

February 13, 2020

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**Re: CITES Decision Regarding Transport of African Elephants from Zimbabwe and Botswana**

Dear Mr. Sindi, Dr. Al-Shebl, Mr. Albrecht, Mr. Hojland, Mr. Mueller, and Mr. Al-Jasser:

On October 24, 2019, SAUDIA Airlines, via its subsidiary, SAUDIA Cargo, shipped 32 live, wild-caught African elephants from Victoria Falls Airport in Zimbabwe<sup>1</sup> to China on flight number SV3049.<sup>2</sup> We write to inform you of a decision approved by the parties to the

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<sup>1</sup> Roland Oliphant, *Young elephants flown out of Zimbabwe after being 'secretly' removed from national park*, The Telegraph, Oct. 24, 2019. Available at: <https://www.telegraph.co.uk/news/2019/10/24/young-elephants-flown-zimbabwe-secretly-removed-national-park/>.

<sup>2</sup> *Zim Baby Elephants: from the comfort of the jungle to 'steel prisons' in China*, The Standard, Nov. 10, 2019. Available at: <https://www.thestandard.co.zw/2019/11/10/zim-baby-elephants-comfort-jungle-steel-prisons-china/>.

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) that restricts future shipments of this nature. Specifically, the transport of live, wild-caught elephants from Zimbabwe and Botswana is now limited solely to countries within the species' natural and historical range in Africa, with certain narrow exceptions. We respectfully request that SAUDIA Airlines adopt a policy consistent with the CITES decision, which, at a minimum, prohibits the shipment of live, wild-caught African elephants to countries outside the species' natural and historical range. Such a policy could include narrow exceptions when such transfer will provide demonstrable in-situ conservation benefits for African elephants, or in the case of temporary transfer in emergencies as determined by the CITES Secretariat.

CITES was enacted to protect imperiled wildlife by regulating international trade in endangered and threatened animals and plants. International trade in wildlife is regulated under CITES by the listing of imperiled species on one of three Appendices. African elephants in Zimbabwe, Namibia, South Africa, and Botswana are listed on CITES Appendix II, which limits trade to avoid uses that are incompatible with the species' survival. The listing of elephants in Zimbabwe and Botswana includes an annotation<sup>3</sup> allowing live elephants to be exported to "appropriate and acceptable destinations." Pursuant to this annotation, Zimbabwe has captured live baby elephants from the wild and exported them to zoos and entertainment facilities in China and elsewhere.<sup>4</sup>

At the 18th meeting of the CITES Conference of the Parties held in August 2019, the parties to the Convention voted to modify the definition of "appropriate and acceptable destinations" contained in Resolution Conf. 11.20 (Rev. CoP17) to encompass only in-situ conservation programs or secure areas in the wild. The revised definition thereby restricts shipments of wild-caught elephants from Zimbabwe and Botswana to foreign countries outside the species' natural and historical range, with certain narrow exceptions. This revised definition became effective on November 26, 2019.<sup>5</sup> Specifically, the decision states:

[W]here the term "appropriate and acceptable destinations" appears in an annotation to the listing of *Loxodonta africana* in Appendix II of the Convention with reference to the trade in live elephants (*\* Excluding elephants that were in ex-situ locations at the time of the adoption of this resolution at CoP18*) taken from the wild, this term shall be defined to mean *in-situ* conservation programmes or secure areas in the wild, within the species' natural and historical range in Africa, except in exceptional circumstances where, in consultation with the Animals Committee, through its Chair with the support of the Secretariat, and in consultation

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<sup>3</sup> Annotations define which commodities are covered by the listing or are excluded from it.

<sup>4</sup> See, e.g., Jane Flanagan, Baby Elephants Torn From Mothers and Shipped 7,000 Miles to China, *The Times*, Feb. 9, 2019. Available at: <https://www.thetimes.co.uk/article/baby-elephants-drugged-and-sent-to-china-dgd37svw3>; Humane Society International, Video: Elephant Experts Condemn Zimbabwe's Inhumane Capture of Wild Baby Elephants for Chinese Zoos as Video Emerges Showing Animals in Distress, Feb. 25, 2019. Available at: <https://conservationaction.co.za/resources/reports/new-video-zimbabwes-35-captured-baby-elephants-terrified-in-pens/>.

<sup>5</sup> Res. Conf. 11.20 (Rev. CoP18).

with the IUCN elephant specialist group, it is considered that a transfer to *ex-situ* locations will provide demonstrable *in-situ* conservation benefits for African elephants, or in the case of temporary transfer in emergency situations[.]

See Attachment 1 (emphasis in original).

This amendment reflects a growing international consensus that the forcible capture and removal of wild elephants from their home ranges and social groups for export to zoos and entertainment facilities is unethical, and provides no direct *in situ* conservation benefits.<sup>6</sup> Elephants suffer both physically and psychologically from capture and captivity. Elephants are extremely intelligent, sentient animals, with a highly organized social structure. Young elephants are dependent on their mothers and their herds to acquire necessary social and behavioral skills. Disruption of this bond is highly traumatic for both the calves and remaining herds.

Young elephants often face horrific abuse during the capture process. The captors shoot tranquilizer darts from a helicopter at the young elephants, and then maneuver the helicopter to drive away the rest of the herd. Footage of wild-caught baby elephants in Zimbabwe shows calves being beaten and kicked during capture. Some elephants die before being shipped, during transit, or shortly after arrival. According to a paper presented at the sixty-ninth meeting of the CITES Standing Committee, “captured calves transported to holding facilities suffer depression, lethargy, anxiety, increased stress, intra-specific aggression, and a diminished or non-existent appetite, sometimes resulting in death or contributing to premature mortality. Training in temporary facilities may include food and/or light deprivation, restriction of movement, forcing the animal into an uncomfortable position for extended periods of time, and regular beatings.”<sup>7</sup>

Zoos are increasingly choosing not to house elephants because they cannot meet the species’ significant physiological, behavioral, and social needs. Elephants in captivity have shorter lifespans and breed poorly, if at all.<sup>8</sup> Elephants require adequate space to express natural foraging behavior and to form natural social groups of their own choosing, which zoos cannot provide.<sup>9</sup> Individuals who reach adulthood do not have the opportunity to express species-

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<sup>6</sup> IUCN SSC AfESG: Statement on the removal of African elephants for captive use. Mokuti Lodge, Namibia, 2003. Available at: <https://www.iucn.org/ssc-groups/mammals/african-elephant-specialist-group/afesg-statements/removal-african-elephants-captive-use>.

<sup>7</sup> SC69 Inf. Doc. 36, Challenges to CITES Regulation of the International Trade in Live, Wild-Caught African Elephants (2017) at 2. Available at: <https://cites.org/sites/default/files/eng/com/sc/69/inf/E-SC69-Inf-36.pdf>.

<sup>8</sup> G.J. Mason and J.S. Veasey, *What Do Population-Level Welfare Indices Suggest About the Well-Being of Zoo Elephants?* 29 *Zoo Biology* 256 (2010); J. Saragusty, et al., *Skewed Birth Sex Ratio and Premature Mortality in Elephants*, 115 *Animal Reproduction Science* 247 (2009); R. Clubb, et al., *Compromised Survivorship in Zoo Elephants*, 322 *Science* 1649 (2009).

<sup>9</sup> R. Clubb and G. Mason, *A Review of the Welfare of Zoo Elephants in Europe*, RSPCA Report University of Oxford (2002); B.L. Greco et al., *Why pace? The influence of social, housing, management, life history and demographic characteristics on locomotor stereotypy in zoo elephants*, 194 *Applied Animal Behaviour Science* 104 (2017).

typical behavior, often display behavioral abnormalities, and tend to die of diseases and disabilities caused by captive conditions, such as joint disorders and foot disease.<sup>10</sup>

Moreover, illicit trade in elephant ivory is threatening the existence of African savannah and forest elephants. From 2009 to 2012, it is estimated that over 100,000 elephants were poached across Africa, with estimates ranging from 30,000 to 40,000 per year.<sup>11</sup> Zimbabwe's elephant population has declined by six percent since 2001, according to the survey by the Great Elephant Census, and poaching remains a concern in the country, especially with the high numbers of elephants poisoned over the last several years.<sup>12</sup>

Despite the decision by the majority of CITES parties to limit trade in wild-caught African elephants, Zimbabwe has flouted the vote of the international community by continuing to ship elephants outside the species' range after the decision went into effect. In January 2020, Zimbabwe shipped two young, wild-caught African elephants to Pakistan.<sup>13</sup> This action came after Zimbabwe informed the CITES Secretariat that the country "reserves its right" not to comply with Resolution Conf. 11.20 (Rev. CoP18), despite the fact that CITES does not allow parties to take reservations to resolutions, and after Botswana, the Democratic Republic of Congo, Eswatini, Namibia, the United Republic of Tanzania, and South Africa all declared that they were not in a position to implement Resolution Conf. 11.20 (Rev. CoP18).<sup>14</sup> Notably, all these countries are parties to CITES. Such defiance of the vote of the international community should not be facilitated by SAUDIA Airlines.

We therefore respectfully request SAUDIA Airlines to adopt a policy that prohibits the shipment of live, wild-caught African elephants to countries outside the species' natural and historical range, except when such transfer will provide demonstrable in-situ conservation benefits for African elephants, or in the case of temporary transfer in emergencies as determined by CITES authorities.

Thank you for your attention to this matter. If you have any questions or if there is any additional information we can provide, please do not hesitate to contact me.

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<sup>10</sup> M.A. Miller et al., *Housing and Demographic Risk Factors Impacting Foot and Musculoskeletal Health in African Elephants [Loxodonta africana] and Asian Elephants [Elephas maximus] in North American Zoos*, 11 PLoS ONE e0155223 (2016); L.K. Richman, et al., *Clinical and Pathological Findings of a Newly Recognized Disease of Elephants Caused by Endotheliotropic Herpesviruses*, 36 Journal of Wildlife Diseases 1 (2016); S.K. Mikota and J.N. Maslow, *Tuberculosis at the humane animal interface: An emerging disease of elephants*, 91 Tuberculosis 208 (2011).

<sup>11</sup> C. Nellemann et al., UNEP-INTERPOL, *The Rise of Environmental Crime: A Growing Threat to Natural Resources, Peace, Development and Security* 46 (2016).

<sup>12</sup> M.J. Chase et al., *Continent-wide survey reveals massive decline in African savannah elephants*, 4 Peer J. e2354 (2016). Available at: <https://doi.org/10.7717/peerj.2354>.

<sup>13</sup> Oscar Nkala, *Zimbabwe Baby Elephants Smuggled to Pakistani Zoo*, Jan. 6, 2020. Available at: <https://networkforanimals.org/uk/zimbabwe-baby-elephants-smuggled-to-pakistani-zoo/>.

<sup>14</sup> Notification No. 2019/077, Reservations with Reference to the Amendments to Appendices I and II of the Convention and Related Communications (Dec. 20, 2019).

Sincerely,

A handwritten signature in black ink that reads "Johanna Hamburger". The signature is written in a cursive style with a large initial "J".

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