

No Room for Elephants in Zoos ?

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The Member-Secretary, Central Zoo Authority (CZA), has issued a circular on 7th November 2009 imposing a ban on keeping elephants in zoos in the country. The zoos have been directed to shift the elephants to camps and rehabilitation centres maintained by the State Forest Departments (SFDs) at National Parks, Wildlife Sanctuaries and Tiger Reserves for departmental use. The circular cites the following reasons for banning elephants from zoos:

- a. The housekeeping in zoos is poor causing trauma to elephants;
- b. Elephant is a free ranging mega-herbivore and very few zoos in the country have adequate space to permit free movement of elephants which are kept chained for long hours, causing stress to elephants;
- c. Captive elephants in zoos hardly breed;
- d. There is very little scope for *ex-situ* to *in-situ* linkage in the context of zoo elephants in India;
- e. There are instances of zoo elephants coming into *musth* causing serious threat to visitors;
- f. The zoos have tremendous financial liability for daily maintenance / housekeeping of elephants.

The CZA's circular constitutes a major policy decision by the Government of India which has great implications for the management of zoos as well as elephants in the country. But the decision was taken without consultation with various stakeholders, viz. zoos, elephant managers and State Forest Departments. The matter was not discussed in various advisory bodies of the Govt. of India, viz. National Board for Wildlife, Steering Committee of Project Elephant and the full Authority of the CZA. That the decision was taken in haste without sufficient application of mind is obvious from various lacunae and contradictions in the circular. For example:

1. The circular has been issued in the form of an executive order without reference to any particular section of the Wildlife (Protection) Act, 1972 (WPA-1972). Therefore, this order lacks legal authority and may not stand judicial scrutiny in a court of law.
2. The CZA, while imposing a ban on the zoo elephants, has ignored the fact that some of the zoos are also in possession of African elephants and sending them to the forest camps and Protected Areas in India will be imprudent.
3. Circuses and rescue centres have also been categorised as zoos and brought under the jurisdiction of the CZA in 2003 through an amendment in the WPA-1972. The CZA's circular of 7th November has been sent to directors of all zoos and rescue centres. It is, however, not endorsed to the circus-owners and it is not obvious from the circular whether the ban is also intended for the circus elephants. This needs to be clarified to avoid confusion among the enforcement agencies.

4. The said circular is in contradiction of another decision taken by the CZA in July 2009 to permit elephant-exchange programmes with foreign zoos. This is also contrary to the steps taken by Project Elephant, Govt. of India, to set up rescue centres for elephants in Haryana and other States which also come under the definition of zoos (unless the concerned authorities manipulate the nomenclature to beat the ban!).

5. The circular does not clarify whether the keepers and mahouts engaged by zoos for elephants will also be transferred to SFDs. If not, what happens to them? The SFDs may have to create new posts of mahouts and grass-cutters to take care of elephants shifted to their custody which, given the poor financial position of most State Governments, is a difficult and time-consuming proposition. Will the CZA or Govt. of India provide financial assistance to the SFDs for taking care of these elephants?

It is ironical that such reputed zoos as Nandankanan Zoo (Bhubaneswar), Guwahati Zoo, Hyderabad Zoo, Mysore Zoo and the National Zoological Park (New Delhi) having a long tradition of managing captive elephants, are being castigated for bad management of elephants. The circular, ironically, puts a question mark on the CZA's own capability to manage zoos and captive elephants. The ban will impact about 80-90 elephants in the possession of the Zoological Parks (a large number of which are owned by the State Governments) and 140-150 elephants owned by the circus companies (assuming that the circular applies to circuses as well).

The CZA has prescribed rules, norms and standards for the care and management of wild animals in captivity (including elephants), which, *inter alia*, deal with matters concerning accommodation, feeding and veterinary care. The CZA has a mechanism for monitoring and evaluation of zoos and has the capability of enforcing its rules and standards through a system of financial incentives, technical support and penalties (which include de-recognition of a zoo). Traditionally, care of wild animals has not been a strong point with the circuses, but it was expected that the situation would gradually improve with the involvement of the CZA since 2003.

Has the CZA made all possible efforts to bring about necessary reforms in the care and management of elephants in zoos in general and circuses in particular before giving up?
The answer is: No. The following questions emanate from the circular:

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i. If the CZA and the zoos are unable to comply with rules, norms and standards in respect of elephants, how can they ensure compliance in respect of other captive animals?

ii. If the concerned Governments (Central Government in case of the National Zoological Park) are unable to take proper care of elephants in the zoos owned by them, what is the likelihood that these elephants will be better off in the SFD-owned camps which are not subject to any rules, regulations, norms and standards and which lack any monitoring and punitive mechanisms. Just to cite an example, zoos are legally bound to appoint veterinarians for looking after animals, but the SFDs are not. A few posts of veterinary doctors that exist under the SFDs are seldom filled up and barring a few honourable exceptions, forest veterinarians are less experienced and skilled than their zoo counterparts.

The reasons as cited in the CZA's circular do not look convincing when subjected to closer scrutiny. For example:

a. The issue of poor housekeeping in zoos is not necessarily limited to elephants but it affects other animals also. The problem, however, can be resolved through managerial intervention.

b. There are many other animals in the Indian zoos (e.g. tiger, leopard, giraffe, hippo, etc.) which, like elephants, are free ranging and need more space than what is available with the zoos. Most of the zoos follow a regular regime for walking their elephants out of their enclosures and employing them for collecting their fodder, which ensures adequate exercise for the elephants.

c. The recorded cases of zoo elephants coming into *musth* and posing threat to the visitors are much fewer than the bull elephants kept in temples, forest camps and tourism centres. Once again, this risk can be minimized through managerial intervention.

d. The financial liability of zoos is much more in respect of large carnivores than elephants. Moreover, the financial liability for elephants will continue to be there even after their transfer from zoos to camps and facilities owned by the SFDs and the Govt. of India will have to provide financial support to the SFDs for this purpose.

e. Finally, the zoo elephants can also breed and can also be used for *in-situ* conservation should there be a need to this effect and if the Govt. of India (through CZA and Project Elephant) takes a policy decision in this regard. There is no point singling out the zoo elephants for this purpose because a number of other animals in the Indian zoos (e.g. indigenous species like tiger, lion, leopard, bear, etc. and exotic species like giraffe, hippo, etc.) have presently no linkage with any *in-situ* conservation programme in the country.

The CZA has apparently not learnt any lesson from the past experience. It may be recalled that some years back, Govt. of India had prohibited (under the provisions of the Prevention of Cruelty to Animals Act, 1960) circuses from exhibiting tigers, leopards, lions and bears and subsequently the SFDs were instructed to take possession of these animals. It led to many complications, including a spate of court-cases. The SFDs were hard-pressed to set up rescue centres and it took a painfully long time and a very large investment before the animals in question could be rehabilitated in zoos and rescue centres. In some cases the NGOs had to come forward to set up rescue centres. But it will be a travesty of truth to say that all the animals in question are now better off. The history is likely to repeat itself in case of elephants.

Many of the States with zoo elephants are not the elephant-bearing States (e.g. Maharashtra) and the SFDs in question may not have the experience, expertise and wherewithal to take proper care of elephants being shifted to their custody. Even in the elephant-bearing States, SFDs may have similar problems. In a recent case reported from Kerala, the SFD could not provide shelter to an elephant forfeited by the State Finance Corporation (SFC) from a defaulter despite repeated requests by the SFC. In Chhattisgarh, two elephants captured in Sarguja during 1993-94 were kept in confinement in Tamorpingla Sanctuary in a wretched condition for more than a decade simply because the SFD did not have expert mahouts to impart training to the captured elephants!

Some years back, two elephants were sent from the National Zoological Park to the Corbett National Park for the purpose of patrolling, but they did not survive long due to negligence of the Park mahouts. The forest officers in many States in India hesitate to confiscate elephants kept without ownership certificates by their owners simply because they lack resources to take care of the confiscated elephants! In fact, zoos in many states also serve as rescue centres which the forest officers use for keeping seized, confiscated and rescued elephants. The forest officers will lose this facility with the ban in question.

The animal-right activists are generally against the very idea of keeping elephants in captivity. With the eviction of elephants from zoos, they may soon be demanding removal of all captive elephants from temples, private control, tourism-centres and, eventually, even from the camps of the SFDs on the same logic as that given by the CZA. The CZA's circular has apparently opened a Pandora's Box and raised a question about the very future of captive elephants in India. The implications of the ban on zoo elephants need to be examined in the context of overall management of elephants in the country. There are 26,000-28,000 elephants in wild and 3400-3600 elephants in captivity in India. Elephants are considered to be endangered and included in Schedule-I of the WPA-1972.

Project Elephant

Government of India initiated a special programme in February 1992, titled Project Elephant, for providing financial and technical support to the elephant-bearing states. Project Elephant has the mandate for ensuring the welfare of wild as well as captive elephants.

Elephants have been closely associated with the religions, myths, history and cultural heritage of the country. It is said that one can not imagine India without elephants. But it is mostly through the domesticated elephants that one comes to appreciate these wonderful animals. A large wealth of knowledge and expertise exists in India by way of capturing, training and handling of elephants, developed through thousands of years of association of human-beings with domesticated elephants.

Project Elephant includes among its objectives the need for preserving and nurturing this priceless store of knowledge and expertise. But the situation in the field is dismal.

- After Independence, elephants lost their major patrons, viz. Princes and Zamindars, e.g. the landed gentry. Restrictions were imposed on logging activities and elephant-capturing operations in the early 1980s which resulted in unemployment of a large number of trained elephants and skilled mahouts.
- Commercial trade in captive elephants was also prohibited at national and international levels under the provisions of the WPA-1972 and CITES (Convention on International Trade in Endangered Species of Wild Flora & Fauna) respectively.
- The elephants under individual ownership could still be disposed off with due permission of the Chief Wildlife Warden (CWLW) until 2003 when Section 43(1) of the WPA-1972 was amended for prohibiting commercial transactions in captive animals and trophies covered under Schedule-I and Schedule-II (Part II).
- Now, here comes a ban on zoo elephants.

The scope for owning and possessing captive elephants in India is, therefore, getting reduced due to economic and legal factors. In recent years, the animal-right activists have also been lobbying against domestication of elephants on grounds of cruelty and apathy exhibited by many mahouts and owners, particularly in circuses and temples. Everything at present appears to be going against sustaining the tradition of captive elephants in the country.

But domestication of elephants is no longer a sentimental issue or a fad of the traditionalists. Recent years have also witnessed a re-appraisal of the role of domesticated elephants from a conservationist's point of view. Richard Lair in his famous book 'Gone Astray' has stated that well managed domesticated populations are of inestimable value to the wildlife conservation community, and their importance can only grow exponentially as wild elephant populations continue

to decline. Captive elephants can be considered as the repository of gene-bank and a sort of insurance against extinction of their wild brethren. Poaching of tusk-carrying bulls in many regions has led to a highly skewed adult male-female ratio posing a threat to the long term survival of elephant populations. Through proper relocation strategies, captive elephants can help in restoring sexual imbalances in wild populations.

One of the serious conservation issues in India is that of human-elephant conflict. There are areas where elephant habitats have degraded beyond recovery forcing elephants to indulge in large scale crop depredation and, often, human-slaughter. This leads to public wrath against elephants — a situation hardly conducive to the cause of conservation. The system of culling of elephants as practiced in some African countries is against the cultural sensibilities of the Indians. Here, capturing for domestication provides a plausible solution. The WPA-1972 permits capturing of human-killing elephants and also accepts capturing as a tool for dealing with local abundance of elephants. But this tool can not be used effectively unless there exists a legal way of disposing off the captured elephants.

Various elephant-experts have time and again emphasized upon the need for sustaining and nurturing the population of captive elephants in India. It is neither possible nor desirable for the SFDs alone to be the custodian of all the captive elephants in India. It is, therefore, crucial that the ownership and use of elephants by private individuals, zoos, temples and other suitable organizations is continued, albeit with such safeguards as may be necessary. There is already much material for safeguards:

- A Working Group was set up by the Ministry of Environment & Forests (MoEF) in November 2000 to prepare the country report on domesticated elephants for the F.A.O. This Working Group recommended that capturing and domestication of elephants should be acknowledged as an integral part of conservation and management of wild elephants, and ownership and domestic trade of captive elephants should be liberalised.
- Many important recommendations for improving the status of captive elephants were made in the national-level workshop on "Management and Welfare of Elephants in Captivity – Priorities for the Twenty-first Century" organised by Project Elephant at Thiruvananthapuram on 26th August 2003.
- In its 9th meeting held on 22.12.2003, the Steering Committee of Project Elephant recommended that Section 43(1) of the WPA-1972 should be immediately amended to remove ban on sale of elephants by their legitimate owners.
- An expert committee was set up by the MoEF during 2003-04 to study the status of captive elephants in India. A number of useful recommendations were made by this committee for improving the condition of

elephants in different working environments including zoos.

The decision of the CZA to ban elephants from zoos, when seen in the overall context of wild and captive elephants in the country, appears to be illogical and goes contrary to the needs of elephant management in the country.

Instead of banning elephants from zoos, they need to be assisted in proper management of elephants. The SFD in West Bengal has been following since many years a model for collaborative management of captive elephants with the Alipore Zoological Garden, Kolkata. The adult zoo elephants are periodically shifted to North Bengal and kept in conditioning-cum-training camps before being put to use for patrolling in forests and Protected Areas. In exchange, the zoo is provided with elephant calves for display. This exchange considerably reduces the burden of the SFD on account of unproductive expenditure on

elephant calves before they attain maturity. The elephant calves, who are a great hit with the visitors, can be kept in enclosures with minimal or no restraints and pose no threat on account of *musth*. The SFD also provides the services of its experienced mahouts to help the zoo mahouts in honing up their skills. It is possible to think of many other models and management systems for improving the status of zoo elephants.

The CZA should not shy away from its responsibility of improving the condition of elephants in zoos and must not resort to the easy but highly illogical option of banning elephants from zoos.

ZooLex Tiergarten Schönbrunn - Rainforest House

See web version with large, attractive photos at <http://www.zoolex.org/zoolexcgi/view.py?id=1117>

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The opening of the Rainforest House marked the 250th anniversary of Schönbrunn Zoo. The aim of the project is to show visitors a cross-section of a mountain slope in Borneo's rainforest, including the Asian rainforests link to the ocean in the form of a simulated mangrove swamp. The primary goal of the exhibit is for the visitor to actually experience the rainforest, rather than merely viewing a display of plants and animals: the visitor should gauge an understanding of the complexity and diversity of the forest. This goes hand in hand with an effort to educate the public about ongoing threats to the rainforest and to promote conservation.

The outside of the Rainforest House has a domed structure, with a stepped glass roof. The roof also allows natural ventilation as in the summer the mechanical ventilation system is not enough. Based on dynamic simulation calculations, the air conditioning for the Rainforest House could be technically and economically optimized.

The Rainforest House provides a home for over 60 species of animal. Further attractions include a cascading waterfall and two tidal pools, simulating the ebb and flow of the ocean. Simulated weather conditions, including mist, as well as tropical thunderstorms, add to the experience. Visitors can explore the house over two levels. They cross bamboo bridges to find the bat cave and ascend

adventure steps to reach a viewing platform. The elevator, Panoramlift, provides stair-free access across both levels of the exhibit. Contrary to common practice for green house planning a north facing slope of previous bear exhibits was chosen for the rainforest house in order to avoid overheating from sun radiation. Originally, the structures of the bear enclosure were to be used as the basis on which to build the house, yet defects in their quality led to the construction of new foundations.

Roughly 150 of the most important species of tree found in the rainforest of Borneo were planted in the exhibit. An area growing cultivated plants, fruit trees and a paddy field - is the only part of the exhibit that does not conform to the strict geographical sourcing of the flora. Particular plants rarities to Borneo such as orchids and epiphytes - are grown in the upper floor of the exhibit. In contrast to the typical South American rainforests, the soils of Borneo's forests have higher humus content, a different layering profile and little drainage.

Summary continued on ZOOS' PRINT website www.zoosprint.org as well as ZOO LEX original <http://www.zoolex.org/zoolexcgi/view.py?id=1117>