

1923

KENYA

18

C O
19681
REC'D
REL 20 APR 23

A PRESERVATION SOCIETY.

DATE
19th APRIL 1923.

REGULATION:—
Bottanly

SUBJECT

EXPORT DUTIES. EFFECT OF REMOVAL ON EXPORT OF GAME TROPHIES.

Fears relaxation of customs surveillance will result in Game Laws being ignored, with consequent illicit trade in ivory and rhino horns. Asks that result of enquiries may be communicated to them.

Previous Paper.

MINUTES

Act off - review.

*Act
20/4/23*

James East Customs, when
Paris Ord^o 1909, who imposed
an export duty of 10% ad valorem
on shivovers horn & hippo
teeth (other than specimens
trophies). This was repealed
by Kenya Customs Paris
Ord^o 1922, since when there
have been no export duties.

I attach also copy of the
Convention of 19 May 1900
for the Preservation of Wild
Animals Birds & Fish
Under the Convention
there are certain measures

*copy to Com. Survey
(Under 14910 and)
Recd - 16 June 1923 F/25767
Copy for Kenya and 19 June 23
copy that Hist. Museum Com. B - JUL 1923
on 20/4/23 F/25767
SREC*

Subsequent Paper

25/6/23

MINUTES

MINUTES NOT TO BE WRITTEN
ON THIS SIDE

(Article II) sh. include
the migration of capat
detes, or rhinoceros
horns & hippo tusks
(not to mention hides
& skins of giraffe,
antelope, zebra,
rhinoceros, hippo;
& antelope horns);
but Article III which
is an undertaking
to put into effect
the various measures
in Article II allows
relaxation of migration
admiⁿ. measures or
temporary difficulties
in the admiⁿ. organiza-
tion of "certain
territories".

In any event the order of
1909 was not complete
(acc. to the Convention)
in the capat detes
migrated (e.g. antelope
horns) - & I do not
believe that any
power has put all
the measures into
Art II into force:
e.g. we have, ~~but~~
E.A.

(Article II) A. include
the migration of export
duties, a rhinoceros
horns, & hippo tusks,
as to mention birds
& skins of quags,
antelope, zebras,
rhinoceros, hippo
& antelope horns);
but Article III which
is an undertaking
to put into effect
the various measures
in Article II allows
relaxation of migration
admt. measures or
temporary difficulties
in the admⁿ organization
of "certain
territories".

In any event the order of
1904 was not complete
(acc. to the Convention)
in the export duties
imposed (eg. antelope
horns) - & I do not
believe that any
form has put all
the measures into
Art II into force:
eg. we have, ~~but~~
surely, no Ed.

... of pythons eggs

As to migration has been
enquired of F.O. de la...
& attach his note - he
tells me that G.F. ...
was prepared to re-iff
but that F.O. "thinks"
the ratification was not
expected! 242

We must send a copy
this letter officially to
F.O. for report, but
before doing this -

? copy to F.O. - have
to be furnished with
any basis F.O. may
have to give with special
ref. to para 4 -

& explain that removal
all export duties

in Kenya all goods
have been abolished.

& enclosure for personal
written copy of last

Order I of 1900, which
shows in Table II

Export duties not under
the in force.

[57] already gone to
F.O. - so we must
say nothing more just

to them? Well
20/10/00

C/O
19681
REC'D
REV 20 APR 23

91, Brick Lane,

E.1.

April 19th., 1923.

Under Secretary of State,
Colonial Office,
Downing Street, S.W.1.

44 3e

Long

Sir,

On behalf of the Society for the Preservation of the Fauna of the Empire I have been asked to seek information with regard to the effect of certain recent legislation in Kenya Colony. My Society has been informed upon creditable authority that the export duties have been recently revoked in that Colony. Theoretically, this is a matter of no interest to us, but the effect appears to be likely to be detrimental to the effective carrying out of the Game Laws and that is our excuse for referring to the matter.

2 With the removal of export duties we are informed that the Customs Department no longer exercise any surveillance over the export of trophies, hides and possibly even ivory. Permits to export trophies etc. are still necessary under the Game Ordinance, and well meaning conscientious sportsmen will probably still take the trouble to obtain such permits, but the poacher and the Asiatic trader in illicit ivory and rhino. horns can apparently pass through the Customs an unlimited amount of game trophies with no fear of detection and is undoubtedly doing so, for without export duties there is no incentive to the Customs Department to exercise vigilance.

3 As you are aware, the Game Department in Kenya has recently been reduced to a skeleton, viz. one warden and two assistants, so that effective control by the Game Department is at an end. In fact, at the moment, we are informed that there is only one officer of the Department actually on duty.

4 It may also be claimed that the removal of export duties as regards trophies is contrary to International Agreements. It is

submitted that by Act 2 (10) of the Convention signed at London May 19/1900 we pledged ourselves to impose export duties on game hides, rhino. horns etc. (Refer Blue Book 'Correspondence relating to the preservation of Wild animals in Africa 1900 p. 87).

As Great Britain has always led the way in movements of this character, it would therefore appear incompatible if, through an oversight, she should allow one of her dependencies by local legislation to nullify an undertaking made in common with other powers.

The resolution to abolish export duties we believe emanated from the Economy Commission which recently sat in Kenya Colony under the Chairmanship of the Colonial Secretary of that Colony, but we are not aware if the legislation to bring it into effect has been approved by your office.

May we venture to ask that the question of the effect of the removal of the export duties on the shipment of game trophies may be thoroughly enquired into, for we are fully convinced that the relaxation of due vigilance by the Customs Department at ports of exit will very speedily result in such an increase of illicit trade in ivory and rhino horns that both elephants and rhinoceroses will within a few years disappear from Kenya and Uganda.

Might we respectfully ask that you will kindly communicate to us the information which the suggested enquiries will doubtless elicit.

I am, Sir,

Your obedient servant,

E N Buxton

Chairman.

M.C.

19681

O. D.
MAY
1923

Kanaya

3 May
1923

DRAFT.

U.S.W.
F.O.

Divided
25/4/67

Sir

I am re to ^{transmit to} ~~you~~ ^{you},
the ^{copy} ~~copy~~ ^{of} the Marguerite Curzon
of ~~Madagascar~~, ~~for~~ ~~the~~ ~~purpose~~ ~~of~~ ~~the~~ ~~accompanying~~

MINUTE.

copy of a letter ~~dated~~ ^{sent} the ~~20th~~
of April from the Society for the
Preservation of the Fauna of the Empire
regarding ~~export of~~ ~~the~~ ~~same~~.

The effect
of the
regulation
in Kenya

His Grace would
like to be furnished with any
forms L.D. Curzon may care to
offer with reference to para 4 of
the letter ^{(b) the Society is correctly}
~~that~~ ~~from~~ ~~the~~ ~~Society~~ ~~explains~~
informed that
that ~~namely~~ all export duties
in Kenya ~~and~~ Uganda have

- Mr. Swinburn
- Mr. Pridgen
- Mr. Davis.
- Mr. H. Grindle.
- Mr. H. Read.
- Mr. J. Masterion Smith.
- Mr. Wood.
- Mr. Churchill.

5 Apr 19 - 19 April
minutes I of 1910

This arrangement applies a

been abolished ~~and~~ ~~the~~
~~Report, the~~ ~~Customs~~ ~~for~~ ~~the~~ ~~two~~ ~~dependencies~~ ~~being~~
~~to~~ ~~present~~ ~~and~~ ~~submit~~ A copy of


East Africa Prot. Ordinance 2 of

1910, which shows in Table II
the report duties ~~previously~~

~~to~~ in force, is enclosed for
personal return.

~~to~~

(3) His Grace wd. be glad to
be furnished with any items
wh. had been or may have
to offer on the Society's
letter, with special refer^{ce}
to para 4.


(Signed) H. J. READ

This arrangement applies a

been abolished ~~and with~~
Agenda, the Customs for the two dependencies being
~~to present and return~~ A copy of


East Africa Prot. Ordinance 2 of

1910, which shows in Table II
the import duties ~~and~~ previously

in force, is enclosed for
your return.

~~Yours~~

(3) Sir Grace will be glad to
be furnished with any notes
wh. Lat Cruz may have
to offer on the Society's
letter, with special ref^{ce}.
to para 4.


(Signed) H. J. READ

M^r Parkington

One of the signatory powers ratified
the Convention namely Italy
The ratification was transmitted to
the F.O. 6th July 1907

France in 1904 the 2nd Sept.
announced willingness to ratify
Convention & a note to this effect
was sent to the other powers

DRAFT.

MINUTE.

Mr.
Mr.
Mr.
Mr. Davis.
Sir G. Grindle.
Sir H. Read.
Sir J. Masterton Smith.
Mr. Ormsby-Gore.
Duke of Devonshire.

Germany

Sent ratification to
Belgian Legation in London April
1901 - presumably returned there
in readiness to deposit.

Germany

Portugal

} Deposed ratification

Spain

intimated readiness
to ratify Convention
conveyed in note from
Sp. Govt. 1907