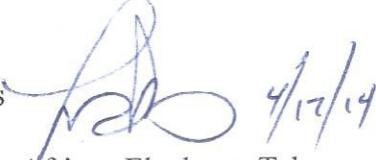


In Reply Refer To:
FWS/AIA/DMA

Memorandum

To: The File

From: Chief, Branch of Permits 

Subject: Enhancement Finding for African Elephants Taken as Sport-hunted Trophies in Zimbabwe during 2014

[This finding was originally signed on April 4, 2014. It was revised on April 17, 2014, for clarification purposes, to make editorial corrections, and to revise the effective date such that the effective date of the suspension is April 4, 2014. Hunters who hunted an African elephant in Zimbabwe in 2014 prior to April 4 may import their elephant trophy if they can provide adequate documentation to show that the elephant was taken before the effective date of the suspension.]

The African Elephant (*Loxodonta africana*) is listed as threatened under the U.S. Endangered Species Act with a special rule [50 CFR 17.40(e)]. The special rule gives the requirements for the import of sport-hunted trophies, including marking requirements for ivory. Under paragraph 17.40(e)(3)(iii)(C), in order for the U.S. Fish and Wildlife Service (Service) to authorize the import of a sport-hunted elephant trophy, the Service must make a finding that the killing of the animal whose trophy is intended for import would enhance the survival of the species in the wild. In evaluating the available data on elephant hunting in Zimbabwe, the Service does not have the ability at this time to make a finding that the sport-hunting of African elephants and subsequent imports would meet the enhancement requirements. Therefore, the Service is **unable to find** that the killing of an elephant in Zimbabwe during the 2014 hunting season for the purpose of importing into the United States will enhance the survival of the species.

General considerations:

In evaluating whether sport-hunting is contributing to the enhancement of African elephants within a country, the Service looks at a number of factors. The Service evaluates whether a country has a valid national or regional management plan and if the country has the resources and political will to enact the plan. Does the plan have clear, achievable objectives? If there is a plan, what government entities implement the plan and how often is it reviewed and updated? Is there an adaptive management approach within the management plan so that enacting agencies can quickly respond to changing environmental or social issues?

The Service also evaluates the status of the elephant population and trends over time. Particularly, we are interested in population numbers, sex and age-class distribution, and mortality rates (both natural and man-induced). Are standardized surveys being conducted and,

if so, what are the timing, census methodology, and coverage? Since elephant populations can move across international borders, what level of cooperation is there between neighboring countries in management and surveying efforts for shared populations? How is poaching accounted for within survey efforts?

As with any wildlife species, the policies on how the central and regional governments address management efforts, human-elephant conflicts, poaching, and sport-hunting greatly affect the long-term survival of elephant populations. While recognizing that there may be limited resources available for elephant management, the Service considers what national policies are in place to address human-elephant conflicts and problem elephant control. Is there a policy on culling surplus animals and removal of nuisance animals? Is there domestic harvesting of elephants for local consumption or use? The amount of protected area either set aside for elephants or managed for elephant populations and the level of protection provided is also important in the Service's ability to determine whether imports of trophies could be authorized.

Finally, the Service considers how sport-hunting has been incorporated into national/regional management strategies and the effectiveness of implementing hunting programs. Are sufficient funds to address management needs generated through the hunting program? Are the funds dedicated to management efforts or do they go to a general treasury fund? How are hunting quotas distributed? If there are concession areas, how are they managed and allocated?

Basis for Finding for Zimbabwe:

Information received from the Zimbabwe Parks & Wildlife Management Authority (ZimParks), previously Department of National Parks & Wild Life Management (DNPWLM), has been very limited since 1997. Through the CITES Secretariat, we have confirmed that the sport hunting of elephants continues to be authorized for non-commercial purposes. An Elephant Management Plan was provided to the Service in 1997, but we have not been informed of any change, modification, or adaptive management since that date. The Service has sent letters to the Zimbabwe wildlife authorities on several occasions, most recently on March 21, 2007, requesting information on the management plan, population status, hunting policies and regulations, and conservation programs. We received a response consisting of three undated and unsigned papers, which seemed to rely on somewhat dated information. Since 2007, we have received no additional updates. Service representatives have met in person with Zimbabwe representatives at various times in the past 6 years, usually in the context of annual meetings hunting organizations in the United States. Little new or additional information has been provided during those meetings. We have received recent information to indicate that ivory poaching has been taking place in various areas of the country. Most recently, it has been widely publicized in 2013, that over 300 elephants were poisoned and their ivory removed in Hwange National Park leading to a number of arrests. There also appears, based on the media and CITES documentation, to have been an increase in human-elephant conflicts due to an increasing human population and settlement or re-settlement into elephant habitat.

Management Plan: As stated, the Division of Management Authority (DMA) requested an update of the Zimbabwe management plan on March 21, 2007. The information received in response to

that letter did not indicate any significant change to the "Elephant Population Status in Zimbabwe" (management plan included) which we received in response to our July 2, 1997 request.

The elephants range is classified into four major sub-regions. They are the Matebeleland north-west, Mid Zambezi Valley, Sebungwe, and South-East Lowveld. There have been concerns that high elephant concentrations have had a great impact on Savanna ecosystems within Zimbabwe. In 1975, Zimbabwe passed the Parks and Wild Life Act that established National Parks to preserve and protect wildlife and plants and to maintain ecological stability. Until 1989, DNPWLM managed elephant densities in protected areas through culling operations. This practice was drastically reduced due to lack of funds and possibly due to negative public opinion. In 1992-1993, Zimbabwe experienced a major elephant die-off in the Lowveld region due to severe drought conditions. A major culling operation was resumed in this area where 350 elephants were culled. In addition, DNPWLM conducted a translocation operation where 1,400 elephants were translocated to private conservancies and about 200 were translocated to South Africa to stock a new Game Park. Despite these efforts to reduce the Lowveld population, 1,500 elephants died due to natural mortality.

Under the Parks and Wild Life Act, as amended on August 1, 1991, elephants are afforded the highest level of legal protection in National Parks where the killing of elephants is undertaken only as a management tool to protect habitat. Other range areas available to the elephant include Safari areas, Communal land, and Private land where sustainable recreational hunting is permitted. The sale and purchase of live animals or trophies in these areas is subject to a permit, and hunting on state land also requires a permit.

On Communal lands, the protection of elephants falls under the Communal Areas Management Programme for Indigenous Resources (CAMPFIRE) program, which encourages reductions in human-elephant conflicts through conservation-based community development. The program was established in 1989 as a means of providing an economic incentive and return to rural communities while encouraging tolerance for the elephant and sustainable use of natural resources. Under this program there are currently 29 Rural District Councils (RDCs) that have been granted Appropriate Authority status under the Parks and Wild Life Act. There are approximately 13 RDC's with exploitable wildlife resources that make up the core of the CAMPFIRE program. Revenue generated through sport hunting is spent according to decisions taken by RDCs and their constituent Communities. ZimParks provides guidelines for the distribution of these funds between administrative costs, cost of wildlife management, and returns to communities in wildlife areas.

The CAMPFIRE program has come under criticism relating to excessive retention of generated funds by district councils which resulted in diminished benefits being realized by the communities it was designed to help. Information supplied by the CAMPFIRE Association to the CITES Panel of Experts in 2013 indicates that this situation may be improving. We have received no recent updates to add to this finding.

Population Status: According to the IUCN SSC African Elephant Database report "2013Africa", the elephant population in Zimbabwe in 2007 was 84,416, but as of 2013 that population had been reduced to 47,366, which include only 304 animals counted by aerial or ground counts, 41,840

through sample counts or dung counts and the remainder guesses. However, until very recently, the government continues to provide population estimates exceeding 100,000 elephants. In recent news articles in September of 2013 ZimParks spokesperson Caroline Washaya-Moyo stated that the country's elephant population was 100,000 strong and becoming too large to manage. Similar statements estimating the population at 120,000 were made by the same individual in interviews related to the Hwange poisoning event.

The summary in the IUCN report indicates that, of recent surveys, only about 1% of the country has been covered by aerial or ground surveys for population estimates, while about 50% was covered by sample counts or dung counts. For a substantial portion of the country, there have been no recent surveys and most estimates are based on 2001 figures. Even problem areas such as Hwange National Park do not appear to have been surveyed since 2001. Several areas that were covered in the current surveys (2006 – 2010) indicate that there has been a substantial decline in the population, whether related to habitat degradation or poaching is unknown.

Figures presented at the 16th Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora in Bangkok, Thailand, March 3-14, 2013, indicates that, from 2002 – 2010, the percentage of illegally killed elephants (PIKE) in Zimbabwe was circa 24%, whereas in 2011 that number jumped to 67%. While the numbers for 2012 and 2013 are not yet available, the trend would indicate a higher percentage of illegal killings and a population in decline.

Regulations and Enforcement: Under the Parks and Wild Life Act, Zimbabwe has regulations in place that provide substantial penalties for the unlawful possession of or trading in ivory. The first offense carries a minimum of 5 years and a maximum of 15 years in prison. The second offense carries a minimum prison term of 7 years and a maximum of 15 years. If properly enforced, these penalties should be sufficient to reduce the desire for poaching.

In 1993, "Operation Safeguard Heritage" was launched by the President of Zimbabwe which incorporated large numbers of army personnel along with Air Force support, the Zimbabwe Republic Police (ZRP), and ZimParks in a coordinated anti-poaching effort throughout the country. At the time, and possibly now, the overall anti-poaching manpower densities in protected areas stood at one game scout per 76 sq. km. The Investigations branch of the ZimParks was 9 officers and 7 game scouts based in Harare, Bulawayo, Mutare, Kariba, Hwange, and Beitbridge. The ZRP had a support unit of 112 men which assist anti-poaching programs in the districts of Makuti, Mashumbi Pools, Binga, and Hwange. Elephants located in communal lands come under the protection of the CAMPFIRE program. Currently, it is not clear if these numbers have been increased or held steady.

However, based on the limited information the Service currently has, the ZimParks operational budget allocation from the central government has been severely reduced since its inception. In 1997, the law enforcement expenditure was equivalent to \$49.00 spent per sq. km on the elephant range, greatly reducing enforcement capabilities. The status of ZimParks changed in January 1996, when the Government of Zimbabwe approved the establishment of the Parks and Wild Life Conservation Fund, a statutory "Fund" responsible for financing operations directly from wildlife revenues. However, only revenues generated through sport-hunting conducted on state and private

lands are used to finance ZimParks and to our knowledge, no other government funding is provided. The 2013 CITES Panel of Experts raised concerns as to the status of ZimParks relating to its weak financial base, lack of management skills, inadequate and old equipment, and poor infrastructure. We have no current information as to the funding level of ZimParks or any indication that the financial base, management skills, equipment, or infrastructure have changed.

At the 15th Meeting of the Conference of the Parties to CITES, a report on the Elephant Trade Information System (ETIS) was presented (CoP15 Doc. 44.1 Annex). In the report, Zimbabwe was specifically identified in regards to management issues and illicit ivory trade. The report noted the existence of organized criminal activities within Zimbabwe, including reports of the involvement of politicians, military personnel, and Chinese nationals in illicit wildlife trade (Anon. 2009a, 2009b). The report goes on to state that the law enforcement effort ratio within the countries grouped for the analysis had dropped to 40%, a decline of 4% from the CoP14 analysis. This decline indicates a less than average performance and was attributed to the situation in Zimbabwe.

Sustainable Use: The CITES Secretariat has provided current documentation that Zimbabwe has established a quota of 500 elephants (1000 tusks) for the 2014 hunting season. These quotas are established each year by ZimParks apparently based upon standardized aerial surveys and analysis of biological data collected from hunts in determining the sustainability of offtake.

There are six categories of offtake monitored by ZimParks which include: Cropping (meat supply to rural communities and live animals to breeders), Natural Mortality (found dead of natural causes), Accidents (killed by trains, landmines, or vehicles), Poaching (illegal take), Problem Animals (elephants destroyed to protect human life and property), Management Offtake (offtake due to other management decisions). Cropping presumably includes sport hunting, though that is not specifically stated in any documents provided.

The principle form of utilization of the elephant in Zimbabwe is sport-hunting. These quotas are set to maximize the sustainable production of high quality trophies without detriment to the population. However, Zimbabwe has not indicated how the quotas are determined and what factors go into these decisions. Clearly, the government's belief that they have a population of 100,000 elephants may result in the over-estimation of the sustainable offtake. Under the CAMPFIRE program, rural communities should benefit from revenue generated by sport-hunting. With increased human-elephant conflicts on Communal lands, sport-hunting may be an important tool which gives these communities a stake in sustainable management of the elephant as a natural and economic resource. However, without current information on how funds are utilized and the basis for hunting off-takes, the Service is unable to confirm this assumption.

CITES Implementation: The Control of Goods (Import and Export) (Wildlife) Regulations of 1982, and the Parks and Wild Life Act of 1975 as amended on August 1, 1990, allow for the implementation of the provisions of CITES in Zimbabwe. All exports of sport-hunted trophies from Zimbabwe should conform with CITES regulations.

Summary: Based on the available survey information publicly available, the elephant population in Zimbabwe has declined from 84,416 elephants in 2007 to 47,366 elephants in 2012. There

appears to have been virtually no annual elephant population surveys for many years, with the government depending on past surveys and anecdotal information to make decisions. We have no current information to indicate how sport hunting quotas are determined, even though Zimbabwe maintains the highest export quota in Africa. The current poaching problem does not appear to be under control or even acknowledged. Finally, the information available to the Service does not indicate that the current offtake of elephants in Zimbabwe is sustainable.

The most significant aspect of our analysis is the lack of recent data on what is occurring in Zimbabwe. Without current data on population numbers and trends, government efforts to manage elephant populations, address human-elephant conflicts and poaching, and the state of the hunting program within the country, it is not possible for the Service to make a positive finding that sport-hunting is enhancing the survival of the species and that imports of trophies would meet the criteria established under the ESA for African elephants. Therefore, at this time, we are unable to find that the killing of elephants intended for import as sport-hunted trophies from Zimbabwe will serve to enhance the survival of the species. The Service will attempt to reestablish better communications with Zimbabwe and look to partners, NGOs, and other entities in an effort to gather additional information to support a positive finding. Until such information can be obtained the Service is unable to make the positive finding required under the ESA and will not allow the import of sport-hunted elephant trophies taken in Zimbabwe after April 4, 2014. Until substantial new information is provided to the Service, U.S. hunters are on notice that, while no import permit is currently required for the import of sport-hunted trophies, such imports cannot occur at this time.

Anon. (2009a). Ministers in illicit rhino horn trade. *Zimbabwe Standard*, 11 July 2009.

Anon. (2009b). Mnangagwa police docket disappears. *Zimeye*, 13 July 2009.