

African Elephant Review

When the African Elephant *Loxodonta africana* was transferred from CITES Appendix II to Appendix I at the seventh meeting of the Conference of the Parties to CITES in 1989, the Parties adopted the so-called Somali amendment (Doc 7.43.8) which set out a mechanism whereby populations of the species could be re-transferred to Appendix II. The procedure called for the review of any such proposals, according to terms of reference defined in Resolution Conf. 7.9, by a panel selected by the CITES Standing Committee from experts nominated by IUCN, TRAFFIC and UNEP.

The first country to submit a proposal to have its population of elephants transferred to Appendix II was South Africa, as early as April 1991. The Standing Committee selected four members for the panel each having different areas of expertise, as defined in Resolution Conf. 7.9: Jonathan Barzdo (establishment and operation of trade regimes), Dr Richard Bell (elephant biology and population biology), Dr Peter Dollinger (security aspects of elephant products and/or wildlife law enforcement) and Dr Richard Luxmoore (monitoring of trade in elephant products). The fifth panel member, Dr Anthony Hall-Martin, was nominated

by South Africa. A sixth member nominated by the Standing Committee was unable to attend and it was decided to proceed with only five.

The Panel met in South Africa in June to assess the proposal and again in Switzerland the following month to prepare its report for submission to the Standing Committee. The report, which has now been circulated to all Parties, concluded that the biological status and management of the elephant population in South Africa was satisfactory and met the criteria laid down by Resolution Conf. 7.9. The mechanisms for controlling trade contained in the original proposal were not sufficient to meet the criteria without modification. South Africa has since submitted a revised proposal which will be considered, along with the report of the Panel, at the eighth meeting of the Conference of the Parties, in Kyoto, Japan, in March 1992.

In October 1991, four more countries - Botswana, Malawi, Namibia and Zimbabwe - submitted a joint proposal to have their elephant populations, along with that of Zambia, transferred to Appendix II. Botswana independently submitted an additional proposal relating only to its own population. The Standing Committee decided to retain the same panel for the review of these proposals, with the substitution of Dr Holly Dublin in ▷

Zimbabwe Poaching Update

In July 1984, Zimbabwe's Department of National Parks and Wild Life Management set up Operation Stronghold in an attempt to curb the disturbing increase in the poaching of rhinos. Between July of that year and the end of October 1991, poachers had killed 954 rhinos (an average of just over 135 a year) and 258 elephants (an average of just under 37 a year).

During the same seven years, anti-poaching patrols carried out 784 poaching raids, which resulted in 145 poachers being killed and the arrest of a further 83. More

than 100 guns were recovered and almost 11 000 rounds of ammunition seized.

National Parks also suffered casualties. A total of four staff - two scouts and two investigation officers - were killed in anti-poaching battles and six more were wounded. During these operations, 289 rhino horns and 146 elephant tusks were recovered.

The success rate of National Parks has been rising over the last two years, with poaching gangs suffering more casualties for fewer rhinos or elephants killed.

	Rhinos killed	Elephants killed	Poachers killed	Poachers captured	Poachers escaped /wounded	Contacts with poachers	Incursions	Weapons recovered	Ammunition recovered	Rhino horns recovered	Tusks recovered	Parks staff wounded	Parks staff killed
Zambezi Valley	631	152	84	35	-	125	500	62	8000	129	50	1	3
Matusadona	60	8	4	7	-	11	30	4	750	31	4	-	-
Chete	72	5	15	6	30	13	23	7	634	22	5	-	-
Chizarira	60	8	13	4	41	15	-	7	283	56	8	-	-
Chirisa	24	1	2	-	22	6	35	1	-	6	8	-	-
Sengwa	21	-	-	-	-	2	11	-	-	-	-	1	-
Hwange	72	34	17	-	-	35	54	11	783	41	18	-	-
Gonarezhou	14	50	10	-	-	14	131	15	481	4	53	2	3
TOTAL	954	258	145	83	202	284	784	107	10931	289	146	4	6

Department of National Parks and Wild Life Management statistics, July 1984 to September 1991; *The Herald* (Harare), 16 October 1991 - = 0 or figures not available

▷ place of Dr Bell who was himself a representative of one of the countries covered by the proposal. Panel members nominated by the proponent countries were Dr Keith Lindsay (Botswana), Dr Malam Lindeque (Namibia), Dr Rowan Martin (Zimbabwe), Francis Mkanda (Malawi) and Gilson Kaveche (Zambia).

Because of time constraints, the Panel decided to review the proposal in two phases, the first mission visiting Zimbabwe, Namibia and Botswana in November 1991, and the second visiting Zambia and Malawi in January 1992. The report is to be finalised before the eighth meeting of the Conference of the Parties.

Although requested by the Conference of the Parties, the report of the Panel has no status beyond advice to the Parties, who must therefore decide in the normal way (i.e., by a two-thirds majority) whether to accept any proposals to amend the Appendices.

Dr Richard Luxmoore, Head, Wildlife Trade Monitoring Unit, World Conservation Monitoring Centre

Chimpanzee Seizures in Europe

In the past year, a total of 11 Chimpanzees *Pan troglodytes* (CITES Appendix I) were seized on two occasions from circus operations in Europe. The cases indicate that demand for young Chimpanzees for the circus trade continues, and the difficulties encountered in effecting seizures reflect serious inadequacies in the CITES-related legislation of some European countries.

The first case dates back to late 1990, when four young Chimpanzees were exported from Uganda to the former Soviet Union. Investigations at that time indicated that these animals were wild-caught specimens, and the permit used to move them was invalid. As no import permit had been issued, the shipment was illegal under CITES and the Soviet authorities imposed a restriction on the movement of the animals (held by a circus operation), including an indefinite ban on their re-export.

In April 1991, a Soviet circus entered Italy from Yugoslavia without required import documents for CITES-listed specimens which included various animals of apparently illegal origin, in particular two gibbons (*Hylobates* spp. (Appendix I) and thought to have been smuggled from Viet Nam), and the four Chimpanzees previously obtained from Uganda. The circus moved to Rome in early May 1991, but when it left the city later that month, the gibbons and Chimpanzees were left behind in a warehouse; their actual location was only ascertained in August. In the meantime, the circus owner applied to the Italian CITES Management Authority requesting a re-export certificate in order to move the animals to the USA. The Italian authorities accepted the application, although no valid CITES papers had been presented by the trader to support his application; the animals were claimed to have been bred in captivity in a Soviet zoo.

On 19 August 1991, acting on information received from TRAFFIC Europe, the Italian Forest Corps seized

one gibbon from a circus trainer and photographer who were using the animal to attract tourists in a Rome park. Co-ordination between the CITES Secretariat, the Soviet authorities and TRAFFIC Europe led to the seizure, on 21 August, of the four Chimpanzees and a second gibbon from a private warehouse. The animals were removed and the seizure was provisionally upheld by a judge. Unfortunately, it soon became clear that Italian legislation might be inadequate to justify confiscation, despite the clear contravention of CITES. Despite representations made to the court by TRAFFIC Europe supported by the US Embassy in Rome, it ruled that confiscation was impossible under CITES-related legislation and that use of general contraband laws in this case would be unconstitutional and unjustifiable: the animals had been openly presented to border guards on entry to the country. No attempt was made by the Italian CITES authorities to contest this decision; the animals had to be released from judicial custody on 13 September and handed back to the trader involved.

Although the Italian authorities revoked the re-export certificate, they did not recover the invalid documentation that had previously been presented to them and upon which the issuance of the certificate had been based. It was soon discovered that all six primates had been transported from Italy to Austria via the border post at Tarvisio on, or around, 16 September. This was the second time that these animals had passed across the Italian border without any of the required CITES documents. Despite being provided full details by the CITES Secretariat, it appears that Austrian authorities made no attempt to apprehend the shipment, and the animals were quickly moved into Hungary. During the next few days a frantic search was made by the Hungarian CITES Management Authority and national police and customs officers in collaboration with their counterparts in the Soviet Union and the CITES Secretariat. The animals were eventually located as the traders were attempting to cross the border into the Soviet Union; they were seized and later formally confiscated by the Hungarian authorities. On 11 October, the four Chimpanzees were returned to Uganda with support from the Jane Goodall Institute; the gibbons have been placed in a rescue centre in Hungary.

In the second case, in October 1991, a circus that had been allowed by Customs to freely enter Brindisi harbour, Italy, was inspected by the State Forest Corps, accompanied by a staff member of TRAFFIC Europe and a Chimpanzee expert. Seven Chimpanzees, accompanied by Italian and Spanish CITES certificates apparently falsely declaring their birth in captivity or their pre-CITES status, were seized and temporarily placed in a zoo near Brindisi. The case was brought to court and the judge decided to leave the animals "in trust" to the circus owner; their sale or use in the show was prohibited, and the owner obliged to produce a death certificate and the corpse in the event of the death of the animal(s).

A further hearing will determine the long-term fate of these animals.

Steven Broad, Assistant Director, TRAFFIC International