



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 690

7 December 2022
Desember

No. 47666

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ISSN 1682-5845



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GOVERNMENT NOTICES • GOEWERMENSKENNISGEWINGS

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.

- 2.6 Provide advice to the Minister or Department on any other matters related to the captive lion industry on request by the Minister or Department.

3. ROLES AND RESPONSIBILITIES OF THE MINISTERIAL TASK TEAM

- 3.1 Each Task Team member is to serve in his or her personal capacity and cannot be represented by an alternate. Officials of organs of State may serve in their capacity as experts in a specific area of work and not as representatives of organs of State.
- 3.2 The Task Team's role is advisory in nature and will be facilitated by the Chairperson, appointed by the Minister.
- 3.3 The Task Team will provide expert opinion based on best available knowledge and science related to the issues to be discussed and as set out above.
- 3.4 The Task Team must ensure a sound public engagement process to facilitate and consider the diversity of stakeholder views and contributions.
- 3.5 All matters discussed, documents and opinions evaluated should be treated with the utmost confidentiality. The Task Team members and co-opted experts will be required to sign a non-disclosure agreement and may not disclose any information to the public, organisations, or the media, unless the disclosure is for consultation purposes in the course of the work of the advisory committee, and with the approval of the Department.
- 3.6 The Task Team must seek consensus on the matters before it. In order to achieve such consensus Task Team members will need to show a measure of flexibility and understanding for differences of views between Task Team members. Where consensus is not achieved the minority views expressed must also be captured in reports and recommendations of the Task Team.
- 3.7 The Task Team can co-opt experts in specific areas of work and/or may invite experts to advise on specific issues or matters of interest to the Task Team.
- 3.8 The Task Team should liaise closely with the intergovernmental support group which the Department will establish in consultation with affected spheres of government.
- 3.9 The Task Team members may be requested to present information to platforms to be identified by the Department.
- 3.10 The key outputs of the Task Team will be reports and recommendations relating to the key matters to be considered as contained in section 2.

4. ADMINISTRATION AND SECRETARIAT

All administrative, financial and logistical matters related to the Task Team's work will be managed by a dedicated Secretariat appointed by the Department of Forestry, Fisheries, and the Environment.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065