

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 5427

15 October 2024

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)

CALL TO SUBMIT WRITTEN SCIENTIFIC INFORMATION ON NON-DETRIMENT FINDINGS FOR CERTAIN SPECIES LISTED IN TERMS OF THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

I, Dr Dion Travers George, Minister of Forestry, Fisheries and the Environment, in terms of section 62(3) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), call for scientific information to be submitted on non-detriment findings for certain species listed in terms of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973, made by the Scientific Authority in terms of section 61 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), as set out in the Schedule hereto.

A previous notice was published under Government Notice No. R.4473, in Government Gazette 50258 on 05 March 2024 for public comment. The current notice and non-detriment findings (NDFs) have been substantively amended, taking into account comments received in response to the notice.

The amendments to the non-detriment findings include the following:

- NDFs that were recently amended/revised by the Scientific Authority.
- Deletion of any references to “high priority” and “low priority” species.
- Clarification of the lists of animal and plant species in paragraphs 42 and 43 of the notice as positive findings, i.e. those species that are at low risk from international trade as current legal exports are at levels that are not detrimental.
- Deletion of the requirement for the Scientific Authority to develop a decision tree for cycad nursery audits as well as criteria for cycad wild characteristics as these tasks have been completed and this text is now obsolete.
- Deletion of the NDF finding for leopard as this finding is now outdated. The new NDF for leopard will be published in a separate notice along with NDFs for the Nile crocodile (*Crocodylus niloticus*), Hartmann’s mountain zebra (*Equus zebra hartmannae*), blue shark (*Prionace glauca*), bronze whaler shark (*Carcharhinus brachyurus*), dusky shark (*Carcharhinus obscurus*) and shortfin mako shark (*Isurus oxyrinchus*).
- Deletion from the low-risk species list, any succulent plant species included in Appendix III of CITES.
- Deletion of those species for which complex NDFs are still outstanding (as listed below). The provincial Scientific Authority members will in the interim provide NDF advice on a per-trade event basis. These species without complex NDFs include:
 - *Aloe arborescens*
 - *Aloe brevifolia*
 - *Aloe peglerae*
 - *Aloe ramosissima*
 - *Arctocephalus pusillus* (Cape fur seal)
 - *Avonia quinaria*

- *Bradypodion thamnobates* (Natal Midlands dwarf chameleon)
- *Euphorbia flanaganii*
- *Euphorbia groenewaldii*
- *Euphorbia knobellii*
- *Euphorbia obesa*
- *Euphorbia stellata*
- *Pachypodium bispinosum*
- *Poicephalus meyeri* (Meyer's parrot)
- *Rhipsalis baccifera*
- *Stangeria eriopus*

Section 60(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA), provides for the establishment of a scientific authority in accordance with Article IX of the CITES. The scientific authority is established to assist in regulating and restricting the trade in specimens of listed threatened or protected species and species to which an international agreement regulating international trade applies.

Section 61 of NEMBA requires the scientific authority to monitor legal and illegal trade in specimens of listed threatened or protected species, advise the Minister on the matters that it monitors, and make non-detriment findings on the impact of actions relating to the international trade in specimens of listed threatened or protected species and species to which an international agreement regulating international trade applies, and submit those findings to the Minister. The scientific authority is required to base its findings, recommendations, and advice on a scientific and professional informed review of available information and to consult, when necessary, organs of state, the private sector, non-governmental organisations, local communities, and other stakeholders before making any finding or recommendation or giving any such advice. The mandate of the scientific authority in terms of CITES is to advise, through a non-detriment finding whether the import or export of specimens of species included in Appendix I of the CITES or the export of specimens of species included in Appendix II of the CITES, will not be detrimental for the survival of the species involved. The non-detriment finding is a science-based risk assessment where the vulnerability of a species is considered in relation to how well it is managed. The Scientific Authority has made NDFs for the majority of South Africa's CITES-listed species. Previous NDFs have been reviewed and updated where necessary. The supporting documents that provide more information on the NDFs can be accessed at <https://www.sanbi.org/biodiversity/science-into-policy-action/science-authority/non-detriment-findings/>

Members of the public are invited to submit to the Scientific Authority, within 60 days from the date of the publication of this notice in the *Government Gazette* or the newspaper, whichever occurs last, written scientific information relating to the NDFs to any of the following addresses:

By email: secretariat.scientificauthority@sanbi.org.za and cites@dfre.gov.za

Enquiries must be directed to Mr Mpho Tjiane at Tel: 012 399 9596 or Cell: 066 185 5955 or Email: MTjiane@dfre.gov.za.

Comments received after the closing dates may be disregarded.


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MINISTER OF FORESTRY, FISHERIES AND ENVIRONMENT