

MARA CHEETAH CUBS REPORT

**Risk of Local Extinction of Cheetah in the Mara Ecosystem, Animal Welfare
Issue at Nairobi Orphanage and Alleged Illegal Cub Trade in Kenya**



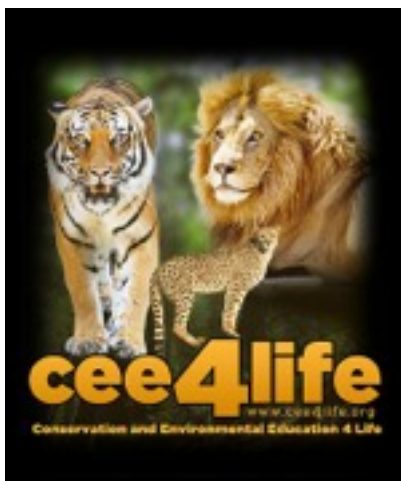
**A Report on the Mara Cheetah Cubs Removal, the Critical Status of
Mara Cheetah and the Ethics of Captive Care**

Facilitated and participated in by:

cee4life

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Section 1 Introduction

1.1 Location

The Mara Triangle is the Western part of the Maasai Mara National Reserve, Kenya, and is managed by the not-for-profit organisation The Mara Conservancy on behalf of Trans-Mara County Council. The Mara Triangle is one third of the Maasai Mara National Reserve, with an area of 510 km².

http://en.wikipedia.org/wiki/The_Mara_Conservancy

1.2 Methods

All information in this report was gathered by investigators, informants, public statements, direct interviews and questioning with pivotal people, email correspondence, confirmed statements released into the public forum, telephone conversations, scientific research reporting, documentation, photographs and film.



Ref: Mara Triangle Visitor Map

<http://maratriangle.org/visit/maps>

Copy Right: Mara Triangle

Section 2 Cheetahs in Kenya

2.1 Cheetah Status in Kenya

The cheetahs (*Acinonyx jubatus*) formally ranged widely throughout much of Africa, but in recent decades the species has faced a dramatic reduction in population and geographic range. The IUCN Redlist lists cheetah as Vulnerable. This includes all subspecies in all geographic ranges (<http://www.iucnredlist.org/apps/redlist/details/219/0>). The vulnerable state quickly moves to “Critically Endangered” when focused on specific geographic ranges such as Northwest Africa. The decline in cheetah is primarily due to habitat loss and fragmentation. However, they are also killed and captured for killing livestock and there is a market for live cheetah. (IUCN Cats Red List Workshop 2007).

In 1990 the population of cheetahs in and surrounding Kenya’s protected areas was estimated at 793, of this number 55% were from Tsavo (Gros 1998). Important populations of cheetah and wild dog are recognized in the Tsavo, Mara-Serengeti and Laikipia-Samburu ecosystems (KWS Cheetah Conservation Strategy, Executive Summary, pg.11). Kenyan sub-populations in the Masai Mara, Masailand and Tsavo are connected to one another through contiguous areas of Tanzania. All three of Kenya’s cheetah populations are globally important, being three of just four populations in eastern Africa estimated to number ≥ 200 adults and adolescents (IUCN/SSC, in prep) (KWS Cheetah Conservation Strategy, Chapter 3.2.2 Categories of Current Geographical Range, pg.12). The

2.2 Cheetah Status in the Masai Mara

[illegible]

Ref Mara Eco-system Map

Copy Right: Polini Camps

Year of Census	Cheetah Population	
1980	61	Burney, D.A
2000	no more than 60	Scott, J.
2005	47	Dloniak, S.M
2005	45	Scott, J.

Area	Adult	Male	Female	Cub
Narok Mara	6	2	4	2
Mara Triangle	5	3	2	1
Greater Mara	11	6	5	2
Total	22	11	11	5

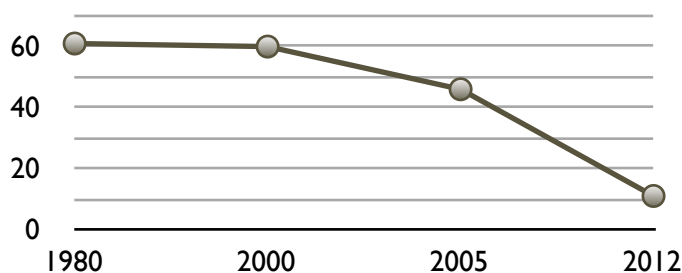
The areas this census took place include: Masai Mara National Reserve (Narok), Mara Triangle, Greater Mara including: Mara North Conservancy, Olchoro Oroua Conservancy, Lemek Group Ranch, Olare Orok Conservancy, Naboisho Conservancy and Motorogi Conservancy. The area excluded in the census were: Ol Kinyei Group Ranch, Oltrekese Group Ranch and Siana Conservancy. This census does not include a few trans-border cheetah that have been spotted along the Kenya/Tanzania border but within the Mara Reserve and Mara Triangle.

The census shows that the Mara cheetah population is probably no more than 30 adult animals.

The last estimated population count of 45-47 adult done by Mr. J Scott and Dr. S.M. Dloniak in 2005 focused on 1,510 km² Masai Mara National Reserve but failed to include cheetah population found in the additional 3,000 km² conservation areas

(Greater Mara region) surrounding the reserve included in the 2012 census. If one addresses just the cheetah population inside the Masai Mara National Reserve, there is an astonishing 82% drop of population from 61 (1980) to 11 (2012). The current estimated population of no more than 30 adult cheetahs in the entire Mara makes this species “**critically endangered**” in this ecosystem with a serious threat of local extinction requiring urgent “**site-specific**” management action plans.

Cheetah Population in Masai Mara NR



2.3 Mara Cheetah Population Decline

Sarcoptic mange has continuously threatened wildlife populations in most of the wildlife areas in Kenya (Gakuya et al. 2011). *Sarcoptes scabiei* has been reported to be a potential threat to some endangered species including cheetah (Mwanzia, et al. 1995). One of the animals that, to date, has remained a preferential host for *Sarcoptes* mite is the cheetah (*Acinonyx jubatus*) (Gakuya et al. 2011). Between 2007 and 2009, Dr. Francis Gakuya, the head of KWS veterinary service, carried out a study involving molecular analyse the potential prey-to-predator parasitic infestation involving *Sarcoptes* mite in the Masai Mara National Reserve and Mara Conservancy (Mara Triangle). The sample species for the study included: Thomson’s gazelle, wildebeest, lions and cheetahs.

Dr. Gakuya’s paper states “**among the major factors thought to have brought about the decline of the cheetah are diseases, with sarcoptic mange being placed among the leading causes of death**” (Weber W. & Rabinowitz, A. 1996)”. <http://www.parasitesandvectors.com/content/4/1/193>

In 2008 the cheetah population in the Masai Mara region took a hit when many cheetah were infected by mange when an outbreak was noted amongst wildebeest calves. The calves were obviously weak and offered easy prey to the cheetah. The September 2008 Mara Monthly, online monthly report published by Mara Conservancy states “*There were concerns about the high incidence of mange in cheetah and its impact on the population*”. In September alone four cheetahs

were infected by mange in the Mara Triangle: one died, two were severely infected and there was one with a mild infection. (<http://maratriangle.org/images/uploads/monthly-reports-2008-september.pdf>)

In November 2008, KWS veterinarian Dr. Mijele stated in his monthly report to the Sheldrick Wildlife Trust “Some of the wildebeests calves in Mara were reported to have mange infestation along Mara River near the Mara Bridge. The disease was suspected to have contributed to deaths of some calves and could be easily transmitted to cheetahs which feed on those wildebeest calves.”

(http://www.sheldrickwildlifetrust.org/mobilevet/vetfielddetail_new.asp?VRD=102)



March 2007



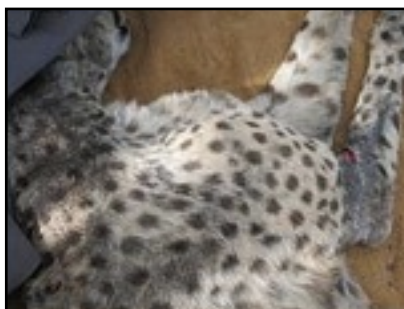
August 2008



September 2008



February 2011



February 2011



March 2011

copy right: Mara Mobile Veterinary Unit Monthly Report <http://www.sheldrickwildlifetrust.org>

copy right: Mara Monthly <http://maratriangle.org>

The combined the data from both Dr. Mijele’s Mara Mobile Veterinary Unit monthly report and the Mara Monthly indicate that a total of 11 cheetah were severely affected by mange between 2007-2011: 3 (2007), 6 (2008) & 2 (2011). This number is equal to 25% of the total cheetah population in the Mara at the time. From resident guide reports in the Mara region, many of the severely affected cheetah were never seen after the mange outbreak. Other reported cases where cheetah simply disappeared were not included in this number. The Mara Triangle cheetah population recorded by management dropped from 13 in 2007 to 5 in 2012, a 54% decline in just 5 years.

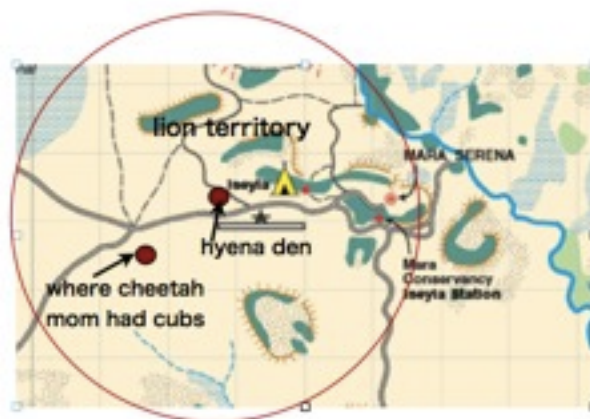
To make this situation worse, cub survival in the Mara area has been extremely low and there has been almost no recruitment of new cheetah into the gene pool. Since 2010, the guides confirm that they have witnessed only 2 successful litters growing up to adulthood (4 cubs (originally 6 cubs) in Narok and 2 cubs in Greater Mara region). All 16 cubs born in the Mara Triangle were been killed by predators, or disappeared, before 3 months of age between 2010-2012 (one female in the Trian-

gle has one surviving cub, born in March 2012). Known adult mortality due to lions during the same period total six animals, including: 1 female (Narok, 2009), 1 male (Talek, 2011), 1 female and 1 cub (Naboisho, 2011), 1 male (Naboisho, 2011) and 1 female (Mara Triangle, 2012).

Section 3 Mara Cub Rescue

3.1 Abandoned Cub Rescue

From 1st January 2012, Mara Conservancy (MC) observed a mother cheetah with her 3 new born Cheetah Cubs. The mother and cubs were monitored by a patrol vehicle on a daily basis to prevent tourist harassment. The mother had begun bringing her cubs to her prey kills and had taught the cubs to feed off the prey towards the end of February.



copy right: Sybelle Foxcroft

On the morning of March 1st, from approximately 2pm, a number of hyena were seen heading towards the “Mugoro” lion pride, entering from the West. At approximately 4pm, MC rangers witnessed the cheetah female leaving her cubs to go and hunt near the core lion zone. The lion pride in this area number approximately 20; while the resident hyena clan members in the area number approximately 60. The hyena converged into the core lion zone and a prolonged serious disruption occurred between them which lasted hours. This was observed by the MC CEO Mr. Brian Heath and the rangers. By dusk the mother cheetah had not returned to her cubs.



“Cubs following their mother in the wild “
(Mara Triangle Facebook)



“Cubs just before they were rescued
by rangers “
(Mara Triangle Facebook)



“Cubs on their first day when they were
brought to the ranger station “
(Mara Triangle Facebook)

copy right: Mara Triangle Facebook Page (<https://www.facebook.com/maratriangle>)

On the morning of 2nd March 2012, the three cubs were observed by MC rangers, alone and calling out for their mother. At the same time, Kenya Wildlife Service (KWS) Veterinarian Dr. Dominic

Mijele, stationed at the adjacent Narok side of Maasai Mara National Reserve, began to receive calls informing him of the cub's situation. Dr. Mijele placed a call to the Mara Conservancy (MC) CEO and discussed how to manage this situation. MC relayed that five Conservancy vehicles were now looking for the mother. It was then agreed between the KWS veterinarian and MC that if the mother did not return by last light the young cubs would be rescued and given safety. In the event that the mother was found, MC would reunite the cubs with their mother.

The mother did not return at dusk and as MC and KWS - understanding the critical status of the Mara Triangle Cheetah population - and the certainty of death of the cheetah cubs by abundant predators in the area, brought the cheetah cubs to safety in the late evening of 2nd March 2012. Over the next week MC rangers and MC CEO searched each day for the mother, she was never found. From the outset, it was agreed between the KWS veterinarian and the MC that the cubs would be raised with as little human contact or interaction as possible, to give them every opportunity for a return to the wild.

3.2 The Mother Cheetah

As previously mentioned, the mother cheetah was witnessed hunting near the core lion zone, while hyena converged on the Lion pride.

Although the Cheetah has an immensely powerful and flexible body it is extremely light weight, the average cheetah only weighing between 34 and 35 kg with low bone density. They are the fastest creature on earth, however when caught by a lion or hyena, they stand little chance at survival. The bite force of a lion is approximately 700 – 1,000 pounds or 453 kg. The hyena has the most powerful jaws, with a bite force of approximately 1,000 pounds or 453 kg. However the lion inflicts the most devastating bite.

Both hyena and lion leave little if any evidence of a kill. eg: On the 13th May 2012, in the exact location of the mother cheetah's disappearance, the lion pride made a kill of a zebra. There was no trace of the zebra kill the following morning. A zebra weighs approximately 500 – 700 pounds or 225 – 420kg and has sturdy bone density.

Note: 60 hyena plus 20 lion plus one 35kg Cheetah. No evidence of the mother cheetah's body was found

To clarify, the mother cheetah, weighing 35kg was witnessed by rangers, hunting near the core lion zone, minutes before 60 Hyena converged. She was 99.9% killed when caught in the crossfire between 60 Hyena and 20 Lions. .01% she got away and never came back or someone killed her (however no one was seen anywhere near the clash of lions and hyena)

3.3 Initial Capture & Protocols

The point of contact between MC and KWS, for any wildlife health or capture issue, is the KWS veterinarian, Dr. Mijeje, stationed in the Mara. He is their Veterinarian in charge of the Rift Valley region, which includes the entire Mara ecosystem, including Mara Triangle. The KWS veterinarian is the only person who can give legal approval for capture, this is the protocol and protocol was followed. The KWS veterinarian submitted his report via his chain of command, to his superior, Dr. Francis Gakuya, the head of the Veterinary Department of KWS in Nairobi.

There were seven witnesses to the capture of the cubs consisting of the MC CEO, MC rangers, the Chief Warden and two members of the nearby Hyena Project observing. The cheetah cubs were captured using towels and jackets. They were transferred immediately into an extra-large animal transport animal crate. The capture took 2 minutes. The cubs were then transported five minutes to MC HQ. *Note: No monetary rewards/payoffs/gifts were given to anyone for the capture of the cubs.*

Throughout the month of March the cubs flourished.

On the 31st March 2012, KWS veterinarian, Dr. Mijeje, came to inspect the young cheetahs and to assess their health. Dr. Mijeje noted in his monthly report that the cubs were in good health and condition and then confirmed that the enclosure was correct. KWS veterinarian and MC CEO thoroughly discussed the management and release program for the cheetah cubs. This program included the building of a safety specific enclosure made of predator proof cattle fencing to protect the cubs from predators including hyena, leopard, lion and baboons.

3.4 Rehabilitation Program Design

There are two ways to release animals back into nature; a hard release and a soft release. A hard release is without any period of acclimatisation or waiting period at the site of release. In a soft release the animals will, for example, be held in enclosures at the release site to become acclimated to the new environmental conditions (Moore & Smith, 1991; Wallace, 2000).

At the age of 6 months the cubs would then be moved to the next stage of release, which is a 100 hectare enclosure in an area outside of the core lion/hyena zone. A location for this 100 hectare enclosure was identified 20 minutes from the current MC campsite referred to as “Kuni Beach”. This area is prime cheetah habitat consisting of savanna grasslands, termite mounds, water sources, prey species, few predators, and protective cover. During this stage of the release program, the MC CEO undertook to move the MC campsite near that location, to ensure continued safety and monitoring of the cubs.

At the age of 12 – 18 months, and only if cubs had learned hunting and survival skills, they would be released (under heavy monitoring until confirmed of survival) into the prime cheetah habitat

(and low density predators), ie: full wild release. If for some reason one or all of the cheetahs were unable to learn hunting survival skills, they would then have one of the largest natural habitat enclosures in the world, with the added advantage of being in their home range.

Dr. Mijele's assessment of cubs and discussion of release protocol were reported on Mara Mobile Veterinary Unit reported on the David Sheldrick Wildlife Trust (DSWT) website.

http://www.sheldrickwildlifetrust.org/mobilevet/vetfielddetail_new.asp

Note: A misleading error was made by KWS veterinarian Dr. Mijele when typing his initial report. This error stated incorrectly that the cubs would be released at 6 months old, instead of release into the 100 hectare enclosure at 6 months old.



"Three months old "

(Mara Triangle Facebook)



"Photo taken May 8th"

(Mara Triangle Facebook)



"Photo taken May 8th"

(Mara Triangle Facebook)

copy right: Mara Triangle Facebook Page (<https://www.facebook.com/maratriangle>)

In agreement with KWS veterinarian, MC designed a program that would limit human contact as much as possible including:

- The cubs were never bottle feed,
- The cubs were never held/cuddled,
- The cubs would have their food placed inside the enclosure,
- The cubs would have their water placed inside the enclosure,
- MC would maintain the cub's wildness as much as possible and restrict public/tourists ie: the cubs were not to be for public viewing or tourism.
- MC informed all staff the cubs were for wild release and the area was off limits to all staff except for MC CEO for observation, feeding of food and water intake and placement, MC veterinarian for all health specific needs. Few staff including the warden and rangers visited the cubs for observation when given permission by CEO or MC veterinarian.
- One MC caretaker was tasked for cleaning of the cage when needed and was under strict orders that he was not to go anywhere near the cheetahs unless under supervision by MC

CEO or MC veterinarian when doing so. MC Caretaker was additionally instructed that at no time was he to be in the vicinity or location of the cage without MC CEO or MC veterinarian's approval.

Note: For all professional wild capture/release creatures across the world, careful and highly professional Veterinary observations are conducted to ensure that the animals are in full health. MC veterinarian meticulously carried out these observations.

At no time did Mara Conservancy or KWS veterinarian Dr. Mijele breach protocols or agreements.

3.5 Human Habituation Issue

Three cubs of the Mara Triangle were perfect candidates for rehabilitation and release. The fact that there were three of them together would mean higher hunting success and survival rates when they return to the wild. The release program practiced by many Namibian organizations group 3-5 cubs together during the rehabilitation process and then release them as one group back to the wild.

The three Mara cubs did not form a strong bond with human as in a case of a single cub. The visitors were restricted to the minimum and only a few including a hyena research student who expressed future interest in cheetah research were permitted to observe the cub when the MC CEO or MC veterinarian Dr. Asuka Takita was present. The caretaker Peter Mutai in charge of cleaning the enclosure was strictly instructed by MC CEO to prohibit people approaching the area with cub enclosure and not to allow anybody **inside** the enclosure.

During the first month, the female cub injured its paw after climbing up the enclosure wall, when it was scared by baboons. Under normal circumstances, wild carnivores in the Mara are darted (tranquilizer gun) by a KWS veterinarian for treating any injury. At such a young age, the pros and cons of darting using tranquilizer gun, and the effect of tranquilizer drugs, needs to be carefully weighed. Darting can cause more harm to the cubs than the benefit of actual treatment.

In February and August of 2007, two adult female cheetahs in the Mara Triangle died during the darting practices.

“Honey, the cheetah with three cubs was killed in a botched darting exercise by a Kenya Wildlife Service (KWS) veterinarian on the 17th. One of Honey's cubs was reported injured on the 13th and KWS was called down. The veterinarian arrived down on the 17th and went straight to Kichwa Tembo camp and took a driver from there. At no time did he or his team attempt to make contact with management. They darted Honey, who had a superficial wound on her leg, the dart did not go into muscle but instead hit her in the stomach, near her kidneys. She went down and was left out, unattended, in the afternoon sun for 15 minutes while the vet worked on the dart gun and prepared another dart for the injured cub; at this point the officer in Charge of Cheetah 1 saw people out of their vehicles from Oolololo Gate and came down to investigate. The cub was darted and given

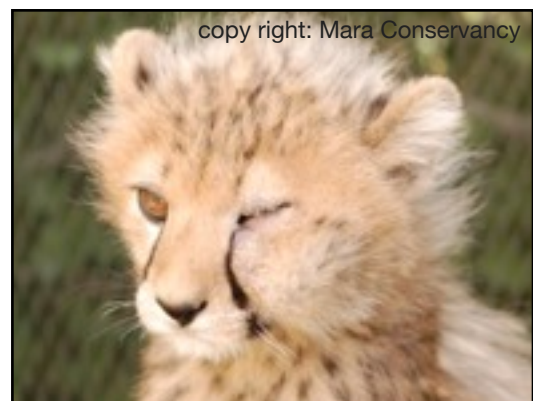
cursory treatment. The veterinarian then left the cheetah and returned towards Nairobi. One hour later Honey was dead. We now have three, one year-old cubs to look after until they are big enough to fend for themselves. Dr. Gakuya, the Chief Veterinary Officer at KWS visited with an officer from the Investigations Department of KWS to follow up on the matter at the end of the month.”

“Cleopatra, a female cheetah was seen with very severe mange towards the end of the month and a KWS veterinarian was called in to treat her. She was darted on the 30th and unfortunately died whilst undergoing treatment. Cleopatra was prone to mange and had been treated for a less severe case in the past. She was a very small animal, about five years old, who had never successfully raised a litter of cubs.”

(Ref. February & August 2007 Mara Monthly - downloadable from:
<http://maratriangle.org/connect/monthly-report-june-2011/back-issue/>)

For the superficial paw injury, the MC CEO restrained the cub while the MC veterinarian treated the wound. During the process MC CEO was severely bitten trying to restrain the cub. As a result the MC CEO and MC veterinarian decide to let the cubs get used to some degree of handling (touching) to as to be able to perform a health check and minor veterinary interventions in the future. However, the cubs were wild and weary of humans and only allowed touching during feeding, when they were preoccupied by food. Forceful approaching was never done as the cubs kept a good distance from any humans, when are not preoccupied by feeding. MC CEO and MC veterinarian were the only ones carrying out the procedure and no one else was permitted to do so.

This technique of luring the cubs with meat was used for veterinary treatment in mid-April when one of the male cub developed an abscess on its cheek after being scratched by another cub during mock fight. A swelling developed over three days and during the time MC veterinarian sent a text to KWS veterinarian Dr. Mijele to ask if he was available the following day to consult if darting was necessary. The text was never replied and following day MC veterinarian, with help of MC CEO, restrained the cub, aspirated the pus from the abscess and gave antibiotic treatment. The cub was lured using the meat, it was then restrained using a blanket during the veterinary procedure. The abscess returned three days later and the procedure was repeated again. The cub's cheek returned to normal after a week.



There are some opinions that the cubs will not succeed in rehabilitation due to the handling that took place. The low level of habituation caused by superficially touching of the cubs during the feeding by key people involved in veterinary intervention and restraining will not interfere with cubs' ability to learn how to hunt and survive in the wild. The Botswana cheetah release study was done using two cubs taken from the wild at 10-12 weeks of age. They were then kept in a farmer's house for 2 months before joining the rehabilitation program. An additional, male, cub was taken

from wild at 3 months of age, chained on farmer's veranda for 2 months, also joined the rehabilitation program. All three cheetahs managed learn how to hunt without their mother despite being taken from the wild at very young age and having had some degree of human contact (Houser 2008).

Section 4 Mara Cubs Removal

4.1 The Relocation of the Cubs to Animal Orphanage

On the 3rd May 2012, KWS veterinarian Dr. Mijelegua rang MC to inform them that KWS would be coming to take the cubs for relocation to the Nairobi Animal Orphanage. The cheetah cubs had just turned 4 months old.

The MC CEO requested a meeting at KWS HQ with the head of species Mr. Patrick Omondi. The meeting was held the following day and was attended by MC CEO, Dr. Francis Gakuya (Head of Veterinary Department, KWS), Mr. Charles Musyoki (Head of Carnivore Section, KWS) and Mr. Benard Kuloba (Carnivore Expert in Mara, KWS). Following MC CEO's appeal to rehabilitate the cubs in the Mara, KWS officials who attended the meeting suggested to the MC CEO to submit a proper proposal to the KWS director Mr. Julius Kipng'etch by May 7th for the continued wild release program for the cheetah cubs. The proposal was sent on the 5th May 2012.

On the 6th May 2012, MC CEO was informed by a member of KWS that the proposal would only apply for future incidents and not for the current three cubs. In a further statement, KWS Senior Assistant Director (Head of the Species) Mr. Patrick Omondi, sent a letter on May 7th stating that the movement of orphaned cheetahs to Nairobi Orphanage is authorized.

Note: No clarification was given why the proposal could not be applied for the present cheetah's case. The critical status of the cheetah of Mara was not considered and the recognition of Mara's history and expertise in release was not factored into the equation. Why would it not be acceptable for these present three cubs?

On the 8th May 2012, a statement from the Director of KWS Mr. Julius Kipng'etch was sent to MC CEO which stated "we would take your request through the internal process of approval that will include Board endorsement for future holding of cubs as an orphanage, the three (3) cubs at conservancy should be immediately released for professional care at our animal orphanage".

In addition the Director of KWS stated that cheetah rehabilitation back to the wild is not scientifically proven to be successful and until the day the science does prove this, the cheetahs will be kept at the orphanage for educational purpose.

(Note: This statement regarding scientific proof is addressed further down this document)

On the 11th May 2012, Mara Conservancy was notified by KWS that the cubs will be taken to the orphanage following morning. All discussions failed to secure the continued wild release program.

KWS relocated the three 4 month old wild cheetah cubs on the 12th May 2012. The cubs were moved to the reportedly overcrowded Nairobi Animal Orphanage. They are in a captive environment with no current known wild release option.

4.2 The Consequence of Mara Cub Removal

The cheetah's mortality is very high during the first 3 months of age. Some cheetah experts say that up to 90% of cheetah cubs are killed during this time by lions, leopards, hyenas or even by eagles. The previous 16 cubs born in the Mara Triangle were without exception all perished due to predator and none of the cubs born in the last two years survived past this critical age. Three Mara cubs were the first cubs to survive through the high infant mortality stage to reach beyond age 4 months. The study shows that “cub survival did not increase linearly with cub age as the instantaneous juvenile mortality peaked at 2-2.5 months of age, just after cubs left the lair (Laurenson, 1994)”, which proves that the three Mara cubs have a very good chance of survival in the wild.

Current Mara Triangle cheetah population consists of only 6 cheetahs (5 adult and 1 cub). The three cubs taken to the animal orphanage represented **50% of the total Mara Triangle cheetah population**. These three cubs were critically important to the genetic pool of the Mara cheetahs and, without exaggeration; the loss of their genetics from Mara is devastating.

4.3 The Truth Behind the Mara Cub Removal

In early May 2012, Mara Conservancy received information indicating a strong possibility that a number of persons had deliberately made false allegations against the Conservancy, specifically regarding the 3 cheetah cub's care, and program for release. MC was informed that false reports of human handling, cub mistreatment, public viewing, incorrect enclosure, and other negative and damaging allegations had been made against them.

During the course of this investigation, a disturbing scenario emerged which pointed at the possibility that the MC was deliberately set up by persons that may have an agenda or vested interest in the cubs, other than the opportunity for their wild release. The first indication that this scenario had substance was when Dr. Kay Holekamp the head of Hyena Project confirmed that one of her students had taken photographs of the cheetah cubs which were then sent on to Ms Mary Wykstra (Director of Action for Cheetahs in Kenya (ACK)). Some of these photographs were of close contact with the cheetah cubs inside their enclosure. In order to take some of these photographs, obvious breaches of MC protocols, rules and theft of the keys to enter the enclosure had to have occurred. It

was found that after Ms Wystra received the initial information on the cheetah cubs, she then contacted the Hyena project student directly seeking further information about the cheetah cubs.

Further investigations reveal allegations that Ms Wystra used this unconfirmed information from a young inexperienced foreign student, from the Hyena Project, who had been in Kenya for only few months. As a wildcat specialist I pose the question if this is indeed the case why Ms Wykstra did not discourage the student from acting in an unethical manner nor did she guide the student in correct behaviour/conduct around these wild release cheetahs. Ms Wykstra contacted the student and continued to speak fluently with the student, and the student continued to enter Mara Conservancy premise where cubs were kept. The student, who had been in Kenya for a very short period of time (few months), had no idea of the management plan for the cheetah cubs, however then gave Ms Wykstra her opinions and information.

According to Mara Conservancy, Mary Wykstra from Action for Cheetahs, never followed up any of the information given to her by this inexperienced student and accepted this information, carelessly as 100% fact. Furthermore, the student admitted to returning to MC and on a number of occasions and admitted to entering the cheetah cubs enclosure in the absence of MC CEO and MC Veterinarian. One incident included the student allegedly taking photos of herself and her 2 companions touching the cubs during their feeding. Soon after this Ms Wykstra claimed the cubs were “habituated” to 3 humans. Ms Wykstra initially denied knowing or sending any student into the MC premises or receiving information from a student. Instead Ms Wykstra proceeded to lay the sole blame of all information she was receiving on MC caretaker via email. This was quickly proven false as the Mara caretaker can neither read nor write, and does not own a camera. It was found that Ms Wykstra reassured the student that she would not reveal her identity. Ms Wykstra then by her own admission, sent this highly inaccurate information to the KWS carnivore advisory committee, which in effect would have cast a negative light on the cheetah cubs situation at Mara Conservancy, and support the move of the cubs from the Mara. (Note: further information revealed that Ms Wykstra may have also allegedly sent this information to the IUCN, however not confirmed at the time of submission of this report).

As the investigation progressed it was found that Ms Wykstra has endorsed a captive cheetah facility on one of the Rift valley ranches, the Soysambu Conservancy. According to Mara Conservancy one of the Soysambu Conservancy Trustees, Dr. Paula Kahumbu (formerly a KWS Deputy Director) informed MC CEO that these cubs were to be taken to Soysambu for cheetah “coursing” (racing) to be used for tourist attraction purposes and that Mary Wykstra is working to get the cubs for the facility. The “cheetah Centre” in Soysambu is to be built by an American organization called Cat Haven, who is a funder of Ms Wykstra’s work in Kenya (<http://www.youtube.com/watch?v=uJHkwef6tMk>).

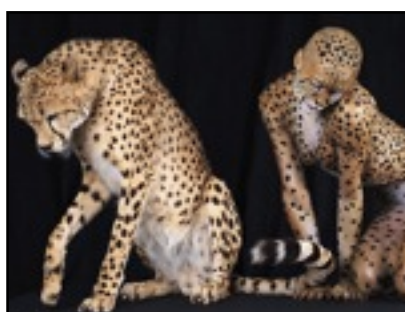
A number of photographic and video images of Cat Haven’s ambassador cheetah “Tango” - used for advertisement and human entertainment - is clearly suggestive of animal exploitation (definition noted below) and are readily available online. Ms Wykstra further made a public statement to prove her connection to Cat Haven:

"I endorsed the proposal from Cat Haven three years ago. Six months after the endorsement, the KWS director issued a letter stating that KWS would assist in the development of the Cat Haven facility to take the pressure off of the Nairobi Orphanage

(<https://www.resaf.org/node/365>).



*"Another model is painted in brown and white to look just like her cheetah counterpart"
(Daily Mail)*



*"Brave model Jasmina strikes a pose alongside Tango the cheetah at a Los Angeles studio"
(Daily Mail)*



*"Animal Ark cheetah run leaving them in dust"
(Field Research and Conservation in Africa)*

- *copy right: Daily Mail*
<http://www.dailymail.co.uk/news/article-2034342/Photographer-Lennette-Newell-paints-models-look-just-like-wild-animals.html>
- *copy right: Daily Mail*
<http://www.dailymail.co.uk/news/article-2081705/The-Ani-Human-project-Painted-models-walk-wild-pose-fierce-creatures.html>
- *copy right: ResAf Field Research and Conservation in Africa*
http://resaf.org/node/229/image_gallery

Exploitation - "To exploit others is to take unfair advantage of them"

Example - "Common to all exploitation of one person (B) by another (A)...is that A makes a profit or gain by turning some characteristic of B to his own advantage" Stanford Encyclopedia of Philosophy

<http://plato.stanford.edu/entries/exploitation/>

4.4 Past Captive Cheetah Advocations

It was found that Ms Wykstra had previously recommended the captivity of cheetah to Nairobi Animal Orphanage - In Feb 2009, a similar scenario occurred with a cheetah named Muijisa in Narok side of the Mara. One cub was rescued by Narok rangers when its mother's carcass was found after a lion attack. BBC Big Cat Diary presenter/guide Jackson Looseiya consulted Cheetah Conservation Fund Namibia for rehabilitation of the cub back to the wild. Mr. Looseiya states that Ms Wykstra strongly opposed the idea of rehabilitation and insisted that the only option is to send the cubs to captivity. To Mr. Looseiya's shock, during the phone conversation he claims that Ms Wykstra even suggested an euthanasia of the cub because ***"it is as good as dead"*** if it will be rehabilitated back to the wild. Despite of a full Narok council meeting to protest against the removal of the cub from the Mara, it was taken to orphanage and lives in captivity till this date. After witnessing Muijisa housed in a small crate (1m x 1.5m) at the Nairobi Animal Orphanage, Mr. Looseiya

raised 280,000 Ksh (approx. US\$ 3,200) for construction of new bigger enclosure for Miujisa and donated to KWS. <http://www.jacksonlooseyia.blogspot.com.au/2009/02/muijusa.html>

Four cubs removed from the Mara ecosystem to be relocated to animal orphanage with Ms Wykstra's alleged captivity advocacy equals to roughly 15% of the total Mara cheetah population of less than 30 animals.

In March 2012 prior to Mara cub removal, information surfaced regarding another cheetah currently in captivity however also awaiting for KWS approval for its rehabilitation scheme. It has been confirmed that Ms Wykstra contacted Ms Aliya Habib of Lemarti Camp on March 22. She states in her email to Ms Habib that:

“just be aware that your cub will be with you for as much as 20 years and should be raised as a pet with proper permits through KWS” and “Cheetah cubs can make great ambassadors to the plight of their wild counterparts. I would be happy to talk more with you about this”.

Section 5 Cheetah Rehabilitation

5.1 Captive Wild Release of Cheetahs

In recent years, the rehabilitation of wildlife is a major focus in the international conservation field, due the heavy decline of certain species. This is certainly true for many Southern African countries where conservation efforts are focused on trying to rehabilitate the animals which were taken out from the wild for a reason (injury, loss of habitat, orphan etc). Wildlife rehabilitation is an essential component in the reintroduction and breeding programs of many endangered species (Holcomb, 1995). Reintroductions and translocations are becoming increasingly important tools for population and species management (Griffith *et al.*, 1989; Stander, 1990; Magin *et al.*, 1994; Wolf *et al.*, 1996) and may be important for the survival of many endangered and threatened species worldwide (Houser, 2008).

5.2 Historical Cases of Cheetah Rehabilitation

There have been 107 cheetah release cases that have been documented unofficially throughout African continent, including 12 cheetahs known to have been released back to the wild in Kenya.

Year	Number	Organization/Individual	ORIGIN
1964	1	Joy Adamson	wild
1979	3	DeWildt	captive
?	4	David Drummond	wild

Year	Number	Organization/Individual	ORIGIN
1986	5	Friends of Conservation	wild
1994	2	Mthethomusha Game Reserve	captive
1979, 2002, 2006	8	Ann Van Dyk Cheetah Center	captive & wild
?	2	Game Ranching Limited (David Hopcraft)	wild
2004	2	Lewa Conservancy (Ian Craig / Simon King)	wild
?	2	Karongwe Game Reserve	wild
2005-2010	12	Endangered Wildlife Trust	wild
2009, 2010	5	Cheetah Conservation Botswana	wild
2006	1	DDF	wild
2007	3	Mara Conservancy	wild
2004, 2006, 2008, 2010	18	Cheetah Conservation Fund	captive & wild
2008	2	Moholoholo Rehabilitation Center	captive
2008	9	Harnus Wildlife Foundation	captive & wild
2010	3	Na'ankuse Wildlife Sanctuary	wild
2010, 2012	22	Africat Foundation	captive & wild
?	1	OI Masor Ranch (Laikipia)	wild
?	1	Mugie Conservancy (Laikipia)	wild
2012	1	Lewa Conservancy (Sirikoi), Laikipia	wild
107			

*** Combined data from: Cheetah Conservation Fund, Cheetah Conservation Botswana, Harnus Wildlife Foundation, IUCN Cheetah compendium and cheetah email list server; wildlife rehabilitation enters throughout Southern Africa, on-line resources and pers comm.*

Ref: <http://cheetahandwilddog.org/documents/Painting%20the%20Map%20Red%20-%20Presentation%20by%20Cheetah%20Conservation%20Botswana.pdf>

- Africat Foundation (<http://www.africat.org/>)
- Cheetah Conservation Fund (<http://www.cheetah.org/>)
- Cheetah Conservation Botswana (<http://www.cheetahbotswana.com/>)
- Endangered Wildlife Trust (<https://www.ewt.org.za/homepage.aspx>)
- Harnus Wildlife Foundation (<http://www.harnas.org/>)

5.3 Cheetah Rehabilitation in Kenya

In Kenya, there are 12 cases of orphaned cheetahs rehabilitated back to the wild. The degree of rehabilitation varies from semi-wild to completely wild. Perhaps the most famous case was of Pippa

the cheetah rehabilitated by Mrs. Joy Adamson in 1964. MC CEO Mr. Brian Heath worked for Joy at the time and was in charge of Pippa's rehabilitation. Pippa had 4 litters in the wild which 2 litters survived and was not given any supplementary feed post-release in the latter days. There were 4 cheetah cubs rehabilitated by Mr. David Drummond in the Mara. The four lived completely wild in Musiara area of Mara post-release and they successfully had offspring. In Athi River, 2 cheetahs were rehabilitated and stayed semi-wild at Game Ranching Limited owned by Mr. David Hopcraft.

More recent examples are the 3 male cubs of Honey, a celebrated cheetah featured in BBC Big Cat Diary who were orphaned after Honey died during a darting exercise by a previous KWS veterinarian stationed in the Mara in Feb 2007 (mentioned above). The cubs were kept in the wild and monitored from 6:30am-6:30pm by vehicle and fed every 2-3 days for a 6 month period by MC Wardens. Once the cubs had attained the hunting and survival skills at approximately 18 months of age, they crossed the Mara River into new territory and lived near the Talek area of the Mara. These 3 Cheetahs are famous for taking down full grown wildebeest. Due to the well-known threats cheetahs are subjected to, one of these male cheetahs was killed by lions in 2011. However the remaining two are still alive. They are now 6 years old.

(Ref. February 2007 Mara Monthly - downloadable from:

<http://maratriangle.org/connect/monthly-report-june-2011/back-issue/>)

In Lewa Conservancy in Laikipia, owned by Mr. Ian Craig, 3 orphaned cheetahs were successfully released back to wild. Brothers Toki & Sambu and Sheba despite of their human habituation all learned how to hunt independently in the wild and released to Ol Pejeta Conservancy and Oljogi Ranch respectively (Sambu was killed by predator while in Lewa, but Toki lived up to 7 years). The successful rehabilitation of Toki and Sambu is well documented on film by BBC's Simon King. In the same Laikipia region; orphaned cubs were rehabilitated at Ol Marsor Ranch (Rumuruti) by Mr. John Perrett and Mugie Conservancy by Mr. Claus Mortensen.

Section 6 KWS Justification of Cub Removal

KWS made a public statement on their official website and facebook page on 15 May 2012 outlining their reasons for removal of the cubs as follows:

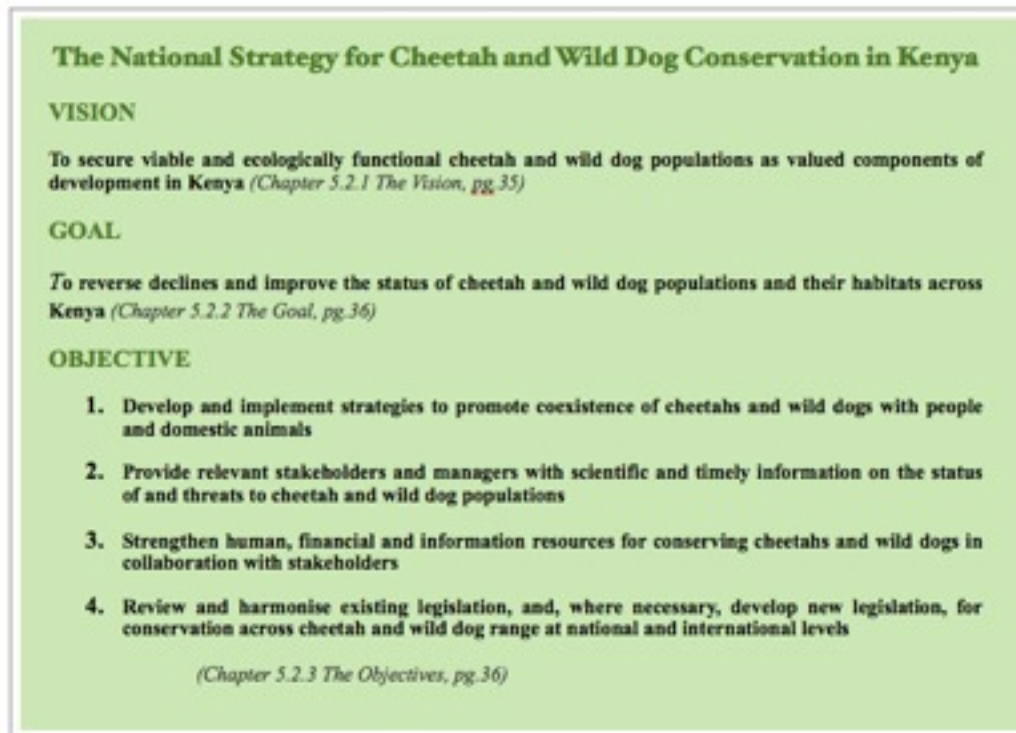
http://www.kws.org/info/news/2012/15_5_12_cubs.html

KWS states:

“The Kenya Wildlife Service decision to move three orphaned cheetah cubs from the Mara Conservancy to the Nairobi Animal Orphanage has been guided by the Kenyan law, the national conservation and management strategy for cheetahs and the specific circumstances under which the rescued cubs were being reared. The KWS scientists considered all the available options on the rescued cubs and decided that their relocation to an animal welfare facility dedicated to the care of sick, injured or orphaned wildlife in Nairobi was in their best interests.”

6.1 Point 1a of KWS Justification:

“The cub removal was due to “the national strategy for cheetah and wild dog conservation in Kenya”

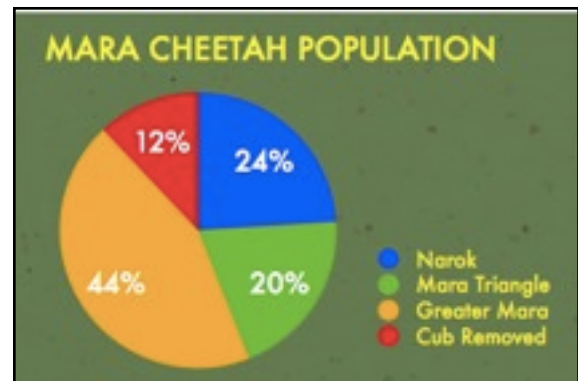


There has been concerning double standard surrounding the decision of Mara cub removal. If the cub removal was truly guided by “*The National Strategy for Cheetah and Wild Dog Conservation in Kenya*” it require following clarifications:

“As little or no unoccupied habitat was identified where wild dog or cheetah populations could be restored, the strategic plan focuses on securing the remaining populations rather than restoring those that have been lost (Chapter 1, Summary, pg.3)”

It is said that “the important populations of cheetahs and wild dog are recognized in the Tsavo, Mara-Serengeti and Laikipia-Samburu ecosystem (Chapter 1, Summary, pg.3)”. The Mara population is important domestically as “Kenyan sub-populations in the Maasai Mara, Maasai land and Tsavo are connected to one another through contiguous areas of Tanzania. Both of Kenya’s cheetah populations are globally important, being two of just four populations in eastern Africa estimated to number ≥ 200 adults and adolescents (IUCN/SSC, in prep) (Chapter 3.2.2 Categories of Current Geographical Range, pg.12).

Taking out 12% of the total Mara cheetah population to captivity is hardly considered as means of “securing the remaining cheetah population”. This population is as vital for cheetah survival as other important areas, such as Tsavo National Park.



Furthermore this action will not only have a direct impact on Kenyan cheetah populations, but also on the neighbouring Tanzanian cheetah populations as “several important wild dog and cheetah populations straddle international boundaries. Trans-boundary management is therefore likely to be needed for conserving both species in Kenya in the long term (*Chapter 1, Summary, pg.3*)”. It is said that “over half of Kenya’s known resident cheetahs live in populations which span the Kenya-Tanzania border (*Chapter 3.3, pg.17*)” and “a small, but important 0.8% (3,677 sq km) of cheetahs’ historical range is considered potentially significant for conservation because it connects areas of resident or possible range. The connecting habitat falls to east of Lake Magadi, and also to the south and west of the Mau escarpment, and is believed to allow dispersing animals to move within the large Serengeti/Mara, Tsavo population (*Chapter 3.2.3 Current distribution across different ranger categories, pg.14*)”.

6.2 Point 1b of KWS Justification:

“The circumstances under which the cubs were being reared”

In March 2012 - KWS veterinarian Dr. Mijeje and MC agreed on the release program for the wild cheetah cubs. This information would have been reported via chain-of-command to the Head of Veterinary, Dr. Gakuya and reported in David Sheldrick Wildlife Trust (DSWT), sponsor of Dr. Mijeje’s work in the Mara. The Mara Triangle cub rescue was reported in March 2012 online DSWT Mara Mobile Veterinary Unit Monthly Report.

http://www.sheldrickwildlifetrust.org/mobilevet/vetfielddetail_new.asp

The KWS veterinarian visited the cubs on 31st March 2012 for an assessment of the cheetahs, and reported the health and wellbeing and enclosure of the cubs was good. All protocols were followed, all agreed with KWS and MC. The rearing of the cubs was done with the least amount of human interaction in order to retain the wild nature and instinct of the cheetah cubs. The cheetah cubs

themselves showed no interest in seeking human contact. The gradual move of the cubs into larger enclosures as they got older was agreed by KWS veterinarian and MC.

Additionally, MC presented KWS HQ with the cheetah release proposal on the 5th May 2012. On the 6th May 2012, prior to the cubs being taken on the 12th May 2012, MC was informed that proposal would apply for future cases.

When taking into account the critical status of the cheetah in the Mara and goals of the NCMCS, along with the agreement on the cheetahs release program and management between MC and Mara KWS veterinarian, it is confusing as to why the MC proposal was refused for these critically endangered cubs. The release program was already in place in agreement with KWS and MC, along with being line with the NCMCS aims, goals and objectives.

With all animals within captive care environments, there are essential needs that must be met to ensure the best practice management and husbandry care is implemented. If the animal is considered first and foremost, then the decision of the right type of care is easy.

If for some reason the cheetah cubs were unable to learn their hunting and survival skills for release, there are two options as follows:

1) Mara Conservancy

Mara Conservancy offers an enclosure of 100 Ha (approximately 1km x 1km in length), along with protection areas, bushes, termite mounds, natural savannah, natural prey species, and water sources all located in the cheetahs natural birth habitat, no human handling or touching unless veterinary aid needed. As there is no other facility like this in Kenya (Game Reserves are completely different) this highly ethical and world standard enclosure along with the specialized care would set a precedent for Kenya. Another strong consideration is the fact that this area is already identified and the facility committed to.

2) Nairobi Animal Orphanage

A study of the Orphanage submitted to the Swedish University of Agricultural Sciences Department of Animal Environment and Health Ethology and Animal Welfare program revealed the following:

Enclosures range from 120m² to 350m². Cheetahs are in full view of visitors constantly and have been observed being patted by visitors through the fence, along with visitors entering the cages to stroke/handle cheetahs. All enclosure ground is covered in red dirt

with a few spots of low and taller grass. Night Dens are small wooden houses where most of the cheetahs are kept during the night. One of the groups is only locked inside the smaller wire mesh enclosure during night time. The dimensions of the houses differ a little in size but are in general not very large, in average 1.5 x 1.5 x 1.3 m (2.93 m³) Enrichment - platforms in four of the five enclosures, logs placed on a wooden stump and piles of rocks. Water sources are in the form of concrete water ponds or plastic or metal bowls. It was observed that these do not seem to be sufficient since they are easily tilted and emptied of water. The older cheetahs are observed pacing throughout the day, this behaviour is known as stereotypic behaviour which is brought on by boredom, small spaces etc. Cheetahs are fed cut beef that does not resemble a carcass and does not meet dietary needs. Cheetahs are rented out for weddings etc.

http://stud.epsilon.slu.se/1613/1/sommer_d_100727.pdf

If the ethical treatment of a creature and the best practice care and husbandry of captive cheetahs or any large carnivore were to be a priority, the best practice option or choice is obvious, Option 1 to keep the cubs in the Mara.

6.3 Point 2 of KWS Justification:

“Attempt to release captive reared cheetahs to the wild have been unsuccessful”

In recent history, rehabilitation of large carnivores, specifically cheetah, is practiced by many conservationists without proper scientific documentation. There have been 107 cheetah release cases that have been documented unofficially throughout the African continent, including 12 cheetahs released back to the wild in Kenya.

This brings to heated debate as whether release is successful if death of the animal occurs once it returns to the wild. Is it an unsuccessful release if the cheetah returns to the wild, survives for 1 year and during that time it has mated with a female and had offspring? Or is it a success if the cheetah lives for 16 years in captivity but contributes nothing to its genetic pool in the wild? Cheetah living in the wild face the risk of survival: the risk of not hunting successfully, risk of getting attacked by predators or risk of human-wildlife conflict. This applies to both wild cheetah and rehabilitated cheetahs.

The rehabilitation of cheetah is successful when the cheetah learned to hunt without a mother from a young age, and developed vigilant behavior in the wild in order to keep their prey and not become victims of other predators (Houser et al, 2011).

6.4 Point 3 of KWS Justification:

“All documented release of captive raised cheetahs to the wild have been demonstrated failures”

A former Cheetah Conservation Botswana Director of Field Research published the first scientific document on the process of rehabilitating and releasing orphaned cheetah for the first time with behavioral monitoring before and after release (Houser et al. 2011). In Houser’s paper, the rehabilitated cheetah learned to hunt without a mother from a young age, and developed vigilant behavior in the wild in order to keep their prey and not become victims of other predators (Houser, 2008).

Two scientific papers have been released regarding release of cheetah into the wild. They are as follows:

1) ***“Pre release hunting training and post release monitoring are key in the rehabilitation of orphaned large felids”***

[https://docs.google.com/viewer?a=v&q=cache:T9ErUc2DrT0J:repository.up.ac.za/bitstream/handle/2263/17504/Houser_Pre-release\(2011\).pdf?sequence%3D1+south+african+journal+of+wildlife+research,+annemarie+hauser,+pre-release+hunting+training+and+post-release+monitoring+are+key+components+in+the+rehabilitation+of+orphaned+large+felids&hl=en&pid=bl&srcid=ADGEESg4xHlQqTp2uEbO0WOSM8jZhzXW5xkbjKRMoeEOPfPawWjktHHWuglDS4iqOc4SFxRNKny7qHlyzTKMnEhOl1aueaN Sq_G9cK2uD5oxC_mUpzi4CT6NXsdlLd-QLda2IYMK0U4r&sig=AHIEtbQ2HtBL6x3uR2tjwXVzPTfmRbQQsQ](https://docs.google.com/viewer?a=v&q=cache:T9ErUc2DrT0J:repository.up.ac.za/bitstream/handle/2263/17504/Houser_Pre-release(2011).pdf?sequence%3D1+south+african+journal+of+wildlife+research,+annemarie+hauser,+pre-release+hunting+training+and+post-release+monitoring+are+key+components+in+the+rehabilitation+of+orphaned+large+felids&hl=en&pid=bl&srcid=ADGEESg4xHlQqTp2uEbO0WOSM8jZhzXW5xkbjKRMoeEOPfPawWjktHHWuglDS4iqOc4SFxRNKny7qHlyzTKMnEhOl1aueaN Sq_G9cK2uD5oxC_mUpzi4CT6NXsdlLd-QLda2IYMK0U4r&sig=AHIEtbQ2HtBL6x3uR2tjwXVzPTfmRbQQsQ)

2) ***“Spoor density, movement and rehabilitation of cheetah in Botswana.”***

<http://upetd.up.ac.za/thesis/available/etd-08072009-112713/unrestricted/dissertation.pdf>

These two documents were sent to Dr. Mordecai Ogada of the KWS Carnivore Advisory Committee for perusal; however Dr. Ogada felt that due to the study being held outside of Kenya, the cheetah being released on to a game reserve and the loss of life as result of a farmer shooting the animal post-release, that these papers were of no use for Kenyan cheetah conservation. Houser’s paper focuses on the cheetah’s ability to learn hunt skill by pre-release hunting lessons provided to the animal. The basis for Dr. Ogada’s reasoning as why this hunting skill learning method can only be applied to southern African cheetahs and not to Kenyan cheetah remains unclear. Again if Dr. Ogada’s claim is true that post-release situation in the Kenyan setting is different, the reason as to

why Kenyan conservationists cannot modify the already established method used by many Namibian cheetah conservation organizations to fit the Kenyan circumstances also remains unclear.

6.5 Point 4 of KWS Justification:

“KWS does not consider the supplementation of wild living cheetahs with captive raised cheetahs as a priority project for the survival of the species.”

Cheetah are endangered, in some areas critically. The Kenya Wildlife Service has acknowledged this and developed a policy for cheetah and wild dog conservation – but they have omitted a potentially important strategy for cheetah conservation – namely the rehabilitation of orphan cubs to the wild.

Captivity, and/or captive breeding, are not options for the preservation of this species. Cheetahs in zoos reproduce poorly and have high prevalences of unusual diseases that cause morbidity and mortality (Karen, A.T. et al. 2004). The lower concentrations of testosterone metabolites from captive cheetahs indicate that hypercortisolemia may have had the physiologic effect of suppressing the hypothalamic-pituitary-gonadal axis, an effect that has been documented in other species (Rivier and Rivest, 1991). It is possible that captivity is stressful for this species, which is typically solitary and adapted for running, and that stress is a contributing factor in the poor health and reproduction of captive cheetahs (Karen, A.T. et al. 2004).

Unlike lions and tigers, the cheetahs are virtually impossible to breed in captivity, and it has certainly never been done in Kenya. In fact there is a far greater chance of a cheetah being successfully rehabilitated and breeding in the wild, than breeding in captivity. Surely then, it is better for Kenya to embrace a strategy for cheetah rehabilitation rather than captivity.

When species populations reach these dangerously low figures they are classed as “**critically endangered**”. (<http://www.iucnredlist.org/apps/redlist/details/221/0>) This means they are in need of the highest conservation management available. In line with point 1 of NCMSC strategy aim, the numerically viable and ecological status of Cheetah in the entire Mara area requires critical conservation management.

Worldwide, species are in such severe decline, heavy protection and heavy conservation management is implemented to do the very best practice to ensure the wild population of species is saved in the wild. For example – The Amur Leopard population which dropped to approx. < 30 individuals and is now slowly being brought up in numbers reaching 45 individuals in the wild.

The Cheetah population in the Mara region has seriously declined and there is strong evidence that they will become locally extinct if strategic and excellent conservation management is not implemented immediately.

6.6 Point 5 of KWS Justification:

“Cheetah cubs raised in this manner also get accustomed to humans and being fed to such an extent that when released to the wild as sub-adults return to their captive sites to be fed – that is they develop homing instincts – and end up being dependent on the captive site for food.”

The study published by A. Houser on rehabilitation on cheetah (South African Journal of Wildlife Research) states that the “post-release ranging behaviour of the three cheetahs was comparable to wild conspecifics, including daily movement and activity patterns” (Hayward & Slotow, 2009). The cheetahs’ home range sizes were within the range of figures recorded for wild cheetahs elsewhere: from 34 to 161 km in South Africa (Hunter, 1999) and from 800 to 1500 km in Namibia (Marker-Krause et al. 1996).

Due to the emphasis of the rehabilitation program on pre-release hunting skill development, the cheetah learned to hunt without a mother from young age, and developed vigilant behaviour in the wild in order to keep their prey, and not become victims to other predators (Houser, 2008). These cheetahs did not become livestock raiders or try to associate with humans. They adjusted to the wild quickly and did not present an inordinate amount of bad behaviour due to captivity that would risk their ultimate survival. Subsequently, it appeared they had the skills to survive and were given a chance for life in the wild (Houser, 2008).

This study proves that dependency of feeding by human can be controlled and prevented when proper pre-release rehabilitation protocols are in place.

This habituation issue raised by KWS brings into question the double standards that they apply to rescued cheetah; on one hand KWS give permission for cheetah rehabilitation to some private ranches and conservancies in Laikipia, but then take three critically endangered and genetically important cheetah cubs from the Mara Triangle. The Mara cubs were kept in a gazetted protected area and not a private facility, yet their chance for rehabilitation back to wild was denied and their critical conservation value ignored.

If habituation was the real issue for the Mara cubs not being given a chance to be rehabilitated, why allow cheetah cubs to be raised and released on the Laikipia ranches? Lewa Conservancy in Laikipia, owned by KWS Trustee Mr. Ian Craig released three cheetahs, while other ranches in the same region released two more cheetahs back to the wild. Instead three wild and genetically important Mara cheetah cubs have been taken from their proven wild release program and placed in captivity.

It is logical to say that the Mara cubs have a better chance of rehabilitation and survival than the above mentioned cheetahs. The Mara cubs are perfect candidates for a proper cheetah rehabilitation program. The fact that there are three cubs exponentially increases the chance of successful rehabilitation over a single cub. Firstly, they don't require, or seek, human company. Secondly, they can learn from each other and three sets of eyes and ears make it more likely that they can hunt successfully, and less likely that they will be ambushed by other predators during their transition into the wild like other cases of habituated cheetahs seen in Kenya.

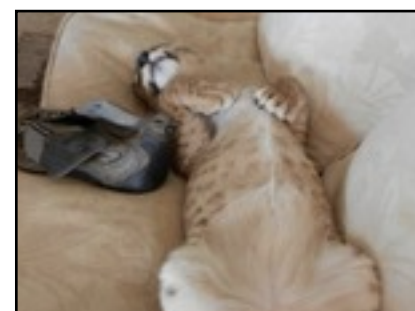


Toki and Sambu (Lewa Conservancy) *copy right: 4srsru* <http://www.youtube.com/watch?v=8TO6dFaGSXI>



Sheba (Sirikoi Camp in Lewa Conservancy) *copy right: Sirikoi* <http://sirikoi.blogspot.com/>

KWS has also recently permitted Mr. Tony Fitzjohn, an apprentice of famous lion rehabilitator Mr. George Adamson, to rehabilitate a six-month old orphan lion cub in Kora National Park. The cub was originally raised on the Mugie Conservancy and translocated to Kora for rehabilitation on May 4th, 2012. As in other cases in Laikipia, the level of a lion cub's habituation was not addressed as the reason why an animal could, or could not, be considered as a candidate for rehabilitation back to the wild.



copy right: Mugie Ranch <http://mugieranch.wordpress.com/2012/05/14/mugie-the-lion-cub/>

6.7 Point 6 of KWS Justification:

“In other instances due to their close association and familiarity with humans during their early stages of growth, such cheetahs visit human settlements in the vicinity of their release sites causing fear and apprehension, and may take small stock, which results in the cheetahs being killed in retaliation.”

It is common knowledge in the Mara that Maasai people do not view cheetahs as a potential threat to their livestock. The people are fierce enough to often chase away large predators such as lions, leopards and hyena when they approach their livestock. However, cheetah and jackals are considered a “timid” carnivore and most do not see a need to be confrontational, hence very seldom do cheetahs in the Mara get in livestock conflict with the community. Since 2001, MC management states that they have not heard of a single case of cheetah attacking livestock while the livestock damage caused by lion and leopard are reported close to 300 incidents in the 11 year period. On very rare occasions cheetah are reported to take lambs/kids, but the incident is seldom witnessed as the first reaction of the Maasai when observing the cheetah near their livestock is to “chase” it away and not to “kill”.

Mr. Jackson Looseiya, a BBC Big Cat Diary presenter/guide, stated the following during the skype conversation with CEO of Cee4life, Sybelle Foxcroft.

"Cheetah is shy and non-aggressive predator we have in the Mara. I have not seen any case of Maa (Maasai) people having conflict with the cheetahs"

It is also interesting to note that the cheetahs in the Mara are seen to be more abundant in the community conservancies compared to the main wildlife reserve. This is due to the fact that large carnivores such as lions and hyenas tend to avoid Maasai settlements and surrounding cattle grazing grounds due to conflict; thus reducing predator competition for the cheetah in this area. Dr. Sarah Durant from Serengeti Cheetah Project states “cheetahs do actively avoid lions (Durant 2000), however, and they appear to seek out “competition refuges” with low density of lions and hyenas.” (Kelly, M.J. & S. Durant, 2000)”. The grasses where cattle graze is also relatively short, which is the preferred pasture type for the cheetah’s main prey, the Thomson’s gazelle.

6.8 Point 7 of KWS Justification:

“Releasing such cheetahs to the wild is immensely stressful for the cheetahs as these releases almost invariably fail, usually through the death of the released animals. There is absolutely no justification for subjecting any animal to what amounts to intentional cruelty.”

It seems that person who wrote this statement is not up to date with recent research conducted on captive cheetah. In 2004, the Journal of Wildlife Disease published an article “Evidence for chronic stress in captive but not free-ranging cheetahs (*Acinonyx jubatus*) based on adrenal morphology and function” (Karen A.T., Marker, L., and Munson L. 2004) a study to measure chronic stress by comparing baseline concentrations of fecal corticoid metabolites and adrenal gland morphology between captive and free-ranging cheetah.

This study revealed the following facts on captive cheetahs:

- 1). “Cheetahs in zoos reproduce poorly and have high prevalences of unusual diseases that cause morbidity and mortality.”
- 2). “The cheetah (*Acinonyx jubatus*) is highly endangered because of loss of habitat in the wild and failure to thrive in captivity.
- 3). “These data provide both morphologic and functional evidence suggestive of chronic stress in captive cheetahs.”

<http://www.jwildlifedis.org/content/40/2/259.full.pdf>

6.9 Point 8 of KWS Justification:

“It can be argued that the enclosures at the Nairobi Animal Orphanage are unnatural and predispose the cheetahs to a life time in captivity. Considering the consequences of releasing captive raised cheetahs to the wild, providing professional care to the cheetahs at the orphanage is the only other way of assuring their survival.”

The three Mara cheetah cubs are vitally important to the critically endangered status of the Mara Triangle cheetah, and the entire cheetah population of the Mara and greater Mara ecosystems. It is noted that KWS and the carnivore experts did not consider the consequences of removing the Mara cubs from Mara ecosystem in the survival of the species as a whole in this region.

For various critically endangered species around the world, specific and heavily monitored breeding programs are in place; where exemplary husbandry practices are in place, and each animal is registered and recorded in stud books, in order to ensure the best genetic variation of species. Most of these facilities, which provide excellence in enclosures, enrichment, exercise, diet, veterinary care etc, are either ethical registered zoo’s or registered breeding program zoological parks/sanctuaries. From the information provided in the above previously mentioned Swedish University of Agricul-

tural Science accepted report: Nairobi Animal Orphanage does not meet the requirements for adequate survival and the preservation of critically endangered species.

During the course of this investigative report, it was confirmed on the 1st July 2012 that one of the cheetah cubs has died in captivity at Nairobi Animal Orphanage. On leaving the Mara Conservancy, the all three cheetah cubs were cleared with a 100% health check by receiving KWS veterinarian and handing over MC veterinarian. Both veterinarian signed off the official handing over documents for three cubs verifying that they were in perfect health and condition with no signs of malnourishment, skin condition, any sign of health concern/illness or signs of mistreatment. The cause of death is unknown, however from witness's of previous cub poor handling and husbandry skills inside the orphanage, the stress caused by actions such as flinging animals around by the tail, lack of correct enclosure, lack of water sources, inadequate diet etc it scientifically and ethically supported to cause severe negative and sometimes fatal outcomes. In addition, if the cubs have been kept inside the cement cell, as seen in the media, lacking sunlight and no visible water sources, the urgent need to retrieve the surviving cubs from the orphanage is critical. The death of this cheetah cub is shocking and is a severe blow to conservation and it should not have occurred.

6.10 Point 9 of KWS Justification:

“The movement of the cubs to the orphanage was in the best interests of the cubs.”

When the choice of captive environments for animals is a possibility, the standards of best practice care should be implemented. The level of what is humanly acceptable in a captive environment against what is best practice for the animal itself can be conflicting. However, the best ethical husbandry guidelines can be found with **World Zoo's and Aquariums (WAZA)**

<http://www.waza.org/en/site/home>

The following is the best practice care and husbandry cited by WAZA:

- 1) Although adult cheetah tend to be solitary in the wild, they may be kept as **pairs or in small groups** with little difficulty. Problems in establishing breeding groups may, however, necessitate keeping adults of either sex separate from each other, except during pairing to stimulate reproduction.
- 2) Cheetah do best in spacious **outdoor areas** surrounded by fenced, or moated, barriers. Fences should be 2.5 m high, preferably with a hot wire on top. Legal minimum requirements regarding **enclosure size** may vary greatly from country to country, e.g. Germany 80 m² for 1.2 adults, Switzerland 200 m² for 1.1, and Austria 800 m² for 2 adults.

- 3) Because they lack sharp retractable claws, cheetahs climb poorly but benefit from elevated **wooden platforms** or ledges for sleeping and resting.
- 4) In cold and temperate climates, frost-free **sleeping dens** are mandatory.
- 5) The **diet** should consist of entire carcasses, meat on the bone, eventually with skin, supplemented with mineral salts and vitamins, and occasionally offal. In North America commercial diets consisting of minced meat with mineral and vitamin supplements are available. Such feed is, however, not deemed to be in compliance with animal welfare regulations of many countries in Europe and possibly elsewhere. When feeding poultry, it should be considered that all large cats are susceptible to virulent strains of avian influenza.”
<http://www.waza.org/en/zoo/choose-a-species/mammals/cats/acinonyx-jubatus>

WAZA recognizes and states that:

“preserving individual species in human care is not enough to protect global biodiversity. Conservation of intact ecosystems is the only chance for the survival of our planet's wildlife. A steadily increasing number of zoos and aquariums have recognised that the real challenge of biodiversity conservation is saving wild species and habitats”.

6.II Point 10 of KWS Justification:

“It is our expectation that a protocol for successful releases will be developed to aid decision making in cases similar to the Mara Conservancy cubs.”

By the time the proposal for the official scientific program and proper protocols are approved through normal channels, the 3 Mara Cheetah will be nearly 18 months old or more, and the approval would be useless for them at that point, as the cubs, more than likely, would have already been habituated to humans at the animal orphanage. As it stands, there is **now** an opportunity to implement and start this official scientific release program. Due to the now identified severe critical status of the Mara region cheetah, and the now known vitally important part these 3 cubs play for the future of the Mara cheetah, the implementation of this official scientific release program could not come at a more appropriate time - as the Mara cheetah are on the brink of extirpation, the time to act is **NOW**.

Extinction is forever.

The nature of science is to find out information, apply it to find a scientific solution for success, or answer an unknown factor. The only way to do that is to carry out scientific programs, to make a start to discover how to be successful or to find that answer. If no one had implemented a scientific program, the human race would never have gone to the moon, developed lifesaving medicine, and brought back the Siberian tigers from the point of extinction. In science there are always many failures prior to success, but a start must be made in order to find that success.

Mara Conservancy has been able to secure highly experienced cheetah experts and a great deal of support on an international level. A joint program between KWS and Mara Conservancy would herald a start in the scientific progress of an on ground, in motion, release program. The situation of the cheetah cubs provides KWS with the perfect opportunity to partner with the Mara Conservancy for the wild release official protocols for cheetah to be written. There is no shortage of expertise and exceptional care, and the location, enclosures and release program are ready.

6.12 Point 11A of KWS Justification:

“KWS championed a consultative process of developing a national conservation and management strategy for cheetahs which is now in the third year of implementation. The implementation of the strategy aims to i) promote coexistence of cheetahs with people and domestic animals; (ii) provide relevant stakeholders and managers with scientific and timely information on the status of and threats to cheetah populations; (iii) strengthen human, financial and information resources for conserving cheetahs; (iv) ensure that appropriate legislation is in place to allow cheetah conservation at the national and international level; and (v) mainstream cheetah conservation in land use planning and its implementation.”

“Strengthen human, financial and information resources for conserving cheetahs and wild dogs in collaboration with stakeholders”

Removal of the cubs from the Mara in effect, has disregarded the trust of the local leadership at the Maasai Mara. Empowering the local community and landowners are the central to the success of conflict mitigation strategy and conservation overall.

Mr. Jackson Looseiya, a BBC Big Cat Diary presenter/guide, states:

"The Maa (Maasai) people living around the Masai Mara are in partnership with park management, local county council and community wildlife conservancies. Local people are involved in protecting the park as rangers, management, even wildlife management committee include our community leaders. We have lived alongside the wildlife and coexisted with them all our lives. We Maa (Maasai) people do not own the wildlife, but we feel that we are the custodian of wildlife in the

Mara. This does not mean that we do not have human wildlife conflict in the Mara, it is there. However, we can tolerate because we are empowered in the wildlife management and understand that wildlife brings income at the end of the day.”

Human wildlife conflicts are accelerated when there is lack of participation in decision making and implementation of species’ strategic plans. This is most well demonstrated with the case of the continuous wildlife conflict issues arising between KWS managed Nairobi National Park and the local community in the Kitengela area where ten lions were speared to death in June 2003, three lions in December 2011 and the most recent six lions in June 2012. Another lion was killed in Loitoktok area less than two weeks following the Kitengela incident.

The article on the Standard (June 21, 2012) states that the perpetrators would be arrested and prosecuted for destroying Government property. The fact that the State owns all wildlife, and expects landowners to bear the cost of looking after these animals, without the option to generate revenue from them, will continue to pit the State against landowners and communities who live with wildlife outside protected areas. Until the State divests the rights and responsibilities for wildlife to the people who coexist with these animals, human-wildlife conflict will be an increasing and constant reason for the decline in Kenya’s wildlife – already down by 70% since 1975.

<http://news.bbc.co.uk/2/hi/africa/3012630.stm>

<http://fonnap.files.wordpress.com/2012/02/fonnap-new-year-newsletter.pdf>

<http://www.bbc.co.uk/news/world-africa-18522190>

<http://www.standardmedia.co.ke/?articleID=2000060823>

6.13 Point 11b of KWS Justification:

“Review and harmonise existing legislation, and, where necessary, develop new legislation, for conservation across cheetah and wild dog range at national and international levels”

One of the guiding principles in developing the legislative framework for wildlife conservation and management is to devolve, wherever possible and appropriate to the communities and landowners. The KWS mandate as envisaged in the draft wildlife bill is to develop national guidelines to support wildlife conservation at the lowest possible level (“site specific”).

The draft wildlife bill recognizes the role of communities/landowners and provides a clear role to establish wildlife conservancies or sanctuaries. The functions of a wildlife conservancies/sanctuary shall not endanger any rare, threatened or endangered species. The draft bill under the schedule lists the cheetah as nationally endangered.

The draft wildlife bill under species recovery plans authorizes the KWS to develop national and implement site-specific management action plans. To achieve this, KWS shall enlist the services of appropriate public, private or NGO, institutions and other qualified person. In this case, The Mara

Conservancy whose mandate is to manage the wildlife reserve on behalf of Trans Mara County Council.

The draft wildlife bill has already been reviewed and harmonized pending its approval and enactment into law by parliament. The cheetah and wild dog conservation strategy has been completed.

Therefore the draft wildlife bill has prepared the stage for KWS to build the capacity of Mara Conservancy to implement the cheetah conservation and management strategic plan in the Mara Triangle .

Section 7 Concerns in Kenyan Conservation

7.1 Growing Trend of Captive Wildlife Keeping

In light of recent developments, many Kenyan and international conservationists are concerned over growing trend of wildlife being relocated automatically into captivity by KWS instead of relocation of any troublesome or orphaned wildlife into either another area or into a rehabilitation for release program. In 2012 alone, KWS have translocated a wild White Rhino from Nakuru National Park to Kisumu Impala Sanctuary, shot the Mukoma lioness in a Nairobi suburb and relocated her four cubs to the orphanage, in addition to the removal of the Mara cubs from their rehabilitation and release program, into the orphanage. The [In2EastAfrica](http://in2eastafrika.net/wild-party-for-the-children-of-the-nairobi-animal-orphanage/) article dated January 9 2011 features an interview with KWS director Mr. Julius Kipng'etich on Nairobi Animal Orphanage issue. *“We at the KWS are like the maids looking after their children. But we have many challenges. At this point, we are full to capacity and are looking at ways to expand the facility. The expansion programme means opportunities to spread out across the country. Two areas have been identified — one at the Coast and the other at Mount Kenya”*. The similar statement was featured on *TwendeTwende* article dated February 5, 2011.

<http://in2eastafrika.net/wild-party-for-the-children-of-the-nairobi-animal-orphanage/>
<http://www.twendetwende.co.ke/destination.php?id=6>

While the rest of the world is focusing on rehabilitating and wild problem or orphaned animals back to wild, recently Kenya is more often than not, falling into greater trend of keeping her animals in the orphanage or “zoo”type facilities.

“We as a society have to decide if it is going to be ethically and morally appropriate to simply display animals for entertainment purposes” says Dr. Monfort, Director of the Smithsonian Conservation Biology Institute.

http://www.nytimes.com/2012/05/28/science/zoos-bitter-choice-to-save-some-species-letting-others-die.html?_r=3&hp&pagewanted=all

Millions of tourists from all over the world visit Kenya each year and their primary aim are to see free-ranging wildlife in national parks and reserves. The strategies currently taken by KWS not only pose concern about the direction of future of wild captured animals and conservation work but also to Kenya's tourism industry and to attain the goals of Vision 2030 to make Kenya one of the top 10 tourist destinations to reach a target of five million tourists. For Kenya to remain as an attractive tourist destination for the international community, a community that perceives captive keeping of wildlife as unethical practice, is questionable.

KWS and carnivore experts advocating that the Mara cubs be put in captivity failed to see the critical importance of the genetics of the 3 cheetah cubs and what they mean to the future population of the Mara cheetah population. This is possibly due to the fact that they didn't know of this critical status, which is also of concern. The perilous critical status of the Mara cheetah is in itself is a shocking revelation and could possibly be seen by others that the wildlife authority does not understand the meaning of "critically endangered", "protecting the genetic variation of species" and "the effects of what severe imbalance causes to an ecosystem".

This clearly is the opposite of Kenya statements such as 'best conservationist in the world'.

7.2 Animal Welfare Issues at Nairobi Animal Orphanage

Information from 2009-2010 report by Swedish University of Agricultural Science, stated that the Nairobi Animal Orphanage kept 12 cheetahs and 26 lions and is allegedly over crowded with little room left. It is alleged that few if any animals which have arrived in the Nairobi Animal Orphanage have ever been released back into the wild. During this investigation and at the time of submission of this report, no evidence of an ongoing wild animal release program was confirmed. There has been growing concern from the public that Nairobi Orphanage is overcrowded and unethical.

<http://www.fodors.com/community/africa-the-middle-east/cheetah-hug.cfm>

<http://safaritalk.net/topic/8598-nairobi-orphanage-kws/>

A study has been done by Swedish University of Agricultural Science, Department of Animal Environment and Health, Ethology and Animal Welfare programme and research paper "Inventory and evaluation of Nairobi Animal Orphanage" (Sommer, D., 2009)

http://stud.epsilon.slu.se/1613/1/sommer_d_100727.pdf(http://stud.epsilon.slu.se/1613/1/sommer_d_100727.pdf)

The paper states that Animal Orphanage (AO) demands for large as well as small improvements, regarding animal welfare. Cheetahs do best in spacious outdoor areas surrounded by fence or moated barriers. Fences should be 2.5 m high, preferably with a hot wire on top. From WAZA (World Zoo and Aquariums) the legal minimum requirements regarding enclosure size may vary greatly from country to country, e.g. Switzerland 200 m² for 1.1, and Austria 800 m² for 1.2. The

enclosure at the Orphanage ranged in size from about 120 m² to 350 m² and falls under the standards recommendations of most zoo's. During the study student witnessed a cheetah named Miracle spending one month in small wooden boxes, only to be taken outside in a small cage made out of metal bars (Sommer, 2009).



"Sleeping House for cheetah" (Diana Sommer)



"Miracle in transportable cage" (Diana Sommer)

copy right: Dianna Sommer (http://stud.epsilon.slu.se/1613/1/sommer_d_100727.pdf)

This Swedish University study revealed more disturbing facts on AO nursery being used as garbage lot with old wire mesh, poles, wood etc. disseminated on the ground and around other area's as well as the presence of breeding rabbit's in the area (Sommer, 2009). The student further states that nursery area also serves as living quarter and resting area for staff where few times a week loud music is played and is heard all over the AO.



"Young buffaloes grazing at the nursery area" (Ellen Hedman)



Ostriches feeding near the dumpsite next to incinerator used for carcass disposal

copy right: Dianna Sommer and Ellen Hedman (http://stud.epsilon.slu.se/1613/1/sommer_d_100727.pdf)

Further to this, reliable sources have confirmed that AO allows non-KWS worker (Ms. Miwa), a non-qualified outsider has been in charge of the nursery area since 2007. Ms. Miwa has to access to the nursery, and feeds, cleans and spends alot of time playing with the orphaned cheetah cubs ie: handling them. A number of former volunteers from the orphanage witnessed Ms. Miwa removing

some of the bandages applied to injured cubs by the Veterinarian, and then violently picking up the cubs and swinging them into their holding crates by the tail and neck scruff. This type of behaviour is seen clearly as animal abuse and addressable under the Animal Welfare Act. Additionally, it has been alleged that Ms. Miwa has been allowed to continue her volunteer-ship at the orphanage due to her affiliation with a Japanese-based tour company, has brought several tour groups into the orphanage and allegedly hired one of the former keepers.

The paper states that no efforts of rehabilitating the animals back into the wild is made, “as there is simply no knowledge or resources for this to be accomplished.” The information given in the paper is in line with volunteer observations. According to the paper, the standard procedure during the animals growth, for most carnivores, is to constantly play with them and pat them. This is performed to make the animals very tame and habituated to people, hence the possibility for visitors and staff being able to enter many of the adult cheetah enclosures today.



Lion GEORGE at orphanage in his rusted cage



Six lions in cage roughly 12-15m²

Within ethical animal facilities around the world where cat species are in captivity, there is limited if any human interaction other than veterinary aid and feeding. Lower grade tourist attractions where cat species such as tiger, leopards and cheetahs etc are on offer to “pat” are well known and documented as recognised abuse to animals. In what may be seen as “wonderful to pat a cheetah’ for some, it also shows a lack of consideration of what effect such human compulsions and interaction has on a cheetah, or the recognition that it causes hinderance and stress for rehabilitation. The result of an unlimited intake of animals and no advanced planning, such as a functional release programme, has instead resulted in a congested facility with poor animal welfare (Sommer, 2009).



Kenya Wildlife Service Facebook



Cheetah MAILU at orphanage with severe skin condition

copy right: Kenya Wildlife Service Facebook Page

<https://www.facebook.com/photo.php?fbid=1317338588515&set=o.196213227903&type=3>

The In2EastAfrica Jan 9 2011 article featuring KWS director Mr. Julius Kipng'etich's interview on Nairobi Animal Orphanage states:

"We have had overweight animals here suffering from lifestyle diseases like heart attacks and gout," said the director. "

<http://in2east africa.net/wild-party-for-the-children-of-the-nairobi-animal-orphanage/>

7.3 Exploitation of Wildlife for Human Entertainment

Throughout the world, many organisations are fighting against the practice of wildlife exploitation for human entertainment. The display of wildlife for human entertainment in this century is considered simply unethical and morally not acceptable behaviour.

Kenyan and international conservationists made a public outcry when KWS posted a Facebook photo of their cheetah at the orphanage wearing red Valentine ribbons around its neck. The practice such as offering the possibility for private persons to rent one of the orphanage cheetahs for special events like weddings raises serious concern of lack of conservation ethics and husbandry. The presentation of a cheetah as a pet and entertainment object does not promote any such kind of knowledge and understanding. Also from a conservation point of view it is reprehensible and should be stopped immediately (Sommer, 2009).



"During Valentine's day, animals in the Orphanage were not left out" (Kenya Wildlife Service Facebook)



Kenneth Onduko, Senior Sergeant KWS with orphanage cheetah wearing a hat

copy right: Kenya Wildlife Service

<https://www.facebook.com/photo.php?fbid=10150604164712904&set=a.367218657903.155338.196213227903&type=1&theater>

copy right: Kenneth Onduko

<https://www.facebook.com/photo.php?fbid=165258730255877&set=a.165258333589250.34358.100003152542521&type=3&theater>

Nairobi Orphanage and KWS have also recently come under fire for treatment seen as unethical by conservation groups regarding caged animals from AO being used for amusement for humans. Two caged lions were paraded in a vehicle at the barbecue fest held at Mamba village. Various pubs and clubs had pitched tents at the event as well as music performances by many. Well known Kenyan conservationist Dr. Paula Kahumbu questioned the ethics of using the orphanage animals for human entertainment on the Star article. The video footage from this particular event was broadcasted on popular internet video site Youtube.

<http://www.the-star.co.ke/word-is/word-is/31356-lions-nyama-choma-and-music-at-mamba-village>

<http://www.the-star.co.ke/national/national/41042-kws-boss-defends-use-of-caged-animal-for-public-fetes>



"The caged lions make an entrance" (the Star)



"Sharon the Cheetah" (NTV)

copy right: The Star <http://www.the-star.co.ke/word-is/word-is/31356-lions-nyama-choma-and-music-at-mamba-village>
copy right: NTVKenya <http://www.youtube.com/watch?v=XkA5jZS-JtE>

In seeking legal advice regarding the lion parade, it was established that the use of the lions in such a manner contravened several sections of the prevention of cruelty to animals act (Caps 360, www.kenyalaw.org).

In section 3 (1) (a) of the act, ‘a person shall be guilty of an offence if he infuriates or terrifies an animal.’

The two sub-adult males used in this scenario were visibly terrified, with one crouching in the corner of the cage as the other continually displayed distress at being driven around. It was also visible and later affirmed by a volunteer who visited the orphanage shortly after, that the lion(s) suffered abrasions on the face as a result of hitting against the wire of the cage.

In section 24 (1) of the same act, ‘a person, who being the ‘owner’ of an animal, permits the commission of an offence under this Act or any regulation made thereunder in relation to that animal shall be guilty of that offence and liable to the penalties prescribed thereof.’

As per the legal advice (Couslon and Harney), this section should be read in conjunction with Section 3 (2) of the Wildlife Act which provides that ‘The Kenya Wildlife Service shall be a body corporate with perpetual succession and common seal and shall have the power to sue, and be sued in its corporate name.’

In responding to the public and international outcry surrounding this event, KWS Director, Julius Kipng’etich justified the act in speaking to a local newspaper, “Kipng’etich said they had clearly stated the lion was not wild but among the animals caged at the orphanage visited by thousands of school children every year.” (<http://allafrica.com/stories/201109210148.html>)

Additionally there is growing concern from Nairobi residence over orphanage animals allegedly being used as entertainment at high power advertisement company within Nairobi. Such exploitation of wildlife is an increasing outdated practice and it has been outlawed in many countries across the world.

Countries Currently Banning Animal Performances:

UK, USA (18 states), Canada, Argentina, Bolivia, Brazil, Chile, Columbia, Costa Rica, Paraguay, Peru, Australia, Austria, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Poland, Portugal, Spain, Sweden, India, Israel, Singapore, Taiwan and China

http://www.ad-international.org/animals_in_entertainment/go.php?id=281&ssi=10
<http://www.telegraph.co.uk/news/worldnews/asia/china/8266563/China-bans-animal-circuses.html>
<http://www.guardian.co.uk/world/2012/mar/01/laws-ban-wild-animals-circus>
http://www.bornfree.org.uk/news/news-article/?no_cache=1&tx_ttnews%5Btt_news%5D=955
<http://www.animalcircuses.com/bannedareas.aspx>
<http://action.petaindia.com/ea-campaign/clientcampaign.do?ea.client.id=111&ea.campaign.id=3899>

7.4 Allegations of Illegal Trade of Cheetahs

Additionally, whilst conducting this investigation, Dr. Paula Kahumbu made a series of seriously disturbing allegations regarding KWS and Cheetah in Kenya - by electronic correspondence and via video telephone service Skype.

Dr. Paula Kahumbu was a former KWS acting Deputy Director (1998-2000) and Assistant Director managing protected areas, research and development on wildlife trade (2000-2003). The statement made by Dr. Kahumbu in her correspondence with the CEO of Cee4life, Sybelle Foxcroft, is as follows:

“When I was at KWS there was a massive illegal trade in cheetah cubs going on under the guise of “orphans””.

This matter revealed by Dr. Kahumbu is of such serious concern, that it is recommended that it be investigated by a higher authority outside of KWS. This allegation involved Dr. Kahumbu’s knowledge of the illegal conduct of KWS regarding cheetah. In effect, meaning that KWS are deliberately going against their very own Cheetah Conservation Strategy.

7.5 Cheetah Cub Trafficking in East Africa

IUCN states that one of the threats faced by East African cheetah as follows:

“There is also concern about illegal trade in skins, as well as capture of live cubs for trade to the Middle East (Anon. 2007). There is an increasing trade in cubs from north-east Africa to the Middle East (Amir 2005), but there is currently little trade in cubs from the Sahel region, where it was previously considered a major problem (K. de Smet pers. comm. 2007)”

<http://www.iucnredlist.org/apps/redlist/details/219/0>

Furthermore, Conservation Planning for Cheetah and African Wild Dog states:

“Cheetah are rarely hunted for their fur, or for cultural uses. However, high levels of illegal trade in live cheetah has been documented in Somaliland (for the Middle East market), this trade resulting in a sink for cheetahs from both Ethiopia and Kenya.”

<http://www.cheetahandwilddog.org/threats.html#th6>

CAWT (Coalition Against Wildlife Trafficking) states that in 2011, there were 70 illegal trafficking of cheetahs. Out of 70 cheetahs, 54 ended up in Somaliland (24 died following confiscation or while still with the smugglers) and the fate of remaining animals is unknown.

The spreadsheet of illegal cheetah trafficking data between 2011 up to March 2012 is available from: <http://www.cawtglobal.org/home/2012/3/15/concern-over-cheetah-trafficking.html>

7.6 Pet Cheetahs

KWS Carnivore Advisory Committee member, Dr. Mordecai Ogada when talking about the Kenyan cheetah status states that:

“the biggest threat to cheetah in this region was the capture and trafficking of cubs for the pet trade” (the Star, 3/6/2012).

<http://www.the-star.co.ke/opinions/others/78658-it-was-wrong-to-rescue-cheetah-cubs-in-the-mara>

However, it is unfortunate that Dr. Ogada did not address another important aspect in the wildlife trafficking, the supply and demand of the exotic pet industry.

In 2011, Dr Mordecai Ogada presented an idea of a database of all captive and pet cheetahs in the UAE, and their owners where cheetah owner forms a “cheetah club”.

Dr. Ogada states *"Captive cheetahs in the UAE are mostly loved and cared for at great expense. I am certainly not interested in condemning and alienating those people."* and *"It would be an exciting step if we could get these owners together into a forum, or cheetah club, which could raise funds for; or sponsor; wild cheetah conservation and research and organise trips to go and see wild cheetahs in Africa. The club would also provide expert advice and veterinary information on how to keep captive cheetahs as healthy and happy as possible."*

Dr. Ogada's idea of “cheetah club” was strongly criticized by Dubai-based wildlife expert Dr Reza Khan, a member of the World Commission on Protected Areas. Dr Khan states: *"We cannot have a club for cheetah owners because this is not a pet animal"* and *"it would encourage more people to keep cheetahs and lead to an increase in the illegal trade in cubs"*. He also added *"No wild cats should be kept as a pet or in private collections, where most lead an imprisoned life as they are kept in below-standard cages."* The IFAW also said a club would encourage the keeping of pet cheetahs. Dr. Ogada's cheetah club idea was also disputed by many readers of “The National” and criticized for his utter lack of understanding of demand and supply of exotic pet industry.

<http://www.thenational.ae/news/uae-news/environment/expert-calls-for-curb-on-wild-animal-smugglers>

<http://www.thenational.ae/news/uae-news/environment/cheetah-owners-club-would-increase-smuggling-expert-says>

<http://www.thenational.ae/news/uae-news/cheetah-advocate-takes-a-second-run-at-owners-group>

<http://www.thenational.ae/thenationalconversation/feedback/readers-dispute-experts-view-on-cheetah-owners>

There is no doubt that cheetah cub smuggling is fuelled by demand for exotic pets by people who are wanting to keep these magnificent feline species. However, UAE and other middle eastern countries are not only the main concern in this issue as recently there are some concerning developments over the internet where number of cheetah cub for sales advertisements are appearing.

On internet site Adtob B2B, advertisement for baby cheetah cubs for sale for US\$5,000 was posted with unknown date. The seller registered was Mr. Augustine Limumbi with Kenyan mobile number +254736759330. The advertisement stated the following:

“We have some lovely cheetah cubs for sale to any loving and caring homes ready to spoil them with much love and care. All my babies are very friendly and sociable and are current on all shots. They have all their papers and license. They are home and potty trained. They come from the family of big cats and a from a pure breed. They have been declawed as well and would be coming with all their toys and feeding menu. They are still bottle feed with milk until they would get to ten weeks of age. They are just four weeks old as of now. This is your perfect opportunity to own a cheetah cub”

On June 8th, 10th, 15th and 20th another four internet advertisements on cheetah cubs for sale were posted on “[ExpatAds.com](http://www.expatsads.com) Free Classifieds for the world! Buy & Sell Pets in Kenya”. These four advertisements seems to be originating from South Africa.

Baby cheetah cubs for sale

► Price: **5000 \$**



► City: **Nairobi**

► Owner: **Augustine Limumbi**

► Phone: **+254736759330**

“Baby cheetah cubs for sale - Price 5000\$ ” (Adbtob B2B)

ExpatAds.com

Free Classifieds for the world!

Buy & Sell Pets in Kenya

Thursday, 28 June, 2012

“Buy & Sell Pets in Kenya” (Expat Ads.com)

copy right: Adtob B2B <http://www.adtob.com/ad/18738/Baby-cheetah-cubs-for-sale/Nairobi>

copy right: ExpatAds.com <http://www.expatsads.com/54-Kenya/posts/14-Pets-Animals/29-Buy-Sell-Pets>

7.7 Gift Cheetahs

Other reports of “orphaned” cheetah being given as “gifts” surfaced during this investigation. This is obviously highly disturbing. Dr. Mordecai Ogada states on another Star article (5/5/2011) that Justice Minister Mutula Kilonzo has been “granted permission to keep all sorts of wild animals” and “the minister has been given permission for two cheetahs”.

<http://www.the-star.co.ke/opinions/others/23300-keeping-carnivores-as-pets-is-not-conservation>

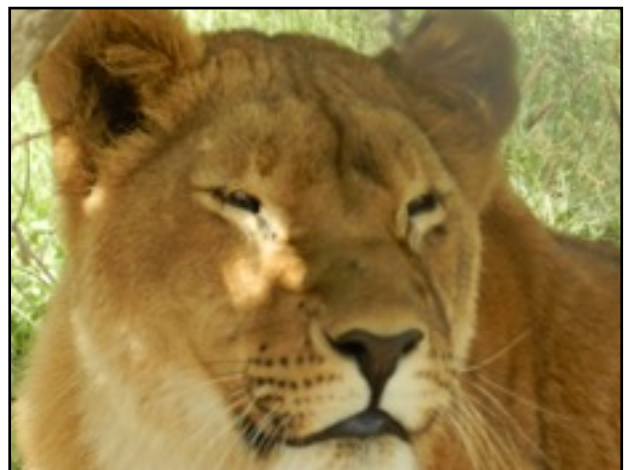
According to their own website, KKR Sanctuary owned by former Justice minister Mutula Kilonzo (current Minister for Education) currently holds: 3 lions (1 male, 2 females), 2 cheetahs, 3 buffalo, 1 wild pig, “numerous herds of Thompson’s gazelle, zebra, Giraffe, Eland among other types of deer and Ferret Monkeys”, 1,200 leopard tortoises as well as avian species such as “the Lammergeyer, bantams, ostriches, pigeons, guinea fowl, and Egyptian geese among others”.

http://www.mwakifoundation.org/index.php?option=com_content&view=article&id=66&Itemid=71

It was disturbing to learn that two lionesses and a lion had been given to KKR sanctuary from the Nairobi Animal Orphanage. The lions were siblings and were not neutered upon the transfer into a single enclosure. They subsequently mated and two cubs were sired by the brother lion. According to a witness who visited the sanctuary, these cubs now suffer abnormal spine development hindering them to walk normally. The visitor confirms that one of the cub had a massive abnormal growth/abscess/hernia which were left untreated for weeks. The keeper at KKR sanctuary also explained to the visitor that both of the cubs are unable to open their eyes properly since they were born, most likely due to congenital condition arising from inbreeding.



Lion cub with abnormal eye born out of inbreeding



Grown up lion cub still squinting

copy right: Kunal Parbat

<https://www.facebook.com/photo.php?fbid=188800554504644&set=a.188800231171343.67492.100001241013878&type=3&theater>

The report “Inventory and evaluation of Nairobi Animal Orphanage” (Sommer, D., 2009) also states: “To solve the problem with the shortage of enclosures, AO (animal orphanage) gives animals away to private persons who desires to have wild animals on their property. Recently, three lion siblings, one male and two females, were given away to a private person to make an enclosure available for Miracle (cheetah). Ten years ago one Kajiado resident rescued three abandoned cheetah cubs which were later relocated to Animal Orphanage by KWS. Two cubs were sent to the Safari Walk in KWS HQ, while one cub was allegedly given as a pet to the head of the African Safari Club's Mr. Rudin in Mombasa.

The illegal trade of endangered species and “gift giving” is an atrocity to Kenya’s conservation, particularly if KWS is involved. The allegation involved Dr. Kahumbu’s knowledge of the illegal conduct of KWS regarding cheetah and in effect meaning that KWS are deliberately going against their very own Cheetah Conservation Strategy. Both Dr. Kahumbu and Dr. Ogada’s allegations require urgent investigation to be carried out by authority outside KWS.

Section 8 Disturbing Truth Behind Scene

8.1 Occurrences at the Mara Triangle

After the removal of the cubs from the Mara Triangle, the Mara Conservancy management was reliably informed by Dr. Kay Holekamp, the head of Michigan State University’s Hyena Research Project, that one of their students had taken photographs of the cubs soon after they had been rescued and while the initial enclosure was being built and this information was sent to Mary Wykstra of Action for Cheetah. In her email to MC CEO, Dr. Holekamp claims that another carnivore specialist, Dr. Stephanie Dloniak, heard from her source within KWS that Ms Wykstra was pushing for the removal of the Mara cubs. It was further alleged that Ms Wykstra then wrote to KWS Carnivore Committee and forwarded a newsletter, along with a statement/recommendation of sorts of her views on private owners with cheetahs and asking for reform.

From statements gathered from Ms Wykstra, she claimed the following:

- That she had been informed that people were letting outside visitors in to see the cubs and allowing them to play with the cubs.
- When pressed on the identity of the person supplying her with this information from within MC, Ms Wykstra claimed that the caretaker of Mara Conservancy was her contact and was sending her this information.
- The cubs were to be released into the wild at 6 months old

- The cubs were bottle fed
- The cubs were handled by 3 people regularly
- That no protocols were being followed

This information was a shock to MC, as these allegations indicated that someone unknown was deliberately creating false scenarios, and gathering potentially damaging information from inside of MC regarding the cubs. According to Mara Conservancy Ms Wykstra did not contact MC management to inquire about any of her concerns. It was confirmed that Ms Wykstra has not been at the Mara Triangle nor did she speak to anybody at MC management for over 6 years.

Staff at MC understood the protocols and rules regarding the cubs, including the understanding that the cheetah cubs were strictly ‘off-limits’.

The following information was found:

- Further investigations revealed that Ms Wykstra received and utilised unconfirmed information from a student from the Hyena Project. That the student had no knowledge of the management plan of MC, and that Ms Wykstra continued to communicate with the student and receive information about the cheetah cubs from the student over a prolonged period of time. As a wildcat specialist, I pose the question, if this is indeed the case, why didn't Ms Wykstra discourage the student from acting in an unethical manner or guide the student in correct behaviour/conduct around these wild release cheetahs?
- Ms Wykstra continued to receive information provided from the student and promised the student in return that she would not reveal her identity.
- The caretaker of MC was found to have disobeyed instructions given by MC CEO and MC veterinarian regarding 1. No visitors to the cheetahs and 2. Never to allow anybody inside the cheetah enclosure.
- The student formed a friendship with the MC Caretaker and gained access to the cheetah enclosure. To enter the enclosure, keys to the enclosure were stolen from MC CEO and MC veterinarian (MC CEO and MC veterinarian were the only ones who held the keys to the cubs enclosure). As a result, the student and her colleague from Hyena Project breached the MC rules regarding the cubs on a number of occasions.
- On entering the enclosure, the MC Caretaker placed down food for the cubs. When the cubs came to the food, the student and her colleague reached out to touch the cubs. In addition, the caretaker touched the cubs and photographic evidence was found of this. The photograph to the caretaker is signed by the student and her colleague from the Hyena Project. The student and her colleague took more photographs and some of these photographs were posted on the Hyena blog site and social networking site Facebook.
- On interview with the student, the student admitted that she had passed all of this information onto Ms Wykstra.

- Ms Wykstra falsely accused the caretaker of MC of providing her with information. The caretaker of MC could neither read and write nor use a computer. Ms Wykstra continued to promise the student she would not reveal her identity, and resolved to place full blame upon the caretaker of MC. It is estimated that this behavior spanned a period of 2 months
- Ms Wykstra then passed information onto the KWS Carnivore Committee.
- Within days of this information passing onto KWS, KWS veterinarian had contacted MC and informed them the cubs would be relocated to the Nairobi Animal Orphanage.
- After MC became fully aware of the extent of the breaches, the head of Hyena Project Dr. Holekamp was contacted. MC asked Dr. Holekamp to move the student from the Mara Triangle to the Talek Hyena camp on the Narok side of the Masai Mara. Dr. Hokecamp then issued a very in-depth apology to MC CEO and confirmed their student's behavior. She then immediately fired the student on May 16th 2012.
- Ms Wykstra then offered the student a job with her and subsequently the student accepted the position with Action for Cheetahs in Kenya.

Refer to “The Estimated Time Line of Events - March to May 2012” for more details.

8.2 Possible Criminal Actions

Ms Wykstra claimed that she has no close contact with KWS, however admitted to sending KWS Carnivore Committee information, and to having access to official internal documentation from KWS.

Ms Wykstra continually denied specifically mentioning the MC to the Carnivore Committee, however by Ms Wykstra's own admission she sent the student's information and link to the Mara Monthly newsletters, and wrote to KWS and stated she said the following to KWS:

“I only pointed out that KWS has a problem with the number of well-wishing organizations who are taking cheetah cubs from the wild and keeping them in personal care. My request to KWS was to call a meeting of the carnivore advisory group to assist KWS in formulation of requirements, to form an inspection team and to hold by their standards”. “I did also mention the Mara cubs which were kept in a small holding enclosure for their first two months while a new facility was being built. In none of these cases were protocols being followed that would allow potential release.” <http://www.resaf.org/node/365>

Further on in this same statement - Ms Wykstra goes on to state that she did not contact the Mara Conservancy to seek any communications regarding the cubs, or clarify any information prior to sending the email to KWS and that

“I was requesting that KWS address the policy that allows cheetahs in private hands. The very same people are accepting as hear-say the quality of care without seeing it for themselves.”

Furthermore, Ms Wykstra admitted that she was privy to official KWS documentation regarding Mara cub removal. In regard to this documentation, access to private Government internal emails or memo’s going to a foreign citizen with allegedly no “close ties” within KWS is of concern and highly unusual. However, Ms Wykstra admitted to information/access to this Government document. This information is disturbing as Government emails or memo’s are not for public fodder. Integrity and trust issues arise from this display and it is very worrying to know that internal Kenyan Government information can be attained and mentioned with such ease by Ms Wykstra.

Section 9 Summary & Recommendations

9.1 Summary

In summary, the investigation found that Mara based KWS veterinarian and Mara Conservancy followed all protocols, however mistakes were made with important information at pivotal moments, the highest being the KWS Head Veterinarian Dr Gakuya stating that he must have “overlooked” KWS Vet March monthly report. This was a vital piece of information that may have possibly prevented the entire cheetah cub relocation.

The Mara cheetah population is verging on regional extinction and urgent conservation management must be implemented along with protecting any of the Mara cheetahs. The 2 surviving Mara cheetah cubs are of vital genetic significance for the future populations of Mara cheetah, in addition to the vital genetic importance of the Mara cheetah, Mujisa. This situation has created an outstanding opportunity for KWS to work with Mara Conservancy and initiate the first Kenyan cheetah release program, protocols and legislation. There is sufficient expertise, and a willingness, within and outside of Kenya, to give these cubs a chance of a life of freedom. Kenya may be able to develop a template for the rehabilitation of cheetah and be at the forefront of cheetah conservation.

The allegations of illegal cheetah trades/gift giving etc, is of grave concern. Too many times around the world has it been found that trusted people within wildlife departments or publicans etc have been involved in the illegal trade of animals, this is unacceptable and should be treated with zero tolerance. As species spiral further to extinction, and as severe critical status of the Mara cheetah populations is now known, an investigation into the claims of illegal activity must be initiated and any one found guilty of this conduct must be answerable in a court of law.

Whether unknowingly or deliberately, the actions of the Hyena Research Project student, and subsequently Ms Wykstra’s actions, is indicative as highly unprofessional at the minimum. It is unknown as to why Ms Wykstra did not contact Mara Conservancy to confirm any of her concerns. It is also unknown as to what extent and frequency Ms Wykstra relayed the information received from

the student about the cheetah cubs situation to others. However it is known that communications occurred frequently with the student and Ms Wykstra, and the topic of cheetah cubs was constant, and that this inaccurate information was eventually passed onto the KWS Carnivore Advisory-Committee and others, including the possibility of someone within the IUCN.

These things may always remain unknown; however as a conservationist and a person with morals and integrity, I pose the question of why this type of behaviour and conduct along with the agenda of reasons occurred.

On discovery of the security breaches in Mara Conservancy, MC initiated all efforts to conserve and protect the cheetah cubs. The care taker, Peter, was dismissed from his duty. The student was fired by the Hyena Project, however she was then quickly offered and took a job with Ms Wykstra.

Ms Wykstra has endorsed a new “Cheetah Centre” to be located at Soysambu. According to Mara Conservancy, Dr Kahumbu who is the trustee of Soysambu contacted MC and told the MC CEO that Soysambu would be getting the 3 Mara Cheetah. Ms Wykstra has been long associated with Cheetah Conservation Fund (CCF). CCF was recently linked to endorsement of cheetah trophy hunting – Section 5.0 para 5 (<http://www.oocities.org/rainforest/8471/Cheetah.html>) (Note: Ms Wykstra was Director of CCF Kenya for many years.)

This is of grave concern, particularly now that the severe critically endangered status of cheetah populations is now known.

This has been an investigation into the lives of 3 vitally important cheetah cubs and the conservation of the critically endangered Mara cheetah. This investigation has revealed, and been surrounded by, seemingly, not-so-conservation minded humans.

Until it is seriously recognised that humans are the keepers of this earth, and that an ecological balance must be maintained for the health of the environment and subsequently in order for our own survival, species will continue to decline until there is nothing left. If they go, so do we. Biological diversity must be prioritised and the true and dedicated conservationists, wildlife biologists etc must be thoroughly involved and be allowed to do the job they are deemed to do, such as the mandated Mara Conservancy.

These two surviving cheetah cubs must be returned to the Mara, to preserve the Mara cheetah population and prevent local extinction and to implement true conservation.

9.2 Recommendations

1. The 2010 National Cheetah Strategy states that population figures for the cheetah are only a ‘guesstimate’ dating back to 1975 and 2002. While conducting the investigation into the approximate population of the Mara Triangle cheetah, it became tragically apparent that if

urgent conservation management is not implemented for the cheetah in this area immediately, that the cheetah will go regionally extinct within a very short period of time. In addition, due to this critically low population at Mara Triangle, the investigation into cheetah population was widened to include the entire Mara area, ie: Maasai Mara (Narok), Mara Triangle and Greater Mara. The information was sourced from community conservancies, local Maasai communities, Rangers, and other local guides and stakeholders who know their land area extensively. **This revealed and confirmed that the entire Mara region Cheetah population is going extinct.** The population of the cheetah in the Mara area has tragically dwindled silently downwards to the brink of extinction. From this investigation it was found that the only interested parties consistently trying to conserve the last of the Mara cheetah were from the Maasai and other communities, and wildlife reserve managements within the Mara region including the Mara Conservancy. It is recommended that an immediate wild cheetah conservation protection and management program be established in conjunction with KWS Mara, Mara Triangle, Maasai Mara and Great Mara Conservancy's, local communities and all stakeholders. It is recommended that a committee made up of the Mara area Conservancy's, local community members and stakeholders be formed to address this urgent situation. It is recommended that all and urgent efforts be made to save the last of the <30 cheetah of the Mara and that they be listed officially as "Regionally Critically Endangered". It is recommended that these protection programs commence immediately.

2. It is urgently recommended that a critical conservation and management plan be implemented immediately in the entire Mara area, and that the 2 surviving Mara cheetah cubs be returned to the Mara Conservancy to continue on their program for release into the wild. Mara Conservancy has all the needs for the the 2 cheetah cubs to work towards release and the expertise and support needed for this program. It is recommended that KWS officially approve the release program that has been presented to them by Mara Conservancy, and implement an immediate start to the official scientific program for wild release of cheetah. This recommendation is of highest priority due to the now known critical status of cheetah population in the Mara area and is the best practice conservation for a critically endangered species. That KWS and Mara Conservancy work together to immediately establish this precedent program, a first in Kenya. Two carnivore rehabilitation experts Ms. Anne Marie Houser (formerly worked for Cheetah Conservation Botswana) and Mr. Marnus Roodbol (formerly worked for Harnus Wildlife Foundation) have offered to assist Mara Conservancy with the release protocol by coming over to the Mara to start the program for the cubs if they are to be returned.
3. It is recommended that all efforts to retain the populations within the home range of each region be recognised immediately. Due to the current location of the cheetah cubs and the need for urgent critical conservation management, it is recommended that not only the 2 surviving cheetah cubs be returned to Mara Conservancy to continue with the release program, but that the Mara cheetah, Mijuisa, be included in relocation to Mara Conservancy to be able to live out her life in her natural environment in a world class enclosure with the highest levels of ethical care and possibly given a chance to be included in the rehabilitation. However, if survival skills cannot be attained by the cheetah cubs, it is highly recommended

that the humane and ethical care of all of these Mara cheetah be implemented, and that all cheetah have the opportunity to live out their life in the world standard natural habitat enclosure at Mara, for life.

4. It is recommended that the conditions of the Nairobi Orphanage be investigated immediately by an animal welfare and zoological professional recommended by WAZA due to not only the shocking death of the one of the cheetah cubs, but also the previous reports of inadequate care, husbandry and handling of all animals, and the growing concern of the public, the increasing discussion of the standards in the public domain, and the evidence found in this report. It is recommended that a working group of captive specialists be sourced to look at ways to improve enclosures and enrichment. It has been found that the current standards greatly disturb not only those working in other countries/continents, but also many Kenyans who feel it is an 'embarrassment'. As resources are always an issue even in so called wealthy nations, it is recommended that a campaign to improve conditions would attract worldwide support as people feel an affinity with Kenya and its wildlife. Cee4life offers full support to Nairobi Animal Orphanage.
5. It is highly recommended that other suitable facilities and a release program for any present or future capture of wild species, be developed and sourced to take the pressure off over crowding at Nairobi Orphanage, and to allow the opportunity for rehabilitation and release back to the wild, for potential and recent wild captures currently residing at the Nairobi Orphanage. The instigation of such a release program and the upgrade of facilities and husbandry in Nairobi Orphanage will send out a positive and educational message of ethical captive wildlife husbandry requirements and would be world recognised. The Mara Conservancy is able to accommodate this recommendation in the cases of the 2 surviving cubs and with further immediate development and assistance MC is able to accommodate the Mara cheetah Muijusa. The upgrade of Nairobi Orphanage will be seen as positive and ethical step. Many overseas visitors enjoy the 'wild' but some also may still visit the orphanage for a closer look at species as they do at zoos. For many it will be the only time they see many species and there is a responsibility for a better presentation and education reference point. This is particularly true of young visitors gaining their first wildlife impression. Cee4life offers full support for this matter.
6. Illegal trade/gift giving of Cheetah - It is recommended that a thorough investigation into claims of massive illegal trade in orphaned cheetahs via KWS be established immediately. It is recommended that this investigation be carried out by a separate and higher identity/ authority outside of KWS. It is recommended that any cheetah, or any other animal, that has been found to be given as "gifts" be either returned to an ethical facility that is not of lower standard than current care, that a mandate be implemented to incorporate WAZA recommendations care and husbandry of any animal anywhere in captive care and that those levels of care and husbandry be upheld. It is recommended that if any illegal activities involving the gift giving, trade or unusual disappearances of cheetah be found, that the persons found involved be removed from their positions and never to be associated with animals again. It is recommended that all findings be dealt with in a court of law with just sentences equalling

the illegal crime including jail time, hefty charges and removal of the person from any position of authority in the present, and for no option of position of authority in the future.

7. It is recommended that if Mara Conservancy wishes to address the conduct of Wykstra and Russells actions, that an investigation into the alleged security breaches and trespassing be addressed, and the interference of wild release creatures under the Animal Welfare Act be included.

Note: It is noted the removal of these 3 cheetah cubs in a wild release program, was equivalent to the removal of 50% of the Mara Triangle cheetah population.

8. It is recommended that KWS stop obtaining advice for cheetah conservation, or any other animal, from conservation organisations or persons linked to the promotion or support of trophy hunting, or with a preference of promoting animals in captivity.

Note: Trophy hunting is not seen by numerous wildlife experts and conservationists as a method of conservation or preservation of a species, and this is particularly of great concern in the case of Mara cheetah on the brink of local extinction.

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Section 10

The Estimated Time Line of Events

March to May 2012

Date	MARA Conservancy	KWS	Outsiders
1 st Jan	Mara Conservancy (MC) monitors a female cheetah with 3 new born cubs		
25 th Feb	Mother cheetah begins to move around with cubs, bringing them to her kills.		
1 st March	Cheetah mother disappears and does not return. She was last seen hunting in core lion zone.		

Date	MARA Conservancy	KWS	Outsiders
2nd March	<p>Cheetah cubs are observed alone and calling for their mother.</p> <p>MC monitors and searchers for mother throughout the entire day.</p> <p>In agreement with KWS veterinarian Dr. Mijeje, MC would monitor the cubs until evening. If the mother cheetah did not return, cubs will be captured, however search for mother will continue each day until it is clear that she is not returning. If mother returned, the cubs would be re-united with her. If the mother did not return it was agreed with KWS veterinarian that these endangered protected cheetah species cubs were prime candidates for capture/release program. A series of enclosure designs is discussed; cubs would be slowly released from smaller enclosure into larger enclosure. Cubs to be kept wild, no unnecessary human contact (other than veterinarian, emergency etc)</p> <p>KWS veterinarian agrees with MC.</p> <p>(Note: MC is mandated by the county council of Trans Mara in the management of park and its wildlife. http://maratriangle.org/about-us/mandate/)</p> <p>2 people are allocated to capture each cheetah to ensure swift capture and safety.</p> <p>The cheetah cubs are captured with jackets and towels, it takes 2 minutes to capture cubs. They are then transferred immediately into giant canine crates. They are transported to Mara Conservancy, less than 3 minutes away.</p> <p>Cubs are not bottle fed. Bowls with milk and water are placed inside enclosure and the cubs eat and drink out of them.</p> <p>Present at the capture are –Mara Conservancy CEO Mr. Brian Heath, the Chief Warden and Assistant Wardens and Corporals, and other rangers. Two students from the Hyena Project also observed the rescue.</p>	<p>KWS veterinarian Dr. Dominic Mijeje calls MC to inform he is getting calls about the abandoned cheetah cubs.</p> <p>KWS veterinarian has given approval of the rescue. This approval is given legally by KWS as KWS veterinarian is in charge of the Rift Valley region which includes the entire Mara ecosystem (including Mara Triangle). KWS veterinarian agree's with Mara and submits his report via his chain of command to Dr. Gakuya the head of Veterinary Department, KWS, and Daphne Shedrick Wildlife Trust (Dominic's work is funded by DSWT), Nairobi.</p>	<p>The nearby Hyena Project had an agreement for students to work with Mara Conservancy. One student, D. Russell and another Hyena Project colleague, N. Nadas, were given permission to observe the capture of the cubs. Both Russell and Nadas were overjoyed at seeing the cheetah cubs and were very enthusiastic.</p> <p>Hyena Project staff & students were at MC regularly as MC allowed them to use refrigeration unit and for water supplies.</p> <p>Hyena Project staff & students regularly spoke with MC maintenance worker Peter Mutai.</p> <p>Peter is seen regularly conversing with Hyena Project staff and students and seems to be quite taken with Russell and Nadas</p>

Date	MARA Conservancy	KWS	Outsiders
3rd March	<p>MC builds strong metal predator proof enclosure (2.5 meter x 4.9 meter) for keeping the cubs.</p> <p>MC continues to look for mother cheetah for a week. If she returns she will be re-united with cubs.</p> <p>All MC staff are instructed that they are NOT to go anywhere near the cubs. It is clearly understood.</p> <p>MC maintenance worker, Peter, is the only MC staff member allowed near cubs, however he is ONLY tasked to clean cheetah cage and ONLY when given permission to do so by MC CEO and MC veterinarian supervising. There were two sets of key to the padlock put on the cage door. MC CEO and MC veterinarian were the only ones with the key. Peter had to ask either of them when cleaning the cage.</p>	<p>(As previously mentioned – Enclosure design approved by KWS veterinarian, cheetah capture and release program details most likely were sent to his chain of command Dr. Gakuya the head of Veterinary Department, KWS, Nairobi.).</p>	
7 th March	<p>Limited human disturbance in place to ensure that cubs retain wild characteristics.</p> <p>Cubs cannot be handled and cannot be held in any capacity. Cubs are wild and will inflict injury to humans if any attempt made to hold.</p> <p>Peter is seen conversing with Russell again.</p>		<p>Hyena Project student, Russell and her colleague Nadas visit MC and observes cubs in initial holding enclosure.</p> <p>Russell is again overwhelmed and enthusiastic on observing closer to the cheetah cubs.</p>

Date	MARA Conservancy	KWS	Outsiders
11 th March	<p>MC veterinarian bumps into Nadas at Serena Lodge and gives permission for her to observe the cubs. MC veterinarian tells Peter that he can take the student to see the cubs from outside the enclosure. Peter was told not to allow anybody near the enclosure without permission from MC CEO or MC veterinarian. He was NEVER given permission to allow anybody inside the enclosure.</p> <p>MC CEO is not present at Mara</p> <p>One cub injured its paw after climbing up the enclosure when it got scared by baboon. In an attempt to treat the wound, MC CEO was severely bitten while restraining the cub during treatment. MC CEO and MC veterinarian decides to let the cubs used to little degree of handling (touching) to be able to perform a minor veterinary intervention in the future so darting will not be required at such a young age. MC CEO and MC veterinarian touched the cubs during their feeding so the cubs get used to physical checks. The cubs were not touched at any other times and no one else was permitted to do so.</p>		<p>Unknown to MC CEO or MC veterinarian - Hyena staff members Nadas and staff member, arrives at MC. They approach Peter and tell Peter that they are allowed into the cubs.</p> <p>Peter disobeys orders from MC CEO and MC veterinarian. Peter, being infatuated by females of Hyena Project, allows both Nadas and project staff, into the cheetah enclosure. Peter lures the cubs over with food. Nadas takes film and photographs of this.</p>
15 th March	<p>MC CEO is attending a meeting in Nairobi.</p> <p>MC veterinarian is out in the field.</p> <p>MC orders predator proof cattle grid fence for the first enclosure for the release program</p>		<p>Unknown to MC staffs - Russell and Nadas arrive at MC and they approach Peter. Peter again disobeys MC cheetah protocols and allows both into the cheetah enclosure. Peter disobeys further and lures the cheetah cubs over with food. Russell and Nadas "pat" the cubs while they feed, and take more photographs/film of this encounter.</p>
20 th March	<p>Cubs are monitored by MC veterinarian and MC CEO.</p> <p>MC CEO and MC veterinarian have no idea that protocols have been breached by MC caretaker Peter, Russell, Nadas, staff member, and MC Caretaker Peter.</p>		<p>Hyena Research student, Russell, posts photographs of cubs in enclosure on Hyena Blog. She further posted cheetah photographs and film on her own facebook page, hyena blog and emailed them to friends and family including Mary Wykstra.</p>

Date	MARA Conservancy	KWS	Outsiders
25 th March	<p>MC note that cubs are doing well. Limited human disturbance in place to ensure that cubs retain wild characteristics.</p> <p>MC believes that cubs are only seen by MC veterinarian (Veterinary checks), MC CEO food placement and monitoring of cub health, and "Peter" – who was caretaker allocated for duties of cleaning enclosure or tasked to prepare food, however under no circumstance was Peter allowed to feed the cubs himself or touch the cubs.</p>		

Date	MARA Conservancy	KWS	Outsiders
31 st March		<p>KWS veterinarian Dr Mijeke checks on cheetah cub health and enclosure. Dr Mijeke and MC discuss release protocols, 1st stage metal holding cage, 2nd stage cattle grid large enclosure, 3rd stage construction of larger 100 hectare enclosure for cubs on reaching 6 months old. (Area already identified on ideal cheetah habitat), 4th stage attempted release into the wild fitted with radio collar at 12 -18mths only if hunting/survival skills learnt.</p> <p>Dr Mijeke's report to Daphne Sheldrick Wildlife Trust (his work is funded by DSWT) – The report outlines cheetah cubs capture/release program, in addition to enclosure design.</p> <p>Dr Mijeke makes a typing error and states “they are supposed to be released back to the wild after around 6 months when they can start hunting and feed themselves”</p> <p>The cubs were never to be released into the wild at 6 months, they would be released into the 100 hectare enclosure at 6 months. Release into the wild, only if survival skills were learned was to be attempted at 12 -18ths of age.</p>	<p>Hyena Project Student, is invited to MC for dinner where the subject of the Cheetah Cubs is discussed – health, release program etc.</p> <p>Russell is again extremely enthusiastic and clearly wants to get closer observation of the cubs. MC CEO offers that she can observe at distance, some day at feeding time.</p> <p>Russell is seen conversing with Peter.</p>
2 nd April	MC releases March Monthly Report which explains the rescue of three cheetah cubs after their mother disappeared.		
mid April	The first set of predator proof cattle grid fence arrives to Mara North Conservancy next to Mara Triangle, but the flooded bridge and roads due to continuous rain makes it impossible to send a tractor for transport.		

Date	MARA Conservancy	KWS	Outsiders
23rd April	<p>MC veterinarian is away from Mara during the period 22nd April – 29th April attending veterinary conference in Nairobi</p> <p>MC CEO tasks Peter to prepare cheetah cub food.</p> <p>MC CEO is called away to attend a situation unfolding in the field. He instructs Peter not to feed the cubs.</p> <p>While MC CEO is absent, Peter signalled to Russells and Nadas to come and touch the cubs while he feeds them.</p>		<p>While CEO MC is in the field, Hyena Research student, Russell visits MC again with colleague Nadas.</p>
			<p>Russell had also been sharing her photos of cheetah cubs with another Hyena Project researcher, Ms Elena Chelysheva. Ms Chelysheva forwards her own photographs along with Russells photographs to Ms Wykstra.</p>
			<p>Ms Wykstra then contacts Russell personally and begins frequent contact, and coerces Russell to send her more and more information on the cubs including taking measurement and dimensions of the enclosure. Russell tells Ms Wykstra that they are able to touch the cubs, but fails to tell Ms Wykstra breaches being committed on entering the enclosure and touching the cubs.</p> <p>Ms Wykstra asks Russell if KWS knew about these cubs. Russell replies with an email attaching the Mara monthly and Daphne Sheldrick report and tells Ms Wykstra that KWS is working together with MC.</p> <p>Ms Wykstra sends information onto KWS Carnivore Advisory Committee and her version of the occurrences at MC, however avoiding to tell KWS the entire facts of her coercion.</p>

Date	MARA Conservancy	KWS	Outsiders
25 th April	MC veterinarian is attending veterinary conference and is informed “take care of the cubs well or KWS will take them’ in a joking manner by KWS staff.		
26 th April			Russell arrives at Mara Conservancy. She once again asks Peter to be let into the cage and takes photographs of Peter. The photographs were sent to Peter, with date and signature of Russell and Nadas.
3 rd May	Floods have subsided and infrastructure for cubs enclosure is on the way. MC CEO requests a meeting with Mr. Patrick Omondi, the head of the species KWS for meeting regarding the translocation of cubs to orphanage and rehabilitation of cubs at Mara Triangle.	KWS veterinarian Dr Mijele calls MC to inform them that he has been given order to relocate the cubs from Mara Triangle to Nairobi Orphanage and wanted to talk to MC CEO.	
4 th May	MC CEO attends meeting at KWS HQ. The meeting was attended by MC CEO, Dr. Francis Gakuya (Head of Veterinary Department, KWS), Charles Musyoki (Head of Carnivore Section, KWS) and Benard Kuloba (Carnivore Expert in Mara, KWS). After MC CEO appeal to rehabilitate the cubs, KWS officials who attended the meeting concluded that MC CEO should submit a proper proposal to the KWS director Mr. Julius Kipng’etch by May 7	Meeting held at the KWS head of species’s office. During the meeting held at KWS HQ, Dr Gakuya KWS head Veterinarian, admits to MC CEO that he must have “overlooked” KWS veterinarian Dr. Mijele’s March monthly report when presented by MC CEO.	
5 th May	MC CEO submits the requested cheetah rehabilitation proposal to the director of KWS via email.		Trustee of Soysambu Conservancy, Dr. Paula Kahumbu calls MC CEO, states that these cubs will be taken to Soysambu Conservancy for cheetah coursing for tourist attraction purpose and Ms Wykstra is working to get the cubs for them.
6 th May	Infrastructure for large enclosure delivered and constructed for cubs. Cubs are let into larger roaming enclosure.		
7 th May		The head of species Mr. Omondi sends a letter authorizing the relocation of cubs’ removal from Mara to MC CEO	

Date	MARA Conservancy	KWS	Outsiders
8 th May		Director of KWS sends a letter of rejection for MC CEO's cheetah rehabilitation	
10 th May	Second infrastructure extensions for large enclosure arrive at MC		
12 th May 2012	Cubs relocated to animal orphanage by KWS		
13 th May 2012	Worldwide Media reports on cubs plight		

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