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Legislation failing to protect wildlife

A JOINT report published yesterday by the Centre for Environmental Rights and the Endangered Wildlife Trust reveals significant shortcomings in the regulation of wild animal welfare in South Africa.

The report finds that there are major gaps in legislation and the implementation of those laws, leaving the well-being of wildlife without adequate protection. The organisations recommend the clarification of the legal mandate for wildlife welfare, and updating the legislation.

Historically, South Africa's regulatory system has distinguished between animal welfare on one hand and biodiversity conservation on the other – and regulated those separately.

This means conservation laws applicable to wild animals under the physical control of humans, whether temporarily or permanently – are often unsuited to addressing the welfare of the wild animals.

Welfare laws, on the other hand, do not necessarily consider conservation objectives. To make matters worse, both sectors suffer from limited resources for compliance and enforcement.

In practice, the legal regime provides little protection for

wild animals.

South Africa has seen a proliferation of facilities that involve the captive management of wildlife for commercial purposes. The legislation that governs the welfare of these animals has not kept pace with the rapid changes in the industry and the welfare of many species has often become compromised.

Reports on the practical state of protection for wild animals demonstrate the need for urgent reforms.

The death of a giraffe in 2014 while being transported in a truck on a national highway drew condemnation after the driver drove under a bridge that was not tall enough for the animal to safely pass under. No prosecutions for this incident have been reported to date.

Other examples include dozens of neglected and starving captive lions on a Limpopo farm and a lion “abattoir” in the Free State housing over 200 animals awaiting slaughter for lion bone exports. Both are in limbo as the Department of Environmental Affairs and the Department of Agriculture, Forestry and Fisheries each say the situation is not their responsibility – African News Agency (ANA)