

CONSULTATION ON CONTROLS ON THE IMPORT AND EXPORT OF HUNTING TROPHIES

Scottish Land & Estates is a membership organisation representing the interests of Scottish landowners, farmers and estates. Our vision is for profitable land-based businesses able to contribute to resilient rural economies helping rural Scotland thrive. Tourism is a key part of the diverse mix of businesses in which our members are engaged.

We are seriously concerned about the basis of this consultation which could have significant unintended consequences. Any proposed outcome should be properly evidence based and not founded on celebrity or media or loud voices. Aside from an occasional goat or sheep the only species subject to trophy hunting in the UK is deer. Deer are not endangered and in fact Scottish Government encourages or even compels the management of deer populations. Wild deer are an integral part of Scotland's wildlife and, at an appropriate density, can help to maintain the natural heritage value of many habitats. However, deer can cause 'damage' to woodland, farmland and the natural heritage, through their grazing, browsing and trampling.

Our interest is primarily in the scope of the consultation and specifically to the extent it affects deer as it is very important to our members that they can continue to cull deer and permit legal hunting as at present. We feel strongly that the consultation paper does not appropriately set out the downside to restrictions proposed through Options 1 to 3 presented.

In 2006 Public and Corporate Economic Consultants, Cambridge (PACEC) conducted a study commissioned by the Association of Deer Management Groups (ADMG) to assess the contribution of deer management to the Scottish economy. It looked at both the direct and indirect impacts of deer management to account for the economic value of deer management to other sectors of the economy. It reported 67,000 gun days for deer management in Scotland. The report distinguished between sport shooting of deer and deer management not for sporting purposes. PACEC (2006) suggested that a total of 2,520 FTE jobs arise from deer management in Scotland; of these, 966 FTEs are direct employment on management (840 associated with sport shooting) and 1,554 FTEs are indirect employment through, for example, the game processing sector and fencing activities (1,440 associated with sport shooting). These figures compare with a 1999 estimate of 850 FTEs reported by McMorran et al. (2006) for wild deer management activities by estates.

In 2016 PACEC conducted a further study on behalf of the ADMG, Lowland Deer Network Scotland and Scottish Gamekeepers Association to assess the contribution of deer management (both for sporting and other purposes) to the Scottish economy. This study, along with other PACEC research on shooting sports and Scottish country sports tourism, suggested the total level of stalking activity in Scotland is comparable with the 2006 estimate and that expenditure is likely to have risen in line with inflation since that point. The study estimated total expenditure in 2013/14 of £140.8m. This expenditure supports around 2,500 FTE paid jobs in Scotland, also very similar to 2006. An estimated £43.1m of this expenditure is made direct by deer management businesses and organisations; the remainder is made by stalking participants away from the deer management sites (on firearms, ammunition, external hospitality, transport etc.).

The cost of the UK's annual deer cull is largely covered by private funding. Part of the motivation is for a trophy and there is a highly respected international organisation, The International Council For Game & Wildlife Conservation (CIC) which measures trophies and

awards medals. This in turn incentivises management of deer for health and quality and welfare. If such trophies could not be exported, it stands that fewer hunters would come from abroad and tourism income would reduce and the whole culture which looks after deer in the UK would suffer.

Question 1: What is your name?

Jason Rust

Question 2: What is your email address?

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Question 3: What is your organisation? If you're replying as an individual, please type 'individual'.

Scottish Land & Estates (SLE), Stuart House, Eskmills Business Park, Musselburgh EH21 7PB

Question 4: Would you like your response to be confidential? (Required)

No.

Question 5: Is there anything you would consider to be a hunting trophy that falls outside of the definition found in CITES and the EU Wildlife Trade Regulations? a. Yes b. No c. If yes, please add more information

B. No.

Question 6: Is there anything that falls within the definition used in CITES and the EU Wildlife Trade Regulations that you consider should not be treated as a hunting trophy? a. Yes b. No c. If yes, please add more information

B. No, provided Option 4 stands, as the regulations shall continue to operate as at present. However, if despite the evidence, the decision is made to opt for Options 1 to 3 then potentially A. Yes, as there will be umpteen definitions required to avoid unintended restrictions and trade barriers for UK import and export of animal products, across food, farming and other sectors. This would necessitate avoiding unintended restrictions for animal products used in taxidermy, such as deer antlers, skulls and skins.

Question 7: Do you envisage any challenges or difficulties which might arise from using the definition in CITES and EU Wildlife Trade Regulations, for example, when it comes to enforcement? a. Yes b. No c. If yes, please add more information

B. No, if Option 4 is decided upon as the regulations will continue to operate as at present. We feel that the system works well and presents excellent and robust protection.

However, in the instance of Options 1 to 3 being advanced then, A. Yes. there will undoubtedly be challenges and difficulties, not least for the Border Force Agency who will require additional resources, bearing in mind the level of work already undertaken from dealing with drug smuggling to human trafficking and more generally in terms of illegal imports.

Question 8: We set out a number of options above. We would like to understand your preferred option and the reasons for that preference. Please state your first and second preferred options: a. Option one: A ban on hunting trophies from certain species entering or leaving the UK. b. Option two: Stricter requirements for clear benefits to conservation and local communities to be demonstrated before hunting trophies from certain species are permitted to enter or leave the

UK. c. Option three: A ban on all hunting trophies entering or leaving the UK. d. Option four: Do nothing - continue to apply current controls based on internationally agreed rules. e. None: Please suggest any alternatives. Please add any comments on your preferred options, including any reasons for your preference.

Preference – Option 4, followed by Option 2. However, we do not consider Options 1, 2 or 3 to be acceptable or appropriate and there is no properly evidenced base for Options 1, 2 or 3.

SLE is firmly of the view in terms of the options presented by the consultation paper that option 4 is our preferred option. This is the option to continue to apply current controls based on internationally agreed rules. We see no reason to alter the current internationally agreed system. It should be noted that these rules are based on principles agreed by the International Union for Conservation of Nature (IUCN) and implemented through the Convention on International Trade in Endangered Species of Wild Flora and Fauna. We do not consider there is valid reason to change the current system which is fit for purpose and scientifically adept. We would urge maintenance of the status quo and we do not feel that the paper adequately sets out the conservation benefits of Option 4, but rather implies it is a “do nothing” approach.

The Species Survival Commission of the International Union for the Conservation of Nature (IUCN) – the world’s largest conservation organisation of which the UK is a member – recognises that trophy hunting is a form of wildlife and land use that, when well-managed, can make a valuable contribution to conservation. It accepts and supports sustainable trophy hunting as a means of supporting wildlife conservation and as WWF stated July 2016: *“Many countries utilise trophy hunting as a wildlife conservation and management tool within the broader framework of sustainable use programmes.”*

Our major concern is the potential for unintended consequences to impact in Scotland and specifically in remote and rural areas. These consequences could include economic and social impacts as well as environmental and ecological.

The economic benefits can be substantial to communities, alongside the direct benefits for threatened species and biodiversity. It can incentivise communities and landowners to manage wildlife sustainably and to retain wildlife conservation as a land use, as opposed to commercial agriculture for example. Direct vigilance and support by trophy hunters can reduce wildlife poaching and habitat alteration. It also engenders philanthropic support for biodiversity conservation by hunters who value both the opportunity to hunt and the non-monetary values of conservation.

20,000 male red deer are sport-hunted in Scotland between August and October each year. Foreign hunters export the vast majority of their antlers or 'trophies.' This directly provides over 4,000 jobs together with £180 million of revenue into the UK. A total ban on imports and exports would not prevent the deer from dying and control of deer would still take place at cost to government. Anecdotal evidence suggests that nearly all the skulls from stags shot in the Highlands of Scotland are shipped abroad to Sweden, U.S.A. and Austria etc.)

Option 3 is in our view by far the worst option. It needs to be recognised that the UK Government has no control over how other countries choose to manage their wildlife and the UK Government should not dictate to other countries how best to manage their natural resources. But banning the import of trophies will at the very least reduce the revenue generated by a hunt that will still happen, albeit without the trophy fee payable; or it will undermine the industry and therefore jeopardise the benefits it generates. Shooting tourism in the UK is of vital importance to the rural economy, and implementing unnecessary restrictions only places its future at significant risk. We would urge government to properly

discuss the implications of Options 1 to 3 with governments of other countries before taking any steps to progress with any of these options.

In terms of Options 1 and 2 there are a number of controls already in place. The UK Government will not issue an import permit for a trophy unless the importer can show there has been no detrimental impact on the endangered species and the trophy has been obtained from a sustainable hunting operation. All applications for import permits for trophies are individually scrutinised by JNCC (as the UK's CITES Scientific Authority) to determine there has been no detrimental impact on endangered species and the trophy has been obtained from a 'sustainable' hunting operation.

Question 9: Options one and two introduce further restrictions for certain species. Which species do you think these further restrictions should apply to? a. Species listed on Annex A or B of the EU Wildlife Trade Regulations b. Species listed on IUCN Red List c. Other d. Please add any comments (If b.) Please specify which IUCN Red List categories you think these further restrictions should apply to (e.g. critically endangered, endangered, vulnerable)? (If c.) Please tell us which species you think should be affected by further restrictions on the import and export of hunting trophies, either by identifying a framework to use, or submitting your own list, accompanied by an explanation for your answer.

We reiterate that we support Option 4 and do not wish to see further restrictions introduced. The current legislative framework is based on scientific evidence which ought to be the basis for such decisions. Current controls should continue to be applied on internationally based rules.

Question 10: Do you think there should be different restrictions on hunting trophies imported and exported to and from countries within the EU, compared with countries outside of the EU? While the UK is a member of the EU, we will continue to meet our EU obligations. This means that any new restrictions on imports and exports of hunting trophies which go further than those contained in the EU Wildlife Trade Regulations would need to be in accordance with EU law. After we leave the EU, the European Union (Withdrawal) Act 2018 will ensure that the EU Wildlife Regulations remain part of UK law. Any new restrictions would need to be considered in accordance with our future relationship with the EU. If new controls are taken forward, consideration will need to be given to whether those controls should also apply to movement to and from EU countries. a. Yes b. No c. Please add any comments. Where you think there should be different restrictions, please provide information on what you think the differences should be and why.

We reiterate that we support a continuation of the current position.

Question 11: Do you have additional information or evidence on: a. Potential impacts of increased restrictions as set out in options one to three? b. Potential barriers to implementation for options one to three?

A ban on exports will have an impact on income for landowners and managers which will affect deer management in the UK. This could result in the destruction of woodland communities and natural habitats. There will be a disproportionate impact on rural communities, already facing challenges.

Whilst this is a UK-wide consultation, as an organisation representing Scottish rural interests, we believe that the bulk of the impact of a total ban would fall disproportionately on Scotland, its landowners and managers. We feel it would affect our members' ability to manage deer and other ungulates sustainably, resulting in a detrimental effect on the Public Interest, of the people of Scotland and their efforts to tackle the Climate Emergency.

A barrier is the fact that deer antlers are cast naturally, so it remains to be seen whether the derivatives of the deer antlers are from a hunted deer or a cast one.

It is worth contrasting Namibia to Kenya. Namibia has retained control over its wildlife management, opting to utilise hunting as a means to manage populations and generate income, and Kenya which has adopted the euro-centric approach. The IUCN produced a paper on this highlighting that Namibia has wildly successful wildlife populations across the country, with vast contiguous areas managed for wildlife. Kenya, on the other hand, has less wildlife than at any point in the country's history¹.

In the UK land and wildlife management is very often funded privately by individuals who lease hunting to visiting hunters. The majority of red deer management in Scotland is funded using this model. The latest Forestry and Land Scotland tender for contractors to kill deer on public land (9%) of the country², came to some £10million³ (though this figure excludes current wildlife management staff, infrastructure, larders, pensions, etc.). Scottish Environment LINK suggest that "Landowning environmental NGOs directly spend £37 million on the sites they manage"⁴, bearing in mind the ownership of the main eight NGOs which covers only some 2.6% of Scotland⁵.

The contribution of private landowners, whilst having been estimated (PACEC⁶), has not, and cannot be wholly quantified, though as of the 2013/14 report the estimated cost was around £140million. This has undoubtedly increased over the past 8 years – and will only increase as woodland cover increases, providing habitat not only for our native red (*Cervus elaphus*) and roe (*Capreolus capreolus*), but also for invasive non-natives such as fallow (*Dama dama*) and sika (*Cervus nippon*) and feral pigs (*Sus scrofa*).

Question 12: In options one, two and three, do you think there should be different restrictions on hunting trophies obtained from; wild animals, captive bred animals, or animals involved in canned hunting? a. Yes 18 b. No c. Add any comments (If a.) i. hunting trophies from captive bred animals (including canned) should have additional controls ii. hunting trophies from wild animals should have additional controls iii. Other

There is a perception generated through the media that trophy hunting is worsening the fate of species that are on the brink of extinction. It is undoubtedly true that many hunted species are of conservation concern – although none of them are on the brink of extinction. Indeed, wildlife populations in countries with trophy hunting broadly highlight upward trends – in stark contrast to declines in other countries. It needs to be borne in mind that hunting itself is not one of the major threats that causes concern for the survival of these species. The main problems are prey base depletion, habitat loss, illegal poaching and conflict with local people. Counterintuitively, stopping or restricting trophy hunting – and the income and conservation incentives it generates – risks increasing those major threats.

¹ <https://www.iucn.org/commissions/commission-environmental-economic-and-social-policy/our-work/specialist-group-sustainable-use-and-livelihoods-suli/newsletters-sulinews/sulinews-11-august-2017/hunting-and-tourism-can-work>

² <https://www.gov.scot/publications/land-reform-review-group-final-report-land-scotland-common-good/pages/61/>

³ <https://www.pressandjournal.co.uk/fp/news/highlands/1912942/10million-bid-to-cull-scotlands-deer-population-awarded-to-contractors-all-over-the-country/>

⁴ https://www.scotlink.org/wp-content/uploads/2020/01/LINK_DeerReport_Aug2019_v21b.pdf

⁵ <https://www.gov.scot/publications/environment-land-reform-examining-relations-between-non-governmental-organisations-community-groups/pages/3/>

⁶ <http://www.deer-management.co.uk/wp-content/uploads/2016/02/Final-25FEB.pdf>

Question 13: For options one, two and three, do you think there should be any exemptions considered? Please state your reasons why. a. Yes b. No c. Please add any comments

If pursuing any of the first three options then there should be detailed consultation prior to any legislation being enacted and the opportunity to consider any exemptions once it is clear what is actually being put forward. However, we reaffirm our support for Option 4.

Question 14: Do you agree with our proposed enforcement regime? a. Yes b. No c. Please add any comments

B. No. As previously indicated we believe the UK Border Agency is already resource stretched and the current regime should continue to apply.

It is important that this consultation and any proposed enforcement regime is viewed in its proper context. There are naturally numerous issues affecting wildlife management. From a Scottish perspective there is the Poustie Report on Wildlife Crime, Werritty Report on Grouse Moor Management (only published last month) and the imminent Deer Working Group Review Report. The penalties aspect of the Poustie Report is currently being discussed in the Scottish Parliament. Our point is therefore that the approach to wildlife law issues requires to be more holistic.

It is vital that the law provides certainty and clarity in order that both individuals and businesses can suitably conduct themselves within its parameters. Any changes to the law in this area would require a significant campaign to raise awareness of the revised requirements.

We believe that properly regulated trophy hunting can play an important role in providing benefits for both nature and people. Poorly targeted or blanket bans affect both good and bad hunting practices.