

## Whaling and the 'Irish Proposals'

Simmonds's (1998) account of the meeting of the International Whaling Commission (IWC) last October gave, I thought, a generally fair description of some controversial events. However, his interpretation of the consequences of the 'Irish Proposals' regarding the future of commercial whaling is incomplete and somewhat misleading. These did *not* include 'replacing the moratorium on commercial whaling agreed in 1982', but rather were intended to strengthen it by closing major loopholes through which whaling has been escalating for the past 9 years. How many people realize, for instance, that the Norwegian minke whale catch under 'objection' to the 1982 decision is now greater than it was before that decision was implemented in 1986, and rising?

The two remaining whaling countries have completely ignored the repeated non-binding resolutions passed in all the intervening years asking them to desist, as well as diplomatic interventions to that end. It is evident that the whales can be protected in the real world only by negotiating a consensus rather than by continuing an utterly unproductive confrontation – in which, by the way, we antiwhalers are losing the moral high ground we once held. It is quite wrong to label a possible negotiated consensus as 'a reward' to those few countries that defied the majority will. Our choice is to be between posturing and saving the whales in the real world. The Irish Proposals are intended to bring *all* whaling back under international control – including any authorized catching in coastal waters (as provided in both the International Convention for the Regulation of Whaling and the Law of the Sea), within an extremely conservative catch limit-setting regime already negotiated (in which any 'scientific' catches would be included within the commercial catch limits, and those limits would continue to be zero in the IWC-declared sanctuaries, including the entire Southern Ocean), to stop further escalation of catches, and eventually to reduce them.

Of course, the proposed consensus ban on

all international trade would be difficult to enforce, as would the international policing system. But nothing could be worse than the present situation, with no control over anything. It should be given serious attention by conservationists, regardless of whether they believe in 'wise' or 'sustainable (lethal) use' of renewable resources – among which some would include whales – or not, as well as by those concerned with the welfare of sentient animals. The fishing industries of the whaling countries abhor the Irish Proposals – obviously they prefer to continue as now, unimpeded – and that alone should signal to the rest of us that there may be some good in these proposals. If – despite being offered some legitimized local whaling in return for relinquishing their 'right' to kill as many whales as they like, wherever they like, and dispose of the products as they like – they act so as to scuttle the Irish Proposals, then at least they will have revealed their true intentions.

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### Response from Mark Simmonds

The 'Irish Proposals' are a complex topic but Sidney Holt's comments do not do justice to the concerns that have been raised in recent months about them. It is, for example, difficult to interpret the proposed awarding of whaling quotas to Japan and Norway as anything other than an end to the existing moratorium (i.e. the existing agreement for zero quotas for all stocks). By contrast, whaling statistics can be interpreted in a number of ways depending on your perspective (and as my original article and Holt's response show). None the less, whaling has declined precipitously since the moratorium was agreed.

The moratorium, and the 'world opinion'

that it represents, will have played a significant part in keeping whaling at a lower level in the years that followed its agreement. Whaling is also universally accepted as an inhumane activity, which meets no pressing human need, which has proved to be impossible to regulate throughout its long history, and which has brought many whale populations to the brink of extinction. Current negotiations of a U-turn, in the form of the Irish Proposals, not only imply that whaling is suddenly acceptable and controllable but, more dangerously, are based on an assumption that Norway and Japan can suddenly be trusted to abide by the new rules, despite their persistent and profound disregard for the IWC to date.

As Holt notes, policing of present and any future whaling remains highly problematic. However, unlike him, I am informed that some of the whalers at least welcome the compromise deal and are revising their strategies to make use of it. The Irish Proposals are unlikely to be a 'silver bullet' to cure the ills of the IWC but many see them instead as likely to compromise whale conservation in the future.

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## **Interpreting current levels of poaching of African elephants**

As is well known, the 10th Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species (CITES), held in Harare, Zimbabwe, 9–20 June 1997, agreed by a majority of more than two-thirds to the transfer of the populations of African elephant of Botswana, Namibia and Zimbabwe from Appendix I to Appendix II. Two Decisions were made regarding ivory: 10.1 Conditions for the resumption of trade in African elephant ivory from populations transferred to Appendix II at the 10th Meeting of the Conference of the Parties; and 10.2 Conditions for the disposal of ivory stocks and

generating resources for conservation in African elephant range states.

These Decisions have been explained in sound conservation publications, including by Pendry (1977). However, a number of individuals, organizations and media opposed to wildlife use in general, and to the conditional downlisting of the elephant populations of Botswana, Namibia and Zimbabwe in particular, are making vigorous attempts (once again) to persuade the public and governments that, as they had expected, there has been a new wave of elephant poaching throughout the range states (Anon., 1997).

While the opposition to trade in elephant products, including ivory, is as legitimate as the position of those supportive of the CITES Decision that would eventually allow a limited resumption of trade, the constant dissemination of rumours, anecdotal information and unsubstantiated data (e.g. Orenstein, 1997; EIA, 1997, in litt.) on current levels of poaching might actually undermine the efforts of those operating on the ground to prevent poaching, and even stimulate the illegal killing of elephants.

When addressing the issue of escalation in elephant poaching to fuel the illegal ivory trade, it is imperative to understand that there are two fundamental variables that need to be considered: precise data on number, date and location of any elephant illegally killed, and establishing the causal factors for the illegal killing. Those publicizing unchecked, anecdotal information or rumours should also remember that elephants are also illegally killed for reasons other than the acquisition of ivory, for example for meat or as problem animals.

The information publicized through some European media (Anon, 1997a,b,c,d) on the poaching of elephants in Kenya and on the sighting of '200 Somali elephant poachers on their way into Kenya's Tsavo East National Park' (Orenstein, 1997) on 19 June 1997 have been emphatically denied by the Kenya Wildlife Service. Allegations that poaching increased in Zambia in 1997 have proved to be false. In fact, rumours that a number of elephants were killed illegally in October 1997 in South Luangwa National Park correspond to information dated October 1996, when 11

elephants were found killed in Lower Zambezi (T. Milliken, TRAFFIC East/Southern Africa, pers. comm.). In Zimbabwe the average number of elephants killed illegally for their ivory in 1997 appeared to be much lower than the average number killed in the period 1990–93, which amounted to 85 per annum (T. Milliken, TRAFFIC East/Southern Africa, pers. comm.). These are just a few examples of the lack of objectivity in the information on poaching publicized in Europe in recent months.

The monitoring of poaching and international illegal trade in African (and Asian) elephant ivory is a priority for all concerned with the conservation of the species, regardless of their preference for a particular management option, but this must be done using objective information and scientific criteria.

By the time this is published it is expected that the TRAFFIC network and IUCN/SSC will have published detailed and objective information about what is really happening on the ground regarding elephant poaching. Those concerned with the long-term conservation of the African elephant should concentrate their efforts on collecting accurate data and analyse them in accordance with accepted scientific procedures before making any conclusive statements. This would be good for the elephants and for conservation in Africa.

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## Sustainability: an elusive and misused concept

Did the 10th Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) really reflect a 'shift towards sustainable use' as stated by the report in *Oryx* (Pendry, 1997)? To many participants and observers in Harare, the shift appeared to be towards promoting the consumptive use of wildlife, regardless of whether sustainability could really be achieved. The failure to list the big-leaf mahogany *Swietenia macrophylla* on Appendix II of CITES, despite the overwhelming evidence that action needed to be taken to regulate international trade, is one example of this shift (an Appendix II listing is a regulatory, not a protectionist, measure). Another was the rejection of a proposal to set up a working group to consider additional ways of addressing the serious issue of illegal trade. Thus the observation in the report of 'a shift in overall policy from extreme protectionism to sustainable use' is misleading.

Pendry's oversimplification is not unique. Any serious conservation organization should, however, ponder the difficult issue of sustainability carefully and not be beguiled by the pro-trade lobby. There is growing scientific literature that highlights the problems in achieving sustainability in practice. Ludwig *et al.* (1993) noted that in the history of resource exploitation (using examples from forestry to fisheries), there is a remarkable consistency in that resources are inevitably exploited often to the point of collapse or extinction. The authors suggest several reasons for overexploitation, including the over-riding effect of economics (valuable resources are most at risk), biological attributes of the species (those that reproduce slowly are most vulnerable), and the problems in detecting any decrease until it is too late. Clarke's (1973) pioneering work, which demonstrated that for populations with low growth rates, profits would be maximized by 'mining' the species rather than through sustainable use, was revisited by May (1994) and Lande *et al.* (1994). In essence, money in

the bank grows more quickly than, for example, whales or forests. Natural fluctuations in wildlife populations exacerbate the risk of extinction. Lavigne *et al.* (1996) noted that, 'generally, putting a price on dead wildlife leads to overexploitation and increases the extinction potential of the target species'. In the absence of any agreed criteria to evaluate sustainability, it is currently not possible to agree in advance whether any activity is likely to be sustainable. Until such criteria are generally accepted, those who promote consumptive use are able to masquerade under unsubstantiated claims of sustainability. Opinions differ over acceptable definitions of this elusive concept.

Pendry's views regarding Norway's and Japan's proposals to downlist various populations of whales also merit discussion (it is unclear whether the article expresses personal views or the position of the FFI Species in Trade Programme). The comment that there was a 'very strong case under the new CITES criteria for accepting transfer [of various populations of grey, minke and Bryde's whales from Appendix I to Appendix II]' is not shared by a single reputable non-governmental conservation organization. In addition to the previous CITES decisions that the International Whaling Commission (IWC) should take the lead on matters relating to whale conservation, the new CITES criteria for downlisting were not fulfilled. Specifically, the IWC has neither completed nor implemented its Revised Management Scheme and the enforcement controls required under Annex 4 of the new CITES criteria are not yet in place.

Although it is increasingly fashionable to lambast the IWC as a 'protectionist' convention, it is worth remembering the problems in regulating whaling, as evidenced by the severe depletion of most populations of great whales. The 1982 moratorium decision reflected the IWC's recognition that it was unable to manage whaling, both from scientific and regulatory perspectives. At present, the IWC continues to grapple with the concept of sustainability and has arguably made more progress than other conventions. The IWC has accepted a Revised Management Procedure

for calculating catch quotas that protects depleted populations, takes uncertainty into account and requires the regular provision of data. Now the IWC is trying to address how to regulate whaling to ensure that rules are not broken. This is clearly not a simple task: despite the moratorium, DNA analyses have shown that meat from protected species, such as humpback whales, remains on sale in Japan (Baker and Palumbi, 1994; Baker *et al.*, 1996).

Pendry has chosen to characterize the CITES debate as an argument between 'protectionists' and 'sustainable users'. By implicitly assuming that all use is sustainable, she has fallen for the rhetoric of the pro-trade lobby and chosen to ignore the legitimate concerns of eminent scientists who are working on practical ways of achieving genuine sustainability.

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*Response from Stephanie Pendry*

Yes, I believe that the 10th Conference of the Parties to CITES did, overall, reflect a shift towards sustainable use, rather than the promotion of the consumptive use of wildlife, as suggested by Vassili Papastavrou. If consumptive use had been the predominant swing at CITES, then proposals to downlist species, such as the five whaling proposals and the Cuban hawksbill turtle, as well as the amendment to the annotation to allow trade in South Africa's southern white rhinoceros parts (albeit with a zero quota), would all have been accepted. As it was, these were all rejected and FFI was in support of rejecting them.

Regarding the complex issue of whale downlisting, FFI's recommendation for all five proposals was to reject them. However, FFI felt it was important to recognize that some of the whale populations did not meet the biological criteria for inclusion in Appendix I. Perhaps the voting at the Conference indicated a similar feeling among the member states. I disagree with Papastavrou's comments that this opinion is 'not shared by a single reputable non-governmental conservation organization'; TRAFFIC, a well-respected organization with a long-standing reputation among the non-governmental conservation community, stated in its recommendation for the whale proposals that 'some stocks do not meet the biological criteria for inclusion in Appendix I'.

There is no doubt that some of the decisions at the Conference were a setback to conservation. The defeat, for the third time, of the big-leaf mahogany proposal was a severe blow for that species. FFI has given its full support for this proposal, as it did for the establishment of the Marine Fisheries Working Group, and it was a big disappointment that neither of these proposals received the two-thirds majority they required. However, the successful listing of sturgeons on Appendix II was a highlight of the Conference and one that FFI supported.

I believe that that there was a clear swing at the meeting towards a recognition that CITES, particularly in developing countries, must be placed in the context of sustainable use of

natural resources. Fauna & Flora International believes that sustainable use is just one of many tools available for effective conservation and supports it where it is appropriate. We do not, of course, assume that 'all use is sustainable' and this is very clearly reflected in FFI's position on the proposals discussed in Harare.

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## Old World primates – new species and subspecies

Several new taxa of Old World primates have been discovered recently. Paul Honess (1996, 1997) discovered two species of bushbabies, or galagos, which were also described and illustrated in *The Kingdon Field Guide to African Mammals* (Kingdon, 1997). The small Rondo galago, *Galagoides rondoensis* Honess, 1996, was found in remnant forest patches on the seaward rim of the Rondo plateau in the Lindi region of eastern Tanzania. The Matundu galago, *Galagoides udzungwensis* Honess, 1996, comes from low-lying secondary-growth forest below the Uzungwa Mountains in the Morogoro region, Tanzania. The two species were described by their distinct morphology (cranial and penile), pelage, hair structure and calls. Honess (1996) also revalidated two other species, Grant's galago *Galagoides granti* (Thomas and Wroughton, 1907) and the mountain galago *Galagoides orinus* (Lawrence and Washburn, 1936), both also from Tanzania.

A talk given by Simon Bearder at a meeting of the Primate Society of Great Britain (PSGB), 'New Perspectives on Nocturnal Primates', held at the Zoological Society of London in December 1997, discussed the probability that many more nocturnal primate species will be discovered in the near future. Galagos and other lorisooid primates may contain numerous cryptic species identifiable only by characteristics such as hair structure, penile morphology, calls and molecular genetics (Bearder

et al., 1995, 1996; Bayes et al., 1997; Bearder, 1997). Also reported at this PSGB meeting was a new species of mouse lemur, *Microcebus ravelobensis*, which was discovered by Elke Zimmermann and colleagues in the north-western dry deciduous forest in the area of Ampijoroa, Madagascar (Zimmermann et al., 1997).

Controversy continues over the description of one or even two new species of slow loris, *Nycticebus*. *Nycticebus intermedius* was described by Dao (1960) from the forest of Hoa Binh, north-west Vietnam, but its validity has been questioned (Groves, 1993). Alterman and Freed (1997), however, described a distinct form from Central Laos, which they believe may correspond to the species identified by Dao (1960).

A new subspecies of leaf monkey was described by Brandon-Jones in 1995. Wulsin's ebony leaf monkey, *Semnopithecus auratus ebenus* Brandon-Jones, 1995, was described from a skin collected by F. R. Wulsin in 1924 during the National Geographic Central China Expedition, and preserved in the National Museum of Natural History, Washington, DC, USA. It is known only from its type locality, believed to be the vicinity of Lai Chau, or (more probably according to Brandon-Jones) the Fan Si Pan mountain chain in China.

Finally, Tilo Nadler has described a new subspecies of odd-nosed langur, *Pygathrix nemaus cinereus* Nadler, 1997; the grey-shanked douc langur from Play Ku Vic, Province of Gia Lai, in the south-eastern part of the Central Highlands of Vietnam.

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## Action plan for Caprinae

Wild Caprinae are extremely valuable mammals. Most live in mountains but some inhabit desert grasslands, tropical forest or Arctic tundra. They range in size from the 30-kg goral to the 350-kg muskox, and show a tremendous range of horn shapes and sizes, as well as coloration. Several species are highly prized by hunters because of their magnificent horns. Domestic sheep and goats, two of the world's most important and numerous species of livestock, also belong to this family.

Despite the importance of their domestic relatives, most wild Caprinae are poorly understood and in danger of being lost. Over 70 per cent of Caprinae taxa are threatened, with more than 30 per cent endangered or critical. Many live in environments that are of relatively low productivity and so are naturally not very numerous. But with increasing human pressure on these areas, wild caprins face overharvesting, habitat loss and competition from livestock. Appropriate conservation legislation is either absent or ineffectively enforced, while protected areas are generally inadequate in number, size or both. Many of the most threatened Caprinae face an additional threat because trophy hunters are willing to pay large sums to shoot them. The result is that some governments are tempted to exploit them without adequate biological information or trained personnel to do so sustainably.

Caprinae can be conserved and provide a wide range of sustainable, substantial benefits to humans if reliable and accurate data on their demographics and distributions are gathered immediately. Adequately trained field and management personnel will be required to oversee their conservation and management. A key factor in the success of any conservation, especially in any sustainable-use programme, is involvement of local people, both in the decision-making process and in reaping benefits. Besides the caprins, local people are the ones who stand to lose the most, because it is their livestock, their energy requirements and their other resource needs that will be lost if restrictive measures are re-

quired to conserve wild Caprinae and their habitats.

While general and country-specific conservation actions are recommended in the plan\*, there are four overall concerns.

1 The overall goal of Caprinae conservation must be maintenance of maximum genetic diversity.

2 Many countries with wild Caprinae will require financial and technical support from international conservation agencies to train staff, carry out censuses, and develop and implement management plans. The limited use of sustainable hunting programmes may be considered where population data indicate that they are appropriate and if they will create conservation actions that benefit the caprin and its natural habitat.

3 For many Caprinae the number and size of protected areas should be increased, together with significant strengthening of conservation legislation and its enforcement.

4 Effective legislation to control national and international trade in Caprinae requires a workable taxonomy. The taxonomy is in need of revision and the IUCN/SSC Caprinae Specialist Group should establish and co-ordinate a Taxonomy Group to carry this out.

Success of this Action Plan's conservation recommendations will be significantly higher if closer working relationships are developed among users (local people, hunting organizations), regulators (governments), and professional biologists (governments, universities, non-governmental organizations). Such co-operation, which will benefit each of these groups, will require networking on an international level to increase the flow of information and the efficiency of transmission of new ideas and techniques, and to maintain professional standards of wildlife management and conservation.

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\**Wild Sheep and Goats, and their Relatives: Status Survey and Conservation Action Plan for Caprinae*, compiled and edited by D. M. Shackleton, 390 pp., IUCN, 1997. See page 109 for details of availability and prices.