



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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MEMORANDUM

To: Chief, Division of Management Authority

From: Chief, Division of Scientific Authority *Rosemarie Gram*

Subject: General Advice on Importation of Sport-hunted Trophies of African Elephants taken in Tanzania in the Calendar Year 2015

This General Advice represents our CITES finding for permit applications that you might receive for the import of sport-hunted trophies of African elephants (*Loxodonta africana*) taken in the United Republic of Tanzania (Tanzania) in calendar year 2015.

Please be advised that, based on the available information, we are **unable** to determine that the importation of sport-hunted trophies of African elephants taken in Tanzania during calendar year 2015 will be for purposes that are not detrimental to the survival of the species.

If permit applications are received that include new or additional information showing that elephant management practices by the Government of Tanzania have led to the sustainability of its elephant populations on a nation-wide basis, these applications should be referred to the Division of Scientific Authority for consideration on a case-by-case basis.

BASIS FOR ADVICE:

Since our analysis for the General Advice issued for calendar year 2014, we sent letters to the Government of Tanzania on 19 June 2014 and 13 November 2014 requesting additional information concerning the conservation, management, and status of African elephants in Tanzania. In response to our questions, we received a letter dated 22 January 2015 from the Government of Tanzania. The following documents were included along with the letter:

- Tanzania Wildlife Research Institute (TAWIRI) Non-Detriment Finding for African Elephant in Tanzania (August 2014);
- Ministry of Natural Resources and Tourism National Strategy to Combat Poaching and Illegal Wildlife Trade (30th October 2014);
- Wildlife Conservation (The Tanzania Wildlife Management Authority) Establishment Order 2014, and a copy of the Government Gazette (9 May 2014) that published the Order;

- “Action Items” from the Ministry of Natural Resources and Tourism and the ICCF Group Conference: Stopping Wildlife Crime & Advancing Wildlife Conservation: A Call to Action, Dar es Salaam, Tanzania (9-10 May 2014);
- UNESCO World Heritage Centre – IUCN, Reactive Monitoring Mission, Selous Game Reserve (United Republic of Tanzania) (02 - 11 December 2013);
- Decisions Adopted by the World Heritage Committee at its 38th Session (Doha, 2014);
- Aerial Total Count of Elephants and Buffaloes in the Serengeti-Mara Ecosystem (Mduma *et. al.* 2014);
- Tanzania Hunting Blocks map (2011);
- CITES Monitoring the Illegal Killing of Elephants, Update on Elephant Poaching Trends in Africa to 31 December 2014; and
- Discussion Paper for Aerial Survey Standards for the Proposed Aerial Census of Elephants in the Selous Game Reserve Tanzania, September 2013 (Frederick and Norton-Griffiths 2013).

We also received updated information from other sources, all of which is referenced within the text of this document. The new information received by the Government of Tanzania and other sources are discussed below as they relate to our finding for the 2015 calendar year.

Conservation and Management

1. As recently as a few years ago, African elephants were considered to be widely distributed throughout Tanzania. As of 2009, they covered about 39% of the country’s total land surface area (~370,000 square kilometers (km²)) (TAWIRI 2010) within six ecosystems, including: Tarangire-Manyara, Serengeti, Selous-Mikumi, Ruaha-Rungwa, Katavi-Rukwa, and Moyowosi-Kigosi (CoP15 Doc. 68, Annex 6a). The Selous-Mikumi ecosystem represented about 40% of the total elephant population in Tanzania (CoP15 Doc. 68, Annex 6a). At 31,040 square miles, the Selous-Mikumi ecosystem is Africa’s largest protected area, and historically held East Africa’s largest elephant population, followed by Ruaha-Rungwa (13,384 square miles) (Jones and Nowak 2013).

2. Historically, there have been transboundary elephant populations in the Kilimanjaro-Amboseli, the Serengeti-Mara, and Tsavo-Mkomazi ecosystems along the Tanzania-Kenya border (Blanc *et. al.* 2003), and elephants have moved between the Selous in Tanzania and the Niassa in Mozambique (Mpanduji *et al.* 2002). Tanzania also shares elephant populations with Rwanda – the Burigi Game Reserve in Tanzania and Akagera National Park in Rwanda (TAWIRI 2010).

3. According to Tanzania’s August 2014 Non-Detriment Finding for African Elephant in Tanzania (TAWIRI *in litt.* 2015), elephants are protected throughout Tanzania, both inside and outside protected areas (PA) as part of the country’s biological heritage (Wildlife Conservation

Act, No. 5 of 2009). Elephants in Tanzania are managed in the context of the ecosystems in which they occur based on General Management Plans in all National Parks, Game Reserves, Game Controlled Areas, and Open Areas/Wildlife Management Areas (TAWIRI *in litt.* 2015). In some PAs, including Game Reserves, Game Controlled Areas, and Open Areas/WMAs, elephants are harvested through tourist hunting. The network of PAs in Tanzania includes national parks (NP), Ngorongoro Conservation Area, game reserves (GR), game controlled areas (GCA), and wildlife management areas (WMA) in village lands.

4. Elephant harvest is administered under a national quota system set by a Quota Allocation Advisory Committee comprised of experts from the Tanzania Wildlife Research Institute (TAWIRI), which is the CITES Scientific Authority of Tanzania, the University of Dar es Salaam, Sokoine University of Agriculture, University of Dodoma, the College of African Wildlife Management, and staff from the Wildlife Division. Concession outfitters sell hunting packages to clients based on quotas issued for their particular hunting blocks. For safety and compliance purposes, outfitters must ensure that clients are accompanied and assisted by professional hunters and a game scout (TAWIRI *in litt.* 2015). According to Tanzania's August 2014 Non-Detriment Finding for African Elephant in Tanzania (TAWIRI *in litt.* 2015), quotas are set using several verifiable indicators, including population estimates, trophy quality, age, abundance, off-take levels, etc., that can demonstrate little or no significant detrimental impacts on the population. The 2014 non-detriment finding document notes that this benchmark provides confidence in setting future quotas through an adaptive management approach.

5. In the year 2012, Tanzania amended its Wildlife Management Area Regulations (2012), providing a new basis for strengthening the linkages between local communities and wildlife conservation; this is the first time the WMA regulatory framework has been significantly reformed in over a decade. Under the new regulations, the WMAs receive 75% of the block fees, while 25% of the block fees go to the Wildlife Division's Tanzania Wildlife Protection Fund. The WMA gets 45% of the game fees, observer fees, and conservation fees, while the rest of these "lesser fees" is divided between the Wildlife Division, Treasury, and District government. As a result of these new provisions, the WMAs get about 60-65% of the total hunting revenue (Nyalandu *in litt.* 2015). Despite these and other improvements made to the WMA system, as noted by the Government of Tanzania (Nyalandu *in litt.* 2015), the Government of Tanzania also reports that the revenue retention by WMAs is insufficient to "finance and motivate sound management decisions" (MNRT 2014). The Government of Tanzania's "National Strategy to Combat Poaching and Illegal Wildlife Trade" (hereinafter referred to as National Strategy; MNRT 2014) identified poverty as one of the barriers that has prevented the implementation of measures to combat illegal wildlife trafficking in Tanzania, and noted, "The Government recognizes WMAs, as they are currently operated, are not sufficiently effective to lift rural communities out of poverty." The National Strategy outlines the considerable challenges to effecting strong local governance of the WMAs, resulting in barriers to the long-term success of the WMAs (MNRT 2014).

6. In 2012/2013, the Government of Tanzania re-established the Selous Game Reserve (SGR) Revenue Retention Scheme, whereby 50% of the revenue is retained in order to meet management and enforcement costs in the SGR; the percentage of revenue retained may be adjusted upward if required. According to the Government of Tanzania, tourist hunting comprises 85% of the Selous' revenues, and the majority of this revenue comes from elephant hunting. The other source of revenue is photographic tourism. The Government of Tanzania has expressed concern that the retained revenue will not be sufficient to meet enforcement needs in the SGR without tourist hunting (Nyalandu *in litt.* 2015).

7. The Government of Tanzania notes that in 2014 it carried out a number of activities in its efforts to curb poaching, including cross-border cooperation on antipoaching issues (Nyalandu *in litt.* 2015). In its National Strategy (MNRT 2014), however, the Government of Tanzania identified law enforcement as one of the barriers that has prevented the implementation of measures to combat illegal wildlife trafficking in Tanzania, noting:

Wildlife crime is a transnational crime and therefore requires strong collaboration between law enforcement agencies both across borders and between supply and consumer countries. This level of international collaboration in law enforcement is currently lacking in Tanzania. Various international taskforces have been established, such as the LATF; however, the latter lacks in expertise and support for data sharing and communications.

8. Prior to May of 2014, the legal instruments governing wildlife conservation in Tanzania, as per Tarimo, *et. al.* (*in litt.* 2011) included:

- Wildlife Policy, 2007, which provides guidelines for the management of African elephants through the development, review, and updating of specific management plans (CoP15 Doc. 68, Annex 6a);
- Wildlife Conservation Act No. 5 of 2009;
- Tanzania National Parks Act CAP. 282 (RE 2002); and
- Ngorongoro Conservation Area Act CAP. 284 (RE 2002).

The institutions that had been granted authority under these laws for management of wildlife in Tanzania included:

- Tanzania National Parks (TANAPA), a Parastatal organization that manages 15 national parks (total area of 50,872 km²);
- Ngorongoro Conservation Area Authority (NCAA), a Parastatal organization that manages the Ngorongoro Conservation Area (NCA) (total area of 8,300 km²);
- Wildlife Division, an institution that was in charge of managing 28 game reserves with an area of 112,564 km², about 38 game controlled areas with an area of about 161,521 km², and RAMSAR sites covering 249,856 km²; and

- District Councils, local government institutions that collaborated with the Wildlife Division on wildlife conservation issues and facilitated the establishment and management of WMAs on village land (Tarimo, Severre, and Mduma, *in litt.* 2011).
9. On May 9, 2014, via publication in the Government Gazette, the Government of Tanzania authorized the Tanzania Wildlife Management Authority (TAWA) through Government Notice 135. TAWA was established to manage all wildlife resources outside the jurisdiction of NCA and TANAPA (MNRT 2014). The Order established under Government Notice No. 135 (2014) states that it established TAWA to “take over the wildlife management functions specified in the Schedule currently performed by the Wildlife Division in the Ministry of Natural Resources and Tourism.” The various functions of TAWA are summarized in the National Strategy (MNRT 2014). The Ministry of Natural Resources and Tourism established a task force to implement TAWA and assigned the task force with the following mandate, as summarized by Nyalandu (*in litt.* 2015):
- *Developing a strategic plan;*
 - *Delineating TAWA’s scope of authority;*
 - *Establishing requirements for human, financial, and physical resources; and*
 - *Drafting a financing plan and manual.*
10. Nyalandu (*in litt.* 2015) outlined the steps involved in standing up TAWA and noted that TAWA is expected to be fully operational by July 1, 2015. The National Strategy (MNRT 2014) indicates that if TAWA is operationalized with sufficient capacity to fulfill its mandated functions, wildlife law enforcement in Tanzania will be greatly improved; however, without the resources to create this capacity, there is a risk that the result will look like, “an old wine in a new bottle.” According to Nyalandu (*in litt.* 2015), the success of TAWA depends on sufficient revenue from safari hunting, especially elephant and lion hunting.
11. Tanzania developed its country-level strategy and action plan, the “Tanzania National Elephant Management Plan 2010-2015” in 2010, and the plan was endorsed by the Minister for Natural Resources and Tourism on January 15, 2011. This plan identifies nine different strategic objectives, as well as numerous specific objectives and their associated targets, actions, timelines, actors, and indicators. The strategic objectives include: Human-Elephant Conflict, Elephant Corridors, Law Enforcement, Benefits and Sustainable Utilization, Ivory Stockpile and Management System, Research and Monitoring, Elephant Health and Welfare, Cross-border Cooperation, and Elephant Information Management (TAWIRI 2010). We do not have information on the status of completion of the actions identified in the plan, and we do not know if the plan is being updated to extend beyond the year 2015. However, in October of 2014, the Government of Tanzania’s Ministry of Natural Resources published its “National Strategy to Combat Poaching and Illegal Wildlife Trade.” The strategy intends to support and build upon current actions being taken, internationally and within Tanzania, to increase the effectiveness of

these actions and ensure better coordination between institutions in the implementation of shared objectives. The National Strategy notes that, among other actions, it will be critical for Tanzania's successful completion of its Elephant Management Plan 2010-2015.

12. Tanzania developed its "National Strategy to Combat Poaching and Illegal Wildlife Trade," published October 30, 2014, in response to the rapid rise in wildlife crime in Tanzania, including poaching and illegal trade in ivory, rhino horn, and other wildlife products and the resulting decline in wildlife populations, especially elephants. The strategy aims to support significant measures to address three major factors: consumer demand, poverty, and weak law enforcement. The three strategic objectives, which are detailed in the National Strategy (MNRT 2014) include:

- 1. National and sub-national capacity for intelligence-led, highly coordinated law enforcement;*
- 2. Improving rural livelihoods through enhanced community-based management of natural resources;*
- 3. Awareness raised in supply, transit and destination countries to help change attitudes towards wildlife crime and build international support.*

13. In addition to the actions mentioned above, the Government of Tanzania provided the Service with detailed information on the Government of Tanzania's implementation of actions on the ground to combat poaching as well as international collaboration against wildlife poaching and trafficking. Many of these actions as well as the actions above are still in the process of being implemented, and it is premature to evaluate the overall success of those initiatives.

Population Distribution, Status and Trends

14. New census information was made publicly available on June 1, 2015, when Tanzania's Minister for Natural Resources and Tourism, Hon. Lazaro S. Nyalandu, gave a speech (Arusha, Tanzania) formally announcing the Tanzania 2014 Elephant Census Results (MNRT *in litt.* 2015a) and issued a press release (MNRT *in litt.* 2015b), stating:

The countrywide census results of 2014 estimated 43,330 (\pm 3,078) elephants indicating a declining trend compared to results of 2009 census that was 109,051 (\pm 5,899) (Table 1). This is a 60.3% decline of elephant population over a period of five years.

Table 1: Population estimates of elephants in Tanzania 2009 and 2014 (From MNRT *in litt.* 2015b).

SN	Ecosystem/Pa	2009			2014			Method	Status
		Estimate	SE	Area (Km ²)	Estimate	SE	Area (Km ²)		
1	Selous-Mikumi Ecosystem	44,806	2,874	107,968	15,217	1,800	105,730	SRF	Decline
2	Ruaha-Rungwa Ecosystem	34,664	4,178	43,641	8,272	1,623	50,368	SRF	Decline
3	Serengeti Ecosystem	3,068		21,884	6,087		33,185	TC	Increase
4	Katavi-Rukwa Ecosystem	6,396	920	10,274	5,738	1,375	19,953	SRF	Stable
5	Tarangire-Manyara Ecosystem	2,561		12,766	4,202		18,725	TC	Increase
6	Malagarasi-Muyovosi Ecosystem	15,198	2,751	45,532	2,953	1,308	44,809	SRF	Decline
7	Arusha NP	100	-	322	200		316		Increase
8	West Kilimanjaro-Lake Natron GCA	-	-		200		10,060	TC	
9	Burigi-Biharamulo	1,295	785	7,292	110		4,713	SRF	
10	Rubondo Island Np	49	-		102		237	EC	Increase
11	Kilimanjaro NP	450	-		100		1,652	EC	
12	Swagaswaga GR	-	-		60		871	EC	
13	Mkomazi NP	209	131	3,0150	59		3,107	TC	Incomparable
14	Saadani NP	255	178	2,5020	30		1,154	SRF	
	TOTAL	109,051	6,135		43,330	3078			

15. Based on these 2014 census results, elephant populations in Tanzania's top three elephant population strongholds of 2009, the Selous-Mikumi Ecosystem, Ruaha-Rungwa Ecosystem, and Malagarasi-Muyovosi Ecosystem, have declined by 66%, 76%, and 81%, respectively compared to the 2009 results (MNRT *in litt.* 2015b). The elephant population in the Ruaha-Rungwa ecosystem has declined by 59% in one year alone, based on the 2013 census figure of 20,090 ($\pm 3,282$ SE) (TAWIRI 2013b).

Sustainability of Offtake

16. In Tanzania, African elephant deaths occur as a result of several factors, including: 1) natural mortality; 2) trophy hunting; 3) problem animal control; and 4) poaching. In order to evaluate whether offtake from trophy hunting is sustainable, all losses to the African elephant population must be considered.

Legal Offtake

17. In 2014, the Government of Tanzania lowered its annual CITES export quota from 400 tusks to 200 tusks and increased its minimum trophy (tusk weight) requirement in order to improve the overall management of its elephant population (Nyalandu *in litt.* 2014). According to the Government of Tanzania's August, 2014, non-detriment finding (TAWIRI *in litt.* 2015), 300¹ elephants were harvested between 2010 and 2013, an average annual harvest of 75 individuals.

18. Although complete records on natural mortality for the entire country were not available, in 2013 the Panel of Experts estimated the level of offtake due to natural mortality by analyzing the data from the ivory store databases of Tanzania. Based on 21 years of data for that country, an average of 231 elephants died annually from natural mortality, (CoP15 Doc. 68, Annex 6a). This figure for annual mortality may be outdated, given the recent population declines in Tanzania; however, it is the best estimate available for Tanzania and is cited and used by the Government of Tanzania (TAWIRI 2010).

19. Based on data recorded for the most recent five-year period, the Government of Tanzania estimates that an average of 88 elephants are killed annually as a result of conflict with humans (TAWIRI *in litt.* 2015).

20. Based on a sport-hunting quota of 100 African elephants, as well as the estimates cited earlier for natural mortality and problem animal control in Tanzania, the overall legal offtake of African elephants in Tanzania is about 419 elephants annually. Considering the current population estimate to be 43,330 elephants, the legal annual offtake would be estimated at about 1% of the population. This figure is less than the annual population growth rate of 3-5% (CoP15 Doc. 68, Annex 6a) and in itself would be considered sustainable; however, sustainability is measured against total offtake, including illegal offtake, discussed below.

¹ Note the Government of Tanzania's response (Nyalandu 2015) to questions posed by the Service's November, 2014, letter to the Ministry of Natural Resources and Tourism's Wildlife Division indicated that a total of 219 elephants were hunted by tourists during the same time-frame. The discrepancy in these figures is unclear.

Illegal Offtake

21. Recent updates concerning the CITES programs known as Monitoring the Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS) indicate continued poaching and illegal trade involving Tanzania. MIKE analyses reported to the 65th Meeting of the CITES Standing Committee (SC65; Geneva, July 2014) suggest that poaching is not declining (see SC65 Inf. 1) in key areas of Tanzania. For example, in this report, the 2013 PIKE value for the Selous Mikumi site (0.74/118 carcasses) was higher than the 2012 PIKE value for this site (0.51/156 carcasses), and the 2013 PIKE value for the Ruaha Rungwa site (0.84/57 carcasses) was also higher than the 2012 PIKE value for that site (0.66/110 carcasses) (SC65 Inf. 1), suggesting an increase in poaching. As we explained in our February 21, 2014, finding, a PIKE level of 0.5 or higher translates to a level of illegal annual offtake that is likely to be higher than the annual natural birth rate, indicating that the elephant populations are very likely to be in net decline (CoP16 Doc. 53.1). In other words, based on the report the illegal offtake continued to be unsustainable at these sites in 2013.

22. The most recent MIKE update (CITES 2014), which shows elephant poaching trends in Africa to December 31, 2014, estimates that poaching rates overall remain higher than the normal growth rate of elephant populations; therefore, the elephant population at MIKE sites overall is likely to have continued to decline in 2014. The report notes that in some areas, a decline in the PIKE value may be the result of a substantial decline in the elephant population, making it more difficult for poachers to find suitable targets in such areas. The report notes that the Selous-Mikumi site in Tanzania is one of the sites that remain of particular concern in 2014 (with a PIKE level of 0.7 or higher). A substantial decline in PIKE in 2014 was reported in the Ruaha-Rungwa site in Tanzania; however, this could be the result of the drastic population decline in that area, as reported below in “Population Distribution, Status and Trends.”

23. The high levels of illegal activity detected in 2013 by the recent ETIS analyses also gives cause for concern – the ETIS report (SC65 Doc. 42.1) indicates that the overall weight and number of large-scale ivory seizures in 2013 exceeds that for any previous year in the ETIS data. The report notes, however, that since these data have not yet been adjusted for bias, it is uncertain whether this reflects an increase in the levels of illegal trade or if it is rather a reflection of increased levels of law enforcement, in particular in Africa. There was a clear increase in large-scale ivory seizures in Africa during 2013, in particular in the three countries that are part of the CITES National Ivory Action Plan process – Kenya, Uganda and Tanzania.

24. A compelling indication of sustained poaching in Tanzania through 2014 is the result of recent DNA analyses used to determine the geographic origin of large ivory seizures, each weighing over half a ton (Wasser 2015). Such large-scale ivory seizures indicate the presence of organized crime in the illicit ivory trade (SC65 Doc. 42.1). Wasser (2015) examined 28 large tusk seizures that occurred between 1996 and 2014. He found that all but one of the large

seizures examined that occurred since 2006 originated from two areas, one for forest elephants and the other for savanna elephants. As relevant here, the savanna elephant “hotspot” was concentrated in and around southern Tanzania, especially the Selous Game Reserve but also including the adjacent Niassa Game Reserve in northern Mozambique, and extending north to Ruaha National Park and Rungwa Game Reserve. Wasser (2015) points out that Tanzania, and especially the Selous, had first been identified as a major hotspot in 2007 and again in 2010, and the recent study indicates poachers continue to return to these same hotspots.

25. Finally, as discussed above in “Population Distribution, Status and Trends,” the 2014 elephant census results indicate a 60.3% decline of elephant population over the last five years, and the Government of Tanzania reported that poaching is very likely the cause of this drastic decline (MNRT 2015b).

Sustainability of All Offtake

26. In order to evaluate whether offtake from trophy hunting is sustainable, all losses to the African elephant population, including illegal offtake, must be considered. Given the evidence of the massive, ongoing illegal killing of elephants in Tanzania, we find that any additional offtake from the population, including sport-hunting, would be unsustainable.

Conclusion

27. In 2014, we found questionable management practices, a lack of effective law enforcement, and weak governance resulted in uncontrolled poaching and catastrophic population declines in Tanzania. For 2015, while a number of positive steps have been taken by the Government of Tanzania to improve the situation for elephants, the benefits of those actions are not yet being realized. For example, in Tanzania’s Ruaha-Rungwa ecosystem, the elephant population dropped from 20,090 in 2013 to 8,272 last year. Nationwide estimates indicate 65,721 elephants have died in 5 years, and the evidence indicates this loss is due to ongoing, large-scale poaching.

28. We acknowledge the Government of Tanzania’s efforts to collaborate internationally on wildlife trafficking issues and the country’s progress on anti-poaching initiatives and improvements in elephant management. We believe that controlling elephant poaching is critical to stabilizing Tanzania's elephant population trend.

29. We are encouraged that the Government of Tanzania has lowered its quota and increased its tusk weight requirements in order to improve the overall management of its elephant population. We recognize the distinct difference between legal sport hunting of elephants and poaching; however, given the outcome of the 2013 and 2014 population surveys indicating dramatic elephant population declines in key elephant populations in Tanzania, we believe the Government of Tanzania’s actions to be prudent.

30. Information provided to us by the Government of Tanzania also indicates that some progress has been made in implementing actions on the ground to combat the poaching of elephants, including an observed reduction in the number of poaching incidents in the Selous Game Reserve and other areas in Tanzania. However, due to the recent precipitous elephant population decline, as revealed by the 2013 and 2014 elephant surveys, we note that there are significantly fewer elephants available to be poached.

31. The ongoing decline of elephants in Tanzania during 2014 affirms that although many of Tanzania's actions are being implemented on the ground, it is premature to evaluate the overall success of those initiatives. When we receive information that indicates a significant improvement for elephants in Tanzania, we will re-evaluate our finding. In re-evaluating our finding, we will be looking for tangible indicators that elephant poaching has been significantly reduced in Tanzania and that Tanzania's elephant population trend has at least stabilized.

32. Therefore, we are **unable** to find that the importation of sport-hunted trophies of African elephants taken in Tanzania during calendar year 2015 will be for purposes that are not detrimental to the survival of the species.

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