



Via Electronic Delivery

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16 December 2022

His Excellency Pohamba Penomwenyo Shifeta,

**URGENT CLARITY REQUESTED REGARDING POTENTIAL EXPORT PLANS FOR NAMIBIAN ELEPHANTS**

You will recall from previous correspondence dating back to [December 2020](#), that the Members of the [Pro Elephant Network](#) (PREN) share a specific interest in the protection of the African Elephant. The expertise of PREN Members encompasses both free-living and held-captive Elephants; the network consists of scientists, academics, wildlife conservationists, representatives from wildlife protection and welfare organisations, environmental lawyers and economists as well as representatives from social justice organisations and indigenous community leaders.

We note that at the recent CITES meeting in Panama in November 2022, Parties unanimously agreed that while the process for a dialogue meeting is underway to discuss the long-term rules around exports of live wild-caught African

Elephants, any such exports will be limited to *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 African 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.

Members of PREN previously attempted to engage with representatives from the Namibian government regarding the capture and sale of twenty-two free-living, desert-adapted Elephants which were subsequently exported from Namibia to captivity in the United Arab Emirates (UAE) this year.

PREN members specifically requested information on the Non-Detriment Findings for the aforementioned transfer, as well as any scientific data supporting the capture and subsequent sale, which has, to our knowledge, never been made public.

As we are sure you will be aware, two legal opinions<sup>1</sup> have been published regarding the controversial capture and export of free-living Elephants from Namibia, which questioned the legality of exports of live Elephants taken from the wild to captive facilities overseas. We note that the World Association of Zoos and Aquariums and the European Association of Zoos and Aquaria publicly distanced themselves from the captive facilities in UAE that received the exported Elephants.

Furthermore, the capture, sale and trade of the twenty-two Namibian Elephants to the UAE was raised as an issue of concern at the 74<sup>th</sup> meeting of the CITES Standing Committee in Lyon in France (8<sup>th</sup>-12<sup>th</sup> March 2022), and again at the 19<sup>th</sup> Conference of the Parties held in Panama City in Panama (14<sup>th</sup>-25<sup>th</sup> November 2022).

CITES CoP19 agreed to a moratorium, limiting any export of live wild-caught African Elephant to *in situ* conservation programmes or secure areas in the wild, within the species' natural and historical range in Africa, except in exceptional circumstances on further live exports while harmonized legal framework is negotiated.

Members of PREN have been reliably informed that six wild-caught Elephants are still being held captive on Mr Gerrie Odendaal's property, from which the twenty-two Elephants were exported to the UAE in March 2022.

In the interests of transparency amidst global public concerns, members of PREN hereby formally and publicly request the following information from the Namibian Ministry of Environment, Forestry and Tourism as a matter of urgency:

1. Confirmation of the holding facility;
2. Sex and age of the Elephants;
3. Details of the capture, its location and copy of justifications for it;
4. Copies of all permits;
5. Details of sale transaction between the government and private parties;
6. Report from the welfare authority on the animals' status and well-being;
7. Copy of Non-Detriment Finding in case of planned future export of the Elephants; and
8. Information on the intentions for these Elephants going forward.

**We hereby request that:**

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<sup>1</sup> CITES Seventy-fourth meeting of the Standing Committee Lyon (France), 7 – 11 March 2022, legal opinion submitted by Burkina Faso about agenda item 50, available at:

[Legal Opinion on CITES Rules on Exports of Live African Elephants from Namibia – African Elephant Coalition](#)

Legal opinion on the export of wild-caught African Elephants, provided by the EMS Foundation, available at: [THE EXPORT OF WILD CAUGHT NAMIBIAN ELEPHANTS TO THE UNITED ARAB EMIRATES](#)

- a. The Namibian government immediately puts in place measures to prevent the export of the six Elephants to captive facilities, in recognition of the Decision taken by the Parties at the CITES CoP19;
- b. The Namibian government prioritises their return to their free-living life and herds.

Yours faithfully,

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Janey Clegg	Committee Member, SPCA Mutare, Zimbabwe
Megan Carr	Founder, Rhinos in Africa
Lenin Chisaira	Founder, Advocates 4 Earth – Green Law Connect, Zimbabwe
Dr Betsy Coville	Exotic / Wildlife Animal Veterinarian
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Nomusa Dube	Founder, Zimbabwe Elephant Foundation
David Ebert	Advocate, Founder Director of The Animal Defense Partnership – USA
Stefania Falcon	Co-Founder, Future 4 Wildlife – South Africa
Daniela Freyer	Co-Founder, Pro Wildlife, Germany

Michele Franko	Captive Elephant Caregiver and Advocate – USA
Chief Stephen Fritz	Indigenous Leader, South Peninsula Khoi Council – South Africa
Dr Toni Frohoff	Ethologist and Behavioral Biologist, Founder of TerraMar Research
Dr Marion E. Garai	Elephant Behaviour Specialist - South Africa
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Dr Paula Kahumbu	WildlifeDirect, Kenya
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Nuria Maldonado	Ecologist, Environmental Science, Max Plank Institute
Duncan McNair	Lawyer, CEO of Save The Asian Elephants
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Dr Winnie Kiiru	Founder, Conservation Kenya
Brigitte Kornetzky	President and Founder of Elefanten in Not - Switzerland / India
Professor Bob Jacobs	Neuroscience Researcher – Colorado College – USA
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Dr Mark Jones	Veterinarian, Born Free Foundation - UK
Kahindi Lekalhaile	Africa Network for Animal Welfare, Kenya
Dr Smaragda Louw	Director, Ban Animal Trading, South Africa
Giorgio Lombardi	Warden Vogelgat Private Nature Reserve, South Africa
Linda Masudze	Advocate 4 Earth, Zimbabwe
Varda Mehrotra	Co-Founder, Samayu, A Just World – India

Dr Nurzhafarina Binti Othman	Founder: Seratu Aatai, Elephant Conservation and Research Coordinator at HUTAN-KOCP - Malaysia
Tina Papadopoulou	Biologist, Co-Founder of Friends of Bunka
Sharon Pincott	Elephant Behavioural Specialist, ex-Hwange, Zimbabwe
Michele Pickover	Director, EMS Foundation, South Africa
Bharati Ramachandran	CEO of the Federation of Indian Animal Protection Organisations – India
Ian Redmond OBE	Founder, African Ele-Fund and Elefriends Campaign, Chairman of Ape Alliance and Co-founder of Rebalance Earth
Ingo Schmidinger	Elephant Husbandry – Co-Founder iScapes
Dr Jan Schmidt-Burbach	Veterinarian, Head of Wildlife Research and Animal Welfare, World Animal Protection International
Mark Stratton	Investigative Journalist, Founder of Friends of Bunka
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