



WRITTEN TESTIMONY FOR THE RECORD

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Prepared and Submitted By

Catherine E. Semcer
Research Fellow

Date

Contact Information

Catherine E. Semcer
Research Fellow
Property and Environment Research Center
2048 Analysis Drive, Ste. A
Bozeman, Montana 59718
catherine@perc.org
+ 1 406-587-9591

INTRODUCTION

Founded in 1980, the Property and Environment Research Center (PERC) is a research institute dedicated to harnessing the power of markets and property rights to deliver solutions to conservation challenges. Headquartered in Bozeman, Montana, PERC draws on the experience, knowledge, and expertise of research fellows and senior research fellows spread across 19 academic and other institutions on two continents. PERC also supports outside scholars via fellowship and colloquium programs encompassing research in a wide variety of disciplines, as well as a regular series of workshops that convene conservation practitioners, business leaders, and academics to have open and thoughtful discussions about pressing needs in the conservation of wildlife, land, and water.

We respectfully submit this testimony for consideration by the International Wildlife Conservation Council (IWCC).

REFORMS TO BOTSWANA’S WILDLIFE SECTOR DESERVE U.S. SUPPORT

Summary

Several policy reforms have been made, and are under consideration, to Botswana’s wildlife sector that will serve the conservation and regional security interests of both Botswana and the United States. These reforms, including the lifting of a ban on hunting, deserve the full support of the U.S. Department of Interior, its agencies, agencies of other departments, and Congress.

These reforms are at risk of being undermined by a global popular outcry stemming from recent reports of mass elephant poaching in the Okavango River Delta.¹ These reports, however, are now in dispute.² What is not in dispute is that a half-decade of heavy-handed conservation policies in Botswana, including the 2014 ban on all hunting within the country, have created the kind of socioeconomic conditions where poachers are most likely to thrive, that poaching has increased under policies enacted under Botswana’s previous administration, and that policy reforms are warranted. In summary

¹ Chiu, A. 2018. Nearly 90 Elephants Killed For Tusks Near Botswana Wildlife Sanctuary, Government Disputes Claim. The Washington Post. Washington, DC. Accessed September 18, 2018 at https://www.washingtonpost.com/news/morning-mix/wp/2018/09/04/its-open-season-for-poachers-nearly-90-elephants-killed-for-tusks-near-botswana-wildlife-sanctuary/?noredirect=on&utm_term=.c6165e55cc90

² 2018. Botswanan Government Statement on EWB and the Elephant Death Controversy. Press Release. Accessed September 18, 2018 at <https://africasustainableconservation.com/2018/09/11/botswana-government-statement-on-ewb-and-the-elfphant-death-controversy/>

- Poaching incidents in Botswana have increased in Botswana by 48% since the Department of Wildlife and National Parks was militarized and the hunting ban was put in place in 2014.³
- The ban on hunting has reduced the economic value given to wildlife along with rural economic opportunity.
- The militarization and increased aggressiveness of Botswana's Department of Wildlife and National Parks has alienated the country's rural residents from conservation programs in the country.
- The United States has made significant financial and other investments in Botswana's wildlife conservation programs and those investments are at risk if Botswana does not make reforms to its current policies.
- Reports of a recent mass poaching incident in the Okavango River Delta, and its causes, contain details inconsistent with established facts and should not influence U.S. posture or policy towards Botswana.
- The United States has at its disposal multiple strategic and regulatory tools to help Botswana restore the successful rights- and market-based conservation programs that the United States helped establish under previous administrations.

Review and Substantiation

Botswana

Botswana is a landlocked nation in Southern Africa that shares borders with South Africa, Zimbabwe, Namibia, and Zambia (see Figure 1). Formerly the British Protectorate of Bechuanaland, the nation peacefully gained its independence in 1966.

At the time of independence, Botswana was ranked as one of the poorest countries in the world but has steadily become an economic development success story.⁴ This is due in part to five decades of uninterrupted civilian leadership, within a multi-party, democratic system, a sparse population, and significant mineral wealth, especially diamonds.

³ Botswana Daily News (2018). Poaching in Botswana on the Rise. April 9, 2018. Accessed September 16, 2018 at <https://allafrica.com/stories/201804100198.html>

⁴ Lwein, M. Undated. Botswana's Success: Good Governance, Good Policies, Good Luck. World Bank Group. Accessed September 20, 2018 at <http://siteresources.worldbank.org/AFRICAEXT/Resources/258643-1271798012256/Botswana-success.pdf>

According to the World Bank, Botswana has averaged 5% of economic growth per annum over the past 10 years, exceeding the continental average.⁵ Botswana remains challenged, however, by its significant economic reliance on commodities that leaves the country vulnerable to international market fluctuations. Furthermore, while significant economic advances have been made, 16% of the country still lives in poverty⁶ with the vast majority of this population residing in the country's rural areas⁷ where poverty rates approach 24.4% according to the World Bank.⁸

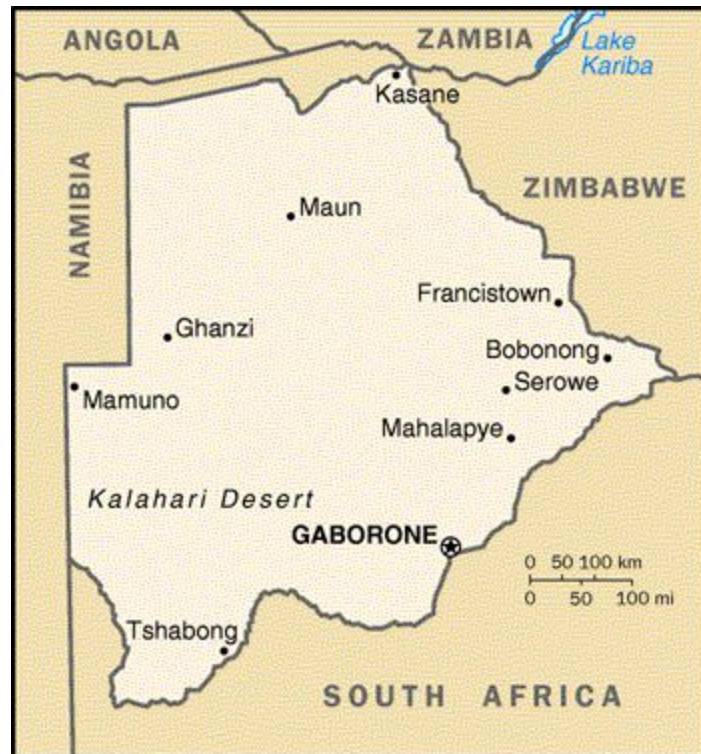


Figure. 1: Political Boundaries of Botswana

U.S.–Botswana Relations

Southern Africa is a strategically important region for the United States because of its ability to provide natural resources, its capacity for bilateral trade, and its proximity to world shipping lanes. For these and other reasons, the United States has been a significant partner in Botswana's

⁵ World Bank Group. Undated. Botswana Overview. Accessed September 20, 2018 at <https://www.worldbank.org/en/country/botswana/overview>

⁶ World Bank Group. Undated. Botswana Overview. Accessed September 20, 2018 at <https://www.worldbank.org/en/country/botswana/overview>

⁷ World Bank Group. Undated. Botswana Overview. Accessed September 20, 2018 at <https://www.worldbank.org/en/country/botswana/overview>

⁸ World Bank Group. Undated. Botswana Overview. Accessed September 20, 2018 at <https://www.worldbank.org/en/country/botswana/overview>

development and security since the country's independence. This partnership has included deep involvement in the genesis and nurturing of Botswana's conservation infrastructure.

Since 1967, the U.S. Peace Corps has sent more than 1,800 volunteers to Botswana, some of who have been assigned work with Botswana's Department of Wildlife and National Parks (DWNP).⁹ Since 2001, more than \$1 billion in U.S. foreign aid has flowed into Botswana. This includes \$361,534 from the U.S. Department of Interior for initiatives such as: a 2007 study of elephant induced landscape Dynamics (\$16,497); a 2003 study of the ecology, population structure, and movement of elephants in Northern Botswana (\$89,944); and a series of research and review projects in 2002 under the African Elephant Conservation Fund (\$255,093).¹⁰ The U.S. Fish and Wildlife Service (USFWS) was also a primary funder, along with the Government of Botswana, of Botswana's 2003 National Policy and Strategy for the Conservation and Management of Elephants.¹¹

Cooperation between the United States and Botswana on wildlife conservation and law enforcement issues extends beyond funding reports and plans. The U.S. Fish and Wildlife Service maintains a wildlife law enforcement officer at the U.S. embassy in Gaborone. In 2016, the Director of Botswana's DWNP traveled to the United States to attend the first International Conservation Chief's Academy, sponsored by the USFWS Office of Law Enforcement.¹²

The Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) has also contributed to wildlife conservation in Botswana through the establishment of a law enforcement academy in Gaborone (ILEA) that provides Botswanan and other officials with training, technical assistance, institutional support, and enforcement capability development related to wildlife and other crimes. Botswanan law enforcement officers most recently participated in a Wildlife Trafficking Investigators Program the ILEA held this past June.¹³

Through its \$23 million Southern African Regional Environment Program (SAREP), the U.S. Agency for International Development (USAID) has worked in Botswana and neighboring nations to promote a transboundary approach to conserving biodiversity and ecosystems, while strengthening good governance and supporting rural livelihoods. This work has included funding

⁹ US peace Corps Website. Accessed September 18, 2018 at <https://www.peacecorps.gov/botswana/about/>

¹⁰ USAID website. Accessed September 18, 2018 at https://explorer.usaid.gov/query?country_name=Botswana&fiscal_year=2018&transaction_type_name=Obligations

¹¹ 2003. DC Ecological Consulting. National Policy and Strategy for the Conservation and Management of Elephants in Botswana. Access September 18, 2018 at <https://cmsdata.iucn.org/downloads/bwstrategyfinal.pdf>

¹² Hiar. C. October 10, 2016. Welcome to FWS's Anti-Trafficking School. Greenwire. Accessed September 18, 2018 at <https://www.eenews.net/stories/1060044041>

¹³ 2018. ILEA Gaborone Training Schedule. Accessed September 18, 2018 at http://www.ileagaborone.com/files/2018_ILEA_Gaborone_Schedule_2017_1_.pdf

programs intended to track the illicit wildlife trade and to better engage rural communities in wildlife conservation.¹⁴

As discussed below, USAID also played a major role in establishing Botswana's Community Based Natural Resource Management Program (CBNRM), in which a critical portion of the country's wildlife conservation efforts are rooted.

Wildlife Conservation and Management in Botswana

With just three people per square kilometer, Botswana has maintained significant opportunities to conserve wildlife, including 593 reported species of birds and 164 species of native mammals, including 22 species of antelope.¹⁵

All wildlife in Botswana is owned by the central government which manages populations through the DWNP. The DWNP administers a national system of parks, game reserves, and wildlife management areas (WMAs) (see Figure 2). Approximately 39% of Botswana (227,000 km²) is managed for wildlife conservation.¹⁶

The DWNP is supported in counter-poaching activities by the Botswanan Defense Force (BDF.) The involvement of the military in counter-poaching activities has its origins in Africa's "bush wars" of the 1980s and was spearheaded by the BDF's then-Commander Major General Ian Khama sometime around 1987.¹⁷ The engagement of the BDF was not backed by any known statutory authority.¹⁸ (General Khama would eventually rise to become Botswana's president and enact policies that set the stage for current events under discussion.)

Wildlife in Botswana is governed under multiple laws including the Wildlife and National Parks Act that was passed in 1992 and reauthorized in 2008. This law provides a comprehensive framework for wildlife and national parks management and is the implementing statute for the

¹⁴ IUCN SULI, IIED, CEED, Austrian Ministry of Environment and TRAFFIC (2015) Symposium Report, 'Beyond enforcement: communities, governance, incentives and sustainable use in combating wildlife crime', 26-28 February 2015, Glenburn Lodge, Muldersdrift, South Africa. Accessed online on September 18, 2018 at <http://pubs.iied.org/pdfs/G03903.pdf>

¹⁵ 2018. World Population Review. Botswana Country Profile. Accessed September 18, 2018 at <http://worldpopulationreview.com/countries/botswana-population/>

¹⁶ Barnes, J.I. (2001). Economic Returns and Allocation of Resources in the Wildlife Sector of Botswana. Southern African Journal of Wildlife Research. 31 (3&4): 141-153. Accessed September 19, 2018 at https://journals.co.za/docserver/fulltext/wild/31/3-4/wild_v31_n3_a8.pdf?expires=1537371298&id=id&accname=guest&checksum=ACB28874E701F5AB367E9185AE4880F6

¹⁷ Henk D. (2007) Military Antipoaching in Botswana. In: The Botswana Defense Force in the Struggle for an African Environment. Initiatives in Strategic Studies: Issues and Policies. Palgrave Macmillan, New York

¹⁸ Goitom, H. (2013). Wildlife Trafficking and Poaching in Botswana. US Library of Congress. Accessed September 18, 2018 at <https://www.loc.gov/law/help/wildlife-poaching/botswana.php>

Convention on International Trade in Endangered Species (CITES) and other multilateral agreements.

The 1980s and 1990s saw significant reductions in Botswana's wildlife populations, with researchers assessing that almost all species were in a state of decline.¹⁹ Blue wildebeest and red hartebeest showed declines of up to 90%²⁰ while in Northern Botswana Buffalo saw a 59% decline between 1987 and 1994, and zebra saw a nearly 25% decline during that same period.²¹

Today, the situation has improved. According to the African Elephant Specialist Group of the International Union for Conservation of Nature (IUCN), Botswana is home to the largest elephant population in Africa, with an estimated 207,545 individuals and an annual growth rate of 5%²². The country's system of conservation areas also supports 133,249 gemsbok, 114,900 impala, 99,077 zebra, 62,569 hartebeest, 61,105 buffalo, 53,159 wildbeest, as well as many other species of game.²³

¹⁹ Perkins JS. And Ringrose SM. 1996. Development Cooperation Objectives and the Beef Protocol: The Case of Botswana: A study of Livestock/ Wildlife/ Tourism/ Degradation Linkages. For Metroeconomica Ltd. Contract B-7-504094. University of Botswana, Gaborone.

²⁰ Crowe D. 1995. Present Status of Wildlife. In The Present Status of Wildlife and Its Future in Botswana. Proc. of A Symposium /Workshop. Kalahari Conservation Society/Chobe Wildlife Trust. 11-28.

²¹ Crowe D. 1995. Present Status of Wildlife. In The Present Status of Wildlife and Its Future in Botswana. Proc. of A Symposium /Workshop. Kalahari Conservation Society/Chobe Wildlife Trust. 11-28.

²² International Union for Conservation of Nature. Undated. Status of Elephants in Botswana. Accessed September 20, 2018 at https://cmsdata.iucn.org/downloads/session_2_taolo.pdf

²³ Statistics Botswana. 2015. Botswana Environment Statistics Wildlife Digest 2014. Statistics Botswana, Environment Statistics Unit. Gaborone, Botswana. Access September 18, 2018 at <http://www.statsbots.org.bw/sites/default/files/publications/Environment%20Statistics%20Wildlife%20Digest%202014.pdf>

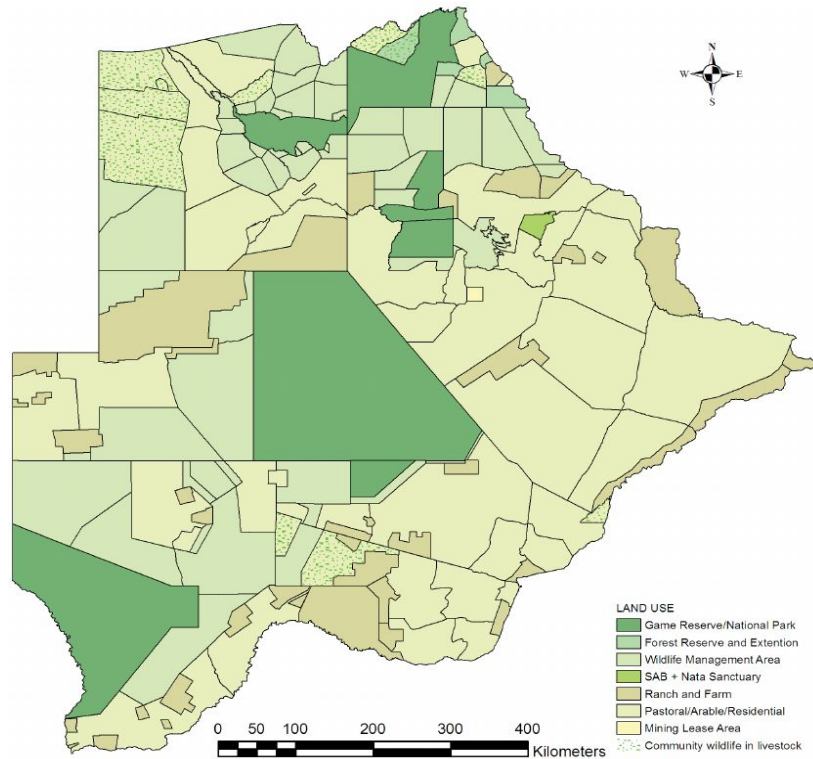


Figure 2 Land Use Zones In Botswana²⁴

Wildlife and Community Based Natural Resource Management

Botswana’s success in wildlife conservation is not an accident, but rather it is the intended outcome of more than two decades of implementing a Community Based Natural Resource Management Program (CBNRM) that was developed with the active support of the United States. This program invested Botswana’s rural communities in delivering healthy wildlife populations by applying rights- and market-based approaches to conservation.

Most of the land in Botswana is still considered “communal,” with the use of resources traditionally governed by a local chief or their deputy. The 20th century, however, saw the decreased influence of chieftains in land management and an increase in individuals seeking to maximize their use of resources—the classic tragedy of the commons. It was in this environment that wildlife losses and other environmental degradations began to emerge. To reverse these trends and avert a landscape-level tragedy, the Government of Botswana initiated a major planning exercise that sought to restore formal management programs for natural resources. In doing so, it recognized that because some resources, such as elephants, can negatively impact the lives of communities and individuals, programs must be in place that provide economic

²⁴ Winterbach, Hanlie & Winterbach, Christiaan & Somers, Michael. (2014). Landscape Suitability in Botswana for the Conservation of Its Six Large African Carnivores. *PLoS one*. 9. e100202. 10.1371/journal.pone.0100202.

incentives for people to coexist with wildlife. This was the starting point for Botswana's CBNRM program.

Implementation of the program fell to a joint team with members drawn from Botswana's DWNP and USAID.²⁵

The goals of the program, as defined by USAID, were to:²⁶

- Increase rural economic activity through natural resource management
- Improve attitudes on the part of the communities towards wildlife through associating conservation with increased incomes and thereby improve both the status of wildlife and conservation

To achieve these goals, the Botswana/U.S. team divided Botswana's system of WMA's into 163 Controlled Hunting Areas (CHA). Rural communities living within or adjacent to the CHAs were then incorporated into trusts, or Community Based Organizations (CBO). CBOs are required to complete and register a constitution with the central government and establish a management group elected by the community.²⁷

Once validated, CBOs were then awarded 15-year leases by DWNP that gave the CBOs use rights to resources within the CHAs, including allowing wildlife to be hunted under quotas that would be established by the DWNP. The leases also allowed the CBOs to enter into joint ventures (JV) with third parties, such as hunting outfitters, by executing sub-leases for all or part of the area's wildlife under quota in exchange for a fee paid to the CBO. CBOs also had the option of using all of part of the hunting quota for themselves and/or subleasing rights to photo-tourism operators.²⁸

As of 2016, 147 CBOs, representing 500,000 people, making up 61% of Botswana's rural population, had been established (Figure 3).²⁹

²⁵ Boggs, L.P. 2000. Community Power, Participation, Conflict and Development Choice: Community Wildlife Conservation on the Okavango Delta Region of Northern Botswana. Evaluating Eden Series. Discussion Paper No. 17. International institute for Environment and Development. London, UK. Accessed September 19, 2018 at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.333.1587&rep=rep1&type=pdf>

²⁶ Rihoy, E.(ed.) 1995. The Commons without the Tragedy? Strategies for Community Based Natural Resources Management in Southern Africa – Proceedings of the Regional Natural Resources Management Programme Annual Conference, Kasane, Botswana 1995. USAID Regional NRMP, published by SADC Wildlife Technical Co ordination Unit, PO Box 30131, Lilongwe 3. Malawi

²⁷ Boggs, L.P. 2000. Community Power, Participation, Conflict and Development Choice: Community Wildlife Conservation on the Okavango Delta Region of Northern Botswana. Evaluating Eden Series. Discussion Paper No. 27. International institute for Environment and Development. London, UK. Accessed September 19, 2018 at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.333.1587&rep=rep1&type=pdf>

²⁸ International institute for Environment and Development. London, UK. Accessed September 19, 2018 at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.333.1587&rep=rep1&type=pdf>

²⁹ Centre for Applied Research (2016). 2016 Review of Community-Based Natural Resource Management in Botswana. Report prepared for Southern African Environmental Programme (SAREP). Accessed September 17, 2018 at <https://www.car.org.bw/wp-content/uploads/2016/05/Botswana-CBNRM-2016-Review.pdf>

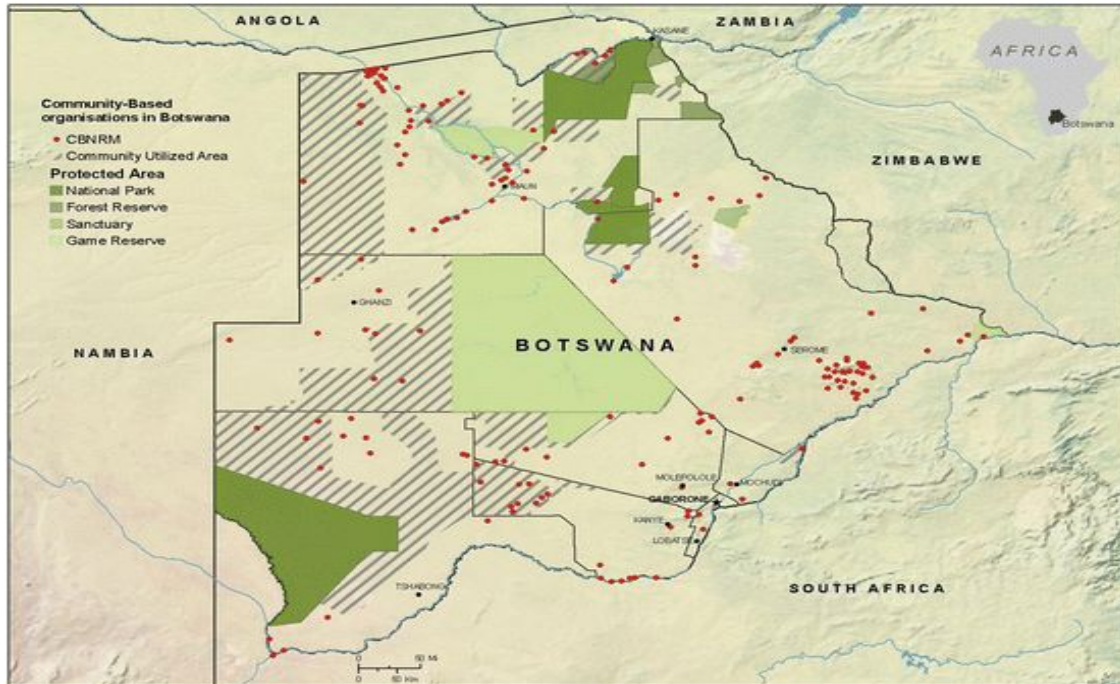


Figure 3. CBNRM in Botswana³⁰

Wildlife Policy Under the Khama Administration

Retired General and former Commander of the BDF Ian Khama who had engaged his troops in counter-poaching operations beginning in the 1980s, ascended to Botswana's Presidency in 2008 after serving 10 years as the country's vice president.

That same year, Africa witnessed significant growth in the poaching of elephants and rhinos.³¹ This growth was driven by rising demand from Asia that coincided with increased prosperity in China and the rise of its middle class.

The growth in poaching incidents, however, largely escaped Botswana. According to the IUCN, between 2006 and 2012, Botswana recorded only two incidents of rhino poaching, claiming approximately 1% of the country's total rhino population.³² Similarly, according to the CITES

³⁰ Mbaiwa, J.E. (2012). Community Based Natural Resource Management in Botswana in R. van der Duim et al. (eds.), *Institutional Arrangements for Conservation, Development and Tourism in Eastern and Southern Africa*, pp. 59-80. Springer Science+Business Media

³¹ CITES MIKE Programme. (2016). 2016 Trends in African Elephant Poaching Released. CITES MIKE Programme press release. March 3, 2017. Accessed September 16, 2018 at https://www.cites.org/eng/news/pr/2016_trends_in_African_elephant_poaching_released_%E2%80%93_CITES_MIKE_programme_03032017

³² Emsile, R.H. 2013. African Rhinoceroses – latest Trends in Rhino Numbers and Poaching. IUCN, SSC, African Rhino Specialist Group. Accessed September 18, 2018 at <https://www.cites.org/sites/default/files/eng/cop/16/inf/E-CoP16i-51.pdf>

Monitoring Illegal Killing of Elephants program (MIKE), only 85 elephants were poached in Botswana in the period between 2007 and 2012³³.

The first notable policy change was the institution of a shoot-to-kill policy for suspected poachers, a move that recast Botswana's rural people as the enemies of wildlife instead of its primary conservators and amounted, in the eyes of many, to official sanction of extrajudicial executions.

President Khama's brother, Tshekedi, who had been given the reins of Botswana's Ministry of the Environment, Tourism, and Natural Resources, made further efforts to militarize the DWNP. Pilots from the BDF were recruited to fly departmental aircraft. Military personnel were shortlisted for hiring by the DWNP.³⁴ Minister Khama established a new intelligence organization, known as Tourism Intelligence Security, under his control—something that would normally be undertaken by an Act of Parliament. Former BDF Deputy Commander Major General Otistswe Tiroyamodimo was given leadership of the DWNP, and the job of Chief Wildlife Officer, a position traditionally held by a conservation professional, was given to Timothy Blackbeard, who had also served as an officer in the BDF. The Department additionally began to stockpile unspecified "weapons of war," an action some claim violated Botswanan law.³⁵ What these weapons were remains unspecified by the government, but photos of DWNP staff show them armed with Kalashnikov style rifles (Figure 4).

Minister Khama defended the moves as necessary to reduce DWNP's reliance on the BDF in conducting counter-poaching operations. The impact, however, was the near-transformation of the DWNP from a conservation agency into a domestic security force. The newly aggressive posture of the agency, combined with support from the BDF, resulted in allegations of human rights abuses including beatings³⁶ and the extrajudicial killings of foreign nationals suspected of poaching.³⁷

³³ CITES MIKE Programme. Undated. Carcasses Reported to MIKE by Site and Year. Accessed September 19, 2018 at https://fusiontables.google.com/DataSource?docid=1juigNCOUwqperYcoq_uCWaZ5IEs8t09hfRry_l37&usp=drive_open#rows:id=4

³⁴ Ontebetse, K. (2017). TK's Ministry Accused of Running a Private Army. Sunday Standard. February, 24, 2017. Accessed September 18, 2018 at <http://www.sundaystandard.info/tk%E2%80%99s-ministry-accused-running-private-army>

³⁵ Mmeso, P. 2016. Wildlife Dept. Breaking the Law? The Patriot. August 1, 2016. Accessed September 16, 2018 at <http://www.thepatriot.co.bw/news/item/2917-wildlife-dept-breaking-law.html>

³⁶ Survival International. Central Kalahari Game Reserve: Background Briefing. Accessed September 19, 2018 at <https://www.survivalinternational.org/about/ckgr>

³⁷ Mongudhi, T., Konope, J. and Ntibinyane, N. (2016). Deadly Borders...30 Namibians Killed Through Botswana's Shoot to Kill Policy. The Namibian. March 9, 2016. Accessed September 18, 2018 at <https://www.namibian.com.na/148318/archive-read/Deadly-borders--30-Namibians-killed-through-Botswana&39s-shoot-to-kill-policy>



Figure 4
Botswana DWNP Staff

Research published this year indicates that in the time since the militarization of DWNP began there has been a growing disconnect between Botswana's rural residents and the country's conservation efforts.³⁸ Community leaders in the Okavango Delta feel that DWNP neither cares about their opinion or for their well-being. One of the researchers' conclusions is that this state of affairs increases the likelihood that people will resist, or even sabotage, conservation efforts.

It is worth noting that the militarization of DWNP was also a source of concern within Botswana's national security establishment, revealing a lack of alignment within the government on poaching and illicit wildlife trafficking, issues that intersect conservation and security interests. These concerns included that members of the country's special forces were being poached by the DWNP³⁹ and that Minister Khama was effectively establishing a private army.⁴⁰ Concerns were also voiced by Botswana's Directorate of Intelligence and Security about the DWNP's stockpile of military weapons.⁴¹

Concerns of Botswana's rural residents grew in 2014 when the Khama administration announced it was closing the country to trophy hunting by foreigners and banning subsistence hunting by the country's rural people in the communal areas. The policy shift represented the effective gutting of the country's CBNRM program, developed in partnership with the United States, that relied on the leasing of wildlife use rights to rural communities.

³⁸ Noga, S.R., Kolawole, D.O., Thakadu, O.T., and Masunga, G.S. 2018. 'Wildlife Officials Only Care About Animals: Farmers perceptions of a Ministry –Based Extension Delivery System In Mitigating Human-Wildlife Conflicts in the Okavango Delta, Botswana. *Journal of Rural Studies*. (61) 216-226.

³⁹ Phillimon. (2016). Spooks Haunt BDF. *The Patriot on Sunday*. July 20, 2016. Accessed September 19, 2018 at <http://www.thepatriot.co.bw/news/item/2839-spooks-haunt-bdf.html>

⁴⁰ Ontebetse, K. (2017). TK's Ministry Accused of Running a Private Army. *Sunday Standard*. February, 24, 2017. Accessed September 18, 2018 at <http://www.sundaystandard.info/tk%E2%80%99s-ministry-accused-running-private-army>

⁴¹ Sunday Standard Reporter (2018) 'Spy Agency Surrenders Its Weapons of War to BDF.' *Sunday Standard*. (May 25, 2018). Accessed September 16, 2018 at <http://www.sundaystandard.info/spy-agency-surrenders-its-weapons-war-bdf>

The policy shift was justified by the government with a survey conducted by the organization Elephants Without Borders.⁴² This survey claimed significant declines in Botswana's wildlife but assigned most of the cause to habitat loss and degradation as well as drought. Its recommendations did not call for a ban on hunting.

Prior to implementing the ban, the government held a series of stakeholder meetings where the Elephants Without Borders survey was criticized by academics for what they saw as methodological flaws and for being a snapshot as opposed to reporting and analysis of the long-term population trends or time series data on wildlife populations that would ideally inform conservation policy.⁴³

This criticism, however, went unheeded by the Khama administration, which moved forward with a nationwide ban on trophy and subsistence hunting in Botswana's communal areas. The exact reason behind their doing so remains unclear.

Ultimately, the five-plus years of such regressive conservation policies and programs in Botswana has provided a case study on why the rights- and market-based approaches to conservation—originally embraced by Botswana and the United States via the CBNRM program—are preferable to heavy-handed, command-and-control policies.

Research published in 2017 showed the hunting ban destroyed at least 200 jobs and stripped out more than \$600,000 in revenue in the rural CBOs that had relied on hunting revenue. The same research found that revenues had decreased by 47% in the Kapano Mokoro CBO in the Okavango Delta. These amounts are significant in a country where the World Bank considers half of the population to be either “poor” or “vulnerable.”

The most potent sign of failure, however, is that Botswana's aggressive anti-poaching posture and its complete outlawing of hunting did not put a dent in poaching levels. Indeed, the government's own data shows a 48% increase in poaching incidents and 127% increase in ivory trafficking incidents in recent years.⁴⁴

A Movement for Policy Reform

With the failures of a militarized, preservationist approach to wildlife conservation now apparent, Botswana is ripe for reform of its wildlife programs and policies. The retirement of President Ian Khama from the public sector in April 2018 and the swearing in of Mokgweetsi Masisi to Botswana's presidency have created the political space necessary for movement toward

⁴² Chase, M. (2011). Dry season fixed wing aerial survey of elephants and wildlife in northern. Botswana: Elephant Without Boarders. Accessed September 20, 2018 at <http://www.elephantswithoutborders.org/downloadspapers/EWB%202010%20BW%20Survey.pdf>

⁴³ Mbaiwa, J.E. 2018. Effects of the safari hunting tourism ban on rural livelihoods and wildlife conservation in Northern Botswana, South African Geographical Journal, 100:1, 41-61, DOI: 10.1080/03736245.2017.1299639. Accessed September 20, 2018 at <https://www.tandfonline.com/doi/pdf/10.1080/03736245.2017.1299639>

⁴⁴ Molato, I. (2018). Botswana: Poaching in Botswana on the Rise. Botswana Daily News. April 9, 2018. Accessed September 20, 2018 at <https://allafrica.com/stories/201804100198.html>

such reforms. If properly implemented and maintained, such reforms could restore the rights- and market-based conservation programs Botswana implemented with the help of the United States that had successfully secured the country's wildlife populations while supporting the county's people.

Reforms already undertaken are substantial. In May, President Masisi began the demilitarization of the DWNP, ordering that the agency surrender its stockpile of "weapons of war."⁴⁵ That same month he also revoked the standing shoot-to-kill policy for suspected poachers⁴⁶.

Botswana's president has also followed the lead of the country's Parliament in exploring re-opening the country to hunting. In June the legislative body approved a resolution calling on the Masisi to explore lifting the country's hunting ban.⁴⁷ The Masisi Administration is now holding a month long series of public hearings on the proposal.⁴⁸

In the midst of this reform movement, this month Elephants Without Borders released a new survey that attracted worldwide attention with its claim that there had been a mass poaching incident in the Okavango Delta, killing nearly 90 elephants.⁴⁹ In press reports, the group notably blamed the incident on the demilitarization of the DWNP.⁵⁰ The government in Gaborone was quick to point out, however, that the area where the alleged mass poaching took place was under control of the well-armed BDF.⁵¹ The government further disputed that the mass poaching incident happened at all, stating in a press release that 53 of the elephant carcasses reported by EWB had already been reported earlier in the year and that contemporaneous investigation determined they had not been poached but had died of natural causes or in retaliatory killings

⁴⁵ Agence de Presse Africane (2018). 'Botswana Withdraws Arms of War from Anti-Poaching Units.' APA-Gaborone. (May 21, 2018.) Accessed September 16, 2018 at

<https://mobile.apanews.net/index.php/en/news/botswana-withdraws-arms-of-war-from-anti-poaching-units>

⁴⁶ Tebele, M. (2018). Masisi Revokes 'Shoot-to-Kill' Policy. The Southern Times. May 25, 2018. Access September 20, 2018 at <https://southerntimesafrica.com/site/news/masisi-revokes-shoot-to-kill-policy>

⁴⁷ Agence de Presse Africane. (2018). Botswana MPs call for lifting of ban on elephant hunting. Agence de Presse Africane. June 22, 2018. Accessed September 19, 2018 at

<http://apanews.net/en/news/botswana-mps-call-for-lifting-of-ban-on-elephant-hunting/>

⁴⁸ Mguni, M. (2018). Botswana Starts National Debate to End Elephant Hunting Ban. Bloomberg. September 11, 2018. Accessed September 19, 2018 at

<https://www.bloomberg.com/news/articles/2018-09-11/botswana-starts-national-debate-to-end-ban-on-elephant-hunting>

⁴⁹ Chiu, A. (2018.) Nearly 90 Elephants Killed for Tusks Near Botswana Wildlife Sanctuary, Group Says. Government Disputes Claim. The Washington Post. September 7, 2018. Accessed September 20, 2018 at

https://www.washingtonpost.com/news/morning-mix/wp/2018/09/04/its-open-season-for-poachers-nearly-90-elephants-killed-for-tusks-near-botswana-wildlife-sanctuary/?utm_term=.395af04f4be2

⁵⁰ Moffitt, M. (2018). After Rangers Disarmed, 87 Elephants Slaughtered in Botswana. San Francisco Chronicle. September 17, 2018. Accessed September 20, 2018 at

<https://www.sfgate.com/world/article/Botswana-elephant-poaching-ivory-slaughter-13236535.php>

⁵¹ Mguni, M. (2018) BDF Was In Charge of Elephant 'Massacre' Area. Mmegi Online. September 7, 2018. Accessed September 20, 2018 at <http://www.mmegi.bw/index.php?aid=77436&dir=2018/september/07>

stemming from human-wildlife conflicts.⁵² The cause of death of the remaining animals is currently under investigation by the DWNP.⁵³

Suggested U.S. Action

To achieve bilateral conservation and security goals, the IWCC should encourage the U.S. Department of Interior to send a strong signal to the Government of Botswana that it supports its movement toward reform of the country's wildlife sector and stands ready to help it achieve its goals. This signal can be delivered via the following means:

Update the U.S. National Strategy For Combating Wildlife Trafficking

The current iteration of the U.S. National Strategy to Combat Wildlife Trafficking takes a pejorative view of hunting. Under a section titled "Using Administrative Tools to Quickly Address the Poaching Crisis" the strategy identifies limiting the importation of elephant hunting trophies as necessary to achieve its goals.⁵⁴ The Department should advocate that this language be removed without delay, as it creates perceptions of hunting as an obstacle to deterring poaching and illicit wildlife trafficking and sets the stage for actions that do not serve the objectives of the strategy.

In its place, the Department should advocate that the strategy contain identification and discussion of the critical role Africa's hunting operators play in providing economic incentives for conservation and for creating the socio-economic conditions necessary to deter involvement in poaching and illicit wildlife trafficking, as per the recent report from U.N. Environment and others mentioned above, and the past experience of African nations like Botswana.

Lift the De-Facto Moratorium on Elephant Trophy Imports

The announcement that the USFWS was lifting its moratorium on the importation of elephant and other trophies from Zimbabwe and Zambia was a step in the right direction for efforts to both conserve wildlife and deter illicit wildlife trafficking.⁵⁵ This moratorium had severe and counter-productive consequences in the nations impacted, leading to the kind of alienation from

⁵² Botswana Government. (2018) Response Regarding the Alleged Indiscriminate Killing of Elephants in Botswana. Accessed September 20, 2018 at

[https://www.facebook.com/BotswanaGovernment/posts/1835804989835484?_xts__\[0\]=68.ARBzXejWvqcagidrgDwbu9vbyapaDgJTZGzCu_KYZUBibiidQp6UPvZ7L5wXY6SmpcujZnu50IYwv5anluftKmBfkInUVt9S60si3p3_2Oq9pKtXWRptiDqohBt7fmncNRoT4JIYVDjSoD1fMwCfK7Ae4naplORMhSDuTcEv3HDbp-pTo_ksnQ&_tn_=-R](https://www.facebook.com/BotswanaGovernment/posts/1835804989835484?_xts__[0]=68.ARBzXejWvqcagidrgDwbu9vbyapaDgJTZGzCu_KYZUBibiidQp6UPvZ7L5wXY6SmpcujZnu50IYwv5anluftKmBfkInUVt9S60si3p3_2Oq9pKtXWRptiDqohBt7fmncNRoT4JIYVDjSoD1fMwCfK7Ae4naplORMhSDuTcEv3HDbp-pTo_ksnQ&_tn_=-R)

⁵³ Associated Press. (2018) Botswana Looks Into Report of Nearly 90 Slaughtered Elephants. Washington Post. September 10, 2018. Accessed September 20, 2018 at

https://www.washingtonpost.com/lifestyle/kidspost/botswana-looks-into-report-of-nearly-90-slaughtered-elephants/2018/09/10/dbf9a44a-ac9f-11e8-b1da-ff7faa680710_story.html?utm_term=.b2ec3a9d2d61

⁵⁴ The White House. (2014) National Strategy for Combating Wildlife Trafficking. Pp. 6. Access September 19, 2018 at <https://obamawhitehouse.archives.gov/sites/default/files/docs/nationalstrategywildlifetrafficking.pdf>

⁵⁵ Nuwer, R. (2018) US Lifts Ban on Some Elephant, Lion Trophies. The New York Times. March 7, 2018. Accessed September 20 at <https://www.nytimes.com/2018/03/07/science/trump-elephant-trophy-hunting.html>

conservation efforts and increases in poaching like those witnessed in Botswana.⁵⁶ Recent reports, however, suggest that political pressure may have stalled the USFWS from following through on its announced policy change.⁵⁷

The policy change should be implemented immediately. Doing so would help not only to ensure that the negative impacts of the moratorium can begin to recede, but will send a signal of renewed stability in the U.S. trophy hunting market to Botswana's CBOs and any of their potential partners in Africa's hunting industry, should the country's hunting ban be lifted.

Pursue Endangered Species Act Improvements

While CITES allows parties the ability to enact stronger trade measures at their discretion, this discretion is broad and need not even be exercised. The aforementioned experience with the U.S. moratorium on the importation of elephant trophies from Zimbabwe under the Endangered Species Act (ESA) illustrates how the exercise of agency discretion in importation permitting could have negative consequences for wildlife conservation.

To remedy this, the department should pursue improvements to the ESA that streamline the permitting process for trophy imports. One option to consider is that when a trophy is exported under a country's CITES quota, USFWS permits should be given to the importer on a "shall issue" basis, unless compelling evidence is presented showing that the trophy was acquired in violation of the laws of the range nation. Doing so would send a signal of stability in the U.S. trophy hunting market to Botswana's CBOs and any of their potential partners in Africa's hunting industry, should the country's hunting ban be lifted.

Cease U.S. Support for, and Engagement in, Events Centered on the Destruction of Ivory and Rhino Horn

The Department should end the practice of its agencies supporting and engaging in events centered on the destruction of ivory and rhino horn and it should encourage other Departments and their agencies to do the same. All materials supportive of this practice should be removed from the websites of the Department and its agencies.

The burning and crushing of stockpiles of ivory and rhino horn has been a common practice in recent years and was used by the USFWS and others to create the public perception that these

⁵⁶ Semcer, C. E., 2018. The Elephant Permit in the Room. PERC Reports: The Magazine of Free market Environmentalism. 37(1). Summer 2018. Accessed September 20, 2018 at <https://www.perc.org/2018/07/13/the-elephant-permit-in-the-room/>

⁵⁷ Green, M. (2018) Big-Game Hunters Infuriated By Trump Trophy Hunting Debacle. The Hill. September 16, 2018. Accessed September 20, 2018 at <https://thehill.com/policy/energy-environment/406794-big-game-hunters-infuriated-by-trump-elephant-trophy-debacle>

commodities are worthless and that the U.S. position on illicit wildlife trafficking was strong.⁵⁸ (It is notable that Botswana under President Khama did not destroy its ivory stockpile.)⁵⁹ The likely impact of this practice, though, is to increase scarcity of the commodity, thereby driving up its value and creating incentives to poach wild elephants and rhinos to feed market demand.⁶⁰

Effectively conserving elephants and rhinos in emerging markets like Botswana requires maximizing their economic value across their life cycle and ensuring that value is distributed in a manner that serves recognized conservation and other goals. U.S. disengagement from the practice of destroying ivory and rhino horn would send the signal that our government understands this and is open to supporting Botswana and other countries in pursuing market-based conservation programs.

The U.S. Task Force on Wildlife Trafficking Should Embrace Markets and Rights-Based Approaches

As per the National Strategy for Combating Wildlife Trafficking, and as recently re-stated by US Ambassador to Botswana Earl R. Miller,⁶¹ the current U.S. approach to deterring poaching in Africa is based on three primary objectives: strengthening enforcement, reducing demand, and expanding international cooperation. Like USAID has noted, however, “law enforcement alone will not sufficiently or effectively address wildlife crime. Enforcement actions must be coupled carefully with actions that incentivize positive relationships with wildlife resources. Activities must shift the responsibility and benefits from wildlife to local communities to ensure active stewardship. Local communities are widely perceived as the first line of defense against wildlife crime. More strategic approaches are necessary to ensure that such community interventions are indeed shifting the balance to motivate positive behaviors and resulting in decreased wildlife crime.”⁶²

Department representatives on the U.S. Task Force on Wildlife Trafficking should actively encourage the task force to recognize and implement policies and programs that proactively engage bodies like Botswana’s CBOs in efforts to deter illicit wildlife trafficking by promoting

⁵⁸ US Fish and Wildlife Service. (2013) U.S. Ivory Crush Questions and Answers. US Department of the Interior, US Fish and Wildlife Service. November, 2013. Accessed September 20, 2018 at <https://www.fws.gov/international/pdf/factsheet-ivory-crush-qa.pdf>

⁵⁹ Levy, T. (2016) Botswana to Boycott Burning of Ivory Stockpile. ENCA. April 26, 2016. Accessed September 20, 2018 at <https://www.enca.com/africa/botswana-boycott-burning-ivory-stockpile>

⁶⁰ Kimenyi, M.S. 2015. The Dilemma of Destroying Ivory as an Anti-Poaching Strategy. The Brookings Institution. March 6, 2015. Accessed September 20, 2018 at <https://www.brookings.edu/blog/africa-in-focus/2015/03/06/the-dilemma-of-destroying-ivory-as-an-anti-poaching-strategy/>

⁶¹ <https://bw.usembassy.gov/ambassador-miller-wildlife-trafficking/>

⁶² USAID. 2018. USAID Vuka Now: Combating Wildlife Crime in Southern Africa Activity – APS01. September 14, 2018. Accessed September 20, 2018 at <http://www.ngopulse.org/opportunity/2018/09/14/usaids-vuka-now-combating-wildlife-crime-southern-africa-activity-aps-01>

markets and rights-based approaches. This includes engaging Botswana's hunting sector, should the nation's government decide to allow it to be rebuilt.

The Department should also encourage the task force to actively seek to create widespread understanding of the role of community engagement, markets and rights-based approaches to conservation in deterring IWT. One way to achieve this is for the Department to work with DOS-INL and the Department of Justice to integrate these concepts into the wildlife crime curriculum at the ILEA in Gaborone.

U.S. Representatives Should Engage the World on the Value of Markets and Rights-Based Approaches to Conservation and the Deterrence of Illicit Wildlife Trafficking

Departmental representatives attending events like the upcoming Illegal Wildlife Trade Conference, to be held in London in October, should give priority to highlighting the value of rights and market-based conservation approaches to creating the kind of community engagement and socioeconomic environment in which illicit wildlife trafficking can be most effectively deterred.⁶³ Doing so will not only stand by past U.S. engagements, such as the development of Botswana's CBNRM program, but also U.S.-funded research, like that produced by USAID. It will also send a strong message to the international community that Botswana's reform efforts are on the right path and should be embraced.

Thank you.

⁶³ Government of the United Kingdom. 2018. Illegal Wildlife Trade Conference: London 2018. Accessed September 20, 2018 at <https://www.gov.uk/government/topical-events/london-conference-on-the-illegal-wildlife-trade-2018>