

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Thirty-first meeting of the Animals Committee
Geneva (Switzerland), 13-17 July 2020

Interpretation and implementation matters

Regulation of trade

Definition of the term 'appropriate and acceptable destinations'

INTERNATIONAL TRADE IN LIVE AFRICAN ELEPHANTS

1. This document has been submitted by Burkina Faso and Niger.^{*}, #

I. Introduction

2. An Information Document¹ submitted to the 69th meeting of the CITES Standing Committee (SC69 Inf. 36) by Burkina Faso and Niger provided a thorough summary and analysis of information on the legal implications, biological impacts and welfare effects of the trade in live African elephants. The report included a number of case studies highlighting the challenges for CITES Parties to adequately provide appropriate and acceptable destinations for wild caught African elephants and their ability to effectively implement Resolution Conf. 11.20.
3. Decision 18.153 adopted at the 18th meeting of the Conference of the Parties (CoP18, Geneva, August 2019) states that “the Secretariat shall consult with Parties whose elephants are listed in Appendix II and who have exported wild caught elephants to a non-elephant range State since CoP11 on their implementation of Resolution Conf. 11.20 on Definition on the term ‘*appropriate and acceptable destinations*’, in particular considering the role and responsibility of the State of export in Article IV and Resolution Conf. 16.7 (Rev. CoP17) on *Non-detriment findings*, and provide the information received to the Animals Committee, for its consideration”. However, the current provisional agenda for the Animals Committee’s 31st meeting (AC31) does not include Decision 18.153.
4. Parties also adopted Decision 18.155 on Definition of ‘appropriate and acceptable destinations’ directing the Animals Committee to:
 - a) prepare non-binding best practice guidance on how to determine whether “the trade would promote in situ conservation”, in line with the provisions of paragraph 2 b) of Resolution Conf. 11.20 (Rev. CoP18), in consultation with the Secretariat;
 - b) building on the existing non-binding guidance contained in document CoP18 Doc. 44.1, prepare more detailed species-specific guidance for living specimens of African elephants and southern white

^{*} The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

[#] Benin indicated after the document deadline that they wished to be listed as a co-author of this document.

rhinoceros, in consultation with relevant experts (including species and zoological facility experts) and the Secretariat; (emphasis added)

5. At CITES CoP18, Parties also agreed an amendment to Resolution Conf. 11.20 (Rev. CoP17) that, the only recipients that should be regarded as “*appropriate and acceptable*” for African elephants caught from the wild in Appendix II countries are “*in situ conservation programmes or secure areas in the wild within the species’ natural and historical range in Africa*” (emphasis added). The only exceptions to this are “*exceptional circumstances where, in consultation with the Animals Committee, through its Chair with the support of the Secretariat, and in consultation 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*” and “*temporary transfers in emergency situations*”.
6. This document provides information on exports from the four countries involved in the trade in live African elephants since 2010 - Zimbabwe, Namibia, Eswatini and Tanzania - with the aim of informing discussions by the Animals Committee at its 31st meeting pertaining to 18.155, as well as its consideration of Decision 18.153. Information on this trade comes from two sources. The CITES Trade Database² records export and import information supplied by Parties up to 2018, and notes that 162 live wild-caught African elephants (*Loxodonta africana*) were exported directly from Africa to zoos and circuses in *ex situ* countries during 2010 to 2018. Information on exports during 2019 has been drawn from contemporary media reports and from additional investigations; these sources indicate that a further 32 were exported from Zimbabwe to China in October 2019.³ The nature and impacts of these exports are described in more detail in the sections below.

II. Exports of live elephants from Africa since 2010

7. An analysis of data from the CITES trade database, and adding the latest exports in October 2019, shows that since 2010, the overwhelming majority of live elephants exported from Africa came from Zimbabwe (144 elephants), followed by Namibia, 24; Eswatini (formerly Kingdom of Swaziland), 17; and Tanzania, 9. Most of the elephants were imported by China, 147; then Mexico, 18; United States of America, 17; Cuba, 6; United Arab Emirates, 4; and The Republic of Korea (South Korea), 2.

Zimbabwe

8. According to the CITES trade database, and information on the latest 2019 exports, between 2012 and 2019, Zimbabwe exported 140 juvenile elephants to China, and 4 to the United Arab Emirates. Of these, some 22 are now dead or presumed to be dead. Reports indicate that many others have died in the process of capture and preparation for export; the details provided in text below were obtained from a variety of media and investigative reports cited in this document. In total, there have been six separate exports:

Year	Elephants exported	Destination	Dead/ Presumed Dead
2012	8	China	7
2015	27	China	12
2016	35	China	3
2017	38	China	0
2018	4	UAE	0
2019	32	China	(5 left in camp)

9. Since 2012, the pattern for the capture and exports of African elephants has always been the same – juvenile elephants ranging in age from two years or less (as appeared to be the case with the October 2019 exports)⁴ to seven years are all captured from wild herds within Zimbabwe’s largest national park, Hwange. If the age estimates of the youngest elephants in this range - less than two years old - were accurate, this is below the age of weaning (see the sections on the 2012 and 2017 exports below) and removal from their families would be thus life-threatening. The method uses a helicopter from where shooters dart the young elephants. The helicopter is then deployed to drive away the rest of the herd as a ground crew moves in to winch the sedated elephants onto trailers before the herd returns. The young elephants are then loaded onto waiting crates and trucked to pens at a holding facility, Umtshibi, near Hwange’s Main Camp, and quarantined for a few months before being flown on a cargo plane to China or UAE.⁵ Once in China, after another few months at a quarantine facility, they are separated and sent to a variety of zoos, animal parks and circuses across the country.⁶ In the UAE, the elephants were put on display at Dubai Safari.⁷

10. During the transport, quarantine and capture processes, many young elephants have been injured, or became ill or very weak. The mortality rate is high; at least 20 elephants are known to have died during the period of exports, as described below.
11. All the exports have been characterised by a lack of transparency. The captures and transportation have always been conducted in secrecy, and there have been reports that high-level government members have been using the money to pay off government debts.⁸ Most of the information available (photographic and documentation) has come from undercover investigations, further illustrating the opaque, sensitive and secret nature of these transactions.

The 2012 export (8 elephants)

12. While Zimbabwe has exported live elephants internationally for a number of decades, the first elephant exports to China began in 2012 when eight calves, some as young as two years old, were captured and transported. Two years of age is very close to the minimum age of weaning in elephants. Only four of these calves were ever seen on public display – the other four presumably died during transport. Taiyuan Zoo in China's Shanxi province, and Xinjiang Safari Park near Guangzhou, each received two calves, but three of these calves died relatively shortly after arrival.⁹ The last survivor is currently at the Taiyuan Zoo. He has been kept in a barren, restricted space, without companionship. Expert analysis of photographs of the calf indicates him to be emaciated, possibly due to poor nutrition or intense parasites. His skin appeared to be very dry and irritated, with multiple skin sores that were the result either of injuries sustained during transport or from parasites, chronic stress, improper nutrition, viral infection, and/or the inadequate conditions in which he is kept.¹⁰

The 2015 export (27 elephants)

13. Zimbabwe exported 27 elephants to China in 2015, but only 24 elephants arrived at their final destination.¹¹ The disposition of the three missing elephants is unknown, but it is likely they died during transportation. This export came just after a National Geographic exposé in December 2014, which reported that a total of 36 elephants had been captured. One elephant was known to have died during the capture process,¹² while it is possible a further 8 died during quarantine at Umtshibi.

The 2016 export (35 elephants)

14. In 2016, 35 elephants were exported but only 33 arrived in China. Photos released by the Shanghai Wild Animal Park in April 2017 show the elephants kept in an enclosure with concrete floors.¹³ The Chinese Quarantine Bureau noted in its records, that one elephant intended for Shanghai Wild Animal Park died during transit from Zimbabwe. Only twelve of the sixteen remaining animals destined for Shanghai Wild Animal Park arrived, according to information on the Park's social media. It was reported in June 2017 that the other four animals were expected to arrive at Lehe Ledu Zoo in the Chongqing area in Western China, but in September 2017 Chinese press reported that only three had arrived. It was also reported that the elephants travelled for more than 30 hours from Shanghai, where they had been kept in quarantine for ten months.¹⁴ In November 2016, high ranking members of Zimbabwe Parks and Management Authority (ZimParks) along with the Chief Inspector of the Zimbabwe National Society for the Prevention of Cruelty to Animals (ZNSPCA), travelled to China to assess facilities where elephants were destined to be sent. It was their second such visit within a year. Eight facilities were assessed for compliance with the requirement that they qualify as "appropriate and acceptable destinations" that were "suitably equipped to house and care for" African elephants in accordance with CITES requirements. The inspectors expressed concerns over the poor treatment and unacceptable facilities for elephants.¹⁵ Nevertheless, the exports were authorized by the Minister of Environment.

The 2017 export (38 elephants)

15. In October 2017, The Guardian published video and photographic footage showing the August 2017 capture of fourteen young, wild elephants in preparation for another export to Chinese zoos. It reported: "In the most disturbing part of the footage, a small female elephant, likely around five years old, is seen standing in the trailer....the animal still groggy from the sedative, is unable to understand that the officials want her to back into the truck, so they smack her on her body, twist her trunk, pull her by her tail and repeatedly kick her in the head with their boots". The footage showed that the captured animals were frightened, apprehensive, and stressed. In the holding pens at Umtshibi, photographic and video evidence shows the elephants huddling together. Most were aged between two and four,¹⁶ some still under normal weaning age and others probably still in the weaning process.¹⁷ A total of 40 elephants were captured during this period but only 38

were exported – a two-year old was left behind unseen hiding in his pen, and another was injured. Both were sent to a wildlife rescue facility in Zimbabwe.

The 2018 export (4 elephants)

16. Dubai Safari imported 4 wild-caught juvenile elephants from Zimbabwe in 2018.¹⁸ The sale replaced the 5 elephants due to be exported from Namibia in 2017, a transaction that fell through after the Namibian environment ministry halted their export over concerns about the capture and transportation methods and, according to the Environment Minister, Pohamba Shifeta, that Dubai Safari failed to meet the standards to suitably house and care for them.¹⁹

The 2019 export (32 elephants)

17. In May 2019, a Zimbabwean law firm filed a lawsuit requesting details of the exports to China and stating that any live elephant export was in breach of the Zimbabwean constitution.²⁰
18. Nonetheless, despite increasing controversy surrounding Zimbabwe's elephant exports and before the lawsuit was resolved, on 24th October 2019,²¹ 33 young elephants that had been captured in 2018 were transported from Umtshibi to Victoria Falls International Airport. Just before the Saudia cargo plane departed for China, one elephant had to be offloaded for health reasons. Four other elephants apparently were left behind in the holding pens, also due to health reasons.²²
19. In the days before the transport, the Zimbabwe Society for the Prevention of Cruelty to Animals (ZNSPCA) was denied access to the captive elephants. The ZNSPCA is constitutionally permitted to access any part of the country if they suspect maltreatment of animals. An urgent application for access was submitted, and an interdict filed before the export, but ZimParks went ahead despite the legal process. In a press statement, the ZNSPCA said it “remains gravely concerned as to the obstruction, secrecy and lack of transparency on the part of ZimParks. The total disregard for animal welfare and the rule of law are a worrying development.” The ZNSPCA has since called “for a full-scale investigation into the conduct of ZimParks and its officers by all relevant authorities”.²³ The 32 elephants landed in Shanghai after a 24-hour journey via Riyadh. At the time of writing (May 2020), they were situated in the newly built Longemont Animal Park near Hangzhou. Undercover video footage shows the elephants separated from each other in barren, indoor cells. Many appear to be very young (2-3 years).²⁴ Recent photographic evidence from China indicates that the elephants have undergone inhumane training by mahouts, presumably to prepare them for entertainment use.²⁵ There are unconfirmed reports that some of the elephants are going to Yongyuan Biotech Company.²⁶ The reason remains unknown. The five elephants that remained behind in Zimbabwe are, according to the ZNSPCA, no longer at Umtshibi. Their fate remains unknown, but it is likely they died. The ZNSPCA have since approached the Zimbabwean Anti-Corruption Unit to take a legal case out against ZimParks.²⁷

Compliance of the 2019 exports with CITES provisions

20. In accordance with annotation 2 to the listing of *Loxodonta africana*, Zimbabwe can export live elephants only to “appropriate and acceptable destinations”, as defined in Resolution Conf. 11.20, which came into effect in 2000. In the original resolution, which was in effect until 2016, “appropriate and acceptable destinations” were defined as “*destinations where the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it*”. Accordingly, live elephant exports from Zimbabwe were (and still are) subject to this provision. The definition has been revised twice since 2016 with additional provisions. At the 17th meeting of the Conference of the Parties (CoP17, Johannesburg, Sept-Oct 2016) a provision was added whereby the CoP “AGREES that... *the Scientific Authorities of the State of import and the State of export are satisfied that the trade would promote in situ conservation*”. At CoP18 (Geneva, August 2019), Parties amended Resolution Conf. 11.20 (Rev. CoP17) again, whereby the CoP:

AGREES that where 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 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 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 transfers in emergency situations.

21. In accordance with Resolution Conf. 4.6 (Rev. CoP18), and its predecessor, Resolution Conf. 4.6 (Rev. CoP17), CoP recommendations in Resolutions and Decisions “*enter into effect 90 days after the meeting at which they are adopted, unless otherwise specified in the recommendation concerned*”. Thus, the amendment to Resolution Conf. 11.20 (Rev. CoP17) adopted at CoP18 was considered by the CITES Secretariat to enter into effect on 26 November 2019.²⁸ The provision in Resolution Conf. 4.6 aligns the entry into effect of CoP recommendations with Article XV 1 (c) of the Convention, which provides that “*amendments [of Appendices I and II] adopted at a meeting shall enter into force 90 days after that meeting for all Parties except those which make a reservation in accordance with paragraph 3 of this Article*”.
22. As a matter of principle, the 90-day period is not intended as a loophole for rapid disposal of extant stocks or allowing last-minute exports of specimens which would otherwise be prohibited, but instead to allow for the passing of any necessary legislation or regulations to bring national rules into line with the Treaty. In view of the amendment to Resolution Conf. 11.20 (Rev. CoP17) adopted at CoP18 regarding the term “appropriate and acceptable destinations”, as well as the express recognition by the Parties adopted in the preamble “*that elephants are highly social animals and that removal of elephants from their social groups disrupts wild populations and has detrimental effects on the physical and social well-being of elephants removed from these groups*”, the export of 32 live elephants by Zimbabwe in October 2019 not only contravened the will of the CITES Parties, it undermined the good faith and the spirit of the Convention.
23. Notwithstanding the above, we consider the exports of live elephants in October 2019 also contravened the provisions under Resolution Conf. 11.20 (Rev. CoP17), in effect from 2016. As already noted, under this version of the Resolution, “appropriate and acceptable destinations” were “*defined to mean destinations where:*
 - a) *the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and*
 - b) *the Scientific Authorities of the State of import and the State of export are satisfied that the trade would promote in situ conservation.*”
24. At CoP18, non-binding guidance, mandated at CoP17 and developed by the Animals Committee, was adopted for determining whether a proposed recipient of a living specimen is “suitably equipped to house and care for it”. According to the guidance, the recipient must provide adequate physical housing, meet the animals’ dietary, care and husbandry needs, and ensure the social-well-being of the elephants.²⁹ Based on this guidance and the available literature and information on the housing conditions of zoos in China in general, there is no publicly available evidence suggesting that the safari park in Shanghai which received the 32 young elephants from Zimbabwe in October 2019 – or any of the likely further destinations – can be considered as “suitably equipped to house and care for” live elephants, and thus meet the recommendations in the non-binding guidance, or that this particular import would promote *in situ* conservation.
25. We consider, therefore, that the export of 32 live elephants from Zimbabwe to China in October 2019 failed to comply with CITES provisions defining “appropriate and acceptable” destinations under Resolution Conf. 11.20 (Rev. CoP17), notwithstanding the amendments agreed at CoP18. By any reasonable metric, the conditions of the transfer and housing are demonstrably inhumane. As noted above, analysis of video footage³⁰ from the quarantine facilities in China show the elephants each alone in small, enclosed barred cells. The cells have bare concrete floors and there are no provisions made for their comfort and well-being, nor any means of environmental enrichment.
26. Irrespective of whether Resolution Conf. 11.20 (Rev. CoP18) or Resolution Conf. 11.20 (CoP17) is considered applicable, our analysis of decisions concerning its interpretation leads us to conclude that the October 2019 export from Zimbabwe to China was carried out in contravention of CITES.

Other known attempts to import elephants from Zimbabwe

27. In mid-2019, reports circulated that one or more zoos in the United States attempted to import elephants from Zimbabwe.³¹ In the end, the exports did not go ahead. In late 2019 and early 2020, Pakistan tried and failed to import two elephants from Zimbabwe for Peshawar Zoo.^{32,33} Through a Freedom of Information Act request, it was revealed that the Pittsburgh Zoo and PPG Aquarium on behalf of four other zoos requested to import 28 elephants from Zimbabwe;³⁴ however, the request was withdrawn after the decision taken at CoP18.³⁵ These attempts give cause for concern. Had they taken place, they would have constituted exports to demonstrably inappropriate and unacceptable destinations. Pittsburgh Zoo has been known to have made reckless elephant care decisions detrimental to the welfare of the elephants, among other practices that give

rise to concern and do not promote *in situ* conservation. Furthermore, one of the facilities on whose behalf the Pittsburgh Zoo requested the import was operated by an individual who was subject to a civil penalty to settle a case brought under the violations of the Animal Welfare Act,³⁶ while Peshawar Zoo in Pakistan lost 34 animals after its opening in 2018.³⁷ These cases are discussed in greater detail below.

Namibia

28. In 2012 and 2013, Namibia exported 24 wild-caught elephants to Mexico (18) and Cuba (6) respectively. The Mexico case showed a discrepancy between the exporter and importer data – Namibia registered an export of 9 elephants while Mexico claimed it received 18 individuals.
29. Interestingly, the exports were conducted under an Appendix I listing, despite the fact that elephants in Namibia are listed in Appendix II. The annotation for the Appendix II listing specifies that trade in live elephants from Namibia is strictly for “in situ *conservation programmes*”, *i.e.* no live elephants may be exported beyond their natural range. Since neither Cuba nor Mexico are African elephant range states, the exports were not in accordance with the CITES Appendix II annotation relevant for Namibia. Namibia therefore exported the elephants under Appendix I, which has no such restriction (albeit any export must be conducted for non-commercial purposes and a Scientific Authority of the State of import must issue a finding that it is satisfied that the proposed recipient of a living specimen is “suitably equipped to house and care for it”). Namibia’s use of an Appendix I listing rather than the actual Appendix II listing highlights the problematic interpretation and implementation of the CITES Appendices for species with a split-listing such as the African elephant.
30. In May 2017, Namibia issued CITES permits to export 5 elephant calves to Dubai Safari in the UAE, again under an Appendix I listing. The sale was reportedly abandoned by the Namibian Ministry of Environment after capture but prior to transportation because the seller of the elephants had not met the regulations for capture and transportation and there were doubts as to whether Dubai Safari was suitably equipped to house and care for them.³⁸
31. Pakistan attempted and failed to import 2 elephants for the Lahore Zoo from Namibia in late 2019.³⁹

Eswatini

32. Eswatini exported 17 elephants under its Appendix I listing to the United States of America in March 2016. (The country had previously exported 11 elephants to two US zoos in 2003.) The elephants went to three US zoos: Dallas Zoo, Texas; Sedgwick County Zoo, Kansas; and Henry Doorly Zoo, Nebraska. The group included 11 juvenile females, three juvenile males and three adult females.⁴⁰ One juvenile died in December 2015 prior to transportation while a pregnant female gave birth at the Dallas Zoo just two months after arrival. This was a violation of IATA Live Animals Regulations, which discourage transport of mammals in the last third of pregnancy unless for medical purposes. In September 2017, the Henry Doorly Zoo reported that one of the imported juvenile male elephants had died. This elephant had arrived at the zoo with a broken ankle. He died under anesthesia during a procedure to address a problem with a cracked tusk that began shortly after his arrival at the zoo.⁴¹

Tanzania

33. In 2011, Tanzania (according to the CITES Trade Database) exported 7 elephants to China and 2 to the Republic of Korea (South Korea), although there are no importer records of these transactions. Tanzania’s elephants are listed in Appendix I. Little else is known of these exports or what became of the elephants.

Other plans for live imports

34. As noted above, there have been two cases of plans for live imports of African elephants during 2019-2020: a proposed import by Pittsburgh Zoo in the United States during 2019, and a still-pending import by Peshawar zoo in Pakistan.
35. During March 2019, the Pittsburgh Zoo & PPG Aquarium, which is not an accredited member of the U.S.-based Association of Zoos and Aquariums (AZA), applied to the US Fish and Wildlife Service (USFWS) for a permit to import as many as 28 elephants from Zimbabwe.⁴² Of these, 13 were ear-marked for its “International Conservation Centre”, while others were destined for zoos in Missouri, Maryland, Tennessee and Florida. In July 2019 a New York Times magazine article by Charles Seibert reported extensively on the proposed import by the U.S. zoos.⁴³ The application was eventually withdrawn by the zoos.

36. Peshawar zoo has been attempting to import elephants from Zimbabwe since 2017.⁴⁴ These efforts followed earlier attempts to import elephants from Sri Lanka, which were stopped when Sri Lankan authorities objected due to the unacceptable condition of the elephant they witnessed in Islamabad Zoo. Representatives from Zimbabwe's National Parks and Wildlife Department have, by contrast, declared themselves satisfied with Peshawar Zoo. Pakistan's relevant federal ministry stalled on issuing a No Objection Certificate (NOC) for the import of two elephants. In February 2020, however, following a court petition filed by the importer, federal and provincial authorities indicated that they would refer the application to the CITES Animal Committee for its approval.⁴⁵ The importer claimed he had already paid for the elephants, which were being taken care of by the Zimbabwe wildlife department at his cost. However, no elephants are being kept at Umtshibi, and ZNSPCA is unaware of any being cared for elsewhere in Zimbabwe in preparation for export.⁴⁶ The matter is to be addressed by the Animals Committee, with input from the IUCN/SSC African Elephant Specialist Group as required under Resolution Conf. 11.20 (Rev.CoP18).

III. Conclusions

37. The African elephant is a charismatic and iconic species with strong local and international support for its protection. Serious concern has been expressed by elephant scientists and experts, African elephant range States, the general public and others about the negative welfare impacts caused by capture of young elephants from wild herds for the purpose of exports to captive facilities outside its range, such as zoos and circuses. Elephants are extremely intelligent, sentient animals, with a cohesive social structure including strong family bonds that can last a lifetime. Young elephants are highly dependent on their mothers and other family members to acquire necessary social and behavioural skills that equip them to meet life's challenges. Male calves voluntarily leave their natal families at 12 to 15 years of age and join male-bonded social groups, while females remain with their kin for life. Disruption of these bonds is physically and psychologically traumatic for both the captured calves and the herds remaining in their natural habitat, and leaves lifelong scars.⁴⁷ Moreover, as evidence from Zimbabwe referenced above shows, mortality of calves in the process of capture and transfer to captive facilities is high.
38. The IUCN/SSC African Elephant Specialist Group has been opposing the removal of African elephants from the wild for any captive use for many years.⁴⁸ This position was reaffirmed at the group's meeting in Pretoria, South Africa in July 2019.⁴⁹
39. Capture of young elephants from their families *in situ* and movement to *ex situ* captive facilities has no conservation value for the *in situ* population. The argument that exports alleviate local population pressure is false. Removal of young elephants will not reduce significantly the wild population, and the remaining traumatized herd may even develop abnormal behavior,⁵⁰ increasing Human Elephant Conflict.⁵¹ It is important to note these unintended consequences of removal of young elephants on the remaining *in situ* resident population. There is strong evidence that human induced trauma causes long-lasting (multi decadal) chronic stress in elephants, such as from poaching,⁵² culling⁵³ or translocation.⁵⁴
40. Furthermore, a living elephant remaining *in situ* has the potential to generate well over US\$1.5 million through tourism in its lifetime.⁵⁵ This sum contrasts with the proceeds from the export of a live elephant to an *ex situ* location, which is as little as US\$40-60,000⁵⁶ - excluding all the costs of capture. Taking the possible income from tourism away from the local population appears to contradict the Convention on Biological Diversity's Goal 2.1 concerning protected areas – "To promote equity and benefit sharing".⁵⁷
41. It has been well documented that elephants adapt poorly to captivity.⁵⁸ The overall infant mortality rate for elephants in zoos is 40 percent⁵⁹ – nearly triple the rate of free ranging Asian and African elephants. Elephants in captivity often display behavioural abnormalities and die prematurely of diseases and disabilities caused by captive conditions. Research has shown that bringing elephants into captivity such as zoos – particularly at a very young age, with no care-giving adult relatives - has profound impact on their physical and psychological health and viability.
42. The Animals Committee is in the process of developing guidance and standards for determining whether a facility that is to receive live African elephants is "appropriate and acceptable" or "suitably equipped to house and care" for them. As this work is ongoing and given the agreement at CoP18 mentioned above for Appendix II specimens, there is a risk that Parties may make decisions that are not science-based and in potential violation of the Convention. As reported above, even when experts have advised that facilities are not suitably equipped to house and care for African elephants, the elephants have been captured and exported/ imported to those facilities.

43. Although CITES Parties adopted non-binding guidance for determining whether a proposed recipient of a living specimen is suitably equipped to house and care for it, (provided in Annex 1, CoP18 Doc. 44.1), decisions were taken at CoP18 to expand this guidance, *inter alia*, for African elephants.
44. Decision 18.155 b) calls for the Animals Committee to "*prepare more detailed species-specific guidance for living specimens of African elephants and southern white rhinoceros, in consultation with relevant experts (including species and zoological facility experts) and the Secretariat*". Decision 18.156 a) requires the Standing Committee to "consider the report of the Animals Committee, regarding the non-binding guidance developed under Decision 18.155 paragraphs a) and b), and the guidance contained in document CoP18 Doc. 44.1 and make recommendations, as appropriate, including possible revisions to Resolution Conf. 11.20 (Rev. CoP18) and any other relevant Resolution, for consideration at the 19th meeting of the Conference of the Parties". The more detailed species-specific guidance for the African elephant and southern white rhinoceros will apply in cases of exceptional circumstances or temporary transfers in emergency situations under Resolution Conf. 11.20 (CoP18), and for determining whether recipients of Appendix I living specimens are suitably equipped to house and care for them (only if they are not to be used for primarily commercial purposes).
45. The conditions in any *ex situ* destination for live African elephants, whether they are listed in Appendix I or Appendix II, should be fully equivalent to their social and ecological environment in their wild, native ecosystems and those involving the least disruption to social groupings and natural, normal behaviour, which are found in *in situ* locations. Evidence from elephant biology demonstrates that no *ex situ* captive facility is currently able to meet the social and behavioural needs of wild-caught elephants. For captive facilities to satisfy the basic needs of elephants, they must be prepared to provide the space and habitat complexity required to allow wild-caught African elephants to display normal, continuous movement and searching behaviour for food or to sustain physical fitness. The spatial extent of an *ex situ* facility that would meet these requirements must be on the order of tens or, ideally, hundreds of square kilometres, in a climatic zone that allows year-round and 24-hour activity. Social groups must be formed voluntarily by the elephants, and should address the needs of females and males, adults and juveniles; again, sufficient space is required to allow acceptance or avoidance of potential companions, and the maintenance of family and bachelor groups. These requirements are exceedingly costly to provide and to maintain on a sustainable basis. For this reason, the only option for 'appropriate and acceptable destinations' for African elephants would be an *in situ* location within the species' natural and historical range.⁶⁰

IV. Recommendations

46. The Animals Committee is requested to:
 - a) Consider the information provided in this document in the process of preparing, in accordance with Decision 18.155:
 - i) non-binding best practice guidance on how to determine whether "the trade would promote *in situ* conservation"; and
 - ii) more detailed species-specific guidance for living specimens of African elephants;
 - b) Consider the information provided in this document on exports of wild caught elephants to non-elephant range States, in particular the export of 32 wild-caught African elephants from Zimbabwe to China on 24 October 2019, in context of the implementation of Resolution Conf. 11.20 on Definition of the term '*appropriate and acceptable destinations*' and take appropriate steps; and
 - c) Assess progress in implementation of Decision 18.153.

V. References

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