



RECOMMENDATIONS AND STRATEGY TO COMBAT RHINO POACHING

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BACKGROUND

Consumer demand for rhino horn in South East Asia is driving the rhino poaching crisis currently being experienced in South Africa. Although there is an international trade ban on rhino horn, this is failing to protect rhinos, partly because the ban is inadequately enforced globally. A number of factors, including the high value of horn, its level of accessibility and the involvement of transnational criminal syndicates in trafficking, have led to the development of a large illegal market and, as a result, rhinos are once again facing a major threat to their survival. If poaching rates continue to escalate, the South African rhino population will soon go into decline.

There are several strategies available to reduce poaching, some of which act as deterrents by increasing the risks to poachers or illegal traders (e.g. increasing the chances of being caught and given a strong penalty), while others reduce the incentives to poachers by decreasing the rewards (e.g. reduced income per rhino horn). However, no methods are sufficient in isolation, and so the best option is to increase the risks and decrease the rewards at the same time for all involved in the poaching chain. To achieve this, multiple interventions should be implemented concurrently.

Efforts made so far within South Africa to stop the poaching include increased numbers of anti-poaching personnel in the Kruger National Park, upskilling of rangers, the formation of a National Wildlife Crime Reaction Unit, the elevation of rhino-related crime to a priority crime, increased intelligence gathering, the appointment of special wildlife prosecutors and a huge increase in investment in security by private owners. Although these have led to increased numbers of arrests and convictions, stronger sentences and significant asset forfeitures, they have primarily dealt with one side of the strategy, that being increasing the risks to poachers and traffickers. These efforts have not yet effectively reduced rewards to traffickers and have so far proved insufficient to slow the increasing rate of rhino poaching in most areas. Additionally, while these enforcement efforts are critical, they are also expensive, and the costs are unsustainable for many private rhino owners and are becoming too high even for the State. Importantly, as investments for rhino protection increase, resources are diverted from other important conservation efforts¹.

Partly as a result of these high costs, legal international trade in rhino horn has been proposed as a means to pay for security to protect rhinos. Although standard economic theory of supply and demand suggests that a legal trade should reduce the price of horn, and thus make poaching less profitable for criminals, there is debate as to whether real-life markets will behave this way, leading to the possibility that legalising trade might exacerbate illegal trade. Due to the

¹ For example, see:

http://councilofnations.org/index.php?option=com_content&view=article&id=207%3Arhinos-under-fire&catid=45%3A2012&Itemid=140

current dearth of information on market structure and a lack of understanding on how illegal traders will respond to competition with legal markets, legalising trade at present would be a high risk strategy, and should not be initiated until an economic study indicates otherwise. Moreover, legal trade should only be considered as an acceptable alternative to reducing rewards to traffickers if it contributes to the conservation of wild rhinos in natural ecosystems. Until such evidence is available, an alternative plan (“Plan B”) needs to be implemented urgently.

The aim of this document is to focus on actions that might help reduce poaching, either by expanding on strategies already in place or identifying new ones. We focus on potential measures that can be implemented domestically within South Africa, as well as actions in Mozambique and Viet Nam that can be influenced by South Africa. It is worth noting that most of these actions will have knock-on benefits for other illegally traded wildlife species, particularly African elephants.

STRATEGIES TO REDUCE POACHING

These fall under three main categories, with some overlap:

- 1) Reducing the **poaching** of rhinos;
- 2) Reducing the **trafficking** of rhino horn;
- 3) Reducing the **buying** of rhino horn.

1) REDUCING THE POACHING OF RHINOS

A. South Africa: Strengthen security through law enforcement.

At the **National** level, there is insufficient capacity to undertake the exponential increase in wildlife crime investigations. The Endangered Species Protection Unit (ESPU) was disbanded in the 1990s, and was replaced by an Endangered Species Desk in the Directorate for Priority Crime Investigation (the HAWKS), which addresses organised crime. The current capacity in the HAWKS consists of four national investigators dedicated to wildlife and national heritage crimes, and provincial representatives who investigate endangered species crimes as well as other organised crimes like drugs, racketeering, kidnappings etc. This is insufficient. Additionally, although rhino poaching is considered a national priority crime, the situation on the ground at the SAPS level does not support this.²

Action 1: Reconstitute the ESPU and support it with adequate resources

At the **provincial** level, conservation agencies are vastly under-resourced and lack the capacity in order to be effective. For example, the Limpopo Province Department of Economic Development, Environment & Tourism (LEDET) reported a 47% vacancy rate in

² It has come to the EWT’s attention that as at October 2014, the HAWKS is being restructured, which may address some of the suggested interventions.

October 2013³. As of May 2014, the Wildlife Protection Services Section of the Mpumalanga Parks and Tourism Agency had a 68% vacancy rate; Conservation Services a 72% vacancy rate. Although some progress has been made in filling vacant posts, provincial authorities need to prioritise the allocation of funds to fill these capacity gaps.

While these capacity problems can only realistically be addressed by the provincial authorities, NGOs do their best to assist the provinces in addressing their shortfalls in resources. For example, the EWT covers the cost of fuel for a boat at Loskop Dam Nature Reserve (Mpumalanga Parks and Tourism Agency), the cell phone expenses of certain key individual officers, the costs of a variety of equipment for the Eastern Cape, CapeNature and Ezemvelo KZN Wildlife, and also has assisted provincial conservation officials by providing equipment such as metal detectors and scalpel blades. A number of other organisations have provided support to provinces in the form of training, tracker and sniffer dogs and equipment.

Action 2: Improve capacity by filling vacant posts, developing skills and increasing operational budgets for provincial conservation departments.

At the **local** level, law enforcement officials often lack knowledge of wildlife crimes, crime scene management and forensics. Often they are the first point of contact when a poaching occurs, but lack the knowledge and skills on how to proceed. Local law enforcement officials are often those involved in manning roadblocks for example, but do not know what to look for.

There have been calls to proactively look at transferring additional law enforcement powers into the private sector. One way to assist stretched law enforcement capacity is to enlist conservation people into police reservist positions. This is adequately catered for in the South African Police Service Act (Act 68 of 1995, Section 48).

Action 3: Train local law enforcement in basic crime investigation, forensic principles and continued case management.

There is insufficient sharing of information about poaching events between law enforcement agencies dealing with rhino crimes, such as SAPS, SARS and provincial conservation officials. Poaching events are often linked, even when conducted in different provinces, and a lack of cooperation hinders the chances of apprehending the culprits.

Action 4: Greater intelligence sharing between high-level officials.

While there has been a significant increase in the length of sentences given to poachers and wildlife traffickers, the rate of arrest and conviction remains low. For example, for the one-year period between April 2012 and March 2013, only 50 cases were finalised

³ <http://www.looklocal.co.za/looklocal/content/en/polokwane/polokwane-news-general?oid=7843710&sn=Detail&pid=4730479&LEDET-s-services-hampered-by-high-vacancy-rates>

nationally, and most of these only involved the poachers, with few high-level traders being put on trial.⁴

Action 5: Appoint more prosecutors dedicated to dealing with rhino crimes.

Action 6: Increase the prosecution rate and lengthen sentences, including those for game farmers, professional hunters and safari operators convicted of rhino crimes, and especially for criminals higher up the poaching chain.

Poachers are frequently released on bail for a nominal fee, which is demoralising to rangers and other field operatives who have made serious efforts to secure the arrest of these wildlife criminals. The true value associated with such a crime and its impacts are not well understood and appreciated by the courts. In addition, the issue of bail compromises and potentially threatens informers who are crucial in identifying and arresting poachers

Action 7: Lobby to make poaching a Section 5 offence so that bail can be denied.

Action 8: Create a central database of individuals involved in rhino crimes.

Action 9: Create zero tolerance towards corruption and use polygraphs on a regular basis.

South Africa has a reputation for having globally progressive environmental legislation. However, a case could be made for better use of supporting legislation that can add increased weight to the charge sheet of a poacher. For example, charges such as conspiracy can be added to those of illegal possession of a firearm, trespassing and illegal immigration, thereby increasing the chances of strong sentences for poachers.

Action 10: Use the full extent of South Africa's legislation.

The Kruger National Park employs the most rangers out of any other reserve in the country but it still has less than the recommended area coverage density of 1 field ranger per 1000ha as recommended by the IUCN. There is scope for the expansion of the Working for Wildlife programme to assist both private and public reserves in accessing paid-for, qualified rangers to increase the integrity of the protected area as well as reduce the current cost for security being incurred by reserves at present.

In addition, funding for the up-skilling of rangers and protected area managers is needed in order to counter the increasingly well-resourced and sophisticated poacher of today. Over 1000 rangers have been killed in Africa through homicides. Upskilling rangers improves counter poaching effectiveness as well as decreasing the chances of loss of life to the ranger.

⁴ (https://www.environment.gov.za/sites/default/files/docs/necer_report2012_13.pdf)

Action 11: Ranger Deployment and Upskilling

B. South Africa: Community engagement

Communities who live close to critical rhino areas form the front line and are the first to know when a stranger is in their area, or when there is a sudden increase in wealth of community members. They have traditionally been excluded from parks, which they see as areas exclusively for tourists and, therefore, have little motivation to help stop the rhino poaching. If communities participated in conservation decisions and received financial incentives, they would likely be more willing to cooperate with wildlife officials. A mechanism that sensitises communities to the real value of these reserves needs to be implemented and additional initiatives for community participation in the wildlife economy need to be encouraged.

Action 12: Increase engagement with communities surrounding critical rhino areas.

Action 13: Incentivise communities through job creation within parks (e.g. game guards, guides), through payments for information, and through favourable procurement policies, where the produce and services of communities close to parks are used preferentially over other suppliers by commercial lodges.

C. South Africa: Incentivise private rhino owners

Private rhino owners have contributed considerably to the conservation of rhinos. Private owners protect 25% of South African rhinos, they have expanded the range of rhinos back to historical areas from where they were lost, and have paid substantial sums of money to state parks when buying rhinos. Private owners are facing unsustainably high financial costs to protect their rhinos and are losing incentives to continue protecting rhinos or buy rhinos from parks. Owners have few feasible means to cover protection costs and some may consider destocking rhinos. This would be particularly detrimental to rhino conservation in areas where rhinos are held in free-ranging conditions.

Action 14: Investigate incentive options for private owners, e.g. tax relief for money spent on anti-poaching security.

2) REDUCING TRAFFICKING OF RHINO HORN

A. South Africa: Improve detection rates of illegal rhino horn at borders

The major market for rhino horn is in South East Asia, so it must be smuggled out of the country if it is to reach end-user markets. Preventing shipments of horn from leaving the borders of South Africa must be a high priority as this reduces the rewards to illegal traders (because they incur financial losses) and increases their risks (when smugglers are caught or trading links exposed).

Action 15: Identify and assess all border sites as to their relative risks for smuggling.

Action 16: Employ risk mitigation measures which would include the deployment of detection dogs at all high-risk sites.

Action 17: Test remote sniffer dog detection systems (MECHEM Explosives and Drugs Detection System [MEDDS]) in seaports.

Action 18: Train security staff to locate and identify wildlife products.

Action 19: Conduct regular polygraphs for security staff.

Action 20: Centralise the permit system and link it to the rhino DNA database, RHODIS, so that every horn is traceable back to an individual rhino.

B. Mozambique: Improve detection rates of illegal rhino horn at borders

Mozambique is a major conduit for South African rhino horn on its way to Asia, particularly from rhinos poached in the Kruger National Park. Preventing shipments of horn from leaving through airports or seaports should be a high priority.

Action 21: Identify and assess all border sites as to their relative risks for smuggling.

The Maputo International Airport currently uses scanners to check luggage, but the effectiveness of this method to detect rhino horn is unproven (although there have been recent successes). TRAFFIC East/southern Africa conducted a 10-day trial at the Airport in December 2013, where detection dogs were used to monitor checked luggage from domestic and international flights. This trial showed that the use of dogs was a viable option to check luggage in an airport setting that did not interfere with the efficient running of the flight schedule. Although no contraband was found during the trial, there was evidence that the presence of the dogs may have acted as a deterrent to smugglers. The trial also served to sensitise airport security to the issues of wildlife smuggling and also gave them insight into which countries pose higher risk for smuggling. One week after the trial ended, the airport security found ivory and rhino horn in luggage *en route* to Viet Nam.

Action 22: Deploy permanent detection dogs at the Maputo International Airport. This will require collaboration between TRAFFIC, the Mozambican Ministry of Agriculture, the Maputo International Airport and any conservation organisations with the capacity to help plan and implement a long-term project.

Mozambican seaports are known to be exit points for wildlife contraband (particularly timber products and elephant ivory), and are suspected to be exit points for rhino horn as well.

Action 23: Test remote sniffer dog detection system (MEDDS) in seaports (e.g. Pemba). The Mozambican government may request assistance to initiate this

process. Indian Ocean seaports in other countries like Tanzania and Kenya will also need to implement a system of detecting wildlife products.

Few law enforcement officials who are likely to encounter wildlife products in Mozambique know about CITES regulations and few are trained to identify wildlife species and products. TRAFFIC recently provided the Mozambican Ministry of Agriculture with 170 identification manuals on wildlife products for dissemination to law enforcement officials throughout the country, but there will be a need for further training.

Action 24: Teach law enforcement officials about CITES regulations and train them to identify wildlife products.

C. Mozambique: Strengthen wildlife legislation

Up until recently, wildlife legislation in Mozambique was very weak, where the act of killing wildlife without a permit (i.e. poaching), even a protected species, was not considered a crime, and was only punishable with a fine. Under the Decision 16.87 (CITES CoP16), Mozambique was specifically directed to implement the requirements of Resolution Conf. 9.14 (Rev. CoP15) (rhino directives), give priority attention to the enactment and implementation of legislation with deterrent penalties to effectively combat wildlife crime, and to assist the Working Group on Rhinoceroses to implement its mandate by providing a comprehensive report on measures implemented. In April 2014, the Mozambican parliament passed the Conservation Areas Act, which not only commits Mozambique to its international biodiversity conservation obligations but also imposes significant sentences for wildlife crime, including rhino poaching.

Action 25: Work with the Mozambican government and NGOs to implement the legislation that has recently been enacted

D. Mozambique, South Africa and Viet Nam: Ensure compliance with CITES Directives

South Africa and Viet Nam have an MoU on cooperation in biodiversity conservation and protection and on 26 March 2014 convened a high-level delegation meeting to follow-up on the agreement. The outcomes of this meeting are yet to be released and it is unclear what progress the two countries have made. The text of the MoU is vague and says little about cooperative actions that could take place between the two countries. Specific details should be incorporated, such as sharing of intelligence on suspected smugglers who could be monitored at borders or have their activities investigated.

Under Decision 16.86, Viet Nam has been directed to take a number of actions, including *inter alia*: making progress with the development of a South Africa-Viet Nam Joint Action Plan (following the above mentioned MoU), developing legislation and a registration database on the domestic management of imported rhino horn trophies, conducting consumer behaviour research and developing a demand reduction strategy, and providing a comprehensive report for the Secretariat on progress with regards to

steps taken to effectively implement the requirements of Resolution Conf. 9.14 (Rev. CoP15). Implementation of these actions will make it hard for illegal trafficking of rhino horn to Viet Nam. Although Viet Nam has reported to CITES as directed, there has been limited demonstrable action. The South African government should encourage and assist compliance by Viet Nam, for example by offering training for officials. The Prime Minister of Viet Nam recently issued a directive to his ministers and the judiciary to prioritize wildlife crime and law enforcement in a move to combat poaching and trafficking of elephant ivory and rhino horn. The directive recognized wildlife crime as a threat to the environment, the economy, national security and international relations, and acknowledged the need for collaboration with conservation NGOs.

Action 26: Establish what agreements the South African government has with the Vietnamese and Mozambican governments and encourage and facilitate continued cooperation.

3) REDUCING THE BUYING OF RHINO HORN

A. Demand reduction

In the report of the Rhino Working Group (CITES CoP16 Doc. 54.1, 2013), a strategy for reducing demand for rhino horn products was presented. The following five key strategic principles were provided:

- i. Use an objective and science-based approach, based upon the latest available research;
- ii. Aim solutions at key user groups;
- iii. Ensure wide and comprehensive stakeholder involvement to attend to the diverse interests and social groups represented;
- iv. Draw upon diverse expertise in the research, planning and development, and use different partners, agencies, research institutions and other actors to fill knowledge gaps;
- v. Encourage governments of the countries concerned to lead the implementation of the process.

New approaches to demand reduction are currently being considered, so available options are limited until more data are presented. The drivers of consumption are not yet fully understood, nor are the identities of all the consumer groups, so this is one area that needs to be addressed, while it is becoming apparent that different consumer groups respond differently to the same messages and may need to be approached in different ways.

Action 27: Identify consumer groups and drivers of consumption.

Action 28: Target different audiences with specific messages, and prioritize those consumer groups that have the most significant influence on illegal consumption.

CONCLUSION

To reduce rhino poaching, multiple strategies will be required to increase risks and reduce rewards to poachers and wildlife traffickers. Methods of increasing risks include reconstituting the ESPU, filling capacity gaps in provinces, providing basic forensic training to law enforcement officers, sharing more intelligence at a high level, increasing the numbers of special prosecutors, centralising databases, engaging and incentivising communities to protect wildlife, and creating tax breaks for private rhino owners. Methods of reducing rewards to criminals revolve around decreasing horn trafficking, which may be achieved by identifying all borders that pose a risk to smuggling (both in South Africa and Mozambique), deploying detection dogs at these sites, testing remote sampling at seaports and implementing operations based on these trials, teaching law enforcement staff the basics of wildlife laws and identification, centralising the permit system and linking it to RHODIS, and strengthening wildlife legislation to provide stronger sentences to convicted wildlife criminals. Encouraging governments from South African, Mozambican and Viet Nam to push forward with undertakings from MoUs and action plans would be of great additional value. Finally, demand reduction in consumer countries will be critically important, and new approaches to this need to be identified and implemented.

Implementation of all these actions will require a substantial commitment from governments, provincial structures, NGOs as well as other interested stakeholders, and will also require substantial input of resources and much greater collaboration between parties than has so far taken place.