

Cheetahs in peril: Cheetahs on the brink

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Another mass extinction is under way. Sadly, cheetahs, so beloved of many, are one of the animals on the brink.

A beautiful animal, cheetahs seem to have an affinity with humans, a sort of love affair that has existed from ancient to modern times. Wall paintings in Ancient Egypt, showing hunting scenes with 'tame' cheetahs, and in 2019, a 'tame' cheetah sitting in the passenger seat of an opulent car, attached to the driver's wrist by a collar and lead (a photograph in *The Times* newspaper) show their special status, so what has gone wrong?¹

This is the story of cheetahs, how close they are to extinction, and how people are striving very hard to prevent this happening.

The cheetah (*Acinonyx jubatus*) is the smallest of the big cats, the world's fastest cat and the world's fastest land animal. Once ranging widely throughout Africa and Asia, like so many other animals, cheetah numbers have crashed from about 100,000 in the early 1900s to recent estimates of 7,100 cats. However, this is only an estimate because some areas such as Somalia and eastern Ethiopia have not been surveyed, so there could be more. Now cheetahs only occur in 9% of their original range, and their current range is extremely fragmented.²

Most cheetahs are found in southeast Africa, mainly in Botswana, Namibia and South Afri-

ca, with some in Kenya, Tanzania and Uganda, and small populations of the highly threatened subspecies (*Acinonyx jubatus soemmeringii*) in Somalia, Ethiopia and South Sudan.³ The Asiatic cheetah (*Acinonyx jubatus venaticus*) is only found in Iran and the most positive estimates of its numbers range from 50 to 20 animals, which really does leave them teetering on the brink.

With such small populations, and with cheetahs facing so many threats, from human-wildlife conflict, habitat loss, and reduction in prey numbers to illegal trade in the live animals, particularly their cubs, as well as in parts and derivatives, it becomes urgent to establish numbers as accurately as possible.⁴ Even in southern Africa where the animals are most numerous this is a difficult task, because cheetahs move large distances. In fact, obtaining accurate density estimates of any carnivore can be challenging as carnivores naturally exist at relatively low densities and are often elusive and wide-ranging, so they are 'best guesses'.⁵ For obvious reasons, camera traps are most effective, especially where animals use well-defined tracks, as in forests and dense woodland, but as cheetahs range more widely, population estimates based on such data will be just that, estimates, which can be either over- or under-. However, when the animals are as rare as they are in Iran and the terrain is so wild and remote, camera traps are probably the only way to locate them. Unfortunately, on one occasion, setting camera traps proved disastrous to the researchers themselves.

3 See Marker et al on *Cheetahs: Biology and Conservation*.

4 The loss of prey is due to bush meat hunting. Conflict with owners of livestock is another threat. See Durant et al. in prep. in SC65 Doc. 39 (Rev.2) Kristin Nowell, CAT and IUCN SSC Cat Specialist Group *An Assessment of Conservation Impacts of Legal and Illegal Trade in Cheetahs *Acinonyx Jubatus**, Report to the 65th meeting of the CITES Standing Committee.

5 See Thompson W. in Broekhuis F, Gopalaswamy AM (2016) *Counting Cats: Spatially Explicit Population Estimates of Cheetah (*Acinonyx jubatus*) Using Unstructured Sampling Data*, PLOS ONE 11(5): e0153875. <https://doi.org/10.1371/journal.pone.0153875> Accessed 29/11/2019.

1 The Times *Big cat selfies push cheetahs to the brink*, 20 May 2019.

2 Durant SM, et al *Disappearing spots: the global decline of cheetah and what it means for conservation*, Research article published in PNAS (Proceedings of the National Academy of Sciences of the United States of America), 27 December 2016, p.2. See www.pnas.org/cgi/doi/10.1073/pnas.1611122114 Accessed 29/11/2019.



A major survey undertaken in 2015-16, produced valuable data and important findings, as well as exposing some problems. For example, most monitoring of populations takes place within Protected Areas (PAs), whereas most cheetahs occur outside these Areas, and there is a real possibility of getting an inaccurate result where the number of cheetahs monitored both within and without a particular Protected Area are combined.

Most cheetahs are found in southern Africa, in a single transboundary population that stretches across six countries. Only one other population had more than 1,000 individuals, while 91% of the populations contained about 200 cheetahs, and in 6 populations, there were fewer than 10 cheetahs. Although '*ongoing population trends were largely unknown*', in the 18 populations where this could be estimated, 14 were declining, 3 were stable and 1 was stable possibly increasing.⁶

6 See n.2.

Population estimates were as follows:

- In southern Africa (most are in Angola, Botswana, Mozambique, Namibia, South Africa and Zambia, with a few in Zimbabwe): 4,297;
- In eastern Africa (Ethiopia, Kenya, South Sudan, Uganda, and Tanzania): 2,290; although 1,362 of them are found in Serengeti/Mara/Tsavo/Laikipia/Samburu;
- In western, central and northern Africa: 457; and 238 of these are found in Central African Republic and Chad;
- In Africa therefore: the total was 7,044 adult and juvenile cheetahs.
- In Iran: there were estimated to be 43 adult and juvenile Asian cheetahs in 3 populations of 20, 22 and 1.
- Making a global total of 7,087.⁷

There are probably only about 500 adult cheetahs remaining in sections of the Horn of Africa (Eastern Ethiopia, northern Kenya and Somalia/Somaliland), where so many cubs are illegally poached for trading, but no surveys have been carried out in Somalia, Somaliland and parts of

7 Ibid, p.3.

Ethiopia, the Ogaden region.⁸

Research carried out at about the same time in Kenya's Maasai Mara and its environs, employed a new technique, SERC, spatially explicit capture-recapture methods. Specially developed by the researchers, it should eventually '*help determine the magnitude of the threats they face and assess potential conservation interventions*'.⁹ The results, covering a three-month period from August to October, showed the existence of cheetah 'hotspots' and the difference between the ranges of males and females.

Cheetahs face so many threats, not all of them recognized as likely to be severe. This happened in Zimbabwe. There, cheetah distribution was '*relatively well known*', but between 1999 – 2015, the population declined by an estimated minimum of 85%, that is, an annual decline of 13%. By any standards this is catastrophic, but it could be explained. Between 2007 – 2015 there was a 63% range contraction, equivalent to an 11% distributional loss per year '*largely because of the disappearance of cheetah outside PAs (Protected Areas) associated with major changes in land tenure*'.¹⁰ Unfortunately, other threats such as the smuggling of cheetah cubs to the Gulf States, to feed their seemingly insatiable demand to own a cheetah as a pet, are only too well known and show little sign of abating.

With the high level of illegal trafficking in cheetah cubs in east Africa, it is not surprising to find cheetahs included on the Agenda at recent meetings of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) Conferences of the Parties (CoPs), although the cheetah has been listed in CITES Appendix I since 1975. In other words, these endangered animals have been subjected to illegal trading for many years, and as a result, have enjoyed a high level of legal protection for many years under both international and national legislation. Currently eight international treaties, including CITES, are directly involved.

As early as 1900, the London Convention protect-

ed them from hunting and destruction, although limited numbers of the animals were permitted to be taken.¹¹ The African Convention,¹² which entered into force in 1969, provided further protection, but there were important gaps so it was extensively revised, new provisions were added requiring sustainable management of harvesting of fauna and flora with populations monitored by scientists,¹³ and governments were required to identify and eliminate the factors causing the depletion of threatened species.¹⁴ Parties were also required '*to regulate trade, possession, and transport of these species to ensure that they are taken or obtained in accordance with both domestic legislation and international law, and enact appropriate penal sanctions and confiscation practices*',¹⁵ and were called upon to establish bilateral and sub-regional agreements to control the illegal wildlife trade.¹⁶ Article XII encouraged them to establish protected areas for threatened species. The Convention suggests that '*threatened species*' be defined according to the IUCN Red List criteria, which would of course, include the cheetah. Although the African Union adopted the revised version in 2003, it took a long time before enough countries had ratified it for it to take effect, and it only entered into force in 2017, by which time there were fifteen signatory countries. By 2018, six cheetah range states, including South Africa, were Parties.

Cheetahs also benefit from two of the Aitchi Targets, 11 and 12, biodiversity targets deriving from the Convention on Biological Diversity. However, although Target 11 relates to habitat protection, this is not necessarily helpful to cheetahs. Being small cats, they find it difficult to hunt and keep their kill and keep their cubs safe from other larger predators that also live in these areas. So they tend to have very large home ranges, much of which is often outside the Protected Areas (PAs), and is often transboundary. Target

⁸ Cheetah Conservation Fund UK (CCF UK) *A disappointing result for cheetahs at CoP18*, 11 September 2019 and information from CCF UK.

⁹ See n.5 for a full account of the research.

¹⁰ See n.2, p.4.

¹¹ Schedule 4, Convention for the Preservation of Wild Animals, Birds and Fish in Africa.

¹² African Convention on the Conservation of Nature and Natural Resources (revised, 2003).

¹³ Article IX.

¹⁴ Article X.

¹⁵ Article X1. See Kristin Nowell and Tatjana Rosen *Global Cheetah Conservation Policy: A Review of International Law and Enforcement*, in *Cheetahs: Biology and Conservation*, Elsevier, 2018, Chapter 21, p.296.

¹⁶ Ibid.

12 is concerned with improving the conservation status of *'threatened species'*.¹⁷

It follows therefore, that cheetahs fall within the definition of *'migratory species'* in the Convention on the Conservation of Migratory Species of Animals (CMS),¹⁸ as this includes *'any species whose range extends across more than one country'* as well as those that regularly undertake long-distance movements.¹⁹ Parties not only agree to conserve and restore the habitat of species listed on Appendix 1, but also to prohibit their taking except under strict circumstances. Cheetahs were listed on Appendix 1 in 2009. However, as there are no enforcement provisions in the treaty and the populations of Botswana, Namibia and Zimbabwe are not listed, the protection offered is limited. In fact, not all the range States, including Botswana and Namibia, are even Parties to the Convention.

But cheetahs will benefit from two CMS subsidiary agreements, the Sahelo-Saharan Megafauna Action Plan and the Central Eurasian Aridland Mammals Concerted Action, the former focusing on gazelles, cheetah prey, in fourteen north African countries, and the latter inspiring the Central Asian Mammals Initiative CAMI, which includes Iran and its cheetahs. It has also been recommended for its own CMS Agreement which would allow the treaty to play a more active role in transboundary cheetah conservation.²⁰

At CMS CoPg in 2008, the Conference adopted a Recommendation on Tigers and other Asian Big Cats, but because Iran's cheetah population is not transboundary, the cats will only benefit from the call for increased financial support from donor countries and organizations. And an Asiatic cheetah focal point was appointed under CAMI. It will be *'responsible for advising CMS on activities related to the conservation of the species'*.²¹

The other international treaty playing a key role

17 Like the African Convention, it is suggested that *'threatened species'* be defined according to IUCN Red List criteria.

18 See n.15.

19 Trouwborst (2015), in *ibid*, p297.

20 *Ibid*, p.298.

21 *Ibid*.

in protecting cheetahs is CITES,²² which regulates international trade in endangered species, listing species of animals and plants in Appendices according to how vulnerable they are to extinction. Appendix I includes those most endangered so its regulations are the strictest, and it is only in exceptional circumstances that trade is allowed, while Appendix II lists those species that are not quite so rare but may become so if trade in them remains unregulated.

Although it is not compulsory, almost every country has now ratified CITES, which means that they can have input into the Conference of the Parties, CoPs, meetings held every third year, attended by delegates from all the Parties, many Non-Governmental Organizations (NGOs) and others, to discuss the current situation and amend the Appendices where necessary.

CITES is a pragmatic treaty, as is evidenced by the provision to make reservation/s (Article XXIII). Any country can take out a reservation on one or more species at the time of its accession, which means that, for the purposes of that species, that country will continue to be treated as if it were a non-Party (one not signed up) to the Convention. When Namibia became a Party in 1990 it took out a reservation on cheetahs, so, recognizing that some trade would be inevitable, an annotation was added in 1992:

'Annual export quotas for live specimens and hunting trophies are granted as follows: Botswana: 5; Namibia: 150; Zimbabwe: 50. The trade in such specimens is subject to the provisions of Article iii of the Convention'.

In other words, giving cheetahs a commercial value had enabled Namibia to fully sign up to CITES.

It was the Coalition Against Wildlife Trafficking,²³ one of whose members is the NGO the Cheetah Conservation Fund (CCF), that drew international attention to the problem of wildlife trafficking in cheetahs, so in 2013, CITES CoP16 adopted, *inter alia*, a number of Decisions regarding the illegal trade in the animals. Directed to the Secre-

22 Signed in Washington in March 1973, it entered into force in July 1975.

23 A public-private partnership of 6 countries and 15 NGOs.

tariat (16.71), the Animals Committee (16.72), the Standing Committee (16.73) and to Parties and donors (16.74 and 16.75), these were concerned with obtaining data on the legal and illegal trade in wild, live cheetahs and assessing its impact on the conservation of wild cheetahs, essential evidence on which to provide a basis for further action.

Independent consultants, contracted by the Secretariat, would aim to determine where the illegally traded cheetahs were coming from and the transit routes used to smuggle them to their destination. They would also look at how any confiscated cheetahs were dealt with. All range States, being stakeholders, had to be fully consulted and all relevant Parties were '*urged to assist*' in any way possible.

The researchers found it difficult to build up a holistic picture of the problem. Inevitably, there were gaps in information, as so frequently happens when attempts are made to determine what is happening when endangered species are illegally traded. An important example of the sort of problems they encountered is provided by their inability to determine how many of the pet cheetahs in the Gulf region where private ownership of cheetahs is popular, were legitimately acquired. Despite the '*dozens of news articles, hundreds of social media posts, and the observations of NGOs that have researched the issue*' (see later), there were no national monitoring systems in place, apart from licensed facilities. On the evidence they had, it appeared that many of the pets were illegal.

Their report, *An Assessment of Conservation Impacts of Legal and Illegal Trade in Cheetahs *Acinonyx Jubatus**,²⁴ started by explaining the methodology,²⁵ then came the trade overview. This provided worrying information because it indicated a level of illegal trade that '*could be affecting and threatening most wild populations*'. The two principal markets for the illegally traded cats were identified as the Middle East ('*largely*

supplied from East Africa') and the destination of most live trafficked cheetahs, and southern Africa ('*largely supplied within the region*').

Because of differences between the different regions, governments, working with cheetah specialists, developed four regional conservation strategies and programmes, and these required different means of enforcement. For example, in the Horn of Africa there was the Wildlife Enforcement Network HAWEN, while the Lusaka Task Force linked Eastern and Southern Africa.²⁶ By 2011, it was apparent that the Horn of Africa was beginning to emerge as a major region for wildlife crime (especially in relation to the illegal trade in cheetah cubs), so a joint statement was signed by the countries in the region: Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda, '*to fight wildlife trafficking collaboratively under the framework of a regional "Wildlife Enforcement Network"*', HAWEN. At a Work Shop held in Addis Ababa, Ethiopia in October 2012, they both set up a steering committee to pave the way to establish the Network and developed its (the committee's) terms of reference. The committee's first meeting, held in February 2013, was followed by a second in June, with the Network being launched in October. CITES CoP16 then '*provided an opportunity for HA-WEN to attend the side event on the illegal trade on live cheetahs and the Horn of Africa Illegal Wildlife Enforcement Network*'.²⁷

In the early 2000s, the first Global Cheetah Action Plan was formulated and the Global Cheetah Forum was established, closely followed in 2002 by a second Forum, some of whose participants were working on the imperilled Asiatic cheetah. Gradually participants were drawn from an ever-widening range of people who were determined to save the cheetah until, in 2007 it morphed into the Range Wide Conservation Programme for Cheetah and African Wild Dogs. Once again, in a gradual process, starting at the regional level, national workshops formulated regional plans and finally National Cheetah

24 Kristin Nowell, CAT and IUCN SSC Cat Specialist Group *An Assessment of Conservation Impacts of Legal and Illegal Trade in Cheetahs *Acinonyx Jubatus**, Report to the 65th meeting of the CITES Standing Committee, SC65 Doc. 39 (Rev.2) Annex 1. It also considered trade in cheetah parts (specimens of cheetahs).

25 Always very important, because if there is to be a meaningful follow-up data to see whether/how the situation has changed after a period of time, the new research must replicate the original research as far as possible.

26 IUCN 2007a; b; IUCN 2012; ICS 2013 in Kristin Nowell, CAT and IUCN SSC Specialist Group p.17. See also HAWEN Network Information Sheet, cites.org/sites/default/files/eng/prog/iccwc/WENs/HAWEN-info_sheet_Sept16.pdf Accessed 29/05/2021.

27 Horn of Africa-Wildlife Law Enforcement Network, (HA-WEN), Djibouti, May 6-8 2013, p.8. See <http://www.hoarec.org/docs/day4>HoAREC...> PDF Accessed 29/05/2021.

Action Plans for most of the African range States. One important benefit has been the growing awareness by governments of just how much effort by a very wide variety of people, including the local communities, will be required if cheetahs are to be saved.²⁸

Nowell, in her assessment, concluded that most illegal trade was, and still is, in cubs, which continue to sell for very high prices. Opportunistic rather than deliberate capture, the young animals are taken from '*ethnic Somali regions, including parts of Ethiopia and Kenya, and perhaps beyond*',²⁹ thus hitting the already small populations there and reducing them even further.

Records of NGOs working in the region showed a grim picture. Between 2011 - 2013, government officials, mostly in Somaliland, had confiscated over 40 young cheetahs, and there were '*many more observations and second-hand reports of illegal trade in cubs*'.³⁰ Even more shocking was the high mortality rate of the survivors. Of 30 cubs confiscated in Somaliland and Ethiopia 70% died, and of 27 cubs confiscated in Jordan, Kuwait and the UAE 48% died.³¹ Survivors must go to wildlife rehabilitation facilities and to zoos as soon as possible if they are to have any chance of long-term survival. But resources are scarce.

The largest population of cheetahs is found in southern Africa. South Africa is '*the world's largest exporter of live cheetahs*' and most of this trade is legal, the animals mainly going to zoos and for other non-commercial purposes, but there must always be some temptation to live-trap wild animals and trade them instead, especially if breeding facilities fail to produce cubs.³² Microchips are normally used to identify captive-bred animals, but '*a chip could easily be implanted into any wild-caught cheetah*'.³³

Furthermore, breeders, using permits, do add

cheetahs taken from fenced reserves to their breeding stock, (over 40 between 2009-2012, according to the report), with about a quarter of them going to Hoedspruit, one of the CITES-registered commercial breeding facilities.³⁴ South Africa's Management Authority were investigating to check that the permits were not being abused, or whether these cheetahs '*are likely exported as captive individuals*'.³⁵

In southern Africa, most cheetahs are found on private lands from which predators such as lions have been removed. There they get live-trapped by farmers who perceive them to be a threat to livestock and game. They are the 'lucky' ones though. They tend to be adults and are taken in by the many NGOs based there, who work with the governments on rehabilitation and release the animals into '*safe*' areas. The researchers found an '*essentially stable*' population, and although the impact of illegal trade was '*unclear*', they concluded that it might '*absorb some animals that would have been otherwise removed or destroyed*'.³⁶

There was overwhelming evidence to show that most of the east African cheetahs were destined for the Gulf States, where undoubtedly the animal is treasured. The owners post pictures on social media proudly proclaiming this fact. The United Arab Emirates even has captive-breeding facilities, which, the authors of the report found, had '*possibility contributed to a relative decline in illegal wild imports*' there.

Treasured or not, cheetahs are still wild animals. Even when they are captive-bred they do not make good pets and unless they are provided with the correct conditions, they are unlikely to survive. If they escape, they can cause '*havoc and injury*'.³⁷

Because the Arabian Peninsula countries are Parties to CITES, they prohibit the import of wild cheetahs except for non-commercial purposes and some were passing legislation that would make it more difficult to possess non-domesticated animals, in some cases making such pos-

28 Laurie Marker, Jack Grisham and Bruce Brewer *A Brief History of Cheetah Conservation*, Cheetahs: Biology and Conservation 2018 3-16, Elsevier Public Health Emergency Collection, PMC7150087, published online 2018 Jan 12.

29 See n.24

30 Ibid

31 Ibid.

32 Ibid, p.3.

33 Ibid, p.5.

34 See (van der Merwe 2014, EWT *in litt.* 2014) in *ibid*, p.42.

35 See (*in litt.* 2014) in *ibid*.

36 Ibid, p.44.

37 Ibid, p.4.



session illegal.

As is usual with reports of this kind, the researchers made a number of recommendations including strengthening legislation and enforcement, as well as building better international co-operation with bodies such as the Lusaka Task Force, Wildlife Enforcement Networks (WENs) and the Southern African Development Community (SADC).³⁸ Demand reduction was essential, but the researchers thought this could be successful, because *'it is apparent that people who buy cheetah cubs do so out of a love of the animal, and for predator conservation, that is half the battle'*. They were simply unaware of the problems.³⁹

The report was presented to the 27th meeting of the Animals Committee, which considered its findings then made recommendations to the 65th meeting of the CITES Standing Committee, which, when it met in July 2014, set up an intersessional Working Group on illegal trade in

³⁸ Ibid, p.45, looking at the sort of co-operation used in combatting the illegal tiger trade.

³⁹ Ibid.

cheetahs, whose members were selected from a wide group of expertise. Chaired by Kuwait, they included: Bahrain, Botswana, Kenya, Kuwait, Oman, Qatar, Saudi Arabia, South Africa, Uganda, United Arab Emirates, Zimbabwe, Chair of the Animals Committee, Born Free Foundation, Elephant Action League, International Fund for Animal Welfare (IFAW), IUCN, Panthera, Species Survival Network, Wildlife Conservation Society, World Wildlife Fund (WWF) and Zoological Society of London (ZSL), with Cheetah Conservation Fund (CCF), which had made a significant contribution to the report, and the Endangered Wildlife Trust as additional members.⁴⁰

After a *Workshop on illegal trade in cheetahs* was held in Kuwait in November 2015, which reviewed recent information on the conservation status of cheetahs, the recommendations of both the report and the Animals Committee, and the results of a questionnaire, the Group considered various challenges focussing on:

- the supply of and demand for illegal chee-

⁴⁰ *Illegal Trade in Cheetahs (Acinonyx Jubatus)* Report of the Working Group, SC66 Doc. 32.5.

- tahs;
- the disposal of confiscated live cheetahs; and
- enforcement.

They then invited the Standing Committee to adopt a number of draft Recommendations and Decisions including:

Demand reduction: '*Cheetah range States and Parties implicated in the illegal trade in cheetahs are encouraged to urgently develop and launch national public awareness campaigns to reduce illegal offer of, and demand for illegally traded cheetahs ...*' an essential component of any solution, involving both public awareness and education, and including of course, social media, the internet and e-commerce platforms, particularly difficult areas to police and to control.

Standing Committee 66 adopted five recommendations:

- a) Regarding public awareness and education;
- b) Regarding enforcement;
- c) Regarding cooperation and information exchange;
- d) and e) Regarding disposal of confiscated live cheetahs.

The final two focussed on the key issue of confiscated live cheetahs: '*Range, transit and destination countries involved in the illegal trade in live cheetahs are encouraged to collaborate on the humane disposal of confiscated live cheetahs through the use of existing and, where required and as appropriate, the establishment of national or regional rescue centres, paying particular attention to maximizing the contribution of specimens to conservation of the species in the wild*'. The countries were also requested to inform the Secretariat of available facilities.

The Decisions were directed to both the Secretariat and the Standing Committee and, *inter alia*, concerned the development of a CITES Cheetah Trade Resource Kit, the former charged with commissioning its development (provided funding was available), and the latter with reviewing the draft kit, which would collect key data in a number of areas, including monitoring and controlling the trade. Protocols would be laid down where there were seizures, including handling the animals, collecting DNA samples and other data, for example, for use in studbooks. There would be detailed provisions relating to

care, both short and long term for confiscated animals. And other relevant materials.⁴¹ In other words, at least there was now a long-term plan of action in place.

Further progress was made at CoP17⁴² where seven more Decisions, the first five directed to the Secretariat, the next to the Standing Committee and the final one to the Parties and Others, were passed unanimously. More ammunition in the fight against the illegal trade. Decisions 17.124 - 5 again concerned the development of the Cheetah Trade Resource Kit, while Decision 17.126 invited the Secretariat to assess the feasibility of creating a Cheetah Forum on the CITES website for Parties, experts, NGOs and other stakeholders to exchange and share information on cheetahs. The Secretariat also had to keep the Standing Committee informed of their progress in these matters, while the Standing Committee had to review the draft Kit, sending back comments and recommendations '*for its finalization and dissemination*'.⁴³ All this was dependent on funding, so in Decision 17.130, the Parties and Others (potential donors) '*are encouraged to provide funding support to the Secretariat for the implementation of the Decisions regarding illegal trade in cheetahs (Decisions 17.124 - 130), where needed*'.

Two months later, in December 2016, the Horn of Africa Project was established at a workshop held in Ethiopia, and attended by governments from the region, including Somaliland, and interested NGOs. Its aim was to end the illegal trafficking of cheetahs in that region and in 2017, the first national strategic meeting was held in Somaliland.

A year earlier, Somaliland had passed the Somaliland Forestry and Wildlife Conservation Law (No. 69/2015), replacing its 1969 legislation, and this was further strengthened in 2018 when the Environment Management Law (No. 79/2018), which mentions animals as a natural resource, was passed. Two pieces of legislation that offered important legal protection to the small but vital cheetah population in that country.

East Africa is home to two cheetah subspecies,

⁴¹ Ibid.

⁴² Held in Johannesburg in 2016.

⁴³ Decisions 17.127 - 8, and Decision 17.129.

the *Acinonyx jubatus jubatus* largely found in Kenya, Tanzania and Uganda, and *Acinonyx jubatus soemmeringii*, endemic to some areas of the Horn of Africa and Sudan,^{44 45} In the Horn of Africa, where there is so much instability and poverty, cheetah cubs, many taken prematurely from their mothers, are poached in eastern Ethiopia, Kenya (northern), Somalia and Somaliland, where wild cheetah populations are estimated to be about 500 animals, then trafficked across the Gulf of Aden to the Arabian Peninsula, to be sold online to wealthy Arabs because '*owning cheetahs and other exotic pets in this region is thought to convey social and economic status*', just like '*individuals in positions of power or leadership*'.⁴⁶

Most of them die (over 75%) and the survivors are often in such a poor state that they too die prematurely, killed by stress and malnutrition, their average lifespan being only about five years. In fact, some sickly-looking cubs are deliberately bought to rescue them from dealers. And although their owners think of them as pets, they are not. They are animals that have illegally been taken from the wild, then trafficked. For some people however, the fact that they would otherwise be living in the wild provides yet another reason for buying them. Protecting them '*from the threats they face in their natural environment*'.⁴⁷ It also keeps up demand.

Somaliland is one of the unrecognized States, States that are determined to be separate and independent, but which are not recognized by the rest of the world.⁴⁸ Its geographical location is important, be-

44 Kitchener A.C.; Breitenmoser-Wursten, C.; Eizirik, E.; Gentry, A.; Werdelin, L.; Wilting, A.; Yamaguchi, N.; Abramam, A. V.; Christiansen, P.; Driscoll, C.; Duckworth, J.W.; Johnson, W.; Luo, S.-J.; Meijaard, E.; O'Donoghue, P.; Sanderson, J.; Seymour, K.; Bruford, M.; Groves, C.; Hoffmann, M.; Nowell, K.; Timmons, Z.; Tobe, S. (2017) *A revised taxonomy of the Felidae: The final report of the Cat Classification Task Force of the IUCN Cat Specialist Group* (PDF), *Cat News* (Special Issue): 30-31.

45 Patricia Tricorache commented that not all eastern African cheetahs are of this subspecies.

46 Mohamed, 2016 in *Pets and Pelts: Understanding and Combating Poaching and Trafficking in Cheetahs*, Patricia Tricorache, Kristin Nowell, Gunther Wirth, Nicholas Mitchell, Lorraine K. Boast, Laurie Marker in *Cheetahs: Biology and Conservation*, Elsevier 2018, Chapter 14, p.196.

47 Ibid p.196.

48 *Update on the Illegal Wildlife Cheetah Trade One Year On from CITES Conference of the Parties 17*, see <https://cheetah.org.uk/update-on-the-illegal-wildlife-cheetah-trade-one-year-on-from-cites-conference-of-the-parties-17> Somaliland is an autonomous region, see Simon Reeve *Step By Step: The Life In*

cause it borders the Gulf of Aden, with Ethiopia to its south and west and Djibouti to its north-west, a position that provides a temptingly easy crossing point to the Arabian Peninsula.⁴⁹ Somaliland has been actively protecting its cheetah population since 2011, working with both Patricia Tricorache, who from 2005 led the Cheetah Conservation Fund's efforts to combat the illegal wildlife trade, and Guenther Wirth, an expat working for a German organization. They started by setting up a task force to seize and rescue trafficked cubs wherever/whenever possible, thus laying the foundation for the work now carried out in Somaliland. Their work helped identify the key role the country was playing in the illegal trade in cheetah cubs, likely to be of the rare *soemmeringii* subspecies.

Before 2017, there was no wildlife sanctuary in Somaliland. The cubs were kept at Wirth's compound until they could be sent to sanctuaries in Ethiopia and Djibouti. However, in mid-2016 the government dictated that cheetahs seized in Somaliland must remain there. This prompted Tricorache to meet with the Minister of Environment and Rural Development to devise a national strategy to combat wildlife trafficking and determine the fate of seized animals, which at the time also included caracals, gazelles and birds of prey.

It was during the April 2017 meetings that the Ministry designated a 1-km² track of land in a remote location for a wildlife sanctuary. A stakeholders' workshop followed in September 2017, funded by the Murulle Foundation (USA) and GIZ (Germany), to discuss the development of the sanctuary. Financing was always a problem, but Guenther Wirth was prepared to contribute in addition to his time, a substantial amount of his own money. He set up the Heritage Foundation to protect Somaliland's national treasures, both cultural and natural, which would enable him to apply for grants. He immediately began construction of fencing, and the first animals to be transferred were 20 gazelles that had been kept at various locations in Hargeisa, the capital. However, it would be a long time before all the infrastructure required to house carnivores could be completed. At the time, Wirth's compound was housing five cheetahs, five caracals and several birds. He was supported by Nujuum Jimi, who volunteered her free time both caring for the animals and helping with the investigations.

In August 2018, eight cubs were confiscated, including two 2-week old cubs in poor health. Dr Laurie Marker travelled to Somaliland to care for the two smallest cubs and was soon relieved by Patricia Tri-

My Journeys, Hodder and Stoughton, 2018, p.227 for more details on the status of Somaliland.

49 Ibid Simon Reeve, p.250. See pp. 243-250 for an illuminating insight into this fascinating country.

corache, who during her stay entered a collaboration with Veterinaries without Borders (Czech Republic) in a volunteer programme to assist with cheetah care, as well as veterinary training, and the first cheetah safe house was rented.

It was then that Marker became actively involved and efforts were made to obtain land for a sanctuary closer to the capital. A new safe house was rented and inaugurated in May 2019. Under Dr Laurie Marker's lead, experts began arriving, including a South African veterinarian team as well as a visiting/core veterinary consultant, an expert in cheetahs from Nashville Zoo, USA, which also provides equipment. An early result was the development of preventative medicine protocols. Progress on the sanctuary has been slow however, although the site has been chosen and work begun.

Early in 2019, CCF, together with partners International Fund for Animal Welfare (IFAW) and Legal Atlas were awarded a grant from the Illegal Wildlife Trade (IWT) Challenge Fund. Established by the UK government in 2013, the IWT Challenge Fund '*provides money for practical projects around the world, projects that in some way help to combat the illegal wildlife trade*'.⁵⁰ The grant has been put into LICIT, Legal Intelligence for Cheetah Illicit Trade, a project '*to increase awareness of wildlife laws along trade routes in Ethiopia, Somaliland, Somalia and Yemen and close enforcement and legal loopholes exploited by poachers*', which will be used to combat cheetah trafficking in the Horn of Africa and the Middle East. Put more simply, it is engaging with local communities to put an end to the trafficking of cheetahs.⁵¹

This will be a challenging task. Many of the people are farmers and pastoralists. Their incomes are low, in Ethiopia the average per capita income is USD790, in Somaliland USD347, and they are already under pressure from other factors like climate change and conflict, so loss of animals to cheetahs can be something of a disaster. Combine this with the fact that there is '*evidence indicating that traffickers are generally willing to pay about USD200-300 per cub*', and it becomes a very unequal contest for the cheetahs. There is evidence to show that affected farmers and herders were '*more willing to take*

and sell cheetah cubs'⁵². The aim of the Project therefore is '*to demonstrate that the long-term value of cheetahs in the wild is greater than any short-term benefits from selling cheetah cubs to traffickers*', that '*wildlife is an important element of a community landscape, along with water, forests, pasture land, and other natural resources. Like other resources, when it is sustainably managed, wildlife contributes to ecosystem functioning and economic wellbeing*',⁵³ for if cheetahs are to survive, they must be able to survive both outside and inside protected areas, and this '*requires a holistic approach to conservation that engages rather than alienates local communities*'.⁵⁴

Fortunately, CCF already has an impressive track record in Namibia, where Dr Marker has lived and worked alongside communities for many years. Before she arrived, an estimated 10,000 cheetahs, about half the country's total population, had been killed by game and livestock farmers, so CCF set up the Future Farmers of Africa, a mitigation programme to resolve human/cheetah conflict. This was key both to the animals' survival and for them to thrive, because in Namibia 90% of them still live outside the protected areas. The programme works in two ways, theoretically by teaching the communities about cheetah behaviour, which is essential for them to understand if co-existence is to succeed, and practically, by placing guard dogs, over 650 of them to date, with farmers to protect their animals. The dogs, mainly Anatolian Shepherds, are so successful at scaring away not just cheetahs but other predators as well, that livestock loss has been reduced by over 80%, sometimes even 100%. And almost 10,000 farmers have already benefitted.⁵⁵

To return now to CoP17. It also adopted a number of Decisions aimed at protecting the African Lion (*Panthera leo*), one of them focussing on the development of a joint CMS-CITES Initiative, the African Carnivore Initiative, whose primary objective is '*promoting coexistence, sustainable*

⁵⁰ Bridget Martin *Survival or Extinction? How to Save Elephants and Rhinos* Springer, 2019, p.554.

⁵¹ CCF-UK Blog, a report taken from the Darwin Initiative's illegal wildlife trade newsletter, posted 7 April 2020.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ See n.2.

⁵⁵ Known as Livestock Guarding Dogs, they have extended from Namibia to South Africa, Botswana and Tanzania. Rochelle Beighton and Rachel Wood *A lab in a remote Namibian city is saving the cheetah from extinction* CNN, 19 March 2020. See <https://edition.cnn.com/2020/03/19/world/namibia-saving-cheetahs-extinction> Accessed 30/03/2020.

land management and maintaining connectivity for all carnivores.⁵⁶ The Initiative includes not just lions, but also cheetahs, leopards and African wild dogs, four endangered species, all of them facing similar threats and conservation needs, namely: habitat loss and fragmentation; conflict with humans; depletion of the prey base and unsustainable or illegal trade practices.⁵⁷

'The Initiative is not intended to duplicate existing work, but to better pool and utilize existing resources' like the IUCN strategic planning for species conservation. Two such important treaties working together brings added benefits, both in strengthening the legal basis and ensuring regular monitoring, and although the main partners of the Initiative are the IUCN and its specialist groups, there will be other partners including Range States, intergovernmental organisations (IGOs) and NGOs, as well as the scientific and conservation community, donors and other stakeholders, all of them essential if the aims of the Initiative are to be achieved. If funding is obtained, they will be working within a three-year budget of USD53,000,000.⁵⁸

By the end of 2017, the Secretariat had submitted a report on Decisions 17.124 to 17.30 to Standing Committee 69. Although they had not received external funding for the Resource Kit, they had been *'exploring potential opportunities for developing such a toolkit'* with the CCF, the IUCN Cat Specialist Group and the Zoological Society of London.⁵⁹ However, there was better news on the Forum. The Secretariat had begun to develop a web page on cheetahs on the CITES website, on which Parties, experts, IGOs, NGOs, and other stakeholders could share information,⁶⁰ and they were also working on a web page for enforcement and related issues.⁶¹ Because Decision 17.127 required the Secretariat to report to the Standing Committee on a number

of matters including progress in halting illegal trade in cheetahs, Standing Committee 69 also established an intersessional working group on cheetahs, which together with the Secretariat, developed a questionnaire to help Parties compile information which would help with this process.⁶²

Progress on Decisions 17.124 to 17.130 was discussed at the seventieth meeting of the Standing Committee (SC70), held in early October 2018. The USA had provided funding for the development of the CITES Cheetah Trade Resource Kit, so the Secretariat had tasked the Zoological Society of London with its production. It would be ready in draft form by mid-November for the intersessional working group to review and make comments and recommendations for Standing Committee 71.⁶³

There had also been progress on the forum for exchanging and sharing information on the cats. A webpage on cheetahs on the CITES website was almost complete, which once up and running, could be used by *'Parties, experts, intergovernmental and non-governmental organizations and other stakeholders that would like to share relevant information on cheetahs'*.⁶⁴

After consultation, the results from the questionnaires were shared with the Chair of the working group.⁶⁵ Initially this presented difficulties because in addition to the Parties, one non-Party, South Sudan, responded, so did two NGOs who submitted information about three of the Parties. Approval to share this additional information was sought and received from two of these Parties, who also agreed it could be shared with the Chair.⁶⁶ There could be nothing from Somaliland (the non-State), of course. The results were analysed to see what progress had been made in

56 CITES, 2017.

57 As set out in the IUCN Red List Assessments; see Joint CMS-CITES African Carnivores Initiative, AC29 Doc. 29 Annex pp.7-9.

58 Ibid.

59 CITES SC69 Doc.45, p.2, (Cheetahs (*Acinonyx jubatus*): Report of the Secretariat).

60 <https://www.cites.org/eng/prog/terrestrial/fauna/cheetahs> Accessed 30/03/2020.

61 <https://cites.org/eng/prog/imp/enf/introduction> Accessed 30/3/2020.

62 See SC69 Sum.6 (Rev.1) for details of the mandate. The questionnaire was made available to Parties in June 2018, as an Annex to Notification to the Parties No. 2018/058.

63 So the Secretariat suggested their mandate be extended.

64 *Illegal Trade In Cheetahs (Acinonyx jubatus)*: Report of the Secretariat, SC70 Doc.43, p.2.

65 Ibid.

66 Ibid. The countries were Angola, Benin, the Democratic Republic of Congo, Namibia, Nigeria, Somalia, South Africa and Zimbabwe; and Iraq, Jordan, Kuwait, Saudi Arabia, Thailand, United Arab Emirates and Yemen. For full details of the questionnaire and its results see n.64 Annex 2.

implementing the recommendations on cheetahs and in halting the illegal trade.

These, briefly, were the findings:

Re recommendation a) Regarding public awareness and education, adopted at SC66:

- 83% of the respondents had done something to raise public awareness, although most of it was non-specific to cheetahs, with 80% taking advantage of occasions like World Wildlife Day 2018 and the scheme of *Big Cats: Predators under threat*, to promote cheetah conservation and its associated illegal trade.
- Although both range and non-range States were concerned to explain the conservation impacts of illegal trade in wildlife, the former also concentrated on publicizing law enforcement outcomes and establishing partnerships with NGOs to promote awareness-raising, while the latter were more concerned with mobilizing social media. Various learning materials were being developed for use by groups as disparate as travellers, students and law enforcers. Nor was human-wildlife conflict ignored, it being key to ensuring a positive attitude be taken by the local communities living with the animals.
- Apart from new legislation banning private possession of '*predatory, dangerous and semi-dangerous animals*' thus including cheetahs, which was passed by the United Arab Emirates in 2017, it appeared little was being done to reduce demand. So '*Parties affected by illegal trade in cheetahs, in particular destination countries, are encouraged to consider illegal trade in cheetahs in their implementation of Resolution Conf.17.4 on Demand reduction strategies to combat illegal trade in CITES-listed species*'.⁶⁷

Re recommendation b): Regarding enforcement, adopted at SC66:

- More than 50% had acted to strengthen both national and regional enforcement of illegal trade in cheetahs. Methods ranged from improving enforcement of existing laws, passing new legislation, improving monitoring, capacity building, inter-agency or cross-border collaboration, to developing national action plans and working programmes. Some Parties had worked on developing exchange of information, some were establishing community informer networks, some were training enforcers and the UAE had included the

possession of dangerous animals, including cheetahs, when developing new work programmes and law enforcement operations. The Standing Committee encouraged those Parties affected by illegal trade in live cheetahs to quickly develop a plan of action for immediate use as soon as live cheetahs were seized.⁶⁸

- Illegal trade on the internet and social media presented its usual problems, and Parties were encouraged, if necessary, to refer to Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*.
- The Secretariat indicated it was working with its partners in the International Consortium on Combating Wildlife Crime (ICWC) to see whether it would be feasible to organize a regional workshop on the illegal trade in cheetahs; and with INTERPOL, the possibility of convening '*a regional meeting on illegal trade in wildlife for Eastern Africa and the Middle East, with the focus on illegal trade in cheetahs*' and other wildlife.

Re recommendation c): regarding cooperation and information exchange:

- The Secretariat together with the World Customs Organization (WCO) established a closed user group on the WCO CENComm platform. A secure communications system for information exchange for law enforcement purposes on the illegal trade in cheetahs, it also allowed access to a digital library of relevant material and documents, including alerts;
- In May 2018, by Notification, the Secretariat invited Parties to join the group;⁶⁹ but
- It was hardly used, so the Secretariat were encouraging Parties affected by the illegal trade to use it.⁷⁰

Re recommendations d) and e): regarding disposal of confiscated live cheetahs:

- Although more than half the Parties had reported that they had facilities for holding confiscated cheetahs, with seven regarding their facilities as '*sufficient*', the reality was rather different, so the Secretariat encouraged Parties affected by the illegal trade in cheetahs to develop a plan of action '*that can be executed without delay*' when live cheetahs were seized, in accordance with Annex 3 to Resolution Conf. 17.8 on *Disposal of illegally trad-*

⁶⁸ In accordance with Annex 3 to Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*.

⁶⁹ Notification to the Parties No.2018/046.

⁷⁰ See n.64, p.4.

⁶⁷ Ibid, p.3.

ed and confiscated specimens of CITES-listed species.⁷¹

- Information from those Parties with facilities for confiscated live cheetahs and experts to help with their humane handling and placement, was sent to the Zoological Society of London (ZSL) for possible use in the development the draft CITES cheetah trade resource kit.
- Responses from other Parties indicated they needed help as their law enforcement officers did not know how to handle seized and confiscated live animals. Again, the Secretariat passed this information on to ZSL requesting it be taken into consideration in the development of the draft resource kit, which, when finalized, 'could support national agencies responsible for wildlife law enforcement'.⁷²

The United Nations Office on Drugs and Crime (UNODC), as well as the Parties who had responded to the questionnaire, provided data on the illegal trade in specimens of cheetahs. In addition to live animals, this included items such as skins and skulls.⁷³

Unfortunately, the report that Standing Committee 70 produced was only based on CITES official seizure reports from nine countries. It concluded '*illegal cheetah trade was limited*' as it showed that between 2015 and mid-2018 only 32 cheetah specimens (13 live animals and 19 parts/products) had been seized. This was despite the fact that in a joint statement submitted to the Standing Committee, Ethiopia, Kenya and Yemen pointed out that these numbers underestimated '*the full extent of the trade, since they only include confiscated animals appearing in official records and omit data from many countries, including key primary source countries for trafficked cheetah*', that their (own) information, which included the 32 CITES seizures, showed 393 cheetah (274 live animals and 119 parts) seizures during the same period, adding that '*Given the perilous state of [East African] cheetah populations that are the source of illegal trade, any ongoing trade in wild cheetah is alarming*', that, '*far from being "limited", illegal international trade continues to be a significant and urgent threat to wild populations*'.⁷⁴

⁷¹ Ibid, see p.4, 19 for details.

⁷² Ibid, p.5.

⁷³ Ibid, see for full details.

⁷⁴ Ethiopia, Kenya and Yemen *Supplemental Information on Illegal Trade in Cheetah (Acinonyx Jubatus)*, SC70 Inf. 44, pp.

The joint statement appeared to be ignored however, so too did the precautionary principle, and based on their own conclusion that the trade was '*limited*', the Secretariat made the following five recommendations to the Standing Committee. They included:

- Extending the intersessional working group's mandate (regarding the Cheetah Trade Resource Kit) until the next meeting of the Standing Committee (SC71).
- Encouraging Parties to inform their relevant national authorities about the cheetah closed user group, as well as encouraging them to use it.
- Encouraging those Parties affected by illegal trading of cheetahs on the internet, to take appropriate action, implementing this in full.⁷⁵
- Encouraging Parties affected by illegal trade in live animals to develop an action plan for immediate use when live cheetahs were seized;⁷⁶ and
- Encouraging demand reduction strategies in Parties affected by the illegal trade, especially destination Parties.⁷⁷

The third recommendation was: '*Encouraging those Parties affected by illegal trading of cheetahs on the internet, to take appropriate action, implementing this in full*'. In fact, CCF's Patricia Tricorache, fully aware of the dangerous effect of online trading, had been monitoring the situation for several years.

It is hard to overestimate the damage done to wildlife by illegal online trading, which is why NGOs such as TRAFFIC and IFAW (International Fund for Animal Welfare) have spent many years working with countries such as China and Viet Nam on prevention strategies, of which both demand reduction and data collection are key

2-3; and also Patricia Tricorache *Somiland: East Africa's largest conduit for cheetah trafficking to the Gulf*, Global Initiative against Transnational Organized Crime, Civil Society Observatory of Illicit Economics in Eastern and Southern Africa, Risk Bulletin, Issue 12, September-October 2020, p.17. See <https://globalinitiative.net/analysis/esaobs-risk-bulletin-12/> Accessed 13/10/2020.

⁷⁵ That is: have regard to their implementation of paragraphs 11 and 12 under *Regarding e-commerce of specimens of CITES-listed species*, in Resolution Conf. 11.3 (Rev. CoP17) on *Compliance and enforcement*.

⁷⁶ In accordance with the provisions of Annex 3 to Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species*.

⁷⁷ In their implementation of Resolution Conf. 17.4 on *Demand reduction strategies to combat illegal trade in CITES-listed species*.

components. Illegal online trading in the tiny population of Horn of Africa cheetahs (soemmeringii) is threatening the very existence of this subspecies.

In Middle Eastern countries such as Saudi Arabia and the United Arab Emirates, posts and videos of proud owners and their pet cheetahs can be found on social media platforms such as Snapchat and Instagram, the same platforms that are used by illegal traders. WhatsApp and Facebook have closed groups.⁷⁸ Despite this, by September 2018, Tricorache had collected and analysed sufficient data to release CCF's conclusion that, *inter alia*, 'trade of cheetahs via social media platforms remains prominent'. They found:

- The most used platforms: were Instagram, 4Sale (a mobile app) and YouTube.
- The placement of most of the advertisements: the Gulf Cooperation Council placed over 90%, more than 60% of which were placed by Saudi Arabia.
- The top three sellers: were based in Saudi Arabia and posted 20% of all the advertisements.

And concluded that:

*'The illegal trade in live cheetahs impacts the smaller, fragmented populations in East Africa most ... Already vulnerable cheetah populations, particularly those in Ethiopia and Somalia are at risk of local extinction because of poaching for the illegal pet trade.'*⁷⁹

The data was released in the form of a press release before Standing Committee 70 met with so much evidence available to show widespread illegal trading taking place within some of the Gulf States, it is hard to understand why the CITES Secretariat should have based its decision to delete the protective Decisions on seizure numbers from only nine countries. Should

⁷⁸ Sarah Emerson *Instagram Cheetahs Are Now the Target of International Wildlife Officials*, Motherboard/ Vice, 5 October 2016. See https://motherboard.vice.com/en_us/article/8q8kj4/instagram-cheetahs-are-now-the-target-of-international-wildlife-officials-cites Accessed 11/04/2019.

⁷⁹ Cheetah Conservation Fund *Cheetah Conservation Fund Data Analysis Confirms Social Media Role in Advertising Illegal Wildlife Trade, Including Trafficking of Cheetahs for Illegal Pet Trade*, 27 September 2018. See <https://cheetah.org/press-release/cheetah-conservation-fund-data-analysis-confirms-social-media-role-in-advertising-illegal-wildlife-trade-including...> Accessed 11/04/2019.

they not have been alerted to the fact that these numbers were very low, especially when Ethiopia, Kenya and Yemen produced completely contradictory figures obtained from extensive research and fieldwork? And why did they ignore this data and conclusions? Whatever happened to the precautionary principle? It is small wonder then, that an expert with long experience of working in the field, described these Recommendations as '*Completely toothless. Much weaker than previous ones. There was no longer any "encouragement" to report to CITES or for CITES to follow up*'.

The inevitable result was that CITES CoP18 was to prove a disaster for cheetahs. As often happens, agenda items are moved around or delayed. As a result, the cheetah discussion took place while trade in ivory was being discussed in a different room. As was to be expected, many of the African cheetah-range States were attending the ivory discussion, unaware that the cheetah discussion, already delayed, would begin just twenty minutes before the end of the day. This left little time for any debate, and the Gulf States, all in attendance, dominated. They spent the time strenuously denying there was any illegal trade, and when the United States offered to read out previous CITES Decisions which would have shown the denials to be spurious, the offer was refused '*without a clear explanation*'. The meeting was adjourned at 17.08 hours.⁸⁰

The situation further deteriorated '*when the debate was shut down abruptly*' at the end of the session, '*without consensus and any opportunity to postpone discussion to the following day*' and despite the fact that many countries had not been allowed to contribute. Although '*there was a clear disagreement between source and consumer countries*' as to how to proceed, and whether or not additional Decisions were needed, when Ethiopia, concerned that the debate had been shut down prematurely, tried to raise the issue again in plenary, it failed. And because of CITES' rules of procedure, Ethiopia was unable to raise the issue again, so '*their last remaining opportunity at CoP18 (and therefore the next three years) to have their Decisions re-evaluated*'

⁸⁰ Details provided by Patricia Tricorache. See also CoP18 Com. II Rec. 11 (Rev. 1), Species specific matters cont. 60. Illegal trade in cheetahs (*Acinonyx jubatus*), pp.5-6.

had passed.⁸¹

This is what happened at CoP18. Based on Standing Committee 70's five recommendations, the Secretariat proposed that Decisions 17.124 - 130 should/could be deleted, with only one Decision, 18.AA, relevant to finalizing the Cheetah Trade Resource Kit being accepted.⁸² This was agreed by vote, as was the more general CITES proposal on demand-reduction strategies to combat illegal trade in CITES-listed species.⁸³ They also agreed to set up a CITES Big Cat Task Force under the Joint CITES-CMS African Carnivores Initiative, to be run by both CITES and CMS, and which would, *inter alia*, look into matters relating to the illegal trade in cheetahs. This, the Secretariat believed, would '*avoid duplication and achieve greater impact*' and would be '*more appropriate to address matters related to illegal trade in cheetahs*'. The Big Cat Task Force is in process of being implemented.⁸⁴ Some progress was made on the Cheetah Trade Resource Kit.

Kenya and Ethiopia, while agreeing with draft Decision 18. AA and the proposal to delete Decisions 17.124-126 and 129, attempted to increase efforts in combatting cheetah trafficking by putting forward a number of recommendations based on their own data:

- 13. Directed to the Parties:

18. BB: Consumer countries should ensure all domestic markets in live cheetahs were closed by CoP19.

18. CC: Applied to all source, transit and consumer countries, and was concerned with strengthening protection and law enforcement, making it more effective.

18. DD: Was concerned with illegal trade on social media platforms.

18. EE: Required the involved Parties to report their progress on implementing Decisions 18. BB, 18. CC and 18. DD to each regular meeting of

⁸¹ See Sarah Durant *Cheetahs, CITES, and illegal trade: Are consumer countries doing enough?* (commentary), Mongabay, 30 September 2019 for an excellent account of these proceedings, as well as a haunting description of the cruelty involved in the illegal trade in these, often tiny, cheetah cubs.

⁸² See CoP18 Doc.60, p.4.

⁸³ CITES CoP18 Com. II. 22 p.1. See [https://cites.org/sites/default/files/eng/cop/18/Com II/E-COP18-Com-II-22.pdf](https://cites.org/sites/default/files/eng/cop/18/Com%20II/E-COP18-Com-II-22.pdf) Accessed 11/06/2021.

⁸⁴ See n.82, p.4.

the Standing Committee and to CoP19.

- 14. They also recommended that CoP18 renew Decisions 17.127, 17.128 and 17.130, incorporating this into:

18. FF (re Decision 17.127): Directed to the Secretariat, this required regular reporting of progress on a number of matters including all confiscations, prosecutions and convictions to both the Standing Committee and eventually CoP19.

18. GG (re Decision 17.128): Required the Standing Committee, acting on the above information and any other relevant information, to make recommendations.

18. HH (re Decision 17.130): Addressed to Parties, Others, Donor Parties and other potential donors, this was a request for funding, to enable the above to happen.⁸⁵

These recommendations were based on cheetah trade data collected between January 2015 and June 2018, which provided supplemental information not included in the CITES reported confiscations.⁸⁶

Fortunately, CMS CoP13, held in Gandhinagar, India in February 2020, produced positive results for the animals. With its slogan '*Migratory species connect the planet and together we welcome them home*', not only did it recognise the importance of maintaining ecological connectivity in a rapidly changing world, it also strengthened conservation efforts for African carnivores, endorsing the joint programme with CITES for the conservation of cheetah, leopard, lion and wild dog. The Gandhinagar Declaration on CMS and the post-2020 Global Biodiversity network called for '*migratory species and the concept of "ecological connectivity" to be integrated and prioritized*' in what will be the new Post 2020 Global Biodiversity Framework to be determined at the Convention on Biological Diversity CoP15, to be held in October 2021.

However, the threats to African cheetahs even those in east Africa, are as nothing when compared with the fate of the Asian cheetahs. Before the twentieth century had ended most of them were already extinct, the remnants being a fragmentary population hanging on in the Is-

⁸⁵ See CoP18 Inf. 73, pp.1-3 (*Illegal Trade in Cheetahs: Supplemental Information and Recommendations*).

⁸⁶ This information was provided for the author by Patricia Tricorache.

lamic Republic of Iran, and because these critically endangered cheetahs are Asiatic not African cheetahs, they are protected by different legislation.

Standing Committee 69 took special notice of their plight, of the fact that such a tiny population, an estimated 60-100 animals in 2007, was now reduced to less than 50, and was '*highly vulnerable to any illegal hunting pressure*' despite the best efforts of a team of dedicated conservationists. By 2017, the IUCN/SSC Cat Specialist Group suggested that, partly because of dwindling resources and support, the Asiatic cheetah was '*now facing extinction*'. So they suggested that '*to prevent this unique population going extinct*', the IUCN should '*conduct a campaign, including an international conference, aimed at Iranian and international conservation bodies, and at generating funding to implement an emergency recovery programme in collaboration with, among others, the Department of Environment of the Islamic Republic of Iran*'.⁸⁷ And Standing Committee 70 Doc. 51 contains as an Annex, the review on the implementation of Resolution Conf. 12.5 (Rev. CoP17) which refers to reports of illegal trade in cheetahs, although it is mainly relevant to the Asiatic animals.

Once again it was people who precipitated these cats into their seemingly inexorable rush towards extinction. There was a chain of events. It started in 1979 with the Islamic Revolution, which led to the widespread hunting of gazelles, their prey, by men in jeeps or on motorbikes. Then followed the war with Iraq which lasted eight long years. The cheetahs were forced up into the mountains where fortunately there were alternative sources of food, wild sheep and Persian ibex, even though they had to adapt their hunting techniques to the new habitat.⁸⁸ There, other dangers awaited them. Roads crisscrossed their territories, and there were herders with dogs.

Counting cheetahs has always been difficult wherever they are found, even in a country like Namibia, because their numbers are low and

87 IUCN/SSC Cat Specialist Group *Asiatic cheetah now facing extinction*, 2017. SC69 Doc.45, p.3. See <https://cites.org/sites/default/files/eng/com/sc/69/E-SC69-45.pdf>. Accessed 3/03/2020.

88 James Fair *Caught in the Crossfire* BBC Wildlife, February 2020.

many live outside protected areas. It is orders of magnitude worse in Iran and was so, even before the cheetahs moved up into the mountains in the north-east of the country, where, fortunately, there are two protected areas, Touran National Park and Miandasht Wildlife Refuge. Even though their earlier habitat consisted of arid lowland plains with sufficient food to support them, they still required very large home ranges. In the mountains, because food was scarcer, these were larger than ever. But research scientists, conservationists from the Persian Wildlife Heritage Foundation (PWHF), a Tehran-based conservation organisation, and the Iranian Department of Environment were working hard to establish numbers.⁸⁹

Then something shocking happened. In January 2018, a team of nine conservationists from the PWHF were arrested and have been held in prison ever since. Although they had been setting camera traps to count cheetahs, the mountainous areas hold sensitive military installations, and their actions were misinterpreted. It was alleged that the cameras were being used for spying. They were all charged with espionage, and the outcome has been devastating for the conservationists and possibly for the animals as well. The nine was rapidly reduced to eight when one of them, Professor Seyed-Emani, a Canadian Iranian and PWHF's volunteer managing director, allegedly committed suicide. No investigation has ever been permitted.

In November 2019, a court in Tehran found the others guilty of collaborating with enemy States, namely, the United States and Israel. Not surprisingly, the sentences were harsh. Two of them (PWHF's founder and its programme manager) were sentenced to ten years in prison; two others (a cheetah researcher and a biologist) received eight-year custodial sentences; three others (the co-ordinator, a big cat conservationist and a former PWHF staffer) were given six-year prison sentences; and the last one (a conservationist and wildlife photographer) received four years for collusion. Perhaps the only consolation was that four of them had originally been charged with offences that carried the death penalty, but these charges were dropped in October.⁹⁰ And

89 Ibid.

90 Kayleigh Long *Iran sentences eight conservationists convicted of spying* Mongabay, 26 November 2019.



there were reports of additional punishment, of a two-year ban from working in the conservation sector once their custodial sentences had been completed. Their appeals, heard in February 2020, were unsuccessful.⁹¹

The IUCN, the Wildlife Conservation Society, UNEP (United Nations Environment Programme) and Human Rights Watch were among the many organizations to voice concern. The Center for Human Rights in Iran⁹² reported that they were given verbal not written sentences, which, they described, was '*a common practice in politically motivated cases in Iran*'.⁹³ Furthermore, they are being held in Evin Prison (Tehran), a prison for political offenders, where, apart from being allowed family visits, their conditions are similar to those of political prisoners.⁹⁴

⁹¹ Kayleigh Long *Iran upholds heavy sentences for conservationists convicted of spying* Mongabay, 21 February 2020.

⁹² An advocacy group based in New York.

⁹³ See n.90.

⁹⁴ Ibid.

There was further punishment for Morad Tahbaz, PWHF's founder and Niloufar Bayani, PWHF's programme manager, both of whom had received ten-year prison sentences. They had to repay what was described as '*illicit income*', which in Bayani's case was USD360,000, a sum that '*appeared to have been calculated from the total salary she drew in her years as a UNEP consultant*'.⁹⁵ Following the announcement of the appeal court's judgement, the BBC's Persian service reported that Bayani had sent letters to the Iranian authorities, which contained details of torture.⁹⁶

Fortunately, the Iranian government has allowed other organizations a limited resumption of efforts to save their cheetahs.

By 2020, the future was looking slightly brighter. The ICS launched '*Explorers of Hope – in search of the Asiatic cheetah*' as part of their cheetah programme. They were about to go in search

⁹⁵ Ibid. She had worked for UNEP for a number of years.

⁹⁶ Ibid. The information came from a source close to the case.

of the cats in places where they had not previously been seen, places outside the protected areas where help would be needed from the local communities. Data collection was essential, and any information would be valuable because in some of the known cheetah habitats, the animals did not appear to be breeding and new individuals were no longer seen.⁹⁷

Over the years, reports had come in of cheetahs seen in areas such as Khorasan Razavi, a province that had always confirmed reports of the cats, as well as Bardaskan, Khaaaf, Taybad and Sabzevar counties, but because the data had not been systematically collected it was difficult to work out how to progress the information. In July 2020, attended by experts from Khorasan Razavi Department of the Environment and the Iranian Cheetah Society (ICS), a meeting was convened to discuss ways to co-operate. It was decided that working together, and as part of its programme to conserve northern habitats of the Asiatic cheetah, the ICS would carry out new studies in the province and collect scattered data from other cheetah habitats, the results being fed into the framework of the Explorers of Hope project.⁹⁸

Although the future of Asiatic cheetahs is not looking good, there might still be a future for cheetahs in Asia, as there is an ambitious plan to 'reintroduce' some south-east African cheetahs to India, where the cats were declared extinct in 1952. The plan, first put forward by Jairesh Ramesh the then Environment Minister, was put on hold by the apex court which is monitoring this government project. The cats would be translocated from Namibia to Nauradehi Wildlife Sanctuary in Madhya Pradesh,⁹⁹ and it would actually be an introduction rather than a re-introduction, because the cheetahs would be African not Asian cheetahs.

The decision whether or not to go ahead, would eventually be taken by the National Tiger Conservation Society, with the guidance of a com-

mittee set up by the apex court and consisting of the former director of the Wildlife Trust of India, Ramjit Singh, together with a retired Indian Forest Service officer, and assisted by officials from the Environment Ministry. In early 2019, ten years later, the National Tiger Conservation Society returned to the Supreme Court of India, to seek permission for the introduction.

Permission to continue the project was granted and the court decided that it should be left to the National Tiger Conservation Society to take the final decision. Before that could happen however, a proper survey had to be carried out to find the best suitable habitat, after which the cheetahs would be introduced on an experimental basis only, to see whether they could adapt to life in India. The apex court would continue to monitor the project, with the committee submitting a report to it every four months. In other words, every effort was being made to ensure the best possible outcome, whatever that would prove to be.¹⁰⁰

The history of cheetahs in India has been an unhappy one. Popular with the Mughal emperors for coursing, Akbar, ruling from 1556 -1605, allegedly owned 9,000 of them, almost all wild-caught. By the time of the British Raj they were already becoming rare and their numbers decreased further as some were shot for 'bounty' while others were killed by trophy hunters. The interest in coursing continued into the early twentieth century, so, by then short of indigenous cheetahs, some 200 cheetahs were imported from Africa for that purpose. The last three Indian cheetahs that were confirmed as such, were shot in 1947, with the animals becoming extinct probably sometime during the 1960s. So it is to be hoped that if/when this (re)-introduction is made, the new cheetahs will be properly protected. Not least among the various dangers they will face is the ever-present threat of illegal wildlife trade, most recently highlighted by UNEP in May 2019 when they launched their Wild for Life Campaign.¹⁰¹

97 Iranian Cheetah Society.

98 *New habitats to be surveyed for cheetah presence* Explorers of Hope, 19 July 2020. See hope.wildlife.ir/en/new-habitats-to-be-surveyed-for-cheetah-presence/ Accessed 25/07/2020.

99 *Insights Cheetah Reintroduction Project*, 25 February 2019. See <https://www.insightsonindia.com/2019/02/25/cheetah-reintroduction-project/> Accessed 9/02/2020.

100 Hindustan Times *Supreme Court allows introduction of African cheetahs in India*, 28 January 2020. See [hindustantimes.com/india-news/supreme-court-allows-introduction-of-african-cheetahs-in-india/story-MTyJFOGdFibIP63A7hNkml.html](https://www.hindustantimes.com/india-news/supreme-court-allows-introduction-of-african-cheetahs-in-india/story-MTyJFOGdFibIP63A7hNkml.html) Accessed 9/02/2020.

101 UN Environment Programme *Spotlight on India's soaring wildlife crime*, 21 May 2019. See [unenvironment.org/news-and-stories/story/spotlight-indias-soaring-wildlife-crime](https://www.unenvironment.org/news-and-stories/story/spotlight-indias-soaring-wildlife-crime) Accessed 23/11/2020.

March 2020 saw the publication of the most recent research into the mitochondrial DNA of the extinct Indian cheetah of the subspecies, *Acinonyx jubatus venaticus*.¹⁰² The researchers had managed to acquire slightly more samples of the rare genetic material available, and this enabled them 'to finely date the matrilineal relationship and divergence of African and Asiatic subspecies'.

The results showed 'an unexpectedly deep mtDNA divergence between the Indian and Southeast and Northeast African cheetahs', as well as 'a closer mitochondrial association between Indian and Southeast African rather than Northeast African cheetahs'. In other words, there had been an ancient divergence between the extinct Asiatic and live African cheetahs, that was 'strongly supporting the genetic uniqueness of Asiatic cheetahs'. So 'given their extreme rarity', it was very important to conserve them. They also showed the south-east African cheetahs to be more genetically close to the Asiatic cheetahs than the north-east African cheetahs were.

After making it quite clear that the research was an attempt to establish when Asiatic and African cheetahs had diverged, and not about 'the potential and pitfalls of cheetah re-introduction into India', or whether the African cheetah could survive in India, it could be very useful regarding the possible introduction/re-introduction of African cheetahs. The researchers ended their discussion by posing two fundamental questions:

- 1) Should there be re-introductions if appropriate sites could be found; and
- 2) Which subspecies would be appropriate if they did go ahead?

There have been some genuine re-introductions in Africa. South-east African cheetahs have been re-introduced to Swaziland. In 2017, after twenty years of absence, cheetahs were re-introduced to Malawi,¹⁰³ and in December 2020, African Parks announced the return of cheetahs to Zambia, to the globally significant Bangweulu Wetlands. Owned by the community and home to some 50,000 people, after 100 years, these Wetlands, 'a living example for community-based conservation in Africa', are once again providing

a home for cheetahs. A small founder population of wild cheetahs have returned to their former hunting grounds. It has taken twelve years of very hard work on the part of African Parks, the Zambian government and the local communities, but in that time the level of poaching has been greatly reduced, numbers of fish and wildlife have increased and the livelihoods of the local communities have been improved. Now there is education, healthcare, employment and food security for all those living in and around the Park. And because this is a phased translocation 'paving the way for a healthy breeding population', more cheetahs are due to arrive in 2021.¹⁰⁴

A rather different method of increasing the cheetah population is by artificial insemination. In 2007, the first cheetah embryo was produced using the technique of IVF, the result of a collaboration of the Cheetah Conservation Fund, the Smithsonian Institution and the University of California, but it was not until the end of February 2020, many years later, that there was another breakthrough. This time it took place in the Columbus Zoo and Aquarium, USA, when twin cheetah cubs, a male and female were born to a surrogate mother, Izzy. Their biological mother Kibibi had reached the age of six and a half years without ever giving birth, so scientists decided this was now unlikely to happen. However, her eggs were still viable, so they were harvested and fertilized by sperm from Slash, a young male cheetah (three years old) who was living in Fossil Rim Wildlife Centre in Texas. The impregnated embryos were then implanted into Izzy and three months later, she gave birth to the twin cubs.

This was hailed as 'a huge scientific breakthrough' by a cheetah biologist at the Smithsonian Conservation Biology Institute,¹⁰⁵ because it should now be possible to enhance captive breeding programmes, which, over time could gradually add much needed genetic diversity to the species, a positive development that should benefit the survival of these beautiful cats.

As a major problem for cheetahs has been their

¹⁰² See <https://www.nature.com/articles/s41598-020-60751-7?fbclid=IwAROI->

¹⁰³ See <https://www.africanparks.org/cheetahs-return-malawi-after-20-year-absence> Accessed 11/05/2021.

¹⁰⁴ An email from African Parks, 18 December 2020, sent by James Milanzi, Country Director, Zambia African Parks.

¹⁰⁵ Dr Adrienne Crosier. See Ben Hoyle *Cheetah cubs are first in the world born to surrogate* The Times, 28 February 2020,

propensity/need to either live outside protected areas, or move in and out of them, they should benefit from KAZA, the Kavango-Zambesi Trans-frontier Conservation Area. Five countries are involved with this ambitious plan: Angola; Botswana; Namibia; Zambia and Zimbabwe. Working with Panthera, the KAZA Carnivore Conservation Coalition (KCCC), the Botswana Predator Conservation Trust, Kwando Carnivore Project, Wilderness Safaris and WWF, the objective is *'to uplift community livelihoods while building a massive connected conservation landscape the size of France'*.¹⁰⁶

Part of the initiative has involved tracking a coalition of three male cheetahs, one of them collared, between August 2019 and June 2020. Starting in Nkasa Rupara National Park in Namibia one soon vanished, but the remaining two took a roundabout journey ending up in northern Botswana where there are some key protected areas. It enabled the researchers to follow cheetahs as they dispersed in the field rather than *'just seeing them as a data point on the map'*. They described this as *'an exciting and important development'*.¹⁰⁷

Meanwhile, the shock and consternation that had been the initial reaction to the fiasco at CoP18, had been quickly translated by some countries and NGOs into a steely determination that something like that should not be allowed to happen again. A group, comprised of the same countries and NGOs that have been working on cheetah trade since the CITES – commissioned study was presented in 2014,¹⁰⁸ are continuing to work together towards resuscitating the issue following the CoP17 disappointment. More data, published data would be a key component of the fight back. It would be harder for CITES to ignore. With the illegal wildlife trade continuing to decimate the small population of cheetahs in the Horn of Africa, threatening their very existence, Patricia Tricorache, who remains with the group as an independent expert, gave up her position in CCF, a difficult decision, but made easier by knowing the care and welfare of the cheetahs was in very safe hands.

This has enabled her to commit herself full time to enforcement and research, her real expertise, and doing what she had previously done but never having quite enough time to do it properly. As well as the CITES cheetah group, she also collaborates with and supports other partners, including Torrid Analytics and Colorado State University, while monitoring online platforms and collecting more data, something she has been doing since 2005, and which was instrumental in establishing the protections so carelessly rejected by first Standing Committee 70, and then by CoP18.

The all-important data regarding the illegal cheetah trade, was finally published in 2021. It comprised the analysis of the global dataset for seized and non-intercepted illegal cheetah trade between 2010 to 2019.

- It came from 300 sources.
- From 56 countries in Africa, the Middle East, Asia, Europe, Oceania and North America.
- 1,884 individual incidents were recorded, involving a minimum of 4,000 cheetahs/cheetah parts/products.
- These were likely or confirmed to have breached national laws or CITES regulations.
- Over 50% of cheetahs in the dataset were offered for sale on the internet, most of them on Instagram.

The results enabled the authors to argue that this information *'demonstrates the need for a more in-depth look into the illegal cheetah trade, including sustainability assessments with emphasis in regions where cheetah populations are small and widely exploited, such as the Horn of Africa'* leading to *'improved enforcement and legal frameworks'* and thus providing *'a guide for CITES' actions involving international co-operation and demand reduction efforts'*.¹⁰⁹

Do cheetahs now stand on the brink? In the September/October 2020 edition of their Risk Bulletin, the Global Initiative Against Transnational Organized Crime published an article *'Somaliland: East Africa's largest conduit for cheetah trafficking to the Gulf'*, which drew attention to the continuing risk posed by Somaliland with its tempt-

106 Paul Funston *International Cheetah*, June E-News 2020, Field Notes, Panthera's Blog.

107 Ibid.

108 See n.24.

109 Patricia Tricorache, Shira Yashphe, Laurie Marker *Global dataset for seized and non-intercepted illegal cheetah trade (Acinonyx jubatus) 2010-2019*, Science Direct, Volume 35, April 2021, 106848 (available online 8 February 2021). See <https://www.sciencedirect.com/science/article/pii/S2352340921001323> Accessed 2/3/21.

ing crossing point into the Arabian Peninsula, as well as exposing the potential threat of trafficking links with transnational organized crime. And this is despite the country's strengthened legislation which '*has reportedly led to increased awareness and better coordination between wildlife officials, police and the army*'.¹¹⁰ Saving the cheetahs in Somaliland continues to be a work in progress with, as yet, no end in sight.

But cheetahs are much loved animals. Their plight has been recognized and a great many countries, NGOs, and people are determined to save them, however tiny the numbers and desperate the situation. The cheetah group working on CITES issues, is determined there will be no more fiascos like the one at CoP18. Cheetah Conservation Fund continues its important work in both southern Africa and Somaliland. Anatolian Shepherd and other dogs are helping alleviate some of the effects of human-cheetah conflict. Iran's Explorers of Hope are doing their best to save the few remaining Asian cheetahs, and if India succeeds in introducing African cheetahs, this will expand their global range. Research continues unabated. Cheetahs do stand on the brink, some populations more endangered than others, but there are still grounds for optimism. The candle flame may be flickering, but it continues to stay alight.

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110 Patricia Tricorache *Somaliland: East Africa's largest conduit for cheetah trafficking to the Gulf*, Global Initiative Against Transnational Organized Crime. Risk Bulletin, Issue 12 September – October 2020, pp.14-17. See <https://globalinitiative.net/analysis/esaobs-risk-bulletin-12/> Accessed 13/10/20.