, including for any vulnerable workers.

Although the ToR do not explicitly obligate the MTT to adhere to the provisions outlined in relevant environmental legislation or policies regarding public participation, the MTT has adopted a multifaceted approach. This, among other activities, included actively reaching out to the general public through a notice soliciting comments and engaging key stakeholders within the captive lion industry. This chapter outlines the key definitions and methodology utilised by the MTT, lists the major stakeholder categories and the engagement sessions held with these groups, tabulates the issues raised and the responses by the MTT, and highlights the main recommendations for the voluntary exit options and pathways.

4.1 Definitions and Methodology

Stakeholder engagement refers to the process by which an organisation involves and communicates with individuals, groups and/or entities that have an interest or concern, or are impacted by the organisation's activities, decisions or outcomes. Engagement with stakeholders involves a set of actions and strategies aimed at understanding their perspectives, addressing their concerns, and incorporating their input into decision-making processes.

Effective stakeholder engagement typically involves several phases, namely:

- (i) **Identification:** Identifying and categorising stakeholders based on the influence, interest or impact on the organisation, in this case the MTT.
- (ii) **Communication:** Establishing clear, transparent and consistent communication channels to keep stakeholders informed about relevant information, developments and decisions.
- (iii) **Consultation and Participation:** Actively seeking input, feedback and involvement from stakeholders in decision-making processes or projects that affect them.
- (iv) **Collaboration:** Working together with stakeholders to find common ground, solutions and mutually beneficial outcomes.
- (v) **Respect and Responsiveness:** Respecting diverse perspectives and promptly addressing concerns or feedback from stakeholders.
- (vi) **Evaluation and Adaptation:** Continuously assessing engagement efforts, adjusting strategies and improving approaches based on feedback and changing stakeholder dynamics.

Overall, effective stakeholder engagement is crucial for building trust, enhancing accountability, managing risks and ensuring the sustainability and success of initiatives.

Stakeholder engagement has been a substantive and integral part of the MTT's work, as was identified in Focus Area 1 of the ToR. It involved those individuals, groups and/or entities that could potentially be affected by the MTT's activities, outcomes, deliberations and performance, as well as those that could provide the MTT with relevant support and information on specific issues and challenges.

The MTT started by identifying as many parties as possible who may play a role at some stage of the process of developing a voluntary exit strategy and pathways from the captive lion industry for stakeholders wishing to pursue this option. The types of stakeholders identified for this engagement process included policymakers and regulatory authorities, industry role players, partners and other interested and affected parties (Figure 4.1).

Primary stakeholders included owners of captive lions, captive lion industry business owners, employees, suppliers to the industry and industry professional bodies, such as the South African Predator Association (SAPA), Professional Hunter's Association of South Africa (PHASA), National Confederation of Hunters Associations of South Africa (CHASA), and African Association of Zoos and Aquaria (PAAZA). Secondary stakeholders included government, policymakers, and statutory bodies, such as the DFFE, SANBI, provincial authorities, DALRRD, Department of Labour, and NSPCA. A wide range of additional stakeholders were also involved, including civil society, NGOs, media, and other related organisations (Figure 4.1).

A wide variety of means of engagement with stakeholders was adopted from collaborative and consultative workshops and plenary meetings both in person and virtually, to Government Notices and email communication (Figure 4.2). Direct and indirect stakeholder engagement mechanisms were employed to ensure an effective, transparent, and meaningful process (Table 4.1). Furthermore, an adaptive approach was adopted in terms of the type of engagements and engagement mechanisms, ensuring that the most effective approach could be utilised at different stages of the engagement process. As part of the overall stakeholder engagement strategy, a set of aims, objectives and expected outputs for each stakeholder group was developed. The who, why, what, how and when were determined for every step of this stakeholder process in order to understand how these engagements fit into the wider MTT mandate. At the end of the stakeholder process, a comprehensive confidential stakeholder database with names, positions, affiliations and contact details was created.

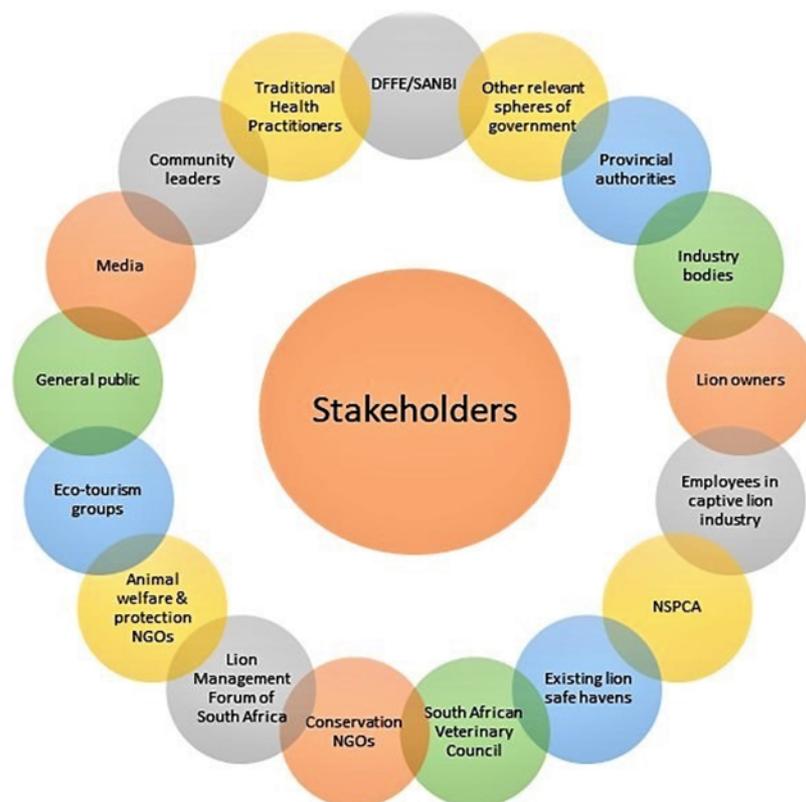


Figure 4-1 The range of stakeholders, who played an integral role in the Ministerial Task Team stakeholder engagement process.

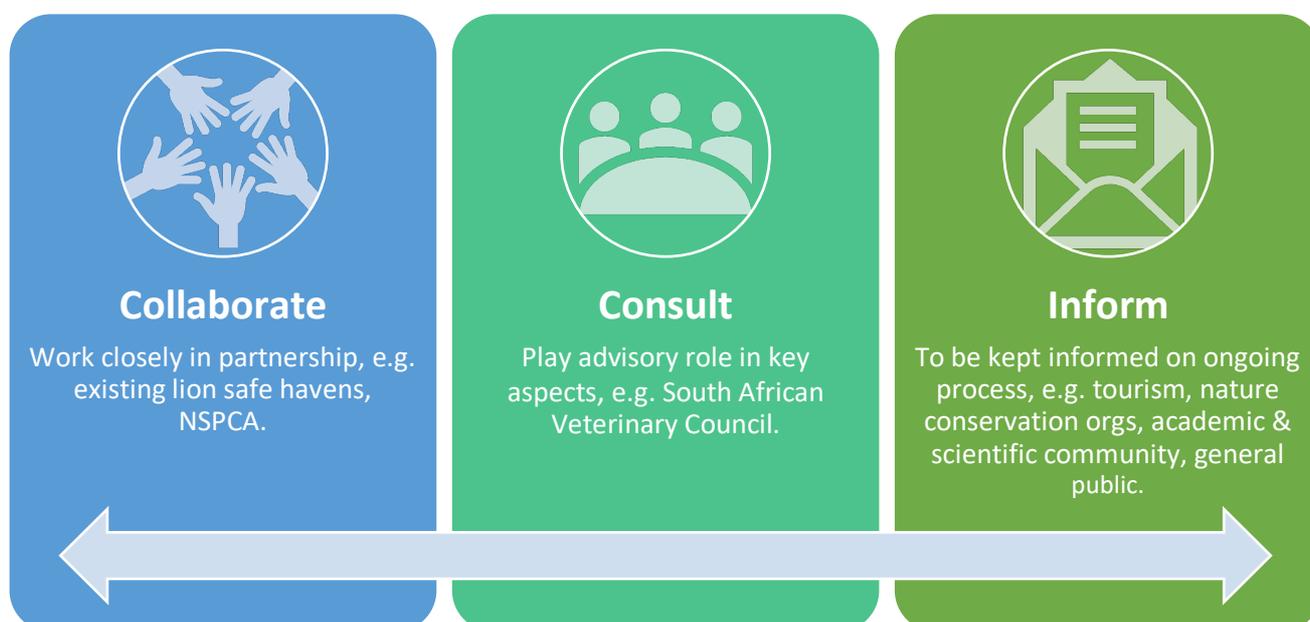


Figure 4-2 Means of stakeholder involvement undertaken as part of the Ministerial Task Team engagement process.

Table 4-1 Examples of direct and indirect stakeholder engagement mechanisms.

Direct	Focus groups	Flexible in terms of representation, size, outcome and timing. Allows open discussion with those who have an interest in the Ministerial Task Team Mandate. Involves small groups (6–12) of people. Expectation that conflicts will be alleviated, problems reduced, solutions found and assistance will be provided in guiding the recommendations.
	Workshops	Structured group discussions designed to solve problems and identify ways forward. Useful for bringing different groups of experts together and require experienced facilitators.
	Round table discussions	To create an enabling environment for meaningful and effective engagement and the inclusion of stakeholders in the implementation. <ul style="list-style-type: none"> • To discuss how to put the elements of the ToR into practice from the perspective of key constituent groups. • To replicate the models of best practice applied to local contexts
Indirect	Letters / email	Newspaper adverts
	Government gazette notices	Radio & TV interviews
	Press statement	

4.2 A Summary of the Stakeholder Key Findings and Recommendations for Voluntary Exit

The MTT thoroughly reviewed and considered the relevant issues and recommendations presented during the stakeholder engagements and submissions. These stakeholder submissions and views as well as the MTT's responses have been systematically reflected in Tables 4.3 to 4.12. The subsequent section provides a synthesis of the primary key findings and recommendations derived from the stakeholder engagement process, which the MTT has incorporated in the formulation of voluntary exit options and pathways.

- (i) **Sector-wide Issues** – a number of issues were raised regarding the impact of outlawing the captive lion industry, the conservation value of the captive lion industry, the socio-economic impact of closing down the industry, as well as issues relating to the sector as a whole. The MTT has indicated that their ToR are restricted to conducting a sector-wide audit, and requires to focus on the voluntary exit from the captive lion industry. All other sector-wide recommendations and questions will be referred to the Minister and the DFFE for appropriate responses.
- (ii) **Incentives** – industry stakeholders recommended that the government should compensate facility owners for the investments made thus far in their businesses, the assets (including the land, equipment, lions, their infrastructure, etc.) and loss of future income. This included a proposal for differential compensation rates, based on the length of existence. Other stakeholders suggested that no compensation should be provided as this is a voluntary exit initiative, and the MTT should provide incentives for voluntary exit candidates.

The MTT had to give consideration to the principle of compensation and/or incentivisation, and the availability of resources. After considering all the relevant facts, the MTT supported the view of providing incentives to encourage voluntary exit; however, the incentives were constrained by limited resources.

- (iii) **Participation in the Process** The industry recommended that facility owners be fully involved in the voluntary exit process. The MTT supported this view, by ensuring that facility owners interested in voluntary exit negotiate and agree on the terms and conditions for the voluntary exit.
- (iv) **Phased Exit from the Industry** A proposal has been received by SAPA to assist with voluntary exit, by phasing-out non-complaint facilities in the industry. SAPA believes that it can assist DFFE with monitoring compliance in the industry, and requested support to strengthen their role in self-regulation, and hence restore the reputation of the industry. The MTT has deliberated on the effectiveness of self-regulation, and recommended voluntary exit strategies that incorporate phase out, such as the trade-out exit option.
- (v) **Implementing Uniform Regulations for Facilities and Operations** This included the size of facilities, transporting of lions, disposal of carcasses, nutrition, enrichment, etc. This is an important issue that the MTT has considered and developed a range of best practice protocols that can be found in chapter 8).
- (vi) **Prioritising Animal Well-being and Welfare** Several stakeholders recommended that the MTT define these concepts, and propose acceptable practices that facility owners should adhere to. The MTT has considered and developed a range of best-practice protocols, as was indicated in the ToR, to ensure that the volunteering facility owners prioritise the well-being of lions during the voluntary exit period.
- (vii) **Limited Monitoring and Compliance Capacity.** The MTT understands that monitoring is critical to ensure compliance with the voluntary exit conditions. The report highlights a range of measures and partnerships to boost the capacity of the DFFE (and provincial departments) to monitor the compliance of facilities involved in the voluntary exit.
- (viii) **Best Practice Recommendations** A number of recommendations were made by experts. These recommendations were incorporated into the set of best practice protocols developed by the MTT (chapter 8).
- (ix) **Rewilding Option** Industry stakeholders recommended the rewilding of lions as a voluntary exit option. Other stakeholders indicated that this option is not feasible. The MTT has taken this into consideration and more details can be found in chapter 7.

- (x) **Euthanising Healthy Lions** Some stakeholder raised this issue and this was considered by the MTT (see chapter 7).
- (xi) **The Financial Viability of Post-voluntary Exit Enterprises Including Alternative Land Use Options and Lion Safe Havens** This issue was raised by stakeholders. In considering this the MTT proposed general options and pathways, which should be discussed with each facility owner who expressed an interest to voluntarily exit the industry.
- (xii) **Developing Acceptable Income-generation Activities to Support Recurrent Expenses** This issue was particularly applicable for sanctuaries. This was considered by the MTT, and in discussion with stakeholders a set best practice guidelines for the keeping of lions in captivity were developed as part of the protocols (chapter 8).
- (xiii) **Bio-security Risks** Lions held during the phase-out period and in lion safe havens may present a bio-security risk. This is a dynamic issue and the MTT strongly recommends that these risks be addressed through regulatory compliance and implementing best-practice and any new relevant protocols.
- (xiv) **Trade in Lion Derivatives.** This issue was raised by numerous stakeholders. Given the 2019 High Court lion bone judgment, the lack of a legal CITES quota and the need to ensure that lion derivatives for international trade are sourced from lions that have been bred and kept in compliance with animal welfare and well-being practices, the MTT believes that any international trade in lion skeletons, parts and derivatives will not be legal. The MTT understands the importance of sustainably utilising lion derivatives by traditional health practitioners (THPs), and a SWOT analysis was conducted to outline the risks that must be mitigated when addressing the requirements of THPs.
- (xv) **Availability of Land for Establishing Reserves.** This option was proposed as part of achieving the 2030 targets for reserving 30% of the land of South Africa for biodiversity protection. The MTT understands the limited availability of land, and this will be assessed on a “case by case” basis, with the assistance of the DALRRD, DFFE, and the facility owner(s) involved in the voluntarily exit process.

The above themes have informed the MTT’s deliberation and design of the proposed voluntary exit options and pathways. While the options have been developed with the scope outlined in the ToR, the MTT has taken note of the sector-wide issues raised by stakeholders that may affect the uptake of the voluntary exit. Some of the issues raised were:

- The industry has been legally established and will insist on compensation for the investment made thus far and loss of future income on mandatory closure, which, if such compensation were available, would be seen as more favourable than the voluntary exit incentives.
- Voluntary closure of the facilities will be negated by the possible growth of existing facilities to address the market gaps.
- The lack of capacity to enforce compliance with current laws and regulations creates fertile conditions for continued non-compliance.
- The view that any proposed changes to regulations or prohibitions that restrict the industry can be successfully litigated against.

4.3 Stakeholder Groups

A series of engagements were held with respective stakeholder groups, with specific objectives. These included:

- General stakeholders

- Captive lion facility owners and industry associations.
- Lion safe havens
- Animal welfare and conservation organisations
- Traditional health practitioners.
- Specialist organisations: SAVC, NSPCA, LIMF, SANBI

4.3.1 General Stakeholders and the Public

There were a large group of stakeholders that needed to be kept informed of the ongoing MTT process but were not necessarily directly consulted by the MTT or involved in comprehensive collaborations. In some cases the MTT decided to engage with these groups at a later stage in the process for the acquisition of very specific information.

The purpose of the stakeholder engagements was to focus on obtaining accurate data on the captive lion industry in South Africa (as required by the ToR) and to obtain their views on the options and pathways for voluntary exit from the captive lion industry. While stakeholders expressed their views on the sector-wide issues, the MTT extracted and synthesised the key recommendations that could be taken forward to design and propose voluntary exit options and pathways.

The MTT has endeavoured to cover all issues raised during the stakeholder engagement sessions in the tables below, but there may be minor issues

Media Campaign to Increase Awareness about the Voluntary Exit Initiative

An extensive public media campaign was implemented to provide clarity on the voluntary exit programme, which included an extension of the period for voluntary exit registration. The media campaign included a range of TV and Radio Interviews, interviews with journalists, and targeted newspaper adverts (Figure 4.3). Additionally, the DFFE website, also featured highlights of the awareness on the voluntary exit campaign. To a large extent the interviews and press articles provided context on why the voluntary exit programme was introduced by the minister, clarity on the focus areas of the MTT and encouraged facility owners to register their interest for voluntary exit. Table 4.2 highlights the media events undertaken as part of the awareness programme in collaboration with the DFFE communications office. The interviews conducted by Dr Kelly Marnewick were in Afrikaans and the interviews conducted by Mr Kamalasen Chetty were in English.

Call for Registration of Interest for Voluntary Exit from the Captive Lion Industry

Captive Lion Owners are encouraged to register their interest for potential voluntary exit on a fully confidential basis, and without any obligations, until 21 July 2023

Registration details are as follows:

- If you own captive lions, or are otherwise involved in the captive lion industry, and you would consider a voluntary exit from the industry, you can register your interest HERE: <https://shorturl.at/ctHR3> or email the Chair of the Ministerial Task Team on kchetty@dffe.gov.za.
- Visit this link for the Gazette Notice (No. 3440) announcing the extended registration of interest in voluntary exit: <https://bit.ly/3XzPvGd>

Website: www.dffe.gov.za | Call Centre: 086 111 2468

forestry, fisheries & the environment
Department of Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

2030
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VERSOEK VIR REGISTRASIE VAN BELANGHEBBENDES VIR VRYWILLIGE UITGANG UIT DIE BEDRYF VAN LEEUS IN GEVANGESKAP

Registrasiebesonderhede is soos volg:

- Indien u leeus in gevangeskap besit, of betrokke is by die bedryf, en oorweeg om die bedryf vrywillig te verlaar, kan u registreer by: <https://shorturl.at/ctHR3> of u kan 'n epos aan die Voorsitter van die Ministeriële Taakspan stuur by: kchetty@dffe.gov.za.
- Om die Regeringskennisgewing oor die uitstel van die registrasiedatum te lees, klik op: <https://bit.ly/3XzPvGd>

Webwerf: www.dffe.gov.za

Bosbou, Visserye en die Omgewing
Departement van Bosbou, Visserye en die Omgewing
REPUBLIEK VAN SUID-AFRIKA

2030
NDP

Figure 4-3 Examples of adverts placed on the DFFE website and in targeted media.

Table 4-2 Details of the media awareness campaign launched in June and July 2023 in collaboration with the DFFE communications office.

No.	Media House	Date and Time	Journalist / Anchor / Producer & MTT Member
1	SABC CHANNEL 404	Date: June 17, 2023 Time: 15:30 hrs	Name: Lindokuhle Simelane Guest: Mr. K Chetty
2	Newzroom Afrika	Date: June 17, 2023 Time: 16:10 hrs	Name: Tondani Takalani Guest: Mr. K Chetty
3	RSG	Date: June 19, 2023 Time: 12:20 – 12:40 hrs	Name: Suzanne Paxton Guest: Dr. Kelly Marnewick
4	SAfm	Date: June 23, 2023 Time: 08:10 hrs	Name: Stephen Grootes Guest: Mr K Chetty
5	The Herald	Date: June 26, 2023 Time: Unknown	Name: Guy Rogers Guest: Mr. K Chetty
6	CGTN (China TV)	Date: June 26, 2023 Time: Unknown	Name: Yolisa Njamela Guest: Dr. Kelly Marnewick
7	Freelance Wildlife Writer	Date: June 26, 2023 Time: 11:00 hrs	Name: Adam Welz Guest: Mr. K Chetty
8	Radio 702	Date: July 4, 2023 Time: Afternoon	Name: John Perlman Guest: Mr. K Chetty
9	Kyknet	Date: July 6, 2023 Pre-recorded	Name: Unknown Guest: Dr. Kelly Marnewick
10	Mail and Guardian	Date: July 6, 2023 Time: 13:00 hrs	Name: Sheree Bega Guest: Mr. K Chetty
11	Durban Youth Radio	Date: July 7, 2023 Time: 13:00 hrs	Name: Kimberley Smith Guest: Mr. K Chetty
12	JACARANDA FM	Date: July 13, 2023 Time: 13:30 hrs	Name: Megan Mitchell Guest: Dr. Kelly Marnewick
13	NewzRoom Afrika	Date: July 14, 2023 Time: Unknown	Name: Duduzile Ramela Guest: Mr. K Chetty
14	RSG	Date: July 14, 2023 Time: 14:20 hrs	Name: Martelize Brink Guest: Dr. Kelly Marnewick
15	OFM	Date: July 14, 2023 Pre-recorded	Guest: Dr. Kelly Marnewick

Public Comments and Responses by the MTT

On March 3, 2023, the MTT issued an initial communique as a public notice on the DFFE website asking for stakeholders to come forward who had an interest in participating in the MTT stakeholder process, as well as calling for submitting contributions to the process within 30 days of publication of the notice (Appendix 3). The MTT received 11 written submissions summarised in Table 4.3 together with a short response from the MTT on each submission.

Table 4-3 Tabulation of the written submissions received as a result of the public notice published on the DFFE website on March 3, 2023 (Appendix 3), with a brief MTT response to the submissions indicating how they were taken up by the MTT in the process. Stakeholder names have been withheld in compliance with the Protection of Personal Information Act (POPI) and related legislation.

Selected key issues from the various submissions received	MTT responses
<ul style="list-style-type: none"> I. Clarity on the progress of the MTT. II. Want exit options presented. III. Moratorium on new facilities/breeding. IV. National captive audit. V. Consider compulsory exit options. 	<ul style="list-style-type: none"> I. The MTT has developed a media communication strategy and handed this over to the Department. II. The MTT has held report stakeholder and feedback meetings and incorporated the comments from these meetings on the voluntary exit options, where appropriate. III. The MTT have noted the request for a moratorium and has presented the request for a moratorium on new facilities to the Minister. IV. The MTT has conducted a national audit of captive lions as outlined in chapter 5. V. The MTT cannot investigate compulsory exit options as this is beyond our ToR.
<ul style="list-style-type: none"> I. Call for adequate resources and call for engagement with possible financiers. All exit options will need to be funded: discuss with corporates and NGOs. II. Timetable for engagements. III. The SAVC should be engaged. IV. Recognise the need for possible euthanasia of lions. Need a transparent exit process to avoid unintended consequences including Standard Operating Procedures (SOPs) and Guidelines. V. The NSPCA to carry out audit during inspections – suggested to HLP. VI. Suggestion of a multidisciplinary audit team: national, provincial, NSPCA, Department of Labour, biodiversity expert, vet. VII. Lions must be surrendered under a legal agreement, including no entertainment or interaction with private persons, and must be sterilised. What about those who refuse to surrender lions? 	<ul style="list-style-type: none"> I. The MTT has met with some donors for resources and will raise the need for additional resources with DFFE. II. A workplan was developed, and stakeholders were given sufficient notice to make comments and recommendations on possible voluntary exit options. III. The MTT have engaged with a wide range of stakeholders mentioned including the SAVC. IV. Possible humane euthanasia was considered as a voluntary exit option by the MTT. A detailed SWOT analysis of this option is outlined in chapter 7 and a euthanasia protocol has been developed (chapter 8) V. The ToR mandated the MTT to carry out a national audit and the data are included in chapter 5 of the report, data was sourced from DFFE, Provinces and other credible sources.

Selected key issues from the various submissions received	MTT responses
<p>VIII. With immediate effect, all lions must be held in separate sex camps to prevent breeding. Breeding must stop.</p> <p>IX. The NSPCA and vets to euthanise lions, carcasses incinerated.</p> <p>X. Increase in tiger and cheetah may fill void by captive lions.</p> <p>XI. Any farmer surrendering lions should not be allowed to obtain more lions. Stockpiles of bones should be incinerated.</p> <p>XII. Audit of employees must include supplementary business work, Department of Social Development & Education must upskill and educate where viable to ensure retrenched staff can secure employment in other areas e.g. plumbing, electrical. Suggest involving Departments of Agriculture, Labour, Social Services and Labour.</p> <p>XIII. Call for urgency.</p>	<p>VI. The MTT has consulted with national and provincial government and NSPCA extensively regarding the audit and we have relied substantially on the information provided by provinces and their permits.</p> <p>VII. The surrender of lions to a lion safe haven is considered as one of the voluntary exit options (as defined) including the mandatory prerequisites to stop further breeding. Where volunteers do not want to surrender their lions, other options have been proposed in the report.</p> <p>VIII. Regarding the comments on stopping breeding two options have been proposed by the MTT – sterilisation of lions or same sex separation for volunteers. Stopping breeding of the general population of lions is not in the ToR of the MTT, and this matter has been referred to the DFFE and the respective Minister.</p> <p>IX. A key output developed includes various protocols and guidelines for humane euthanasia of lions as well as the disposal of lion carcasses (chapter 8).</p> <p>X. The MTT recognised this unintended consequence and highlighted the risk of transfer of practices to other large carnivores.</p> <p>XI. The voluntary exit process will be guided by contract law and legally binding agreements that include no purchasing of additional lions, surrendering the stockpile of lion bones, and minimising retrenchments. Any breach will be dealt with as per the agreement.</p> <p>XII. The need to ensure that the retrenchment of vulnerable workers is avoided or minimised is a key consideration in the proposed voluntary exit options. Further, the assistance of the Department of Labour, DALRRD and other departments will be sought where required to address the labour concerns for volunteers.</p> <p>XIII. The call for urgency has been noted by the MTT, and need to execute these potential options will be raised with the DFFE.</p>
<p>I. Exiting farmers must permanently end captive lion hunting and the bone trade. Prevention of illegal activities to offset financial losses.</p> <p>II. Audit needed including welfare.</p> <p>III. Immediate vet interventions on suffering animals, including euthanasia where required.</p> <p>IV. Identify animals that could exit through means other than euthanasia.</p> <p>V. Mass euthanasia will draw criticism. Identify at least some lions that can be put into legitimate sanctuaries. Robust criteria needed for what constitutes a</p>	<p>I. The voluntary exit process will be guided by contract law and legally binding agreements that include a permanent exit from the captive lion industry and stockpile of lion bones are part of this process. Any breach will be dealt with as per the agreement. No CITES export quota for the lion bone trade has been set by the Minister and international trade is therefore prohibited.</p> <p>II. The welfare of lions is considered during the voluntary exit process through the protocols and guidelines for best practice as outlines in Chapter 8.</p> <p>III. The voluntary exit options have mandatory prerequisites, including the Quality of Life Assessment to identify the lions that are compromised and may require</p>

Selected key issues from the various submissions received	MTT responses
<p>sanctuary (suggest Global Federation of Animal Sanctuaries). Use guidelines to identify facilities that could transform business practice.</p> <p>VI. Collaboration needed: vets, law enforcement, wildlife rescue, etc.</p>	<p>veterinary treatment or may need to be humanely euthanised according to the relevant protocol.</p> <p>IV. The voluntary exit options include a range of choices and not necessarily restricted to euthanasia only for lions.</p> <p>V. An option to rehome lions into lion safe havens, is one of the proposed options, which includes the definition of a “lion safe haven” which takes into account the issues raised as well as discussions with the stakeholders mentioned.</p> <p>VI. The MTT has highlighted in its report the need for collaborative approach for effective monitoring and enforcement.</p>
<p>I. Possible exiting farmers could have their vet costs covered on conditions of sterilisation. Consider free sterilisation, euthanasia etc.</p> <p>II. Exiting farmers must have all permits revoked, including other properties belonging to that person and family.</p> <p>III. Tourist interactions with lions must be made illegal.</p> <p>IV. Halt importation of all large cats except for sanctuary purposes. Halt the export of captive lions.</p> <p>V. Compensation for exit must be avoided – cannot incentivise poor management.</p> <p>VI. Audit of facility staff must be done to measure job losses.</p> <p>VII. Voluntary exit must be mandatory for any farmer contravening the APA or being involved in abuse, neglect, etc.</p> <p>VIII. Prepare the general public for possibility of mass euthanasia because there is not enough sanctuary space.</p> <p>IX. Transformation of facilities to lion safe haven must be done with experts.</p> <p>X. Voluntary exit strategies must be fully described. Unintended consequence of industry shifting to other exotic and indigenous cats, large, medium and small.</p>	<p>I. The MTT has taken note of this and will consider providing incentives for sterilisation on a case-by-case basis, provided sufficient resources are available.</p> <p>II. The permits of volunteering facilities will be amended in accordance with the agreed conditions for the voluntary exit.</p> <p>III. The voluntary exit options prohibit tactile interactions with lions.</p> <p>IV. The import and export of lions is not part of the scope of the MTT, and the issue will be referred to the DFFE. As part of the trade out voluntary exit option, the live international export is excluded.</p> <p>V. As the MTT is restricted to voluntary exit, no compensation will be provided to those facilities volunteering to exit. Some incentives may be provided within the limitations of the available resources.</p> <p>VI. The MTT has conducted an audit with estimates of the number of staff in the sector. For volunteering facilities, a more detailed analysis of the staffing compliment will be conducted to prevent or reduce any job losses.</p> <p>VII. Those facilities that contravene the APA, may choose to volunteer however the MTT cannot force these facilities to volunteer.</p> <p>VIII. The proposed range of options includes a trade-out period to decrease the number of lions among volunteering facilities that will need rehoming. However, if there are no viable options for rehoming and some healthy lions must be humanely euthanised, the SWOT analysis highlights this risk, as raised, for the DFFE to consider.</p> <p>IX. The MTT has enlisted the support of experts, to develop best practice protocols for lion safe havens, that can be used to transform existing facilities. In the engagement with current lion safe havens, some facilities have agreed to assist, where possible, including providing training to staff.</p>

Selected key issues from the various submissions received	MTT responses
	<p>X. The voluntary exit strategies are extensively described in the report, including a SWOT analysis for each option, associated best practice protocols, and it highlights the possible unintended consequences.</p>
<p>I. Voluntary exit is insufficient.</p> <p>II. Exiting lions should be euthanised, relocated to another facility, or repurposed under the same ownership.</p> <p>III. Breeding should be stopped in exiting lions, regardless of their destination.</p> <p>IV. Facilities that are exiting should not be allowed to obtain more unsterilized lions. Exiting facilities should be exposed to compliance monitoring, a restraint of trade should be signed, the owning of other captive carnivores or opening of similar facilities in the future should not be permitted. All parts and derivatives should be destroyed. Affected workers must be upskilled and redeployed.</p> <p>V. Rewilding is not viable for exit.</p> <p>VI. If lions are to be put into sanctuaries, there needs to be an acceptable definition of what constitutes a sanctuary for this purpose, TOPS is not sufficient.</p> <p>VII. SOPs for sanctuaries and all aspects of exit are needed.</p> <p>VIII. Offer of funding, technical support and housing of some surrendered animals. May be in a position to acquire breeding facilities and transform them into a legitimate sanctuary.</p> <p>IX. Concern raised over a move to other big cats, especially tigers.</p> <p>X. A road map document on exit options/strategies for tigers that can be transferred to lions has been offered.</p>	<p>I. The ToR for the MTT was restricted to voluntary exit from the captive lion industry. The MTT notes the broader policy context that is unfolding for the industry.</p> <p>II. The proposed options have been incorporated into the voluntary exit options.</p> <p>III. The sterilisation of lions is a mandatory prerequisite for all voluntary exit options.</p> <p>IV. The MTT has proposed the signing of a Memorandum of Agreement (MOA) between the volunteer and the Provincial authority. This document would encompass all agreed conditions, such as compliance monitoring, a ban on opening similar facilities in the future, surrendering all lion derivatives, redeploying their workers, and more. Sunset trade conditions and ownership of other captive carnivores will be negotiated with the aim of concluding these practices within an agreed timeframe.</p> <p>V. The MTT's option on rewilding provides a balanced SWOT analysis on the viability of this option (see chapter 7).</p> <p>VI. The MTT proposes as an option the rehoming of lions into lion safe havens, and the report provides a detailed definition of such facilities.</p> <p>VII. The MTT recognise the need for SOP's on all aspects of exit, and has developed detailed best practice protocols related to the voluntary exit options (chapter 8).</p> <p>VIII. The offering of funding, expertise, and housing etc. was gratefully acknowledged.</p> <p>IX. The concern over other big cats (especially tigers), as well as possibility of the transfer of the business model to other cats, including tigers, was noted and is referred to the DFFE.</p> <p>X. The road map document was received and reviewed. The lessons where appropriate informed the work of the MTT.</p>
<p>I. Highlight the mandate of DALRRD in exit options.</p> <p>II. Refer to the CITES Tiger resolution and trade regarding Conf. 12.5 (Rev CoP19) and others recommending registration of all Appendix I species breeding facilities. Lessons from closing the tiger industry, fur farms in Europe, captive bear bile need to be taken into account. Present some data from CITES trade database on tigers, jaguars, etc.</p>	<p>I. The DALRRD was part of the engagement process and their insights were taken into consideration by the MTT.</p> <p>II. The reference to CITES on Tigers, as well as the lessons in the closing down of the fur farms and captive bear bile industries have been considered by the MTT.</p>

Selected key issues from the various submissions received	MTT responses
<ul style="list-style-type: none"> I. Provide several reasons why they do not support the captive lion industry. Summarises the HLP & Parliamentary Portfolio Committee (PPC) decisions. II. Voluntary exit will not meet the recommendations of the HLP. Voluntary exit should be the first step towards complete industry closure. Must make clear that if voluntary exit options are not taken that the Department will proceed with compulsory closure through other means. III. Background on changes in captive lion industry, e.g. working lions, no interaction. Do not support rebranding as a form of exit. Do not support the practice of hunting any captive bred lions. IV. Support full audit, provide data to be collected including that related to animals, welfare, permits, income channels, stockpiles and workers. V. Request audit results are released and further consultation occurs after the audit. VI. Call for moratorium on breeding, new entrants, hunting and all export. VII. No parts to be made available to market. VIII. Must ensure sanctuaries are capacitated to deal with lions properly. IX. Call for independent transparent monitoring of lions remaining in the industry including lion safe havens. X. Supply detailed comments on the ToR. Supply HLP submission. 	<ul style="list-style-type: none"> I. The MTT has taken note of the decisions of the HLP and PPCEA. II. The ToR of the MTT focuses on developing voluntary exit pathways and options from the captive lion industry. The questions around the HLP's recommendations, and the closure of the captive lion industry will be referred to the DFFE. III. The MTT has acknowledged concerns regarding interactions with lions, the rebranding as an exit, and the hunting of captive lions. The voluntary exit options offer explicit definitions for voluntary exit, discontinuation of tactile interactions with captive lions, and makes recommendations for hunting during a limited trade out period. IV. The general audit focused on the number of facilities, lions, estimates of workers, reported numbers of stockpiles, and policies. The other issues raised will be covered during a more detailed audit on the facilities that have volunteered to exit. V. The audit results are captured in the report, and further engagements will be held with the volunteering facilities. VI. The MTT have noted the request for a moratorium on new entrants and has presented the request for a moratorium on new facilities to the Minister. Note the call for a moratorium to curtail breeding, hunting and exports are beyond the mandate of the MTT, and these submissions will be presented to the DFFE and Minister. VII. The MTT has given consideration to this and acknowledges the risks, however it has taken into account that some lion parts and derivatives will need to be available for traditional health practitioners. VIII. The concerns regarding compensation and placing lions in sanctuaries, as well as the possible shortcomings and risks, have been discussed with the lion safe havens and is reflected in the report. IX. Lions remaining in captive industry after exit are beyond the ToR of the MTT but we recognise the need for improved monitoring. X. The ToR (Appendix 1) and HLP recommendations are referenced in the report with a link to the full document in the list of references.
<ul style="list-style-type: none"> I. Call for permanent closure. II. Voluntary exit must be communicated as part of the larger picture to close the industry. Several concerns regarding voluntary exit: short-term economic gain, loss of the bigger picture of closure, diminishing governance, risk of future 	<ul style="list-style-type: none"> I. Permanent closure is outside the MTT's ToR. The MTT notes the broader policy context that is unfolding for the industry. II. The risks of voluntary exit on its own are recognised and are considered in the report. The MTT notes the broader policy context that is unfolding for the industry.

Selected key issues from the various submissions received	MTT responses
<p>resurgence, further delay and increased risk of tensions between government and industry.</p> <p>III. Provide details on activities and two facilities provided by an anonymous source.</p> <p>IV. Information on the trafficking of bones and parts to the east.</p> <p>V. Concerns regarding zoonotic diseases in captive lion industry and workers.</p> <p>VI. Provide data on other carnivores kept at captive lion facilities.</p> <p>VII. Call for compulsory exit to include all carnivores. Provide the pros and cons of voluntary exit in relation to other industries.</p> <p>VIII. Suggest economic pressure on industry.</p>	<p>III. The MTT has not received any information regarding activities from anonymous sources, and therefore cannot comment on this.</p> <p>IV. Illegal trade activities should be reported to SAPS or the DFFE.</p> <p>V. The concerns around zoonotic diseases are acknowledged and has been discussed with professional veterinarians and its risks are discussed in the report.</p> <p>VI. Information on other carnivores, as provided by the provincial authorities, is presented in chapter 5 of the report.</p> <p>VII. The voluntary exit process focused on lions, and where appropriate drew from lessons in other industries.</p> <p>VIII. The suggestion on economic pressure on the industry is beyond the scope of the MTT and will be referred to the DFFE.</p>
<p>I. Call for an audit including the demographic variables of lions.</p> <p>II. Identify exit volunteers.</p> <p>III. Identify captive facilities that can hold lions that are exiting.</p> <p>IV. Memorandum of Agreement (MOA) to transfer lion ownership to the DFFE (details provided on content).</p> <p>V. Suggest the criteria developed for euthanasia.</p>	<p>I. Information on the demographic profiles of lions, will be considered for each facility that has volunteered to exit.</p> <p>II. Facilities that want to exit from the industry were able to register on the site or contact the chairperson anonymously.</p> <p>III. Extensive discussions were held with lion safe havens that are able to rehome lions.</p> <p>IV. At this stage the DFFE will not be able to rehome lions.</p> <p>V. The voluntary exit options proposes that the quality of life assessment will identify the lions that are compromised, which require veterinary attention, or may need to be euthanised and a humane euthanasia protocol have been developed (chapter 8)</p>
<p>I. Offer to present at formal engagement.</p>	<p>I. An opportunity was provided for any stakeholder to make a written presentation to the MTT.</p>
<p>I. Detailed description of the interpretation of Section 24 of the Constitution and various definitions under NEMBA. Detailed referral to Section 22 Bill of Rights (freedom of trade, occupation/profession & property).</p> <p>II. The recommendations of the HLP are rejected and considered unconstitutional due to the majority vote not coming from experts.</p> <p>III. Detailed account of questions to parliament on January 24, 2023.</p> <p>IV. Comments on the Draft White Paper.</p> <p>V. Request that MTT answers seven questions regarding process and principle.</p> <p>VI. Those calling for closure must pay for it.</p> <p>VII. Suggest the relocation of lions to managed wild areas and full compensation.</p> <p>VIII. Request for a detailed written response.</p>	<p>I. The MTT focuses on voluntary exit and refers these constitutional and legal queries (Section 22 and 24 of the constitution) to the DFFE.</p> <p>II. The rejection of the HLP recommendations is noted and referred to the DFFE.</p> <p>III. The questions raised to parliament have been noted and where relevant considered by the MTT. For further clarity on questions raised, please liaise with the DFFE.</p> <p>IV. The comments on the Draft White Paper are referred to the DFFE.</p> <p>V. Six of the seven questions are beyond the scope of the MTT and will be referred to the DFFE. The question raised under 5.6 is outlined in this report.</p> <p>VI. As this is a voluntary exit programme, no monetary compensation will be provided. The MTT will assist with providing incentives for certain aspects of the voluntary exit options.</p>

Selected key issues from the various submissions received	MTT responses
	VII. Detailed responses and proposals for voluntary exit options, including rewilding, are highlighted in chapter 7. VIII. This report provides a detailed response to the issues raised.

4.3.2 Stakeholder Group: Industry and Associations

To develop and oversee the initial implementation of the voluntary exit strategy and transition pathways from the captive lion industry, it was important to engage with owners of captive lion facilities and industry representatives. For stakeholders choosing to pursue voluntary exit, gaining support and collaboration from industry participants would be beneficial. The purpose was to establish the trust and confidence of individual lion owners, encompassing various facility types regardless of size. This included entities involved in commercial breeding and keeping, hunting operations with captive lions, private individuals possessing lions, circuses, sanctuaries, zoos, and interaction and exhibition facilities.

The industry stakeholders identified consist of:

- 1) Owners of captive lions for any purpose, encompassing all types of facilities, irrespective of size. This included commercial breeding and keeping facilities, hunting outfits with captive lions, private individuals with lions, circuses, sanctuaries, zoos, and interaction and exhibition facilities.
- 2) Industry representatives and professional associations, such as SAPA, PHASA, WRSA, CHASA, AGRA, CPHC, NACSSA, PAAZA, SABHSSA, SAHGCA, SATTA, WTA, and Agri-SA.

The Specific Objectives of These Meetings Were:

- To determine what the general opinion of captive lion owners was regarding voluntary exit, and their recommendations on possible options and pathways for voluntary exit from the captive lion industry.
- To establish if there were captive lion owners who would consider a voluntary exit from the industry and record the captive lion facility owners who would consider voluntary exit, and to protect the identity of the owners and facilities.
- To understand the industry expectations of the terms and conditions for voluntary exit.
- Where possible, to collaboratively develop a voluntary exit strategy.

The first set of consultative meetings was held with captive lion owners and emerging captive lion owners and facilities and/or their managers. Further meetings were held with the professional organisations and associations linked to the captive lion industry, to communicate with their members and encourage them to register or email the chairperson for potential voluntary exit.

As part of the process, on April 14, 2023 a notice was gazetted (no 48423) calling for registration of participants who would consider voluntary exit from the captive lion industry (Appendix 4). The initial registration period was 30 days. Lion owners who had an interest in a potential voluntary exit from the captive lion industry were encouraged to register online or contact the MTT chairperson fully confidentially. The registration period was extended on May 22, 2023 with a further 60 days (Appendix 5). To improve the awareness of the voluntary exit procedure and make the process easier, it was conveyed that facility owners looking to exit voluntarily may contact the chairperson by email.

The engagement sessions included the following activities:

Stakeholder engagement sessions:

- 1) March 17, 2023 - Informal round table focus group discussion
- 2) April 13, 2023 - Meeting with industry associations
- 3) April 14, 2023 – Notice 48423 Gazetted calling for registration of participants who would consider voluntary exit from the captive lion industry (Appendix 4).
- 4) April 25, 2023 - Letter sent to request input on the proposed voluntary exit options and pathways for the captive lion industry, including to Agri-SA.
- 5) May 22, 2023 – Notice 48639 Gazetted extending the period for the call for registration of participants who would consider voluntary exit from the captive lion industry (Appendix 5).
- 6) May 25, 2023 - Site visit

- 7) July 2023 - Letter received from SAPA.
- 8) Nov 2023 – Report back presentations made at various roadshow sessions with provincial facility owners and Industry Associations.
- 9) November 2, 2023 – Meeting with SAPA as requested by the association.
- 10) November 30, 2023 – Report back meeting with industry associations.

The key issues raised at the above listed stakeholder engagement sessions are tabulated in Table 4.4 together with the MTT's responses.

Table 4-4 Industry associations stakeholder engagement key issues raised and subsequent MTT responses.

Key issues raised	MTT responses
Socio-economic impacts of voluntary closure and exit of the Industry.	Socio-economic impact will be assessed in the second phase, on a case-by-case basis, for each facility that volunteers to exit. This will include the impact on the employees and facility owners, after implementing the desired exit option. A general sector wide socio-economic impact assessment will be referred to the DFFE as this issue is not part of the MTT's ToR.
How will the MTT and Government compensate the owners that want to exit for the investment made in the facility, the lions and their future income.	As this is a voluntary exit programme, no monetary compensation will be provided. The MTT is recommending that incentives are provided for the services required to affect each option (e.g. sterilisation of the lions, transport where required, disposal of euthanised lions and their derivatives, etc). Additionally, the MTT will facilitate the provision of non-financial incentives, where appropriate.
Breeders should be involved throughout the process because they are the ones who are directly and most impacted by the voluntary exit strategy or closure.	The MTT stakeholder engagement process involves a range of stakeholders, including the facility owners that have indicated their interest in voluntary exit. Where breeders volunteer for exit, extensive discussions will be held with these facility owners.
Provide a differential system of compensation based on the time that the facility was in operation. Those who started after the HLP's report was released should receive a lower level of compensation.	As this is a voluntary exit programme, no monetary compensation will be provided. The incentives offered will consider the unique attributes and circumstances for each facility.
Compensation to stop breeding.	The MTT is focussed on voluntary exit, and where facilities have volunteered, incentives may be offered for example for the sterilisation of lions. As this is a voluntary exit programme, no monetary compensation will be provided. Responses to questions on a sector wide prohibition on breeding will be referred to the DFFE as this is not part of the MTT's ToR.
Permits for the establishment of new facilities and expansion of facilities.	This is part of the DFFE's mandate and any questions on these issues will be addressed by the DFFE because this is not part of the MTT's ToR.
What will happen to the lions from facilities that exit?	The MTT is recommending a range of options for voluntary exit and each option highlights options for lions.
Understanding of the purposes of breeding lions. This includes passion for the breeding of animals, trade of animals, and hunting of animals, as part of a business model. Some may also focus on aspects such as rewilding and sustainability of the industry and not focus only on profits of the business.	The MTT has consulted with a range of stakeholders to understand the extent of the captive lion industry. Facilities that indicate their interest in voluntary exit, will be assessed in terms of their unique business model. The MTT has considered the rewilding option and a SWOT analysis of this option is captured in the report.
The availability of data about the industry and all the aspects of the industry.	The ToR of the MTT includes an audit process to collect specific data. The results of this audit is contained in the final report.

Key issues raised	MTT responses
The need to effectively clean the industry.	The MTT will refer this matter to the DFFE and other relevant authorities. A proposal from SAPA will be referred to the DFFE.
Better and more effective regulation of the industry.	The importance of this is noted by the MTT and is raised in the report. This issue will be referred to the DFFE and other relevant authorities.
Improving the compliance of the industry.	The MTT recognises the importance of this matter. While compliance and enforcement in general is not the mandate of the MTT, it has included a section in this report on compliance and enforcement. However, this matter including the proposals by SAPA will be referred to the DFFE. Compliance with the conditions related to the voluntary exit, will be based on a contract and non-compliance are mandated to the DFFE and relevant authorities.
If the process of closing the industry proceeds, what will happen with the owners of facilities, the lions and the employees.	The MTT are tasked with the voluntary exit from the industry. The owners and employees of lion facilities are considered an important aspect and due consideration will be given to the owner and employees of each facility that has indicated an interest in voluntary exit. In discussion with the facility owner, the negotiated exit options will be based on the agreed terms with the owner, with specific options for the workers of the volunteering facilities, lions and owners.
What will happen to the neighbouring communities.	The effect of the voluntary exit on neighbouring communities are not clear, but the impact on neighbouring communities will be considered as part of the exit strategies for each facility that has agreed to a voluntary exit.
The exit plan must meet the expectations of the lion breeders.	The exit options and strategies proposed by the MTT will be negotiated individually with each owner/facility that has expressed an interest in voluntary exit.
An open dialogue with the organisations should be maintained to understand the terms of the lion owners.	The MTT communicated the voluntary exit options to the key stakeholders in the sector including industry associations. Each owner/facility that expressed an interest in voluntary exit will be consulted individually and the terms and conditions of the proposed exit will be negotiated on an individual basis.
Consequences of closing of the industry, including aspects such as loss of revenue, increase in illegal trade of lions and lion body parts, displacement of lions and conservation implications.	The MTT recognises the importance of these issues, and while these sector wide issues are outside of the ToR of the MTT, these issues will be referred to the DFFE and other relevant authorities. Furthermore, the conservation implications of the voluntary exit will be considered on a case-by-case basis.
Some neighbouring countries export lion trophies to South Africa, how will the closure of the industry in South Africa influence this value chain?	Closure of the captive lion industry is outside of the ToR of the MTT; thus, this matter will be referred to the DFFE. There is a restricted trade option for voluntary exit candidates, however the import of lions or lion derivatives is not allowed in this option. The MTT has not considered the broader taxidermy industry that may be involved with processing of trophies from other countries. Such import and re-export are regulated under CITES. Voluntary exit would not affect this, and this broader issue will be referred to DFFE and other relevant authorities.

Key issues raised	MTT responses
Traceability audit with all captive lion facilities to understand their financial contribution, socio-economic assessment and habitat conservation contributions.	The ToR of the MTT focussed on the voluntary exit strategy and pathways for the captive lion industry. Financial contributions, socio-economic assessments, and habitat conservation contributions are considered important aspects of the business model of captive lion facilities, that are interested in voluntary exit, but broader socio-economics of the industry in general but are outside of the ToR of the MTT. This will be referred to the DFFE for consideration.
Identification of financial compensation measures provided for the captive lion owner/breeder.	As this is a voluntary exit programme, no monetary compensation will be provided. The MTT will assist with providing incentives for certain aspects of the voluntary exit options.
The government is revoking the rights of breeders/owners to do business.	As this is a voluntary exit programme, the closure of the captive lion industry is not part of the MTT Mandate, and this matter will be referred to DFFE for consideration.
Identify how captive lions can contribute to the conservation of lion populations in line with the BMP for African lions.	Identifying the conservation value of captive lions is beyond the ToR of the MTT and this matter will be referred to DFFE for consideration.
Identify the means of ensuring the full socio-economic value of captive lions.	The voluntary exit options and pathways consider the broader wildlife economy; the negotiations with prospective volunteers that want to exit the captive lion industry include options to continue participating in the wildlife economy.
The voluntary exit process should facilitate and enhance the growth of the wildlife economy.	The voluntary exit options and pathways consider the broader wildlife economy; the negotiations with prospective volunteers that want to exit the captive lion industry include options to continue participating in the wildlife economy.
Full genetic analysis of genetic integrity of all captive lions prior to castration/sterilization and/or euthanasia.	There is a measure of uncertainty about the genetic profiles of captive lions. On negotiating voluntary exit options and pathways, when appropriate, any unique genetic traits should be considered and measured against the genetic profile of African lions in range states.
Ensure that the full economic value of captive lion derivatives is realised through responsible sustainable use practices.	As this is a voluntary exit programme, the broader issue of the full economic value of captive lion derivatives in general were beyond the ToR of the MTT. The voluntary exit options and pathways proposed by the MTT considers various sustainable use options. Note: all decisions must be compliant with the laws and standing judgements in the country.
Ensure that the THPs and “muti-market” is provided with a continued supply of required lion derivatives.	As this is a voluntary exit programme, the broader issue of the continued supply of lion derivatives to THPs in general were beyond the ToR of the MTT. The MTT considers traditional use of lions as an important cultural and heritage aspect, and the potential for this was considered within the voluntary exit options.
Provision should be made for an enabling and sustainable environment for those who continue breeding lions in captivity.	The MTT ToR focus on the voluntary exit options and pathways, thus the enabling and sustainable environment for those who continue breeding lions in captivity are matters to be considered by the DFFE.
The exit plan should be financially viable to the breeders and owners of facilities, including facilities owned by communities.	The MTT focusses on exit options and pathways will be discussed with each of the voluntary exit candidates separately and confidentially. The exit options will focus on ensuring that the post voluntary exit options discussed with voluntary exit candidates are financially viable.

Key issues raised	MTT responses
The recent government implemented actions that have caused restrictions on the functioning on the ability of captive lion facilities to function to full capacity have led to hardships and made it difficult for lion breeders to maintain facilities.	The MTT's mandate and responsibility is that of voluntary exit, and to find "win-win" solutions for those who want to voluntarily exit the industry, given the current market conditions. . This comment will be referred to the DFFE for consideration.
The impact of government restrictions, such as non-issuing of quotas and permits, has negative impacts on the business strategies of facilities and a negative effect on the industry.	The MTT is aware that business strategy of any business is influenced by the judiciary system and Government regulations. In the discussions with voluntary exit candidates the MTT seeks "win-win" solutions, given the current market conditions. The sector wide issues and impacts of any changes in the market conditions will be referred to the DFFE.
Implementation of N&S for those facility owners that will remain in the industry post the voluntary exit period.	The MTT has developed a range of best practices and protocols that voluntary exit candidates would be required to comply with (chapter 8). Those who wish to continue keeping lions in captivity, must also comply with the relevant legal requirements of the country.
Self-administration and self-regulation are important for the continuation of the industry. SAPA has suggested that the first phase of voluntary exit includes a self-regulation process with a formal recognition agreement with the DFFE to advise acting on non-compliance. This will include the mandatory use of the SAPA tracking system, and the power to recommend to the DFFE the closure of non-compliant facilities or withholding of permits where it is justified.	The MTT has a focussed ToR for the voluntary exit for those facilities that have registered interest, and the implementation of self-administration and self-regulations was raised by SAPA and will be referred to the Minister for consideration.
SAPA has proposed a phased approach to voluntary exit, which includes purchasing of lions from non-compliant facilities, and a longer trade-out period by 2030, with the objective of phasing out the captive lion industry by 2040.	The MTT believes that the industry cooperation to support voluntary exit is a key success factor; however a lengthy period for trade out is risky if the growth in the number of lions and facilities are not halted. Hence, the voluntary exit options proposed include the mandatory prerequisite of sterilisation of lions and a 24 month trade out period. The proposal from SAPA will be referred to the Minister.
Standards should be applicable to all provinces for general implementation.	The MTT has conducted an audit of provincial policies and regulations. These are highlighted in the report with specific recommendations, including consolidating or providing a framework that will guide provincial regulations.

4.3.3 Stakeholder Group: Lion Safe Havens

Stakeholder engagement with existing lion safe havens¹¹ (see definition below), was also undertaken to understand the feasibility, capacity and process with regard to 'rehome' any surrendered lions that may come out of this voluntary exit process. These stakeholders also provided an essential role in helping to develop industry best practice guidelines for lion safe havens and assist with cost and logistics for repurposing facilities during the voluntary exit process.

Rather than using the TOPS sanctuary definition (i.e. a facility that provides permanent care to a specimen of a listed threatened or protected species that would be unable to sustain itself if released in an environment other than a controlled environment, irrespective of the reason for such inability), in this context a lion safe haven means a registered facility:

- a) that provides a permanent captive home in a controlled environment for specimens that would be unable to sustain themselves if released in an environment other than a controlled environment, whether as a result of injury or on account of human imprinting;
- b) where all practices are humane and consider the welfare and well-being of the animals;
- c) do not allow reproduction, natural or otherwise;
- d) that solely accepts rescued/surrendered animals and does not buy, sell, loan or exchange animals in their care;
- e) that only allows human interaction for veterinary care;
- f) implements best practices in terms of record keeping.

Objectives for Engaging with Lion Safe Havens:

Objective 1: to obtain an understanding of what is required logistically and financially to provide life-long homes to captive lions to guide strategies around voluntary exit.

- Viability of putting lions into sanctuaries and individual current capacity for captive lions (short-term).
- What additional capacity could be created sustainably and capex requirements.
- Requirements for keeping captive-bred lions in lifelong care.
- Financials/cost for life-long care, as well as cost and logistics for relocating surrendered lions, such as veterinary costs, costs of sterilisation, transport, enclosure buildings, maintenance, staff costs, insurance, etc.
- How sanctuaries envisage funding the capex and lifelong care of any surrendered lions from the voluntary exit process to ensure the necessary financial sustainability.

Objective 2: to develop criteria and identify facilities suitable for the lifelong homing of surrendered captive lions from voluntary exit.

- Criteria for welfare conditions for surrendered captive lions to be cared for until the end of their lives.
- To provide input on standards for suitable facilities/appropriate destinations that may be repurposed.
- Input on options and pathways for voluntary exit from the captive lion industry.
- Best practices in animal well-being (and welfare) including the appropriate size of enclosures.

Objective 3: to establish the current capacity for rehoming lions from the voluntary exit process and the time frames involved to potentially increase their capacity, raise funds, build enclosures, and recruit and train staff.

A number of specific meetings and discussions were held with lion safe havens to discuss the issues raised above in details. These included the following meetings and activities:

- March 23, 2023 – Lion Safe Haven Stakeholder Engagement 1.
- March 24, 2023 – Lion Safe Haven Stakeholder Engagement 2.

¹¹ These sanctuaries were considered by the MTT as meeting the criteria for a lion safe haven - see also definitions.

- May 05, 2023 – Provided written input via email.
- August 10 and 18, 2023 - five one-on-one meetings during this period with specific lion safe havens that indicated that they may have capacity to rehome surrendered lions.
- December 1, 2023 – Report back meeting on the work of the MTT and initial draft recommendations voluntary exit pathways and options.

Below are the main recommendations, guidance and specific issues raised at these meetings (Table 4.5 and 4.6).

Table 4-5 Lion safe havens stakeholder engagement – key responses to specific questions posed by the MTT.

Financial questions Cost for life-long care	Lion Safe Haven Responses	Associated costs
Building of enclosures	<ul style="list-style-type: none"> • A one ha enclosure with fencing to provincial standard plus management camp and den/shelter or night house. • All enclosure infrastructure. • Fencing. • Night house. 	<ul style="list-style-type: none"> • Ranging from ZAR 250,000/ha in Free State to ZAR 400,000/ha in Limpopo. • ZAR 185,000 • ZAR 370,000 • ZAR 50,000
Food (meat and supplements)	<ul style="list-style-type: none"> • Donated meat (often beef and horse) is assessed off-site for suitability, e.g. presence of medication. Travel up to 200 km to collect meat is seen as economical. Availability of donated meat depends on the location/provinces and percentage varies from zero to 100% of the meat. • Purchased meat – quantity 130–150 kg/lion/month. • Supplements. • Total recurring cost per lion <ul style="list-style-type: none"> ○ Free State ○ Limpopo <p>For more feeding information – see below under welfare related questions.</p>	<ul style="list-style-type: none"> • Transport cost only: ZAR 15–18/km up to a total cost of R25,000/month. • ZAR 28-40/kg • ZAR 1,300-1,500/lion • ZAR 3,000/month • ZAR 7,000/month
Meat storage and cooling	<ul style="list-style-type: none"> • Walk-in freezer and cooler room. Electricity cost. • During loadshedding, diesel for generator. 	<ul style="list-style-type: none"> • Unknown • Up to R20,000/month.
Veterinary cost	<ul style="list-style-type: none"> • Including specialist veterinary consultations, e.g. dental care. 	<ul style="list-style-type: none"> • ZAR 15,000–20,000/month, but can vary considerably.
Translocation cost	<ul style="list-style-type: none"> • Transport cost. • Staff cost. • Accommodation. • Veterinary cost. 	<ul style="list-style-type: none"> • ZAR 15–18/km • Variable • Variable • See SAVC/NSPCA responses
Staff cost	<ul style="list-style-type: none"> • Animal caretakers. • Security staff (night shifts). 	<ul style="list-style-type: none"> • ZAR 12,000/month • ZAR 10,000/month plus accommodation and food
Maintenance cost	<ul style="list-style-type: none"> • Limpopo, including houses, enclosures, vehicles etc. • Western Cape, including houses, enclosures, vehicles etc. 	<ul style="list-style-type: none"> • ZAR 40,000/month • ZAR 50,000–70,000/month
Insurance	<ul style="list-style-type: none"> • Free State: Liability insurance, including fire, lion escapes, human injury, vehicles. • Western Cape: Liability insurance, including all buildings, fire (including helicopter expenses), vehicles. 	<ul style="list-style-type: none"> • ZAR 5,300/month • ZAR 15,000–17,000/month

Financial questions Cost for life-long care	Lion Safe Haven Responses	Associated costs
Disposal of carcasses	<ul style="list-style-type: none"> Some facilities bury their deceased animals onsite and others have them cremated. 	<ul style="list-style-type: none"> Cremation: ZAR 6,000/lion
Permits	<ul style="list-style-type: none"> TOPS 	<ul style="list-style-type: none"> Approx. ZAR 500/year
Income generation	<p>Income generation vary considerably between the nine different facilities, including:</p> <ul style="list-style-type: none"> Fundraising campaigns focussed on high-end donors. Donations for individuals and/or through overseas NGOs. Adoption schemes. Tourism activities, including entrance fees, income from guided tours and income from onsite accommodation. Volunteer programmes. <p>Note: The definition of lion safe haven prohibits income generation from the trade in lions and/or their derivatives.</p>	

Welfare related questions	Responses
Enclosure design	<ul style="list-style-type: none"> Different provincial camp size and fencing requirements can create conflicts in camp design, and thus a need for national standards. Enclosures need to have a management/feeding camp, which is essential for safe cleaning, feeding and vet care. Creation of the right habitat with a den/shelter area. Facilities open to the public require additional safety protocols, e.g. visitors can only approach enclosures from one side, so as to give animals an opportunity to hide from the public, if they wish. A second physical barrier is required in Western Cape to keep visitors away from the enclosure fence.
Enclosure size and quantity of lions	<ul style="list-style-type: none"> On average of 1–3 lions per ha. Depending on the age and specialist needs of the animals, some animals may require smaller enclosures. Dependent on pride structure, which is often related on the type of group the animals arrive in at the facility.
Enrichment	<ul style="list-style-type: none"> Best enrichment is lions living in social groups, if possible. Behavioural and environmental enrichment to prevent stereotypical behaviour.
Biosecurity	<ul style="list-style-type: none"> Before animals are introduced into the facility, they undergo a period of quarantine. No human-animal contact, and therefore biosecurity risk is very low. Cleaning of enclosures is carried out one at a time to reduce the potential for cross-contamination. If animals are diagnosed with a contagious disease, measures are put into place to mitigate risk.
Feeding	<ul style="list-style-type: none"> Type of meat: chicken, game meat, beef, horse, sheep, donkey, pig. Mostly human grade and good quality donated meat. If feeding old or ex-circus animals with broken teeth, the meat is off the bone. A regular feeding regime is often used as a management tool to check for potential health and behavioural issues, as well as the optimal control of food quantities in groups. Frequency varies considerably between 2–7 times per week.

Welfare related questions	Responses
	<ul style="list-style-type: none"> Storage capacity for 2–12 weeks' worth of meat.
Facility design	<ul style="list-style-type: none"> Open to the public: need for public toilets and coffee shop.
Security	<ul style="list-style-type: none"> Perimeter fencing to ensure any escaped animals remain on the property. 24/7 onsite security. Risks dependent on rural vs urban setting, e.g. in urban setting electricity cable theft is the biggest risk.
Record keeping	<ul style="list-style-type: none"> From medication to the amount of sedative administered for darting. PAPA standards.

Staff related questions	Responses
Staff training	<ul style="list-style-type: none"> Internal training is essential because no animal husbandry and care courses are available in South Africa. Protocols used to guide staff responsibilities, from preparing meat to identifying any potential health issues. Lionsrock is in the process of developing a welfare course with proper accreditation.

General questions	Responses
Role of lion safe havens during voluntary exit	<ul style="list-style-type: none"> Sanctuaries may be able to provide a forever home for a small number of high-profile lion rescues, but the overall capacity is not present and financially not feasible. Repurposing of facilities may be difficult. Creating the physical changes is the easy part, but making the shift in the owner's mindset to a no breeding, no trading, lifetime home, no human-animal interaction philosophy could be a major obstacle. To assist in training of staff of repurposed facilities.
Unintended consequences of voluntary exit	<ul style="list-style-type: none"> Move from lions to other predators. The ease of being non-compliant under the regulations: <ul style="list-style-type: none"> The consequence of non-compliance is often only a fine that is seen as a business expense. A penalty system should maybe include the euthanasia of animal(s). Info can easily be withheld from inspectors. Hence, the need for multilingual inspectors to engage with staff and not only the owner, and inspectors need to be given more authority and wider criteria. By law, a sanctuary can still trade animals, hence there is a need to change the regulations.
Conditions under which surrendered lions may be accepted	<ul style="list-style-type: none"> Clarity on the end goal of this process with a clear commitment from the government in closing the industry with a road map and end date. Moratorium on breeding across the whole of the captive lion industry. Moratorium on issuing permits for new facilities. Need to quantify the industry in its present state so we know what we are dealing with. Lion safe havens are not the solution to the problem and should not become a dumping ground for lions no longer wanted in the commercial industry. Owners should take responsibility for their animals.

Table 4-6 The key points from discussions with lion safe havens and capturing their general recommendations and should be read in conjunction with the specific responses in Table 4.5.

Key issues and questions raised	Recommendations from lion safe havens
<p>The capacity and impact of accommodating additional lions on the financial sustainability, management and logistics of lion safe havens.</p> <p>Expansion of capacity will require land, time and materials.</p>	<p>While the current limited capacity is a challenge, a number of safe havens have indicated their willingness to take in a limited number of lions. A number of recommendations were proposed, which included the time required to expand existing facilities and construct new enclosures. Some sanctuaries may be able to provide a long-term home for a small number of high-profile lion rescues, but the overall capacity is limited, but financially feasible.</p> <p>Furthermore, some of the voluntary exit options (e.g. the trade-out window period) will contribute towards reducing the number of lions that will need to be relocated to lion safe havens, providing the opportunity to expand and/or create new facilities. Additionally, the lion safe havens raised specific constraints regarding the availability of land, availability of construction materials, design parameters, etc., which will have an impact on the timeframes.</p> <p>The MTT does not support the “profiling” of lions. All lions rehomed to lion safe havens should be considered eligible for lifelong care, depending on the outcome of the Quality of Life Assessment.</p>
<p>What land would be required to expand and create new facilities?</p>	<p>Land would be required for the establishment of new lion safe havens, including suitable habitat for the expansion of facilities. While some safe havens indicated that they have adjoining land, others will need to acquire additional land. Discussions held with the DALRRD proposed a three-way discussion including the sanctuary owner, the DFFE and themselves, to assess the requirements for additional land to accommodate lions from facilities that want to voluntarily exit the industry.</p>
<p>Questions raised about staff and caretakers that are required when working with the lions as well as cost to ensure proper veterinary care.</p>	<p>The lion safe havens have well trained staff and believe that they can assist in training staff from volunteering facilities at repurposed facilities and the new or expanded lion safe havens that require staff capacity. Again, the financial challenges of this were raised at the meetings, and it was recommended that the MTT assist lion safe havens continue to expand their donor base to ensure that the financial resources to sustain lions are secure.</p>
<p>Compliance with the various permit requirements.</p>	<p>In addition to the compliance with legal requirements applicable to lions and lion safe havens the MTT was advised to develop a set of best practices that must be adhered to in order to be classified as a “lion safe haven”.</p>
<p>What are the current sources for income generation for lion safe havens?</p>	<p>Fundraising, donations, adoption schemes, tourism activities, volunteer programmes. The discussion focussed on the need to develop appropriate, ethical and sustainable revenue generation strategies. The MTT also expressed their view that trade with lions that have been transferred from voluntary exit facilities will not be allowed. There is a need to change the TOPS definition of sanctuary, as legally a sanctuary can still trade lions.</p>
<p>Key issues that should be considered in managing enclosures.</p>	<p>The creation of the correct habitat within the enclosure that is suitable for each specific species is an important consideration in an animal’s overall welfare. Best practice protocols for managing enclosures must include the safety and security of staff and lions as well as any visitors. Other issues that must be considered are the size, terrain, habitat, protection from weather (and fires), cleanliness of enclosures, etc.</p> <p>Variable feeding times, feeding volumes, and frequencies should be considered as part of the animal welfare.</p>

Key issues and questions raised	Recommendations from lion safe havens
	Protocols to guide staff responsibilities regarding preparing meat, identifying health issues, welfare problems etc. The administration and record keeping of various aspects, i.e. medication, sedative administration etc. It was recommended that the MTT develop best practice guidelines for this and the participants will assist where required.
Additional safety requirements and protocols for facilities that are open for the public	Much of the discussion focussed on the quality of fences, electrification and safety of veterinarians and specialists that visit the lion safe havens. Furthermore, 24/7 security is required for facilities and the surrounding area to ensure that escaped animals remain on the property and no intruders enters the property.
Key requirements where facilities are open to the public.	All legal requirements applicable to the type of facilities and the related activities must be complied with. Compliance to the PAPA standards when public and tourists are involved. The need for additional public amenities when the facility is open for the public.
Issues to consider when training staff in general and for repurposing facilities.	The training of staff is essential; however, no animal care and husbandry courses are available in South Africa. The MTT recommends that experiential training is an important aspect of staff training, especially in the absence of formal training opportunities. Mentorship of new staff members is of the utmost importance. Further consideration should be given to the establishment of formal training opportunities.
The feasibility of volunteering facilities to be converted into lion safe havens.	Repurposing of facilities may be difficult. Creating the physical changes is the easy part, but making the shift in the owners mindset to a no breeding, no trading of animals, lifetime home, no human-animal interaction philosophy could be a major obstacle. The lion safe havens have limited capacity to but willingness to: <ul style="list-style-type: none"> • assist in the training of staff of repurposed facilities. • provide experiential and mentorship particularly of new staff members.
Monitoring, compliance and enforcement.	Issues of non-compliance are sometimes considered a business expense by breeders. A penalty system should maybe include euthanasia of animals. The penalties are decided by the compliance officers and courts. (The MTT promotes compliance to all legal requirements.) The animal welfare of other predators must also be considered as the pressure on lions may force facility owners to move away from lions to other predators.
Other issues raised during the discussion with lion safe havens.	Lion safe havens are not the solution to the problem and should not become a dumping ground for lions no longer wanted in the commercial industry. The lion owners should take responsibility of their animals. (This is a valid concern, and thus the MTT has proposed various alternative voluntary exit options and pathways.) Clarity on the end goal of this process, with a clear commitment from the government for closing the industry with a road map and end date. The MTT works according to its ToR, focussing on the voluntary exit options and pathways for the captive lion industry. The DFFE has recently communicated its policy objectives to close the industry, and is in the process of concluding its public consultation process. Request for a moratorium on breeding across the whole of the captive lion industry, as well as the issuing of permits for new facilities. (This matter will be referred to the DFFE as the competent authority.)
Understanding the number of lions in captivity.	A quantification of the captive lion industry in its present state is required to know what we are dealing with. (The MTT has been tasked with doing an audit of the captive lion industry. Data obtained from this audit is captured in the report.)

4.3.4 Stakeholder Group: Animal Welfare, Protection and Conservation Organisations (AWPCO)

The next set of stakeholders that the MTT has engaged with included relevant was the animal welfare, protection and conservation organisations (AWPCO). This stakeholder group was identified as an essential group to be consulted, because many of these organisations have been involved in research and campaigning against the captive lion industry and/or have also highlighted a range of relevant issues of concern. The MTT identified a range of areas in which this sector could provide comments and recommendations on voluntary exit from the captive lion industry. These included input into voluntary exit options and strategies, providing data on captive lion facilities nationwide, development of protocols and industry best practice guidelines and input on issues such as the rewilding of captive and captive-bred lions.

A number of organisations were identified utilising the data from the DFFE's engagement in the wildlife sector.

The Specific Objectives of these Meetings were:

- To determine the general opinion of animal welfare and conservation organisations about voluntary exit, and their recommendations on possible options and pathways for voluntary exit from the captive lion industry.
- To understand the views of animal welfare and conservation organisations on executing the focus areas in the ToR, the audit and voluntary exit.
- To draw on their specific expertise to assist with developing best practice protocols, to support the voluntary exit pathways and strategies.

The meetings and activities for these stakeholders included:

- May 11, 2023 – Animal Welfare and Conservation Organisation Stakeholders
- June 2, 2023 – MTT Quality of Life brainstorming session with experts
- December 1, 2023 – Report back meeting on the work of the MTT and initial draft recommendations voluntary exit pathways and options.

All key issues raised during these meetings and the MTT responses are tabulated in Table 4.7.

Table 4-7 Animal Welfare, Protection and Conservation Organisations Stakeholder Engagement - key issues raised and MTT responses.

Key issues raised	MTT responses
Options need to be pragmatic and if no space exists in existing lion safe havens for healthy, there is no benefit animals or humans to keep them alive.	To address this issue, the MTT developed a quality-of-life assessment, which addresses aspects of compromised health that can be adjusted depending on the capacity in exiting lion safe havens. A euthanasia protocol has also been developed.
All lions in captivity should be genetically tested to rule out any genetic contamination and be examined by veterinarians.	Genetic testing of lions is not within the mandate of the MTT, but has been considered in the potential rewilding of lion option. This recommendation will be forwarded to the DFFE.
Old lions with a severely limited life span that are suffering, and lions with compromised health, should be humanely euthanized.	To address this recommendation the MTT developed a Quality of Life Assessment, which addresses aspects of compromised health and euthanasia through a euthanasia protocol.
Healthy lions should be given the opportunity to live out their lives in peace in sanctuaries, and this should be funded by the government.	The proposal has been considered by the MTT, and the voluntary exit options include an option for rehoming in lion safe havens for the remainder of their natural lives.
The task team should also take into consideration that the processes may be faced with potential obstacles such as fraud, power of the vested interest, time delays and corruption.	The MTT recommends a pragmatic approach for the voluntary exit from the industry, which is a process that takes into account possible delays given the constraints. As this is a voluntary exit initiative the process will be based on the unique circumstances faced by each facility. The impact of obstacles on the sector will be referred to the DFFE.
Request the task team to put greater urgency on the closure of the captive lion industry because the longer it takes, the more damage is done to South Africa's image.	The MTT is only mandated to provide recommendations for voluntary exit options and pathways for voluntary exit from the captive lion industry. The broader issues about the industry will be referred to the DFFE.
Sterilisation should be prioritised because it places a timeframe for dealing with the sector.	The exit options and pathways include sterilisation of lions a mandatory prerequisite.
Compensation suggests that a law has been established; therefore, it was suggested that the task team considers using the word incentive rather than the word compensation because the entire procedure is voluntary and not a legal process.	The MTT agrees with this and as the process is focussed on voluntary exit, incentives will form part of this to encourage voluntary exit. The terms of the voluntary exit is a contractual one to allow for easier management of non-compliance with voluntary exit conditions.
Was any feasibility conducted to gain a sense of the industry's reaction to the concept of voluntary exit?	The MTT created a platform where persons interested in voluntary exit from the captive lion industry could indicate their interest, with no obligation to exit. This platform was widely advertised and the cut-off date for registration was also extended to afford more facility owners the opportunity to register (Appendices 4 & 5).
How many lions are there? A quick audit of all captive lion facilities is required to obtain a true representation of the number of lions, as well as the percentage of those that wish to voluntarily exit the industry.	The national audit was undertaken by the MTT and the results are published in this report (chapter 5). The information obtained by the MTT, including the number of owners/facilities that have registered an interest in the voluntary exit option is confidential at this point in time.

Key issues raised	MTT responses
Request that a list of facilities be compiled, whether it is a list of facilities that have voluntarily exited or a complete list of all facilities; also the list of facilities should be made available including all big cats and the conditions under which they are kept.	The national audit done in terms of the MTT ToR, will provide a good indication of the number of lions in captive facilities, and in some cases include numbers of other species, such as big cats. The results of the audit are published in the MTT report.
The voluntary exit approach may not go far enough toward achieving the HLP recommendations.	The HLP made various recommendations relating to the captive lion industry. The MTT is specifically tasked with the voluntary exit options and pathways only. The DFFE is consulting on other initiatives with respect to the wider captive lion industry.
Critical, fine timeframes with key deliverables are required to avoid further delays and repeated welfare and well-being infringements.	The well-being of lions in the voluntary exit options and pathways is considered important. The MTT has drafted a Quality of Life Assessment, which indicates the health of lions as part of the voluntary exit process, and has drafted a set of best practices that must be adhered to by volunteering facilities.
Conduct audits for large exotic cats such as leopards, which have a high rate of escape.	The MTT was tasked only with the audit of the number of lions and facilities that have lions, not any other species. Where information was provided during site visits to the provincial authorities, the audit includes the data of other large cats (chapter 5).
Interpret the concept of voluntary exit; if the interpretation is to voluntarily exit from breeding captive lions but continue with other predators such as tigers, then there will be no progress. It was recommended that voluntary exit should mean no more predator breeding.	The MTT will endeavour to convince volunteering facilities to refrain from keeping other predators in captivity. However, the MTT is guided by its ToR, which focuses on the voluntary exit options and pathways from the captive lion industry only.
Prevent welfare issues from arising due to voluntary exit.	The MTT accepts this recommendation and has developed a set of best practice protocols for voluntary exit candidates.
Sterilisation be considered to stem the influx of cubs.	The MTT has made sterilisation of lions as a mandatory prerequisite for any of the voluntary exit options (chapter 7).
Permission to bring live lions from other countries to South African facilities	The MTT's ToR is limited to voluntary exit from the captive lion industry in South Africa and will refer this to the DFFE.
Three future options for captive lions were proposed in a presentation: approaching existing lion safe havens to see how much space they have available, approaching funders with the proposal to open funds to create larger sanctuaries to be run as tourism facilities, and finally suggesting humane euthanasia.	These suggestions were considered by the MTT and elements of them are included in the different voluntary exit options proposed by the MTT, which include rehoming of lions to safe havens and depending on various circumstances euthanasia of compromised lions.
Seek legal advice on the possibility of compensation to avoid a potentially lengthy fight over the concept of compensation.	As this is a voluntary process that includes agreement on a specific set of conditions for exit, the MTT proposes offering monetary and non-monetary incentives to encourage voluntary exit.
Fundraising is a problem, because there is a stigma associated with giving money to the government, owing to corruption, funders will require assurance that their contributions will make a difference.	The funders that the MTT has engaged with indicated that they will self-administer the funding of incentives. The concerns raised will be forwarded to the DFFE.

Key issues raised	MTT responses
Support the principle of ecologically sustainable use and not be opposed to the use of wildlife if it is done responsibly to benefit conservation.	The MTT supports this principle.
What are the underlying motives for establishing and running a captive lion facility?	The reason or motive for establishing a captive lion facility would, in all probability, vary from one facility owner to the next. The MTT cannot provide a general answer to this question.
Research has indicated five distinct sector clusters. In this regard, was the task team advised to consider more than one voluntary exit option and apply it to the different cluster types?	These proposals were considered by the MTT, and a variety of voluntary exit options and pathways from the captive lion industry have been drafted.
Challenging trade conditions (US trophy bans; lion bone export ban) have led to a situation where most captive lion facilities are currently making losses, therefore the task team should take into consideration that some facilities may not want to exit but there may be facilities willing to exit because of their current condition.	Given the difficult market conditions, the MTT voluntary exit process provides the opportunity for facility owners to voluntarily exit from the captive lion industry and adopt new business models.
Suggested options of what could happen to the lions: <ol style="list-style-type: none"> 1. Facilities could give lions to sanctuaries, 2. Facilities keep lions (under the sunset clause), 3. Lions can be euthanised, and careful consideration must be given to how this is done – ethics considerations and public backlash. 	The MTT has considered these options, and the range of voluntary exit options and pathways include these proposals.
Facilities that want to close should be financially supported to do so, and the amount should be decided and must cover disposal and incentives.	The proposed financial incentives include support for a number of services that include sterilisation of lions, disposal of carcasses of euthanised compromised lions, transport, and other incentives. Facility owners who have expressed an interest in voluntary exit will be offered the opportunity to negotiate an exit strategy and incentives that are best suited to their specific requirements.
Facilities should also be financially supported to transition to an alternative income.	Specific incentives will be discussed with each facility owner that wants to exit the industry, and where possible to facilitate the provision of incentives (financial and non-financial).
Facilities should be financially supported to sterilize their lions and allowed to keep them without breeding.	The MTT has considered this suggestion and included these options in the range of voluntary exit options and pathways.
Time frames must be clarified and accelerated with key deadlines.	The process and timeframes will be discussed and agreed by facility owners that have expressed an interest to voluntarily exit from the captive lion industry.
Ensure that no breeding or captive lion hunting is still taking place.	Closure of the captive lion industry is outside of the ToR of the MTT; thus, this matter will be referred to the DFFE. The MTT voluntary exit options and pathways prohibit breeding of lions; however, one of the options allows trade (including hunting) for a limited sunset period.

Key issues raised	MTT responses
Exporting lions to other nations or releasing them into the wild are not viable solutions.	The MTT has given consideration to this statement and recommends that the export of live lions should not part of any voluntary exit option.
Enough time must be given to lion safe havens to consider all welfare aspects and to accommodate several living lions that can be supported. These should be communicated and inspected ahead of time.	A pre-relocation assessment of potential lion safe haven facilities is recommended to determine the time required by the lion safe haven to accommodate the lions.
For facilities that do not choose the voluntary option, legal provisions, such as regulations, should be put in place ahead of time to avoid lengthy legal processes.	Closure of the captive lion industry is outside of the ToR of the MTT. The DFFE is in the consultation process with stakeholders on the future of the captive lion industry. This matter will be referred to the DFFE.
Building a single or a series of dedicated national sanctuary(ies) might be an option but will require a great deal of land and highly specialised facilities and personnel due to the social structure of lions.	In the discussions with current sanctuaries, the potential to increase its capacity is limited and they will be unable to absorb a large proportion of captive bred lions.
Develop welfare and husbandry standards and audit processes for lion facilities supported by national legislation. A standards-based licensing and renewal audit process must be in place for all facilities	The MTT has proposed a set of best practice protocols for those facilities that want to voluntarily exit the industry. For the sector as a whole, the suggestion will be forwarded to the DFFE.
Establish a team(s) of animal welfare experts and vets to develop a lion-specific health/welfare assessment	The MTT has enlisted the support of wildlife veterinarians to develop its protocols.
Consider both legal and illegal trade networks as the illegal trade is not limited to lions, but also includes other large cat species that are used to feed the international big cat bone trade.	This is an important issue that will be referred to the DFFE for consideration.
Develop a framework in line with the original decision made by the Minister, indicate the risks and challenges that will be created if only voluntary exit is considered.	The MTT is tasked with the voluntary exit options and pathways. The DFFE is considering other options for the industry and is conducting a public consultation process on its proposed regulations for the captive lion industry.
There are veterinarians who advocate for euthanasia and those who oppose it.	The personal preferences and opinion of each veterinarian is respected because the euthanasia of healthy animals must be justified by acceptable reasons and supported by the owner.
Challenges with euthanasia include the costs of euthanasia, the processes, and the veterinarians, the animals must be drugged, the disposal of carcasses and their transportation is very expensive. The cost of the vet evaluation can be expensive, and there should be funding specifically directed to the process.	The MTT recommends that the euthanasia of animals is guided by the Quality of Life Assessment conducted for each lion that forms part of the voluntary exit. The implementation of the process will be done with utmost respect to the animal's well-being and the advice of professional veterinarians. Where possible the MTT will facilitate the funding for the euthanasia and disposal of compromised lions.
it will be useful to understand captive breeding facilities' attitudes toward the current process, and whether they see the voluntary process ultimately leading to a compulsory process, because if they see it that way, they may be more inclined to	The ToR of the MTT focusses the task of the MTT to voluntary exit options and pathways for those that have indicated their interest. The motivation for voluntary exit has not been established by the MTT.

Key issues raised	MTT responses
enter the voluntary process rather than being forced to close under compulsory order.	
A legally binding method must be established to ensure that the industry is permanently closed. The voluntary exit option should be attractive, and incentivizing facility owners to exit the lion breeding and compensation, which may be a necessary legal aspect of a mandatory phase out, should be considered.	The MTT is focussed on the voluntary exit process. The DFFE is engaged in another process that includes the future of the captive lion industry.
Penalties should be in place for those who are non-compliant; consequently, the subject was raised about the views and opinions of non-compliant amnesty and to what extent penalties would cause fewer lion farmers to exit the industry. Non-compliance should be penalized in some way because it may present a bleak picture for the country if everyone is just compensated. Instead of a broad amnesty approach, use the Section 24G NMA process, administrative law measures, compliance letters, and fines to support compliance in the industry.	This is outside of the ToR of the MTT, but the suggestion will be forwarded to the DFFE.
The once-off sale or a period of hunting and selling all the bones to gain money. It is not an option because it will promote other features such as black-market trade. The pros for once-off sale are the financial benefits, the cons are that it may lead to money laundering and the exacerbation of illegal trade.	The MTT has considered the legal disposal of lion bones, parts and derivatives in the exit options and pathways. There is a limited legal domestic market for these products for THPs, and the sale of these products must be well managed to avoid the risk of leakages into the illegal markets. The once off sale of lion bones will most likely conflict with the 2019 court ruling and is not recommended by the MTT. However, incentives to incinerate the bones will be encouraged.
The task team should be clear about the method for closing the industry.	The MTT has a specific focus pertaining voluntary exit options and pathways for those that indicate their willingness to voluntarily exit from the captive lion industry. The sector wide issues will be referred to the DFFE for consideration.
The task team was recommended to run a process on the regulatory approach surrounding the mandatory closure in parallel with the voluntary framework because it is a Cabinet decision.	The MTT has a Specific ToR pertaining voluntary exit options and pathways for those facility owners that indicate their willingness to voluntarily exit from the captive lion industry. Policies regarding the future of the industry, is the mandate of the Minister and the DFFE.
When evaluating the bone trade, the task team should include members from Asian nations to ensure that the country does not undermine the legal systems of other countries to reduce the demand from the providing industry.	In considering this proposal, the MTT is guided by the 2019 high court decision in making any recommendations as well as public engagements. Broader issues around bone trade are outside the ToR of the MTT and this will be referred to the DFFE.
There should be a one-time incentive for people to hand over their lion bones and parts. This should be done in connection with an agreed-upon disposal method, such as incineration.	The MTT has considered the legal disposal of lion bones, parts and derivatives in the voluntary exit options and pathways.

Key issues raised	MTT responses
Fundraising strategy, the task team was advised to form a small group of members within the organizations who would give oversight for the funds to reassure the community and funders that the funds are utilized appropriately.	Most funders and NGOs prefer to administer their own funding or through their respective agents.
Are you aware of any unregistered facilities in South Africa that house captive lions?	The MTT conducted an extensive audit of captive lion facilities. Illegal captive lion facilities are not captured in the audit and its recommended that these illegal facilities – where they exit – should be closed own through enforcement of existing legislation.

4.3.5 Stakeholder Group: Specialist Organisations

The MTT held meetings with a range of specialist organisations (statutory and non-statutory) to obtain their views on specific issues relating to the voluntary exit options and pathways. These include the South African Veterinary Council (SAVC), the NSPCA and veterinarians with wildlife expertise, who played a pivotal role in advising the MTT on animal well-being criteria that must be adhered to during the voluntary exit process. Furthermore, they could advise the MTT on issues such as the criteria for euthanasia of old, diseased and/or inbred lions, humane euthanasia and sterilisation methods, and their costs and logistics. Additionally, the support from the veterinarian sector as a whole on voluntary exit options and the implication for the veterinary industry is of importance.

The Objectives of these Engagements Included:

- Provide input into voluntary exit options and pathways.
- Advise on animal welfare criteria for any physical, physiological and/or psychological conditions (and any combinations thereof) for compromised lions that may meet the criteria for euthanasia and/or justifiable veterinary treatment.
- Provide professional advice/criteria/protocols for the euthanasia of old, diseased, and/or inbred lions.
- Advise on methods/protocols of (mass) sterilisation and euthanasia.
- Provide cost and logistics for (mass) sterilisation and euthanasia.
- To provide input on standards for suitable facilities/appropriate destinations that may want to repurpose.
- Assist with captive lion animal welfare matters.
- Funding requirements to increase the capacity for inspections during the voluntary exit process, and to assist with site visits and the potential relocation of lions.
- Welfare standards for captive lions.
- Assist with developing criteria for euthanasia as per Section 5 of the APA.

Meetings and Discussions were held with SAVC and NSPCA:

- 1) February 21, 2023 - Letter sent to SAVC and NSPCA to serve on inter-governmental support group
- 2) April 4, 2023 - MTT Meeting with SAVC, NSPCA and wildlife veterinarians.
- 3) June 2, 2023 - MTT quality of life brainstorming session with experts
- 4) July 21, 2023 - MTT meeting with NSPCA Stakeholder Group
- 5) October 20, 2023 - NSPCA on welfare audit data
- 6) October 25, 2023 - NSPCA on welfare audit data (at the NSPCA offices)
- 7) December 1, 2023 – Report back meeting on the work of the MTT and initial draft recommendations voluntary exit pathways and options.

All responses to specific information requested from the NSPCA and SAVC as well as some veterinarians with wildlife expertise are tabulated in Table 4.8. General issues raised with MTT responses can be found in Table 4.9.

Table 4-8 Responses to Specific Information Requested by the MTT from the NSPCA and SAVC as well as some Veterinarians with Wildlife Expertise.

Topic	Responses from NSPCA and SAVC as well as some veterinarians with wildlife expertise	Associated costs (if applicable)
Protocols/criteria for euthanasia	<ul style="list-style-type: none"> ● There are no existing criteria, protocols or guidelines for euthanasia, but section 5 of the APA describes the specific circumstances under which a veterinarian, a police officer and a qualified officer of a SPCA can euthanize an animal if the owner is absent or does not give consent for the destruction of the animal. ● In theory, a perfectly healthy animal can be euthanised with the consent of the owner. However, the SAVC Code of Conduct and APA entitles a vet to euthanise an animal that suffers and can therefore overrule the owner's wishes to keep an animal alive. The interest of the animal always supersedes the owner's interests or wishes. However, under SAVC, a veterinarian must be able to justify such a decision, in case SAVC will receive a complaint on the conduct of the veterinarian in question. ● Screening for euthanasia should be based on the welfare state of the animal, and therefore the grounds for euthanasia could include the inappropriate conditions the animal is kept in, but more broadly its physical and physiological health as well as its mental well-being, or combinations thereof. ● An inspection is required to evaluate quality of life and if euthanasia is required by a veterinarian. An inspection may result in correcting contraventions of the APA via warnings to comply or in severe cases an animal cruelty prosecution may be warranted. ● Compromised animals need to be defined. This could be a guideline to veterinarians rather than regulation. However, veterinarians need to make the final decision on whether to euthanise. ● Zoonotic diseases are low on the list of priorities as criteria for euthanasia. Animal to human transmissions are rare. ● Psychological conditions are important but are subjective and difficult to assess. ● Inbreeding can be grounds for euthanasia but are difficult to prove other than by conducting DNA tests. ● SAVC would not publicly support mass euthanasia, even if this was done according to agreed protocols, but could take a stance on a case-by-case basis. However, they will require more information to make an informed decision. <p>Conclusion: Criteria for euthanasia can be developed with input from animal welfare specialists and veterinarians.</p>	
Methods of euthanasia	<ul style="list-style-type: none"> ● Preferred humane method: to dart with a tranquiliser to immobilise the animal and subsequently administer an overdose of an anaesthetic drug intravenously (generally 150 ml of pentobarbital). 	<ul style="list-style-type: none"> ● R4,000/lion, including vet fees, but excluding mileage.

	<ul style="list-style-type: none"> ● By shooting an animal; however, this requires an experienced shooter and generally creates chaos when lions are kept in small groups. ● To dart with a tranquiliser to immobilise the animal and subsequently bleeding an animal out. This method holds potential human health risks. 	
Ethical disposal of carcasses	<ul style="list-style-type: none"> ● Preferred ethical method: incineration through a commercial business, such as Legacy. ● To bury an animal, but this can create contamination of the soil and the skeleton can be exhumed later. ● Portable incinerators are not an option because the body mass of a lion is too large. 	<ul style="list-style-type: none"> ● R520/lion, if multiple carcasses are transported and incinerated together.
Protocols for justifiable veterinary treatment	<ul style="list-style-type: none"> ● No regulations are in existence in terms of whether or not animals should receive treatment, which will require investment of money and staff resources. Thus, each animal should be evaluated individually. ● Initial veterinary health check when a lion is first assessed: <ul style="list-style-type: none"> ○ Immobilisation ○ Blood screening for viral antigen tests and organ functions. ○ Vaccination programme: one combined vaccine for feline rhinotracheitis, herpes, calici and panleukopenia. Animals that have never been vaccinated need three vaccines administered four weeks apart. Annually thereafter. This can be done without immobilisation using a drop-out dart. ○ Rabies: Animals that have never been vaccinated need two vaccines administered four weeks apart. Thereafter, annually up to every three years. ○ Deworming – 1–3x per year and alternating between available products. For example, a dewormer tablet with praziquantel and fenbendazol combined active ingredients requires one tablet per 20 kg. i.e. eight tablets for a 160 kg lion. ○ External parasites (ticks & fleas) for compromised lions or lions in locations with high tick frequency. For example, Credelio 900 mg, 1–2 tablets, three times a year in summer only. ○ Visual dental checks should be done as part of general health check at no additional cost. If a more thorough dental check is required, including dental x-rays, this would need a veterinary dentist. ● More in-depth health checks – not absolutely essential <ul style="list-style-type: none"> ○ Clinical health checks (including auscultation, palpation, etc.) and blood work. ○ This can be done together with sterilisation of the lion to avoid a more than necessary number of immobilisations. 	<ul style="list-style-type: none"> ● R2,000/lion ● R5,000/lion, including immobilisation. ● R500/vaccine administered by vet ● Felocell 4: R1,340 for 25 vaccines ● Rabies: R110 for 10 dosages ● R100/lion 160 kg ● R400 for three tablets ● R5,000/lion, including for example dental x-rays, root canal treatment, tooth extraction, but excluding travel
Methods of sterilisation	<ul style="list-style-type: none"> ● Female lions: <ul style="list-style-type: none"> ○ Preferred method: Spay lioness by performing an ovariohysterectomy (removal of the reproductive organs, i.e. uterus and ovaries). 	<ul style="list-style-type: none"> ● R6,500/lion, including immobilisation and anaesthetic.

	<p>Preferred age: 18–24 months.</p> <ul style="list-style-type: none"> ○ Performing an ovariohysterectomy also prevents the female from coming into heat and she is therefore easier to manage in captivity. Furthermore, it is a preventative measure in terms of future health issues, such as pyometra (a life threatening condition lionesses of over 10 years are likely to get that is expensive to treat) and cancer. ○ Contraceptive implants: After the initial implant (Virbac), repeat after eight months and every 24 months thereafter. However, contraceptive implants are unreliable and can create management/behavioural issues. <ul style="list-style-type: none"> ● Male lions: <ul style="list-style-type: none"> ○ Preferred method: Vasectomise the lion by cutting the vas deferens and blocking the supply of sperm. ○ Preferred age: 12–18 months. ○ Castration is an option, but the animal will lose its mane. ● To reduce costs, only females need to be spayed. However, if males are moved to a facility with non-sterilised females, the males should be vasectomised as well. 	<ul style="list-style-type: none"> ● R6,700/implant, including immobilisation and anaesthetic (R2,800/implant only). ● R2,500/lion
Nutrition	<ul style="list-style-type: none"> ● Ninety-percent of all health issues are due to poor nutrition. ● The type of meat is important. For example, chicken is very low in copper. Donated meat can contain antibiotics and anti-inflammatory drugs. ● Frequency of feeding: optimal 1–2 per week a large meal at different times of the day to avoid stereotypical behaviour, which in turn creates stress for the animal. Up to a maximum of three times per week. ● Feeding frequency is often used as a management tool but requires well-trained staff to recognise and judge behaviour that may indicate health issues. ● Basic supplements may be necessary, in particular if animals are not fed whole carcasses. Adult carnivore powder administered at approximately 650 g/adult lion/month. ● Additional supplements may be required, depending on the animal's health and condition, such as Neurobion, Pro Joint, SAME, milk thistle, Essential Extreme. 	<ul style="list-style-type: none"> ● R150/adult lion/month ● approx. R1,000–1,500/adult lion/month, but could be more
Camp size	<ul style="list-style-type: none"> ● Area of 0.5–1 ha for the first lion plus 0.25–0.5 ha for each additional lion. ● Exercise for lions is limited to predominantly walking, and therefore size is not the most important part of their enclosure. Habitat, enrichment and social interaction are more important features. ● The size of enclosure is also dependent on the health of the animals, for example arthritic or older cats may prefer smaller camps. ● If possible, mixed groups of males and females are preferred, but the socialisation process is long and difficult and can lead to fighting injuries. 	

	<ul style="list-style-type: none"> Females should never be kept solitary, but males can be on their own. If possible, a small group of brothers would be preferable. 	
Safety of lion products for human consumption	<ul style="list-style-type: none"> The anaesthetic drug will only break down over a period of time and drug residue will remain in the muscles and bones of the animal up to about a year. However, the doses administered are small and therefore potential health issues for people ingesting these animal products will be minor. 	
Staff and staff training	<ul style="list-style-type: none"> No courses on offer in South Africa to train people in animal husbandry and care. In-house and on the job training required. Training workshops are sometimes offered through sanctuaries. Appropriately trained staff with the right skills and mindset to manage sanctuary type facilities are in short supply. 	
Availability of specialist vets	<ul style="list-style-type: none"> Many vets work with lions and hence sufficient vets should be available for routine procedures. However, for any more specific procedures, especially working with comprised lions, a more experienced vet is required, of which there are not many. SAVC will not be able to mobilise vets. The State Veterinary Council may be able to assist. 	
Legislation/policies	<ul style="list-style-type: none"> Animals Protection Act (71 of 1962) Performing Animals Protection Act (24 of 1935) Performing Animals Protection Amendment Act (4 of 2016) Veterinary and Para-Veterinary Professions Act (19 of 1982) All provincial regulations pertaining to the industry. Well-being has been included in the NEMBA but has not been signed off. 	
General comments	<ul style="list-style-type: none"> South African Police Service (SAPS) and the National Prosecuting Authority (NPA) are not interested in dealing with animals and animal welfare. For EMIs and nature conservation officials welfare is often not key and have little inclination to collaborate with NSPCA. Officials at a provincial level are not always au fait with their provincial regulations on for example minimum fencing conditions and camp sizes, which can result in overcrowding. Capacity constraints at the provincial level. Better communication is required between the NSPCA, provincial nature conservation authorities and EMIs. 	
Voluntary exit input	<ul style="list-style-type: none"> Lion breeders are already buying up smaller farms. Most farmers have diverse income streams, for example from wedding venues, accommodation and hunting. Compensation / financial rewards / incentives are required. 	

Table 4-9 General Issues Raised by SAVC, NSPCA and Veterinarians with Wildlife Expertise and MTT Responses.

Key issues raised	MTT responses
Screening for euthanasia should be based on the individual lion's state of welfare state and thus grounds for euthanasia could include the untreatable state of the lion's health conditions, including its physical, physiological and its mental health, or combinations thereof.	This was incorporated in the Quality of Life Assessments and euthanasia protocol.
An inspection is required to evaluate quality of life by a veterinarian. The inspection may result in correcting contraventions of the APA via warnings to comply or in severe cases of animal cruelty prosecution is warranted including the possible euthanasia of the affected lion.	In the MTT's Quality of Life Assessment and euthanasia protocol consideration was given to these recommendations.
Compromised animals need to be defined. This could be the guidelines given to veterinarians rather than a regulation. However, veterinarians need to make the final decision on whether to euthanise.	In the MTT's Quality of Life Assessment and euthanasia protocol consideration was given to these recommendations. Specific assessment scores are proposed for compromised lions.
Zoonotic diseases are low on the list of priorities as criteria for euthanasia. Animal to human transmission is rare.	The MTT recognises that zoonotic disease may be a risk but understands that animal to human transmissions is rare. Due consideration and appropriate protocols should be developed if the risks are high.
Psychological conditions are important, but subjective and difficult to assess	Some consideration has been given to mental conditions in the Quality of Life Assessment but the MTT recognises to difficulties in assessing these conditions.
Inbreeding can be grounds for euthanasia but is difficult to prove other than by conducting DNA tests.	These views were considered by the MTT in developing the Quality of Life Assessment and inbreeding is only a small part of the overall assessment.
There are no existing criteria, protocols or guidelines for euthanasia, but section 5 of the APA describes the specific circumstances under which a veterinarian, a police officer and a qualified officer of a SPCA can euthanize an animal whether the owner is absent or does not give consent for the destruction of the animal	The MTT has incorporated these views in the euthanasia protocol, which is guided by the Quality of Life Assessment conducted for each lion that forms part of the mandatory prerequisite for any voluntary exit. The decision to euthanise a lion will be based on the assessment score and the advice of a professional veterinarian with wildlife expertise.
The NSPCA is willing to share generic information on their database with the MTT, reflecting the number of facilities and lions kept in captivity, but no case specific information can be provided, as this would compromise adherence to confidentiality aspects.	The MTT respects the position of the NSPCA pertaining to the prescriptions of the POPI act regarding the provision of information to third parties.
When the NSPCA inspects facilities, they ascertain the number of animals at the farm, but they also rely on information provided on the permit because it is quite difficult to do conduct counts of each animal.	This was noted by the MTT.
The NSPCA indicated that a few people have approached them wanting to exit the captive lion industry, and they are willing to engage internally with the inspector and decide on the process and revert back to the MTT with a decision.	The MTT appreciates the assistance of the NSPCA. Interested parties should communicate this interest by email directly to the chair of the MTT.
The NSPCA cannot take wild animals into their custody and cannot be responsible for any lions surrendered.	Noted, the MTT is aware that the NSPCA does not have facilities or the capacity to receive or care for surrendered lions.

Key issues raised	MTT responses
The NSPCA will share Section 2 of the Animal Protection Act, as guidance for decision making and recommendations pertaining to “amnesty”.	This was noted by the MTT.
The NSPCA does not support the trade in wild animals.	The MTT respects NSPCAs policy.

4.3.6 Stakeholder Group: Traditional Health Practitioners

The next set of stakeholders that the MTT engaged with are the Traditional Health Practitioners (THP). Traditional cultural, spiritual and medicinal practices make use of lion bones, parts and derivatives in its widest sense, and amongst other issues the MTT wants to ascertain the size of the THP sector, and the willingness to consider any substitutes or alternatives. As extensive stakeholder engagement was undertaken as part of the HLP process with both traditional leaders and healers, the MTT decided that engagement would focus on THPs. A stakeholder session with THPs was held to identify traditional cultural, spiritual and medicinal practices that make use of lion products to understand the supply chain model for their acquisition of lion derivatives, and further ascertain the type and quantity of products that are utilised by THPs.

The Key Objectives of the Engagement Included:

- To understand and ascertain the level of traditional cultural, spiritual and medicinal practices that make use of lion bones, parts and derivatives.
- To understand to what extent lion products are consumed.
- To understand where lion products are sourced from.
- To raise concerns around zoonotic diseases and human health around the consumption and/or use of lion products for traditional, medicinal or spiritual purposes.
- To understand the legislative and regulatory framework around the legal use of lion products for traditional, medicinal or spiritual purposes.
- To ascertain willingness to consider synthetic and/or plant-based alternatives.

The following engagement took place:

- 1) A workshop was held on May 23, 2023 with the THPs stakeholder group.
- 2) Invited to December 1, 2023 – Report back meeting on the work of the MTT and initial draft recommendations voluntary exit pathways and options.

The key issues raised by the THP with MTT responses are tabulated in Table 4.10.

Table 4-10 Traditional Health Practitioners stakeholders engagement workshop – key issues raised and MTT responses.

Key issues raised	MTT responses
Terminology: THP, ATM and CAM	This was acknowledged by the MTT.
The safety risk associated with use of animal products, e.g. zoonotic disease. THPs should ensure that products are safe and not harmful to consumers.	The MTT acknowledges and agrees with the view that ATM and CAM of animal origin should establish the safety for human use and that these products do not cause harm.
Before any suggestions or any plans are made towards facilitating legal access to products and legal trade, there is a need to get the TOPS permit system right because the current system is too complicated.	This issue is outside of the ToR of the MTT and will be forwarded to the DFFE.
Legislative compliance must be considered by THPs when working with threatened or protected species.	The THPs are subject to all legal requirements for acquiring products and derivatives from African lions and other threatened or protected species.
Lion body parts and bones plays a significant role in customary practice.	The MTT acknowledges the significant role lion body parts and bones plays in customary practice and usage.
When it comes to lion use, there are clear differences between what lion parts THPs incorporate and use, their practices and which lion body parts are prescribed to the customers relating to the strength and symbolism of lions. The quantities used depend on the type of product and the specific circumstances and these cannot be generalized.	The MTT acknowledges the significant role lion body parts and bones plays in customary practice and customary usage.
THPs do not own live lions, but depend on traders with TOPS permits to obtain lion derivatives.	This was acknowledged by the MTT.
The task team needs to make sure that legislation does not criminalise people who want to use a product for traditional purposes.	The MTT focusses on the voluntary exit option from the captive lion industry. This is outside the ToR of the MTT; however this concern will be forwarded to the DFFE
The work of the THPs cannot be generalised because many THPs have been trained with different practices and depending on what the ancestors advice, each treatment can be unique.	The MTT notes the specificity and unique circumstances of each situation.
It was requested that those who are responsible for developing policies should ensure that the processes of getting permits is not too stringent and that it becomes an easier process for THPs to function legally.	This is outside the ToR of the MTT; however, this concern will be forwarded to the DFFE.
Lion body parts and bones are sourced from various sources – wild and captive. The source of lion body parts is not crucial, as all body parts undergo a ritual process of cleansing.	The sourcing of lion derivatives is noted by the MTT.
The voluntary exit options for the captive lion industry should not be rushed, the process should be allowed time to unfold in other ways and there should be proper engagements with the stakeholders.	The MTT considers the view of stakeholders through the public participation process. Various options and pathways for the voluntary exit from the captive lion industry have been proposed with various time limits. The MTT will take this into consideration.

Key issues raised	MTT responses
Refrain from using the word illegal when referring to the work of THPs, and the society should not condemn their activities and label them as illegal.	This concern was noted and will be forwarded to the DFFE
The impact of the closure of the captive lion industry on THP's is uncertain as products are generally not directly obtained from lion farmers, but mostly from "muthi" markets and shops.	This point is noted. The closure of the industry is outside of the ToR of the MTT, but this information will be forwarded to the DFFE.
The way an animal dies does not affect the use of the body parts, as the body parts are ritually "cleansed" for traditional practices.	This was acknowledged by the MTT.
The quantities, volumes/amounts of lion products that are used/consumed by THPs and customary practices are generally low	This was acknowledged by the MTT.
The question is it possible to substitute lion parts and derivatives with other species or plant-based alternatives. As part of customary practice, each species and part is used for specific purposes and cannot be substituted by other species.	This was acknowledged by the MTT.
How will the THP benefit from the voluntary exit?	In developing the voluntary exit options, the MTT will consider the impact on the availability of the products for THPs.
Bridging the gap between THP's and the primary sources of lion body parts and bones for THP to obtain them directly from sources. The system should give exemption to allow THPs to carry body parts of TOPS species. There should be better ways of connecting the THPs to the product and allow transportation between provinces.	This concern is outside the ToR of the MTT and will be forwarded to the DFFE.

4.3.7 Stakeholder Group: Lion Management Forum (LiMF)

The MTT engaged with the South African Lion Management Forum (LiMF), which is an association of reserves and lion managers focusing on the management of managed wild lions. The LiMF is a platform for the development and sharing of best practice guidelines for managed wild lions in South Africa through the facilitation of relevant research, risk assessments and socio-economic development initiatives.

LiMF Provides Research and Shares Information on:

- Recognition of the contribution that lion makes to conservation, culture and economics in South Africa
- Integrated and common approach to conservation management across conservation agencies and the private sector
- A holistic ecosystem approach rather than a species-specific approach
- Broadly inclusive of all stakeholders
- Incorporating economic outputs and outcomes into an integrated plan
- Applying ethical principles to defining best practice management for lion
- Using evidence based decision-making
- Documented and agreed best practice for planning, management, monitoring, and directed research guiding lion conservation
- Alignment with regional and international laws, policies, guidelines and strategies.

Objectives:

The objectives of the meeting with the LiMF was to:

- Understand the recognition criteria of facilities that have free roaming lions as part of their accredited wild managed lion facilities.
- Explore the feasibility of creating such reserves, which would initially hold sterilised captive lions and over time (when all the captive lions have died naturally or been hunted) migrate into wild lions from the meta-population.
- What would be the viability of establishing such reserves.

Meetings with LiMF were held on:

- 1) September 1, 2023 initial meeting; and
- 2) December 1, 2023 – Report back meeting on the work of the MTT and initial draft recommendations voluntary exit pathways and options.

The key issues raised and MTT responses are summarised in Table 4.11.

Table 4-11 Stakeholder Engagement with the South African Lion Management Forum (LiMF) – Key Issues Raised and MTT Responses.

Key issues raised	MTT responses
The forum was formed by a group of managed wild lion owners with the purpose of creating a platform for sharing best practices guidelines for the optimal management of managed-wild lions in South Africa.	The MTT obtained information from LiMF regarding their guidelines for best practice management of wild lions.
The LiMF does not have a formal stance on captive lions or registered captive lion facilities/owners, and they have not conducted any research on captive lions as a collective. They are focused on managed wild lions	This was acknowledged by the MTT. The MTT respects the vision of LiMF.
The LiMF has no formal criteria for the lion metapopulation, and management is primary based on certain principles. Each application for membership of LiMF is individually assessed.	This was acknowledged by the MTT.
The MTT requested guideline information about the costs of rehabilitating agricultural land into metapopulation reserves, whereas LiMF responded that this is not their specialist field.	This was acknowledged by the MTT.
The formal criteria pertaining to habitat or size requirements for reserves to be included into the managed wild lion population. LiMF assesses each individual application considering its unique features.	This was acknowledged by the MTT.
<p>The LiMF promotes the following aspects in managed wild lion populations, some of these may equally be applicable to captive lion management.</p> <p>Mimicking natural processes is the key. This is achieved by:</p> <ul style="list-style-type: none"> ▪ Increasing the age of first reproduction; ▪ Increasing the time between litters; ▪ Reducing litter size in order to mimic lower cub survival; ▪ Vasectomy is not recommended as it does not mimic anything natural; ▪ Mimic more frequent pride takeovers; ▪ Emigration/immigration of young males/females; ▪ Euthanasia should not be used lightly - it is preferable to address the underlying issues; ▪ Genetic integrity; and ▪ Disease management. 	This was acknowledged by the MTT. Some principles and action stated here could be applicable to the voluntary exit options and pathways.
Surplus metapopulation lions are available	The MTT notes that South Africa has an excess of managed wild lions. This aspect was considered during the development of the voluntary exit options and pathways.
MTT asked about the potential availability of lion carcasses for THPs for use in traditional practices and LiMF responded that some reserve have existing relationships with THPs.	The MTT has give consideration to this option, within the constraints in its ToR, and will also refer the general suggestion to the DFFE.

4.3.8 Government Departments and Entities

Relevant government departments and entities were consulted regarding specific issues, data, opportunities to provide incentives and potential non-compliances that may need to be dealt with by the relevant authorities during the voluntary exit process. Government also has a specific role to play in the protection of species and their associated habitat. Lions are listed as vulnerable species in terms of the TOPS list - section 56(1) of the NEMBA.

The provincial authorities have specific concurrent mandates with the national DFFE for the management of biodiversity, and are responsible for regulating, providing permits, monitoring compliance and a range of other activities related to captive lions. The mandated provincial nature conservation departments were requested to provide information, based on their permits and records as well as their inspection records (see chapter 5) to determine the:

- number of captive lion facilities,
- number of lions (and other predators),
- stockpiles of lion derivatives,
- number of workers on these facilities; and
- regulations and policies.

Other departments that are responsible for specific aspects related to the voluntary exit of lions, were also consulted on specific issues. For example, the DALRRD was consulted on animal welfare and land use issues, the Department of Health was consulted in terms of zoonotic diseases, the Department of Labour was consulted in terms of labour laws for workers employed by captive lion owners, SARS and the Border Management Authority (BMA) were consulted on customs and cross border trade, and the Department of Trade, Industry and Competition (DTIC) were consulted for economic advice.

Consultation was undertaken to ascertain how governments can assist with supporting the voluntary exit programme. Some of these stakeholders were part of the Intergovernmental Group and stakeholder meetings were arranged with various entities, when required.

Letters were sent to a variety of stakeholders to request input on the voluntary exit options and pathways for the captive lion industry, including tourism stakeholders such as South African Tourism, Southern African Tourism Services Association, and the Tourism Business Council of South Africa. The MTT received no input from these organisations.

However, the HLP report (2020) and their engagements with the Department of Tourism highlighted the following issues:

- Reflection is needed on the calls for improved animal interactions and, ethical and responsible tourism practices, and an end to unethical practices by captive facilities that offer different levels of interaction between humans and animals.
- The impact of the above on South Africa as a destination brand.

The key objectives in consulting the national government, provincial government and other entities were:

National Departments (DFFE, DALRRD, DOL, DOH, DTIC) and entities

- Responses on how they could support the voluntary exit of facilities from the captive lion industry.
- Soliciting recommendations for the voluntary exit options and pathways.
- Understand the risks associated with zoonotic diseases, potential consumption of lion products and the Meat Safety Act.
- Compliance of various labour laws with regards to employees of the captive lion industry.

- Occupational health hazards.
- Consultation on compliance and enforcement at captive lion facilities
- Potential funding requirements to increase the capacity for EMI inspections for facilities with voluntary exit agreements and enforce non-compliance.

Provincial authorities

- Consultation on provincial legislative frameworks and permit conditions.
- Potential funding requirements to increase the capacity for inspections for facilities with voluntary exit agreements and enforce non-compliance and related penalties.
- Agree on ownership and other responsibilities if lions are surrendered to the NSPCA or provincial issuing authorities.

Additionally, the MTT had numerous meetings with provincial authorities to collect and verify the data regarding captive lions. Meetings were held to solicit data on captive lions on the following dates:

- 1) February 21, 2023 - Letter sent to serve on intergovernmental support group.
- 2) April 12, 2023 – MTT meeting with the Provinces, National Departments and SALGA
- 3) September 20, 2023 - DFFE and Free State meeting
- 4) September 27, 2023 - DFFE and KZN meeting
- 5) October 16, 2023 - DFFE and Limpopo meeting
- 6) During July-September 2023 – numerous meetings with provincial authorities individually to verify national audit data.
- 7) December 1, 2023 – Report back meeting on the work of the MTT and initial draft recommendations voluntary exit pathways and options.
- 8) February 7, 2024 – DFFE report back meeting

The key issues raised during the above meetings and the MTT responses are summarised in Table 4.12.

Table 4-12 Provincial Authorities Stakeholder Engagement – Key Issues Raised and the MTT Responses.

Key issues raised	MTT responses
Provincial legislation governing the captive lion industry are not uniform and include regulatory and policy gaps. The lack of uniform legislation and regulations makes it difficult to regulate the captive lion industry. There is also need for standardised requirements for the welfare of lions.	The MTT regards the provincial authorities as important role players in the voluntary exit from the captive lion industry process. The inadequacies and inconsistencies of national and provincial legislation pertaining to captive lions is an important matter that needs to be addressed but does not fall within the mandate of the MTT. The MTT's role is restricted to an audit of the legislation and regulations, and the matter of standardisation will be forwarded to the Minister and DFFE for their urgent attention.
No procedures or regulations in place for institutions that choose to voluntary exit.	The MTT has drafted various options for voluntary exit from the captive lion industry as well as protocols and guidelines for the implementation thereof. The proposal is that the monitoring of voluntary exit conditions will be contractually bound.
Providing the most recent information for the captive lion facilities within each province.	As part of its audit, the MTT has requested detailed information from the provinces, including information about facility names, ownership, number of lions, purpose of lions, and number of employees at facilities. Information about lion bone stockpiles was also requested and supplied. The MTT appreciates the province's cooperation in providing the substantive information for the complete audit of the captive lion industry.
Permits required for lions include all restricted activities pertaining to TOPS species, and other activities as indicated in each province's provincial legislations, regulations and policy. The permits outline the activities that are permitted, and most permits cover all elements except euthanasia.	The MTT has noted the various permits provided by the provinces and is aware of their differing permitting processes and conditions that are applied to govern the captive lion industry in each province.
Euthanasia is considered an aspect that requires specific consideration, before a permit can be issued.	This was acknowledged by the MTT. Euthanasia is part of the recommended voluntary exit options and process. A Quality of Life Assessment and euthanasia protocol have been development to aid this process.
Mandates of provinces do not include welfare of animals.	Well-being is now included in NEMBA.
Staff issues. The number of EMIs and conservation inspectors are not adequate to conduct regular inspections.	This was acknowledged by the MTT. The MTT realises that provinces may only function within their legal mandates and within their allocated budget. The implications of capacity constraints on the implementation of the voluntary exit options and pathways will be considered by the MTT and brought to DFFE's attention.
The administration of permitting systems across the provinces varies substantively. Some provinces have full electronic permit applications, issuing and tracking systems, while others use a manual system.	This was acknowledged by the MTT. The MTT is concerned about the large variation across provinces for the issuing of permits, the requirements for permits, the processes of issuing permits and the system of monitoring compliance. Based on the audit, the MTT will recommend to the DFFE the need for a uniform electronic system to issue and update permits, monitor compliance, provide live data and collate reports.

Key issues raised	MTT responses
The trade in lion bones does not indicate any significant negative effect on lions in the wild.	This was acknowledged by the MTT, although not enough research is available to assess the impact of the lion bone trade on the wider wild lion populations across all range states. The MTT have included recommendations regarding lion bone stockpiles in the proposed exit options.
The conflicting message about the shortage of funds for employing skilled people for provinces, while some additional pressures are now added to provincial authorities to implement the voluntary exit system.	This was acknowledged by the MTT. The MTT acknowledges the full workload of provincial authorities and will forward this concern to DFFE.
Compensation for exit from the captive lion industry is important as considerable amounts of money have been spent to establish facilities according to provincial standards.	As this is a voluntary exit programme, no monetary compensation will be provided. The MTT will assist with providing incentives for certain aspects of the voluntary exit options.
Some provinces have hunting of lions, while others do not.	This was acknowledged by the MTT. The MTT has considered this in the proposal of voluntary exit options and pathways focus.
The types of facilities vary substantively, e.g. Gauteng zoos, sanctuaries, exporting facilities, Free State, North West and Limpopo hunting, keeping and breeding, Western Cape sanctuary. NC no lion facilities, Mpumalanga only exhibition, no breeding.	This was acknowledged by the MTT and also identified in the MTT's audit of the provincial legislation and regulations. The wide variety of activities and types of captive lion facilities implies that one approach for all facilities will not be possible. Thus, the MTT developed various exit options and pathways, which can be used in combination to accommodate the individual circumstances.
The employees at captive lion facilities are not recorded.	Most of the provinces indicated that they do not have information about the number of employees working at captive lion facilities. A recommendation in the future is for all captive lion facilities to report on the numbers of registered employees at their facilities.
Not all the provinces implement the TOPS regulation.	This was acknowledged by the MTT. The MTT is in favour of a standardization of regulations across all provinces, including the implementation of TOPS regulations. This concern will be forwarded to the DFFE.
All provinces require a management plan as a prerequisite for the establishment of new facilities. The format and required information however differ.	This was acknowledged by the MTT. The MTT will forward this concern to the DFFE. The implementation of management plans/operational plans are considered important aspects of ensuring proper management of captive lions, including the well-being of animals.
The income generation potential of the captive lion industry should be considered.	The MTT has considered this in proposing various voluntary exit options, and a detailed evaluation will be conducted of each volunteering facility in determining the exit conditions. The economics of the broader industry are beyond the ToR of the MTT and this will be referred to the DFFE.

Table 4-13 Department of Forestry, Fisheries and the Environment Stakeholder Engagement – Key Issues Raised and the MTT Responses.

Key issues raised	MTT responses
What was the attitude of the Industry towards voluntary exit.	There were a number of issues raised including the request for compensation, their right to exit as they were legitimate businesses, the poor regulation capacity of the government, a proposal to assist the government to monitor compliance of facilities, and others.
How does the MTT propose to address the unintended consequences?	The proposals broadly include closer monitoring of compliance, building the capacity of regulators and streamlining applicable regulations.
Proposal for the stockpile of lion bones and the risk regarding the absence of a quota.	As part of the voluntary exit process, the MTT recommends purchasing and disposing of lion bones for facilities that volunteer to exit or sterilise their lions.
Length of the permits, and process for renewals	Provinces have varying approaches towards permits, e.g. keeping permits are valid for three years. The MTT believes that the length of these permits should be reduced to one year.
Will the MTT consider a longer phase-out period	While this may be possible, it will be important to consider the risks to ensuring animal well-being over a longer period.
Possibility of targeting the smaller facilities for early uptake.	The approach thus far was to target all facilities.
Given the department's objective of closing down the industry will the status quo remain in the interim period for volunteering facilities?	For the volunteers, there will be specific contractual agreements that they will need to comply with as part of the volunteering process.
Will the voluntary exit reduce the pressure on the EMS?	The MMT has conducted an assessment of the costs related to monitoring, and a reduction in costs will materialise once the volunteering facility has fully exited from the industry.
Have the key NGOs been involved in the process and their attitude towards voluntary exit.	Yes the NGOs have been extensively consulted, and in general they support the process as the first step in the closure of the industry.
What are the risks of litigation with voluntary exit?	While the MTT has taken steps to reduce the risk of litigation, it will be difficult to anticipate any possible legal challenge.
Possible tax incentives for facilities that volunteer to exit?	In the meeting with SARS, they indicated that this is difficult within the current tax framework.
On clarity of definitions, the DFFE suggested that we consult with the Chair of the Wildlife Forum	The recommendation was acknowledged
Socio-economic assessment for the voluntary exit	This has been captured in the report.
On humane euthanising of the lions, the meeting recommended that we look at the experience of implementing this with elephants and marine experiences.	The MTT has developed a protocol with respect to the humane euthanising of captive lions, and look at these experiences.
On the export of lion bones, a zero quota given the current state of the industry, should be considered.	This was noted.

Key issues raised	MTT responses
The MTT should give consideration to a short and concise report for submission to the cabinet, with references to a more comprehensive document will relevant annexures.	This was noted and will be considered.
The DFFE indicated that their budget was reduced significantly, and that they do not have the fiscal space to finance incentives to support the voluntary exit process.	This was noted.
In terms of implementation options, the DFFE will consider this within the framework of its compliance obligations.	This was noted
Public participation issues beyond the scope of the MTT	All matters outside the TOR of the MTT raised by stakeholders will be referred to the DG of DFFE for consideration.

4.3.9 Potential Donor Engagement

Section 2.4 of the ToR indicates that the MTT needs to identify, mobilise and endorse potential funding mechanisms, sources and procedures to support the voluntary exit strategy and pathways. The meeting with potential donors indicated that they will be able to finance the costs of selected services to support the voluntary exit. Government with its constrained resources will support the process for specific needs, under its existing programmes. All donors indicated that they will support the programme on the basis that their identity remains anonymous and their selected agents will manage the funds and account for the expenditure through contractual agreements.

The support for the voluntary exit strategy work undertaken by the MTT includes:

- To carry out health assessments, sterilisation and euthanasia of compromised lions.
- To support the potential costs of rehoming related to voluntary exit.
- Disposal of lion derivatives including stockpiles of bones.
- Skill development and training of workers.
- Any independent professional legal advice.
- Any other service identified in the voluntary exit options and pathways.

Any funding request for support of the directives of the MTT, will need to be accompanied by a detailed budget. Funders may support specific services for which they have provided funds. The funds will be administered by appropriate agents who provide services for the donors and will be subject to their internal auditing processes. The MTT will need to raise additional funds, and the fundraising efforts may need to continue depending on the requirements during the implementation phase of voluntary exit.

The ethical principles related to the fundraising and funding of the voluntary exit programmes includes:

- Funding raised on behalf of the voluntary exit programme must support the voluntary exit options identified by the MTT and any voluntary exit related incentives as identified by the Minister.
- The funding will be independently raised and administered by the donors and their agents in compliance with their internal policies and contracts with donors and the recipient.
- The MTT and DFFE will not be responsible for the administration of the funding raised by donors for the voluntary exit programme.
- Specific procedures for the implementation of funding for voluntary exit programmes are followed as determined by the donors.
- The audit and reporting on the use of funds raised by donors, will be the sole responsibility of the respective donors.
- The request by donors to remain anonymous will be respected by the MTT.

5 Focus Area 2: National Audit of the Captive Lion Industry

As per the ToR, the MTT conducted an audit of exiting captive lion breeding and keeping facilities nationally to confirm: the number of lions and their age and sex; stockpiles of lion parts and derivatives; the practices and uses within that facility; number, level of employment and skills of workers; and potential other land use options within the biodiversity economy.

Considering the limited time and resources available to complete the MTT programme of work, it has been agreed that this would not include undertaking a full national audit, i.e. the physical inspection of all existing facilities in South Africa. However, the MTT would endeavour to compile a database that was as comprehensive as possible of all known captive lion facilities, including data such as farm name, location, owner, type of facility, number of lions, and number of employees, where available, from existing databases.

5.1 Methods

5.1.1 Data Collection on Facilities

Existing data were collected and collated between February 2023 and October 2023. Four sets of data were used and augmented to create the final database.

Dataset 1: Baseline Data.

The baseline data were provided by the NGO Blood Lions®. The database lists facilities by province and had been compiled over several years from various sources, including internet research, permits acquired via PAIA requests, local knowledge and news reports. Data fields included: facility name and location, ownership, number of lions and other predators. This was supplemented by internet searches and information from various NGO reports and scientific publications to complete the dataset.

Dataset 1 represents the best available historical data that were available at the beginning of the MTT work.

Dataset 2: Historical DFFE Inspection Records

Compliance inspection records were provided by the DFFE from compliance inspections conducted in collaboration with the provincial authorities between 2016 and 2020. These inspections covered all provinces. The records were received in MS Word format and data were extracted and captured per facility into Excel to supplement and update dataset 1.

Dataset 2 represents the best available data for the period of 2016–2020.

Dataset 3: Data from Provinces.

Formal meetings were held with provincial authorities to explain the role of the MTT and to express the need for audit data on lion facilities. Subsequently, a formal request was emailed to each provincial representative requesting specific, current permitting information. A spreadsheet was provided for completion showing the necessary data fields (facility name, ownership, location, permits, last inspection dates, number of lions and other species, bones and trade, employees), but provinces were encouraged to submit their data in any format that was convenient.

Although the mandate of the MTT was focused on captive and captive-bred lions, the ToR also required the identification of possible unintended consequences from the voluntary exit of the captive lion industry, which could for example be changes to other captive indigenous and/or non-indigenous large felids held in these facilities. Thus, data were also requested on the numbers of these large felids.

Data received from the provinces was collated and curated to develop dataset 3 and then subdivided per province. The subset for each province was emailed to the relevant province for verification and updating. Thereafter, face to face meetings were held with each province to further verify data, resolve discrepancies and verify the following:

- Name of facility, ownership, location (municipality), existence of facility and state of infrastructure, permit validity, TOPS/ Permit, registration purpose of the facility, presence of lions, lion numbers, trade, lion bone stockpiles, compliance reports, other large felids at the facility and the number of employees.
- We were able to verify through physical data the permits of most facilities.

We continued to liaise with provinces and kept receiving data over time. Some changes were made on various datasets because some provinces were still conducting inspections and shared data as it became available.

Thereafter, online meetings were held as required to ensure that the final version of dataset 3 was as accurate as possible. Provinces did continue to update records on an ongoing basis and provided the updated information. A cut off time for changes was set for September 30, 2023. Thereafter, each province signed off the final verification of data as at end of September 2023. This reflected the number of lions in the province according to the provincial authority using their best available information. Note: these data were for the actual number of lions present at the facilities and not necessarily the number of lions indicated on the provincial and TOPS permit.

Further updates were received after this date, but were only kept as records and for discussion purposes.

Dataset 3 formed the most recent and up to date estimate for number of captive lions and facilities in South Africa as of September 30, 2023.

Dataset 4: 2023 DFFE Compliance Inspection Records

The DFFE with the provincial conservation authority were conducting compliance inspections during June, August and October 2023 in North West and Limpopo. Inspections were conducted onsite by at least two officials representing DFFE and at least two from the relevant provincial nature conservation authority. These data were supplied in pdf format and information was extracted and captured into Excel to allowed for more in-depth analyses of a subset of facilities. Data obtained included dates of inspection and officials responsible, and for each facility, lion numbers, compliance information, carcass disposal, stockpile presence, other large felids held, and photographs taken during the inspection of facilities.

Dataset 4 represents information on a subset of facilities audited in June, August and October 2023.

5.1.2 Data Requested from Other Sources.

Data were also requested from the captive lion industry, including the following professional associations: SAPA, PHASA, WRSA and PAAZA. Welfare inspection records were requested from the NSPCA.

Data from provinces (outside of dataset 3) was provided in consultation meetings. This was often disparate but was captured centrally and used to supplement analyses where required and relevant.

5.1.3 What did the MTT Consider as a Captive Lion?

There is misalignment between provinces in how a captive lion is classified, especially in provinces where there are both captive and managed wild metapopulation (reintroduced) lions. If captive lions have been released into a larger area, they are often no longer considered to be part of the captive population, such as in the

Eastern Cape, and are therefore excluded from the captive lion numbers. Alternatively, managed wild lions are also sometimes included in provincial records on lion numbers. For this reason, it was decided that lions would be considered as captive unless they are actively managed under the LiMF or if the reserve is included in the list of managed wild lions as obtained from SANBI.

5.2 Data Analyses

Data were received in varying formats including electronic and hard copies of permits and Excel spreadsheets. These data were captured, collated and curated in Excel and analysed using descriptive statistics.

5.3 Results

5.3.1 Data Obtained

Data were obtained from government sources for the purposes of datasets 2, 3 and 4, and provincial authorities provided detailed explanations and insight where required. For dataset 3 (n = 348), more than three consultations were conducted for each province and phone calls, online meetings and WhatsApps were also used to obtain any clarity needed. Dataset 2 (n = 130) did not have complete information for all facilities in all provinces and was therefore not useful for the purpose of generating historical trend data for the audit as was envisaged, but it nonetheless provided a good basis to work from.

No data were supplied by any industry representatives. PAAZA provided their studbook for captive lions. The NSPCA were willing to provide the number of lions from their welfare compliance inspection reports after they received legal advice, but a data sharing memorandum of understanding (MOU) could not be secured timeously from the DFFE.

Compliance inspection reports (data 4) for the North West and Limpopo (n = 64) were obtained from the DFFE and covered the months June, August and October 2023. North West provided a detailed summary of lion bone stockpiles in the province.

5.3.2 Number of Facilities and Lions

The most reliable and current estimate of captive lions and facilities in South Africa is 7,838 lions in 342 facilities (Table 6.1). The range in lion numbers within facilities is large, ranging from 367 lions to only one lion per facility, with a mean number of 22.9 lions per facility. The Free State, North West and Limpopo together house 93% (n = 7,321) of South Africa's captive lions and 82% (n = 279) of captive lion facilities. The Free State has 41% (n = 3,226) of the national captive lion population with 38% (n = 131) of the facilities and a mean of 24.6 lions per facility. North West Province accounts for 39% (n = 3,040) of the captive lion population in 27% (n = 93) of facilities with a mean of 32.7 lions per facility. The Western Cape, Eastern Cape, Gauteng, Mpumalanga and KwaZulu Natal house 7% (n = 526) of the national captive lion population. The Northern Cape is the only province with no captive lions (See Figure 5.1; Table 5.1).

Table 5-1 The number of captive lions, captive lion facilities and the mean, range and modal number of lions per facility in each province in South Africa at the end of September 2023. Data collated from permitting records provided by the relevant provincial conservation authority. The Northern Cape has no captive lions.

Province	No. of facilities	No. of lions	Mean no. of lions per facility	Smallest no. of lions per facility	Largest no. of lions per facility	Range	Modal value lions per facility
Eastern Cape	19	195	10,3	1	34	33	4
Free State	131	3226	24,6	1	253	252	2
Gauteng	11	98	8,9	2	29	27	2,3,5,6
KwaZulu Natal	2	28	14	12	16	4	-
Limpopo	55	1046	19	1	200	199	2
Mpumalanga	6	64	10,7	2	42	40	2
North West	93	3040	32,7	1	367	366	3
Western Cape	25	141	5,6	2	21	19	3
Total	342	7838	22,9	-	-		-

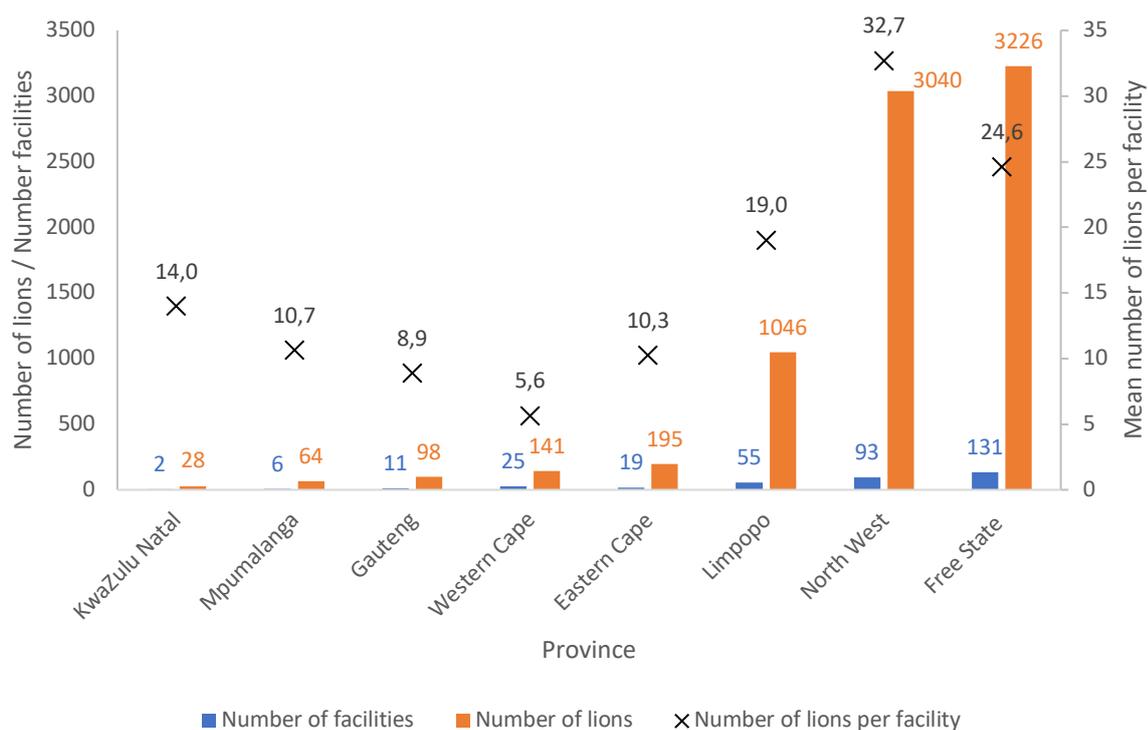


Figure 5-1 The number of captive lions, captive lion facilities and lions per facility per province in South Africa as of September 2023. Data obtained from provincial permitting records. The Northern Cape was excluded as it has no captive lions.

The range of the number of lions per facility is represented in Figure 5.2. Facility size was grouped in categories of 20 and the count of the number of facilities per province in each category was plotted. Nationally, 72.4% (n = 244) of facilities have less than 20 lions, 12.8% (n = 43) have 21-40 lions, 5.9% (n = 20) have 41-60 lions, 2.4% (n = 8) have 61-80 lions, 1.8% (n = 6) have 81-100 lions, 1.8% (n = 6) have 101-120 lions, 0.9% (n = 3) have 121-140 lions, 0.9% (n = 3) have 161-180 lions and 1.2% (n = 4) have more than 180 lions.

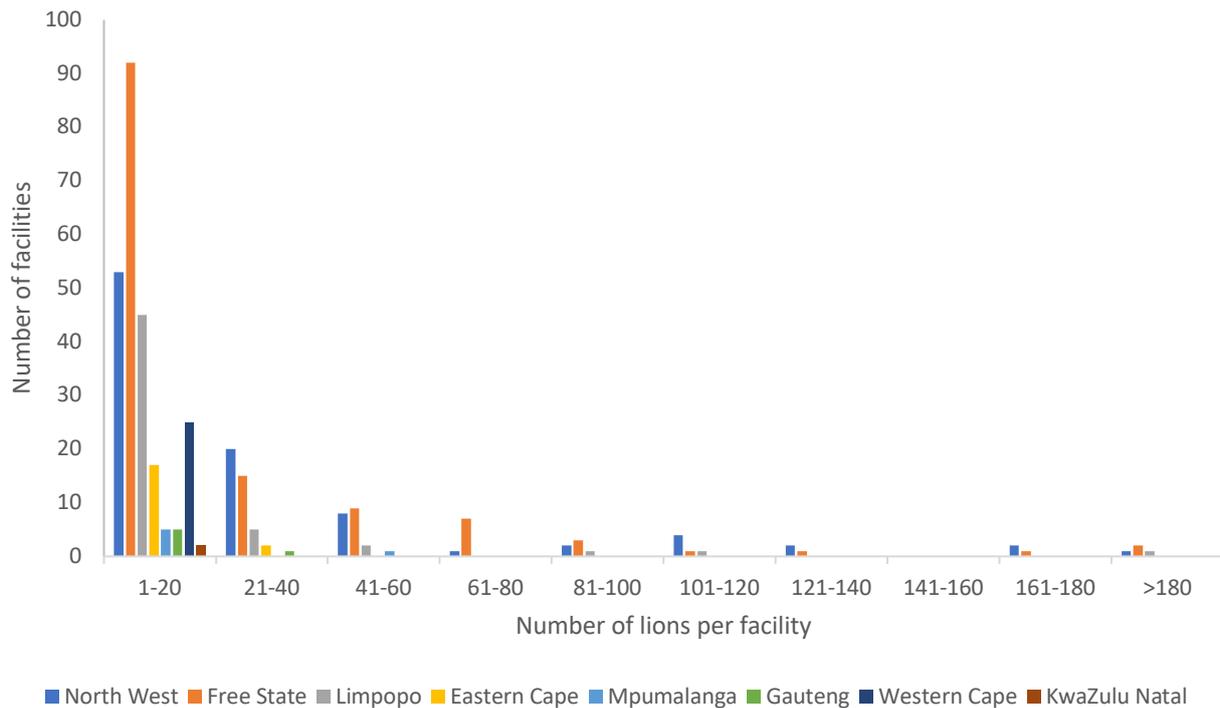


Figure 5-2 Distribution of the number of lions kept at a facility per province for all captive lion facilities in South Africa, as of September 30, 2023. Data obtained from provincial nature conservation authorities. The Northern Cape was excluded as it has no captive lions.

5.3.3 Changes in the Captive Lion Industry Over Time

Changes in the size of the captive lion industry from 2005- 2023 were investigated nationally (Figure 5.3) by using historically published information and the current 2023 estimate from this study, the mean number of lions per facility was calculated (Figure 5.3). Between 2005 and 2023, there has been a 213.5% increase in captive lions ($n = 2,500$ to $n = 7,838$), a 584,0% increase in the number of facilities that hold captive lions ($n = 50$ to $n = 342$), but a 54% decrease in the number of lions per facility ($n = 50$ to $n = 23$) in South Africa. Data were not sufficiently detailed to determine trends at a provincial level. This trend however is consistent not only over the last 19 years, but also during more recent years: for the last three survey periods (2017, 2018, 2023), lion numbers increased by 12% ($n = 7,000$ to $n = 7,838$), the number of facilities increased by 31.5% ($n = 260$ to $n = 342$) and the number of lions per facility decreased by 14.8% ($n = 23$ to $n = 27$).

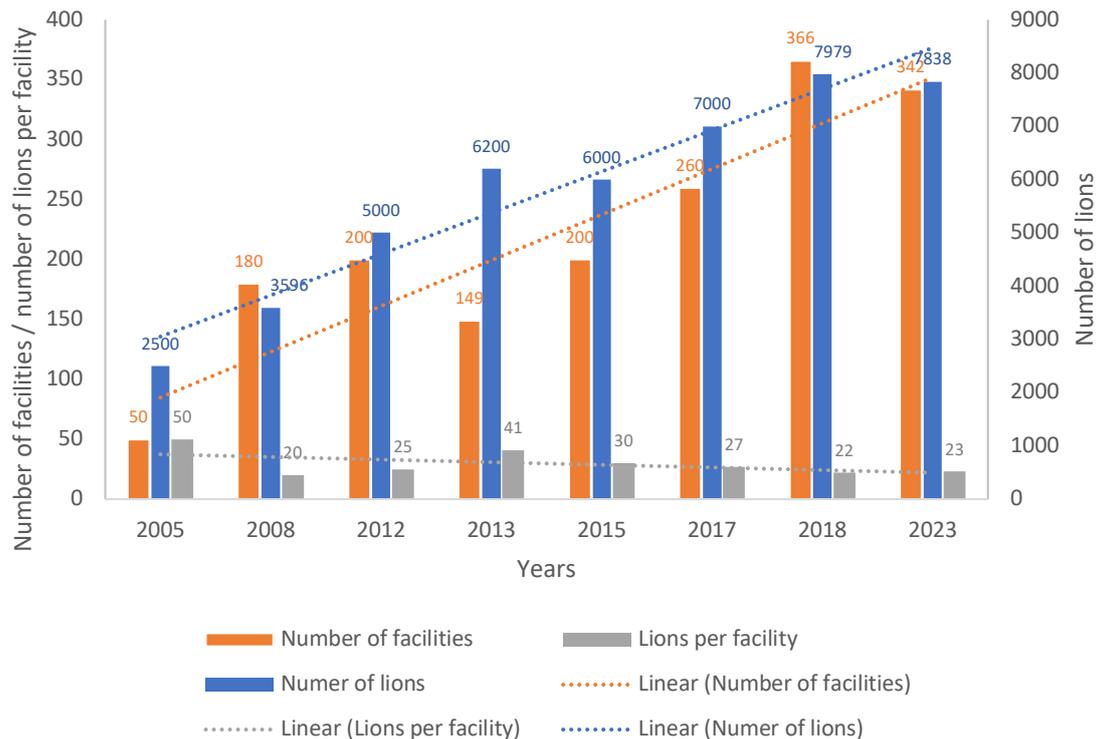


Figure 5-3 The number of captive lions, captive lion facilities and number of lions per facility in South Africa reported from 2005 to 2023. Estimates from 2005–2018 sourced from published peer-reviewed papers, reports and DFFE statements, 2023 estimates sourced from provincial permitting records. Bars represent the estimated number and lines represent the linear trend.

A total of 49 compliance inspection records were provided by the DFFE (one inspection per facility), 42 from North West (32.8% of current facilities) and seven from Limpopo (12.7% of current facilities). These inspections were conducted during June, August, and October 2023. The facilities that were inspected for both this compliance inspection and the data for that facility within dataset 3 were subsampled and filtered to only include facilities that were surveyed in consecutive months ($n = 32$). The difference in the number of lions in that facility between the two reports was calculated as a percentage change (Figure 5.4), thus 0% means there was no change in the number of lions kept at the facility, any negative numbers represent a decrease in lion numbers by the corresponding percentage (e.g. -50% = decrease by half) and any positive values represent an increase in lion numbers at the facility by the corresponding percentage. This analysis shows that the change in lion numbers at any facility can vary greatly from a 575% increase to a 54% decrease in just one month. Increases could be due to births or introduction of live lions onto the facility through trade. Decreases could be due to removal of live lions to other facilities, mortalities, and/or the hunting of lions.

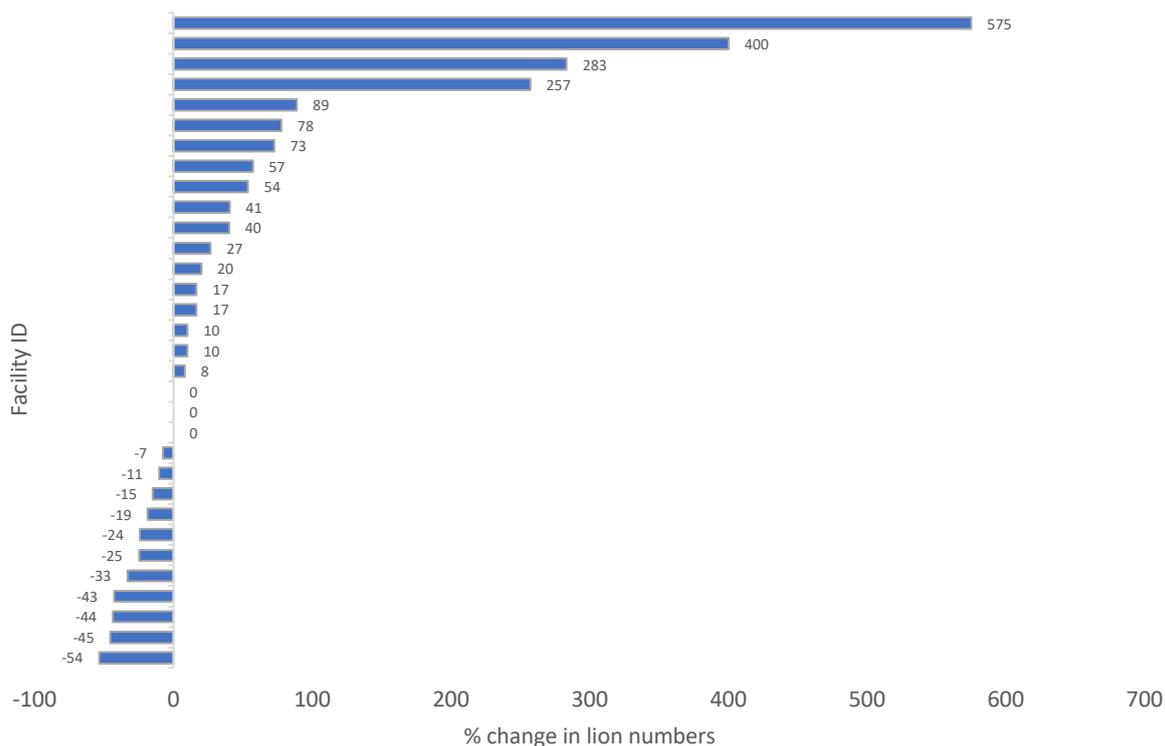


Figure 5-4 Percentage change in lion numbers over a one-month period in a subset (n = 32) of captive lion facilities in the North West Province, South Africa. Data obtained from compliance inspection records from August and October 2023 (dataset 4) and from provincial conservation authorities as on the September 30, 2023 (dataset 3).

5.3.4 Other Captive Predators

Data on the numbers of other captive predators were obtained from some provinces (Table 5.2) and often were not provided consistently. Tigers were the most numerous with 626 recorded, followed by 484 cheetahs and 338 servals. The Free State had the most other captive predators (n = 715) followed by North West (n = 633). North West had the most tigers (n = 275) and Free State had the most servals (n = 142) and cheetahs (n = 134).

Table 5-2 The number of captive predators, other than lions, per province in South Africa. Data collated from permitting records provided by the relevant provincial conservation authority on September 30, 2023. The Northern Cape has no captive predators and data were not obtained for KwaZulu Natal and Mpumalanga.

Province	Jaguar	Wild dog	Leopard	Caracal	Serval	Cheetah	Tiger	Total
Eastern Cape	2	0	34	6	12	26	16	96
Free State	17	47	63	128	142	134	184	715
Gauteng	7	18	20	5	43	27	20	140
Limpopo	17	128	58	70	71	129	107	580
North West	18	39	87	64	56	94	275	633
Western Cape	3	1	10	24	15	74	24	151
Total	64	233	272	297	339	484	626	2,315

5.3.5 Stockpiles of Lion Bones, Parts and Derivatives

Data were obtained on facilities that were holding lion bones, parts and derivatives from the provinces in dataset 3 that reported on the presence of stockpiles for 85% (n = 294) of known facilities, of these 9% (n = 25) reportedly carry stockpiles (Table 5.3). These data were supplemented with information from the DFFE compliance audits (dataset 4). This subset of data allowed for the broad evaluation of accuracy presented in Table 5.3. North West had the highest proportion of facilities with stockpiles with 22% vs 36% (provincial reports vs inspection records) followed by Limpopo with 8% vs 25% of facilities, respectively, holding stockpiles. The number of facilities holding stockpiles in the remaining provinces was negligible, while the Free State noted that their data on stockpiles was deficient.

To obtain an estimate of the size of the stockpiles held in each province, the authorities provided estimates during stakeholder engagement meetings and North West Province provided a comprehensive spreadsheet of stockpiles per facility at the end of September 2023 (Table 5.4). Further information was reported on in the compliance reports for dataset 4, which was useful for discussion purposes as North West Province provided comprehensive data. There were reports of stockpiles of parts and derivatives for other big cats, but they were not consistently reported on and the data were sparse, but include tiger and leopards parts.

Table 5-3 The number of captive lion facilities per province in South Africa for which data were provided for facilities that have lion bones, parts and/or derivatives. Data were obtained from provincial authority records and verified by each province. Values in parentheses obtained from compliance inspection records for North West and Limpopo provinces (dataset 4).

	Eastern Cape	Free State	Gauteng	KZN	Limpopo	North West	Western Cape	Total
No. of facilities in province	19	131	11	2	55	93	25	342
No. of facilities reported on (audited)	13	95	11	2	53 (8)	93 (55)	26	294
% facilities reported on	68%	73%	100%	100%	96%	100%	100%	85%
Facilities with stockpiles	0	1	0	0	4 (2)	20 (20)	0	25
% facilities with stockpiles	0%	1%	0%	0%	8% (25%)	22% (36%)	0%	9%

Table 5-4 Details on stockpiles of lion bones, parts and derivatives held by captive lion facilities in South Africa. Data for North West Province provided by the province and updated at the end of September 2023. Data for the other provinces are estimates supplied during consultation meetings.

Province	Whole carcass*	Skeleton (excl. skull)	Skulls	Bones in kg	Whole skins
North West	2766	6	622	259	29
Free State		79			263
Gauteng	23	22	14	506	0
KwaZulu Natal	0	0	0	0	0
Limpopo	99	168	Unknown	Unknown	Unknown
Mpumalanga	0	0	0	0	0
Western Cape	0	0	0	0	0
Total	2,888	275	636	765	292

Note: Many records of "other" items, including claws, floating bones and teeth, were reported on inconsistently, making tabulation unreliable.

*Whole carcass: skeleton, skull, skin, claws, teeth, etc.

5.3.6 Employment in Captive Lion Facilities

Employment figures were available for a subset of 116 facilities in North West (n = 89) and Limpopo (n = 27) from dataset 3 (Table 5.5). These were provided as the number of employees in each of the 116 facilities and were summed per province. The mean number of employees per lion and mean number of employees per facility were calculated and presented per province as a sample total. This allowed for an extrapolation to estimate the number of employees in the whole of the captive lion industry in South Africa. Assuming that the employment figures obtained were representative of the captive lion industry nationally, extrapolations were then made to obtain national estimates (Table 5.5). Thus, using the number of employees per lion, an estimate of 1,568 people could potentially be employed in the lion industry in South Africa. When extrapolating the number of employees per facility, an estimated 2,069 people could be employed in the lion industry in South Africa. It must be noted that these are estimates because the provincial biodiversity authorities indicated that they generally do not keep record of employees. It is however unclear whether these employees are solely working with captive lions or are also contribute to other commercial activities.

Table 5-5 The number of employees in captive lion facilities in North West and Limpopo, obtained from the provincial conservation authorities. Extrapolations were made to estimate the number of employees nationally in the captive lion industry.

	Limpopo	North West	Total
Number of employees	109	593	702
Number of facilities	27	89	116
Number of lions	631	2,852	3,483
Mean number of employees per facility	4,04	6,66	6,05
Mean number of employees per lion	0,17	0,21	0,20
Estimated total number of employees in the captive lion industry in South Africa			
If 7,838 lions in South Africa and 0,20 employees per lion:		1,568 employees	
If 342 facilities in South Africa and 6,05 employees per facility:		2,069 employees	

5.4 Discussion

Obtaining an accurate number of captive lions in South Africa is an impossible task due to the industry being in a constant state of flux: lions are bred, sold, hunted and die on a continual basis and numbers of lions in a single facility can decrease by 54% or increase by 575% in just one month (Figure 5.4). For example, a facility may have five pregnant females who all birth in the same month, resulting in 10–30 more lions on the property or a consignment of lions may be sold for hunting purposes, resulting in a reduction in lions at the facility. Permit renewal is province dependent, but no province has a real time auditing system. Most permits reflect the number of lions in the facility at the time the permit was issued or even the maximum number of lions that facility may be allowed to hold, and permits are valid for one to three years depending on the type of facility and the province.

Despite this, permitting records were considered to be the most reliable method of obtaining a population estimate for this audit. The MTT had no authority to enter premises and time and resource constraints made site visits to verify lion numbers impossible. Even if site visits were made, it is impossible to know where on the property lions are housed and if all animals were accounted for. The permitting data were supported and verified through interviews with provincial authority officials, who are familiar with the facilities, and the latest inspection records from DFFE for Limpopo and North West. We are confident that the data for 2023 is as accurate a reflection of the industry status as possible. It is still possible that the DFFE will finalise the MOU with the NSPCA and those data may be obtained and can be included.

5.4.1 Number of Facilities and Lions

South Africa has a substantial captive lion population with 7,838 lions in captivity. The Free State currently has the largest captive lion population ($n = 3,226$), as the province where most of the breeding takes place. The lions are being exported to mostly the North West and Limpopo for hunting purposes. Hunting is permitted in the Free State, but breeding and hunting cannot take place at the same property (Regulatory Framework chapter Table 6.3). The Free State has reported a decrease of 500 lions since the end of September 2023 cut off for the audit. Even though this is a significant number of lions, it is unlikely to have impacted on the national population number as all the lions were exported out of the province to other provinces.

The Free State, North West and Limpopo are the most important provinces in terms of the commercial captive lion industry as that they house 93% ($n = 7312$) of the captive lion population. They are also the provinces that are most actively engaged in breeding and hunting, although the Free State is mostly involved in breeding.

5.4.2 Changes in the Captive Lion Industry Over Time

Since 2005, the overall trend in South Africa is one of more lions, more facilities but fewer lions per facility, i.e. the average number of captive lions per facility has decreased over time (see Figure 5.3). The reason for this is unclear but businesses generally follow this trend to distribute risk, reduce carrying costs and overhead costs, decrease compliance visibility and to allow for diversification (Wegwu, 2020; De Meuse and Dai, 2013). There is no historical data available to analyse the potential of diversification in wild animal species kept and bred in captivity in South Africa. However, Table 5.2 clearly shows that a wide range of other captive predators are now involved in the captive wildlife sector, which could be an explanation for this trend of an increase in lion facilities, but a reduction of the number of lions per facility.

Nevertheless, this proliferation of facilities complicates compliance and enforcement monitoring through the need for more resources to issue permits and inspect the increased number of facilities, as well as a more diverse owner base with potentially disparate husbandry and compliance standards.

5.4.3 Other Captive Predators

A significant number of other predators are present in several provinces, although their purpose is not completely clear. The legal CITES live export of both indigenous and non-indigenous felids for zoos, commercial purposes and breeding in captivity overseas is prevalent. The CITES purpose code T (commercial) is an extremely broad and problematic term, as it often means that the animal is bought by a professional dealer based overseas, who can resell the animal to anybody for any purpose. Since 2017, 162 live tigers have been exported from South Africa and 44 hunting trophies and three skins (UNEP CITES Trade Database). The large number of captive tigers ($n = 628$) and evidence for exporting indicates that this may be an emerging commercial activity and there could be a “replacement” of lions with tigers if the lion industry is put under pressure. Tigers are not indigenous to South Africa and as such TOPS restricted activities often do not apply to such species or weaker regulations are applied, making tigers a more attractive option (see also chapter 6). For example, in the North West province to hunt a tiger only the permission of the landowner is required (de Waal et al., 2022).

The hunting and trade in parts and derivatives of non-indigenous captive bred wildlife pose the same risks to South Africa including welfare and well-being concerns, threat to reputation, lack of conservation benefit and disregard for the principles of sustainable use. The threat to in situ wild populations is unknown but is of concern. Internationally there is a movement to decrease the demand in tiger products (CITES Conf. 17.4 (Rev. CoP19)). Additionally, all CITES parties with captive facilities of all Asian big cats (this includes tigers) have been directed to “restrict the captive population to a level supportive only to conserving wild tigers; tigers should not be bred for trade in their parts and derivatives” (CITES SC71 Doc. 19).

5.4.4 Stockpiles of Lion Bones, Parts and Derivatives

There has been no quota to legally export bones since 2019, yet during this time frame lions have died and been hunted. It is thus expected that facility owners will retain various parts and derivatives in anticipation of legal trade in the future. The stockpile estimates are not accurate but there is still a considerable quantity of these products (Table 5.4). The compliance inspection records did request information on stockpiles and how carcasses are disposed of. There were several red flags in the responses received, e.g. one responded said that they stored the bones at their second facility, but the inspection record for the second facility stated that bones were stored at the first facility. It is unclear what happens to carcasses of lions. The inspection records showed that 37.5% (n = 24) of inspected facilities stated that they burn, bury or destroy carcasses, 25% (n = 16) kept the carcass or parts of the carcass on the property and 11% (n = 70) sent various parts to the taxidermist. Meat from carcasses was donated and/or consumed in 6.3% (n = 4) of inspected facilities. Taxidermists were likely to hold lion bone stockpiles, with some inspection reports stating that several facilities send carcasses to taxidermists. The quantity of stockpiles is unknown and warrants further investigation.

While there is no legal export in lion bones, they can be traded domestically with a permit. This trade is thought to be negligible. This was supported during consultation with the Traditional Healing Practitioners, they do not necessarily use large quantities of bone, but rather use smaller floating bones that are used for divination practices, and they keep these for life.

Stockpiles may not be reflective of all captive lions that have died in South Africa, as some facilities either bury or incinerate carcasses. However, there have also been several reports of illegal trade in lion bones from South Africa, e.g. 3.1 tons of suspected lion bones from South Africa were intercepted in Laos¹² and South African officials also seized 342 kg of lion bones destined for Malasia at OR Tambo in October 2019¹³. During the MTT research, no published reports were found on wild lion poaching in South Africa specifically for bones. Hence, these lion bone seizures are most likely to have originated from existing captive lion bone stockpiles.

5.4.5 Employment in Captive Lion Facilities

Employment numbers were estimated from a set of facilities in North West and Limpopo for which employment data was provided via provinces. The total estimated number of employees in the captive lion industry in South Africa may be between 1,568 and 2,069. Several facilities have indicated that their staff members do not work exclusively for the captive lion business on a full-time basis; instead, they are often engaged in other agricultural activities for the facility owner.

5.5 Conclusion

South Africa has approximately 7,834 lions in 348 facilities. The Free State province has the most captive lions and the Northern Cape does not allow lions in captivity for commercial purposes. The historical trend nationally is an increase in the captive lion population, an increase in the number of facilities, but a decrease in the mean number of lions per facility. Several other large felids are also held in captivity for commercial purposes, of which tigers are the most prolific.

¹² <https://www.getaway.co.za/travel-news/138kg-of-rhino-horn-and-over-3-tons-of-animal-bones-seized-in-vietnam/>

¹³ <https://www.resourceafrica.net/in-the-media-lion-bones-weighing-342-kg-seized-at-or-tambo-airport-johannesburg/>

6 Focus Area 2: Regulatory Framework Audit Pertaining to the Captive Lion Industry

As part of the national audit of the captive lion industry (see chapter 5), the MTT undertook a comprehensive audit of the primary provincial nature conservation and biodiversity laws, as well as policies and augmenting legislation pertaining to captive lions in all nine provinces in South Africa (Table 6.1). Additionally, the MTT looked at the various policies and regulations that the nine provinces have created and adopted over time governing the keeping, breeding, hunting or killing of, and trade in captive and captive-bred lions to provide a better understanding of the legislative landscape on a provincial level and the potential implications for lions in controlled environments (Tables 6.2–6.5). This audit was also in response to some of the key issues and concerns the HLP raised in their report with regards to provincial legislation, including the plethora of nature conservation legislations relevant to each of the nine provinces, the outdated nature of those legislations, major inconsistencies in various regulatory provisions, as well as a lack of cooperative governance, governance challenges generally, lack of an enabling legislative environment, severe lack of funding and capacity constraints and limitations (HLP report, 2020).

All the information listed in Tables 6.1–6.5 have been checked for accuracy and signed off by the relevant provincial authority. Please note that this section is not a legal interpretation of provincial legislation but rather a high-level audit of regulations pertaining to captive and captive-bred lions.

6.1 Challenges of Concurrent Provincial and National Legislation

Environment and nature conservation fall under concurrent provincial and national legislation competence in Schedule 4 of the Constitution. This has led to the development of nature conservation and biodiversity statutes at both provincial (Table 6.1) and national levels, with the NEMBA and TOPS being the most relevant to the captive lion industry. Furthermore, CITES regulations apply to the international trade of wild animals.

The pre-constitutional character of much of the provincial nature conservation legislation, which was identified as an unresolved issue in the HLP Report (2020), is also evident from the MTT's work. Table 6.1 shows the provincial legislative framework and its myriad of different era laws, predominantly pre-1994 with some laws going as far back as the 1960's and even from the former Homeland States (e.g., Ciskei and Transkei in the Eastern Cape and Bophuthatswana in the North West province). Only three provinces, namely Limpopo, Mpumalanga and Northern Cape, have their nature conservation statutes promulgated post-1996, i.e. the post-Constitutional era. All the other provinces are still implementing pre-1994, with some laws, such as the Western Cape passed a new Biodiversity Act in 2021, which is implemented in a phased manner. It is important to note that the Constitution allows for the continuation of pre-1996 laws, provided such laws are not inconsistent with the Constitution and have not been repealed. However, legislation passed pre-Constitution, from a time known for racial segregation, oppression of freedoms, divisions, and discrimination against most of the people, are considered undemocratic (*Khohliso v S and Another*, 2014).

While the NEMBA brought a common legislative framework for the country's biodiversity, this has not been equally applied by all provinces, for example the Western Cape and Mpumalanga have still not fully implemented the TOPS regulations, but rather rely on their provincial laws for regulating conservation (Table 6.1). Additionally, in six of the nine provinces (not KwaZulu-Natal, Northern Cape and Western Cape) the nature conservation authority is combined with other portfolios, such as economic development, agriculture, and/or tourism, which divergent and sometimes even conflicting mandates that can hinder conservation interests (Table 6.1).

Notwithstanding concurrent functions are prescribed in the Constitution, South Africa's biodiversity needs to be managed in the interest of the country as a whole. Nevertheless, the national legislation is generally applied in an unduly disparate manner across South Africa's nine provinces. Additionally, the plethora of nature conservation statutes relevant to each province and their frequently outdated nature has led to major

inconsistencies in the various regulatory provisions and an overall lack of an enabling legislative environment when dealing with the captive lion industry.

6.2 Divergent Nature of Provincial Regulations Pertaining to Captive Lions

As with the primary provincial nature conservation and biodiversity laws, the provincial regulations and policies pertaining to the captive lion industry in particular are highly variable and inconsistent (Tables 6.2–6.5).

Apart from Limpopo, all other provinces have some policy and/or augmenting legislation in place to regulate the captive lion industry. Many have at least a fencing policy (e.g., Eastern Cape, Gauteng and North West) and/or more detailed enclosure specifications for lions (e.g., Mpumalanga and Western Cape). Ezemvelo KZN Wildlife developed a sophisticated document in 2013 that regulates the standard terms and conditions for the keeping of any wild animals in captivity. This document prescribes in detail the standard conditions for keeping animals in captivity, including record keeping, facility management, basic care and husbandry, enclosure size and design, veterinary care, and safety. It also prescribes particular conditions for certain types of facilities or uses of animals, such as rehabilitation facilities, sanctuaries, zoos and aquaria, crocodile farming and wildlife traders, as well as specific conditions pertaining to taxa or species, which among others includes social, environmental enrichment and furnishing requirements.

Provinces, such as KwaZulu-Natal, Northern Cape and Western Cape, have more stringent regulations governing captive wildlife in general and captive lions in particular. For example, the Northern Cape does not issue commercial breeding or keeping permits for lions and therefore has no known captive lion facilities. The province was therefore excluded from the following analysis. In Gauteng, Mpumalanga and the Western Cape no breeding of lions in captivity is allowed, with the Western Cape insisting on proof of sterilisation (Table 6.2). KwaZulu-Natal allows captive breeding, but the premature removal of cubs from the mother to be hand-raised is not permitted. The remaining four provinces allow captive breeding as long as breeding/management plans have been submitted to the provincial authority.

The enclosure specifications to keep lions in a controlled environment vary considerably across the eight provinces, although the well-being standards for these animals should not differ depending on their geographical location. For example, the minimum area per animal ranges from 30 m² for zoos in Gauteng, to 400 m² for a captive lion in the Eastern Cape and North West, and 10,000 m² in Mpumalanga (Table 6.3). Some of the provinces (e.g. KwaZulu-Natal, North West and Western Cape), in addition to size also prescribe a requirement to provide a management camp, and adequate water supply and shelter, while Mpumalanga adds the need for enrichment. Fencing specifications vary somewhat between provinces but are generally a minimum of a 2.4 m high, Bonnox or Veldspan mesh fence with an inward overhang and some electrified strands (min. 5,000 V). Limpopo has no set minimum enclosure size or fencing specifications and Limpopo Department of Economic Development, Environment and Tourism (LEDET) stated that they evaluate permit application based on common practise and a management plan submitted by the applicant. However, what common practices are applied remains unclear.

The hunting of captive and captive-bred lions is allowed in the Free State, Limpopo and the North West provinces with the time period between the release of a captive-bred lion into a hunting camp and the hunt taking place being three months, 24 hrs and 96 hrs, respectively. The minimum hunting camp size is 1,000 ha in all three provinces. A provincial officer should attend all lion hunts; however due to capacity constraints, only some of the hunts are attended by a conservation officer (de Waal et al., 2022). Because breeding and hunting cannot take place at same property in the Free State, most hunting of captive and captive-bred lions occurs in the North West and Limpopo. All other provinces either do not support captive lion hunting (KwaZulu-Natal and Western Cape) or the restricted activity is prohibited (Eastern Cape, Gauteng and Mpumalanga) (Table 6.3), although the Eastern Cape does allow the hunting of free roaming captive lions.

Although euthanasia is not defined in the NEMBA, if a permit is issued for euthanasia, the restricted activity to be authorised by the TOPS permit would be killing. Most provinces allow euthanasia for medical reasons only, although in the Western Cape no permit is required for this activity. However, bulk euthanasia permits have been issued in the past by Free State Department of Small Business Development, Tourism and Environmental Affairs (DESTEA) for the purpose of harvesting and exporting skeletons for the international lion bone trade (Williams and 't Sas-Rolfes 2019).

Provincial and national laws refer to non-indigenous species either as “alien” or “exotic” species, however these all refer to any species that is not an indigenous species and occurs outside its natural distribution range.

The regulatory landscape for non-indigenous felids is incoherent across the provinces. For example, the Eastern Cape, Gauteng, and Limpopo seem to have very little regulation in place, Mpumalanga has enclosure specifications, the North West a fencing policy, whereas Free State, KwaZulu-Natal, Northern Cape and Western Cape regulate non-indigenous species more or less the same as captive indigenous species.

As indicated in sections 1.2.2 and 1.2.3, non-indigenous felids, such as tiger and puma, are regarded as “alien species” under NEMBA, however, the possession, breeding and trade in some alien species is still regarded as a restricted activity under Chapter 7 of TOPS, and therefore may be subject to permit conditions. Previous studies (de Waal et al., 2022) indicated that trophy hunting of large exotic felids as a restricted activity is implemented differently in some provinces, for example, the North West does not require a TOPS permit for the hunting of exotics, at a minimum written permission is required from the landowner where the exotic species will be hunted. Furthermore, vague descriptions in special permit conditions, such as “hybridisation must be prevented”, are open to interpretation.

It is evident that a serious lack of uniformity across provincial regulations pertaining to captive and captive-bred lions is present, which was also identified as one of the key challenges by the HLP. This lack of coordination and harmonisation of legislation and policy resulting from shared environmental competencies can create legal loopholes and makes the regulation of this industry increasingly difficult. This is compounded by a lack of capacity in terms of staff and other resources on a national and provincial level, in particular in the compliance and enforcement space, which has been identified as an ongoing challenge (e.g., de Waal et al., 2022; HLP report, 2020).

Table 6-1 Primary provincial nature conservation and biodiversity ordinances and policies, as well as provincial and regional issuing authorities in South Africa.

Province	Primary Provincial Nature Conservation and Biodiversity Ordinance(s)	Policies and augmenting legislation pertaining captive lions	Provincial authority	Regional authority
Eastern Cape	<ul style="list-style-type: none"> • Eastern Cape Nature Conservation Ordinance, 19 of 1974 • Ciskei Nature Conservation Act, 10 of 1987 • Transkei Decree 9 of 1992 	<ul style="list-style-type: none"> • Nature Conservation Regulations - Provincial Notices 955 of 1975 • Game Fence Specifications 2015 	Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)	Regions (6): Amatole, Cacadu, O.R Tambo, Alfred Nzo, Chris Hani, Joe Gqabi
Free State	<ul style="list-style-type: none"> • Free State Nature Conservation Ordinance, 8 of 1969 • Free State Biodiversity Act, 10 of 2004¹⁴ 	Nature Conservation Regulations 1983	<ul style="list-style-type: none"> • Free State Department of Small Business Development, Tourism and Environmental Affairs (DESTEAT) • Free State Permit Evaluation Committee (PEC) 	Provincial only
Gauteng	Gauteng Nature Conservation Ordinance, 12 of 1983	<ul style="list-style-type: none"> • Minimum fencing and enclosure specifications for mammalian predators in captivity (2020) • Decision framework for new zoological garden (zoo) applications in Gauteng 2013. 	Gauteng Department of Agriculture and Rural Development (GDARD)	Provincial only
KwaZulu-Natal	Natal Nature Conservation Ordinance, 15 of 1974	<ul style="list-style-type: none"> • KwaZulu-Natal Nature Conservation Management Act, 9 of 1997 • KwaZulu Nature Conservation Act, 29 of 1992 • Procedures and Standard terms and Conditions for keeping wild animals in captivity 	Ezemvelo KZN Wildlife	Districts (10): Amajuba, Ilembe, Sisonke, Ugu, uMgungundlovu, uMkhanyakude, uMzinyathi, Uthukela, Uthungulu, Zululand
Limpopo	Limpopo Environmental Management Act, 7 of 2003	None – rely on NEMBA and TOPS Regulations	Limpopo Department of Economic Development, Environment and Tourism (LEDET)	Districts (5): Capricorn, Greater Sekhukhune, Mopani, Vhembe, Waterberg

¹⁴ Free State Biodiversity Act, 10 of 2004 has yet not been implemented.

Province	Primary Provincial Nature Conservation and Biodiversity Ordinance(s)	Policies and augmenting legislation pertaining captive lions	Provincial authority	Regional authority
Mpumalanga	Mpumalanga Nature Conservation Act, 10 of 1998	Mpumalanga Nature Conservation Act Regulations 1999 Mpumalanga Nature Conservation Policy 2004 Guidelines for Captive Facilities in Mpumalanga Captive Enclosure Specifications – large predators	Mpumalanga Tourism and Parks Agency (MTPA)	Districts (3): Ehlanzeni, Gert Sibande, Nkangala. In practice, provincial only.
North West	North West / Transvaal Nature Conservation Ordinance, 12 of 1983 Cape Nature & Environmental Conservation Ordinance, 19 of 1974 Bophuthatswana Nature Conservation Act, 3 of 1973	Cape Problem Animal Control Ordinance, 26 of 1957 North West Wildlife Fencing Policy 2008. North West Wildlife Fencing Amendments 2010	North West Department of Economic Development, Environment, Conservation and Tourism (DEDECT)	Districts (4): Bojanala Platinum, Dr Kenneth Kaunda, Dr Ruth Segomotsi Mompati, Ngaka Modiri Molema Head Office in Mafikeng
Northern Cape	Northern Cape Nature Conservation Act, 9 of 2009.	Northern Cape Nature Conservation Regulations, Notice 19 of 2012, Gazette 1589.	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (DAERL)	Districts (5): Calvinia, De Aar, Kuruman, Springbok, Upington. Issuing of permits is centralised through the Head Office in Kimberley.
Western Cape	Western Cape Nature Conservation Ordinance, 19 of 1974 Western Cape Nature Conservation Laws Amendment Act, 3 of 2000 Western Cape Biodiversity Act, 2021 ¹⁵	Western Cape Nature Conservation Regulations 955 of 1975 Fencing and Enclosure of Game and Predators in the Western Cape Province (Fencing Policy), 2022 Conservation, Translocation and Utilisation of Carnivores in Captivity Policy, 2013 Mammalian Translocation Policy, 1990 (as revised)	CapeNature	Provincial only

¹⁵ The Biodiversity Act was passed in 2021 and commenced in a phased manner.

Table 6-2 Provincial regulations and policies pertaining to the captive lion breeding industry in South Africa.

Province	TOPS implemented	Restricted activities under TOPS	Management plan	Birth and death registration	Studbooks / registers	Mark
Eastern Cape	Yes	Standing permit required for keeping and breeding. Other restricted (once-off) activities require ordinary permit.	Management plan with enclosure design according to specific standards. New facilities inspected before permit granted. Upon permit renewal animal numbers updated.	Records to be kept by facility and submitted upon permit renewal. Death must be reported to regional officers with 14 days, including cause of death by registered veterinarian.	Registers are kept in terms of the origin of animals.	Where appropriate, listed species must be microchipped, but animals are required to be microchipped for translocation out of the province. No age specification for microchipping/ tagging.
Free State	Yes	Captivity, transport, euthanasia, breeding, hunting.	Management plan must be submitted for new facilities. Requirements being updating	Birth and death must be reported to district official within five working days. Death must be accompanied by veterinary letter.	Not required and only small number of facilities keep studbooks or registers.	All lions must be microchipped at three months of age.
Gauteng	Yes	Keeping, transport and euthanasia. Most facilities are educational, zoo or registered wildlife traders for export purposes.	No permits issued for the breeding of captive lions, including for hunting or bone trade.	Breeding of lions not allowed. Death reporting N/A	Registers are required on permitted activities.	No specifications for markings; however, facilities are required to provide microchip numbers when applying for restricted activities permits.
KwaZulu-Natal	Yes	Display, keeping, trade, transport, euthanasia, breeding, hunting.	Removal of cubs from mother to be hand-raised is not permitted. Breeding plan, registration and TOPS permit required.	Death must be reported within 24 hrs before disposal of carcass. Annual returns must be submitted prior to renewal of permit, including birth and death.	Animal Record books must be maintained and made available to Conservation officer on demand.	Microchipping is required within 30 days of issuance of permit. Animals must be microchipped with to transponders.

Province	TOPS implemented	Restricted activities under TOPS	Management plan	Birth and death registration	Studbooks / Registers	Mark
Limpopo	Yes	<ul style="list-style-type: none"> Keep/possess, convey, hunt and breed. Some permits issued by district (e.g. transport) others by province (e.g. euthanasia & hunting). 	None	Records to be kept by facility.	Records to be kept by facility.	Not required, as it is not specified in provincial legislation.
Mpumalanga	No	Keeping and conveyance (Section 29 & 40), capture (Section 16), hunting (Section 8), and carcasses (Section 28) regulated through Schedule 4 of MNCA.	No breeding allowed as permit condition.	N/A	Records to be kept by facility.	Microchip, DNA and Photographic identikit, updated annually
North West	Yes	Keep, capture, possess, convey, breed, hunting, transport, import, export.	Breeding plan required for registration. No petting allowed.	Not a requirement in provincial legislation but requested in terms of TOPS.	Not a requirement in provincial legislation but requested in terms of TOPS.	Not required.
Northern Cape	Yes	Captive breeding or keeping of lions prohibited. Permits required for zoos, circuses and research purposes.	N/A	N/A	N/A	N/A
Western Cape	No	All activities, including keep, transport, import, export.	No breeding in captivity is allowed other than for conservation purposes. Proof of sterilization must be provided. Petting not supported.	Death must be reported to authority within 24 hrs.	Records to be kept by facility, including birth, mortalities, and trade, and submitted annually to authority.	Microchipping is required. Microchip number is verified during inspections.

Table 6-3 Provincial regulations and policies pertaining to the captive lion breeding industry in South Africa.

Province	Min. enclosure size	Fence specifications	Captive lion hunting	Min. release time	Hunting camp requirements
Eastern Cape	400 m ² per cat (> 50 kg), but preferably bigger.	Min. height is 2.4 m with electrification. Corners must be removed by fencing diagonally across the corner (10 m either side). Wire netting up to 1.2 m high with 300 mm apron securely held down along entire boundary. Double electrified gates to enclosures, unless manned 24 hrs. Boma feeding programme without human contact must be implemented	Prohibited. Translocation of captive lions to NW for hunting allowed.	N/A	N/A
Free State	Min. 10,000 m ² for up to two animals plus 5,000 m ² for each additional animal.	Min. height is 3 m, electrified and preferably with inward overhang.	TOPS permit required. EMI official must be present at hunt. Microchips must be checked pre- and post-hunt. Breeding and hunting cannot take place at same property. Specifics of hunt must be reported within 21 days.	Three months	Min. camp size 1,000 ha.
Gauteng	Private person: 100 ha (1 million m ²) with at least two management camps. Zoo: 600 m ² for five lions plus 30 m ² for each additional animal plus a night den per animal.	Private person: Min. height is 2.4 m diamond mesh with min. of six electrified strands (6,000–9,000 V) and 45° inward overhang. All entrances must be equipped with a double sliding gate. Zoo: not indicated but must be escape proof.	Prohibited.	N/A	N/A
KwaZulu-Natal	Min. 2,500 m ² up to four animals plus 500 m ² for each additional animal. Max. of 15 individuals per enclosure. Indoor/night structures, elevated platforms and visual privacy barriers must be provided.	Internal fence: 5 m high External fence: Min. height is 2.1 m Bonnox game fence stone packed or buried with a minimum of three strands of electrified (min. 5,000 V) fencing running on offsets off the main fence facing inwards.	Not supported.	N/A	N/A

Province	Min. enclosure size	Fence specifications	Captive lion hunting	Min. release time	Hunting camp requirements
Limpopo	None	None	TOPS permit required. Lions only moved to hunting farm when needed.	24 hrs	Min. camp size 1,000 ha
	LEDET evaluates permit application based on common practise and submitted management plan by applicant.				
Mpumalanga	Min. 20,000 m ² up to two animals plus 10,000 m ² for each additional animal. Management camp, water supply, adequate shelter, and enrichment must be provided.	Single standalone fence of diamond mesh of max. 50 mm, fully galvanised. Min. height is 3 m with overhang and five electrified strands (min. 6,000 V). Three trip wires inside fence at min. height of 300 mm. Double, steel framework, 3 m high gates to enclosures with double locking mechanism. Public stand-off barrier min. of 1 m from enclosure fence.	Prohibited.	N/A	N/A
North West	Min. 1,500 m ² up to four animals, plus 150 m ² or 400 m ² for each additional animal. Max. of 10 individuals per enclosure. Management camp, water supply, and adequate shelter must be provided.	External fence: Min. height is 2.4 m, must be Bonnox or Veldspan mesh or 24 single wire strands steel wire fence. Internal fence: 2.4 m high, must be constructed in such a way that predators are unable to get their paws through the fence with 500 mm 45° overhang and a min. of three electrified strands, with one wire provided at the inside end of the overhang not more than 50 mm away. (min. 6,000 V). The minimum gauge must be 2.5 mm. Distance between internal and external fence must be between 3–10 m. Steel framework, 2.4 m high gates, no gaps exceeding 50 mm.	TOPS permit required.	96 hrs	Min. camp size 1,000 ha
Northern Cape	N/A	N/A	Prohibited.	N/A	N/A
Western Cape	Min. 2,000 m ² up to four animals plus 500 m ² for each additional animal. Management camp, water supply, and adequate shelter must be provided.	Fence of diamond mesh of max. 60 mm of min. height of 2.4 m with 90° overhang of 600 mm and min. four electrified strands (min. 6,000 V). Double, sliding gates. Public stand-off barrier min. of 1.5 m from enclosure fence.	Not supported.	N/A	N/A

Table 6-4 Provincial regulations and policies pertaining to the captive lion industry in South Africa.

Province	Inbreeding	Hybrids	Regulations on non-indigenous species	Euthanasia	Carcass disposal	Carcass stockpiling
Eastern Cape	None, although permits stipulate that the holder must take reasonable measures to prevent inbreeding and be part of management plan.	Permit holder must ensure no hybridisation takes place.	None	Permit required. Medical reasons only.	Detailed account of carcass disposal must be kept.	Upon application to DEDEAT, but not enforced.
Free State	None, although management plans must detail measures to prevent inbreeding.	Hybridisation must be prevented.	Similar to indigenous species through Ordinance.	Not condoned unless for medical reasons with permit. Applications authorised based on economic reasons, i.e. unable to afford feeding.	Under the authority of a permit with proof of disposal.	Few in the province. Possession permit required.
Gauteng	N/A	N/A	None	Permit required. Medical reasons only.	Must follow TOPS Regulations.	Most zoos do not stockpile and mostly incinerate or bury.
KwaZulu-Natal	All reasonable steps shall be taken to prevent incestuous relationships and inbreeding.	All reasonable steps shall be taken to prevent hybridisation.	As specified in the Procedures and Standard terms and Conditions for keeping wild animals in captivity.	Permit required. Medical reasons only. To be carried out by a veterinarian or other suitably competent person.	Duty of permit holder to dispose of all animal remains according to law.	Permit required, if approved. Subject to application with motivation.
Limpopo	Prohibited as a special condition of the permit.	Prohibited as a special condition of the permit.	None	Permit required. Medical reasons only. Officer to be present.	Not regulated	Not regulated

Province	Inbreeding	Hybrids	Regulations on non-indigenous species	Euthanasia	Carcass disposal	Carcass stockpiling
Mpumalanga	N/A	May not occur and measures must be implemented to prevent hybridisation.	Keeping, breeding and hunting of exotics not regulated (Section 19). Hunting and catching of non-game only landowner's permission required. Prohibited acts: import into Province or convey or set free therein a live exotic animal (Section 34). Captive Enclosure Specifications – large predators applies to alien carnivores, including tiger, jaguar and puma.	Permit required. Medical reasons only. To be carried out by a veterinarian or other suitably competent person.	Disposal of animal remains according to law, but generally carcasses are buried or incinerated.	N/A
North West	None, although management plans must detail measures to prevent inbreeding.	None, although management plans must detail measures to prevent hybridisation.	Wildlife Fence Policy applies to tiger, jaguar and puma.	Permit required. No euthanasia allowed unless for medical reasons with veterinarian approval.	Permit required.	Records need to be kept on the origin of carcass, such as hunting permit and PH registers or veterinarian report in case of natural deaths.
Northern Cape	N/A	N/A	Captive breeding and keeping of exotics prohibited.	N/A	N/A	N/A
Western Cape	N/A	Not allowed.	The CapeNature Carnivores in Captivity Policy includes alien carnivores.	No permit required. To be carried out by veterinarian.	Disposal of animal remains according to law, but generally carcasses are buried or incinerated.	No permit needed to keep carcass.

Table 6-5 Provincial regulations and policies pertaining to the captive lion breeding industry in South Africa.

Province	Permitting system	Enforcement of policies and regulations	EMI inspections	Permits issued for captive lions to new facilities during 2023
Eastern Cape	e-permit system since about 2019	Compliance & Enforcement section carry out quarterly inspections, as well as biodiversity officials, including fencing checks.	Dependent on Compliance & Enforcement section, but biodiversity officials strive to carry out inspections every three years upon renewal of TOPS permits.	Zero
Free State	E-permit/online system. Old paper-based system with many records lost during the move between offices in 2017.	Grade 2 EMI per district. Criminal enforcement is enacted in instances of transgressions, with heavy penalties (ZAR 5,000) issued in the form of J534's. For minor non-compliances, compliance notices and Administrative Justice are first considered. Recommendation to appoint additional provincial and national EMIs. Suspected syndication of the trade, specifically in young lions, through Lesotho to be investigated.	All captive facilities visited as regularly as possible, but at least once upon renewal of TOPS permit. Districts are too large for a single EMI.	Zero
Gauteng	Paper based	Biodiversity Enforcement Unit EMIs deal mostly with complaints relating to the illegal keeping of lions. Illegal keeping of lions will be prosecuted. Capacity required for proactive compliance monitoring.	Compliance & Enforcement is responsible for the EMI function, carrying out regular proactive routine inspections, at least once upon renewal of the TOPS permit. Non-compliance is actioned, if necessary, by suspending of permits. In case of continued non-compliance, permits are discontinued, and animals seized.	Zero
KwaZulu-Natal	Electronic permits issued and copies emailed.	Enforcement is managed through the permitting system and annual renewals and combined with regular inspections.	At least annually.	Zero
Province	Permitting system	Enforcement of policies & regulations	EMI inspections	Permits issued for captive lions to new facilities in last 12 months since January 1, 2023

Province	Permitting system	Enforcement of policies & regulations	EMI inspections	Permits issued for captive lions to new facilities during 2023
Limpopo	Paper based	Compliance & Enforcement unit responsible for these functions.	Compliance & Enforcement is responsible for the EMI function. District officers also carry out compliance inspections on an ad hoc basis, but at least once upon renewal of the TOPS permit.	Zero
Mpumalanga	Paper based	Compliance and Monitoring Unit (Three EMIs). Enforcement Unit (Four officers).	Mostly on a quarterly basis, but at least once upon permit renewal.	Zero
North West	Online permit system referred to as NIPAS.	When complains are registered, EMI enforcement official will investigate.	Lion facilities are inspected on a monthly basis. Leopard, tiger and cheetah facilities only inspected upon CITES trading permit application.	Five
Northern Cape	Integrated electronic permit system.	Yes	Inspections conducted after reports of potential unlawful activities.	N/A
Western Cape	Electronic	Yes	Annually	Two

6.3 Enforcement and Compliance

The DFFE Biodiversity Enforcement & Compliance Unit in collaboration with the provincial authorities EMIs conduct regular compliance inspections. During the period of 2015–2020, a national audit of 257 facilities was conducted involving a total of 6,898 lions. No inspections were conducted in the financial year 2020/21 due to the COVID-19 pandemic. A total of 100 facilities (38.9%) were found to be non-compliant, predominantly involving facilities operating with expired permits or non-compliance with permit conditions (Table 6.6). Only five facilities faced enforcement action, namely four in the North West (details were not provided) and a civil court case in Mpumalanga.

Some of the common inspection findings included inconsistencies in the issuing of TOPS permits (e.g. some permits indicated the maximum number of the animals allowed per enclosures, while others did not mention such conditions), compliance monitoring was not conducted post-issuance of permits, undetected long overdue permits, and the disposal of carcasses does not occur in the presence of officials, which raises concerns due to the lucrative international lion bone trade. Non-compliance with permit conditions included for example the lack of proper record keeping, such as the submission of monthly registers and unreported mortalities, non-functioning electric fences, copies of permits not being kept onsite, animal welfare issues, and the failure to renew permits timeously by provincial authorities.

A number of challenges were identified during the national compliance audit of captive lion facilities with some of the major issues including (DFFE, 2022):

- Both DFFE and the provincial authorities have insufficient resources and capacity among others to conduct regular monitoring inspections of captive lion facilities and renew expired permits timeously.
- EMIs do not have the expertise to fulfil the role of monitoring animal welfare related issues.
- No standardisation of permits and permitting systems across all nine provinces. Training is carried out on an on-going basis by the TOPS & CITES Directorate through the Permitting, Enforcement Planning Committee (PEPC). Training also addressed the CITES permits, in particular the application of different source codes for lions.
- Lack of access to captive lion facilities.
- In some rare cases (n = 5) enforcement actions were undertaken for non-compliance, but in most cases mitigating measures were advised, such as renewal or amendment of permits, with a recommendation for the provincial compliance officials to make follow-up inspections to ensure that the matters were addressed.

More recent compliance inspections carried out in 2023, concurred with the above findings and the following supplementary observations were extracted from the compliance inspection reports:

- In the North West, out of the 50 lion facilities inspected only 28% (n = 14) indicated that all the lions at their property were marked. All other facilities said either some lions were marked (n = 5) or were unsure (n = 3), while 56% (n = 28) stated that their lions were not marked. The provincial representatives on the inspection team indicated that such markings were either not compulsory or no longer enforced, which contradicts the permit conditions that require all animals to be marked by way of microchipping.
- In Limpopo, all facilities inspected in the Waterberg district (n = 8) were found to be fully compliant with both the NEMBA and LEMA regulations, policies and guidelines, although it should be noted that Limpopo has no enforceable policies and guidelines pertaining to the captive lion industry to adhere to in the first place.
- Facilities that either exceeded or accommodated the exact number of animals specified on the permit were advised to apply for an amendment of their permits to increase the animal quantities to accommodate any increases due to breeding or trade, as long as the quantities did not exceed the carrying capacity of the facility as approved in their management plan.

- Facilities found without the necessary permit to keep specific species were instructed to apply for an amendment to add those species to their existing permit.
- Animal well-being issues were not addressed in any of the compliance inspections, whereas this is now part of the NEMBA and should thus be considered in the issuing of permits. Photos included in the inspection reports generally showed camps with bare substrate, inadequate natural vegetation, lack of shelter, no enrichment, and in some cases overweight animals.
- TOPS requires appropriate record keeping of for example births and deaths, translocations and sales; however, record keeping did not seem to be checked during inspection. This was compounded by the fact that not all provincial polices require marking. These inconsistencies make the tracking of captive lions through the system from birth to death an impossible task.
- A compliance inspection team generally consists of 4–5 inspectors from DFFE and the provincial authority, spending on average of 1.5–2.5 hours per inspection. This makes a comprehensive check impossible when dealing with multiple camps, species and sometimes hundreds of animals. Access to facilities is a challenge, and has been identified as lacking in some instances, hence the inspection team will only see whatever the owner allows them to inspect.

Table 6-6 Inspections conducted by the Department of Forestry, Fisheries and the Environment Biodiversity Enforcement & Compliance Unit in captive lion facilities in South Africa during the financial years of 2015/16 to 2019/20. (Source: Draft African Lion BMP Review Report, 2022)

Province	No. of facilities inspected	Total number of lions	Conclusions
Free State	105 during financial years 2016/17 and 2017/18	2,844	62 facilities non-compliant <ul style="list-style-type: none"> • One closed • Three no longer breeding • 58 expired permit were renewed
Limpopo	33 during financial year 2015/16	743	Six facilities non-compliant <ul style="list-style-type: none"> • 1 closed by EMIs • 5 brought into compliance
North West	76 during financial year 2017/18	2,773	20 facilities non-compliant <ul style="list-style-type: none"> • 13 brought into compliance • Three farms sold to government • Four face enforcement action
Eastern Cape	12 during financial year 2018/19	227	Five facilities non-compliant <ul style="list-style-type: none"> • Four with expired permits • One without permit
Mpumalanga	Four during financial year 2019/20	24	One facility non-compliant – operating with permit from previous owner and ongoing civil court case between facility and MTPA.
Gauteng	Eight during financial year 2019/20	158	One facility with minor non-compliance to permit condition i.e. microchipping of some animals.
KwaZulu Natal	Two during financial year 2019/20	34	Both operating with expired permits. Renewal application with province.
Western Cape	17 during financial year 2019/20	95	Three facilities operating without the required permits.
Total	257	6,898	100 facilities non-compliant

6.4 Economics of Compliance and Permit Issuance Management

Cost Reflective Tariffs

The concept of cost-reflective tariffs is a fundamental fiscal principle aimed at recuperating, to the greatest extent possible, the expenses associated with delivering private economic services to affluent individuals and commercial enterprises. Typically, subsidies are extended to the poor and “labour absorbing sunrise industrial sectors”. This approach aligns with the broader fiscal philosophy of subsidising essential services for economically disadvantaged households (Yilmaz and Zahir, 2020). The South African National Treasury, in its tariff setting guidelines for basic services, underscores the importance of maximising cost recovery, particularly in financially challenging environments, to sustain and finance basic services.

Nevertheless, the data collected during the national audit process underscores that the expenses related to compliance services in the captive lion industry significantly surpass the revenue generated from permit costs.

Cost of Compliance Inspections

Table 6.7 provides the estimated costs to carry out a compliance inspection audit for captive lion facilities. This data is derived from audit reports received from the DFFE for compliance inspections carried out during the period of September to December 2023 and the costs estimated are described in Table 6.7. These show that the estimated cost for compliance inspections are as follows:

Average cost to carry out a compliance inspection per facility, including travel	ZAR 8,519
Average cost to carry out a compliance inspection per facility, excluding travel	ZAR 6,948

Note: These costs exclude staff costs for report writing, management time, permit office costs (issuing of permits), telecommunication, software, equipment and other administrative costs.

Income from Compliance Permits

The information gathered from various provincial nature conservation authorities during the national audit process revealed a considerable variation in permit costs across provinces. The average estimates for different types of permits are as follows:

- **Standing Permits:** The cost of Standing Permits varied over a range of approximately ZAR 1,000 per permit for a three-year validity period. This cost reflects the authorisation for ongoing operations within the specified timeframe and the monitoring for compliance with the conditions for the keeping of lions and specific permit conditions.
- **Transport Permits:** Transport Permits also varied with an average cost of around ZAR 150 per permit. Transport permits are essential for the legal transportation of lions within the province or between provinces and necessitate compliance with specific regulations.
- **Hunting Permits:** Hunting permits, a critical facet that demands close monitoring, are priced at approximately ZAR 2,775 per lion. These permits are critical in instances where the hunting of lions is sanctioned and necessitate close monitoring to uphold ethical and legal standards set within the provincial regulations for the captive lion industry. Some provinces require the presence of a nature conservation official at the hunt.

It is important to note that these figures are estimated averages, and the actual costs may vary based on the specific regulations and requirements implemented by individual provinces within the captive lion industry.

Implications of Fiscal Imbalances in the Industry

The audit data as described above reveals a stark disparity between the expenses associated with compliance services in the captive lion industry and the revenue generated from permit costs. Despite the fundamental fiscal principle of striving for cost-reflective tariffs, intended to recover expenses linked to providing private economic services to commercial enterprises, the practical application in the captive lion industry falls short.

- (i) **Financial Imbalance:** The most immediate consequence is a significant financial imbalance within the captive lion industry. The expenses incurred for compliance services, as highlighted by the audit data, outweigh the revenue generated from permit costs. This financial discrepancy raises concerns about the sustainability of the industry and its ability to cover the essential costs associated with regulatory compliance. Furthermore, adequate funding is pivotal for the effective implementation of regulations and standards governing the treatment of captive lions and the general responsibility of promoting conservation and biodiversity. The lack of financial resources may compromise the integrity of the regulatory framework, potentially leading to lapses in enforcement and oversight (HLP report, 2020; de Waal, 2022), and impact negatively on conservation.
- (ii) **Operational Challenges:** The financial strain resulting from the inadequacy of permit costs to cover compliance expenses may lead to operational challenges for the provincial departments responsible for focusing its resources on nature conservation. The lack of sufficient resources will impact on the capacity of the provincial department to adequately implement its functions, which reinforces the perception that the department is unable to effectively regulate the industry. This, in turn, could affect the industry's overall compliance with regulatory requirements, possibly leading to compromises in the welfare and well-being standards for lions and damage to the reputation of the industry.
- (iii) **Resource Allocation Issues:** The various nature conservation departments already face an overall resource squeeze, presenting a challenge in allocating resources to meet their core functions of nature conservation. If the income generated from permit fees fails to meet the significant costs linked to monitoring and compliance inspections for the commercial captive lion industry, it adds additional strain to the provincial departments. This could lead to compromises in critical areas such as staff capacity, training, monitoring and administrative necessities, and compromising the overall focus on biodiversity conservation.
- (iv) **Regulatory Compliance Concerns:** Managing an industry with such highly diverse regulations is inherently complex, and the inability to recover sufficient costs raises significant concerns about the government's capacity (and its legal responsibility) to uphold robust regulatory compliance. This issue goes beyond mere administrative challenges; it has broader implications for both the government's credibility and the ethical treatment of captive lions within the industry. Inadequate funding for regulatory compliance may result in legal and ethical challenges within the captive lion industry. This could lead to situations where facilities operate without sufficient oversight, potentially engaging in practices that may raise ethical and legal concerns.

Additionally, the public's perception of the government's (in)ability to regulate and oversee the captive lion industry is closely tied to its financial capacity to do so. If concerns arise about the government's financial commitment to effectively execute its regulatory functions, public trust in government may also be compromised.

- (v) **Potential Impact on Tourism:** Inadequate enforcement of existing regulations (perceived as inadequate by some stakeholders), has raised criticism of both the non-compliant practices of some participants in the industry and the inability of government to address this. Examples of animal welfare contraventions in terms of the APA for captive lions, as highlighted by the NSPCA, has sparked international condemnation. The negative perception of the captive lion industry fuelled by these

incidents, coupled with international advocacy campaigns to dissuade tourists from visiting the country, may garner further momentum impacting negatively on the critical tourism industry overall (Harvey, 2020). The captive lion industry is navigating a landscape where international perceptions and lobbying efforts play a significant role in shaping policies, regulations and public sentiment on South Africa's reputation.

- (vi) **Policy Review:** It is noted that the tariffs in some provinces have been unchanged for a number of years or has their origins from a low base. Policymakers and stakeholders should analyse the appropriateness of the current regulatory tariffs and adjust them accordingly to ensure a more sustainable and effective system. Continued fiscal imbalances, in a controversial industry, can potentially lead to public concern and calls for reforms to address financial imbalances.

As a result of these mutually reinforcing factors, a concerted effort must be made to optimise revenue collection in the sector to build capacity, review policies and strengthen enforcement. However, it must be stated that revenue originally allocated for biodiversity conservation at the national and provincial levels is shifted to pay for the administration, regulation and compliance of the commercial captive lion industry. This occurs notwithstanding the critical significance of biodiversity conservation, especially when existing budgets are inadequate, and there is a shortage of resources. The industry's stakeholders are increasingly compelled to address these financial and capacity concerns, as well as work towards practices that align with global expectations for the ethical and responsible treatment of wildlife, although actual proposals on how this is achieved are lacking.

Table 6-7 Estimated costs of compliance inspection audits for captive lion facilities. Data derived from audit reports from the Department of Forestry, Fisheries and the Environment for audits done from September to December 2023 and costs estimated are described below the table.

Province	No. of facilities	No. of days	Nights out	No. of inspectors (DFFE)	No. of inspectors from province	Total no. of inspectors	Total people days	Salary estimate	Accommodation cost	Mileage	Subsistence	Meals	Total cost incl. travel	Cost per facility incl. travel	Total cost excl. travel	Cost per facility excl. travel
North West	8	2	3	4	4	8	16	R17,600	R36,720	R9,280	R2,576	R1,880	R68,056	R8,507	R58,776	R7,347
North West	10	2	3	4	4	8	16	R17,600	R36,720	R9,280	R2,576	R1,880	R68,056	R6,806	R58,776	R5,878
North West	8	3	4	3	1	4	12	R13,200	R24,480	R13,920	R1,932	R1,440	R54,972	R6,872	R41,052	R5,132
North West	9	4	5	3	1	4	16	R17,600	R30,600	R18,560	R2,576	R1,880	R71,216	R7,913	R52,656	R5,851
Limpopo	8	4	5	4	4	8	32	R35,200	R61,200	R18,560	R5,152	R3,640	R123,752	R15,469	R105,192	R13,149
North West	10	3	4	2	4	6	18	R19,800	R36,720	R13,920	R2,898	R2,100	R75,438	R7,544	R61,518	R6,152
North West	10	3	4	3	2	5	15	R16,500	R30,600	R13,920	R2,415	R1,770	R65,205	R6,521	R51,285	R5,129
Total	63	21	28	23	20	43	125	R137,500	R257,040	R97,440	R20,125	R14,590	R526,695		R429,255	

An attempt was made to estimate the cost of compliance inspections from information obtained as part of dataset 4 (see section 5.1.1), including information on the number of national and provincial inspection officers, the number of facilities inspected in one day and the number of days inspected. The following amounts were used:

- Salary costs were estimated at ZAR 1,100 per person per day from the published salary scales for EMIs.
- The number of officials was noted on the inspection reports.
- The number of days was noted on the inspection records.
 - Costs per day (DFFE rates) of the following subsistence items per person to a maximum of:
 - Lunch ZAR 110
 - Dinner ZAR 120
- Accommodation ZAR 1,530/night, inclusive of breakfast
- One extra night was added for accommodation due to the long distances travelled to reach the site from the head office in Pretoria.
- Mileage at a rate of ZAR 4.64/km (DFFE rate)
- The mileage was estimated.
- Estimated average cost to carry out a compliance inspection per facility was calculated at ZAR 8,519, including estimated mileage cost.
- Estimated average cost to carry out a compliance inspection per facility was calculated at ZAR 6,948, excluding mileage costs (due to mileage being a rough estimate)

Note: No time and cost estimates were included for related duties, such as report writing time, management time, telecommunications, equipment, and permit office costs (such as the issuing of permits).

6.5 Conclusions and Recommendations

It is clear that the concurrent provincial and national legislation competence has led to an excess of nature conservation statutes, with some dating back to the pre-democratic era. This has led to major inconsistencies in the various regulatory provisions and lacks an enabling legislative environment when dealing with the captive lion industry. Furthermore, six of the nine provinces combine nature conservation with other portfolios, in some cases even with conflicting mandates creating conflicting interests. For example, between economic development and conservation, which may affect decisions on what is considered sustainable, or between tourism and conservation, where lion display and/or petting facilities may be considered important as a tourism drawcard to the area. In addition, these different portfolios and conflicting mandates need to be managed by already limited resources, hindering their ability to fully meet their constitutional obligation for biodiversity conservation.

This has created a regulatory landscape across South Africa's nine provinces that varies from having no policy and/or augmenting legislation in place to regulate the captive lion industry (Limpopo) to disallowing captive and captive-bred lions in the province (Northern Cape). This lack of coordination and harmonisation of legislation and policy can create legal loopholes and makes the regulation of this industry increasingly difficult. This is compounded by a lack of capacity in terms of staff and other resources at both national and provincial level, as well as a lack of competence in the animal well-being space, in particular in the compliance and enforcement sector. As a result, enforcement actions are rarely undertaken and penalties for non-compliance are generally not addressed appropriately.

Furthermore, a fiscal imbalance exists, where the expenses associated with compliance services for the commercial captive lion industry and the revenue generated from permit costs fall short. This lack of cost-reflective tariffs leads to recovering the expenses from provincial and national nature conservation budgets that are already under considerable strain.

It is also clear from this analysis that all nine provinces require a legislative reform of their biodiversity conservation legislation to align it with international best practice that is implemented consistently across South Africa's provinces. This would be in line with conclusions the reached by the HLP (HLP report, 2020).

Historically, the welfare of captive and captive-bred wild animals falls under the auspices of the DALRRD with the NSPCA being empowered to enforce the provisions of the APA, while the management of indigenous captive wildlife falls under the mandate of the DFFE and the nine provincial nature conservation departments. This lack of coordination and fragmentation of responsibilities has resulted in welfare issues relating to captive and captive-bred wild animals being inefficiently and inadequately addressed. It needs to be noted that the NEMBA has a provision for the cancellation of permits (section 93), which states that if the permit holder has contravened or failed to comply with any provision of NEMBA or other law governing the permitted activity (for example the APA), the permit may be cancelled, however this provision was never implemented.

The recent inclusion of animal well-being in the NEMBA has created an opportunity for enhancement of the EMI functions. We therefore recommend addressing competency and skills training for conservation officials across the country, with a particular focus on animal welfare and well-being, and the interpretation of TOPS and relevant provincial regulations. Furthermore, the cooperation between the provincial nature conservation authorities and the NSPCA should be improved with more regular joint EMI and NSPCA inspections of captive breeding and keeping facilities for wild animal species.

The lack of legislation for non-indigenous carnivore species, including CITES Appendix I species such as tiger and jaguar, has resulted in tigers being kept as pets in backyards without the requirement of permits (e.g. in Gauteng). This raises not only serious animal welfare issues, but also the regularity of escapes of tigers from

unsuitable enclosures creates a hazard for members of the public¹⁶. Non-indigenous species should be afforded better protection under our current legislation and provincial legislation pertaining to lions should as a minimum apply to non-indigenous species as well.

Since the initial establishment of the captive lion industry in the 1990s, this sector has presented multiple regulatory challenges, including a serious fiscal imbalance, with no real solutions. Self-regulation of the captive lion industry raises further questions due to the inherent conflict of interests between self-interests and the broader societal interest. Self-regulation has not provided adequate solutions to properly manage the commercial captive lion industry. We therefore recommend that voluntary exit from the captive lion industry should only be one of the first steps in a longer-term prohibition, such as proposed in the draft Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros that was published for public participation in 2023.

Furthermore, it is pertinent that lions are included under the list of Large Predators within the definition of TOPS, which would mean that provisions specific to large predators apply also to lions, such as clauses 24 and 26. This would prevent the hunting of lions under certain conditions, including put and take animals; in controlled environments; under the influence of any tranquilising, narcotic, immobilising or similar agents; in an area adjacent to a holding facility; by making use of a gin trap; or by means of or by the use of bow and arrow.

¹⁶ <https://www.reuters.com/world/africa/tiger-euthanised-south-africa-after-escaping-private-home-2023-01-18/>

7 Focus Area 3: Voluntary Exit Strategy and Pathways from the Captive Lion Industry

In keeping with the mandate of the MTT (see the ToR in Appendix 1), considerable attention has been given to the development of voluntary exit strategies and pathways from the captive lion industry for facility owners who wish to pursue this option. The following chapter describes the voluntary exit options potentially available to exit candidates, their SWOT analysis, and viability.

While developing a voluntary exit strategy and pathways from the captive lion industry, the MTT has taken into consideration the following according to the ToR:

- (a) Avoiding domestication of lions in controlled environments;
- (b) Preventing exploitation of captive and captive-bred lions;
- (c) Stopping the captive breeding of lions;
- (d) Voluntary surrender or disposal of lions, including the circumstances under which lions may continue to be held in captivity in South Africa;
- (e) Voluntarily closure of captive lion facilities, considering mechanisms and conditions for mutual agreement, as well as a final compliance inspection;
- (f) Voluntary disposal options for lion parts and derivatives, with an associated audit process;
- (g) The future employment of affected workers.
- (h) The conservation and socio-economic impact of this voluntary strategy, as well as any identified potential unintended consequences:
- (i) The development of Standard Operating Procedures, Guidelines, or other documentation to support effective and efficient voluntary exit by participants in the captive lion industry; and
- (j) Engaging with the relevant sphere(s) of government on the proposed exit strategy, mechanisms, Standard Operating Procedures, Guidelines etc., to ensure they are consistent with existing legislation, mechanisms, tools, and government policy.

7.1 Overarching Considerations

In developing each of the voluntary exit strategies the MTT has taken the following into consideration:

- The voluntary exit options need to be seen as building blocks to create exit pathways that are appropriate to the specific circumstances of each facility interested in the voluntary exit programme. Hence, either one voluntary exit option or a combination of several options can create a pathway in developing individualised voluntary exit strategies.
- Offering incentives can be considered as part of the voluntary exit options, both in terms of monetary and non-monetary incentives to advance the objectives of the MTT's work. Financial incentives are limited and currently sourced from private donors only. Partnerships with private commercial enterprises entering into new joint business ventures are also considered.
- Any incentives, financial or otherwise, to support the voluntary exit strategy and pathways must comply with relevant legislation, and the process should be transparent and accountable.
- Consideration should be given to the socio-economic impacts of any voluntary exit option, particularly to vulnerable workers and their families.
- The welfare and well-being of the individual captive lions involved in any voluntary exit strategy must always be prioritised. In this respect Mellor's Five Domains model is applied.
- Measures must be put in place to ensure that the lions involved in any voluntary exit option must no longer be able to breed and contribute to the growth of the industry. Such population control should involve both male and female lions. For males, this would require a vasectomy to ensure that they maintain their male characteristics (mane) where necessary (see also Population Control Protocol P4).

- Contractual arrangements (Appendices 6 and 7) must be put in place to ensure that those who choose to exit, do not restart and/or re-establish in any part of the captive lion industry, whether in a different location and/or under a different name, even if that business is legal under current or future legislation.
- Any voluntary exit option being considered for a specific facility should undergo a comprehensive risk assessment to identify unintended consequences, probability of occurrence, level of severity and if the risk can be mitigated and how.
- The risk of the unintended consequences of any option being considered for a specific facility must be identified and suitably mitigated, and strong consideration should be given to not creating precedence for undesirable practices or activities, such as transferring existing infrastructure to the breeding and trade of other indigenous or exotic predators.
- The surrender of stockpiles of captive lion bones, parts and derivatives needs to be considered as part of the voluntary exit strategy and potential options.

7.2 Identifying Viable Voluntary Exit Options from the Captive Lion Industry

7.2.1 Potentially Available Voluntary Exit Options from the Captive Lion Industry

As a starting point, the MTT listed all potentially available voluntary exit options from the captive lion industry that may be considered before carrying out a SWOT analysis on all these options. These potential voluntary exit options were identified among others with stakeholders input and consist of:

- 1a. Humane euthanasia of lions and permanent exit from the industry.
- 1b. Humane euthanasia of compromised lions.
- 2a. Population control by surgical sterilisation.
- 2b. Population control by same sex separation.
3. Surrender of lions to authorities.
4. Surrender of lions to lion safe havens.
5. Phase out through trade opportunities.
6. Repurposing of an existing facility as a lion safe haven.
7. Repurposing of an existing facility for biodiversity conservation and sustainable use.
8. Rewilding of captive and captive-bred lions.
9. Lion bone stockpiles surrendered to authorities.
10. Lion bone stockpiles for trade out.

7.2.2 The SWOT Analysis on Potentially Available Voluntary Exit Options

A SWOT analysis is a tool to guide one in identifying the internal strengths (S) and weaknesses (W), as well as the broader, external opportunities (O) and threats (T), to reveal the positive forces that work together and potential problems that need to be recognized and potentially mitigated (Figure 7.1). The internal factors (top half of the matrix) are any strength and weaknesses that are within the control of the implementing team, whereas the external factors (bottom half of the matrix) are those external opportunities and threats that are beyond the team's control. The left half of the matrix represents the positive forces that can enable the objective to be achieved, while the right half of the matrix describes the challenges and any potential unintended consequences. A SWOT analysis may assist in developing a fuller awareness of the situation to assist in both strategic planning and decision-making.

The MTT used a SWOT analysis as a tool to establish the feasibility of all the above listed (Section 6.2.1) potentially available voluntary exit options, to assist in the decision-making process of the viable voluntary

exit options and pathways. Stakeholder input from various stakeholder engagement sessions was also included in the decision-making process.

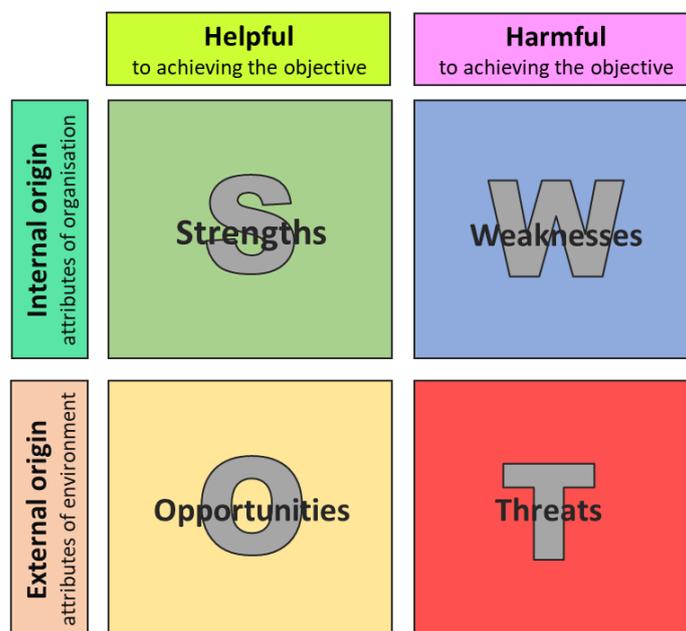


Figure 7-1 Each square of the SWOT matrix represents one of four topics, namely the internal strengths (S) and weaknesses (W) at the top and the external opportunities (O) and threats (T) at the bottom. The left half of the matrix represents the positive forces that can enable the objective(s) to be achieved and the right half of the matrix indicates the challenges and potential unintended consequences.

1a. Humane Euthanasia of All Lions and Permanent Exit from the Industry

This voluntary exit option involves the humane euthanasia of both compromised and healthy lions, with the owner's consent and in agreement between the owner and a wildlife veterinarian, if the owner wants an immediate and complete exit from the captive lion industry.

Premise:

- Healthy lions may need to be euthanised as part of this exit strategy.
- Although the owner is responsible for the humane euthanasia of any lions, there may be financial assistance available as an incentive.
- All carcasses need to be disposed of responsibly (see Carcass Disposal Protocol).

Strengths	Weaknesses
<ul style="list-style-type: none"> • One-off cost. • No recurring cost or responsibilities, including capacity for oversight. • Limited responsibilities in terms of oversight. • Limited welfare issues, in particular further down the line of the exit process. • Length of the process is short and puts less burden on the authorities in terms of enforcing terms & conditions. • Growth of the industry impeded. 	<ul style="list-style-type: none"> • Requires owner's consent. • Requires willing veterinarian to humanely euthanise healthy lions, where justified under certain conditions. • Substantial cost to humanely euthanise a large number of lions (approx. ZAR 4,000/lion) and for the ethical and responsible disposal of their carcasses (approx. ZAR 520/lion), including obtaining relevant euthanasia and disposal permits. • Potential logistical challenges with the euthanasia and ethical disposal of carcasses.

<ul style="list-style-type: none"> • Lions can no longer re-enter the industry through other captive lion facilities. • Potential to repurpose a facility for other economic activities that do not promote the domestication of wild animal species. • Potential to incentivise the surrendering and/or euthanasia of lions, as well as their carcasses. 	<ul style="list-style-type: none"> • An NSPCA animal welfare inspection will need to be carried out to ensure APA compliance. • Requires strict contractual arrangements to ensure no further animals are purchased. • Requires enforcement of contractual arrangements. • Potential job loss for existing staff.
Opportunities	Threats
<ul style="list-style-type: none"> • Potential incentives through domestic trade of carcasses. • Potential for DFFE to relieve the facility owner of all administrative issues, burdens and costs, if lions are surrendered to authorities. • Potential for amnesty of non-compliance, including animal welfare issues. • Potential to utilise the current administrative costs by conservation authorities for regulating the captive lion industry towards conservation. • Potential for release of the land for other biodiversity activities. • Reduction of reputational risks. 	<ul style="list-style-type: none"> • Cost to authorities to incentivise the surrender of lions as well as their humane euthanasia and ethical dispose of carcasses, if lions are surrendered to authorities. • No government finances available for incentivisation of lion owners. • Lack of capacity of relevant authorities to enforce contractual arrangements. • Overall challenges to finance potential mass-euthanasia. • Potential reluctance/ethical concerns from veterinarian sector in terms of euthanasia of healthy lions. • Potential for complaints against veterinarians being lodged with SAVC (RE justification of mass-euthanasia and of healthy lions). • Potential public outcry over euthanising a substantial number of potentially both healthy and compromised lions. This needs to be managed through appropriate awareness programmes. • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous wild animal species, as well as a potential shift of commercial trade towards non-indigenous wild animal species.

SWOT summary: The benefits of humane euthanasia of all captive lions involved in the voluntary exit include the immediate halt of the growth of the industry and an end to potential existing and prevention of future animal welfare issues. The activity can be incentivised, incurs a one-off cost, and the length of the process is finite, putting less burden on the already overstretched authorities to implement and enforce MOA/contractual arrangements.

The main weaknesses of this exit option are the considerable cost involved with humane euthanasia and the responsible disposal of carcasses, the logistical challenges, and the expense of incentivisation of lion owners, while recognising that the government and relevant authorities have limited financial resources. Hence, any financing will need to be generated through third-party donations, to whom the funding of euthanasia may hold limited appeal.

Unintended consequences:

- 1) Public outcry if a substantial number of both potentially healthy and compromised lions will be humanely euthanised.
- 2) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.

1b. Humane Euthanasia of Compromised Lions

Before any further steps are undertaken in the voluntary exit pathways, the primary health care or Quality of Life Assessment has to be carried out on the lions involved in voluntary exit with the main aim to identify any compromised lions for humane euthanasia, thus avoiding further and future suffering. The Quality of Life Assessment is based on justifiable, ethical and professional specialist wildlife veterinarian criteria and assessment (see chapter 8 – Protocol P 1).

Premise:

- A Quality of Life Assessment needs to be carried out to identify any compromised (old, diseased or inbred) lions that may need to be humanely euthanised.
- Healthy lions may need to be euthanised, depending on the future purpose of the remaining lions.
- Although the owner is responsible for the humane euthanasia of any lions, there may be financial assistance available as an incentive.
- Preferably, all carcasses need to be disposed of responsibly (see Carcass Disposal Protocol).

Note: Quality of life assessment guidelines, as well as euthanasia and ethical disposal of carcasses protocols with associated decision-making trees have been developed to guide these processes in a responsible manner (see chapter 8 – Protocol P 3).

Strengths	Weaknesses
<ul style="list-style-type: none"> • Potential animal welfare issues for compromised lions can be resolved. • Growth of the industry impeded. • Euthanised lions can no longer re-enter the industry through other captive lion facilities. • Potential for trade out of remaining lions. • Potential to repurpose the facility for other economic activities that do not promote the domestication of wild animal species. • Potential to incentivise the surrendering and/or euthanasia of lions, as well as their carcasses. 	<ul style="list-style-type: none"> • Requires owner's consent. • Cost of the "Quality of Life" assessment of all lions and to identify any compromised animals. • With owner's consent and a willing veterinarian, this could include the humane euthanasia of healthy lions, where justified under certain conditions. • Substantial cost to humanely euthanise a large number of lions (approx. ZAR 4,000/lion) and for the ethical and responsible disposal of their carcasses (approx. ZAR 520/lion), including obtaining relevant euthanasia and disposal permits. • Potential logistical challenges with the euthanasia and ethical disposal of carcasses. • Even if lions are euthanised, an NSPCA animal welfare inspection will need to be carried out to ensure APA compliance. • Requires strict contractual arrangements to ensure no further animals are purchased. • Requires enforcement of contractual arrangements.
Opportunities	Threats
<ul style="list-style-type: none"> • Potential incentives for carcasses through domestic trade. • Potential for DFFE to relieve the facility owner of all administrative issues, burdens and costs, if lions are surrendered to authorities. • Potential for amnesty of non-compliance, including animal welfare issues. 	<ul style="list-style-type: none"> • Cost to authorities to incentivise the surrender of lions as well as their humane euthanasia and ethical dispose of carcasses, if lions are surrendered to authorities. • No government finances available for incentivisation of farmer. • Lack of capacity of relevant authorities to enforce contractual arrangements. • Overall challenges to finance Quality of Life Assessment as well as euthanasia. • Potential public outcry over euthanising a substantial number of potentially both healthy and compromised

	<p>lions. This needs to be managed through appropriate awareness programmes.</p> <ul style="list-style-type: none"> • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous wild animal species, as well as a potential shift of commercial trade towards non-indigenous wild animal species.
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SWOT summary: The benefits of humane euthanasia of compromised captive lions involved in voluntary exit options and pathways include an immediate end to potential animal suffering and animal welfare issues with a possibility of amnesty of non-compliance with regards to the APA and/or TOPS Regulations. Euthanasia of compromised lions reduces the number of lions involved in the captive lion industry and can be incentivised through the trade out of the remaining healthy lions.

The main weaknesses of this exit option are the considerable cost involved with the Quality of Life Assessment and subsequent humane euthanasia and responsible disposal of carcasses. Furthermore, it can create logistical challenges, the lack of financial resources and capacity of the government and relevant authorities to enforce contractual arrangements.

Unintended consequences:

- 1) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.

2a. Population Control by Surgical Sterilisation

The short-term aim is to stop the breeding of lions involved in the voluntary exit programme and the long-term goal is to halt the overall growth of the captive lion population. Population control by surgical sterilisation is a permanent solution and will need to be carried out according to the Population Control Protocol and its associated decision-making tree developed by the MTT to guide these procedures in a responsible manner (see chapter 8 – Protocol P 4).

Prerequisites:

- All compromised lions need to be humanely euthanised based on a professional and ethical justification (see SWOT analysis 1b).

Strengths	Weaknesses
<ul style="list-style-type: none"> • One-off procedure. • Sterilisation procedure for male lions is logistically easy to be carried out at a captive facility and could therefore be achieved within a limited time frame. • Lions can remain with the owner. • Contains the quantity of lions within the TOPS permitted parameters for the facility in question. • Growth of the lion population at the facility and the wider industry is halted. 	<ul style="list-style-type: none"> • Requires the consent of the owner. • Potential logistical challenges with the where and how of the veterinarian procedure, in particular when it concerns a large number of lions. • Sterilisation procedure for female lions requires a clean room and equipment to perform the best practice procedure and minimise the risk of infection. • Substantial cost to sterilise males (approx. ZAR 2,500/lion) and females (approx. ZAR 6,500/lion). • Captive lions can live up to 15–20 years. If not traded, this is a long-term commitment. • No direct incentivisation for farmer. • Welfare and well-being concerns for the lions remaining at the facility.
Opportunities	Threats

<ul style="list-style-type: none"> • Potential for continued hunting and trade with sterilised lions for a restricted period, particularly in the absence of incentivisation opportunities, other than covering the cost for sterilisation. 	<ul style="list-style-type: none"> • Live international trade will be limited, as breeding with these animals will no longer be possible. • Welfare considerations need to be made regarding the international live trade of these lions because animal welfare and well-being standards in the country of import may be lacking. • Live international trade can be used as a legal loophole for the use of lion derivatives in the absence of a lion bone quota, which holds potential animal well-being concerns at the destination country. • Contractual arrangements to be put in place could be in conflict with future legislation, such as prohibition. • Enforcement of contractual arrangements. • May be seen as weak option by the animal welfare and conservation sectors. • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous wild animal species, as well as a potential shift of commercial trade towards non-indigenous wild animal species.
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SWOT summary: The main benefits of surgical sterilisation of captive lions are the immediate halt of the growth of the industry, the fact it is a permanent and one-off procedure, and the lions can remain with the current owner, which creates an opportunity for income generation through for example trade over a restricted phase out period.

The main weaknesses of this exit option are the considerable cost of the sterilisation procedure, the associated potential logistical challenges, and the lack of direct incentivisation for the farmer. Income generation through live international trade will be limited, as breeding with these animals will no longer be possible, although hunting is still viable.

Unintended consequences:

- 1) The international live trade can be used as a legal loophole for the use of lion derivatives in the absence of a lion bone quota. Live animals can also be exported to facilities outside of South African jurisdiction, such as breeding facilities, zoos and other exhibition facilities. Both can hold potential animal welfare and well-being concerns.
- 2) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.

2b. Population Control by Same Sex Separation

The short-term aim is to stop the breeding of lions involved in the voluntary exit programme and the long-term goal is to halt the overall growth of the captive lion population. Population control by same sex separation is obviously a non-permanent measure but is included in the Population Control Protocol and its associated decision-making tree developed by the MTT to guide these procedures in a responsible manner (see chapter 8 – Protocol P 4).

Prerequisites:

- All compromised lions need to be humanely euthanised based on professional and ethical justification (see SWOT analysis 1b).

Strengths	Weaknesses
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<ul style="list-style-type: none"> • No sterilisation cost. • Less stress on the animals by not having to carry out a veterinarian procedure. • No need for a sterile environment. • Lions can remain with the owner. • Contains the quantity of lions within the TOPS permitted parameters for the facility in question. • Growth of the lion population at the facility is halted. 	<ul style="list-style-type: none"> • Requires owner's consent. • Non-permanent measure, i.e. if lions escape and/or are traded, they can still reproduce and grow the captive lion population. • Potential logistical challenges to separate males from females in terms of available camps and sedating the animals involved, potentially including the need for more camps. • New social structures need to be established that can lead to fighting, and potential injuries or even death. • Captive lions can live up to 15–20 years. If not traded, there is a long-term commitment in terms of cost and the burden of keeping sexes separated. • No direct incentivisation for lion owner. • Welfare and well-being concerns for the lions remaining at the facility.
Opportunities	Threats
<ul style="list-style-type: none"> • Potential for continued hunting and trade with existing lions for a restricted period. 	<ul style="list-style-type: none"> • Welfare considerations need to be made regarding the international live trade of these lions because animal welfare and well-being standards in the country of import may be lacking. • Live international trade can be used as a legal loophole for the use of lion derivatives in the absence of a lion bone quota, which holds potential animal well-being concerns at the destination country. • Contractual arrangements to be put in place could be in conflict with future legislation, such as prohibition. • Enforcement of contractual arrangements. • May be seen as weak option by the animal welfare and conservation sectors. • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous and/or exotic wild animal species.

SWOT summary: The main benefits of ending breeding by the same sex separation of the captive lions are the lack of capital costs, the immediate halt of the growth of the captive lion population at the facility, and the lions can remain with the current owner, which creates an opportunity for income generation through trade over a restricted period.

The main weakness of this option is the non-permanent nature of same sex separation. If lions escape and/or are traded, they can still reproduce, and it would be very difficult to regulate. Furthermore, same sex separation potentially requires more camps and new social structures need to be established that can lead to fighting and potential injuries or even death. The live international trade can be used as a legal loophole for lion derivatives in the absence of a lion bone quota.

Unintended consequences:

- 1) Live international trade can be used as a legal loophole for the use of lion derivatives in the absence of a lion bone quota, which creates potential animal well-being concerns in the destination country.
- 2) Live international trade can potentially create animal welfare and well-being issues at facilities outside of South African jurisdiction, such as breeding facilities, zoos and other exhibition facilities.
- 3) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.

3. Surrender of Lions to Authorities

Individual lions from a voluntary exit can be surrendered by the current owner, removed from the property, and placed into the care of the authorities. This will result in the immediate and permanent removal of all lions from that facility; however, it will place the burden and responsibility for the lion's future into the hands of government.

Prerequisites:

- All compromised lions need to be humanely euthanised based on professional and ethical justifications (see SWOT analysis 1b).
- All surrendered lions must be sterilised (see SWOT analysis 2a), unless the authorities will euthanise all lions.
- Contractual arrangements to be put in place and enforced.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Growth of the industry impeded. • Limited welfare issues. • Lions can no longer re-enter the industry through other captive lion facilities. • Potential to repurpose facilities for other economic activities that do not promote the domestication of wild animal species. • Potential to incentivise the surrendering of lions and/or carcasses. 	<ul style="list-style-type: none"> • Requires owner's consent. • Requires transfer of legal ownership. • Limited options for authorities in terms of the future of the surrendered lions. • Substantial cost involved in keeping the lions (as noted by the Free State). • Where the state is unable to support the keeping of lions, there are substantial costs to potentially humanely euthanise a substantial number of both healthy and compromised lions (approx. ZAR 4,000/lion) and for the ethical and responsible disposal of their carcasses (approx. ZAR 520/lion), including obtaining relevant euthanasia and disposal permits. • Potential logistical challenges with the euthanasia and ethical disposal of carcasses. • Requires strict contractual arrangements to ensure no further animals are purchased. • Requires the enforcement of contractual arrangements. • Potential job losses for existing staff, if the facility has to be closed.
Opportunities	Threats
<ul style="list-style-type: none"> • Potential for DFFE/authorities to relieve the facility owner of all administrative issues, burdens and costs. • Potential for an amnesty of non-compliance, including animal welfare issues and TOPS regulations. 	<ul style="list-style-type: none"> • Cost to authorities to incentivise the surrender of lions as well as their humane euthanasia and the ethical disposal of carcasses. • No government finances available for incentivisation of farmer. • Any incentivisation will need to come from private sector donors. • Lack of capacity of relevant authorities to enforce contractual arrangements. • Overall challenges to finance potential mass-euthanasia.

	<ul style="list-style-type: none"> • Potential reluctance/ethical concerns from veterinarian sector. • Potential for complaints against veterinarians being lodged with SAVC (RE justification of mass-euthanasia). • Potential public outcry over euthanising a substantial number of potentially both healthy and compromised lions. This needs to be managed through PR. • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous wild animal species, as well as a potential shift of commercial trade towards non-indigenous wild animal species.
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SWOT summary: The benefits of surrendering the captive lions involved in voluntary exit to the authorities include the immediate halt of the growth of the industry, an end to existing welfare issues and their future prevention, and the length of the process is finite.

However, a substantial burden is placed on the authorities in terms of financial and other resources to administer these lions. Furthermore, the authorities have limited options other than humane euthanasia in terms of the future of the surrendered lions, because there are no resources for the long-term care of these animals. There is a considerable cost involved with humane euthanasia and the responsible disposal of carcasses, logistical challenges, and the expense of incentivisation of lion owners, while recognising that the government and/or relevant authorities have limited financial resources. Hence, any financing will need to be generated through third party donations, to whom the funding of euthanasia may hold limited appeal.

Unintended consequences:

- 1) A public outcry if a substantial number of potentially both healthy and compromised lions will be humanely euthanised.
- 2) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.

4. Surrender of Lions to Lion Safe Havens

Individual lions from a voluntary exit could be surrendered by the current owner, removed from the property and placed into the life-long care of an existing lion safe haven under strict animal welfare and well-being best practice guidelines. This will result in the permanent removal of some of the healthy lions from the captive lion industry without the need for humane euthanasia or commercial trade domestically and/or internationally.

For the purpose of the voluntary exit, a **lion safe haven** is defined as a registered facility with the relevant authorities:

- (i) that provides a permanent captive home in a controlled environment for specimens that would be unable to sustain itself if released in an environment other than a controlled environment, whether as a result of injury or on account of human imprinting;
- (ii) where all practices are humane and consider the welfare and well-being of the animals;
- (iii) do not allow reproduction, natural or otherwise;
- (iv) that solely accepts rescued/surrendered animals and does not buy, sell, loan or exchange animals in their care;
- (v) that only allows human interaction for veterinary care; and
- (vi) implements best practice in terms of record keeping.

Prerequisites:

- All compromised lions need to be humanely euthanised based on professional and ethical justification (see SWOT analysis 1b).
- All the lions surrendered to lion safe havens must be sterilised (see SWOT analysis 2a).
- Contractual arrangements need to be put in place and enforced.

Note: Quality of Life Assessment guidelines, euthanasia, ethical disposal of carcasses and transport protocols with associated decision-making trees have been developed to guide these processes in a responsible manner. Furthermore, best practice guidelines for the keeping of lions have been developed based on Mellor's Five Domain Model to ensure no future animal welfare and well-being issues can occur (see chapter 8 – Protocol P 6).

Strengths	Weaknesses
<ul style="list-style-type: none"> • Instant termination of original captive lion business. • Perceived image that lions from the voluntary exit are properly taken care off for the remainder of their lives. • Improvement of welfare for those lions that are kept substandard conditions. • Lion safe havens have expertise, capacity and procedures in place for life-time care of captive lions. • Lion safe havens are transparent, easily accessible for inspections and have an inherent willingness to comply. • Potential to expand the existing capacity of lion safe havens with financial injections. • Mitigation of emotional issues of euthanasia of lions and other methods of killing through trade. It provides a publicly more acceptable image. 	<ul style="list-style-type: none"> • Ownership of lions can only be transferred to existing and identified lion safe havens. • Current capacity of lion safe havens to take in lions is limited. Immediate rehoming capacity is about 30 lions and a further 170 lions with a financial injection, across nine lion safe havens in South Africa. • Substantial cost to immobilise (approx. ZAR 2,000/lion) and transport lions to appropriate facility, including cost of staff and logistics during transport as well as after the relocation, when intensive monitoring and working with the new animals is required to ensure they adapt to their new home. • Costly health check required, including blood screening, vaccinations, deworming etc. (approx. ZAR 7,000/lion). • Financial burden of life-time care of captive lions (up to 15–20 years). Hence, a costly and long-term commitment. (Enclosure building approx. ZAR 300,000/ha, food plus supplements approx. ZAR 80,000/lion/year, and basic vet bills approx. ZAR 7,000/lion/year). • Limited incentivisation for lion owner. • Need for strict rules to be developed to ensure no further animals are purchased.

	<ul style="list-style-type: none"> • Lack of clear exit strategy/contingency plans for lion safe havens under “what if” conditions.
Opportunities	Threats
<ul style="list-style-type: none"> • Potential for high profile media exposure of voluntary exit candidates. • Potential for the development of uniform best practice guidelines and certification of lion safe havens. 	<ul style="list-style-type: none"> • Lack of capacity for enforcement of legal agreement and regulations. • Lack of cohesive welfare standards for lion safe havens. • Double standards between commercial facilities and lion safe havens. • Potential for government to put prohibition into effect. • Potentially unethical to transfer responsibility for the long-term care of lions to lion safe havens, who may be affected by future legislative changes, such as prohibition. • Potential objection of captive lion industry and lack of buy-in. • Potential for inadvertently burgeoning of pseudo-sanctuaries under the pretence of saving lions from voluntary exit. Need for moratorium on issuing TOPS permits to new facilities. • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous and/or exotic wild animal species.

SWOT summary: The value of surrendering lions to lion safe havens includes the perceived image of rehoming lions to a permanent captive home, where animal welfare is the top priority, while at the same time the original captive lion business is terminated promptly. It can also mitigate the emotional issues of euthanasia of captive lions and other methods of killing through trade, by providing a publicly more acceptable image. Lion safe havens are also transparent, easily accessible for inspections and have an inherent willingness to comply.

The inherent weaknesses of this option include the few existing lion safe havens available in South Africa with an overall limited capacity to take on more lions in their life-time care (currently only about 200 lions can be rehomed in such facilities), and the substantial cost involved with relocation, health checks and life-time care. Absence of clear exit strategies and/or contingency plans for lion safe havens under “what if” conditions.

Unintended consequences:

- 1) The potential for an inadvertent burgeoning of pseudo-sanctuaries under the pretence of saving lions from voluntary exit, in particular in the absence of cohesive welfare standards for lion safe havens. Need for a moratorium on the issuance of TOPS permits to new facilities, except for new lion safe havens.
- 2) Potentially unethical to transfer the responsibility for the long-term care of lions to lion safe havens, who may be affected by future legislative changes, such as prohibition.

5. Phase out Through Trade Opportunities

The lions remain the property of the current owner, who has opted for voluntary exit, but can utilise the lions under the current legal restricted activities for a restricted period of preferably no longer than two years. Trade in this instance can include captive lion hunting, live trade, and domestic trade in lion skeletons, parts and derivatives, for example for the THPs sector. Contractual arrangements will need to be put in place with clear terms and conditions, such as that no more lions can be purchased by the business, to ensure that after

the phase-out period there will be no more lions at the facility, and that animal welfare and well-being is guaranteed during the phase-out period.

Prerequisites:

- All compromised lions would need to be humanely euthanised based on a professional and ethical justification (see SWOT analysis 1b).
- Sterilisation (see SWOT analysis 2a)
- Contractual arrangements to be put in place and enforced.

Note: Quality of Life Assessment guidelines and euthanasia, ethical disposal of carcasses and transport protocols with associated decision-making trees have been developed to guide these processes in a responsible manner. Furthermore, best practice guidelines for the keeping of lions during phase out have been developed based on Mellor’s Five Domain Model to ensure no future animal welfare and well-being issues can occur (see chapter 8 – Protocols P 1 - P 6).

Strengths	Weaknesses
<ul style="list-style-type: none"> • Lions can remain at a facility. • Employees can remain at a facility. • Short to medium-term income stream from trade in lions for captive hunting, live trade, and domestic trade in lion skeletons, parts and derivatives, e.g. for the THP sector, for a set period of time. • Gradual phase out. • Potential to continue utilising the existing infrastructure. • Limited funding requirement for issues such as the upgrading of the facility and/or retraining of employees. • Facilities will have a limited lifespan, i.e. until all lions are traded out (preferably up to two years max). 	<ul style="list-style-type: none"> • Process needs to be strictly time bound. • Management plan for time bound trade depending on the quantity and age of lions. • Gradual phase out of business in terms of the ongoing: <ul style="list-style-type: none"> ○ costs for the lion owner, ○ welfare concerns of existing lions, and ○ responsibilities for the DFFE/authorities. • Need for strict rules to be developed and enforced to ensure no further animals are purchased. • Need for welfare rules to be developed to ensure the keeping of lions occurs without compromising their well-being.
Opportunities	Threats
<ul style="list-style-type: none"> • Sale of lions and/or lion skeletons, parts and derivatives to government, who would in turn euthanise lions and incinerate carcasses, with an incentive for voluntary exit. • Potential for domestic trade of lion skeletons, parts and derivatives. • Live international trade will be limited, as breeding with these animals will no longer be possible, and could therefore be prohibited. 	<ul style="list-style-type: none"> • Enforcement of legal agreements. • Live international trade will be limited, as breeding with these animals will no longer be possible. • Welfare considerations need to be made regarding the international live trade of these lions because animal welfare and well-being standards in the country of import may be lacking. • Live international trade can be used as a legal loophole for the use of lion derivatives in the absence of a lion bone quota, which holds potential animal well-being concerns in the destination country. • No government finances available for incentivisation of farmer other than the potential domestic sale of lions or their skeletons, parts and derivatives. • Cost to incentivise the sale of lions and/or lion skeletons, parts and derivatives. • Domestic one-off trade of lion skeletons, parts and derivatives: <ul style="list-style-type: none"> ○ Limited local demand. ○ Potential for increased illegal trade. • International one-off trade of lion skeletons, parts and derivatives:

	<ul style="list-style-type: none"> ○ No current CITES lion bone export quota in place subsequent to 2019 High Court judgement and animal well-being has not been addressed as part of the setting of the export quota. ○ Goes against the outcome of the 2018 Colloquium and HLP recommendations. ○ Can create the potential for litigation from the wider industry. ○ Unknown consequences for the demand of lion skeletons, parts and derivatives. ● Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous and/or exotic wild animal species. ● May be seen as a weak option by animal welfare and conservation sectors.
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SWOT summary: The main strength of the voluntary exit option phase-out through trade is that the lions can remain at a facility, as well as the employees. It provides an opportunity for gradual phase-out with a short to medium-term income stream from the legal trade in lions.

The inherent weaknesses include the need for strict time bound contractual arrangements to be developed and enforced to ensure no further animals are purchased and animal welfare is guaranteed.

Unintended consequences:

- 1) The domestic demand for lion skeletons, parts and derivatives is limited and could potentially increase the illegal trade.
- 2) Live international trade can be used as a legal loophole for the use of lion derivatives in the absence of a lion bone quota, and there are potential animal well-being concerns at the destination country.
- 3) Live international trade can potentially create animal welfare and well-being issues at facilities outside of South African jurisdiction, such as breeding facilities, zoos and other exhibition facilities.
- 4) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.

6. Repurposing of an Existing Facility to a Lion Safe Haven

The lions remain at the facility in the ownership of the current proprietor, but the facility will be repurposed to a lion safe haven (under the definition given above under SWOT analysis 4), where the animals will stay for the remainder of their natural life with no breeding, no human-wildlife interaction and no buying, selling, loaning or exchange of animals in their care. Support will be available from existing lion safe havens in terms of staff training in animal care and husbandry, design and building specifications of enclosures, feeding regimes, etc.

Prerequisites:

- All compromised lions need to be humanely euthanised based on a professional and ethical justification (see SWOT analysis 1b).
- Sterilisation (see SWOT analysis 2a)
- Contractual arrangements to be put in place and enforced.

Note: Quality of life assessment guidelines, and euthanasia, ethical disposal of carcasses and transport protocols with associated decision-making trees have been developed to guide these processes in a

responsible manner. Furthermore, best practice guidelines for the keeping of lions have been developed based on Mellor's Five Domain Model to ensure animal welfare and well-being are prioritised (see chapter 8 – Protocols P 1 - P 6).

Strengths	Weaknesses
<ul style="list-style-type: none"> • Lions can remain at a facility. • Employees can remain at a facility and, if required, be retrained as animal care workers. • Potential income stream from tourism within the constraints of a lion safe haven, i.e., no animal-human interaction other than for veterinarian purposes, no breeding, and no trade. • Potential to continue utilising the existing infrastructure. • Facility will have a limited lifespan, i.e., until the end of the lives of their captive lions. 	<ul style="list-style-type: none"> • Substantial cost to carry out required health checks, including blood screening, vaccinations, deworming etc. (approx. ZAR 7,000/lion). • Captive lions can live up to 15–20 years. Hence, a costly and long-term commitment. (Enclosure building approx. ZAR 300,000/ha, food plus supplements approx. ZAR 80,000/lion/year, and vet bills approx. ZAR 7,000/lion/year.) • Need for strict lion safe haven welfare best practice to be developed to ensure long-term care without exploitation and/or compromising the animals' well-being. • Requires a change in staff ethos towards animal duty of care. • Potential cost for upgrading infrastructure to meet suitable welfare requirements. • Potential to legitimise the keeping of other wild animals at the facility by allowing lions to be kept under sanctuary conditions. • Implications for other commercial activities on the farm, for example, the hunting of antelope species.
Opportunities	Threats
<ul style="list-style-type: none"> • High profile media exposure of voluntary exit candidates. 	<ul style="list-style-type: none"> • Contractual arrangements to be put in place could be in conflict with future legislation, such as prohibition. • Enforcement of legal agreement. • May be seen as a weak option by animal welfare and conservation sectors. • Potential for the increased risk of domestication and reduced wildness associated with a shift of commercial trade in other indigenous and/or exotic wild animal species.

SWOT summary: The main strength of repurposing the existing captive lion facility to a lion safe haven is that the existing infrastructure can remain, including the lions and the employees (if required, they can be retrained as animal care workers), while at the same time it creates a potential income stream from tourism.

However, to repurpose a commercial lion facility to a lion safe haven, does not only require a change in mindset and ethos, but also a substantial investment to upgrade the infrastructure to meet suitable welfare and well-being requirements, health checks and the long-term care for the lions. Furthermore, the need for strict lion safe haven best practice guidelines to be developed to ensure long-term care without exploitation and/or compromising the animals' well-being.

Unintended consequences:

- 1) By phasing out captive lions, an opportunity is created to shift the commercial trade towards other indigenous and non-indigenous wild animal species, resulting in an increased risk of domestication and reduced wildness.
- 2) Major time and financial investment in repurposing a facility that may be affected by future legislative changes, such as prohibition.

7. Repurposing for Biodiversity Conservation and Sustainable Use

All captive and captive-bred lions will need to be removed from property, while the facility / farm will be repurposed to one that supports the biodiversity conservation and/or sustainable use, while at the same time contributes to bona fide conservation and preferably supports an ecotourism-based business model, e.g., transitioning of existing facility towards a meta-population reserve. This will open opportunities to join land and drop fences between neighbouring farms and realign business models. Support and advice can be provided in terms of habitat restoration, staff training, sourcing of wildlife, etc.

Prerequisites:

- All compromised lions would need to be humanely euthanised based on professional and ethical justification (see SWOT analysis 1b).
- Contractual arrangements to be put in place and enforced.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Surplus meta-population lions can be introduced into a managed wild situation. • Employees can remain at the facility with some retraining. • Potential for ecosystem restoration. • Potential income stream from ethical hunting and/or wildlife tourism. • Potential for creating a big five reserve and introduce a wide range of wildlife species. 	<ul style="list-style-type: none"> • All captive and captive-bred lions will need to be removed from property. • Not all farms are suitably placed to become a meta-population reserve, e.g., lack of suitable habitat and/or size of farm. • Lack of suitable and available habitat for biodiversity conservation. • Lack of funds for land acquisition and ecosystem restoration. • Initial cost to dismantle existing infrastructure and create adequate predator perimeter fence. • Limited appetite to drop fences between farms and create a larger wildlife area. • Change of ethos in how we manage our wildlife for biodiversity conservation. • The economic business model around wild and wild managed lions is less profitable.
Opportunities	Threats
<ul style="list-style-type: none"> • Potential to repopulate reserve/wildlife area with surplus meta-population lions. • Potential to receive biodiversity tax incentives. • Potential to meet the requirements of the US Fish and Wildlife Services Enhancement Findings for Trophy Hunting. • Potential to include neighbouring farms in the initiative and thereby increasing the size of the reserve/wildlife area. • Potential for partnerships with local communities, as well as land restitution and transformation initiatives. • Potential to create an income stream from the sale of carbon credits for ecosystem services. • Potential to contribute to South Africa's 30 x 30 goal, part of the UN Biological Diversity Conference 2022 agreement to reverse the unprecedented destruction of nature by aiming to protect at least 30% of the planet's land and water by 2030. 	<ul style="list-style-type: none"> • Enforcement of legal agreement. • Increased bans on the importation of hunting trophies and the carrying of trophies by airlines.

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| <ul style="list-style-type: none"> • Potential for government support in kind to facility by for example donating game. | |
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SWOT summary: This voluntary exit option is an attractive prospect because it transforms a commercial captive lion farm through ecosystem restoration into a game reserve with the potential to contribute to South Africa’s biodiversity and the 30 x 30 goal. Captive-bred lions will be replaced with surplus meta-population lions, and employees can remain at the facility with some retraining. An income stream can be generated from ethical hunting, wildlife tourism and/or the sale of carbon credits for ecosystem services. There is also the potential to include neighbouring farms in the initiative and thereby increase the size of the free-roaming wildlife area.

The main weaknesses of this option are the substantial costs involved with dismantling existing infrastructure, creating an adequate predator perimeter fence, and the need for land acquisition and ecosystem restoration. Additionally, there is a lack of suitable and available habitat for self-sustaining, free roaming lions.

8. Rewilding of Captive and Captive-Bred Lions

This exit option considered the viability of rewilding captive and captive-bred lions. Only the healthy and DNA tested captive and captive-bred lions could be removed from a controlled-environment and rewilded into an appropriate managed wild situation.

Prerequisites:

- All compromised lions would need to be humanely euthanised based on a professional and ethical justification (see SWOT analysis 1b).
- DNA testing would be conducted to ensure that only lions of appropriate and genetic conservation importance are used for rewilding purposes¹⁷.
- Contractual arrangements to be put in place and enforced.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Potential for ecosystem restoration and lion rewilding. • Third generation rewilded lions could potentially be available for conservation restoration projects. • Potential income stream from wildlife tourism and ethical hunting over time. 	<ul style="list-style-type: none"> • No conservation requirement to rewild captive and captive-bred lions, as there is a surplus of metapopulation lions in South Africa. • Compromises the welfare and well-being of individual captive lions during the rewilding process, including their lack of physical fitness, change of food, lack of hunting skills, and dealing with other predators. • Potential safety concerns for workers and the public, as these captive-bred lion can lose their fear for humans and predator attacks leading to injuries and death have been recorded (Marnewick & de Waal, 2023). • Perpetuation of the hunting of captive-bred lions.

¹⁷ Dr Susan Miller from LiMF stated in her communication with the MTT dated November 29, 2023 that “before any rewilded captive-bred lions (or their offspring) are considered for integration into the managed wild lion metapopulation, it is critical that they are assessed for suitability and that we have assurances that they will not compromise the genetics of the existing managed wild lion metapopulation. If this is not done and random captive-bred lions (or their offspring) make their way into the metapopulation, they could seriously undermine the 30+ years of lion reintroduction into small, fenced reserves in South Africa, which has contributed to the downlisting of lions from Vulnerable to Least Concern within the region. Rewilding should not be done in isolation and any rewilding efforts should follow a coordinated, carefully considered, science-based approach.”

	<ul style="list-style-type: none"> • LiMF does not accept captive and/or next generation captive lions as managed wild lions into the meta-population. • Mpumalanga and Western Cape do not support the rewilding of captive-bred lions into extensive wildlife systems, due to potential diseases and genetic limitations. • Lack of available, suitable, and safe habitat in South Africa as well as on a continental basis (Riggio et al. 2013; Everatt et al. 2015). • Lack of funds for land acquisition and ecosystem restoration. • Very expensive option in terms of translocation, monitoring, veterinary costs, DNA testing etc. • Diversion of resources from much needed lion conservation activities. • Potential for rewilded lions to re-enter the captive lion industry, especially since they are technically still captive and will not be sterilised. • There is generally a lack of conservation expertise and skills in large-scale, multi-species biodiversity conservation within the commercial captive lion sector. • Legitimises the commercial captive breeding and keeping of lions, and the false conservation benefits.
<p>Opportunities</p>	<p>Threats</p>
<ul style="list-style-type: none"> • Third generation rewilded lions could potentially be available for conservation restoration projects in other African range states. • Transferring of skills and training in large-scale, multi-species biodiversity conservation. • More socially acceptable than euthanasia and/or trading of lions. 	<ul style="list-style-type: none"> • The need to legislate that no individuals would be exported from South Africa other than wild lions for trans-location purposes to appropriate and acceptable in-situ conservation destinations in range states. • The lack of knowledge on how these lions will deal with their wild environment and anthropogenic influences within that environment. • Compromising the biodiversity conservation of wild lions by taking suitable habitat for rewilding captive-bred lions. • Risk of devaluing the conservation efforts of the lion metapopulation and reducing the incentive for lion conservation. • Risk of compromising South Africa's conservation reputation by managing lions on an individual rather than population level. • Enforcement of legal agreement, including assurance that lions do not return to captivity.

SWOT summary: This option has a number of inherent risks, that may be difficult to mitigate, and the option of transitioning to a wild managed meta-population reserve would be more beneficial to the owner and to conservation and should be considered as the more attractive option.

This is the weakest voluntary exit option with the weaknesses and threats (right side of the matrix) by far outweighing its strengths and opportunities (left side of the matrix). Most importantly, there is no conservation requirement to rewild captive and/or captive-bred lions because there is a surplus of metapopulation lions in South Africa. The rewilding process compromises the welfare and well-being of individual captive lions, rewilding is still in an experimental phase with many knowledge gaps, is extremely

expensive, and there is a lack of available, suitable, and safe habitat. It risks devaluing and compromising South Africa's conservation efforts and reputation. Furthermore, there is a need to legislate that no individuals would be exported from South Africa other than wild lions for trans-location purposes to appropriate and acceptable in-situ conservation destinations in range states, as per the HLP recommendations, which is extremely difficult to enforce.

On the positive side, this voluntary exit option creates the potential for ecosystem restoration and lion rewilding, with third generation rewilded lions potentially contributing to biodiversity conservation. This option is also more socially acceptable than the trading and/or humane euthanasia of captive lions.

Unintended consequences:

- 1) Rewilding of captive and captive-bred lions legitimises the commercial captive breeding and keeping of the species, and the false conservation benefits.
- 2) The continued captive hunting of the original captive-bred lions and/or F1 off-spring in slightly bigger hunting camps that does not constitute ethical hunting.
- 3) Potential for rewilded captive and captive-bred lions to re-enter the captive lion industry, especially as they are technically still classified as captive and will not be sterilised.

9. Lion Bone Stockpiles Surrendered to Authorities

Facilities may have stockpiles of whole lion carcasses, skeletons, bones, skins, teeth, claws and other parts, which need to be part of the voluntary exit process. This option considers the surrender of any lion bones, parts and/or derivatives to the government, who can destroy such stockpiles.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Lion bone stockpiles no longer available to potential <u>illegal</u> trade domestically and/or internationally. • Skeletons surrendered to the authorities could potentially be incentivised. 	<ul style="list-style-type: none"> • Requires owner's consent. • Difficult to establish whether or not full stockpiles have been surrendered. • The risk of additional skeletons being added from other facilities.
Opportunities	Threats
<ul style="list-style-type: none"> • High profile media exposure for South Africa to send a message to the world through for example mass-incineration of lion bone stockpiles. • Potential for Government to trade skeletons to the THPs sector. 	<ul style="list-style-type: none"> • Cost to Government to ethically dispose of stockpiles. • No government finances available for incentivisation of farmer. • Cost to incentivise the surrender of stockpiles will need to come from the private sector. • Potential for wild lion poaching to satisfy the local demand for lion products for traditional healers and leaders and/or international demand for some products (e.g. teeth and claws).

SWOT summary: The greatest benefit of this option is that stockpiles are no longer available for any domestic or international trade, whether legal or illegal. Furthermore, South Africa as a country could use a mass-incineration event of the stockpiles for positive media exposure, as has been done in other countries with for example seized ivory.

The main weakness lies in the fact that the government has limited resources to incentivise stockpile surrender, and to ensure temporary safe storage, as well as the ethical disposal of the stockpiles.

Unintended consequences:

- 1) Potential for an increase in wild lion poaching to satisfy the local demand for lion products for traditional healers and leaders and/or international demand for some products (e.g. teeth and claws).

10. Lion Bone Stockpiles (Domestic Trade only)

Stockpiles of whole lion carcasses, skeletons, bones, skins, teeth, claws and other parts, remain in the possession of the current captive lion business owner with an opportunity to trade. **There is currently no CITES export quota for the trade in lion bones, so there is no legal avenue for international trade.** However, the local trade in lion bones, parts and derivatives for THPs and other traditional belief use is legal.

Strengths	Weaknesses
<ul style="list-style-type: none"> Local trade of existing stockpiles may provide some short-term income stream for volunteers from domestic trade in lion bones, parts and derivatives. Long-term, lion bone stockpiles are no longer available for potential illegal trade domestically and/or internationally. 	<ul style="list-style-type: none"> Process needs to be time bound and restricted to legal local trade. Difficult to establish whether or not full stockpiles have been traded out. The risk of additional skeletons being added from neighbouring farms. Enforcement of legal agreement.
Opportunities	Threats
<ul style="list-style-type: none"> Potential for limited domestic trade in lion bones, parts and derivatives to e.g. the THPs sector. 	<ul style="list-style-type: none"> The domestic sale of lion bones, parts and derivatives could be rendered as illegal by the courts as animal well-being cannot be determined and has not been addressed. Feeding the local demand for lion bones, parts and derivatives could result in: <ul style="list-style-type: none"> A potential increase in illegal trade. Potential risk for wild lion poaching to satisfy the local demand for THPs and traditional leaders and/or international demand for some products (e.g. teeth and claws). If an international one-off trade in lion skeletons, parts and derivatives was proposed: <ul style="list-style-type: none"> No current CITES lion bone export quota in place subsequent to High Court judgement and animal well-being has not been addressed as part of the setting of the export quota. Goes against the outcome of the 2018 Colloquium and HLP recommendations. Can create the potential for further litigation from the wider industry. Unknown consequences for demand of lion skeletons, parts and derivatives. May be seen as a weak option by animal welfare and conservation sectors.

SWOT summary: The strength of this option is that the domestic trade of stockpiles can provide a short-term income stream for the lion owner.

However, the trade must be limited to domestic trade only and just the stockpiles of the farmer involved in voluntary exit, no additional lion bones, parts and derivatives can be included from neighbouring farms or business associates. Enforcement of this will be extremely difficult.

Unintended consequences:

- 1) The domestic sale of lion bones, parts and derivatives could be rendered as illegal by the courts as the animal well-being cannot be determined and has not been addressed.

- 2) Feeding the local market could potentially result in an increase in illegal trade and the potential risk to drive wild lion poaching to satisfy the local demand for lion products for traditional healers and leaders and/or international demand for some products (e.g. teeth and claws).

7.2.3 Viability Scoring of Voluntary Exit Options from the Captive Lion Industry

By carrying out a SWOT analysis on all of the potentially available voluntary exit options and thereby identifying the positive forces that could enable the main objective to be achieved, as well as the challenges and potential unintended consequences and risks, the MTT felt that they had not done due diligence. It is clear from the SWOT analyses that some of the potential voluntary exit options show far more weaknesses and threats than strengths and opportunities, with a range of associated unintended consequences that may not be able to be fully mitigated. Offering such options as stand-alone practical and viable exit pathways would be irresponsible.

The main goal of the MTT was to develop a strategy and pathways for voluntary exit from the captive lion industry with win-win outcomes. To develop such a well-supported process, voluntary exit options need to be identified that:

- Reduce the size of the industry through a reduction in the number of either captive lion facilities or captive and captive-bred lions and preferably both.
- Have the lowest socio-economic impact.
- Require limited investment of financial and/or human resources from national and/or provincial authorities.
- Have the highest biodiversity conservation benefit.
- Require the shortest time period to achieve its objective.

To this end, all potential voluntary exit options were also scored as low medium, or high in terms of their feasibility in achieving these five objectives, which should provide a clearer and more defined indication of their viability as stand-alone options (Table 7.1).

It is clear from the SWOT analyses and the scoring (Table 7.1) that most exit options have a low viability to achieve the intended objectives as standalone options. However, a combination of voluntary exit options can substantially improve their viability. This is one of the reasons why most voluntary exit options have mandatory prerequisites (see section 2.3), such as the humane euthanasia of compromised lions and sterilisation of the remaining healthy lions. By adding these prerequisites, it addresses the low viability of many voluntary exit options in terms of reducing the size of the industry through decreasing the number of captive and captive-bred lions in the short to medium-term. Furthermore, it addresses any existing animal welfare and well-being issues by carrying out the Quality of Life Assessment and immediately euthanising any compromised lions (see chapter 8 – Protocols P 1, P 2 and P 3). These prerequisites will also shorten the time period over which the objective can be achieved.

Furthermore, the various voluntary exit options listed in Table 7.1 and Figure 7.2 can be used as building blocks to create individualised and tailor-made voluntary exit pathways to suit a wide range of circumstances. For example, the trade out of lions through captive lion hunting, and domestic trade in lion skeletons, parts and derivatives for the THP sector, has not only a higher score when preceded by the mandatory prerequisites, but when combined with the ultimate repurposing of the facility for the conservation of biodiversity and bringing in wild, self-sustaining, and free-roaming lions, the end product will significantly improve the biodiversity conservation impact of the voluntary exit pathway.

Rewilding of captive and captive-bred lions

It has been decided that the rewilding of captive and captive-bred lions has too many inherent risks and unintended consequences that may be difficult to mitigate to consider this as a viable voluntary exit option. Most importantly, there is currently no conservation requirement to rewild captive and/or captive-bred lions, as there is a surplus of metapopulation lions in South Africa. The priority for lion conservation should be on the management of wild and wild-managed lions and limited conservation resources and space should not be diverted to the rewilding of captive and captive-bred lions. Hence, this exit option will be excluded as a viable option going forward.

Table 7-1 Scoring of all potential voluntary exit options in terms of their feasibility in achieving the objectives, namely 1) reducing the size of the industry through a reduction in the number of either captive lion facilities or captive and captive-bred lions and preferably both, 2) have the lowest socio-economic impact, 3) require limited investment of financial and/or human resources from national and/or provincial authorities, 4) have the highest biodiversity conservation benefit, and 5) require the shortest time period to achieve its objective. All options were scored as high (green), medium (orange) or low (red) as stand-alone options. Combinations of prerequisite and potential voluntary exit options can increase their viability.

Viability of potential voluntary exit option to achieve	Reducing size industry	Limiting socio-economic impact	Limiting need for resources from authorities	Biodiversity conservation benefit ¹⁸	Ability to achieve its objective timely
Prerequisites					
Humane euthanasia of compromised lions	High	Medium	Medium	N/A	High
Population control by surgical sterilisation*	Medium	High	Medium	N/A	High
Population control by same sex separation	Medium	High	Low	N/A	High
Potential voluntary exit options					
Humane euthanasia of lions and permanent exit from the industry	High	Low	Medium	N/A	High
Phase out through trade opportunities	Medium	Medium	Low	N/A	Medium
Surrender of lions to lion safe havens	Low	Medium	High	N/A	Medium
Surrender of lions to authorities	High	Low	Low	N/A	High
Repurposing of an existing facility to a lion safe haven	Low	High	Low	N/A	Medium
Repurposing of an existing facility for biodiversity conservation and sustainable use	Medium	High	Medium	High	Low
Rewilding of captive and captive-bred lions	Low	Low	Medium	Low	Low
Lion bone stockpiles					
Lion bone stockpiles surrendered to authorities	N/A	N/A	Medium	N/A	Medium
Lion bone stockpiles for trade out	N/A	N/A	Low	N/A	Medium

* Assuming that the financing of the sterilisation of the lions involved will be covered by third party funding.

¹⁸ The MTT has not considered the indirect conservation benefit that each of the voluntary exit options would have through reduction in transaction costs for government nature conservation agencies, so that funds can be redeployed to conservation.

7.3 Viable Voluntary Exit Strategies

The recommendations presented here are the result of a lengthy process, which has included extensive engagement with stakeholders, the above SWOT analyses and scoring of all potential voluntary exit options to identify the most feasible pathways. The MTT has endeavoured to find the most viable “win-win” voluntary exit proposals to enhance the objectives of voluntary exit from the captive lion industry, in a manner that will support the strengthening of biodiversity, responsible and ethical tourism models, and socio-economic development.

The following voluntary exit options can be used as building blocks to create a variety of voluntary exit strategies to suit a wide range of circumstances. All voluntary exit options will need to be time-bound, e.g. immediate, short-term to medium-term, to cater for case-by-case circumstances. However, this time period should be kept as short as practically possible, but preferably not exceeding 24 months¹⁹. Considering that the provincial authorities already operate under-resourced and with limited capacity, a shorter phase out period will restrict the burden on the provincial authorities as the implementing and enforcement authority for the voluntary exit terms and conditions.

The following voluntary exit options are considered viable as stand-alone or in combination (Figure 7.2). Please note that all protocols referred to below can be found in chapter 8.

Mandatory Prerequisites:

A. Humane euthanasia of compromised lions

Before any steps in the voluntary exit pathway are undertaken, a primary health care or **Quality of Life Assessment Protocol** (P 1) has to be carried out on all the lions involved in voluntary exit. The main aim is to identify any compromised lions for humane euthanasia to avoid further and future suffering.

The **Euthanasia Protocol** (P 2) will need to be followed to ensure the most ethical method is used to terminate the animal’s life with a minimal amount of pain and stress, and in a species appropriate manner.

Once the animals have been euthanised, the remains need to be disposed of in accordance with the **Carcass Disposal Protocol** (P 3) to limit the quantity of lion bones, parts and/or derivatives available for legal and/or illegal trade (See also Figure 7.3).

B. Population control preferably by surgical sterilisation

The short-term aim is to stop the breeding of lions involved in the voluntary exit programme with a more medium to long-term goal to halt the overall growth of the captive lion population. Population control by surgical sterilisation is a permanent solution and the preferred method according to the **Population Control Protocol** (P 4).

Most Viable Voluntary Exit Options Involving Live Captive and/or Captive-bred Lions in Order of Priority:

1) Humane euthanasia of all lions and permanent exit from the industry

For this voluntary exit option, the owner gives their consent to humanely euthanasia all captive and captive-bred lions, both healthy and compromised animals, in his/her ownership in agreement with a wildlife veterinarian and exits from the captive lion industry immediately and completely. The **Euthanasia Protocol** (P 2) and **Carcass Disposal Protocol** (P 3) will need to be followed. Contractual

¹⁹ Engagement with current lion safe havens indicated that to increase their capacity, they may require up to 24 months for fundraising, enclosure building, and staff recruitment and training.

arrangements will be put in place with clear terms and conditions, such as that no more lions can be purchased by the business.

2) Phase out through trade opportunities

The healthy lions remain the property of the current owner to be utilised under the current legal restricted TOPS activities for a limited phase-out period of preferably no longer than two years. Trade in this instance can include captive hunting and the domestic trade in live lions and/or lion skeletons, parts and derivatives. No tactile animal interactions are allowed during the trade out period, including but not limited to cub petting, walking with lions and using lions as photo props.

Contractual arrangements will be put in place with clear terms and conditions, such as that no more lions can be purchased by the business, to ensure that after the phase-out period there will be no more lions left at the facility, and that animal welfare and well-being is guaranteed during the phase-out period.

Even though this exit option involves trade out, the **Euthanasia Protocol (P 2)**, **Transport Protocol (P 5)** and the **Best practice Guidelines for the Keeping of African Lions in Controlled Environments (P 6)** still apply to avoid any animal welfare and well-being issues.

While compliance with current provincial regulations is compulsory for all lion facilities, these best practice guidelines are compulsory for voluntary exit candidates. Although minimum conditions can be achieved over a reasonable time period, all nutritional and physical well-being standards need to be introduced immediately for all remaining lions at the facility.

The international trade in live lions is **excluded** as a trade option for the following reasons:

- The unintended consequences of animal welfare and well-being concerns in the destination country importing live lions cannot be controlled or mitigated, and
- It goes against the spirit of Policy Objective 4 of the draft Policy Position paper that states the intention to promote in-situ conservation and live exports of wild specimens to African range states in suitable habitats as opposed to exporting wild specimens into captivity, as well as the focus on promoting and considering animal well-being, a duty of care, and a desire to prevent the erosion of wildness by exporting into captivity.

3) Surrender of lions to lion safe havens

Some percentage or all of the remaining healthy lions from the voluntary exit are surrendered by the owner, removed from the property and placed into the life-long care of an existing lion safe haven under strict animal welfare and well-being best practice guidelines. This results in the permanent removal of some of the healthy lions from the captive lion industry without the need for humane euthanasia or commercial trade domestically and/or internationally.

All applicable protocols, such as the **Transport Protocol (P 5)** and the **Best Practice Guidelines for the Keeping of African Lions in Controlled Environments (P 6)** apply to any lion safe haven to avoid animal welfare and well-being issues.

Less Viable Voluntary Exit Options Involving Live Captive and/or Captive-bred Lions:

4) Surrender of lions to authorities

The individual lions from the voluntary exit are surrendered by the owner, removed from the property, and placed into the care of the authorities. This will result in the immediate and permanent removal of all lions from the captive lion industry but will place the burden and responsibility for the lion's future into the hands of government.

All applicable protocols, such as the **Transport Protocol** (P 5) and the **Best practice Guidelines for the Keeping of African Lions in Controlled Environments** (P 6) apply to both provincial and national authorities keeping facilities to avoid animal welfare and well-being issues.

5) Repurposing of an existing facility to a lion safe haven

The healthy lions remain at the facility in ownership of the current proprietor, but the facility will be repurposed to a lion safe haven (under the definition given above under SWOT analysis 4), where the animals will stay for the remainder of their natural life with no breeding, no human-wildlife interaction and no trade. Support will be available from existing lion safe havens in terms of staff training in animal care and husbandry, design and building specifications of enclosures, feeding regimes, etc.

All applicable protocols, such as the **Transport Protocol** (P 5) and the **Best Practice Guidelines for the Keeping of African Lions in Controlled Environments** (P 6) apply to the repurposed lion safe haven to avoid animal welfare and well-being issues.

While compliance with current provincial regulations is compulsory for all lion facilities, these best practice guidelines are compulsory for voluntary exit candidates. Although certain minimum conditions can be achieved over a reasonable time period, all nutritional and physical well-being standards need to be introduced immediately for all remaining lions at the facility.

6) Repurposing of an existing facility for biodiversity conservation and sustainable use

All captive and captive-bred lions will need to be removed from the property, while the facility/farm will be repurposed to one that supports biodiversity conservation and/or sustainable use, while at the same time contributes to bona fide conservation and preferably supports an ecotourism-based business model, e.g., transitioning of an existing facility towards a meta-population reserve. This will create opportunities to combine areas of land and drop fences between neighbouring farms and realign business models. Support and advice can be provided in terms of habitat restoration, staff training, sourcing of wildlife, etc.

Viable Voluntary Exit Options Involving Live Bone Stockpiles:

1) Lion bone stockpiles surrendered to authorities

The facility may have stockpiles of whole lion carcasses, skeletons, bones, skins, teeth, claws and other parts that need to be part of the voluntary exit process. The full stockpiles are surrendered to the government, who can opt to destroy the stockpiles according to the **Carcass Disposal Protocol** (P 3). This voluntary exit option will also curb illegal export of lion bones and signal government's commitment to ending the commercial captive lion industry.

2) Lion bone stockpiles for trade out

Stockpiles of whole lion carcasses, skeletons, bones, skins, teeth, claws and other parts, in the possession of the captive lion business owner and part of the voluntary exit are traded out. **However, there is currently no CITES export quota for the trade in lion bones, and therefore no legal avenue exists for international trade.** Stockpiles can therefore only be used for local trade, for example for the THP sector and use in other traditional beliefs.

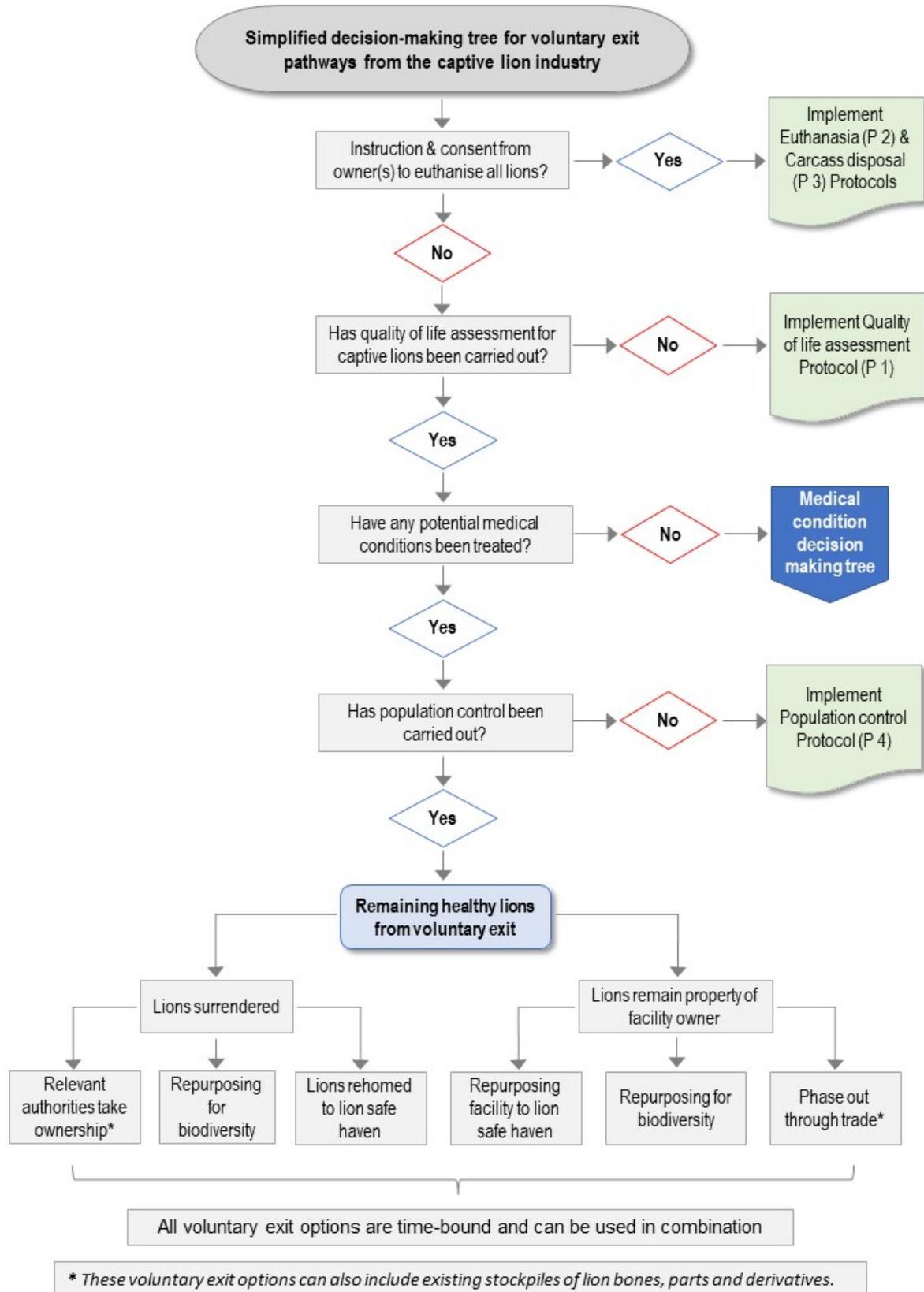


Figure 7-2 Simplified decision-making tree for voluntary exit pathways from the captive lion industry.

7.3.1 Mandatory Prerequisites

South Africa has a very limited capacity to rehome surrendered healthy lions in existing lion safe havens and neither the national nor provincial authorities have appropriate keeping facilities. Currently, there is an immediate rehoming capacity of about 30 lions with an additional medium-term capacity for a further 170 lions across five lion safe havens in South Africa. All other lion safe havens are currently at full capacity with either no available and suitable habitat or have reach their financial sustainability limit. However, the latter requires fundraising efforts, the building of new enclosures, and recruitment and training of additional staff, which can take up to 24 months.

Considering this lack of adequate, suitable and sustainable capacity for captive and captive-bred lions to be rehomed, there is a need for viable and pragmatic solutions for the lions currently held in captivity. This led to the development of Protocol P 1, the Quality of Life Assessment, that evaluates objectively the health of the individual animal by scoring a wide range of physical and mental health aspects and making an ethically acceptable, justifiable and reasonable decision on the future of the lions involved in the voluntary exit process.

All of the voluntary exit options start with the two mandatory prerequisites, namely the implementation of the Quality of Life Assessment (Protocol P 1) to identify any compromised lions that may need to be humanely euthanised (Protocol P 2) and their carcasses disposed of responsibly (Protocol P 3). All remaining healthy lions, including those that may need some veterinarian treatment, need to be sterilised to halt any further breeding and curb the growth of the captive lion population (Protocol P 4). See Figure 7.3 for a more detailed decision-making tree involving the prerequisites and the related protocols.

This process may require not only the humane euthanasia of compromised lions, but also of healthy lions if the rehoming capacity to lion safe havens is less than the number of lions coming out of the voluntary exit process.

Both types of euthanasia require a TOPS permit from the relevant authority and need to be carried out by a suitably qualified veterinarian, who needs to be willing to potentially euthanise healthy lions. The South African Veterinary Council (SAVC) have indicated that there are situations where a veterinarian can take the decision to euthanise healthy lions without compromising his/her professional conduct. One such example is where a high probability of animal welfare and well-being risks exists in the near future due to a lack of financial resources, i.e. a facility does not have sufficient funds to properly feed and/or care for their captive lions.

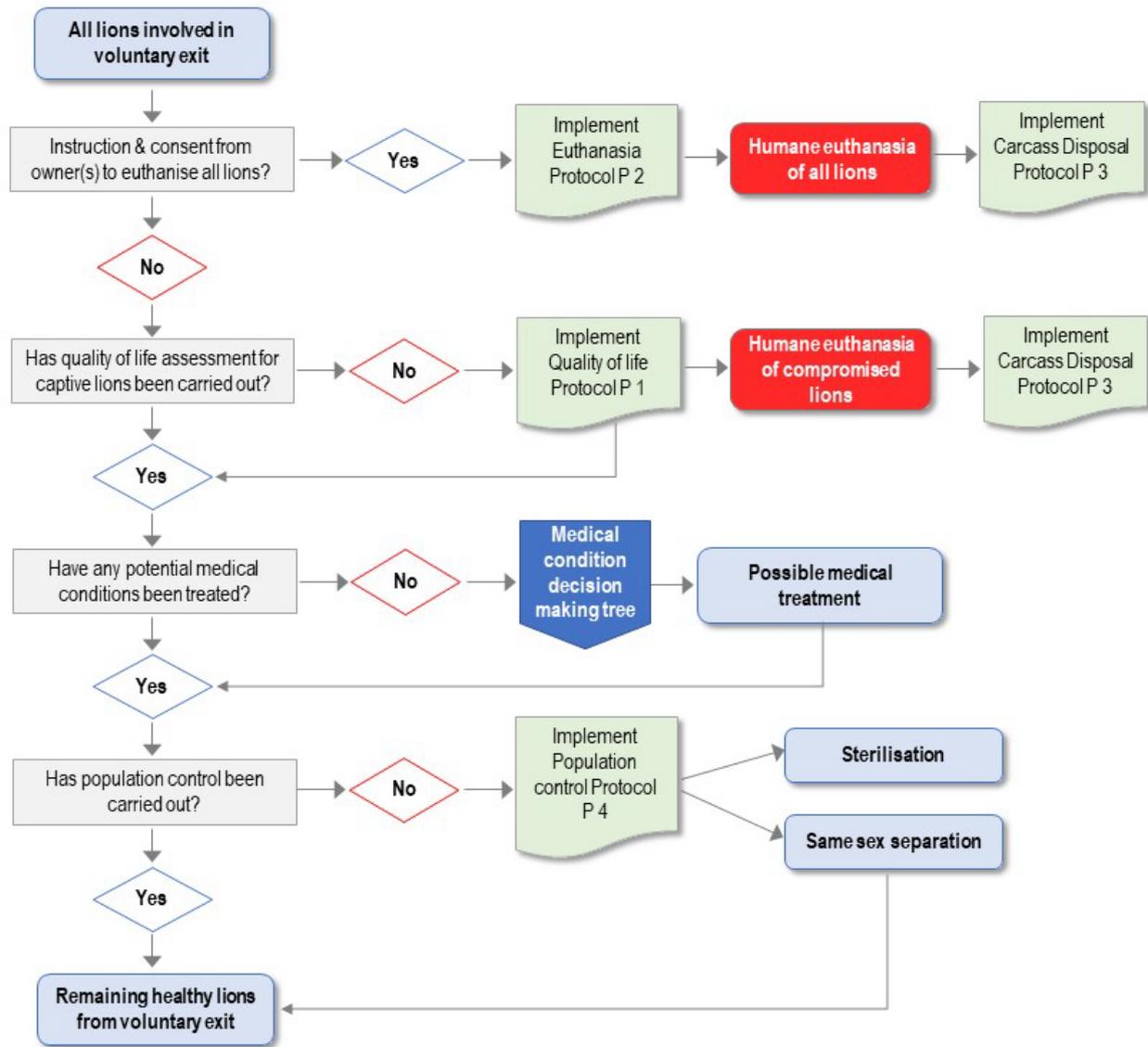


Figure 7-3 Prerequisite decision-making tree for voluntary exit pathways from the captive lion industry.

7.3.2 Socio-Economic and Employment Outcomes of Voluntary Exit from the Captive Lion Industry

The section focusses on the social and economic factors identified by potential volunteering facility owners, given the current economic and policy environment. It outlines some of the key reasons outlined by facility owners for wanting to exit the industry, and their expectations. The need for a sector wide socio-economic assessment was raised by a number of stakeholders and was referred to the DFFE; however, the focus of the MTT has restricted its analysis to the voluntary exit candidates. Many industry stakeholders have raised the social investment contribution made to schools and other community projects. The sample of volunteers interviewed identified mainly the impact of job creation and the support this income provides to their employee's families. Additionally, the tax contribution and permit fees, was also raised as income provided to support the fiscus.

Income and Income Pressures

In general, the typical range of income sources include revenue generated from among other sources tourism, voluntourism, photographic exhibitions, hunting and export of trophies, export of lion derivatives (although no CITES export quotas have been issued for lion bones since 2019), and the domestic and international sale of live lions. In a survey of a sample of the lion breeding, keeping, and hunting industries in South Africa, some owners indicated that they had a significant reduction in income as a result of the ban on exporting lion trophies to the USA post-2016 (Williams and 't Sas-Rolfes, 2019). However, these facilities also indicated that they have adjusted their business model to accommodate for the loss of trophy income, increasing their dependence on income from the sale of lion bones.

Insights drawn from conversations with potential volunteers wanting to exit the captive lion industry have confirmed that a significant source of their income (from the sale of lion bones) was lost given the absence of quotas for the export of lion bones since the 2019 High Court Judgment.

In response to the impact of these economic pressures on income, some of these facilities have adjusted their business model, including the following broad strategies:

- Some of the facility owners downsized their businesses to reduce operational costs, as reflected by the skewed distribution in the size of the facilities favouring fewer lions per facility (see also sections 5.3.3 and 5.4.2);
- Most facility owners have diversified their business operations, which both sustained their businesses despite the revenue shocks and/or grown the proportion of the 'non-lion' sectors of their businesses. For example, where lions are the drawcard in hunting packages it will also include a wide range of other predators and game species (see also sections 5.3.4 and 5.4.3).
- Beneficiating their hunting by-products, by supplying game meat and biltong, and the sale of derivatives of other animals.

They are however reluctant to invest further in any tourism (and related accommodation) facilities. Despite the recognised agility and innovation in their operations, the prevailing risks within the industry remain a significant concern. The typical income generated from lion hunts ranges from ZAR 70,000 to ZAR 80,000. In certain instances, lions with meticulously groomed black manes and large heads can command prices of up to ZAR 150,000.

Expenditure Trends and Pressures

The expenses involved in running a captive lion facility in South Africa can vary based on factors such as the size of the facility, the number of lions, the level of care provided, and the overall management practices. The best practice expenses associated with operating such facilities include:

- Enclosures and night houses: the construction and maintenance of suitable enclosures for captive lions is a significant expense. These enclosures must meet provincial, welfare, enrichment and husbandry requirements, which may include large spaces as regulated by the different provinces (see also section 6.2). These enclosures also require security measures such as electric fencing, and surveillance systems. The approximate investment costs have been estimated at ZAR 250,000 in the Free State to ZAR 400,000 per hectare for fencing and shelters. Additionally, during loadshedding, the expenses for freezing and electricity increase significantly, with an estimated monthly cost of ZAR 20,000 for diesel generators.
- Staff to manage the daily care, feeding, and cleaning of enclosures, as well as administrative personnel. In the larger facilities, mostly the larger sanctuaries, their staff may even include veterinarians. Staffing costs vary widely, with estimates of between ZAR 10,000 to ZAR12,000 for animal carers and security staff, respectively.

- Health care is administered by private veterinarians for routine check, vaccinations, disease prevention, and treatment for any illnesses and/or injuries. These costs are specific to the individual animal or incident, with the average monthly consultation costs for dental and specialist care ranging between ZAR 15,000 and ZAR 20,000.
- The costs for food and supplements to ensure a balanced diet varies substantially, with some facilities dependent on donations from neighbouring cattle and chicken farms. Furthermore, breeding farms have additional costs associated with providing care for cubs and ensuring the overall reproductive health of the lions. Typical feeding costs range from ZAR 3,000 (Free State) to ZAR 7,000 per lion per month. The costs differ among provinces, with the least expensive options found in regions primarily focused on cattle and game breeding.
- Administrative, management and permit costs are often borne by the facility owners (and their families in smaller facilities). Other costs include liability insurance, covering risks such as fires, lion escapes, human injury, and vehicle-related incidents.
- Marketing, logistics and other costs to support the business and trade activities related to the business requirements.

The cost estimates vary substantially depending on the size and location of the facility. Some potential volunteers have suggested cost estimates ranging from ZAR 12,000 to ZAR 18,000 per lion annually. As a comparison, compliance inspection reports from the DFFE indicated an annual expenses range of ZAR 338 to ZAR 83,333 per lion. All facility owners indicated that they only pursue lion hunts involving lions aged five years or older, with minimum expenses prior to commencing the lion hunt of at least ZAR 60,000 per lion. In addition to the challenges posed by inflationary pressures, certain facility owners have conveyed that the avian flu and foot-and-mouth outbreaks in specific regions are impeding their ability to provide donated food to their lions. Consequently, these infections are not only posing potential health risks but are also contributing to increased financial burdens on the affected facility owners. One provincial nature conservation officer raised related concerns around animal welfare and well-being, as they had seen subsequent malnutrition resulting from the lack of meat donations. The combined impact of these factors underscores the financial difficulties faced by these owners, highlighting the need for comprehensive solutions to address both economic and animal well-being concerns within the captive lion industry – making voluntary exit a viable option.

Options for Income Replacement and Securing Employment

Discussions with potential volunteers have explored opportunities to transform captive lion businesses and recover investments. These opportunities include the repurposing of existing ventures into alternative areas, such as biodiversity, tourism, and other agricultural pursuits. The latter options appear feasible with lower returns and reduced risks for facility owners but are contingent upon support from DALRRD. Climate change mitigation projects also present opportunities for income generation, providing that suitable investment partnerships are secured. Transforming facilities into lion safe havens necessitates a shift in mindset and largely relies on support from donor communities. However, support from the existing lion safe havens in terms of knowledge and expertise transfer and animal husbandry training has been tendered during stakeholder engagement.

Additionally, the MTT is recommending a sunset period of two years allowing for example for trade out, that will provide ongoing income to facilities during the phase out period and allow for transforming the business.

Direct employment is estimated at two employees per 10 lions (see section 5.3.7) and continued employment of these individuals is a critical priority of both the MTT as well as the facility owners. The proposed voluntary exit options allow for the following opportunities for the employees:

- Reemployment in the repurposed facility;
- Training and reemployment in the new business;
- Retraining and absorption into similar businesses;

- Downsizing in compliance with appropriate labour legislation, with the specific objective of minimising any retrenchment.

The MTT is optimistic that, considering that most employees are (i) not occupied full-time with work on captive lions, (ii) the industry's past adaptability to business challenges and (iii) the availability of possible alternative opportunities, the negative impact on employment will be minimal.

Key Business Risks and Opportunity Costs

The minister and DFFE, since the adoption of the HLP's majority recommendations, have had stakeholder consultation about its intention to close the industry, as well as the gazetting of the prohibition notice on the registration of new facilities for public comment. Closure of the captive lion industry will allow the country to recover the lost opportunities through directing valuable monitoring and enforcement resources of the industry towards improving conservation, and addressing the reputational risks in tourism (Harvey, 2020).

In summary, the socio-economic impact of voluntary exit initiatives is leaning towards being neutral to positive, considering both the overarching goal of achieving "win-win" outcomes and the option for facility owners to voluntarily exit if they perceive the exit terms and conditions to be favourable, especially with the possibility to incentivise specific aspects, such as services.

Notwithstanding this, there is a substantial materialisation of potential risks linked to facility owners persisting in their operations, especially in light of the government's proposed policy objectives to shut down the captive lion industry, as discussed earlier. Furthermore, the unlikely reinstatement of the lion bone export quota and the challenges associated with adhering to the High Court decision will persistently exert pressure on the financial viability of this industry. The risks are further amplified by considerable lobbying efforts, both domestically and internationally, advocating for the closure of the captive lion industry, signifying a notable and significant threat.

7.3.3 Legal Implications and Processes

Although all voluntary exit options give considerable attention to the absorption of vulnerable workers in the future activities, including for example the retraining of workers to support the repurposed facility or participating in new biodiversity (or other related) activities, it is anticipated that a voluntary exit from the captive lion industry may lead to retrenchments. It needs to be ensured that such retrenchments (if any), are voluntary and conducted in terms of the laws of the Republic of South Africa. The aim of this advice is to avoid the number of potential forced retrenchments within the captive lion industry, especially those who will be affected by the voluntary exit of their employers.

In essence, a voluntary retrenchment is an alternative to a forced retrenchment, whereby an employee volunteers and agrees to be retrenched and subsequently waives his or her rights arising from the termination of his or her services.

Section 189 of the Labour Relations Act 66 of 1995 (LRA) (as amended) permits employers to dismiss employees for operational requirements. These are defined as requirements based on the economic, technological, structural or similar needs of the employer. Moreover, an employer who employs 50 or less employees are subject to the processes set out in section 189 of the LRA, which sets out the procedural and substantive obligations placed on the employer to maintain a fair retrenchment process.

Limitations

At this juncture, there is no information available on the exact number of volunteers who are interested in exiting the captive lion industry, as the number are still fluctuating, and therefore it is not known how many employees would be affected by such an exercise.

Applicable Legal Principles

It is noteworthy that upon commencing with the retrenchment process as prescribed by the LRA, employers often start by undertaking a voluntary retrenchment exercise. Like all dismissals, retrenchments must be both procedurally and substantively fair. Section 189 of the LRA requires all consulting parties to reach consensus on the various matters. In essence, the LRA requires that consultation must take place when the employer contemplates retrenchment. It should be taken into consideration that the consultation, as referred to above, is a process and not a once-off meeting.

Section 189(1) of the LRA provides that, before retrenching, employers must consult any person whom the employer is required to consult in terms of any collective agreement that may be in force. If there is no collective agreement, meetings should be held with all employees that could be affected by the retrenchment. Moreover, Section 189(2) of the LRA states that the consulting parties must attempt to reach consensus on the following matters:

- The possibility of avoiding the dismissal i.e. alternatives to dismissal;
- Appropriate measures to minimize the dismissals;
- Measures to change the timing of the dismissals;
- Appropriate measures to mitigate the effects of retrenchment;
- The method for selecting the employees to be dismissed; and
- Severance pay.

Selection Criteria

The selection criteria that are generally accepted to be fair include among others length of service, skills and qualifications. Generally, the test for fair and objective criteria will be satisfied by the use of the "*last in first out*" (LIFO) principle. There may be instances where the LIFO principle or other criteria needs to be adapted. It is noteworthy that the LIFO principle is not designed to operate so as to undermine an agreed affirmative action programme. However, exceptions may include the retention of employees based on criteria mentioned above which are fundamental to the successful operation of the business. These exceptions should however be treated with caution.

Notices of Termination

The employer must issue notices to the employees, who have been selected to be retrenched, after the consultation process has been completed.

Severance Pay

Employees are entitled to receive severance pay only if they are retrenched for operational requirements. The requirements regarding severance pay are set out in section 41 of the Basic Conditions of Employment Act 75 of 1997 (BCEA). Section 41 of the BCEA provides that an employer must pay an employee, who has been dismissed for operational requirements "severance pay equal to at least one week's remuneration for each completed year of service with that employer".

Payments

The employer must pay the retrenched employee(s) the following payments:

- Severance pay;
- Any outstanding leave due (up to date of dismissal); and
- Notice pay (either in terms of the BCEA or as per employment contract).

It is important to note that by undertaking this exercise, an employer implicitly contemplates the need for potential forced retrenchments, which attracts the obligation to commence the formal retrenchment process as prescribed by Section 189 of the Act.

In SACU and Another v Telkom SA SOC Ltd (2020), the Labour Court, however, held that “Even if a party has reservations about whether there is a need for retrenchments, it must be prepared to engage in consultations on alternatives. Nothing prevents a party from engaging on a provisional basis, by making it clear upfront that its consent to the adoption of certain alternative measures is subject to it being persuaded that retrenchments would otherwise be required.”

The offer of voluntary retrenchment can be made by either the employee or the employer, although in practice, more often than not, the employer makes the offer. Upon the other party accepting the offer, a voluntary retrenchment agreement is adduced to writing and signed by the parties. The employee will, however, not waive his contractual rights to enforce the payments and/or benefits agreed upon in terms of the agreement, should the employer default thereon.

In Gbenga-Oluwatoye v Reckitt Benckiser South Africa (Pty) Limited and Another (2016), the Constitutional Court found that a clause in such a final agreement between employee and employer, whereby an employee waives his or her rights to approach the CCMA or Labour Court regarding any dispute that arises from the work relationship, was not against public policy, despite Section 34 of the Constitution which grants every person the right to access to the courts.

In Hodges v Urban Task Force Investments CC and Others (2013), the Labour Court, however, held that an employee cannot waive his or her right to a fair dismissal in consideration of payments legally owed to the employee. Therefore, a voluntary retrenchment agreement will only be valid and enforceable if the employee is paid or granted a “sweetener” in the form of an amount of money or benefits additionally to what he or she is legally entitled to. Such a “sweetener” might be an enhanced severance package, where, for example, an employee is paid an extra week for every completed year of service. Alternatively, an employer may pay an employee an additional amount as gratuity or continue to contribute towards the employees’ medical aid for a specific period after his services are terminated. Ultimately, the amount and nature of the enhanced package is a matter for negotiation between the parties.

Conclusion

The Constitution of the Republic of South Africa and the LRA require fairness to be the compass of these processes.

7.3.4 A Case for Amnesty as an Incentive in the Voluntary Exit Strategy

Amnesty has been described as a sovereign act of oblivion or forgetfulness for past actions. It is granted by a government to persons who may be guilty of crimes. It is often conditional upon their return to obedience and duty within a prescribed period, generally addressed to classes or communities. Amnesty usually takes the form of a legislative act or other constitutional or statutory act. Amnesty is distinguishable from a pardon in that it can be implemented with or without evaluating the guilt or otherwise of the person, leading to the abolishment, absolution and forgetfulness of the crime. A pardon on the other hand is a relief from punishment after the establishment of a person’s guilt, it does not erase the guilt of the person.

The MTT has considered amnesty from either NEMBA and/or TOPS non-compliance and/or infringement of the APA as a potential incentive for voluntary exit. Currently, there are no examples of amnesties in South Africa in the context of biodiversity or environmental legislation. However, the principles and objectives for granting amnesties are similar.

Although it is acknowledged that a concurrent function exists between national and provincial government on environmental and nature conservation matters, a national approach for amnesty is preferred to create uniformity for voluntary exit candidates, regardless of which province they are located in.

Legislative Provisions – the NEMBA

When considering amnesty in the biodiversity space, consideration must be given to the principles of cooperative government and intergovernmental relations called for under section 41 of the Constitution. The section requires all spheres of government to cooperate, consult, and assist one another on matters of common interest. Issues affecting biodiversity and the environment fit the criteria of what could be regarded as common interest under section 41.

Notably, amnesty is only referred to in the Constitution under section 22(1) of Schedule 6, which deals with the transitional arrangement. The section provides that “Notwithstanding the other provisions of the new Constitution and despite the repeal of the previous Constitution of 1993, all the provisions relating to amnesty contained in the previous Constitution under the heading “National Unity and Reconciliation” are deemed to be part of the new Constitution for the purposes of the Promotion of National Unity and Reconciliation Act, 34 of 1995 (Reconciliation Act).”

The National Environmental Management Act 107 of 1998 (NEMA) permits the Minister to delegate powers and duties under NEMBA to the provincial MEC. Section 105B of NEMBA provides for amnesty/indemnity against prosecution for the carrying out of any restricted activity in respect to listed threatened or protected species. In this regard, the Minister may, by way of notice in the Gazette, determine to declare a period of amnesty, subject to the conditions he/she deems necessary. This decision is subject to the discretion of the Minister.

For example, in an attempt to bridge alignment between the cosmetics industry and the DFFE, the Cosmetic, Toiletry & Fragrance Association of South Africa (CTFA), requested amnesty and submitted a proposal in June 2016 to the Minister. The CTFA engaged in consultation sessions to create industry awareness and various engagements with companies. On November 1, 2017, the Amnesty Notice 1155 was published relating to a proposed amnesty period that would facilitate the revision and compliance of Chapter 6 of the NEMBA with an amnesty period of 24 months. However, the period of amnesty is “to facilitate compliance with the provisions of the Act”. Therefore, the declaration of amnesty will only apply against prosecution for the carrying out of any restricted activity recognised under the NEMBA.

Legislative Provisions – the APA

The Animal Protection Act, 71 of 1962 (APA) does not expressly provide for the provision of amnesty. However, section 10 of the APA does confer the Minister of DALRRD the power to make regulations relating to “generally such matters as are required for the better carrying out of the objects and purposes of this Act”.

The provision of amnesty in respect of the APA is therefore possible. Amnesty may well serve as an appropriate means to facilitate the uptake of the voluntary exit process. Given the overlap of the concepts of animal welfare and well-being as provided for in the NEMBA and APA, it will be necessary that both pieces of legislation make provision for amnesty. This therefore requires a consultative process between the DFFE and DALRRD.

In this regard, in the briefing of the Portfolio Committee on Forestry, Fisheries and the Environment on animal welfare legislation (November 23, 2021), the DFFE stated that a MOU has been developed between the DFFE and DALRRD to “promote cooperation in areas of common interest”.

Conclusion

Amnesty as considered above for the purpose of both the NEMBA and APA in facilitating the uptake of voluntary exit may therefore be facilitated between the DFFE and DALRRD in terms of section 105B of the NEMBA and section 10 of the APA, as read with the MOU. The terms and process of the amnesty will remain at the discretion of the respective Ministers.

7.3.5 Land Use Options

After the voluntary exit phase out, the farm can return to its previous agricultural activities, provided that these do not promote the domestication or captive breeding of wild animal species, and/or previous biodiversity conservation and associated sustainable use, if applicable. There is also the potential to repurpose the facility/farm for other economic activities and land uses, including solar farming, eco-tourism, biodiversity conservation and sustainable use, and ecosystem services. This may involve consultation with other government authorities, including DALRRD in particular.

7.3.6 Negotiation Process and Guidelines for Contractual Agreements

Once the MOU for the Intention to Voluntarily Exit from the Captive Lion Industry (Appendix 6) has been signed, the negotiation around the process can commence. At the end of the negotiation process, when a mutual agreement to terms, conditions, and incentives has been reached, a contractual agreement will be put in place and enforced by the applicable provincial authority.

The voluntary exit options and pathways will be time-bound and the phase out period should be kept as short as practically possible. The voluntary exit time frame can be immediate, short-term or medium-term to cater for case-by-case circumstances, however, should preferably not exceed 24 months. This will also limit the burden on the provincial authorities with already stretched capacity and resources, who will be required to implement and enforce the voluntary exit terms and conditions.

In navigating the complex landscape of voluntary exit from the captive lion industry, the below section some principles for the MOA that should help in drafting the contractual agreement. Appendix 7 offers further guidance to the development of a contractual agreement.

Principles for Memorandum of Agreement

The following outlines the principles for a draft Memorandum of Agreement between the Provincial Authority to amend the respective permit conditions, and the owner (holder of the permits) of the captive lion facility.

Define the parties: the parties may include DFFE, provincial nature conservation authorities, the lion owner(s), the captive and/or captive-bred lions involved in voluntary exit, as well as any lion safe haven that may take on the life-long responsibility for healthy lions coming out of this process.

Preamble: WHEREAS the Ministerial Task Team (MTT) asserts that fundamental principles governing voluntary exit should be paramount considerations throughout the entire process.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, the parties hereby acknowledge agree as follows:

1. **OBJECTIVES:** This agreement aims to document the identity of captive lion facility owner(s) contemplating voluntary exit, ensuring confidentiality. Additionally, this agreement aims to enumerate the mutually agreed-upon conditions aligned with the Voluntary Exit Options and pathway and evaluate the related costs.
2. **OVERARCHING PRINCIPLES:** The Parties acknowledge and agree that the overarching principles delineated by the MTT shall serve as guiding considerations throughout the voluntary exit process. These principles aim to foster an environment conducive to mutual respect, transparency, and equitable treatment.
3. **GUIDING PRINCIPLES FOR VOLUNTARY EXIT:** The principles outlined herein shall serve as guiding principles, offering direction to all Parties participating in the voluntary exit from the captive lion industry.
4. **COMPLIANCE:** The Parties commit to adhering to the specified overarching principles above, as this is deemed essential for achieving outcomes that are mutually beneficial to all involved Parties.
5. **TERMS OF VOLUNTARY EXIT:**
 - a.) Commitment to execute all the mandatory prerequisites:
 - Conducting the Quality of Life Assessment for all lions (Protocol P 1).
 - Humanely euthanise any compromised lions (i.e. with a Quality of Life score of 35 or above) (Protocol P 2).
 - Disposing the carcass responsibly (Protocol P 3)
 - Undertaking population control preferably both males and females by surgical sterilisation (Protocol P 4).
 - Analysis of labour utilisation at the facility.
 - Prioritising animal well-being, parties collaborate to ensure the humane treatment of animals throughout the voluntary exit process (see Protocol P 5 for transport and Protocol P 6 for keeping guidelines). No tactile animal interactions are allowed, including but not limited to cub petting, walking with lions and using lions as photo props.
 - b.) The volunteering facility owner(s) agrees to an immediate halt to captive lion breeding, preventing further expansion, or establishing a new entity for the keeping and/or breeding of captive lions.
 - c.) Defining the specific conditions related to the agreed Voluntary Exit Options, identification of roles and responsibilities of each party, including third parties, where applicable (government, investors, lion safe havens, etc).
 - d.) Commitment to comply with all the statutory requirements, such as land use amendments, labour law, and others.
 - e.) Consideration to be given to each party's capacity to finance and implement the human aspects, timelines, and challenges, aiming for win-win outcomes.
 - f.) Any other specific conditions related to the negotiated terms for voluntary exit.
6. **LEGALLY BINDING AGREEMENT:** Entered voluntarily, the agreement is legally binding, enforceable in court or other forums, ensuring each voluntary exit adopts a personalised and negotiated approach.
7. **CONFIDENTIALITY AND IDENTIFICATION:** Prioritising confidentiality, the agreement mandates clear identification of each party, including comprehensive facility details and adherence to the POPI act.
8. **COMPLIANCE AND INSPECTIONS:** Ensuring compliance with laws, rules, and amended permits conditions, provisions for inspections concerning animal well-being, are incorporated.

The memorandum of agreement is signed by the respective parties possessing legal authority, along with independent witnesses.

7.3.7 Implementation Proposal

Voluntary Exit Candidates and Lion Bone Surrender/Purchase

During the MTT voluntary exit process, a number of candidates across six provinces have come forward and expressed their willingness to explore voluntary exit programme. So far, these candidates have had confidential engagement with the chair of the MTT. Facility owners who have shown an interest, need to be actively engaged with to complete the process of exiting the industry through mutually agreed terms for voluntary exit. The Minister may appoint a team of experts and practitioners to assist with finalising this process by facilitating negotiations, draw up terms of legal agreement, support and monitor implementation of the agreement, including monitoring the well-being of the lions and the future employment status of the workers.

Furthermore, several additional facility owners have signalled that they may join the process following the successful implementation of the initial voluntary exit candidates.

Voluntary Exit and Financing

Considering the current fiscal constraints expressed by the government and the budgetary pressures faced by DFFE, the provincial and national departments have expressed their inability to adequately finance the incentives (or compensation) required by the industry. The MTT has received commitments from conservation and animal welfare NGOs to finance the incentives. Some government departments have committed to provide technical assistance with retraining employees and support the land rezoning process. Furthermore, some lion safe havens committed to support the rehoming of some lions, depending on their current capacity, provide logistical support for the collection and incineration of lion bones, and training of staff from captive lion facilities.

8 Protocols and Best Practice Guidelines

Protocols with associated decision-making trees and best practice guidelines have been developed to aid the process and pathways of the voluntary exit, in particular in terms of the lions involved, and to ensure consistent implementation. Below is a quick guide to the available protocols and best practice guidelines, with the full documents included in this chapter.

8.1 Quick Guide to Protocols, Decision-Making Trees and Best Practice Guidelines

P 1	Quality of Life Assessment	<p>The Quality of Life Assessment is a species appropriate scoring system to evaluate objectively the health of the individual animals by assessing a wide range of physical and mental health aspects with the aid of an Excel document. It provides guidance on making ethically acceptable, justifiable and reasonable decisions on the future of the lions involved in the voluntary exit process and their rehoming potential, without putting too much pressure on time and available resources. It will immediately identify any old, diseased, and/or inbred lions that may need to be humanely euthanised to address immediate and/or avoid future animal well-being issues (scores 35 or above).</p> <p>In addition to the health score of the individual lions, consideration needs to be given to the total number of lions involved in the voluntary exit, the capacity nationwide for suitable and sustainable rehoming placements and inspection history, including but not limited to NSPCA notices and warnings.</p> <p>Two decision-making trees guide the professionals involved through the process and help make the ultimate decision between euthanasia, medical treatment and/or declaring the lions as healthy.</p>
P 2	Euthanasia protocol	<p>The main aim of the euthanasia protocol is to describe the most ethical method(s) to terminate the animal's life with a minimal amount of pain and stress, in a species appropriate manner. Ideally humane euthanasia should only be performed to end the suffering of chronic or terminally ill animals and where quality of life can no longer be maintained, utilising P 1 - Quality of Life Assessment. It has however been acknowledged that in the process of voluntary exit, healthy lions may also need to be euthanised.</p> <p>The preferred method of humane euthanasia described in this protocol is based on ethical and professional specialist wildlife veterinarian criteria.</p>
P 3	Carcass disposal protocol	<p>Once an animal has been euthanised or was killed in a captive hunt, its remains need to be disposed, whether this involves full or partial carcass, bones, meat, organs, skins, teeth, claws and other parts. To limit the quantity of lion bones, parts and/or derivatives to be potentially available for legal and/or illegal trade, the preferred ethical method of disposal should always be aimed for.</p>

		This protocol can also be used to dispose of existing lion bone stockpiles involved in the voluntary exit process.
P 4	Population control protocol	The population control protocol has been developed to stop the breeding of lions at all captive facilities involved in the voluntary exit process, and to halt the overall growth of the captive lion population. This protocol incorporates all available options in order of priority, including sterilisation, contraception and single sex separation for both male and female lions. It also takes into consideration the gender, age and placement option(s) of the lion(s), as this may influence the recommended method.
P 5	Transport protocol	The main objective of the transport protocol is to provide guidelines for the safe and least stressful means of transporting captive and captive-bred lions from one location to another. It describes the various steps pre-transport, during the transportation, and in the post-transport and release phase, as well as the appropriate people who should be involved.
P 6	Best practice guidelines for the keeping of African lions in controlled environments	<p>These best practice guidelines for the keeping of lions in controlled environments are developed for any lions that continue to be kept as part of the voluntary exit process, including those at the existing commercial facility and potential lion safe havens.</p> <p>These best practice keeping guidelines are based on Mellor's Five Domains model, which recognises four functional domains, namely nutrition, physical environment, health, and behavioural interactions, and a fifth domain of the mental state of the animal.</p>

8.2 Further Reading

American Veterinary Medical Association, 2020. AVMA Guidelines for the Euthanasia of Animals. 2020 Edition. https://www.spandidos-publications.com/var/AVMA_euthanasia_guidelines_2020.pdf

Föllmi, J., Steiger, A., Walzer, C., Robert, N., Geissbühler, U., Doherr, M. G. and Wenker, C., 2007. A scoring system to evaluate physical condition and quality of life in geriatric zoo mammals. *Animal Welfare*. Cambridge University Press, 16(3), pp. 309–318. <https://doi.org/10.1017/S0962728600027123>

Mellor, D.J., 2017. Operational Details of the Five Domains Model and Its Key Applications to the Assessment and Management of Animal Welfare. *Animals (Basel)*, 7(8): 60. <https://doi.org/10.3390/ani7080060>

Morgan, D., Marsh, S., Whittaker, M., Blackett, T., Groves, G, & Morgan, A. (2023) *Core Standard of Welfare Practice for Captive Animals, Wild Welfare*. Revised third edition.

Vogelnest, L., and Talbot, J.J., 2019. Quality-of-life assessment and end-of-life planning for Geriatric Zoo Animals. In: *Fowler's zoo and wild animal medicine current therapy, volume 9* (pp. 83-91). WB Saunders.

P 1 - Quality of Life Guidelines

Background

In developing strategies and pathways for voluntary exit options from the captive lion industry, the consequences for the lions involved need to be considered carefully and responsible approaches for their future need to be provided. With a lack of adequate, suitable and sustainable capacity for lions to be rehomed in South Africa, there is a need for viable and pragmatic solutions for the lions currently held in captivity. This led to the development of a Quality of Life Assessment that objectively evaluates the health of the individual animal by scoring a wide range of physical and mental health aspects and making an ethically acceptable, justifiable and reasonable decision on the future of the lions involved in the voluntary exit process. This Quality of Life Assessment scoring system was adapted from similar assessments used in other captive conditions, such as zoos.

The main objective of this Quality of Life Assessment is to evaluate each individual animal, without putting too much pressure on time and available resources, while at the same time basing the decision of the animal's future and its rehoming potential on the overall scoring of these findings, taking into account among others the age, sex, physical, physiological and mental health of the animal. Additional aspects to be considered include for example the number of lions involved, the capacity nationwide for suitable and sustainable rehoming placements, and inspection history, including but not limited to NSPCA notices and warnings.

Goal

To provide guidance on the Quality of Life Assessment for lions, an objective decision-making tool in evaluating captive lions and their future fate.

Quick Guide:

- 1) If the owner wants to euthanise all animals, healthy as well as compromised lions, this assessment will become obsolete. In this case, P 2 Euthanasia and P 3 Carcass Disposal Protocols will need to be implemented.
- 2) Prerequisites to be fulfilled:
 - a) Owner's input (if any): for example, the owner wants to keep certain animals.
 - b) Establishing available capacity for rehoming of lions in lion safe havens.
- 3) Animal Quality of Life Assessments (see the Excel scoring card embedded below).
- 4) Outcome of assessment, e.g., implement P 2 Euthanasia and P 3 Carcass Disposal Protocols, medical condition decision-making tree and/or P 4 Population Control Protocol.



Quality of life scoring card

Prerequisites and Limitations

- This process requires the consent and full cooperation of the owner(s).
- The owner's intention on the future of his/her animals needs to be considered.
 - Identify all animals the owner wants to keep and/or euthanise.
 - Identify suitable and adequate space for those animals that will stay at the facility.
 - Identify capacity in existing lion safe havens for any animals that will need to be rehomed.
- Medical and behavioural records, as well as breeding and nutritional history, need to be included in the Quality of Life Assessment, if available.
- Identify the availability of professionals to assess the animals, which should include veterinarians with carnivore expertise and animal welfare officers (e.g. NSPCA inspectors).

- Identify a reasonable assessment timeline as well as suitable conditions that allow the observation and evaluation of as many animals as possible within a short time period. For example, all the animals must be visible from the enclosure fencing, not locked away, and ideally take place on a feeding day, in the morning or late afternoons. This is particularly important when assessing groups of lions, as this will provide information on social status and interaction within the group.
- Information on possible rehoming placements as well as potentially available funds and incentives.
- In the situation where the owner will not keep his/her animals, decisions on the outcome for the animal(s) will predominantly be determined by the availability of suitable and adequate placement capacity for rehoming. Once the number of places and available enclosures for a predetermined group size are known, the decision can be made on the number of animals that can possibly be relocated and the quantity that will need to be euthanised. Please note that this may require adjustment of the total Quality of Life Assessment score to help the decision-making process of choosing the healthiest and/or most suitable lions for rehoming.

Factors of importance in the Quality of Life Assessment

Please use the below Quality of Life decision-making tree (Figure 1) for the actual process to follow.

Age of the animal

The age of an animal plays an important role in any Quality of Life Assessment, as described below. However, it is unlikely to find many lions of an advanced age (i.e., 10+ years old) on commercial captive breeding facilities and therefore this may not always be relevant.

- Animals below the age of 10 years old and in good physical and mental health, should be the first-choice candidates for rehoming.
- Animals between 10 and 15 years old are considered to be of an advanced age, coupled with any potential physical and/or mental health conditions, these animals will most likely be considered for euthanasia. If the animal's health condition is good with no abnormalities detected (visually), its future will depend on the availability of suitable rehoming locations in lion safe havens.
- If the animal is 15 years or older it is considered geriatric (as this would be beyond the lion's natural lifespan) and it would therefore be recommended for euthanasia.

Health status

- Visual deformations, signs of inbreeding, and severe health conditions will lead to instant euthanasia, although this decision can only be made by a qualified and registered veterinarian with carnivore expertise.
- The Quality of Life Assessment scoring system (see Excel document) focuses mostly on the various organ systems of the lion, but also considers its mental and social status through observations. If any medical history is available, it should be incorporated into the assessment.
- The remaining animals need to be evaluated visually using the Quality of Life Assessment scoring system. The more health and/or behavioural issues observed, the higher the assessment score, and therefore the likelihood for euthanasia. The potential maximum score an animal can receive is 297.
- It is recommended to evaluate as many of the scoring elements as possible. However, if a full evaluation is not achievable, the decision needs to be based on a partial assessment, i.e., on a pro-ratio basis of the maximum score.
- The Quality of Life Assessment scoring system does not include further diagnostics, as these would require substantial additional resources and time, and are therefore considered not feasible.

Mental status

An animal's mental or psychological well-being is one of the most difficult assessments to conduct as it generally requires more long-term observations and can be subjective. However, there are some conditions that can be observed more easily, such as any self-mutilating behaviour (for example, tail or paw biting that cause wounds). Mental conditions should be weighted heavier in the scoring system, as these are not easy to treat, if at all, and can be life-long conditions that can negatively affect the well-being of the animal.

Social status

In the wild, lions live in social groups and social interaction is important for the well-being of the animal(s). It is therefore preferred to keep the animals in small groups or pairs, rather than solitary. This not only requires fewer enclosures and less individual enrichment but enables more animals to be rehomed. The most ideal situation would be to rehome the whole pride together.

Certain character traits should be considered and given preference when rehoming lions. For example, an evenly tempered individual is easier to rehome compared to an overly timid or highly aggressive animal, as the chances for successful socialisations are greater. More evenly tempered animals are also easier to manage leading to an improved overall quality of life.

Assessment Outcome

The Quality of Life Assessment scores from the historical data and record keeping, the physical and behavioural assessment are automatically added together to give an overall score on the scoring sheet. The lower the score the healthier the animal and more likely it is to rehome the animal to a lion safe haven.

To choose animal(s) for rehoming, the assessment outcome will need to guide the decision in consultation with the lion safe haven, as they will need to identify their current capacity and type of enclosures available, and match these with the healthy lion(s) coming out of this process.

Following the actual Quality of Life Assessment, a short, written report should be provided preferably within a week of the assessment and made available to all parties involved. Recommendations should be discussed with the owner(s), potential lion safe haven management, veterinarians with carnivore expertise and animal welfare officer(s), to limit the suffering of those animals that qualify for euthanasia.



Quality of life scoring card

Euthanasia is recommended for any animal scoring 35 or above. Protocols P 2 Euthanasia and P 3 Carcass Disposal Protocols need to be followed.

Note: It is at the veterinarian and/or welfare inspector's discretion to either increase the cut-off score or reduce the score of 35, if the conditions require them to do so.

Health conditions: Depending on whether any health conditions have been diagnosed, a possible treatment plan needs to be advised by the veterinarian in charge - see also the medical condition decision-making tree below (Figure 2).

Figure 1. Quality of life decision-making tree for lions involved in voluntary exit.

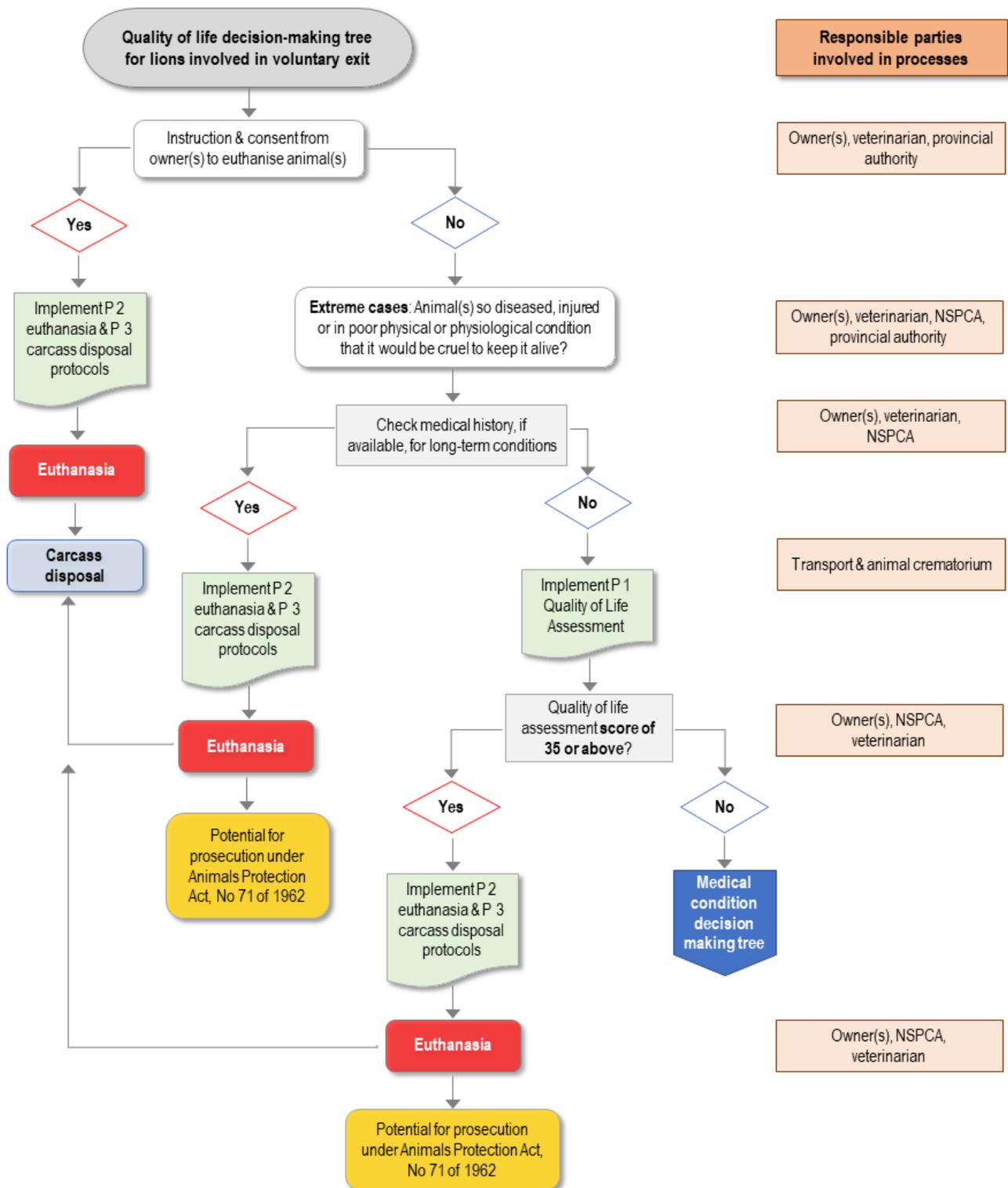
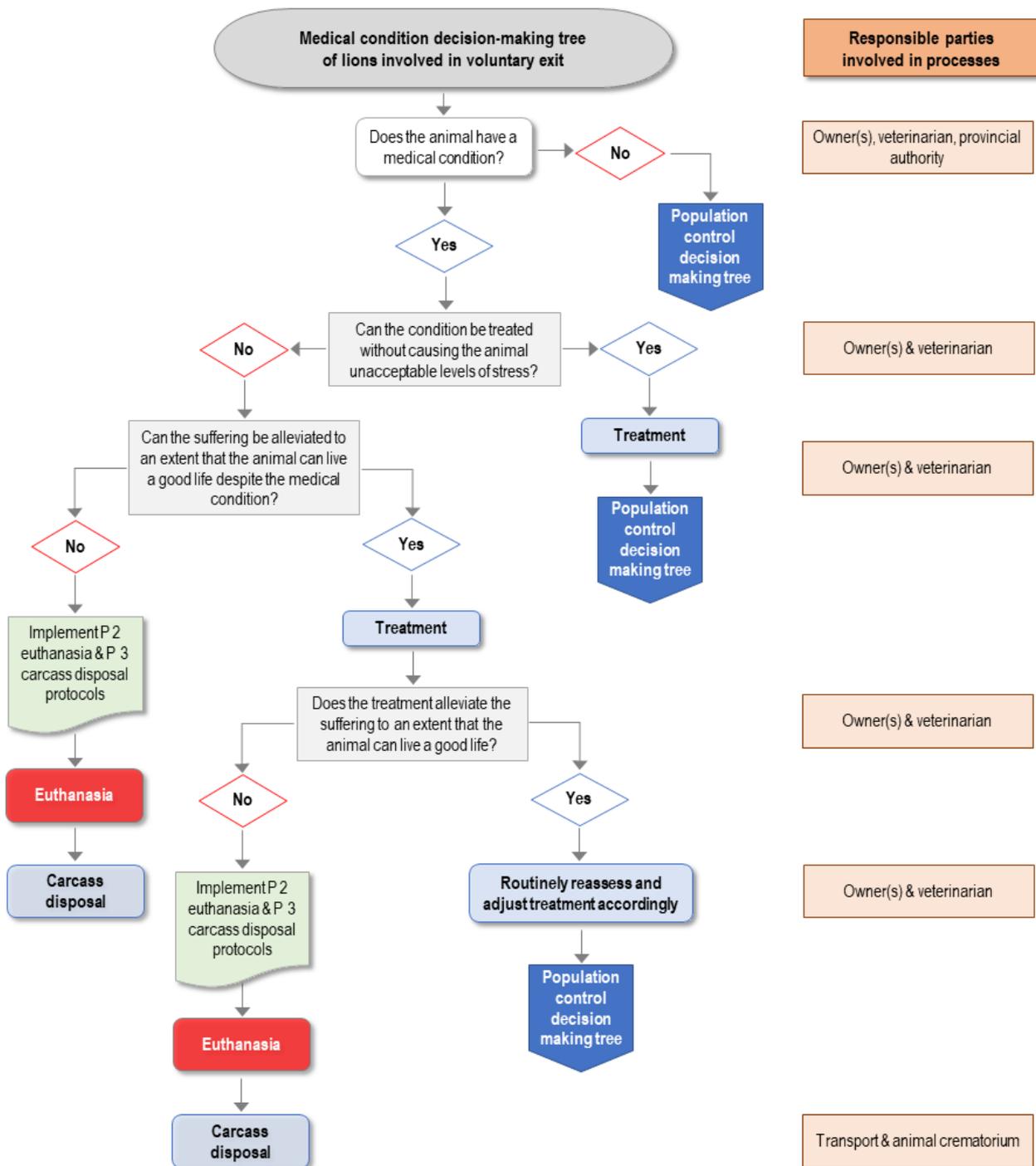


Figure 2. Medical condition decision-making tree for lions involved in voluntary exit



P 2 - Euthanasia Protocol

Background and Goal

The term euthanasia derives from the ancient Greek “*eu*” (good) and “*thanatos*” (death) and refers to pain-free and humane killing. Euthanasia is performed to end the suffering of a chronically or terminally ill animal and where its quality of life can no longer be maintained. This termination of life should be achieved with a minimal amount of pain and stress, should be species appropriate and can only be carried out by a qualified and registered veterinarian.

Quality of Life Assessment (P 1)

Ideally, euthanasia should only be performed when the animal can no longer experience a decent quality of life and a positive welfare and well-being, and appropriate treatment of the medical condition cannot guarantee a significant improvement in the animal’s situation.

The Quality of Life Assessment (see protocol P 1 and associated Excel scoring card) should be carried out by a veterinarian familiar with the species or animal welfare officer. For a Quality of Life Assessment, animal-based factors should be measured before any resource-based or environmental factors. Animal-based factors include behavioural and psychological indices as well as clinical or pathological ones. A species appropriate scoring system has been developed for this purpose that should be used, which objectifies the animals physical state and conditions as much as possible to help reach a more objective decision.

See also Quality of Life Guidelines and assessment scoring system (P 1), as well as the Quality of Life decision-making tree below (Figure 1).

Preferred Method of Humane Euthanasia

Euthanasia must reliably, irreversibly and quickly induce loss of consciousness, while at the same time cause the least possible pain, suffering and fear to the animal being euthanised. The preferred method according to the South African Veterinary Council professional ethical code of conduct is to administer **barbituratic acid derivatives** after anaesthetising the animal. Animals that are particularly prone to stress may be given an oral sedative prior to anaesthesia.

Method

For lions, appropriate **immobilisation and anaesthesia** is a prerequisite and can be carried out by distance immobilisation by means of a dart gun or blowpipe. In case of a tame animal this can be done by using a pole syringe or hand injections. For both animal and human safety and well-being, no other animals should be present at time of immobilisation and euthanasia, unless the other animals are also immobilised. Staff assisting a veterinarian need to be trained in this procedure.

Species appropriate drugs or drug combinations must be used. Once the animal is recumbent, relevant reflexes need to be checked to make sure the anaesthesia is adequate. An intravenous catheter is placed to administer the barbituratic acid derivatives (such as euthanaze or euthasol) into the bloodstream. The amount administered must be in accordance with the animal’s weight.

Euthanasia should result in a rapid loss of consciousness, followed by cardiorespiratory arrest and subsequent loss of brain function. Death of the animal needs to be confirmed by the veterinarian and must result in the absence of both any respiratory signs and heartbeat via stethoscope.

Euthanasia Based on Medical Conditions

Prior to euthanasia, a Quality of Life Assessment needs to be performed, in particular when dealing with geriatric, disabled or sick animals. When the outcome/score of the Quality of Life Assessment indicates that the animal is suffering (i.e. the animal is experiencing pain, discomfort or is unable to perform natural behaviours), a qualified and registered veterinarian with carnivore expertise must make a justifiable and practical decision. However, euthanasia should be conducted for **any animal scoring 35 or above**.

If the medical condition, which is causing the animal to suffer, can be cured, without causing an unacceptable level of stress, the veterinarian should proceed with the treatment (Figure 2). If it cannot be cured, a palliative treatment should be considered if it can decrease suffering to a level where the animal can still experience a good quality of life. In such cases, in addition to management changes that would improve the animal's quality of life, the impact of the treatment on the welfare of the animal should be regularly assessed. Treatment should be adapted according to these assessments, until pain or discomfort can no longer be sufficiently alleviated, resulting in the need to perform euthanasia.

Euthanasia Without Medical Justification

Euthanasia of healthy lions can be undertaken with the full consent of the owner based on a variety of conditions. For example, if the owner no longer has the capacity (financial or otherwise) to provide adequate care of his/her animals. Euthanasia can also be justified under pre-existing welfare and well-being conditions as well as the foreseeable escalation of such welfare concerns, as per Section 2(2)(1) of the Animals Protection Act. Furthermore, a veterinarian could consider commercial trade to be a less humane means of death compared to humane euthanasia.

In cases where the lion will ultimately be surrendered to the authorities or lion safe havens, the lack of suitable and long-term placement options that are financially sustainable can also be taken into consideration when making decisions on euthanasia without medical justification. In these situations, the Quality of Life Assessment scoring system can be helpful when a small percentage of the lions can be rehomed.

Applying for an Appropriate Permit

An appropriate permit must be obtained from the relevant provincial permit issuing authority with the correct permit conditions for euthanasia, including the transportation and disposal of the carcasses. In such cases, it is recommended to enable cooperation between the lion owner, permit issuing authority, animal welfare officer, and the animal crematorium. The interest of the animal should supersede the owner's interests or wishes.

Figure 1. Quality of Life decision-making tree for lions involved in voluntary exit.

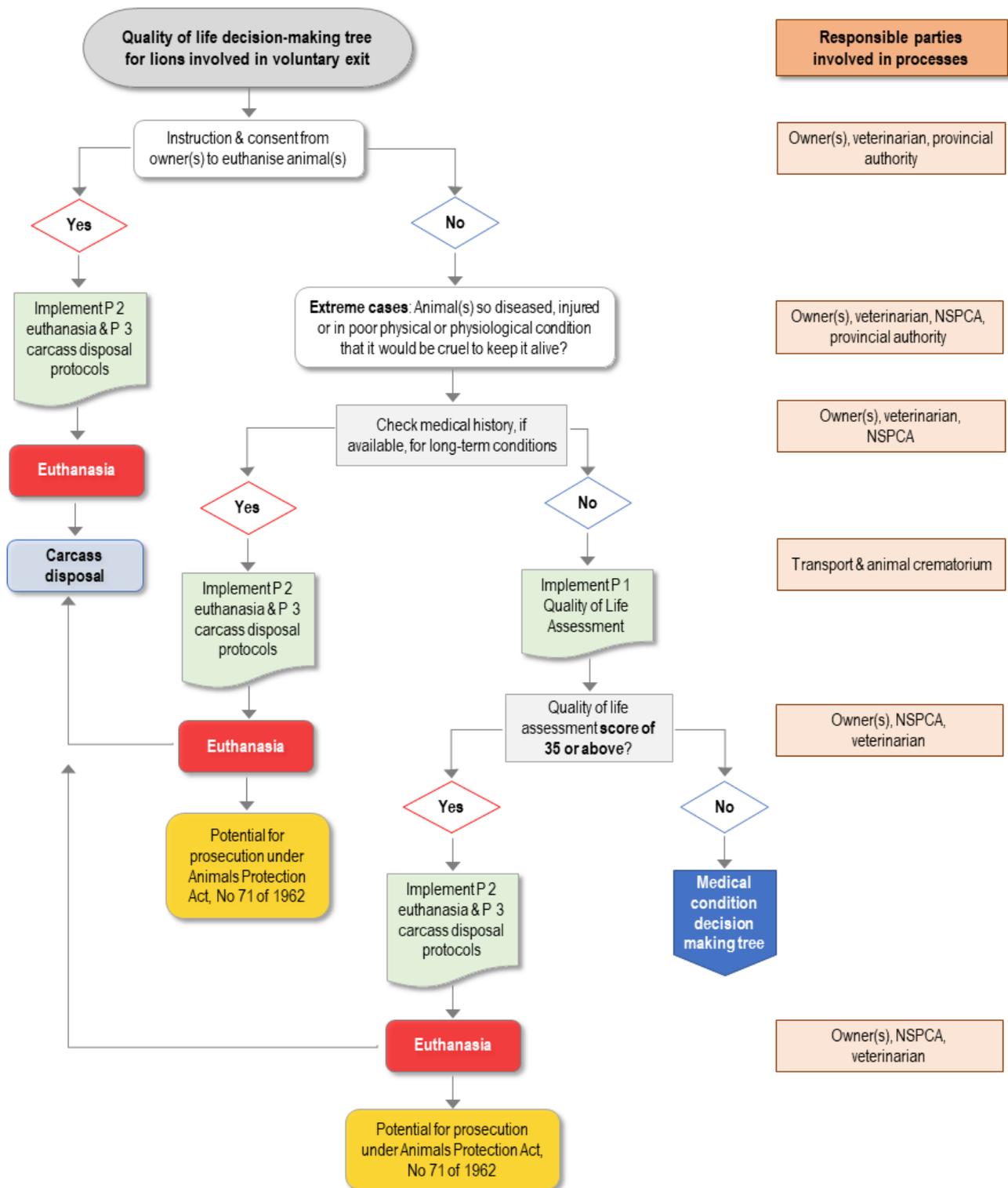
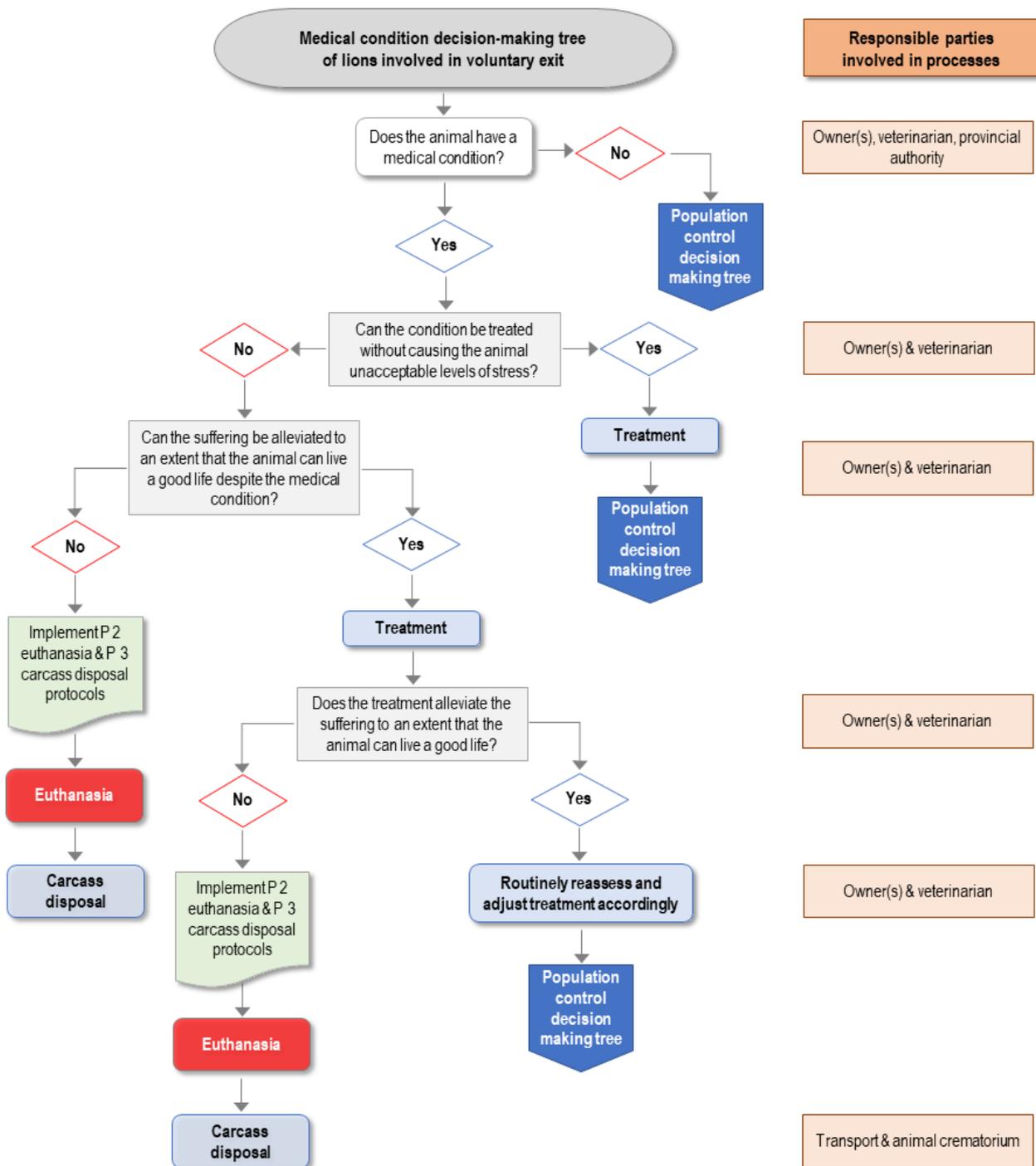


Figure 2. Medical Condition decision-making tree for lions involved in voluntary exit



P 3 - Carcass Disposal Protocol

Background and Goal

Once an animal has been humanely euthanised or killed in a captive hunt a decision needs to be made on the means of disposal of its remains, whether full or partial, including bones, meat, organs, skins, teeth, claws and other parts. To limit the quantity of lion bones, parts and/or derivatives that could be potentially available for legal or illegal trade, an ethically correct disposal should always be aimed for. However, this may depend on the voluntary exit option the owner has elected.

The disposal of lion bones, parts and/or derivatives can also include existing lion bone stockpiles involved in the voluntary exit process.

Preferred Ethical Disposal

The preferred ethical and responsible disposal method for a full or partial carcass, bones, parts and/or derivatives is incineration through a commercial business. This prevents any lion bones, body parts and/or derivatives from entering the commercial legal or illegal wildlife trade.

A disposal permit must be obtained, where applicable, a record of the disposal method needs to be kept, and the relevant provincial authority should be informed of such disposal.

Alternative Disposal Method

An alternative and cheaper method would be to bury the animal in a non-disclosed location. However, this can potentially create environmental contamination of the soil, groundwater and/or surface water and the skeleton can be exhumed at a later stage.

Trade Options – International Trade

Since the 2019 High Court bone judgement, no CITES export quota for the trade in lion skeletons has been set by the Department of Forestry, Fisheries and the Environment, and therefore there is no legal avenue for international trade.

Trade Options – Local Trade

The local trade in lion bones, parts and/or derivatives for the traditional health practitioner's sector and other traditional belief use is currently legal and may provide some short-term income stream for volunteers from the captive lion industry. The sale of lion bones, parts and/or derivatives could, however, be rendered as illegal by courts as animal well-being cannot be determined and has so far not been addressed.

A TOPS permit is required from the relevant provincial authority, if any lion carcass, bones, parts and/or derivatives are kept for stockpiling.

P 4 - Population Control Protocol

Background and Goal

This document provides guidance on how population control should be achieved. It takes into consideration the gender, age and placement option(s) of the lion(s), as this may influence the recommended method of population control.

To stop the breeding of lions at all captive facilities involved in the voluntary exit process, to halt the overall growth of the captive lion population. This protocol incorporates all available options in order of priority, including sterilisation, contraception and single sex separation.

Prerequisites

- If available, any records on medical, breeding and/or nutritional history of the animal(s) must be obtained and made available to the veterinarian dealing with the animal(s).
- A Quality of Life Assessment has been carried out prior to the decision on population control, which deemed the animal(s) in question to be healthy and fit.
- The animal(s) in question will become part of the chosen voluntary exit option, which can include rehoming to a lion safe haven or remaining within the current facility.

Options and Methods

See the population control decision-making tree for lions involved in voluntary exit for further guidance on the options available (Figure 1).

Any surgical procedures must be carried out under general anaesthesia. The veterinary surgeon is responsible for the choice of adequate agents administered and application methods used.

MALE LIONS

Preferred Method - Vasectomy

A vasectomy is a surgical procedure where the sperm supply is blocked by cutting the vas deferens. This procedure provides a permanent solution without compromising the behaviour or appearance of the lion due to the gonads staying intact.

Preferred age: 12–18 months.

Requirements

The animal's health should not be compromised and it needs to be visually declared fit by the veterinarian prior to the procedure. The animal needs to be starved (food only) for 24 hours prior to anaesthesia, if possible. Post-procedure, the lion should be kept in a clean environment for optimal healing conditions, necessary medication will need to be administered according to the veterinarian's instructions.

If applicable, the procedure can be carried out during immobilisation for translocation.

Alternative Method - Single Sex Separation

With single sex separation, the males are isolated from the female lions. As this is not a permanent population control solution, it should only be considered as a temporary option and is limited by the number and space of available enclosures. Consideration should also be given to social structures and the potential disruption thereof.

FEMALE LIONS

Preferred Method - Ovariohysterectomy

A surgical castration or ovariohysterectomy is the surgical removal of the ovaries and uterus. This method should be given preference as it is non-reversible and permanent.

Performing an ovariohysterectomy also prevents the female from coming into heat and reproducing, while at the same time she will be easier to manage in captivity. Furthermore, it has added health benefits because castrated females are less likely to develop tumours within their mammary glands, preventing potentially life-threatening conditions, like pyometra (infection of the uterus), ovarian cysts and cancer.

Alternative Method - Ovariectomy

A surgical castration via endoscope or ovariectomy is a procedure where only the ovaries are removed. The incisions are much smaller, but more advanced equipment and expertise are required.

Preferred age: 18–24 months.

Requirements

The animal's health should not be compromised and it needs to be visually declared fit by the veterinarian prior to the surgical procedure. An ovariohysterectomy needs to be performed under full anaesthesia, by a qualified and registered veterinarian with species specific expertise. Records of the individual and the procedure must be kept by the owner and certified by the veterinarian, including the microchip number of the animal. When a surgical castration is performed, it is advisable to carry out other diagnostics (for example blood screening) under the same anaesthesia.

An appropriate clean space, preferably sterile, needs to be available to carry out the procedure safely for both the animal and the veterinarian staff. The animal needs to be starved (food only) for 24 hours prior to anaesthesia, if possible. The procedure should be carried out at least 14 days prior to any potential relocation, to allow adequate recovery.

Post-op, the lioness needs to be kept in a dry and clean enclosure or separation area to reduce the risk of infection and medication is administered as prescribed by the veterinarian. For 7–10 days, the lioness should be kept separately, with possibly one other female from her group, to ensure optimal healing conditions.

Pregnant females: If it is known that the lioness is pregnant (or conceiving was intended), it is recommended to carry out the ovariohysterectomy as soon as possible, given that the lioness is otherwise clinically healthy. The goal should be to avoid any further cubs, as this would only increase the captive lion population.

If possible, it is important to acquire the conceiving date in to anticipate the size of the foetus. Sonography or radiology can be used to confirm pregnancy, as well as the litter size. The further advanced the pregnancy, the more vascularisation will be present in the uterus, therefore making the procedure more challenging for the surgeon with an increased risk for the animal. Only experienced surgeons should undertake the procedure and it should be performed in a clinical setting. Once the ovaries and the uterus are completely removed, the foetus should be euthanised in utero immediately.

In cases where surgical procedure is not possible in the lioness' current keeping place, for example due to limited resources, i.e. clinic, staff etc., blood should be sent for analysis at time of immobilisation for translocation, to determine pregnancy status. This will allow for more time sensitive planning.

Alternative Method 1 - Contraceptive implant

Alternatively, a contraceptive implant/GnRH agonist can be placed. The implant is a small device, placed in the lioness' muscle tissue with a good blood supply (usually in the neck or shoulder area). The implant is a temporary measure and needs to be repeated after eight months and every 24 months thereafter. Long-term use of contraceptive implants are associated with uterine and ovarian pathologies.

In the absence of an appropriate and clean space for surgical procedures this method can be used. The contraceptive implant would also be preferred for old or compromised animals, where surgery might be too risky.

Requirements

A contraceptive implant must be placed under anaesthesia by a veterinarian.

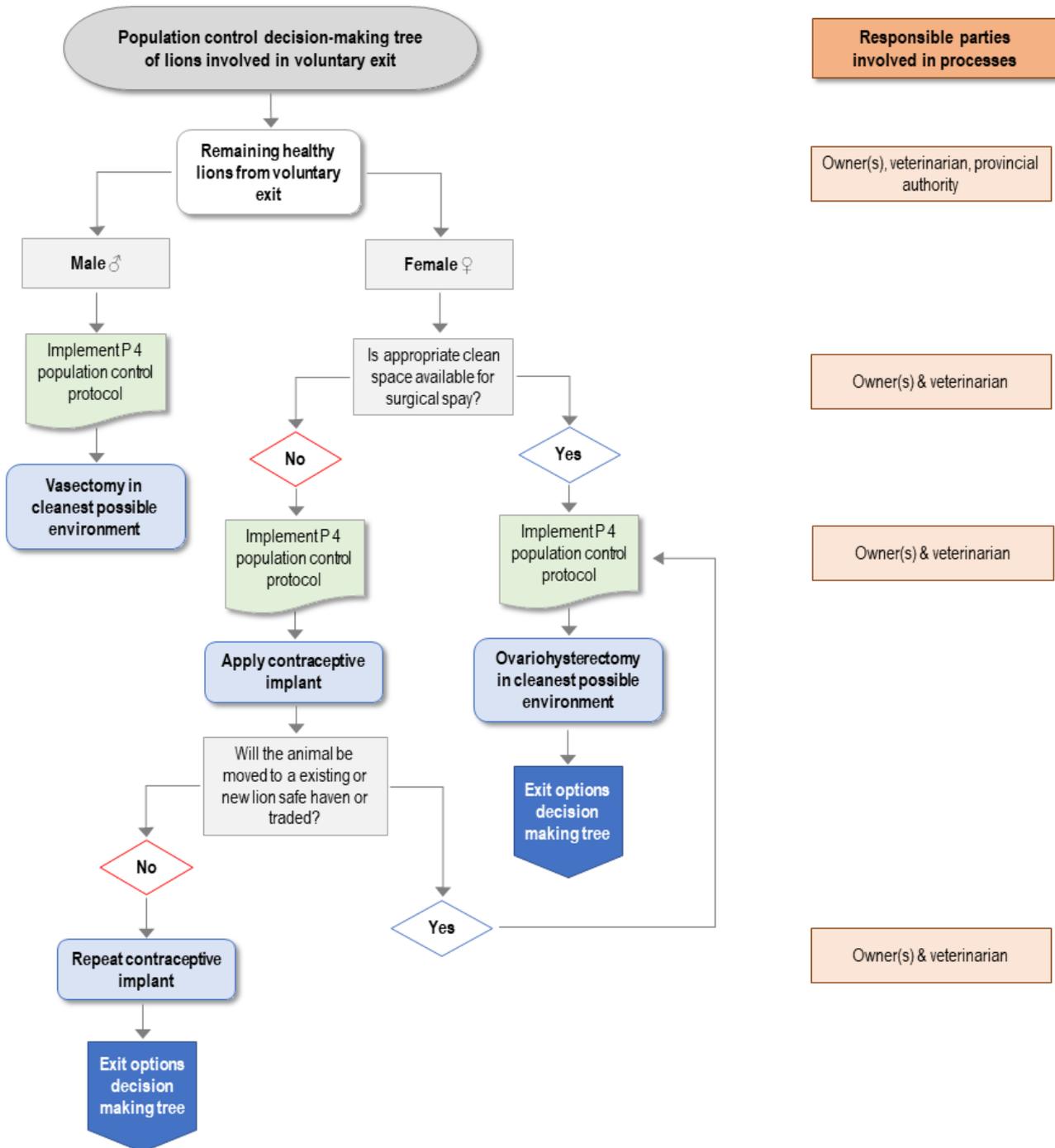
Limitations of contraceptive implants:

- The onset of contraceptive implants will only be effective after about six weeks.
- Most contraceptive implants are not South African Health Products Regulatory Authority (SAHPRA) approved for the use in non-domestic felids.
- Implants will not work if the lioness is pregnant at time of placement.
- Implants can be unreliable.
- Implants can create management and/or behavioural issues.

Alternative Method 2 - Single Sex Separation

With single sex separation, the females are isolated from the male lions. Because this is not a permanent population control solution, it should only be considered as a temporary option and is limited by the available enclosure space and number. Consideration should also be given to social structures and the potential disruption thereof.

Figure 1. Population Control decision-making tree for lions involved in voluntary exit



P 5 - Transport Protocol

Background and Goal

This protocol was developed to provide guidelines for the safe and least stressful means of transporting captive and captive-bred lions from one location to another.

Transport of live animals can be a challenging undertaking for the animal caretaking team and is a stressful event for the animal(s) involved. Hence, proper preparation is key and this document provides guidance on necessary precautions, considerations and preparation in terms of equipment, staff and animals pre-transport, during transport and post-transport, i.e. the release and adaptation period. During all transport phases an experienced senior or chief animal caretaker should be present in addition to the animal caretaker team.

The various South African National Standards codes relating to the transportation of wild animals should be read in conjunction with this transport protocol, in particular the vehicles for the transportation of wild carnivores by road to holding pens and other facilities (SANS 1884-3:2008).

Methods

1. Pre-transport Phase

- All necessary information about the animal(s) should be gathered, including their social structure, habitat, feeding behaviours and behaviours towards caretakers/keepers, as well as other lions or animals. This will promote better understanding and selection of an adequate enclosure and the animal's adaptation to its new environment.
- All paperwork and necessary permits will need to be in place, e.g. transport documents, health certificates and import/export permits.
- Vehicles, trailers (if applicable), crates and any other equipment must be checked and in safe working order.
- If airfreight is involved, International Air Transport Association (IATA) [Live Animals Regulations](#) needs to be followed and [crate specifications](#) have to be met. These IATA specifications are also advisable for crates used for road transport. See examples of species appropriate crates in Figure 1.
 - Bedding material should be placed inside the crate, which will also help with the absorption of urine. If international transport is involved, country specific conditions will need to be adhered to.
 - Alternative plans should be in place for emergency situations, e.g., vehicle breakdown or a staff member falling ill.
 - All transport needs to be accompanied by an experienced staff member and two drivers per vehicle should be present at all times.

Animal(s) involved:

- A visual health assessment needs to be carried out by a veterinarian to determine whether or not the animal is fit for transport.
- The animal(s) needs to be separated from other animals to ensure the safety of the animal and staff.
- The animal needs to be immobilised to move it into the transporting crate. Immobilisation must be carried out by a veterinarian, who will be in charge during the whole process until the animal is awake again in the transport crate.

- Immobilisation can be carried out from a distance by means of dart gun or blowpipe or in the case of a tame animal by using a pole syringe or hand injections. For the animal's and human safety and well-being, no other animals should be present at the time of immobilisation, unless the other animals are also immobilised. Staff assisting in this procedure must be fully trained. Species appropriate drugs or drug combinations must be used. Once the animal is recumbent, the relevant reflexes need to be checked to make sure the anaesthesia is adequate.
- While the animal is immobilised, blood samples for screening should be obtained to have a baseline at hand.
- Microchips should be scanned and the number recorded. In the absence of a microchip, a new one should be placed, either on the left side of the neck/shoulder area (ligament) or preferably at the base of the tail because in this position the microchip tends not to move as much as in the neck/shoulder area.
- Further treatments can be administered, e.g. fluids, vitamins, vaccination, etc, to the discretion of the vet in charge.

Before departure, the immobilisation/sedation must be worn off to the extent that the animal(s) can balance itself in the crate. Anxiolytics can be considered if they benefit the animal's well-being.

2. Transport Phase

Loading:

- Social groups should be kept together during transport and the mixing of animals from different groups should be avoided wherever possible when loading crates on trucks (or aircraft). The latter will increase stress levels.
- The animals need to have access to clean water, which needs to be checked at every available stop en-route.

En-route:

- Stops should be planned according to the length of the journey, but at least every three hours. During these breaks:
 - A visual check of the animal(s) must be carried out, to evaluate the animal's behaviour, health and stress level.
 - Water levels must be checked and if necessary refilled (by air). By road, water must be provided during breaks.
 - Strapping of the crate must be checked and adjusted if required.
- The transport crate(s) should never be left unattended, unless this is impossible due to the means of transport, i.e., airfreight.
- The transport of the animal(s) should be accompanied by a licensed veterinarian, whenever possible. However, at a minimum, a licensed veterinarian should be present for loading during the pre-transport and during off-loading post-transport.
- The required documents (permits etc) must stay with the animal(s) at all times.
- In case of an emergency, safety of people takes the uttermost priority, followed by the well-being of the animal(s).
- At all times, the animal(s), equipment and vehicle should be handled in a professional, calm and collected manner. Loud noises, shouting and sudden or fast movements should be avoided at all costs to keep the animal's stress level to a minimum.

3. Post-transport Phase/Release

- All necessary action needs to be taken to ensure the safety of people and animals prior to the arrival of the new animal(s). This includes all staff members as well as potential other people, such as press and donors. A thorough safety briefing needs to be held prior to the release.
- On arrival, the animal(s) should be released as soon as possible, although environmental factors need to be considered, such as the lack of daylight or extreme weather conditions. The sanctuary manager or head of animal welfare should make the ultimate decision.
- During the release, a licensed veterinarian needs to be present with a loaded dart gun in case of an emergency. The crate needs to be secured to the drop gate prior to opening. If more than one animal is released, this will be done one after the other, every time with the same precautions and strapping the crate to the drop gate.
- Animals will normally be released into their feeding areas instead of the main enclosures, to allow close monitoring as well as for the animal to adapt to their new routines, environment and husbandry practices.
- During and after release, the animal(s) will be visually inspected by the veterinarian, to ensure that no further medical intervention is required.
- Close monitoring by members of the animal care taking team, must take place for at least 48 hours post-release, but generally longer until the animal(s) has settled in.



The above images are an example of an IATA compliant crate for the transportation of lions. It features double slides, one fully perforated metal and the other with a mesh on both sides. The outer slide holds the water trough in place, which can easily be refilled from the outside. At the bottom of the crate is a sliding drawer, to allow for the discarding of urine. Bolts on top hold the sliding doors in place. Perforated mesh on the sides allow for additional ventilation and there are safety handlebars on the sides.

P 6 - Best Practice Guidelines for the Keeping African Lions in Controlled Environments

Introduction

Lion safe havens are meant to provide a species-specific appropriate forever home, promoting and caring for both the physical and mental well-being of its resident animals. Lion safe havens never allow breeding, trade, interaction or any form of exploitation of the animals in their care or of their parts and derivatives. In such facilities, lions are able to live out their natural lives under the best possible conditions, where their needs are met as far as possible and where they can display as many of their natural behaviours as possible. To promote optimal animal well-being conditions, lion safe havens should be guided by Mellor's Five Domains model, which recognises four functional domains (nutrition, physical environment, health, and behavioural interactions) and a fifth domain of the mental state (Mellor et al., 2020) (Figure 1).

The following guidelines aim to provide guidance in how to achieve best practice in keeping standards for African lions in controlled environments, taking every aspect of the animal's welfare and well-being into consideration. Wherever the natural behaviours cannot be displayed in captivity, efforts should be made to allow and encourage valid alternatives. Information is provided for all the animal's basic physical needs, starting with nutrition and feeding practices, environmental needs such as enclosures, and also provides safety standards and requirements, as these are of utmost importance for staff involved in the caretaking of dangerous animals like lions. Furthermore, guidance on healthcare as well as the promotion of mental well-being are recommended.

This document aims to provide best practice keeping standards, with the understanding that there is always room for improvement and adjustment. No facility will be perfect for every single animal at all times and adjustments should be made according to the needs of the facility's residents, the caretaking staff, as well as the location and physical environment.

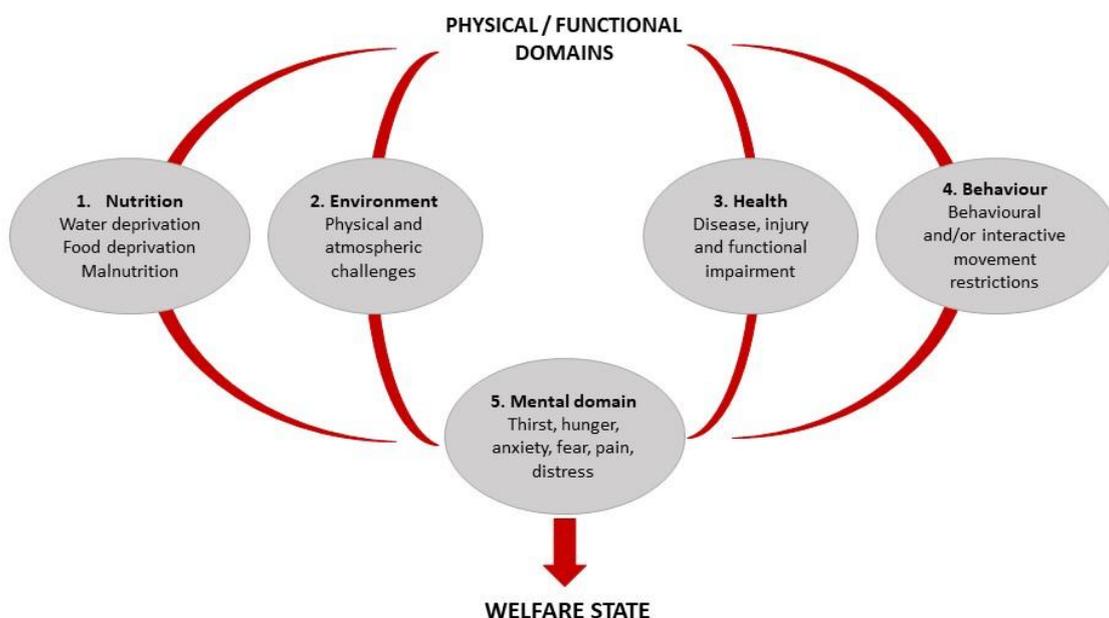


Figure 1. The 2020 Five Domains welfare model, which recognises four functional domains (nutrition, physical environment, health, and behavioural interactions) and a fifth domain of the mental state (Mellor et al., 2020).

1 Nutrition

A well-balanced and rationed diet is essential for any animal's physical and mental well-being. The amount, meat quality, supplementation, presentation, variety and structure are almost equally important. Diet should be tailored to the individual, taking its general health status, weight, age, gender and activity level, as well as possible chronic diseases into account.

A feeding plan should be in place for every individual animal per enclosure and should be displayed in the food preparation area. For lions in groups, individual food intake cannot always be guaranteed. Every feeding and food intake should be recorded, and amounts should be noted as well as any abnormal behaviour in connection with feeding. Feeding practices should promote natural behaviour as much as possible, giving the animal enrichment and satisfaction. Therefore, large (actual weight amount according to need) chunks of carcasses should be fed to healthy animals. A minimum of two fasting days should be included in the week, while healthy animals should ideally have two feeding days. Engorging, with full expansion of the stomach provides more satisfaction to lions, than small amounts fed (almost) daily. This decreases stress for the animal, in particular in lions held in groups or pairs.

1.1 Meat Types and Sources

The diet itself should be as close as possible to the lion's natural food. It will mostly consist of cattle meat, horse (or donkey or zebra) meat, small ruminants and should include game as much as possible. Certain individuals may receive different meats (like poultry portions). Quality of the meat must be assured and no rotten meat or meat from animals treated with drugs such as anti-inflammatories should be fed, as it possesses a health risk (especially for already compromised animals). For healthy animals, the pieces should include skin and bones. Organs, such as the heart and liver, can be fed as an enrichment if on inspection the animals are found to be in good condition.

If a carcass was donated, the history of the animal should be obtained (if treated with any drugs, their withdrawal period, time and reason of death) and the carcass must be inspected before a decision can be made if it will be fed. If in doubt of the cause of death or treatments and medication given to the dead animal, the carcass should not be utilised because it presents an unnecessary risk. Preference should be given to meat deemed fit for human consumption.

Food quantities are dependent on gender, age, size, activity level and general health conditions, but on average:

- **Male lion:** 12–14 kg of meat with bones per feeding, if fed twice a week
- **Female lion:** 8–10 kg of meat with bones per feeding, if fed twice a week

1.2 Dietary Supplements

Dietary supplements must be fed to all animals, to compensate for the missing intake that would be ingested in the wild through the whole carcass consumption (including organs and parts of the intestines). The supplements must be provided according to the amount of food intake and the individual's needs, including taurine, copper, vitamin A, niacin, arachidonic acid and amino acids, because pure carnivores require high levels of all of these materials. Most common predator supplements come in a powder formulation and should be applied to every piece of meat given. Deep slits need to be made by cutting, to place the correct amount of powder (according to the supplier or nutritionist recommendation and depending on the type of meat). Specific supplementation and/or nutraceuticals should be given to old or health compromised animals according to the veterinarian's instructions and recommendations. Additional supplementation should be regularly reviewed and updated together with the feeding list.

1.3 Water

Fresh and clean water needs to be available to the animal at all times. Water troughs should be available within all enclosures. This also refers to the main enclosure and the feeding/separation area sections. Water should be of potable quality and free of contamination. Water troughs should be cleaned out frequently, which will need to be done more often in summer than in winter. Water testing should be performed on a regular basis. If an animal is kept indoors, additional water sources should be made available. Water intake should be monitored, especially in animals with already known kidney disease.

1.4 Storage and Handling of Food

Storage facilities need to be adequate in size to fit the amount of food for the number of animals and their individual needs. Storage should be suitable for meat and therefore needs to include a cooler and freezer unit as well as a preparation area. Only authorised personnel should be allowed in the meat storage and preparation areas.

Floors and walls must be constructed in a hygienic and easy to clean way. Ideally meat is kept hanging. Storage units should be checked daily for rotting meat, which then needs to be disposed off appropriately to prevent further contamination.

Whenever handling food, gloves and additional PPE must be worn, and appropriate tools must be used. Any person handling food must wash their hands with anti-microbial soap prior to and immediately after handling food. Tools (knives, saw, buckets, etc.) should be washed immediately after use, disinfected and stored away accordingly. Used gloves must be washed and disinfected after use.

No waste should be stored in the same rooms as the food and must be stored in a separate cooler room. Human and animal food must always be stored separately.

Preventative measures must be in place for contamination as well as pest control (including rodents and flies). Immediate action must be taken in case of insect or rodent invasion to minimise contamination as extensively and as quickly as possible to promote hygiene and minimise health risks. A pest control programme for the facility should be in place, according to national standards and facility needs.

1.5 Waste Disposal

Adequate disposal of faeces, bones and meat leftovers is as much in the interest of humans as it is for animal safety, minimising the risk of contamination with possible bacteria or other germs. Food leftovers and bones have to be collected out of the feeding areas or houses the same day or the day after feeding. Special attention needs to be given to leftovers in the night-houses, in particular in bedding material. Disposal of bones and leftovers must follow the rules and regulations on waste management and will ideally be incinerated. Regardless of the disposal, storage of bones and leftovers, must be stored on a concrete flooring to prevent any potential contamination of soil and water.

2 Environment

2.1 Enclosures

The objectives of all enclosures should be that they are constructed in a way which meets all the animals' needs and requirements, allows safe and secure working for all personnel, and depending on the nature of the facility, provides an opportunity for visitors to safely view the animals in their habitat, if the animal chooses to be present.

For lions, the diversity and complexity of an enclosure is very important for their well-being. Multiple views, different ground substrate or soils, hiding places and lookouts should be integrated. Vertical space and the ability for them to use three dimensional spaces is essential. Just offering ample space without providing different options within the environment does not meet the species specific requirements.

2.2 Types and Sizes of Enclosures

Within each facility, different types of enclosures should be present to allow for the various needs over time. These will differ in size, structure and set up and should include permanent enclosures, adaption enclosures, special-care enclosures and socialising enclosures.

Permanent Enclosures

Permanent enclosures are the main animal enclosures. For healthy lions, the minimum enclosure size must be 1 ha with 0.5 ha per animal. This means for example that a 1 ha enclosure can accommodate one or two animals, and the enclosure needs to be 1.5 ha for three animals. Permanent enclosures are built on natural substrate and incorporate the natural landscape and habitat into the enclosure as much as possible. This can include trees, rocks, sandy areas and different substrates and vegetation. For lions the main area would consist of open grassland with higher grass patches or bushy areas. Higher look out points, hills, platforms, hiding and shaded areas etc. should be part of the enclosure design. Where an enclosure lacks natural features, this should be compensated for with artificial structures to replicate the natural diversity. The permanent enclosure should be accessible for vehicles and hence it is recommended to use a double gate system to accommodate this.

Recommended minimum enclosure size:

- Minimum enclosure size: 1 ha or 10,000 m²
- Space per individual: 0.5 ha or 5,000 m²

Adaptation, Special Care and Socialising Enclosures

Adaptation, special care and socialising enclosures are smaller than the permanent enclosures, for various reasons, for example due to the animal's health restrictions, socialising purposes or to allow animals to be in close proximity to get to know each other. These types of enclosures should be used only on a temporary basis with the exception of special care enclosures, due to the more permanent health conditions of the animal. The smaller size of the latter enclosures allows for better visibility of the animal(s), with much closer monitoring required for special needs animals compared to adaption and socialisation processes. Environmental and behavioural enrichment should be increased for these animals, taking the individual and its possible conditions into consideration.

Recommended minimum enclosure size per animal:

- Adaption or socialising enclosure: 2,500 m² per individual
- Special care enclosure: 1,000 m² per individual

Feeding Areas or Separation Areas

Separation or feeding areas, also referred to as shift yards, are essential for the safekeeping of the lions and the caretakers involved. Every enclosure must have at least one feeding area directly attached, preferably with a second option meaning a second feeding area or house attached to the main enclosure. This is essential to

work safely with these animals because it allows for safe keeping during cleaning and maintenance procedures. It also allows for the separation of individuals for social, behavioural or medical reasons. The feeding areas also allow for every individual to be seen up close, which is especially important with larger prides because it is not always possible to observe individuals in the main enclosure due to the size and structure of the pride.

The size of the feeding area should be adequate to the number of animals in the main enclosure with a recommended approximate size of 55 m². The feeding area must be connected via a drop gate to the house and the main enclosure for easy access for the animals.

Indoor Structure or House

A suitable big cat house or indoor structure should be connected to the main enclosure and the feeding area. The purpose of such a structure is similar to the feeding area, i.e., to serve as a shifting or separation area, allowing for close monitoring especially for medical conditions and even for protected immobilisations. This is particularly important when the facility does not have a dedicated structure/clinic for medical check-ups. Additionally, it enriches the animal with protected space, where it can choose to stay indoors if it wants to be protected from the elements. It also creates the opportunity to lock an animal inside if circumstances require this due to ill health, for example during cold weather or for pneumonia cases. The number of separate areas or boxes within a house should be in relation to the maximum number of animals that the main enclosure can house. At least two boxes per house are recommended with a minimum surface area of about 25 m² per box. Ideally, healthy animals should have the choice to stay outside day and night, which allows for less indoor space.



Example of the animal keeper's area within a lion house. Welded mesh over the windows, drains in keepers area, feeding bins, easy to clean floors, and a mesh tunnel connecting the house to the feeding area.

Considerations and recommendations for indoor facilities include the following:

- Sealed walls for easy cleaning and better hygiene.
- Sealed floors for easy cleaning and better hygiene, impervious to water and resistant to cleaning and disinfecting products.
- Houses should have a separate staff and animal area. The staff area should have the following utilities, wash basin, water taps as well as drains to allow easier cleaning and maintenance.
- A sufficient number of windows should be present and must be covered with welded mesh for safety reasons.
- Adequate artificial light needs to be available to allow for maintenance work and proper assessment of the animals, even during the night.

- Adequate ventilation to allow for quick drying of surfaces after cleaning.
- Elevated resting platforms in sufficient size and number.
- Bedding material should be provided and increased in winter, and needs to be cleaned and replaced frequently. Materials to be used include hay, straw, shredded paper or wood shavings. Care should be taken that bedding material does not block drainage.
- It is advisable for all houses, but in particular for the special care unit houses, to cover the inside walls with wooden panels or rubber mats for better insulation. Resting platforms made of natural materials like wood are particularly important for older or sick animals.

2.3 Safety Considerations and Specifications

Predators, including large felids, belong to the most dangerous wild animals and direct contact can create a life-threatening situation that needs to be avoided at all times. Hence, the enclosure design, houses or indoor facilities and all other related structures must take safety into account and constructions must be created in a way that allows for the highest safety standards to prevent escape, injury or death to both humans and animals.

The priorities include safety and security, animal welfare and design.

All facilities must prevent the animals from escaping and minimise the possibility of human errors as much as possible, and therefore the following structures and features should be implemented:

- All enclosures must have separation areas/feeding areas.
- An adequate number of drop gates between feeding areas/houses and outside enclosures, so animals can easily be shifted around the various areas for separation. For safety reasons, drop gates must be visible to ensure the drop gate position, i.e., open or closed.
- Visibility of the entire house must be ensured and trapped rooms, i.e. areas that are only accessible via another enclosure, should be avoided at all costs.
- Doors and gates to enclosures as well as drop gates must have a double locking mechanism.
- All fences must be constructed with an enclosure mesh of a size that the animals cannot put their paws through.

Gate Mechanism

Drop gates (slides, transfer gates) are facility devices that separate, connect and divide enclosures spaces from each other. The following requirements are necessary:

- Opening and closing mechanisms must be accessible from the outside and access to the gate must be visible.
- Drop gates must be secure through their own weight with an additional locking mechanism.
- Drop gates must be double secured, ensuring that the animals cannot open them.
- Drop gates must always be secured before any further actions are undertaken.
- Ropes/wires should be covered in welded mesh or hollow steel profile to ensure they cannot be damaged by the animals.
- Indoor facilities should have two drop gates, one welded mesh drop gate and one full (blind) gate, which protects the animals from draughts, strong winds, extreme cold and heat etc.
- Drop gate cables should run as straight as possible to minimise the risk of the cable slipping off and creating a malfunctioning gate mechanism.

Doors

Doors are part of the enclosures and houses, which provide access for the staff as well as equipment and material transport. Practical recommendation and safety features include:

- Door dimension for entrance to indoor facilities: minimum width 1.20 m and ideal width 1.5 m for easy access, especially when an immobilised animal needs to be moved into or out of the house.
- Every door should have a locking bar, operable from the inside and outside.
- Preferably, it should be a double door system with a full mesh on the inside and outside door (e.g., metal sheet). This will enable the animal caretaker to observe all inside areas before entering the house and ensure their safety (see image below).
- Alternatively, a single full door can be installed with a small window at eye level with a welded grill for safety to allow a visual check before entering the house (see image below).
- Doors must open in the opposite direction of an escape.
- All doors must have safety stoppers at the lower/upper corners to prevent the door from swinging open.
- As an additional safety feature, the door's bolt lock should be spring released and locked with a padlock.



Double door system to the indoor facility (lion house):

- Outside door made of metal sheet.
- Inside door made of metal mesh with locking bar safety.
- The mesh inside door allows a caretaker to view the whole indoor area before entering.



Locking bar with a spring and padlock for every door and gate.

Feeding Shoots or Bins

Feeding bins ensure the safety of the staff while feeding takes place. Having feeding bins installed into the house and feeding areas keeps staff from having to enter the enclosure or facility during feeding, as feeding can be done from the outside. Feeding bins must be constructed in such a way that it is impossible for the animal to reach through them with any body part and need to be big enough for meat pieces to fit through. For easy cleaning, durability and affordability, metal sheets can be used to construct feeding bins.



Feeding bin – outside view.

Feeding bin inside a lion house (i.e. indoor facility) needs to have a large enough opening for meat pieces to be easily dropped inside.



Feeding bin – top view.

A metal sheet is welded on the inside of the trough for the safe handling of the meat. This ensures that the animal cannot reach through the feeding bin to reach the animal caretaker.

Water troughs: should be easily cleanable, hygienic, and ideally self-filling, so that continuous access is not required for refilling. For example, a floating ball system.

2.4 Fencing

Any fence has to prevent the animals from escaping while at the same time not being able to injure themselves. The fence line should provide a safe environment for the animals, staff and/or visitors, while allowing the animals a choice to be in- or outside, during the day or night. Considering lions physical abilities, fences must include: 1) overclimb protection, 2) under-dig protection and 3) protection against destruction of the fencing itself. Additionally, electric wires as well as strong first line fence materials (diamond mesh) are required.

Minimum requirements for fence construction:

- Maximum distance between posts: 4 m.
- Height of main fence: 4 m with a minimum of 0.5 m dug into the ground.
- Overclimb protection: minimum overhang of 1 m at 45° into the enclosure.
- The electric fence is in two parts with wires on the main posts and the overhang, and an additional electric fence (1.5m height) 0.5 m into the enclosure.
- Electric fencing on its own does not provide sufficient protection, the effect relies on the animals' behavioural nature, creating short pain burst that teaches the animal to stay away from the fence line.
- The electrical wires must be out of reach for any visitors, certified by an authorised electrician, and need to be checked daily for damage and sufficient voltage.
- Voltage should be able to be regulated or adjusted, if necessary, for example for new animals who are unfamiliar with an electric fence.
- Fencing materials should also be weather resistant, UV and rot proof, moisture repellent, frost resistant and require low maintenance. Preferably there should be metal poles and diamond mesh.
- The design should ideally blend into the landscape as much as possible.



Example of a lion enclosure fence.

Mesh:

- PVC coated diamond mesh.
- 3.6 m above ground fixed on fence posts.
- 0.4 m dug into the ground.
- Fixed on poles with an overhang.

Steel main fence posts:

- Set in concrete foundation 4 m apart.
- Steel pole: 88.9 mm diameter, 3 mm wall, 5.2 m length plus capping.
- Horizontal connecting pipes: 38 mm diameter, 3 mm wall and 4 m length.

Electric fence:

- Six strands fixed on 1.5 m high y-poles on the inside along the whole length of the fence, 60 cm from the main fence.
- Two strands fixed on the fence poles below the overhang.
- Two strands fixed on the fence poles on the overhang.

2.5 Enclosure and Housing Structures - Designs, Features and Furniture

Structural arrangements should be considered when creating and building any new enclosure or facility. Careful planning of these can not only help avoid stress for the future inhabitants of these enclosures but also possibly provide enrichment, meet the animals needs and provide choices. Different enclosures will suit different needs, for example a young group of lions needs a different designed enclosure (not just in size) than a single geriatric animal.

General considerations include:

Adaption and special care enclosures must always have indoor facilities, whereas for other enclosures it is highly recommended, but as a minimum requirement at least a separation area.

Neighbouring enclosures can create enrichment but could also cause stress. This will depend on the individuals, but electric fences between groups sharing a mutual fence line must be placed at an appropriate distance, especially in cases of aggressive behaviour. In a shared house, a sight barrier should be installed, and it must be ensured that the animals cannot reach each other.

Enclosure structure

The animal's needs regarding its enclosure goes beyond its size. If an animal has ample space but for example no vegetation or structures and diversity, it is not possible to meet its needs.

Behavioural categories that need to be considered are activities such as walking, running, jumping, and strolling, resting, foraging behaviour (food handling), social interactions, including avoidance behaviour like hiding or running away, communications like marking or rubbing trees and soil, and play with other lions or non-food objects (enrichment items). The aim is to allow the animal to exhibit all these behaviours and to reduce stressful situations caused by social interactions or the presence of humans. Hence, the following structural design elements need to be incorporated in the enclosure to meet, allow and enable more natural behaviours:

- natural vegetation (including forest, grassland, trees, scrubs, various substrates and topography);
- open grassland areas;
- rocks and hills;
- hiding areas, caves or artificial structures;
- resting areas;
- outlook areas, e.g. natural hills and artificial platforms; and
- climbing and scratching opportunities, e.g. logs and trees.

Depending on the existing natural vegetation and three-dimensional structures within enclosures, additional artificial structures may need to be added. Areas with a natural hilly topography have proven valuable, especially for unsettled social groups.

Enclosure furniture

Enclosure furniture must be seen as addition or complimentary to the natural habitat within an enclosure. Where certain features are absent within the enclosure, additional artificial structures should be added. These can be constructed in a natural way for example creating hillocks to serve as outlooks and obstacles or shields can be created with branches, as well as shady spots.

Enclosures should be rich in structure and furniture to promote as much as possible the animal's natural behaviour, which in turn will have a positive influence on the physical and mental health of the animal. Different structures offer diverse opportunities for the animals and should be in accordance to group size and health status.

Outlook platforms: Lions will make use of elevated platforms, if provided, for the purpose of types of behaviours such as sunbathing and observing their surroundings and/or their neighbours, and will often be used by lions for these purposes. Platforms also provide shelter and shade and should be created at different heights to promote climbing and jumping. Ideally, they will be constructed from natural materials, which will

enhance additional natural behaviour, e.g. sharpening of the claws, and also helps the platform to blend into the natural surroundings more easily. Platforms should be high enough to allow the animal to stand comfortably underneath, unless an additional step is required for the lion(s) to reach the platform.



Example of enclosure furniture, i.e. outlook platforms, both provide some shelter and outlook options.

Caves and hiding places: Caves and hiding places serve two main purposes, namely they provide a hiding place from other animals, humans or other disturbances, such as construction work in the surroundings, and also a cooling and resting area or to hide away from the elements.



Example of enclosure furniture, i.e. an outlook platform as well as a hiding place.

2.6 Vegetation

Different Types of Vegetation

Open grassland areas: the main environment for lions with the grass kept at least partially long. Lions also eat grass to get rid of hair in their digestive system, which could be the result of excessive grooming, and this may possibly lead to allergies or parasitic burdens.

Trees and shrubs: very important for scent rubbing, marking and scratching, sharpening of claws, as well as providing shade and hiding areas.

Fallen or dead trees: provide obstacles, climbing and scratching opportunities. Care should be taken to remove possible toxic plants from within the enclosure.

3 Physical Well-being

3.1 Health

3.1.1 Preventative Health Care

Lions, as are many other predator species, are dangerous animals and medical treatment is therefore challenging, as they cannot be just examined or approached without sedation. This is the main reason why preventive health care is even more important than for other animals and relies on daily observations and a veterinary care programme.

Daily Observations

Daily observations should be carried out by the animal caretakers, which can take place during daily checking rounds, but can also be made during every encounter with the animal, such as feeding and cleaning routines. The visual checks include the physical status of the animal as well as the behaviour of the animal, for example changes in the social structure or dynamics within a group. Animal caretakers need to be familiar with all the individual animals and any potential pre-existing conditions. Animal caretakers need to have knowledge of the most common conditions and must receive training on such conditions with special attention to diseases that present a zoonotic risk. Any observed abnormalities need to be reported immediately to the chief animal caretaker, who will advise on further steps and decide if a veterinarian will be called.

Attributes, signs and symptoms to monitor and look out for include:

- body condition;
- eating and drinking behaviour;
- coat conditions;
- defecating and urinating;
- signs of diarrhoea or constipation;
- possible vomiting;
- increased or forced breathing or open mouth breathing;
- signs of nausea, salivation, one sided eating;
- general discomfort like eye squinting;
- any discharge from the nose, mouth, or eyes;
- Injuries, scratches, wounds, bleeding;
- lameness and limbs; and
- ataxias, avoiding of certain movements.

Veterinary Care Programme

A veterinary care programme should be in place for all animals in the facilities, and should be overseen by a specialist wildlife veterinarian and the head of the department/chief animal caretaker. The following measurements should be included:

- parasite surveillance;
- vaccination;
- contraception;
- routine and infectious disease screening;
- quarantine and isolation processes; and
- dental examinations.

The veterinary care programme should also have measurements/protocols in place for emergencies when animals are injured or fall ill, which should include the procedures to follow, when the veterinarian should be called and who else needs to be involved. Apart from examinations under immobilisation when an animal is sick or injured, routine check-ups should take place on a regular basis. The time frame for these check-ups will be set by management and is dependent on the animal's needs. These check-ups do not always require immobilisation, with a minimum of a visual check-up carried out initially. Depending on any detected abnormalities, the veterinarian must decide on the next steps. Whenever possible efforts should be made to obtain non-invasive samples, such as urine or faecal samples, which may be considered helpful and of diagnostic value. Depending on the age and health status of an individual animal, a thorough examination or follow up check-ups for chronic conditions may be carried out under general anaesthesia.

If immobilisation is planned or becomes necessary, early safety measurements for the animal and caretaking team should be put in place. Basic equipment and medications (refer to section 3.1.3) should be available on site and all remaining medication will be controlled by the veterinarian. After every examination, records and results should be documented with the animal's records, as well as diagnostic outcomes and a treatment plan.

Parasite surveillance

Parasite surveillance should take place on a regular basis, again whenever animal caretakers work in the enclosure, and special attention should be given to the faeces, the amount and consistency. Any abnormality should be reported and recorded and samples collected and examined. If parasites or eggs are detected, treatment should be given, and the faeces of this animal or group has to be resampled to assure the treatment was successful.

Any observations of ticks or other external parasites should also be noted and reported. Any small number of ticks would be considered normal in a healthy animal and does not require immediate treatment. If ticks are noted on an animal in larger amounts, or on a compromised animal (for example if an animal cannot scratch itself off due to arthritis), they should be treated. Preference will be given to oral treatment compared to a spot-on formula. The veterinarian's recommendations should be followed.

Vaccinations

Similarly to domestic cats, lions are susceptible to certain infectious diseases. As a standard procedure all lions should receive vaccinations against:

- feline respiratory virus;
- feline panleukopenia infections; and
- rabies.

The frequency of any vaccination will be according to the veterinarian's recommendation. Certain individuals may not be vaccinated if for example their immune system is compromised. Vaccinations should be recorded, including the type and batch.

Contraception

Breeding needs to be prevented at all costs. To avoid any offspring all male lions should be vasectomised and for females surgical castration (i.e. ovariectomy or ovariectomy) is advised (see also Population Control Protocol P 4). This will also benefit the animal's long-term health, as the risk for intact females to develop pyometras or cancer increases with age. In specific cases, temporary contraception via a GnRH implant can be achieved, but needs to be repeated frequently because the implants only work for a set amount of time. An adequate contraceptive method must be considered for every individual's needs, as well as the implications it might have on the dynamics of the group once the hormones are active.

Decision on the most appropriate method should be made by management and the veterinarian. Procedures will be performed by the veterinarian and recorded on the animal's record.

Routine and infectious disease screening and dental examination and prophylaxis

Whenever an animal is immobilised, blood samples should be taken for routine organ screening, as well as for determining viral status and the presence of infectious disease antibodies. This will be done by the veterinarians and results must be kept on the animal's records. Teeth need to be inspected, and it is advised that pictures are taken for record keeping and future comparison. If broken teeth or inflammations are noted, a veterinary dentist should be consulted.

3.1.2 Veterinary Care of Sick Animals

Major medical decisions, such as risky immobilisations, surgical procedures, immobilisations on severely compromised animals or euthanasia will be undertaken by the responsible veterinarian together with management. The chief caretaker will inform the animal caretaking team about potential risks, decisions and outcome, treatment plans or the special needs of an animal, such as for example restricted movement or diet.

Injury or Acute Diseases

If an animal caretaker observes any disease or injury or abnormal behaviour, the chief animal caretaker has to be informed immediately. They will assess the information, check the situation, and inform the veterinarian, if required. Further action will follow the assessment, examination and recommendation and will be communicated to the animal caretaking team.

Chronic Conditions

Most captive and captive-bred lions come from a wide variety of backgrounds and keeping conditions, and their medical history is often unknown. Some animals will already have acquired chronic conditions, and some will develop chronic conditions over time at their forever home. For some animals, their previous keeping conditions could be a factor in future chronic conditions; however, lions in captivity tend to far exceed their natural lifespan and their advanced age will play a significant role. Common chronic conditions for lions include:

- chronic kidney disease (CKD);
- musculoskeletal pathologies, such as degenerative joint disease or spondylosis, often involving the disc and nerves as well; and
- various cancerous diseases, commonly detected in older animals in captivity.

For animals with chronic conditions special supplements and medication should be given to slow disease process and improve their quality of life. Adaptions within the enclosures must be made according to the animal's needs and chief caretaker's instructions.

Treatment

Any supplements and oral medications, regardless of the type (powder, tablets, suspension) should be given by the animal caretakers according to the veterinarian's recommendations and instructions. Care must be taken that all treatments are ingested. Medication should be given before food and placed deep inside a meat block while using tongs at all times. In case of the animal not taking the medication, this must be reported to the chief caretaker who will advise on the way forward. Any treatment that needs to be administered via a different route, will be given by the vet or under careful instructions/supervision by the vet via the chief caretaker. Additional husbandry adaptions will be instructed by the chief caretaker, for example if the animal needs to be separated temporarily. Follow up and treatment outcome must be reported and adjusted if required.

Humane Euthanasia

The decision for euthanasia will be guided by the veterinarian with management/chief caretaker and should be communicated with the care taking team. In cases of chronic illnesses this might be a process where a Quality of Life Assessment (see quality of life protocol P 1) has been carried out repeatedly and adequate quality of life can no longer be maintained. The procedure of humane euthanasia can only be carried out by a licensed veterinarian and should happen in the least stressful way for the animal according to the euthanasia protocol. Whenever possible, a postmortem examination should be performed, and necessary samples obtained.

3.1.3 Onsite Facilities and Equipment

Clinic Facilities

It is strongly recommended that any lion safe haven has an onsite veterinary clinic/facility with all necessary equipment to carry out routine examinations and treatment. At a minimum, a treatment room has to be created, where the consulting veterinarian can perform any necessary treatments and examinations. Safety measurements must be in place for the animal as well as staff. Any clinic and treatment room must be built in a practicable, hygienic and easy to clean manner. Cleaning and disinfecting have to take place after each use, but at the latest by the following day.

Dart Gun or Blow Pipe

A dart gun and/or blow pipe should be kept onsite for emergency cases when a person is in danger. The usage thereof is strictly prohibited in any case other than emergency.

Medication

Every facility should keep a basic stock of medications onsite according to the veterinarian's instructions and recommendations. This should include pain medication, antibiotics, anti-nausea medication, anti-parasitic treatments, amongst others according to the facility's needs. The animals' daily medication should be prepared by the vet assistant or chief caretaker in one box per animal with instructions communicated to the caretaking team. Medication must be prepared on a clean table and for one animal at a time to minimise preparation errors. Lost or spilt medication should be reported back by the caretaking team, so that it can be replaced in a timely manner. Medication must be kept under the advised storage conditions and according to their schedule classification, and a stocklist and register must be kept of the intake and usage. The use of scheduled drugs must be kept to a minimum (unless the facility has an onsite veterinarian) and always stored in a locked safe.

3.2 Hygiene

3.2.1 Cleaning and Disinfection

A weekly cleaning and disinfection schedule should be established for all animal facilities and enclosures, and records must be kept of when each enclosure was cleaned last. Every animal caretaker must have a minimum understanding of basic hygiene and cleaning needs. Guidance and training must be provided by senior staff. Hygiene and scheduled cleaning are vitally important to create and keep a healthy environment, not only for the animals but also for the staff involved.

Outdoor enclosures

Every enclosure has to be cleaned on a regular basis with cleaning intervals depending on the number of animals in the enclosure and the enclosure size, at a minimum of every two weeks. Smaller enclosures should be cleaned more frequently and set by the chief animal caretaker. Whenever a caretaker enters an enclosure for maintenance work or to install enrichment items, bones and faeces should be removed.

Indoor enclosures

Indoor enclosures and feeding areas have to be kept clean and dry. A cleaning schedule has to be in place for these according to the animals use thereof. Cleaning should take place at least twice a week for the feeding areas and houses. Bones must be removed the day after feeding. Water troughs must be kept clean at all times and fresh water needs to be available at all times.

Cleaning refers to the removal of bones, leftover food and faeces as well as the removal of redundant enrichment items. Rotten food and faeces contain bacteria and microorganisms, which can contaminate the environment and soil. They also attract flies, other insects and rodents that can contribute further to potential disease risks. Their urgent removal is very important for disease prevention.

Bedding must be changed regularly but must be replaced when wet or urine soaked.

Disinfection refers to the inactivation and killing of bacteria and microorganisms to prevent their spreading and contamination. Although disinfection influences scent marking by the lions, it is necessary in the indoor areas.

This is particularly important after animals have spent a prolonged period in the house, either for management reasons but even more so as a result of illness. Disinfection should also happen before a new animal or group moves into a new enclosure/house.

The actual disinfection has to happen with a suitable disinfection agent and can only happen after all bedding is removed. Subsequently, floors and walls have to be washed and scrubbed with hot water and a suitable antibacterial detergent. Indoor furniture, such as platforms and water troughs, also need to be washed and scrubbed, as well as doors, gates and handles and all tools after usage. Once everything is clean and dry, disinfection must be undertaken and left for a suitable time for activation purposes before the animals can use the facilities again.

Cleaning and disinfection equipment should stay with the enclosure and be clearly labelled to avoid cross-contamination.

3.2.2 Staff and Personal Hygiene

Good personal hygiene is essential when working with animals and meat, for the safety of the staff as well as the animals. To minimise the risk of germs being spread, regular washing and disinfection of hands is required throughout the working day, but at a minimum must be conducted after every animal is attended to. Gloves must be worn for all feedings and giving of meat. For hygiene during meat handling see section 1.4.

4 Behavioural Well-being

Behavioural and mental well-being is equally important as the animals' physical well-being. Given that in a captive environment not all of natural behaviours can be met, for example the animals cannot hunt, a pride social structure cannot always be replicated. Enrichment is one of the most important ways to meet these needs. Novel items can provide large amounts of stimulation, but before any new enrichment items are introduced, they should be checked for safety and approved by management, for example no harmful substances or items must be used. Enrichment should meet the individual's needs and restrictions, and the reaction to it should be recorded.

Enrichment can happen in various forms, for example structural enrichment, environmental enrichment, social enrichment and food enrichment. For enrichment items every animal within a group should receive an item of the same type that should be given at the same time, to prevent fighting, and the enrichment item and the animal's reactions to the enrichment should be recorded.

4.1 Structural Enrichment

Structural enrichment complements the complexity of the environment within the enclosures and includes the design of the enclosure, vegetation and planting, various substrates and enclosure furniture. If the natural condition of an enclosure is extremely monotonous, more artificial structures and furniture should be added. These can include but are not limited to resting places and elevated platforms, hills and lookout points, scratch poles and hides (see also section 2.5).

4.2 Environmental Enrichment

Environmental enrichment items or devices can be added to the animal's enclosure to provide additional stimuli and can consist of an item or sensory stimuli or both. Scents play an important role in a lion's life, especially for reproduction, and scents, in particular novel scents, are an excellent way to provide enrichment that is easy to implement.

Possible environmental enrichment items or options include:

- scent trail within the enclosure (spices, perfumes, other animal's faeces, etc.);
- hessian bags, sausages, cardboard boxes, paper bags, filled with for example hay, faeces, spices, pinecones etc;
- boomer balls; and
- cardboard pipes used to roll fabric around.

4.3 Feeding Enrichment

Natural hunting and feeding behaviour are impossible to replicate in captivity, but some feeding enrichment options are easy to implement, including:

- different feeding times;
- different presentations, e.g. food can be hung from a branch;
- food placed in different locations;
- variety of meats;
- spreading meat blocks around the enclosure;
- ice lollies/icicles, frozen water bucket with or without blood, meat pieces or a cow tail; and
- meat stuffed into a hollowed out pumpkin or watermelon.

4.4 Social Enrichment

Whenever possible, efforts should be made to socialise single animals into small groups, which often works best with animals of the opposite sex. Socialisation is a whole process on its own benefiting animals immensely in the long-term if successful, but will most likely cause some stress for the animals during the process. If necessary, males can be kept solitary or in a small coalition. It is recommended to always keep females in small groups.

5 Mental Domain

The establishment of a positive and trusting relationship between the caretaker and the animal is the ultimate goal for the animal's well-being, as well as for the safety of humans and animals. Lions are dangerous animals and therefore any direct physical contact must be limited to an immobilised animal only. A minimum of two caretakers should be present at all times when taking care of lions. Animal management must be carried out by well-trained and qualified staff. If staff are still in training, supervision must always be in place. For any untrained person, such as volunteers, safety rules and guidelines must be strictly adhered to.

Medical training may require close contact to the animal and should therefore be limited to qualified staff, consultants, or caretakers under supervision. Consideration needs to be given to the fact that this close proximity of people and animals requires extra awareness because it increases the risks for the animal caretaker.

Regardless of the quality and trust of the animal-caretaker relationship, it is strictly forbidden to enter a lion's enclosure with non-immobilised animals present. The only exception would be to drive into an enclosure in case of an animal-based emergency, which can only happen if approved by management.

Any animal handling must be based solely on positive reinforcement, producing fear, stress and anxiety for the animal must always be avoided.

Food and water deprivation are considered a negative reinforcement and are not welfare-based management tools. These are considered punishment, and any staff using such methods should be reprehended. In such cases, efforts should be made to recover the situation as soon as possible and trust should be reestablished. These situations must also be reported to the chief animal caretaker/supervisor/management.

Trust establishment starts during the arrival phase, when the animal caretaking team familiarises themselves with the animal(s), via appearance, scents and voices. A minimum of two animal caretakers should be responsible for an animal, to avoid an animal being fixated on one person only. This is acceptable early on but not long-term, as the relationship and trust should not be reliant on one person, who will be absent at some point, e.g. annual leave, medical leave, or even resignation.

5.1 Animal training

Animal training minimises stress for the animal and caretaker team, and enhances the health of the animal because it reduces the need for immobilisation and therefore minimises stress. It also improves the bond between the animal and the caretakers. Training needs to be purpose specific for example for medical reasons or for behavioural modifications (for example an animal that has separation anxiety) and **must never be used for showcasing or entertainment.**

There are two key components for behavioural management: enrichment and training. Both are essential for the animals' welfare. Especially in large enclosures it is very important that the animal reacts to cues from the caretakers and can be called (and reacts). This is particularly important if visualisation is not easily or always possible but is also an important tool if animals need to be separated (for feeding, medical or behavioural reasons).

Animal training principles include:

- any and every training must be based on positive reinforcement;
- every time an animal responds to a cue or signal, the behaviour must be rewarded;
- a training plan indicating clear goals with clear steps should be developed and adapted when needed;
- training must be carried out only by qualified staff, or staff in training under the supervision of a qualified animal trainer;
- training can never be used as an attraction for external people or visitors;
- training must be carried out regularly, a minimum of several times a week is necessary if not on a daily basis, with consistency being key to carrying out the training plan successfully;
- the decision on which animal receives training will be made by the caretaking team and will be based on the needs of the animal and staff;
- husbandry needs, like enclosure maintenance and cleaning needs to be taken into consideration when establishing training times and plans;
- stressful situations and circumstances should be avoided as much as possible, to promote successful training situations;
- training locations should be adjusted to avoid stressful situations and can vary depending on circumstances; and
- the animal should be set up for success.

9 Key Recommendations and Proposals

The establishment of the MTT has its genesis in the HLP recommendations, whose vision for the conservation of lions and their habitat in South Africa is secured, restored, and/or rewilded natural landscapes with thriving populations of self-sustaining and free roaming lions. The MTT supports this visionary recommendation that South Africa strives towards a future without lions in captivity, including those held in zoological gardens and sanctuaries, except for potential future true in-situ conservation projects.

The MTT concluded among others:

- That there are risks associated with intensive management of game for commercial exploitation, which have been epitomised by elements of the captive lion industry, and any exit options and pathways need to mitigate any risks or unintended consequences.
- The importance of meeting the duty of care to the lions themselves, noting that the various court judgements emphasise the importance of considering, amongst others, the welfare of such animals; and that any keeping, breeding, or use of captive lions has to comply with such requirements.
- That animal well-being needs to be taken into consideration not only under the APA, but under NEMBA as well, making the provincial authorities responsible for the implementation.
- That best practice guidelines for the keeping of African lions in controlled environments and other protocols outlined in this report should be implemented through appropriate legislative measures for the captive lion industry.
- Although minimum conditions can be achieved over a reasonable time period, all nutritional and physical well-being standards need to be introduced immediately.
- In light of the challenges related to provincial oversight capacity and the complex regulatory environment, the Minister issues standardised legal directives and guidelines for provincial authorities to take into consideration before approving permits for new facilities or renewing permits. The specified criteria should comprehensively cover:
 - adherence to NEMBA requirements;
 - evaluation of the compliance history of existing facilities;
 - an assessment of the capacity of new applicants to conform to NEMBA, with a specific focus on animal well-being;
 - considerations of potential adverse impacts on the well-being of lions, in light of the economic uncertainty in the industry and ensuing financial limitations, must be taken into account; as well as the proposed policy objective to realise the objectives of the HLP.

9.1 Key Recommendations

- **Voluntary exit should be the first step towards the longer-term objectives as outlined in the draft Policy Position.**
 Since the initial establishment of the captive lion industry in the 1990s, this sector has presented multiple regulatory challenges with no real solutions (see chapter 6). The MTT therefore recommends that voluntary exit from the captive lion industry should only be the first step in a longer-term prohibition, as is outlined in the draft Policy Position on the Conservation and Ecologically Sustainable Use of Elephant, Lion, Leopard and Rhinoceros.
- **Finalise Engagement with Voluntary Exit Candidates.**
 Facility owners who have voluntarily shown an interest in exiting the captive lion industry, need to be actively engaged with to complete the process of exiting the industry through mutually agreed terms for voluntary exit (see also section 7.3.7).

- **Lion bone stockpiles**

The MTT recommends the rapid implementation of a government-sanctioned acquisition and mass-incineration of all known lion bone stockpiles, to prevent its illegal export and signal its commitment to ending this practice. Facilities that wish to take this offer must also comply with the principles of voluntary exit, namely sterilisation, animal welfare and well-being.

- **Short-term measure - Ministerial Directive**

As a short-term measure and to facilitate the recent amendments in legislation, the MTT recommends that the Minister issues a directive, to guide the issuing and renewal of permits:

- a. Foster a consistent understanding of animal well-being through the necessary keeping requirements and ensure that all facilities possess the necessary capacity, both in terms of finances and personnel, to comply with the animal well-being requirements as in NEMBA.
- b. Amend the maximum duration of permits for restricted activities involving captive and/or captive-bred lions to a 24-month validity, with the possibility of extensions.
- c. To support this recommendation, the capacity of provincial permit issuing authorities and EMIs are provided through required training, in particular around animal well-being. Furthermore, effective tools need to be facilitated to implement uniform guidelines across the nine provinces.
- d. Progressively implement permit fees that are reflective of the true administrative costs relating to regulating the commercial captive lion industry, thus reducing the reliance on national and provincial nature conservation budgets, releasing resources to strengthen the required capacity for oversight of compliance of the industry, and diverting resources for the badly needed nature conservation programmes.

- **Moratorium on captive lion breeding**

The MTT acknowledges that the DFFE has engaged in a wide consultation process and is in the process of finalising the proposed regulation, which will in the interim prohibit the establishment of new captive lion facilities. This regulatory measure will protect the benefits of the voluntary exit outcome from potential undermining through the establishment of new facilities, and address this concern raised by among others captive lion facilities.

The MTT suggests that the Minister considers implementing measures to mitigate the captive lion population growth through single sex separation or sterilisation of the captive lion population in South Africa. This action will avoid a scenario where the current lion numbers remain constant, thus undermining the reductions achieved during the voluntary exit process.

Proposals

9.2 Legislation Review in the Interim Phase

- Revise the sanctuary definition to include criteria preventing breeding, trade with lions and unnecessary tactile human-animal interactions and others. These revisions should be introduced to ensure no pseudo-sanctuaries can be developed in response to the need for lion rehoming capacity from the voluntary exit process. This will also avoid the introduction of another type of captive facility.
- The concurrent provincial and national legislation competence has led to an excess of nature conservation statutes, with some dating back to the pre-democratic era. It is imperative to undertake provincial legislative reform in biodiversity conservation legislation, aligning it with international best practices and ensuring uniform implementation across all nine provinces of South Africa.
 - By adopting international best practices, South Africa can enhance its commitment to environmental stewardship and contribute to a more cohesive and effective approach to biodiversity conservation.

- A more uniform legislative framework will promote consistent and coordinated monitoring across provinces, addressing potential disparities and strengthening the overall regulatory framework for the sustainable management of biodiversity.
- This in no way diminishes the statutory powers of provincial governments, it must respect the concurrency while committing to both cooperative governance and effective biodiversity management.
- Establishment of N&S based on animal well-being criteria for all indigenous and non-indigenous captive carnivore species. Best Practice Guidelines for the Keeping of African Lions in Controlled Environment (Protocol P 6) can be used for lions and as a base for all other carnivore species.
- There is a need for greater clarity in defining sustainable use, and the more comprehensive definition in the White Paper should be incorporated in NEMBA, when the act will be revised.

9.3 Administering the Captive Lion Industry

- Considering that managing the integrity of conservation and biodiversity transcends provincial (artificial) boundaries and the imperative for provincial regulations to be in alignment with national biodiversity policies and legislation, it is recommended that amendments to NEMBA, when revised, should encompass reviewing Section 4.(2)(b) – “This Act binds all organs of state (a) in the national and local spheres of government; and (b) in the provincial sphere of government, subject to section 146 of the Constitution”. And Section 8.(1)(b) “Conflicts with other legislation. (1) In the event of any conflict between a section of this Act and (b) provincial legislation, the conflict must be resolved in terms of section 146 of the Constitution”. Such provisions (which are also included in some provincial legislation) result in the inconsistencies in interpretation and implementation across provinces, as the act provides for the official concerned to interpret which law will apply in terms of the constitution. Legislation should be clear as to precedence, as is provided in other spheres with concurrent competence in terms of Schedule 4 of the constitution, such as Health. National Biodiversity Legislation should be collectively agreed through the drafting and approval processes, and should then take precedence, with provincial legislation then providing province level clarity in terms of implementation and province specific nuances. Such reformulation is urgently required, not only for circumstances such as the captive lion industry, but more broadly across the biodiversity sector, as recommended by the HLP, and as contained within the White Paper Enabler 1.
- Given the ambiguity in definitions, as specific provinces classify captive free-roaming lions as wild lions, the MTT recommends the inclusion of clear and consistent definitions, along with criteria, for different lion categories, i.e. wild, wild managed, and captive lions, for policies across all nine provinces in South Africa. This is of utmost importance, particularly considering the ongoing process of future prohibitions, as precise definitions are imperative to prevent the exploitation of loopholes. This includes preventing practices like selling hunts of free-roaming captive lions or ranched lions as authentic wild hunts.
- Propose the implementation of national e-permitting system that can precisely track each individual wild animal held in captivity through the system from birth to death, with automated reconciliation features which track non-compliance with permitting systems.
- Amend the maximum duration of “keeping permits” for captive lions to a 12-month validity, with the possibility of annual extensions. This adjustment aims to address the complexities revealed during the audit, providing provinces with more current data and insights into industry trends and risks that demand attention.
- Adjust permit fees to recover the full costs of the administrative burden related to regulating the commercial captive lion industry. This will reduce the reliance on national and provincial nature conservation budgets, release resources to strengthen the required capacity for oversight of compliance of the industry, and divert resources for the badly needed nature conservation programmes.

- Strengthen the enforcement of prevailing national and provincial regulations by instituting routine mandatory inspections, as well as taking, decisive, prompt and resolute measures against instances of non-compliance, accompanied by deterrent levels of penalties to discourage non-compliance.
- Establish a structured collaborative programme with the HAWKS to identify and prosecute owners of unregistered lion facilities, cases of animal cruelty, and individuals participating in the illegal trade of lions and lion bones, parts and derivatives across South Africa.

9.4 Inspections

- With the inclusion of animal well-being in NEMBA an opportunity has been created to enhance the EMI functions. We recommend addressing competency and skills training for all EMIs with a particular focus on training in the animal welfare and well-being competencies and the interpretation of TOPS as well as the relevant provincial regulations pertaining to the commercial captive wildlife sector.
- Consideration should be given to include inspectors within the EMI teams members who are either multilingual or proficient in relevant local languages. This measure aims to facilitate more effective engagement with workers and employees on the farms.
- Improved cooperation between the provincial nature conservation authorities and the NSPCA to facilitate more regular joint inspections of captive breeding and keeping farms for wild animal species.

9.5 Trade

- The MTT recommends introducing a moratorium on the live international trade of both captive and wild lions or any other carnivore species other than for in-situ conservation purposes within the appropriate range states.
 - This is to mitigate possible unintended consequences of animal welfare and well-being concerns in the destination country importing live lions. It is important to recognise that enforcing adherence to animal well-being standards may be unattainable in some of the destination country importing live lions.
 - Such trade goes against the intent of Policy Objective 4 of the draft Policy Position paper that states the intention to promote in-situ conservation and live exports of wild specimens to African range states in suitable habitats as opposed to exporting wild specimens into captivity. This is aligned with the emphasis on promoting and considering animal well-being, assuming duty of care, and a commitment to prevent the erosion of wildness by exporting into captivity.
 - Furthermore, this measure will restrict the export of captive lions from South Africa preventing the establishment of a founder population and curbing the proliferation of undesirable activities associated with commercial captive lion breeding to other African countries.
- Implement a moratorium on all live imports of captive carnivores, from circuses and/or zoos to be rehomed in South African sanctuaries. With the limited rehoming capacity for captive lions emerging from the voluntary exit, as well as potentially from the remaining lions in the phase-out option, it is imperative for South Africa to reserve the few available places in lion safe havens to be taken up by South African captive lions from the voluntary exit process.
- South Africa should endeavour to reach a regional consensus on the closure of the captive lion industry, so that these practices will not switch to other African countries, such as Botswana, Zimbabwe, and Mozambique.

9.6 Non-Indigenous Carnivore Species

- One of the unintended consequences of voluntary exit from the captive lion industry is the transference of undesirable practices and/or activities, such as transferring existing infrastructure for

the breeding and trade of other indigenous or non-indigenous carnivores (Section 7.2.2), which should be avoided. We therefore recommend that the phase out should not only include lions, but all other captive indigenous or non-indigenous carnivores.

- Enhance/introduce regulations to provide stronger protection for non-indigenous carnivore species, including CITES Appendix I species such as tiger, jaguar, within our legislative framework and take measures to prevent potential legal loopholes from being exploited for commercial purposes.
- Address the concern related to the four facilities breeding and keeping tigers which have raised concerns and were visited by CITES Secretariat. Notably, none of the tiger facilities in South Africa that trade internationally are CITES registered.
- Better and uniform regulations are needed across South Africa as a whole for non-indigenous carnivore species, to avoid for example animal well-being issues and safety concerns, such as the keeping of tigers as pets in backyards in Gauteng.

9.7 Stakeholders

- Plan stakeholder engagement with the THP sector to discuss the possibility for a more integrated TOPS permit tailored for THPs, ensuring their compliance with TOPS when in the possession and handling lion parts and derivatives.
- Any lion that is euthanised during the voluntary exit process, samples (e.g. blood, tissues and hair) should be taken for future scientific purposes.

List of Relevant Definitions.

Term	Definition
Animal well-being*****	The holistic circumstances and conditions of an animal or population of animals which are conducive to their physical, physiological and mental health and quality of life, including their ability to cope with their environment.
Canned Hunting	A colloquial term used to describe the shooting of a species that is a put and take animal, in a controlled environment whether or not under the influence of any tranquilising, narcotic, immobilising or similar agent.
Captive / kept in capacity or captive kept	A species which is kept in a controlled environment for a purpose other than transfer or transport; quarantine; or for veterinary treatment;
Captive bred*	Animal bred and born in a controlled environment
Captive breeding facility*	A facility that is a controlled environment where specimens of a listed threatened or protected animal species are bred.
Captive bred hunting	Refers to the hunting of animals that have been bred in captivity.
Commercial exhibition facility*	Means a facility that keeps live specimens of listed threatened or protected species for public display or performance purposes, including but not limited to, a circus, zoological garden, aquarium and travelling exhibition, whether or not any kind of interaction between humans and such specimens is taking place at such facility.
Commercial purposes*	Means carrying out a restricted activity with the <u>primary</u> purpose of obtaining economic benefit, including profit in cash or in kind, and is directed towards exchange for economic use or benefit, or any other form of economic use or benefit.
Controlled conditions*	Means the conditions in an artificial or non-natural environment that is intensively manipulated through human intervention for the purpose of growing or producing a specimen of a listed threatened or protected plant species
Controlled Environment*	Means any enclosure – (a) That is insufficient size for a specimen or a group of specimens of a listed threatened or protected species to be self-sustainable; (b) that is designed to hold such as specimen or specimens in a manner that – (i) prevents it from escaping; and (ii) requires intensive human intervention or manipulation in the form of the provision of – (aa) food or water, or both (bb) artificial housing; (cc) health care; (dd) predator or parasite control; or (ee) any combination of the above interventions; and (c) where natural selection does not play a role.
Conservation*****	The protection, management, sustainable use, maintenance, rehabilitation, restoration, and recovery of ecological and evolutionary processes, biological diversity and its components, for their intrinsic instrumental value, to improve the well-being of people and nature.
Conservation purposes*	Means carrying out a restricted activity involving a specimen of a listed threatened or protected species, including the collection of such specimen from the wild, with the primary purpose of ensuring the survival of such specimen in the wild, in accordance with a-

	<ul style="list-style-type: none"> a) conservation strategy or research programme approved by the issuing authority; or b) biodiversity management plan.
Consumptive use	Consumptive use harvests natural resources for human needs, its goal will always focus on managing the activities in a manner that allows for the continued availability of the resource(s) for future generations. This can refer to e.g. trophy and meat hunting.
Controlled environment*	<p>Means any enclosure-</p> <ul style="list-style-type: none"> a) that is of insufficient size for a specimen or group of specimens of a listed threatened or protected species to be self-sustainable; b) that is designed to hold such specimen or specimens in a manner that- <ul style="list-style-type: none"> i. prevents it from escaping; and ii. requires intensive human intervention or manipulation in the form of the provision of – <ul style="list-style-type: none"> aa) food or water, or both; bb) artificial housing; cc) health care; dd) predator or parasite control; or ee) any combination of the above interventions; and c) where natural selection does not play a role.
Derivative****	In relation to an animal, plant or other organism: means any part, tissue or extract of an animal, plant or other organism, whether fresh, preserved or processed, and includes any genetic material or chemical compound derived from such part, tissue or extract
Domestication*****	A process whereby wild plants and animals are subject to human-controlled directional selection over time to alter reproductive, physical, physiological or behavioural characteristics for human use, potentially leading to maladaptation to natural environments and dependency on humans for survival.
Ecotourism (Wildlife-based Tourism)	Wildlife tourism refers to the observation and interaction with local animal and plant life in their natural habitats (UNWTO)
Environment *****	The surroundings within which humans exist and that are made up of- <ul style="list-style-type: none"> (i) the land, water and atmosphere of the earth; (ii) micro-organisms, plant and animal life; (iii) any part or combination of (i) and (ii) and the interrelationships among and between them; and (iv) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;
Ethics (in the context of ethics committees)	Put simply, ethics is the study of morality – careful and systematic reflection on and analysis of moral decisions and behaviour, whether past, present or future. Morality is the value dimension of human decision-making and behaviour. The language of morality includes nouns such as ‘rights’, ‘responsibilities’ and ‘virtues’ and adjectives such as ‘good’ and ‘bad’ (or ‘evil’), ‘right’ and ‘wrong’, ‘just’ and ‘unjust’. According to these definitions, ethics is primarily a matter of knowing whereas morality is a matter of doing. Their close relationship consists in the concern of ethics to provide rational criteria for people to decide or behave in some ways rather than others. (World Medical Association, Medical Ethics Manual, 3rd edition 2015)
Extensive wildlife system*	Means a natural environment-

	<p>a) that is of sufficient size for the management of free-roaming populations of listed threatened or protected animal species, irrespective of whether it is fenced or not;</p> <p>b) that meets all or most of the ecological requirements of the populations of listed threatened or protected animal species occurring on such land;</p> <p>c) where the process of natural selection plays a mayor role; and</p> <p>d) where no or minimal human intervention is required in the form of-</p> <ol style="list-style-type: none"> i. provision of water; ii. the supplementation of food, except in times of drought; iii. the control of parasites or predation; or iv. the provision of health care; <p>but excludes an enclosure that is a controlled environment within such extensive wildlife system.</p>
Free roaming populations*	Means viable populations of listed threatened or protected species capable of displaying natural social behaviour, while requiring no or minimal human intervention.
Game**	<i>All species of terrestrial mammals which are utilised through hunting and for the purposes of this document refers to antelope and large predators</i>
Governance	<i>The structures and processes that are designed to ensure accountability, transparency, responsiveness, rule of law, stability, equity and inclusiveness, empowerment, and broad-based participation.[1]</i>
Humane*****	Any activities, methods, or actions involving wild animals that avoid or minimise pain, stress, suffering, or distress, and consider their well-being.
Hunt*	Means to- <ol style="list-style-type: none"> a) kill, or attempt to kill, by any means, method or device whatsoever; b) search for, lie in wait for, pursue, shoot at, or to discharge any missile at, with the intent to kill; or c) lure by any means, method or device whatsoever, with the intent to kill, a specimen of a listed threatened or protected species for personal gain in order to obtain the meat, or to obtain the tusk, horn, skin or any other recognisable part of such specimen as a memento of the hunt, but excludes- <ol style="list-style-type: none"> i. culling; or ii. the killing of a specimen that has become a damage-causing animal.
Hunting client*	Means a person who is not a citizen of the Republic or a permanent resident within the Republic, and who pays or rewards any other person for, or in connection with, the hunting of a specimen of a listed threatened or protected species.
Hybridisation*	Mean the cross-breeding of individuals from different- <ol style="list-style-type: none"> a) genera; b) species; c) sub-species of the same species.
Inbreeding**	<i>Various related phenomena that all refer to situations in which matings occur among close relatives and to an increase in homozygosity associated with such matings.</i>
Intensive and selective breeding	<i>The deliberate selection of and breeding for selected animal traits, usually in controlled conditions – Source? Split?</i>
Lion safe haven	Means a registered facility <ol style="list-style-type: none"> g) that provides a permanent captive home in a controlled environment for specimens that would be unable to sustain itself if released in an environment other than a controlled environment, whether as a result of injury or on account of human imprinting;

	<ul style="list-style-type: none"> h) where all practices are humane and consider the welfare and well-being of the animals; i) do not allow reproduction, natural or otherwise; j) that solely accepts rescued/surrendered animals and does not buy, sell, loan, exchange animals in their care; k) that only allows human interaction for veterinary care; l) implements best practice in term of record keeping.
Listed threatened or protected species*	Means a threatened or protected terrestrial species or freshwater species listed in terms of section 56 of the Biodiversity Act.
Management plan*	Means a- <ul style="list-style-type: none"> a) management plan referred to in section 41 of the National Environmental Management Protected Areas Act, 2003 (Act No. 57 of 2003); b) biodiversity management plan developed in terms of section 43 of the Biodiversity Act; c) management plan developed in terms of any applicable norms and standards; or d) management plan developed in terms of applicable provincial legislation.
Mark*	Means an indelible imprint, micro-chip or any other recognized or prescribed means of identifying a specimen of a listed threatened or protected species, designed in such a way as to render the imitation of the mark by unauthorized persons as difficult as possible.
Non-consumptive use	The non-consumptive approach emphasises the conservation and preservation of ecosystems and their components and aims to generate economic and social benefits while minimising negative impacts on the environment, e.g. includes photo-tourism, adventure tourism, etc.
Norms and standards*	Means any national norms and standards issued in terms of the National Environmental Management Act or any other specific environmental management act.
Permit****	Means a permit issued in terms of Chapter 7 [of NEMBA]
Photo-tourism	Tourism based on viewing and photographing wildlife.
Possession permit*	A permit for keeping a specimen of a listed threatened or protected species in a person's possession without carrying out other restricted activity
Professional hunter*	Means a person who is authorised in terms of applicable biodiversity legislation to operate as a professional hunter.
Property right	These can include (1) the right to (1) use an asset, (2) manage an asset (3) earn income from an asset and contract over the terms with other individuals, (4) right to transfer ownership rights permanently to another party (5) exclude others from accessing one's asset without permission and/or payment. – Source?
Put and take animal	Hunting of animals bred (intensive or extensive) in one area and then released into another for the purpose of hunting** and / or Live specimen of a captive bred species that is released for the purpose of hunting the animal within a period of 24 months after its release from a captive environment*
Ranched lions	
Registered game farm*	A game farm registered with the issuing authority
Registered wildlife trader*	A person who may hawk, peddle, barter, exchange, offer, advertise, expose or have in his or her possession for the purpose of exhibition, display, sale, hawking,

	peddling, bartering or exchanging, any animal (listed threatened or protected species) , and includes taxidermists and game capturers
Rehabilitation facility*	Means a facility equipped for the temporary keeping of a live- <ul style="list-style-type: none"> a. sick or injured specimens for the purpose of providing treatment of and care to such specimen; or b. young orphan specimen for rearing purposes; with the overall intent to release such specimen, but excludes a veterinarian's practice or a veterinarian academic hospital.
Reputation**	A stakeholder's overall evaluation of an enterprise over time where this evaluation is made up from the stakeholder's experience of the visible behaviour of the enterprise, as well as the images based on its communication and its symbolism
Restricted activity	Due to the extensive nature of this definition, restricted activity has the meaning provided in section 1 of NEMBA
SANBI*	The South African National Biodiversity Institute established by section 10 of the Biodiversity Act
Sanctuary*	Means a facility that provides permanent care to a specimen of a listed threatened or protected species that would be unable to sustain itself if released in an environment other than a controlled environment, irrespective of the reason for such inability.
Scientific Authority*	The Scientific Authority referred to in section 60 of NEMBA
Species*****	A population(s) of animal, plant or other organism that does not normally interbreed with individuals of another kind, and includes any sub-species, cultivar, variety, geographical race, strain, hybrid, or geographically separate population.
Specimen****	(a) any living or dead animal, plant or other organism; (b) a seed, egg, gamete or propagule or part of an animal, plant or other organism capable of propagation or reproduction or in any way transferring genetic traits; (c) any derivative of any animal, plant or other organism; or (d) any goods which- (i) contain a derivative of an animal, plant or other organism; or (ii) from an accompanying document, from the packaging or mark or label, or from any other indications, appear to be or to contain a derivative of an animal, plant or other organism;
Standing permit*	A permit referred to in regulation 5(2) of the TOPS regulations that is valid for a longer specified period than an ordinary permit
Stock book*	Means an inventory register for the keeping of records of specimens of a listed threatened or protected species acquired, held in stock and disposed of.
Studbook*	Means a collaborative species management programme in respect of the pedigree and demographic history of specimens of a listed threatened or protected species to which such a programme relates.
Sustainable Use*****	The use of any component of biodiversity in a manner that:- <ul style="list-style-type: none"> a) is ecologically, economically, and socially sustainable; b) does not contribute to its long-term decline in the wild or disrupt the genetic integrity of the population; c) does not disrupt the ecological integrity of the ecosystem in which it occurs; d) ensures continued benefits to people in a manner that is fair, equitable, and meet the needs and aspirations of present and future generations; and e) ensures a duty of care towards all components of biodiversity for thriving people and nature.
Trade*	Means to- <ul style="list-style-type: none"> a) import into the Republic or export from the Republic; or

	b) sell, exchange, purchase, receive, accept as a gift, give, donate, or to acquire or dispose of in any way within the Republic, a specimen of a listed threatened or protected species within the Republic, and traded shall be construed accordingly.
Traditional knowledge	Traditional knowledge of biodiversity refers to a body of knowledge built up by a group of people through generations of living in close contact with nature. Traditional knowledge of biodiversity is both cumulative and dynamic, building upon the experience of earlier generations and adapting to the new technological and socio-economic changes of the present.
Welfare	An animal is in a good state of welfare if (as indicated by scientific evidence) it is healthy, comfortable, well-nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear, and distress.
Wild animal*	Means an animal that does not belong to a livestock species, or to a recognised domestic species such as cat, dog, horse, mule or any other similar species.
Wild population*	Means a group or collections of wild specimens of the same listed threatened or protected species.
Wild specimen*	Means a specimen of a listed threatened or protected species that is living and growing, and may be multiplying, in a natural environment that is not a controlled environment, with or without human intervention.
Wildlife Economy#	The Wildlife Economy in South Africa is centred on the sustainable utilisation of indigenous biological resources including biodiversity-derived products for trade and bio-prospecting, the hunting industry, agriculture and agro processing of indigenous crops and vegetables and livestock breeds and indigenous marine resources and fisheries. Wildlife Economy focus areas centred on the socio-economic benefits of eco-tourism, co-managed conservation areas and ancillary services to protected areas.

* Source: Amended Threatened or Protected Species Regulations 2007 and draft 2023

** Source: Scientific Authority Report 2018

*** Source: IUCN

**** Source: NEMBA

***** Source: NEMA

***** Source: White Paper on the conservation and sustainable use of South Africa's biodiversity

***** Source: NEMLA

Source: <https://www.environment.gov.za/projectsprogrammes/biodiversityeconomy>

[1] <http://www.ibe.unesco.org/en/geqaf/technical-notes/concept-governance>

[2] <http://www.hwctf.org/>

[3]

https://www.gov.za/sites/default/files/gcis_document/201409/nationalframeworkforsustainabledevelopmenta0.pdf

[4] <https://www.avma.org/resources/animal-health-welfare/animal-welfare-what-it>

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Appendix 1 – Terms of Reference for the Ministerial Task Team (Gazetted no 47666)

STAATSKOERANT, 7 DESEMBER 2022

No. 47666 3

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 2846

7 December 2022

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)**

**MINISTERIAL TASK TEAM TO IDENTIFY AND RECOMMEND VOLUNTARY EXIT OPTIONS AND
PATHWAYS FOR THE CAPTIVE LION INDUSTRY**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby, under section 3A of the National Environmental Management Act, 1998 (Act No. 107 of 1998), establish a Ministerial Task Team that will identify and recommend voluntary exit options and pathways for the captive lion industry as set out in the Schedule hereto.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

SCHEDULE**1 PERIOD OF THE MINISTERIAL TASK TEAM**

- 1.1 The Task Team will commence with its work as soon as possible after its establishment, and be completed by 30 June 2023.
- 1.2 On the determination of the Minister of Forestry, Fisheries and the Environment, specific members may be requested to continue with key aspects of the work to facilitate implementation of the exit strategy and other Task Team outcomes

2 COMPOSITION OF THE MINISTERIAL TASK TEAM

- 2.1 The Ministerial Task Team is composed of the following members, appointed by the Minister:
 - 2.1.1 Mr. Kamalasen Chetty, Chairperson of the Panel.
 - 2.1.2 Mr Obied Katumba.
 - 2.1.3 Dr Louise de Waal.
 - 2.1.4 Ms Carla van der Vyver.
 - 2.1.5 Ms Priscilla Stiglingh.
 - 2.1.6 Dr Peter Caldwell.
 - 2.1.7 Adv. Justice Mnisi.
 - 2.1.8 Dr Kelly Marnewick.

TERMS OF REFERENCE

APPOINTMENT OF THE MINISTERIAL TASK TEAM TO IDENTIFY AND RECOMMEND VOLUNTARY EXIT OPTIONS AND PATHWAYS FOR THE CAPTIVE LION INDUSTRY

1. INTRODUCTION AND BACKGROUND

- 1.1 The Department of Forestry Fisheries and the Environment upholds the Constitutional mandate in the Bill of Rights especially the role of government encapsulated in section 24, which advocates for the environment to be protected through reasonable legislative and other measures that secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development. Further to this, is the operationalization of the objectives of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004) on conservation, sustainable use and fairness and equitable sharing of benefits arising from the use of genetic resources. The parameters in question refer to protection of the environment through measures that promote the environmental, social and economic imperatives for the present and future generations.
- 1.2 The Minister of Forestry, Fisheries, and the Environment appointed the High-level Panel (HLP) of experts for the review of policies, legislation and practices on matters of elephant, lion, leopard and rhinoceros management, breeding, hunting, trade and handling. The HLP submitted its report to the Minister in December 2020. Cabinet approved the report for implementation in April 2021, and the Minister released the report to the public in May 2021.
- 1.3 The report included recommendations regarding the captive lion industry, and government has adopted this goal for implementation:

“South Africa does not captive breed lions, keep lions in captivity, or use captive lions or their derivatives commercially”.

The recommendations were: *“Minister puts in place a process to halt and reverse the domestication of our iconic lions, through captive lion keeping, breeding, and commercial use, putting in place ethical and humane procedures for euthanasia of existing captive lions; and Minister puts in place policy decisions for an immediate halt to (1) the sale of captive lion derivatives, including the appropriate disposal of existing lion bone stockpiles and lion bone from euthanised lions, (2) the hunting of captive bred lions, and (3) tourist interactions with captive lions, including, so-called, ‘volun-tourism’, cub petting, etc.; and The Minister engages with other Departments and the SETAs to identify mechanisms to protect employment of workers on captive lion facilities, including redeployment to other components of the wildlife sector, repurposing/retraining, and/or incorporation into the agricultural sector.”*

- 1.4 In considering these recommendations, the Minister is of the view that a well-supported process to provide stakeholders in the captive lion industry the option of voluntary exit, with win-win outcomes, can succeed.

2. FOCUS AREAS FOR THE TASK TEAM

- 2.1 Develop and undertake a process for engagement of all stakeholders in the captive lion industry, relevant Issuing Authorities, including for any vulnerable workers.
- 2.2 Plan and oversee an audit of existing captive and captive-bred facilities to confirm the number of lions and their age and sex, stockpiles of lion parts and derivatives, the practices and uses within that facility, number, level of employment, and skills of workers, and potential other land use options within the biodiversity economy.
- 2.3 Develop and oversee the initial implementation of a voluntary exit strategy and pathways from the captive lion industry for stakeholders who wish to pursue this option. This exit strategy should consider all possible options, and prevailing issues within the captive lion industry, including the following:
 - 2.3.1 domestication of lions in controlled environments;
 - 2.3.2 exploitation of captive and captive-bred lion;
 - 2.3.3 the captive breeding of lion;
 - 2.3.4 voluntary surrender or disposal of lions, including the circumstances under which lions may continue to be held in captivity in South Africa;
 - 2.3.5 voluntarily closure of captive lion facilities, considering mechanisms and conditions for mutual agreement, as well as a final compliance inspection;
 - 2.3.6 voluntary disposal options for lion parts and derivatives, with an associated audit process;
 - 2.3.7 the future employment of affected workers;
 - 2.3.8 the conservation and socio-economic impact of this voluntarily strategy, as well as any identified potential unintended consequences;
 - 2.3.9 the development of Standard Operating Procedures, Guidelines, or other documentation to support effective and efficient voluntary exit by participants in the captive lion industry; and
 - 2.3.10 engaging with the relevant sphere (s) of government on the proposed exit strategy, mechanisms, Standard Operating Procedures, Guidelines etc., to ensure they are consistent with existing legislation, mechanisms, tools, and government policy.
- 2.4 Identify, mobilise, and endorse potential funding mechanisms, sources, and procedures to support the voluntary exit strategy and pathways.
- 2.5 Undertake additional tasks as identified during the course of their work.

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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3536

13 June 2023

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)
NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)****EXTENSION OF THE PERIOD FOR ESTABLISHMENT OF THE MINISTERIAL TASK TEAM TO IDENTIFY AND RECOMMEND VOLUNTARY EXIT OPTIONS AND PATHWAYS FOR THE CAPTIVE LION INDUSTRY BY A FURTHER PERIOD OF 6 MONTHS FROM 1 JULY 2023 TO 31 DECEMBER 2023**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, established the Ministerial Task Team to identify and recommend voluntary exit options and pathways for the captive lion industry (the Ministerial Task Team), in terms of section 3A of the National Environmental Management Act, 1998 (Act No. 107 of 1998), by notice in the *Government Gazette* (Government Notice No. 2846, *Government Gazette* No. 47666 of 7 December 2022). I hereby, extend the period for establishment of the Ministerial Task Team by a further period of 6 months from 1 July 2023 to 31 December 2023.

The Terms of Reference for the Ministerial Task Team are as contained in Government Notice No. 2846, *Government Gazette* No. 47666 of 7 December 2022.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

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Appendix 3 – Call for Stakeholder Engagement Regarding Voluntary Exit Options and Pathways for the Captive Lion Industry

Ministerial Task Team to Identify and Recommend Voluntary Exit Options and Pathways for the Captive Lion Industry

March 2023

Call for Stakeholder Engagement Regarding Voluntary Exit Options and Pathways for the Captive Lion Industry

The Minister of Forestry, Fisheries and the Environment, Ms Barbara Dallas Creecy, established a Ministerial Task Team to identify and recommend voluntary exit options and pathways for the captive lion industry (Ministerial Task Team). On 7 December 2022, the Minister appointed members of the Ministerial Task Team and also published the Terms of Reference (ToRs) in Government Notice No. 2846, Government Gazette No. 47666 ([National Environmental Management Act \(NEMA\), 1998 \(Act No. 107 of 1998\): Ministerial Task Team to identify and recommend voluntary exit options and pathways for the captive lion industry \[G 47666 – GoN 2846\]](#)). A copy of the above Government Notice can also be emailed to anyone upon request from the Department at the contact details below. An intergovernmental support group is being set up to support the work of the Ministerial Task Team.

A key component of the Ministerial Task Team's work is to engage with all stakeholders who are directly or indirectly involved in the captive lion industry, in order to reach mutually agreed upon voluntary exit conditions for those who choose to voluntarily exit from the captive lion industry. Through these engagements, the Ministerial Task Team aims to listen to viable exit options from stakeholders and explore alternatives as well as the terms under which voluntary exit could be considered.

The engagements will be undertaken with as wide as possible range of stakeholders, including those who are actively and directly involved with captive lions as well as wider interested and affected parties. The stakeholders who are actively and directly involved in the captive lion industry include for example owners and managers of captive lion facilities, employees at all levels, wildlife associations, captive lion hunting operations, lion sanctuaries, traders, taxidermists and transporters of captive lions, and any person owning or in possession of captive lions. Interested and/or affected parties are also welcome, including but not limited to animal welfare and conservation Non-Governmental Organisations (NGOs), scientific and academic institutions, veterinarians, members of the public, and other interested parties who are directly or indirectly involved in the captive lion industry or who are interested in the current voluntary exit process.

The details of relevant stakeholder engagement sessions, including dates and venues, will be communicated to the public in due course. If you would like to be involved in these broader engagements, please communicate with us in writing by providing your name, organisation and contact details to the addresses provided below.

Participants in these processes will be given the opportunity to state their positions and make suggestions in terms of potential approaches towards a voluntary exit from the captive lion industry. Through these engagements, the Ministerial Task Team will also provide clarity on any matters of concern from stakeholders.

The Ministerial Task Team hereby also invites all members of the public who are involved or have an interest in the captive lion industry, to contribute to the voluntary exit processes being considered. The Ministerial Task Team will review all contributions from stakeholders and affected parties and, where appropriate, will use such contributions to guide the recommendations that will be presented to the Minister at the conclusion of the Ministerial Task Team's work.

Your contributions to this process and co-operation with the Ministerial Task Team will be highly appreciated. All details regarding participation and contributions must be submitted in writing to the Ministerial Task Team within 30 days of publication of this communique. Written submissions may be made by using the email or at least one of the addresses below.

Submissions, queries, or suggestions may be sent to:

The Chair of the Ministerial Task Team
c/o Department of Forestry, Fisheries and the Environment
Private Bag X 447, Pretoria 0001
FAO: Ms Ntakadzeni Tshidada
Tel: 076 940 6321 / 012 399 9572
E-mail: liontaskteam@dffe.gov.za
Or delivered by hand to: Reception, Ground Floor,
EnvironmentalHouse, 473 Steve Biko Street, Pretoria, 0001
FAO: The Chair of the Ministerial Task Team

All contributions must fall within the framework of the focus areas of the Ministerial Task Team. Participation details and contributions received after the closing date may not be considered.



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& the environment

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REPUBLIC OF SOUTH AFRICA

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Appendix 4 – General Notice Calling for Registration of Participants who would Consider Voluntary Exit from the Captive Lion Industry (Gazetted no 48423)



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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3284

14 April 2023

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)
NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004)**

GENERAL NOTICE CALLING FOR REGISTRATION OF PARTICIPANTS WHO WOULD CONSIDER VOLUNTARY EXIT FROM THE CAPTIVE LION INDUSTRY

The Minister of Forestry, Fisheries and the Environment, under section 3A of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), appointed the Ministerial Task Team through the publication of Government Notice No. 2846 in Government Gazette No. 47666 of 07 December 2022. The Ministerial Task Team is tasked with identifying and recommending voluntary exit options and pathways for the captive lion industry. A copy of the Government Notice and Terms of Reference of the Ministerial Task Team can be obtained from https://www.dffe.gov.za/legislation/gazetted_notices

The Ministerial Task Team hereby invites participants who would consider voluntary exit from the captive lion industry, to register online or submit their details to the Ministerial Task Team, on the form provided in the link below. This registration of interest does not constitute any obligation to proceed with exit from the captive lion industry.

The registration form must be submitted within 30 days from the date of publication of this notice in the Government Gazette, to the following link or the addresses below:

Registration Link: <https://forms.office.com/r/UzFbnbQ8DS>

By post to: Chairperson of the Ministerial Task Team
c/o Department of Forestry, Fisheries and the Environment
Attention: Dr Tsepang Makholela
Private Bag X 447
Pretoria
0001

By hand at: Ground Floor, Environmental House, 473 Steve Biko Street, Pretoria, 0001
By e-mail: kchetty@dffe.gov.za

All information submitted will be treated as confidential, will not be used in excess to the purpose of processing and will not be shared with third parties. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done in compliance with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPI Act), any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

Any inquiries in connection with this notice can be directed to Dr Tsepang Makholela at 071608 4556/012 399 9150

**GENERAL NOTICE CALLING FOR REGISTRATION OF PARTICIPANTS WHO WOULD CONSIDER
VOLUNTARY EXIT FROM THE CAPTIVE LION INDUSTRY**

Submission or registration received after the closing date may be considered at the discretion of the Ministerial Task Team.



**BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3440

22 May 2023

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)
NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)****EXTENSION OF THE TIME PERIOD FOR THE CALL FOR REGISTRATION OF PARTICIPANTS WHO WOULD CONSIDER VOLUNTARY EXIT FROM THE CAPTIVE LION INDUSTRY**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby, extend the time period for the call for registration of participants who would consider voluntary exit from the captive lion industry, as published in Government Notice No. 3284, Government *Gazette* No. 48423 of 14 April 2023, for a further 60 days from the date of publication of this notice in the *Government Gazette*.

Participants who would consider voluntary exit from the captive lion industry must register online or submit their details to the Ministerial Task Team, on the form provided in the link below. This registration of interest does not constitute any obligation to proceed with exit from the captive lion industry.

The registration form must be submitted within 60 days from the date of publication of this Notice in the *Government Gazette*, to the following link or the addresses below:

Registration Link: <https://forms.office.com/r/UzFbnbQ8DS>

By post to: Chairperson of the Ministerial Task Team
c/o Department of Forestry, Fisheries and the Environment
Attention: Dr Tsepang Makholela
Private Bag X 447
Pretoria
0001

By hand at: Ground Floor, Environmental House, 473 Steve Biko Street, Pretoria, 0001
By e-mail: kchetty@dffe.gov.za

All information submitted will be treated as confidential, will not be used for any other purpose and will not be shared with third parties. The processing of personal information by the Department of Forestry, Fisheries and the Environment is done in compliance with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPI Act), any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

Any inquiries in connection with this notice can be directed to Dr Tsepang Makholela at 071608 4556/012 399 9150

For communications enquiries kindly contact: Mr. Peter Mbelengwa; Acting Chief Director: Communications/Head of Communications; Tel: (012) 399 8842 / Cell: 082 498 4799 / Call Centre: 086 111 2468; Email: pmbelengwa@dfre.gov.za

Submission or registration received after the closing date may be considered at the discretion of the Ministerial Task Team.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

Appendix 6 – Intention to Voluntarily Exit from the Captive Lion Industry MOU



forestry, fisheries
& the environment

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

Intention to Voluntarily Exit from the Captive Lion Industry MOU

I _____ the owner (or the duly authorised representative) of the following captive lion facility:

Name of Facility: _____

Address of the Facility: _____

hereby wish to register my intention to voluntarily exit from the captive lion industry. I understand that I will be engaged in confidential and exploratory discussions with the Chairperson of the Ministerial Task Team (MTT) on Voluntary Exit from the Captive Lion Industry on the terms and conditions to voluntarily exit the captive lion industry.

I am aware that this commitment is not binding on myself or my facility until the terms and conditions are mutually agreed upon in writing through a legally binding contract.

Duly represented and signed on behalf of the _____

on this _____ day of December 2023.

_____.

Signature

Name

Questionnaire

1. Name and Surname of the owner of the facility: _____

2. Phone Number: _____
3. Mobile Number: _____
4. Email Address: _____
5. Lion Facility – Business Name: _____

6. Registered Farm Name and Number (if applicable): _____

7. Physical Address (of the Facility): _____

8. GPS Coordinates of the Facility (if available): _____
9. Number of Lions (males, females and cubs) held at the Facility (at the time of completing the questionnaire)?: _____

10. List of other large indigenous and exotic cat species held at the facility (e.g. cheetahs, leopard, tiger, puma, etc): _____

11. If Yes in Question 10, will you be interested in voluntary exit from all indigenous and non-indigenous carnivore species as well? **Yes / No**
12. Number of employees working on a permanent basis on the lion part of the business? _____

13. Number of employees working part-time in the lion business? _____

14. Briefly explain your role in the captive lion industry, including the main activities and how long you have been involved? _____

15. Briefly explain why you are considering to exit the captive lion industry on a voluntary basis?

16. Briefly explain your expectations relating to voluntary exit from the captive lion industry?

Appendix 7 – Guidance to develop a Memorandum of Agreement for Voluntary Exit from the Captive Lion Industry.

In navigating the complex landscape of voluntary exiting from the captive lion industry, the MTT provides a set of guidelines that should lead to the development of a contractual agreement, which it believes can play a pivotal role in shaping the dynamics between the parties to the voluntary exit processes. The reasons for a lion owner to decide to embark on a voluntary exit process carries profound implications for the owner, employees and lions, and the MTT is of the view that the general principles guiding the voluntary exit should form the foundation and be considered throughout the process of voluntary exit from the captive lion industry.

These principles form a compass, guiding all parties through voluntary exit from the captive lion industry. By adhering to these principles, all parties can foster an environment of mutual respect, transparency, and fair treatment, ultimately contributing to win-win solutions.

WHEREAS the Parties acknowledge that everyone has a role and a duty to contribute to the realisation of the right to the environment, as stipulated under Section 24 of the Constitution, to have the environment protected for the benefit of present and future generations.

WHEREAS the Parties recognises the need to put in place reasonable legislative and other measures that prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources, while promoting justifiable economic and social development, as is also outlined in the recent White Paper on the Conservation and Sustainable Use of South Africa's Biodiversity.

WHEREAS, both parties recognise the need to reach amicable outcome, with win-win outcomes, which not only benefit the Parties, but also contribute to South Africa's objectives and commitments toward biodiversity and conservation, not only in the Republic, but also globally.

WHEREAS the Government is committed to providing an environment that is conducive to supporting stakeholders within available and sustainable reasonable resources, in order to meet their obligations under the voluntary exit options.

The Parties Hereby Commit to the Following as Minimum Guidelines

Recognizing that nothing in this agreement prevents the parties from adding further clauses that have been agreed during the voluntary exit negotiations, and these principles should not be interpreted or construed to impose restrictions on any party from exploring additional solutions to achieve the objectives of voluntary exit from the captive lion industry.

This agreement encompasses the entire content herein, including any annexures, and extends to any subsidiary agreements between the parties related to the voluntary exit from the captive lion industry.

These guidelines aim to foster transparency and build trust through mutual agreement, establishing a foundation for open communication and collaboration to achieve the goals of voluntary exit from the captive lion industry.

The objectives include recording the identity of captive lion facility owners considering voluntary exit while protecting their confidentiality, understanding the employment status of individuals in the captive lion industry to recommend appropriate approaches under the LRA comprehending the terms, conditions, and expectations of facilities participating in the voluntary exit options, and assessing the cost and logistics associated with exit options.

Collaboratively developing a voluntary exit strategy from the captive lion industry is a key objective, ensuring that voluntary exit options measures contribute sustainably to the growth of the wildlife economy. Furthermore, these guidelines are intended to contribute to the realisation of the goals outlined in the White Paper.

The voluntary exit options from the captive lion industry are outlined in section 7.3 Viable Voluntary Exit Strategies and refer to the proposed choices, circumstances, or avenues outlined under the voluntary exit options, forming the basis for the facility's exit from the captive lion industry.

Nature of Agreement

- The parties enter into this agreement voluntarily and with a mutual understanding that it is legally binding to all parties involved.
- The terms herein are enforceable in a court of law or other legally constituted forum.

Individual Approach to Voluntary Exit

- Each voluntary exit requires a personalised and negotiated approach, acknowledging the unique circumstances surrounding the parties involved.
- This approach is believed to foster an environment conducive to building trust and maintaining confidentiality.

Confidentiality of Information

- The prioritisation of confidentiality for personal information must be upheld at every stage of the process involving all parties.
- Preventing public disclosure of information that could reveal the identity of the exiting party, and adherence to the POPI Act is a requisite.

Identification of Parties

- Each party must be clearly identified in a traceable manner, including full government departments involved in the voluntary exit process.
- Facility details must be described comprehensively, including ownership specifics, GPS location, deeds or bond registration details, farm and trade name(s), municipal registration details, etc.

Roles and Responsibilities

- Clear roles and responsibilities must be established for each party involved in the voluntary exit process, defining specific tasks, communication protocols, and expectations to ensure a smooth and transparent process.

Capacity Assessment

- Full consideration must be given to each party's capacity to meet its obligations, addressing financial and human capacity constraints, timelines, and potential challenges for an informed and mutually beneficial voluntary exit process.
- Consideration must be given to costs associated with veterinary services and facility changes to meet prescribed minimum standards in voluntary exit agreements.
- The voluntary exit options should aim for win-win outcomes for both government and the facility (parties). Amicable guarantees are crucial to support the objectives of the chosen voluntary exit options.

Legislative and Policy Direction

- Parties must prioritise the resolution of uncertainties in respective agreements.

- The government should provide a clear framework for the voluntary exit process, including transparent guidelines, legal parameters, and procedural clarity to prevent legislative and policy uncertainty from hindering the objectives of the agreement between the parties.

Animal Well-being Considerations

- The well-being of each animal involved in the voluntary exit processes must be a priority and therefore the Quality of Life Assessment (P 1) must be carried out at the beginning of this process and followed through with any potentially necessary euthanasia.
- Parties are expected to collaborate to ensure the well-being of each animal is not compromised at any stage of the voluntary exit process.
- Parties should follow the protocols and best practice guidelines developed by the MTT to ensure animal well-being considerations are met, i.e. Protocol P 1 – P 6 (chapter 8).

Compliance and Auditing

- Compliance refers to conforming to laws, rules, regulations, or standards, including adherence to conditions in permits, licenses and other legally binding agreements.
- Capacity to enforce compliance and prevention of illegal activities should be prioritised to offset financial losses, which may occur under voluntary exit process.
- Provisions must be made for an independent audit to assess compliance with the voluntary exit options and applicable legislation and policies during the voluntary exit phase out period.
- Auditing processes must include animal well-being considerations for all individual animals and should be led by experts with appropriate expertise, such as the NSPCA.
- Traceability audits with all captive lion facilities are necessary to understand their financial contribution, socio-economic assessment and habitat conservation contributions.

Halt to the Expansion of the Captive Lion Industry

- The voluntary exit options must be preceded by an immediate halt to the breeding of captive lions (P 4 Population Control Protocol) and also under certain circumstances halt the expansion and/or establishment of new facilities in the captive lion industry.
- Conditions in the voluntary exit options must prevent further captive breeding and keeping of lions, as well as other cat species and addressed in the MOA as such.
- Surrendered lions must be addressed under a legal agreement with no exploitation, entertainment or unnecessary tactile interaction with private persons, other than for veterinary purposes.