THE CONVENTION ON BIOLOGICAL DIVERSITY AND CONSERVATION & SUSTAINABLE USE OF MIGRATORY ELEPHANTS IN NEIGHBORING EAST AFRICAN STATES (KENYA AND TANZANIA)

TERM PAPER V540

ESTHER MWANGI

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1st DECEMBER, 1997

INTRODUCTION

In October, November and December of 1994, three large bull elephants were killed by hunters in northern Tanzania, close to the Kenyan border. These bulls were shot in a designated hunting block in the Longido game controlled area of Tanzania, by foreign clients with valid hunting licenses. While this act conformed with CITES' regulations for the hunting of Appendix I species, informal cross-border agreements (dating from 1988) between Kenya and Tanzania which precluded elephant hunting within that zone were violated. Equally significant was the decimation of amongst the few remaining bulls over 35 years old on the African continent. The death of these bulls raises many issues such as cross border cooperation, the wise use of an international resource and ethical hunting standards.

The United Nations Convention on Biological Diversity (the Convention), is an international treaty aimed at conserving the earth's biological diversity[2], the sustainable use of its components, and the equitable sharing of benefits arising out of the use of these resources. The convention recognizes that nations have the right to exploit their own resources pursuant to their own environmental policies, and declares that nations also have the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states. It then places a duty on parties to conserve biological diversity within, and in certain cases, beyond the limits of national jurisdiction. Kenya and Tanzania ratified the convention in June, 1994; and by this act the government of both

Convention on International Trade in Endangered Species

2 The variability among living organisms from all sources and the ecological complexes of which they are part; including diversity within and between species and of ecosystems.

countries made a commitment to conserve and restore biological diversity.

This research paper focuses on the issue between Kenya and Tanzania as a test-case to explore the validity of the criticisms that have been leveled against the convention. By so doing I intend to assess the adequacy of the convention as an instrument aimed at enhancing conservation and sustainable use of biological diversity. Hey (1995) summarizes the convention as substantively and procedurally weak. Substantively, it allows rather than requires certain policies; procedurally, it fails to provide effective methods for enhancing the accountability of the different actors involved. The "authoritativeness" of the convention, in the sense of imposing precise rules of conduct in matters of conservation and "sustainable" use of biological diversity has also been challenged (Pallemaerts, 1996).
I focus on specific articles and provisions in the convention that are of direct relevance to the issue under study.

I begin by providing a detailed description of the problem, and mentioning the initiatives the two governments have undertaken to deal with the problem. I also provide information on the rules and incentives that govern wildlife management in both countries, paying specific attention to the existence, or otherwise of opportunities for conflict management, within the context of cross-border cooperation. After a description of the convention, I outline the criticisms and finalize by assessing the applicability of these criticisms to the case under study; and ultimately the implications to the adequacy of the convention.

Background to the problem

Ivory poaching in the 1970's and 1980's caused a catastrophic decline in Africa's elephant population. An estimated population of 1.3 million elephants in 1979 was reduced to about 600 000 in 1989 (Moss, 1995). The introduction of an international ban on ivory trade through the CITES treaty in 1989 reduced ivory prices, and succeeded in reducing elephant poaching. Throughout the decades of ivory poaching, elephants in Amboseli national park in Kenya, were not affected due to protection. Consequently, their age structure is normal, with animals spanning the entire age range from new born calves to old matriarchs in their 60's; and more unusually, many large adult bulls in their 40's and 50's. In most African states there are few males over 25 years old, most having been decimated during the wave of poaching.

Moss (1995), in 1994, identified a prime breeding bull herd of 14 elephants over 40 years and two older than 50 years, six of which were killed by hunters in the Longido game controlled area across the Amboseli in Tanzania between October 1994 and March 1995 Three under licence and three under suspect conditions. The Longido game control area, less than two miles into Tanzania off the Kenya border, has been off limits for hunting since the establishment of an informal agreement in 1988. This policy was changed without prior notification of the Kenyan authorities. To date Tanzania authorities have not stopped elephant hunting despite persistent requests from Kenya.

Although the African elephant is listed as endangered, CITES permits Tanzania, Zimbabwe and South Africa hunting quotas for elephants. It also allows these states to issue permits to export elephant tusks

as hunting trophies. Tanzania, for instance, issues permits to hunters to take up to 50 elephants each year.

Elephant management in Kenya and Tanzania

The wildlife (conservation and management) act (1979) cap 376 of the laws of Kenya is the principle legal instrument for wildlife management and biodiversity conservation in Kenya. Kenya's wildlife Act (amended in 1989), aims at ensuring the conservation of both wild flora and fauna; as well as to ensure that the country's wildlife resources are utilized in a sustainable manner to enhance national economic development.

Widespread poaching led to the enforcement of hunting bans through legal notice No. 120 of May 1997, which was later reinforced by a ban on trade in wildlife and wildlife products through parliamentary Act No. 5 of 1978 and legal notice No. 181 of 21st August, 1979. Presidential directives prohibiting hunting and capture of wildlife in 1984 gave further force. Kenya's ratification of CITES in 1990 signified her ultimate commitment to this goal. Any hunting conducted currently is under the director's special authorization to hunt, which is used chiefly for scientific undertakings and for the establishment of pilot experiments for consumptive wildlife utilization. The emphasis in Kenya is non-consumptive wildlife utilization, revolving around tourist viewing, recreation, education and research. Wildlife conservation is largely influenced by the need to sustain the tourism industry, and conservation is essentially undertaken on the premise that specific components of wildlife generate revenue.

Conflict resolution provisions in the Act are limited to reducing tensions between wildlife and humans in land adjacent to national parks or reserves. The Act does not provide a mechanism for dealing with conflicts at an inter-state level; such mechanisms have involved informal agreements conducted in excess of the Act's provisions. Recent reviews of the wildlife Act (draft wildlife bill, 1996) provide opportunity for cross-border collaboration in management and conflict resolution through section 77, which deals with agreements and covenants necessary for biodiversity conservation. This section permits the wildlife agency to develop agreements, covenants or easements with interested parties for the efficient and sustainable conservation of biological diversity.

The unavailability of Tanzania's current enabling legislation : the wildlife conservation Act of 1979, greatly constrained this aspect of my research. However, a fundamental characteristic of wildlife management in Tanzania is its permission of sport/tourist hunting in defined categories of conservation areas outside the network of national parks. Licensed hunting is permitted within game reserves and game controlled areas, the latter are managed at the regional level and comprise 9% of Tanzania's landmass.

Tanzania has a long history of tourist hunting dating back to the end of the 19th Century. The current hunting structure, developed in the 1960's, comprises of hunting blocks within defined hunting areas (game control areas or game reserves), and allocated to private companies (outfitters) for varying lengths of time. Hunting is the most viable land use in the game controlled areas (Ndolanga, 1996), which when managed at sustainable off-take levels, provides high returns from a low-volume,

exclusively priced market. Tanzania's government imposed a hunting ban between 1973 and 1978, in response to malpractice by outfitters. These included hunting in excess of licencing permits, under-declaration of client numbers, and ultimately the deprivation of the nation of its fair share of revenue. Hunting is currently managed by the department of wildlife which allocates hunting blocks, sets quotas, evaluates quotas, and is responsible for the implementation of relevant legislation. Other department responsibilities with respect to hunting include the issuance of permits, monitoring and verification of the hunting procedure, and the issue of certificate of trophy ownership subject to CITES requirements. Severe (1996) identifies crucial problems in the administration of hunting as: loopholes in the allocation of license to professional hunters; and the need for a coherent hunting policy in order to achieve the dual goal of high standards of operation and sustainable off-take levels. He identifies a specific need for scientific methods in the allocation of hunting quotas.

Tourist hunting is the primary form of wildlife utilization in Tanzania, an industry that has experienced remarkable growth and returns in recent years. Its potential value increased from 4.6 million dollars in 1988 to 13.9 million in 1992/93; with a net value of 6.9 million in 1989 rising to 10.1 million in 1992/93.

Evidently, the incentives compelling wildlife conservation (and by extension elephant management) in both Kenya and Tanzania are dominated by economic considerations: revenue generation to drive economic growth and development. The underlying ideals of wildlife conservation and sustainable utilization are identical; but the paths taken are radically different. Tanzania's priority focus is

consumptive use chiefly sport hunting which includes endangered species; while Kenya's is based on non-consumptive policies revolving around tourist viewing and recreation. Under this conflicting legal and policy structure, the practical implementation of conservation and sustainable use obligations is severely constrained, particularly with regard to free-ranging endangered species.

Convention on Biological Diversity

The United Nations Convention on Biological Diversity, which came into force on 23rd December, 1993 has as its objectives "the conservation of biological diversity, the sustainable use of its components and the equitable sharing of the benefits arising out of the utilization of genetic resources". It was crafted in response to international concern over the rapid loss of biological diversity as a consequence of human activity[3] (Reid, 1989; Wilson, 1989).

The convention contains a preamble, 42 Articles and 2 Annexes whose implementation will rely completely on legislation by individual member states. It does not contain any enforcement mechanisms *per se,* but relies on the voluntary compliance of signatory nations. It does, however, contain provisions regarding the settlement of disputes between contracting parties, involving the interpretation or application of the convention. The convention recognizes that nations have the right to exploit their own resources pursuant to their own environmental policies ,and declares that nations also have the responsibility to ensure that activities within their jurisdiction and control do not cause damage to the

[3]Both affluence and poverty contribute to extinction, through unsustainable consumption patterns....habitat loss, commercial hunting and poaching, predator and pest control, pets and decorative plants, climate change and pollution, and introduced or alien species (Reid and Miller, 1989)

environment of other states or areas beyond their jurisdiction. The convention then places a duty on the parties to conserve biological diversity within and in certain cases, beyond the limits of their national jurisdiction.

The convention establishes two institutions: the conference of parties (COP) and the Secretariat. The COP is designed to keep the implementation of the convention under review by, *inter alia,* establishing the form and the intervals of transmitting information furnished by parties to the convention regarding the effectiveness of the measures they have taken. The secretariat is assigned administrative and secretarial functions for the purpose of serving the COP. The convention requires party states to draw up national plans and legislation to achieve the conservation objectives.

Criticisms of the convention

This section outlines criticisms to specific Articles in the convention relevant to the case at issue. The criticisms focus on substantive and procedural weaknesses inherent in the convention. Substantive weaknesses allow diverse interpretations of the Articles, while procedural flaws undermine the accountability of nation states to the convention. Both hinder efforts to develop a more binding regime to ensure sustainable use of biological diversity.

Bowman (1996) identifies an element of internal tension in the preamble to the convention which reads: *"conscious of the intrinsic value of biodiversity and of the ecological, genetic, social and economic, education, cultural, recreational and aesthetic values of biodiversity".* Although it

offers a multiple justification for biodiversity conservation, the intrinsic and instrumental values of biodiversity are potentially incompatible. While this tension is capable of rational resolution, the convention offers no guidelines on how to rationalize/prioritize the values, and therefore resolution may not be acceptable to differing states.

Despite the preamble's recognition of the intrinsic values of biodiversity, it however assumes human use and benefit as the fundamental purpose for conserving biological diversity, limited only by the requirement of sustainability and the need to benefit future generations. The term "conservation" is not defined, while "sustainable use" is defined in very general terms in Article 2 as: *"the use of components of biological diversity in a way and at a rate that does not lead to the long term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations "*. This definition provides no guidance on how specific resources should be managed, or how the priorities of the present and future generations should be reconciled or valued (Boyle, 1996). It is unlikely to deter states from pursuing development policies which are imprudent and ultimately unsustainable. Contemporary understanding of the term sustainable utilization may imply a variety of key elements, which will emphasize different facets and measures, as dictated by different contextual situations (Johnston, 1996). Consequently, the convention can be variously viewed as advocating for quotas, preservation, restoration, inter-generational equity, monitoring effects of use, etc... Very significantly, the convention also call upon parties to use economic instruments to encourage sustainable use of biodiversity. Hey (1995) observes that the convention does not provide an indication or procedure for how sustainable use of biodiversity can be realized.

Nor is there any indication over what time frame to measure "decline" by, or even what is meant by "adverse impact". Thus the central obligations of conservation and sustainable use are weak, potentially contradictory and may prove difficult to operate in practice.

The greatest source of contention in the biodiversity convention is its emphasis on state sovereignty. By reaffirming in its preamble that *"states have sovereign rights over their biological resources "* the convention contradicts its recognition in another preambular paragraph that the conservation of biological diversity is a *"common concern for human kind".* The legal regime established under the convention is firmly based on national management as laid down in Article 15 (1) which recognizes *"the sovereign rights of states over their natural resources, the authority to determine access to genetic resources rests with the national governments and is subject to national legislation "*. The notion of sovereignty poses insurmountable obstacles when the problems to be addressed are international in nature (Wirth, 1994). From an environmental perspective, political boundaries have little meaning since biodiversity is not bound by national territorial boundaries; yet treaty implementation relies principally on national legislation and strategies. In effect, the convention does not respond to international management of biological resources; but rather seeks to legitimize "international interest" in the conservation and use of biological resources which are within the territorial sovereignty of other states (Marroquin-Merino, 1995; Pallemaerts, 1996).

Another indication of the convention's perfunctory treatment of transboundary issues is that it does not mandate or require inter-state notification or consultation with a view to minimizing harmful effects of

activities within their jurisdiction and control. Article 14 merely calls for parties to *"promote on a reciprocal basis "* notification, exchange of information and consultation by *"encouraging the conclusion of bilateral, regional or multilateral arrangements".* By restricting each party's obligation to those components within the limits of its national jurisdiction (Article 4), the convention places no direct management obligations on a party acting individually with respect to components of biological diversity in another party's jurisdiction (Chandler, 1993). Such obligations are limited to "cooperation",(pursuant to Article 5), on matters of mutual interest.

Although the convention expressly contemplates instances where biodiversity will be destroyed, it does not mandate a liability to such actors, since no consensus was reached that liability and redress should be included in the convention. While Article 14(2) contemplates the establishment of a liability structure, it includes additional language to require *"studies to be carried out"* before considering liability by contracting parties, and also to preclude consideration of a liability if it is of a *"purely internal matter".* Without a strong liability structure, the price to be paid for such destruction of biodiversity will be small, and the goal of efficient preservation will be undermined. Jenks (1992) suggests that striking out the phrase *"except where such a liability is a purely internal matter"* from Article 14 (2), would explicitly create the foundation for a binding liability structure. The problem of liability for the loss of biodiversity remains unresolved under the current structure of the convention.

Regarding enforcement of compliance, the convention provides no real effective mechanisms which ensure compliance with conservation objectives. A formal non-compliance strategy is lacking against a

government which destroys its own biodiversity. Thus the only means of enforcement is via moral persuasion of signatory nations. From both a formalistic and practical perspective, this is where the convention needs most modification. O'Connell (1995) however, argues against enforcement as a means of enhancing compliance, and reasons that enforcement often succeeds after environmental harm has occurred. She also reasons that the fact that the convention has no important, enforceable obligations preclude an enforcement strategy.

Article 27 provides for disputes concerning *"interpretation and application "* of the convention, but the only compulsory method of settlement is negotiation. All else, including resort to arbitration in the international court of justice is optional. The convention offers little assurance that unresolved matters of interpretation can be settled by any third party process.

Article 14 articulates the need to enhance accountability through undertaking Environmental Impact Assessment (EIA) procedures at national level. It however contains weak inter-state reporting procedures, thereby providing inadequate regulatory framework. For instance, Article 14 requires parties *"as far as possible and as appropriate "* to *"introduce appropriate procedures "* requiring EIA of proposed projects that are *"likely to have significant adverse impacts on biological diversity"*. The convention is not specific about the type of activity which must be assessed, nor about the content of the EIA documentation produced, and leaves much room for diverse judgements by different states on what is required. Moreover, the use of the qualifying words *"as far as possible and as appropriate"* may enable parties to avoid EIA when it is not convenient to conduct it. Further,

"program and polices " likely to have adverse impacts on biodiversity do not have to be the subject of an EIA; the convention merely requires parties to ensure that the environmental consequences are taken into account. Implementation of these provisions requires judgment that projects or programs are "likely" to have a "significant" adverse impact. Yet it will often be difficult to know the likelihood and scale of an adverse impact until an EIA has been conducted. This provision for EIA within the convention is weak.

Evaluation of the convention and its criticism with respect to the test case:

The test case presents a model example of the varying interpretations that "sustainable use" is amenable to. Tanzania for instance equates sustainable use with sport hunting and the economic benefits associated with this activity. For Kenya, sustainable use is typically non-consumptive chiefly comprising tourist viewing, and resulting economic benefits. Additional considerations for Kenya include scientific research imperatives, as well as obligations to maintain genetic variability to ensure long term survival of animal species, particularly those listed as endangered. Differences in interpretation result from the different prioritization and weighting of biodiversity values. In addressing this disparity, the convention is decidedly vague and incapable of effecting specific activities. It does not explicitly analyze the values of biodiversity, nor provide guidance as to the relative importance attached to each biodiversity value. Instead it leaves the setting of priorities to individual parties, and does not compel uniformity or give the parties collectively the power to mandate measures. It is imperative that the convention strive towards developing criteria for the measurement of sustainable use.

The omission of elements critical to sustainable use, notably requirements for biological management, or the use of ecosystem approaches to management further weaken the practical application of the convention. For example, if principles of biological/ecosystem management were mandatory under the convention, elephant hunting in Tanzania may not have focused on elephant species, given the low population numbers and the requirements of insuring genetic variability and perpetuation of the species.

Thus under the convention an important next step is to design technical criteria and guidance to improve problem diagnosis, determine priorities and design appropriate solutions. These solutions or best practices, should be adapted to specific sectors and activities within sectors to provide useful guidance to government officials and resource managers. These instruments may be further refined at regional or national level based on experiences and lessons learnt. I distinguish global standards and rules from best practices because the former may not be meaningful given that the losses of biodiversity are multiple, interactive and situation-specific.

By over emphasizing national sovereignty of nation states throughout its entire text, the convention seriously constrains the management of species which range freely across international boundaries. Pursuant to this article, an elephant in Tanzanian territory belongs to Tanzania and is subject to her legislation and policies (hunting) regardless of whether the elephant spends time in Kenya, or regardless of Kenya's investment in the conservation, protection and management of the elephant. Further, the convention loosely invokes the issue of cooperation in Article 5: *"shall cooperate as far as possible and as appropriate......in respect of areas beyond national jurisdiction and on other matters of*

mutual interest... ". The informal agreement of 1988 between Kenya and Tanzania, effecting a moratorium on elephant hunting in the two mile zone of Longido game controlled area fits this description. However, it is insufficient for the conservation and sustainable use of biological diversity. Tanzania has since changed its policy without notification of Kenyan authorities. By emphasizing national sovereignty, the convention clearly does not seek to internationalize the ownership of biological resources, thus compromising biodiversity conservation. By this token, Kenya cannot object to Tanzania's elephant hunting activity because it is within Tanzania's territory, although it clearly has negative impacts on biodiversity conservation.

The lack of liability structures within the convention's articles is notable; and is further complicated by the qualification that in the event that a liability structure is implemented it would preclude those matters that are purely internal in nature. In this case Tanzania's action would be considered purely internal, and Kenya would not be able to seek compensation. The lack of an enforcement mechanism in the convention, further erodes its effectiveness. It is thus important that an enforcement mechanism be instituted and inspection teams for the purpose of actively monitoring and verifying the implementation of the convention be established. Reliance on moral obligations of compliance constitutes a weak check, unless supported by elaborate protocols or series of protocols providing for detailed follow-ups and regulations. Reliance on negotiation as a compulsory dispute resolution strategy limits the convention's dispute resolution capability. In the case of Kenya and Tanzania, after the failure of the hunting moratorium which was essentially developed through a negotiation process, the logical recourse for either party would be through a third party. The convention needs to strengthen third party dispute

resolution mechanisms, to increase the range of options available to affected contracting parties.

While the convention in Article 14 requires Environmental Impact Assessments of the effects of proposed projects, it treats very "shallowly" the prospects of activities from one state which is likely to have an impact on states beyond its jurisdiction, by encouraging development of bilateral arrangements as appropriate. Interpreting this to the Kenya-Tanzania situation shows that Tanzania is not obligated to conduct an EIA, and nor to consult with Kenya over the environmental impacts of hunting migratory elephants. The provisions of Article 14, as mentioned in the previous section, are insufficient to elicit accountability between nation states. The avoidance of long term decline is dependent on making the provisions binding through the removal of the qualifying terms- *"as appropriate, and as far as possible "*.

CONCLUSION

Drawing from the criticisms, and from this assessment of the applicability of the convention to on-ground conservation and sustainable use of biological diversity, it is evident that the convention's prescriptions are difficult to implement. Though they represent conservation values/ideals which nations must strive to achieve, they are constrained by not outlining specific management measures, and further by not developing tools for monitoring and instigating action at the national level. For instance, the convention does not establish criteria for measuring progress towards biodiversity conservation, and requires no specific actions to slow the loss of species and habitats. Thus translating these prescriptions to specific management goals is difficult. The measures for biodiversity management mentioned in

Article 8, are too generalized, and represent a broad range of what constitutes biodiversity conservation. These are left to individual states to implement *"as far as possible and as appropriate"*. The convention thus leaves the setting of priorities and the choice of methods to individual parties, and as earlier mentioned does not compel uniformity. It is no wonder that both Kenya and Tanzania have adopted different biodiversity management strategies, and disparate interpretations, in spite of both being party states.

In evaluating the adequacy of the convention, it is worthwhile to reflect on considerations beyond the substantive and procedural issues, to features which fundamentally influence these issues: financing and treaty negotiation process. The former has implications for implementation, whilst the latter influences the substance and structure of the treaty. Lack of financial resources constrains the capacity of states to comply with rules, for example, monitoring the hunting exercise is a costly exercise for Tanzania. It cannot be achieved without substantial finances. Providing funds in the environmental arena is important, especially for gaining and ensuring compliance.

The structure and content of treaty law is based on the principle of consent: a state cannot be bound without its consent. Consent is driven by the need to balance diverse political and economic interests, sovereignty topping the list. In crafting the biodiversity convention, sovereignly played an important part; most states are reluctant to create an international institution that would usurp powers incidental to their sovereignty. Hence the convention's provisions do not impose precise legal rights and duties on member states, but confers immense discretionary powers to member states. The need for unanimous

consent, and by implication the need to balance diverse and often competing interests, to a large extent explains the ambiguity of the convention's provisions. Ambiguity secures agreement where it otherwise may not be achieved.

Palmer (1992) advocates the Proleptic technique, which avoids the rule of unanimous consent, for the crafting of international treaties. He suggests the creation of an international legislative procedure which creates binding rules for everyone. Such a procedure binds all members if a fraction (usually two thirds) of that membership adopts and ratifies an amendment. He recommends the creation of strong incentives to steer the behavior of nations in the appropriate direction, and to keep them bound to the rules. While this approach eliminates the burden of unanimous consent, it still requires a certain level of consent.

Clearly, the heavily qualified wording of the convention's central articles, including frequent use of the words "as far as possible" and "as appropriate", which undermine the authority of the convention, are artifacts of the treaty negotiation process. Thus, the convention's importance does not lie in articulating binding norms of conduct, but rather in establishing a global conceptual framework for conservation policies and measures.

REFERENCES:

Bowman, M. 1996. The nature, development and philosophical foundations of the biodiversity concept in international law. *In: Bowman, M and Redgewell, C. 1996 (eds.) International law and the conservation of biological diversity.* Kluwer law international.

Boyle, A.E. 1996. The Rio convention on biological diversity. *In: Bowman, M and Redgewell, C. 1996 (eds.) International law and the conservation of biological diversity.* Kluwer law international.

Jenks, D.T. 1995. The convention on biological diversity- Efficient framework for the preservation of life on earth? *15 Journal of International law and Business.*

Johnston, S. 1996. Biodiversity and international law. *In: Bowman, M and Redgewell, C. 1996 (eds.) International law and the conservation of biological diversity.* Kluwer law international.

Kenya Wildlife Service. 1997. A draft wildlife bill for Kenya.

Kenya, Republic of. 1977. The wildlife (conservation and management) Act. Chapter 376. Laws of Kenya. Government Printer, Nairobi.

Kimball, L.A. 1995. Is a United Nations convention the most appropriate means to pursue the goal of biological diversity?: The Biodiversity Convention: How to make it work. *28 Vanderbilt Journal of Trans National law 763.*

Moss, C. 1995. A case for the protection of Amboseli's bulls. *Swara* magazine, March-April, 1995.

Ndolanga, M.A. 1996. The department of wildlife's perspective on tourist hunting in Tanzania. *In: Leader-Williams, N., Kayera, LA. & Overton, G.L. 1996 (eds.). Tourist hunting in Tanzania.* Occasional paper of the IUCN species survival commission. No. 14. The World Conservation Union.

Pallemaerts, M. 1996. The future of environmental regulation: International environmental law in the age of sustainable development: A critical assessment of the UNCED process. *15 Journal of Law and Commerce 623.*

Palmer, G. 1992. New ways to make international environmental law. *86 American journal of international environmental law 259.*

Severre, E.L.M. 1996. Administration of hunting in Tanzania. *In: Leader-Williams, N., Kayera, LA. & Overton, G.L. 1996 (eds.). Tourist hunting in Tanzania.* Occasional paper of the IUCN species survival commission. No. 14. The World Conservation Union.

Snape, W J. and Houck, O.A. 1996. Biodiversity and the law. Island press.

Tinker, C. 1995. Is a United Nations convention the most appropriate means to pursue the goal of biological diversity?: responsibility for biological diversity conservation under international law. *28 Vanderbilt Journal of Trans National law 777.*

Tinker, C. 1995. The "Rio" environmental treaties colloquium: A "new breed" of treaty: The United Nations convention on biological diversity. *13 Pace environmental law review 191.*