

# Kenya Wildlife Service



## Captive Wildlife Management and Welfare Policy Guidelines

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## 1.0 DEFINITIONS

For the purposes of these policy guidelines, unless the context otherwise requires, the following expressions shall be interpreted as hereunder:

**Abandoned wild animal:** A young animal left behind by its mother and without company of any other animal of its kind which cannot survive on its own in the wild

**Animal enclosure:** The primary accommodation in which a wild animal is confined such as a cage, pen, run or stall

**Barren enclosures:** an accommodation in which a wild animal is confined that is devoid of any enrichment

**Captive animal:** A wild animal held under confinement and is dependent on humans for provision of all its needs

**Captive wildlife facility:** A sanctuary, an orphanage or a rescue centre that provides shelter and care to animals that have been abused, injured or sick, abandoned or orphaned, illegally held or are otherwise in need. Such a facility may be private, public or community owned.

**Curator:** The manager or overseer of a collection of animals in a captive wildlife facility qualified in veterinary medicine

**Enrichment:** The creation of an environment that mimics an animal's wild habitat that allows it to express most of its natural behaviour

**Euthanasia:** The act or practice of humane killing of terminally sick or seriously injured animals

**Ex-situ conservation:** The conservation of wild animals outside their natural habitats

**Illegally held animal:** An animal in the custody of an individual or establishment without a valid licence from KWS

**In-situ conservation:** The conservation of wild animals in their natural habitats

**Injury:** The damage to an animal that requires veterinary intervention to save its life

**Minimum standards:** The standards as specified in the manual for captive wildlife management and welfare in Kenya

**Orphaned wild animal:** A young wild animal which has lost its mother through death and cannot survive on its own in the wild

**Warden:** A uniformed officer of KWS above the rank of a ranger

**Zoonoses:** Diseases transmissible between man and other vertebrates

## 2.0 BACKGROUND INFORMATION

### 2.1 Preamble

Noting that Kenya's policy statement on future of wildlife management directs that *wildlife should be managed and conserved so as to yield to the Nation in general and to individual areas in particular, optimum returns in terms of cultural, aesthetic and scientific gains as such when economic gains are incidental to proper wildlife management and conservation and which may be secured without prejudice to such proper management and conservation;*

Recognizing that the 4<sup>th</sup> preamble of the Supreme Law emphasizes on respect for the environment, which is our heritage, and determination of the citizens to sustain it for the benefit of future generations;

Acknowledging that Kenya Wildlife Service is the principal advisor to the government on all matters of wildlife and has the mandate as outlined in the Wildlife Conservation and Management Act 2013 of among others; formulating policies regarding the conservation, management and utilization of all types of wild fauna and flora, providing wildlife conservation education and extension services to create public awareness and support for wildlife policies, sustaining wildlife to meet conservation and management goals and conducting and coordinating research activities in the field of wildlife conservation and management;

Acknowledging that other than the Wildlife Conservation and Management Act 2013, there are other various statutory provisions among them the Prevention Against Cruelty to Animals Act Cap 360, Public Health Act Cap 242, Animal Disease Act Cap 364, Veterinary Surgeons and Veterinary Para-professionals Act 2011 as well as international protocols governing keeping and use of wildlife in captivity;

Recognizing that keeping of animals in captivity (*ex-situ*) may enhance *in-situ* conservation as studying animals in captivity contributes significantly to knowledge that may eventually lead to the protection and improvement of the health and welfare of animals in the wild and humans;

Emphasizing that all captive wild animals should be treated humanely, housed and cared for in compliance with legislations and policies and regulations governing animal care and use;

These policy guidelines prescribe the purposes for which wildlife shall be kept in captivity, sources of such animals and the procedures and measures for acquiring, housing, handling, caring and using captive animals under the following considerations:

- a) Rescue of animals in distress including orphaned , sick or old animals and confiscated live animals held in breach of the law,
- b) Rehabilitation for release back to the wild of injured or abused animals,

- c) Display for public education, extension and awareness,
- d) Research for development, manufacture and quality effectiveness and safety testing of drugs, foodstuffs and other substances or products in treating diseases or health problems in man, animals or plants and in treating physiological conditions in man, animals or plants for the benefit to conservation of that animal species in the wild or inform improvement of animal or human welfare.

These policy guidelines and procedures are developed to bring into effect application of the provisions of the Wildlife Conservation and Management Act 2013 and other related legislations.

## **2.2 Introduction**

In the course of wildlife conservation and management, some individual animals get orphaned, sick, injured or otherwise incapacitated necessitating interventions to assure them of a life. In many cases during the course of treatment and care, these animals get habituated making it extremely difficult if not impossible to rehabilitate them back to the wild. Consequently, captive animal facilities become the homes for these individuals for purposes of nurturing them. The welfare of each individual animal in these facilities is of primary concern. Management of animals in captivity poses serious challenges that range from animal welfare considerations, space requirements, human skills, veterinary care and visitor satisfaction to financial requirements.

Animals in these facilities are used to educate the public about wildlife and their natural habitats, as well as promote tourism, research and raise funds to conserve wild living populations.

Management of captive wildlife is broad and specialised. Whilst there are many examples of good practice, some captive wild animals suffer because of poor welfare standards. Compounding this is that some animal facilities are unregulated and uncontrolled. Some of these are poorly designed, managed and maintained and are unable to provide the barest essentials necessary for the health and psychological well-being of the animals under their care. The most common shortcomings in captive facilities are: undersized and 'barren' cages and enclosures, unsuitable floor surfaces that can be injurious to the animals and also difficult to clean to maintain good hygiene, poor quality feed and nutrition, inadequate veterinary/health care and insufficient expertise in appropriate animal care and in some instances ignorance of legal provisions. With defined minimum standards for management of wildlife in captivity in place, many of the challenges that face captive facilities will be addressed.

Every captive facility is required to fulfil the basic needs of captive animals which are adequate feed, water, shelter, sanitation and veterinary care. Other considerations

include the manner of handling captive animals, their psychological well being and environmental enrichment as well as enclosure design.

These policy guidelines seek to provide a framework for ensuring that all captive wildlife facilities duly authorised for establishment meet the minimum standards as outlined in the manual for captive wildlife management and welfare in Kenya.

### **2.3 Rationale for the Policy Guidelines**

In undertaking its mandate, KWS endeavours to conserve wild animals in their natural habitats. However, situations do emerge that necessitate some animals to be conserved *ex-situ* in captivity. Such animals include orphaned or abandoned young which cannot survive on their own in the wild, severely injured or sick animals whose survival in the wild is compromised as well as animals held in breach of the law.

Keeping wildlife in captivity however, poses many challenges and difficulties among which are ethical questions concerning animal welfare. As knowledge and societal values change, so does the focus of wild animals in captivity and the regulations governing them. Despite these concerns and difficulties however, the practice of rescuing animals found in distress will continue. It is the desire of KWS as the competent authority in wildlife conservation and management to do its best to ensure that captive wild animals are maintained in a professional, humane and healthy manner.

The country lacks a policy to guide the management of animals in captivity. However, requests to keep animals in captivity for diverse reasons such as education, eco-tourism, recreational and research have been increasing. Various national statutory provisions and KWS standard operating procedures have been used to guide in the management of animals in captivity. These require to be standardised for effective management of animals in captivity.

### **2.4 Scope of the Guidelines**

These policy guidelines have been developed with the main objective of mainstreaming captive wildlife management to ensure that captive facilities (public, community or private owned) meet minimum acceptable standards that will lead to internationally recognised standards of animal welfare. These standards will include animal housing, nutrition, veterinary care as well as handling and use.

Animal welfare is a science concerned with the health and well-being of animals. All animals have specific inherent needs that ensure their well-being and survival. In the wild, in its natural habitat, each species has evolved over time to adapt to the physical environment and is provided with all its needs. In captivity, an artificial and unnatural environment, an animal needs to be provided with a physically and psychologically stimulating environment that replicates the wild. To achieve this in captivity is extremely difficult, but advances in the understanding of the physical,

ecological, social, behavioural and psychological needs of animals has made it possible to make life in captivity more tolerable. Understanding that all animals, regardless of their circumstances can experience pain, suffering and distress, the needs of animals kept in captivity must be provided to ensure good welfare. Welfare can be substantially improved over time by encouraging and ultimately enforcing best animal care practices.

## **2.5 Vision and Mission of KWS**

In ensuring captive wild animals are maintained in a professional, humane and healthy manner, these policy guidelines are guided by the broad KWS Vision and Mission as spelt out below:

### *2.5.1 Vision*

To save the last great species and places on earth for humanity

### *2.5.2 Mission*

To sustainably conserve, manage, and enhance Kenya's wildlife, its habitats, and provide a wide range of public uses in collaboration with stakeholders for posterity

## **3.0 AUTHORITY**

The implementing division for these policy guidelines shall be the Species Conservation and Management through the Department of Captive Wildlife Management and any other relevant departments within the Service.

## **4.0 POLICY GUIDELINES**

### **4.1 Minimum Standards for a Captive Facility**

All animals need food and water, a suitable environment, the opportunity to express most suitable behaviour and the ability to escape from situations of fear and distress. Any situations where one of these needs is restricted impacts on their welfare. Subsequently, the following are considered to be the minimum requirements in a captive facility:

#### *4.1.1 Provision of adequate food and water*

The animals shall have freedom from thirst, hunger and malnutrition by providing ready access to fresh water and a wholesome diet to maintain full health and vigour.

The food shall be provided in such a manner and frequency commensurate with the natural behaviour of the species in the wild. For instance, carnivores shall have varied feeding times on a daily, weekly or seasonal basis with one or more fasting days per week to mimic their feeding habits in the wild.

Food and water will be kept and prepared under hygienic conditions and be protected from contamination or deterioration.



#### *4.1.2 Provision of suitable environment*

The animals shall be provided with suitable shelter and comfortable resting areas consistent with the animal species in question. This shall include shelter from rain, heat and cold as appropriate together with suitable enrichments that stimulate the animal and encourages it to display natural behaviours. For example, animals that dig and burrow can be provided with soft substrate and ground shelters and those that live in trees can be provided with an environment of trees and branches as well as ropes and platforms of varying heights to give the animals a new dimension of the environment. 'Barren' environments devoid of enrichment have detrimental effects on an animal welfare and shall be discouraged.

#### *4.1.3 Provision of proper health/veterinary care*

The environment shall provide freedom from pain, injury and disease by prevention or rapid diagnosis and treatment. Where different species are held within the same enclosure, there shall be provisions to allow animals to escape conflicts and aggressions (e.g. providing appropriate landscapes, escape routes, vegetation, etc). Different species of carnivores must however not be held together because of inter-species aggressions.

The enclosures shall have suitable hygienic environment, shall be cleaned regularly of waste, foreign materials and unwanted food remains that can attract vermin.

Drinking troughs and bathing pools shall also be cleaned regularly and preventive measures undertaken to reduce the risks of zoonotic diseases.

A duly qualified veterinary surgeon with relevant experience in wild animals and diseases must be readily available to ensure curative and preventive medicine.

#### *4.1.4 Provision of an opportunity to express most normal behaviour*

This is achieved by provision of sufficient space, proper enrichment facilities and company of animals of own kind.

The environment shall mimic the wild habitat as much as possible for stimulation and the animals shall be provided with suitable diets. Failure to provide a suitable environment can lead to detrimental effects such as decline in health or development of abnormal behaviour (e.g. pacing, rocking, self-mutilation, etc)

#### *4.1.5 Protection from fear and distress*

The holding facilities shall avoid mental suffering. Some factors that can cause fear and distress and should be avoided include improper social grouping/hierarchy, mixed species exhibits, overcrowding, improper ratio of males and females and unavailability of enrichment facilities amongst others.

Enclosures therefore shall be large enough and provided with escape routes in cases of aggressions by other animals or escape from humans.

Predator species such as the big cats and wild dogs should not be housed next to each other or in the vision of prey species such as hoofed stock and primates for this can cause severe distress to both groups.

Animal-human contacts should also be discouraged and where allowed to occur it must be kept to a minimum.

***Refer to the manual for captive wildlife management and welfare in Kenya for information on individual species specific requirements for captive care.***

#### **4.2 Animal-Human Contacts**

Wild animals can be unpredictable and there are potential risks to the person and the animal if touching, stroking, holding or taking pictures with animals is allowed. It also has disease implications (zoonoses) which can compromise the animals' welfare. Consequently, animal-human contacts shall be avoided at all times and where it has to happen it shall be for limited periods of time and done under supervision of a qualified person to make sure that the welfare of the animal is not jeopardized.

Likewise, public feeding shall not be allowed because this can have severe consequences on an animal's social behaviour patterns.

Any person permitted to handle a wild animal in captivity shall indemnify KWS from any damages, injuries or losses that may arise.

#### **4.3 Safety to Staff and Visitors**

Animal enclosures shall be made escape proof and maintained adequately. Fences and walls shall be of appropriate heights and foundations deep enough to prevent escapes of burrowing animals.

Any design defects or repairs shall be rectified immediately while safety barriers for visitors shall be provided all round the enclosures to prevent contacts of visitors and animals.

Proper signage and warnings shall be placed strategically warning of potential dangers. The staff shall be vaccinated against important zoonotic infections.

#### **4.4 Emergency Preparedness**

There shall be well documented, clear and tested emergency procedures in case of a fire, flood or escape of an animal. Regular drills shall be conducted to impart staff with relevant knowledge and preparedness.

#### **4.5 Management of Captive Facilities**

Captive facilities shall be required at all times to have or engage managers with adequate training, experience and knowledge of the natural habitat, behaviour, biology, food and health requirements of every species at the existing or contemplated facility.

At all times, captive facilities shall employ enough suitably qualified or experienced animal keepers and employees to ensure that the animals are kept, managed and treated in accordance with these conditions. Skills and competencies shall continuously be enhanced by providing on-going training, as well as relevant exposure and exchange programs with internationally recognised facilities.

The holder shall comply with an approved management plan (where required), unless any variation or noncompliance is authorised by KWS.

The Department of Captive Wildlife Management shall oversee and coordinate activities of all captive wildlife facilities nationally on behalf of KWS.

#### **4.6 Sources of Animals**

Captive facilities shall not take wildlife out of the wild to stock as this would defeat their conservation role. KWS shall at all times endeavour to conserve wildlife *in-situ* except for extremely deserving cases that need rescue. Animals in the following situations shall be considered for rescue:

- a) Young animals found orphaned or abandoned and which cannot survive on their own in the wild
- b) Animals with severe injuries which would compromise their survival in the wild
- c) Animals confiscated from keepers or smugglers without valid licenses and documents which on assessment are found to be habituated such that their survival in the wild is not guaranteed
- d) Exotic species confiscated from smugglers at points of entry or exit without valid documents
- e) Any animal in respect of which a breach of any of the provisions of the Wildlife Conservation and Management Act 2013 have been committed
- f) Other sources of captive animals may include donations of exotic and indigenous species.

#### **4.7 Criteria for Rescuing Animals**

Where an animal is to be rescued from the wild to be kept in captivity, the following criteria, in order of priority, shall be employed:

- a) The conservation status of the animal species:-Threatened, endangered, vulnerable and endemic species shall be given priority

- b) Age: - Only very young animals found without any of their kind shall be rescued. Before such rescue, the animals shall be monitored for an appropriate period of time to ascertain that they deserve rescue.
- c) Extent of the injury: -Only very deserving cases that would require close veterinary observation shall be taken out from the wild for treatment otherwise, veterinary interventions shall be undertaken in the field. Upon recovery, the animal shall be assessed to determine suitability for release back to the wild. If the injury even after recovery compromises its survival in the wild, then the animal shall be retained in captivity

#### **4.8 Animal Rescue Procedures**

Animals requiring rescue shall be reported to the nearest KWS office upon which a KWS officer shall visit the site and assess the situation to determine whether a rescue is necessary. Should a rescue be necessary, the officer shall determine whether to undertake the rescue or seek the intervention of a KWS veterinary officer.

In case the animal is already rescued, it shall be presented to the nearest KWS office for onward transmission to the officer in-charge of captive wildlife management or the same can be reported to him/her for collection.

As per the Wildlife Conservation and Management Act 2013, it is an offence to keep a wild animal without authority of KWS.

#### **4.9 Management of Numbers**

No animals in excess of those approved in the permit may be kept unless authorised in writing by KWS.

Where excess numbers may be present within a captive facility, the following may be considered to address congestion:

- a) A release strategy back to the wild depending on whether the species can be rehabilitated into the wild- e.g. through proper engagement with enclosed sanctuaries where their chances of survival is high. However, the management shall be guided by the precautionary principle where lack of sufficient information to the survival of the animal in the wild exists.
- b) Donate or transfer to other captive facilities
- c) Euthanasia of very old and terminally sick animals

#### **4.10 Release to the Wild**

No animal kept in captivity may be released into the wild or removed from a facility except under permit or written authorisation by the authorised authority unless the animal is temporarily removed from the facility for veterinary reasons and on the recommendation of a veterinarian.

Young animals raised under captivity develop homing instincts and familiarity with humans and they do not develop the necessary skills to fend for themselves and avoid enemies as this can only be learnt from their parents. Releasing them back to the wild is an animal welfare issue as they have very slim chances of survival. Where release is to be considered applicable however, a well thought out and tested protocol to wean out human interactions and dependence shall be needed.

#### **4.11 Authority to Keep Wild Animals in Captivity**

All captive wildlife facilities shall be authorised by and registered with the Director General KWS. KWS may take action or withdraw authorisation if the facility no longer meets the prerequisite requirements as provided for within the provisions of the Wildlife Conservation and Management Act 2013 and related national laws.

The authority to keep wild animals in captivity shall be facility specific and not transferable to any other party without written consent from the Director.

Before a licence to keep animals in captivity is issued by the licensing authority, applicants will be required to demonstrate capacity to keep the animals in the long term and will also be required to provide a succession plan on the care of the animals.

#### **4.12 Performance by Animals to the Public**

Wild animals shall not be used to perform to the public because such acts are unethical, unnatural and have serious animal welfare implications and in some cases it might pose danger to the public.

#### **4.13 Breeding and Replacement of Dead Animals**

No breeding of animals shall be allowed in captivity. Effective measures shall be implemented to prevent breeding where both sexes of the same species are kept together. All accidental breeding within a captive facility shall be recorded and reported promptly to KWS.

Replacement of animals that die shall be undertaken on an opportunistic basis. Captive facilities shall not take wildlife out of the wild to stock as this would defeat their conservation role.

#### **4.14 Records**

The facility shall keep up-to-date records of all animals held. KWS shall at all reasonable times be given access to these records. The records shall include numbers of each species, date admitted, source and origin, history, mortalities, new acquisitions, general health, sex, ages and disposals and any other relevant and incidental matters.

Quarterly returns and annual reports shall be made to KWS. The annual report will be submitted each year prior to the renewal of a permit to keep animals in captivity.

#### **4.15 Inspections and Audits**

All captive facilities (public, community owned or private) shall be inspected regularly and audited annually for compliance to the minimum standards as described above. Impromptu visits shall also be made in between annual inspections with or without reference to the operators. A report with appropriate recommendations if any shall be generated for the Director General KWS.

An Ethics and Standards Committee shall be constituted to undertake inspections and audits as specified above. It shall be composed of seven persons from the following departments: Captive Wildlife Management, Veterinary and Capture Services, Species Management, Planning and Environmental Compliance, Regulatory Enforcement and Compliance Affairs, Curator and a representative of the Director of Veterinary Services. The committee shall be spearheaded by the Veterinary and Capture Services and shall also have the authority to co-opt any other person(s) that it shall deem necessary to achieve its objectives.

The terms of reference for the committee shall be the following:

- a) Enforcement of minimum standard requirements to ensure the level of care accorded to wild animals in captivity is acceptable
- b) Evaluate and make recommendations for the licensing of new facilities and renewal of existing licenses
- c) Undertake inspections and annual audits of captive facilities to ensure they adhere to the minimum standards as spelt out the manual for captive wildlife management and welfare in Kenya
- d) Inspect and ascertain that records are properly kept and accurate and are up-to-date
- e) Assess the staff skills and competences to ensure that they are relevant to understand and execute duties to ensure animal needs and welfare are met
- f) Inventory of all captive facilities in the country and ascertain their standards and validity.
- g) The committee shall have an oversight and supervisory role of all captive facilities nationally.

#### **4.16 Conservation Education and Awareness**

One of the objectives of captive wildlife facilities in Kenya is to raise awareness of biodiversity. They should encourage learning and engender positive attitudes and values towards animal welfare, nature and its conservation. All captive animal facilities will be required to have an active conservation education and awareness program.

#### **4.17 Research**

Research in captive facilities shall be encouraged and priority given to research that will be of benefit to conservation in the wild or to inform improvement of animal welfare. The research methodologies employed shall be as non-invasive as shall be possible.

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