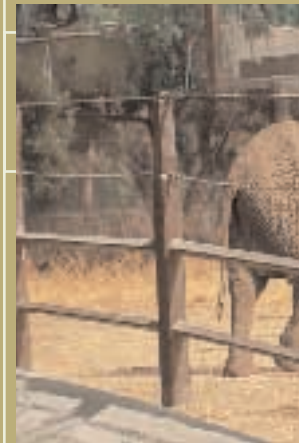


Swaziland's Elephants For Sale

By Adam M. Roberts

Photo Illustration by Andrea Wynnyk



Her name is Ndluamitsi. According to the Elephant Identification Chart submitted to the U.S. Fish and Wildlife Service, she has “very distinctive tusks that grow inward.” She is referred to as the “Tall Female” who “often looks down her nose at you and lifts her head to make herself tall in a strange manner.” His name is Mamhungia. The Elephant Identification Chart describes him as “stocky, short in the legs with a very ‘cheeky attitude.’” His “right tusk is longer and lower than the left tusk.” Ndluamitsi, Mamhungia, and 11 of their friends between 10 and 12 years old, all elephants with individual emotions, physical characteristics and personalities, are currently trapped in an enclosure in Swaziland. Without vigorous opposition, 11 of them ultimately may be exported from their wild African home to captivity in two U.S. Zoos: California’s San Diego Zoo and Florida’s Lowry Park Zoo.

The Kingdom of Swaziland, nestled between South Africa and Mozambique, is roughly the size of New Jersey and has approximately one million people. Its elephant population, however, is considerably fewer than 40 animals in the entire country. Elephants were poached out of existence in Swaziland in the 1940s; four decades later, authorities began importing elephants from South Africa’s Kruger National Park in an effort to rebuild a domestic population. The animals who arrived were orphans from “culls” in Kruger — a practice that has since been abandoned by the Park.

Swaziland’s elephants live in two protected areas — Mkhaya Game Reserve and Hlane National Park — with a combined land area of 92,000 acres (more than 5,000 which is fenced for the elephants). The two zoos reportedly will confine these wild elephants in two to three acre enclosures. Such restrictive captivity is especially cruel since elephants are highly complex animals, traveling in the wild in herds for hundreds of miles a day, foraging for food and socializing with friends and family.

Furthermore, wild elephants brought into captivity have a difficult time adapting and all-too-often require “training,” which can entail some form of violence, most notably, hitting the animals’ sensitive skin with a sharp metal bull-hook called an ankus.

The “Swazi 11” may be spared if a coalition of animal protection organizations including the Animal Protection Institute, Animal Welfare Institute, Born Free USA, Born Free Foundation (UK), The Elephant Alliance, In Defense of Animals, and People for the Ethical Treatment of Animals have their way. On April 9, 2003, they brought suit against the United States Fish and Wildlife Service, which had errantly issued import permits to the zoos for these elephants. African elephants are protected under the U.S. Endangered Species Act as a “threatened” species, and elephants from Swaziland specifically are listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). This CITES designation refers to those “species threatened with extinction which are or may be affected by trade.”

The plaintiffs in the case (*Born Free USA, et al., v. Norton, et al.*) claim that the permit applications from the two zoos included fraudulent information. For instance, although the zoos claimed that 11 specific elephants would be imported and identified by ear tags and microchip numbers, in fact a total of 22 elephants were immobilized, from which 13 candidates for export were selected. In addition to capturing two additional elephants, the zoos have not even attempted to prove that 11 of the captured elephants have the ear tag or microchip numbers listed in the permit applications. As a result, there is no way of assuring that the captured elephants were in fact those listed in the applications and have adequate documentation of legal acquisition by Swaziland. Furthermore, the elephants were all supposed to be from the Mkhaya Game Reserve, which only has 18 resident elephants. Patently, if 22 were rounded up, at least four elephants would have had to come from outside the Reserve,

lawyers with the firm Meyer & Glitzenstein, Washington, D.C., who are handling this issue, federal law prevents the renewal of any permits to a party that has made material misrepresentations to the government; thus, the government has no legal basis on which to reissue the permits to the zoos. This does not seem to dissuade the zoos, whose lawyers claim the problems were merely technical issues related to the location and identity of the elephants.

But it goes deeper. The zoos additionally claim that, without their intervention to “rescue,” these elephants they would be killed because of overcrowding in the protected areas.

Ngome Game Reserve in South Africa’s KwaZulu-Natal province has already come forward to accept the animals in a humane relocation project. In fact, the elephants would contribute dramatically to the new eco-tourism project started by the local community there. According to a letter from Destination Management Services, a tourism development company in South Africa, the community

offers have since surfaced as well.

There are additional options, including immunocontraception, which has been tested effectively in Kruger. This procedure safely prevents fertilization in elephants to keep the population of a given region under control. It has also proven to be reversible so elephants can resume breeding to maintain an acceptable population level for any area’s true carrying capacity.

The bottom line is that these two zoos want young African elephants because they will attract more visitors. The San Diego Zoo actually had four elephants already, but unceremoniously discarded its aging residents in anticipation of the new, younger, and more enticing animals from Swaziland.

The zoos claim that the captive elephants contribute to the hedge against extinction of this species in the wild. However, import of African elephants from the wild into captivity in the U.S. does not prevent the extinction of wild African elephants. Quite the contrary, it contributes to the decline of the wild population in an effort to increase the number of elephants in



which means that the zoos misrepresented the location of the elephants in their permit applications.

In a stunning victory, on April 23, 2003, the zoos were forced to relinquish their permits in the face of this increased scrutiny over the distortions in the original permit applications. At the same time that the zoos gave up their permits, they reapplied for permit renewals. According to

has stopped the hunting and is pursuing ecotourism as an alternative economic activity on the property. The community’s intention is to, in time, turn the reserve into a “big five” reserve; and these elephants will go a long way to assist the community to realize this dream. For the community this is an opportunity to prove community-based eco-tourism development can work. Other sensible translocation

captivity in non-native locations. The fate of these animals is to be confined in a zoo. It is almost certain neither they, nor their offspring (should any breed successfully, which is unlikely), would ever be returned to the wild.

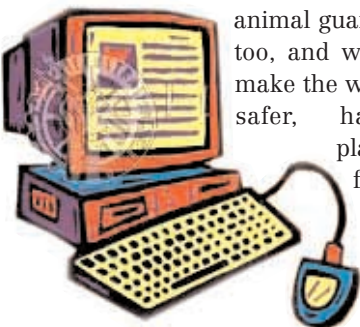
The danger is not only to the elephants, of course. Captive elephants have been known to harm humans.

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order to present the most convincing case possible. Discussing animal welfare issues in a favorable light will help congressional Members look forward to working on animal-related issues. We've found that the facts surrounding animal welfare issues often speak for themselves.

Keeping constituents happy is one of the many reasons animal protection legislation gets introduced.

Often, Members are animal guardians too, and want to make the world a safer, happier place for animals.



Members may also be spurred to action as a result of a current event that tugs at his or her heart. The polar bears that languished in the Puerto Rican heat several years ago were the inspiration for the Polar Bear Protection Act of 2001. The unexplained animal deaths at the National Zoo have convinced Congress to investigate the welfare of zoo animals in our nation's capital. Sometimes an egregious act of animal cruelty committed in a Member's home state or district can spur that Member to action.

One Senate Chief of Staff admitted that the long hours required on Capitol Hill are worth it when she knows she has made a difference.



"Thank you's are awesome!" she told us. Whenever you hear your elected official has done something nice for animals, introduced a bill, become a co-sponsor or pushed for increased appropriations for animal related programs, be sure to drop a line and say, "Thanks for caring about animals." 🐾

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Congressman Sam Farr (D-CA), who has championed federal legislation to prohibit the use of elephants in circuses for this very reason, says that it is "simply cruel" to break up elephant families in Africa for captive display in the U.S. He also notes that it may be dangerous for the American livestock industry. Elephants can be carriers of foot and mouth disease (FMD), though they can not be readily tested for it and do not exhibit signs of affliction. Swaziland is not certified as being a nation free of the disease according to the Office of International des Epizooties, which is the competent body for such matters. In a May 9 letter to Agriculture Secretary Ann Veneman, Congressman Farr notes, "If these elephants are carriers of FMD and are permitted to come into the U.S., then the disease could spread to cattle and other cloven-hoofed animals, starting in California and Florida and spreading throughout the country with potentially disastrous consequences."

If this import were to ever proceed, the price would be great — for the individual animals who would suffer, for the conservation of the species in the wild, for humans and potentially for other industries. What is the incentive for

African governments and the African people to invest in local conservation of threatened and endangered species when those same animals easily could be sold off to the highest bidder?

Combined, the zoos have offered a paltry \$132,000 for these elephants. Meanwhile, they are also investing many millions of dollars to create tiny artificial homes for the elephants here. A fraction of that money could be spent more appropriately conserving elephants in Africa. Additional protected lands could be purchased to secure sufficient elephant habitat, extra fencing could be erected to avoid human-elephant conflicts, and park rangers who are vital wildlife law enforcement agents could be better equipped to protect these animals in their natural habitats from ruthless, well-armed poachers.

Resuming importation of African elephants for captivity in the U.S. sets a dangerous precedent: when zoos fail at breeding and maintaining elephants in captivity, they can merely supplant their dying captive animals with animals from a dangerously depleted wild population. African elephants hold the greatest value when they are left in the wild to roam free in the savannah, drink from a river, lake or forest pool,



The survival of the next generations are critical for the Swaziland elephants.

and wrestle or roll in the mud with their companions. The future survival of Africa's elephants rests in Africa, not in compounds on the fringes of America's urban sprawl. 🐾

AS WE GO TO PRESS: Despite overwhelming evidence against such a decision, on July 9, 2003, the Fish and Wildlife Service inexplicably decided once again to grant both zoos their permits to import these 11 elephants. A second lawsuit is underway.

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