

PRO ELEPHANT NETWORK STATEMENT ON WORLD ELEPHANT DAY 2022

Friday 12th August 2022 we will once again observe World Elephant Day. It is the tenth year that organizations and individuals will rally together to give a united voice to elephants. Founded by [Patricia Sims](#), this collective global movement continues to be acknowledged by the members of the [Pro Elephant Network \(PREN\)](#)

Members of PREN specifically advocate reversing the exploitation of elephants through the culture of imprisonment, captive breeding, capture, kidnapping, abuse, exhibition, trading and killing.

Even though there is a critical mass and ever-growing volume of scientific evidence emphasizing the problems and negative aspects that are associated with keeping elephants in captivity, there are many elephants who continue to suffer this cruel fate.

On World Elephant Day the members of PREN are drawing attention to some examples of elephants whose current captivity continues to capture the world's attention and focus in 2022.

The [legal fight to free Happy the elephant](#) continues in New York, in the United States of America. On the 14th of July 2022, the *Nonhuman Rights Project* (NhRP) filed a motion to re-argue the [5 – 2 decision](#) by New York's highest court issued in June 2022, in a landmark case that seeks Happy's right to liberty and release from the Bronx Zoo and her relocation to an elephant sanctuary. The New York Court of Appeals is one of the most highly-regarded state appellate courts in the country and two of its justices **dissented from the judgement with separate opinions**. Justice Rowan D. Wilson wrote, "When the majority answers, 'No, animals cannot have rights,' I worry for that animal, but I worry even more greatly about how that answer denies and denigrates the human capacity for understanding, empathy and compassion" and the court had a duty "to recognize Happy's right to petition for her liberty not just because she is a wild animal who is not meant to be caged and displayed, but because the rights we confer on others define who we are as a society." Judge Jenny Rivera wrote in her dissent that "a gilded cage is still a cage. Happy may be a dignified creature, but there is nothing dignified about her captivity" and that Happy's captivity was unjust and that "every day she remains a captive — a spectacle for humans — we, too, are diminished."

"The New York Court of Appeals [...] has created instability and confusion in New York law with grave implications for illegally confined human beings", the NhRP writes in its [motion](#). If the re-argument motion is granted, the Court may order another hearing and will issue a decision explaining why it will either reverse or clarify its prior decision.

The plight of Shankar, an African male elephant from Zimbabwe, currently living in Delhi Zoo, continues. The Delhi High Court is presently hearing a case which was filed by sixteen-year-old Nikita Dhawan, the founder of [Youth for Animals](#), to free Shankar. On 6th July 2022, the court ruled out the possibility of sending him back to Africa. Instead, it ordered the Central Zoo Authority and the Animal Welfare Board of India to inspect his living conditions and submit a detailed report, before the 31st of August 2022 - the date when the case will be heard next. Solitary, Shankar has been seen [chained](#) and beaten in the Delhi Zoo.

The [Aspinall Foundation](#) has offered to rehabilitate Shankar in a suitable location in Africa at their cost, but sadly the Delhi High Court has rather asked the authorities to [explore the possibility](#) of bringing in a female partner for Shankar. "We will

not permit the release of Shankar, we will keep it in India and take care of him here only. He is ours. We will look after him properly, don't worry" the court said.

The [Aspinall Foundation](#) recently welcomed a Kenyan delegation to discuss the charity's project to reintegrate thirteen elephants from the United Kingdom into a natural, wild, secure area in Kenya. A delegation, headed by the Cabinet Secretary Ministry of Tourism and Wildlife, Hon. Najib Balala, Kenya Wildlife Services Director General Brigadier (Rtd) John Waweru and Director of Strategy Edwin Wanyonyi visited Howletts Wild Animal Park where the elephants currently live.

A series of comprehensive ecological assessments and Environmental and Social Impact Assessments have been conducted by the [Wildlife Research](#) and Training Institute in Kenya to select the perfect destination for the reintegration and rewilding process. The Golini-Mwaluganje Community Wildlife Conservancy has been selected as the preferred site. The thirteen elephants are currently undergoing a travel habituation process. Only once all the Kenyan requirements are completed and the UK elephant carers are satisfied that the elephants are fully prepared will the translocation take place. A Memorandum of Understanding has been signed between The Aspinall Foundation, Kenya Wildlife Service, Wildlife Research and Training Institute, the Sheldrick Wildlife Trust and the Golini-Mwaluganje Community Wildlife Conservancy. The Communities who own the conservancy where the elephants will be released are elated about the project and feel that this will make a significant difference to the sustainability of their reserve'.

On Monday 20th of June 2022, an application to the High Court of South Africa in the Gauteng Division, Pretoria, was lodged to release three elephants known as Lammie, Mopane and Ramadiba from the Johannesburg Zoo into a rewilding facility. These elephants are currently being held in conditions unsuited to their basic needs. [The application](#) is brought by Animal Law Reform South Africa (ALRSA), the EMS Foundation and Chief Stephen Fritz, represented by the environmental law firm, Cullinan and Associates, against the Johannesburg City Parks and Zoo (JCPZ), and other governmental respondents involved with the Zoo. This is a ground-breaking case, which is also a South African first, where a legal remedy is being sought to have these elephants released to live out the remainder of their lives in a natural environment and where the conditions are commensurate with the innate needs and nature of Elephants.

On the 16th of December 2020, Members of PREN wrote a letter to Minister Barbara Creecy, the Minister of Forestry, Fisheries and the Environment in South Africa, asking her to release Charlie, the solitary bull elephant living at the National Zoological Gardens in South Africa. After nineteen months of negotiations, the South African National Biodiversity Institute [announced](#) the decision on the 29th of July 2022, to pursue options for retirement of Charlie to a suitable wild environment.

On the 8th of January 2021, the members of PREN [requested](#) urgent medical veterinary assistance for four African elephants who are residents at the Karachi Safari Park and Zoo in Karachi in Pakistan. Advocate Owais Awan, a PREN member, filed a petition with the Pakistan Animal Welfare Society to the Hon'ble Sindh High Court in Karachi. This petition resulted in access being granted to the wildlife veterinary experts Dr Amir Khalil, Dr Frank Goertiz, Professor Thomas Hilderbrant and Dr Marina Invanova and [Four Paws International](#), to treat the four elephants. This treatment is ongoing.

These, together with the enactment of the [Jane Goodall Act](#) in Canada, are just a few examples of global efforts **to recognise the dignity and reverse the systemic exploitation of these highly cognitive creatures.**

Nearly [one in three](#) Asian elephants lives in captivity; the existence of such a large captive population of an endangered and intelligent animal continues to pose several practical and ethical challenges.

"An avalanche of data and analysis that provides cast iron proof that we have failed to deliver a life worth living for elephants in zoos", said Will Travers OBE, the co-founder and executive president of the Born Free Foundation who published a new [Report](#) called *Elephants in Zoos: A Legacy of Shame* on the 4th of May 2022.

On the 11th of July 2022, the Conservative Animal Welfare Foundation published a [Report](#) on the unique needs of elephants concluding that these complex animals cannot live meaningful lives in captivity.

On World Elephant Day the undersigned Members of the Pro Elephant Network call on governments around the world to release elephants, the largest sentient, intelligent and socially complex land animal from captivity wherever possible. Not only would this improve the quality of life for each elephant, but it would also improve the ecosystem services provided by the habitat into which they are released. Elephants have been described as super-keystone species and mega-gardeners of the forest and savannah. Research has revealed that the loss of elephants in African forests leads to a seven per cent drop in carbon sequestration and storage. In the fight against dangerous climate change, elephants are our allies; in captivity, they are essentially unemployed, living lives of social and sensory deprivation. In the UN Decade of Ecosystem Restoration, putting the elephant back into elephant-depleted ecosystems will bring benefits to the elephants, the biodiversity and the planet.

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