

## **Justice for Houbara Bustards**

By the time this article appears in the press, some one thousand Houbara Bustards would have been officially annihilated by our family friends from Qatar. These massacres, most obsequiously facilitated by the Pakistan government factually end up killing the innocent birds many times more than the permitted limit. Only two years back, a Saudi prince went on a wild rampage killing 2000 Houbara Bustards against his bag limit of 200. There are few who have the courage to stand up and take action, for the violators also happen to be the imaginary 'pillars' of our foreign policy.

Taxonomically classified as *Chlamydotis Macqueenii*, some 30,000 of these exquisitely beautiful and peaceful birds arrive in Pakistan every year, enriching our harsh and arid ecosystem with their breathtaking beauty, serenity and joyful presence. Little do they know that for many of them this would be the last winter of their lives. The global population of this species has been estimated between 78,960 and 97,000, as reported by the International Union of Conservation of Nature (IUCN) in the IUCN Red List of Threatened Species. For Pakistan to knock out a few thousand of these birds every year is an unforgivable crime against the global eco-system.

Loaded with contradictions and inaccuracies, the laws in Pakistan do more harm than good in protecting the visiting birds. Being a member of IUCN and a signatory to the Convention on Migratory Species of Wild Animals (CMS), Pakistan is bound to take necessary steps to conserve such dwindling species and their habitats. Notwithstanding the scientific evidence showing the vulnerability of the species, the Governments of Balochistan, Sindh, Punjab and Pakistan, contrary to their obligations, have taken measures that would hasten the extinction of the Houbara Bustard.

Taking full advantage of these self-designed legal loop-holes, the Government of Pakistan every year drops all fig leaves of self-respect, ethics and environment to manufacture scores of 'killer permits' for its Middle Eastern friends. A clever and convoluted system has been designed to dilute this crime. The Prime Minister gives his consent. The Foreign Ministry issues a letter to the concerned embassy, allocating areas and defining a code of killing. The Wild Life Departments use the Foreign Ministry's letter as an excuse to look the other way.

It is in this background of continued killings that the August 2015 judgment of the 3 member bench of the Supreme Court (SC) arrived like a breath of fresh air. It declared in no uncertain words that "neither the Federation nor a Province could grant license/permit to hunt the Houbara Bustard". The judgment also asked the Provinces to "amend their respective wildlife laws to make them compliant with the CMS as well as the Convention on International Trade in Endangered Species (CITES) and not to permit the hunting of any species which is either threatened with extinction or categorized as vulnerable".

The SC judgment provided a brilliant opportunity to explain and take a position on why Houbaras could no longer be hunted. Sadly the government looked for a by-pass arrangement to hoodwink the law and please the predators. The government now started issuing "partridge hunting" licences to Arab royals. The locals however confirm that what was killed were not partridges. BBC reported several eyewitnesses describing the bustard-hunting sessions that took place after the ban, in the remote desert town of Nurpur Thal and the village of Mahni in Bhakkar district.

Simultaneously the government asked the Supreme Court to review its judgment that placed a ban on hunting of Houbaras. This was done by enlarging the SC bench, enhancing the scope of the review and replacing some of the original judges. The review court set aside the earlier judgment and asked for 'hearing afresh' of the Civil and the Constitutional Petitions. This order was passed by a majority of four to one, with Justice Qazi Faez Isa dissenting.

The people of Pakistan have been deeply pained by the unending killing of Houbaras, destruction of our eco-system, arrogance of the predators, and the submissiveness of the government. When asked under the Freedom of Information Act to give the number of hunting permits it had issued in the last five years, the Foreign Office blatantly denied having ever issued a permit. Years of engaging in an unlawful activity had clearly taken a heavy toll of our institutional morals and attitudes. Our only hope is for the Supreme Court to redeem its promise and 'hear afresh' the Houbara case. At stake are the lives of the diminishing Houbaras and our questionable commitment to international law and conventions.

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