

Ikea monkey to stay in primate sanctuary while bitter custody battle with his 'mom' is decided

By [Daily Mail Reporter](#)

PUBLISHED: 21:12 GMT, 1 February 2013 | **UPDATED:** 21:12 GMT, 1 February 2013

The Ikea monkey will live at a primate sanctuary in Ontario until the custody battle with its 'mother' has been settled, a court ruled on Friday.

Darwin will stay at Story Book Farm Primate Sanctuary where he has been living ever since he was spotted roaming around an Ikea in Toronto wearing a diaper and shearling coat.

The sanctuary has alleged that Yasmin Nakhuda was an unfit mother who would beat and mistreat the monkey.

She denies these allegations and says the Japanese macaque was illegally taken from her by animal control officials and moved to the Ontario sanctuary.



Warm and dry: The monkey that visited Ikea was wearing a thick winter coat and a diaper



Holiday shopping: The monkey roamed around the store before being collected by animal services

According to The Canadian Press, a court ruled decided the monkey would be better off kept at a facility which specializes for the creatures instead of living with a human.

Nakhuda says she surrendered ownership of the primate - who she considers one of the family - and wants him back.



Determined: Nakhuda said she is prepared to fight for Darwin's return to the end, saying that she will not give up on her 'son'

The real estate attorney staged a rally last month in the Ikea parking lot where the monkey was found wandering around on its own.

‘Nakhuda has no claim of ownership over a wild animal that is no longer in her possession,’ the sanctuary said in its response to her filing to have Darwin returned.

The young monkey captured worldwide attention in December when he was spotted wandering the store parking lot wearing a stylish, fitted shearing coat.

Nakhuda said Darwin is more of a 'little person' than an animal and refers to him as her son. She has vowed to do all in her power to get him back in time for the winter holidays.

Nakhuda said she was never given the chance to remedy the situation after being fined \$240 for breaking the city's prohibited-animal bylaw.

'I've spoken to a number of people in the legal community and they do agree that there is no statute allowing the city to take an animal away based on the circumstances,' Nakhuda said at the protest, flanked by relatives and co-workers carrying signs with the words 'Free Darwin Now!'

She added: 'They had no right to take away my little one without giving me the right to be heard.'

In court documents, Nakhuda says she, her husband and their two kids would be willing to move to the town of Kawartha Lakes two hours away from Toronto that allows monkeys in order to keep Darwin, whom they consider part of the family.



Darwin's 'mom:' Yasmin Nakhuda stands with supporters outside an Animal Services offices in Toronto to rally support for the return of her monkey, which was seized earlier this month after it was found wandering an Ikea parking lot



Support group: As many as 15 people came out to rally for Darwin's returned, including co-workers, strangers and some of Nakhuda's relatives, among them her 12-year-old son, Misha, right

‘When I call him “son,” it’s not because I’m wacko. I call him son because he has so many child-like qualities,’ Nakhuda told [CTV News](#). ‘It was not like a dog. It was not like a cat. It was something very, very different.’

The primate sanctuary has said the monkey is doing well and the agency was prepared to fight any legal challenges for its return.

Darwin’s owner, however, is determined to have the pint-sized primate back home at any cost.

‘I haven’t even thought about what I’d do if the judge rules against me,’ she told the [National Post](#).

‘I’d probably have a nervous breakdown. I am not just going to give up. I just look at his face right now, and I said to him, I am going to come back for you — no matter what, and I will.

Darwin became known globally as 'Ikea monkey' after pictures of him in a coat made a furor online.

Nakhuda said the officer who gave her a ticket for keeping a prohibited animal in Toronto was wrong to not return Darwin on her visit to the animal services centre on December 9.

'The officer's refusal to return Darwin was unlawful because the Code does not authorize the officer to keep an animal other than dogs and cats,' the claim reads. 'The only penalty under the Code is a fine. Animal Services therefore unlawfully detained Darwin.'

'The only way (Nakhuda is) going to be able to recover her pet is through legal action,' Charney said.



Money see: Nakhuda said she would do everything with Darwin, and the two would even brush their teeth together





Monkey business: The real estate lawyer took Darwin with her to the office, left, and dressed him up in a devil costume for Halloween, right,



Deadly: Experts say it is not only illegal to have a monkey for a pet, but also could be dangerous because rhesus macaques like Darwin can carry the herpes B virus

She also names Story Book Farm Primate Sanctuary and Delaney as defendants.

'They don't feel that their conversations with the owner have been sufficiently professional,' Charney said when asked why the sanctuary refused to allow his client to visit.

Nakhuda first got Darwin babysitting him for a friend.

'It was a babysitting experience that turned out into a fatal attraction and put me where I am,' Nakhuda told the [Toronto Star](#).

After that, Nakhuda, a mother-of-two, said the pet she named Darwin was near her at all times, including while she slept and showered.

'At the beginning, I was told that was the best for him because generally, monkeys live off the back of the mom,' she said.

'He always had to be within my view,' she said, adding that he would 'get into a panic attack' the moment she was out of sight.



Unusual customer: The monkey was first spotted in Ikea's parking lot



Distress: Having escaped a crate and a car the monkey darted around the store screaming

‘I know he cannot live without me,’ Nakhuda told CityNews. ‘And everyone who knows Darwin can vouch for this. He needs his mother like a child needs his mother.’

Nakhuda posted multiple videos on YouTube showing her daily interactions with Darwin, who could be seen playing at the office, dressed up as a devil with horns for Halloween and brushing his teeth along with his owner.

‘He is more than a handful: needs to be baby bottle fed night time and needs at least 3 diaper change a day,’ Nakhuda wrote in the comments.

‘He has to be with me all the time which means he goes with me to the office, sleeps with me, eats with me, showers with me, goes shopping with me . . . it is more than a human baby so yes, not everyone can handle a baby monkey. He is now 6 months old only and is expected to be around 4 feet tall.’

News of a monkey in a coat visiting Ikea quickly went viral on social networks. On Twitter, #Ikeamonkey trended and there are at least two parody accounts. There is also an Ikea Monkey page on Facebook.

A new internet meme also developed, with the warm and smart monkey being depicted in a range of unlikely situations.



Heavy burden: Nakhuda explained that caring for a monkey is very demanding because he needs to be bottle fed even at night and requires at least three diaper changes



Animal kingdom: Besides Darwin, Nakhuda also has a pet macaw, which unlike the primate, is legal to own in Ontario