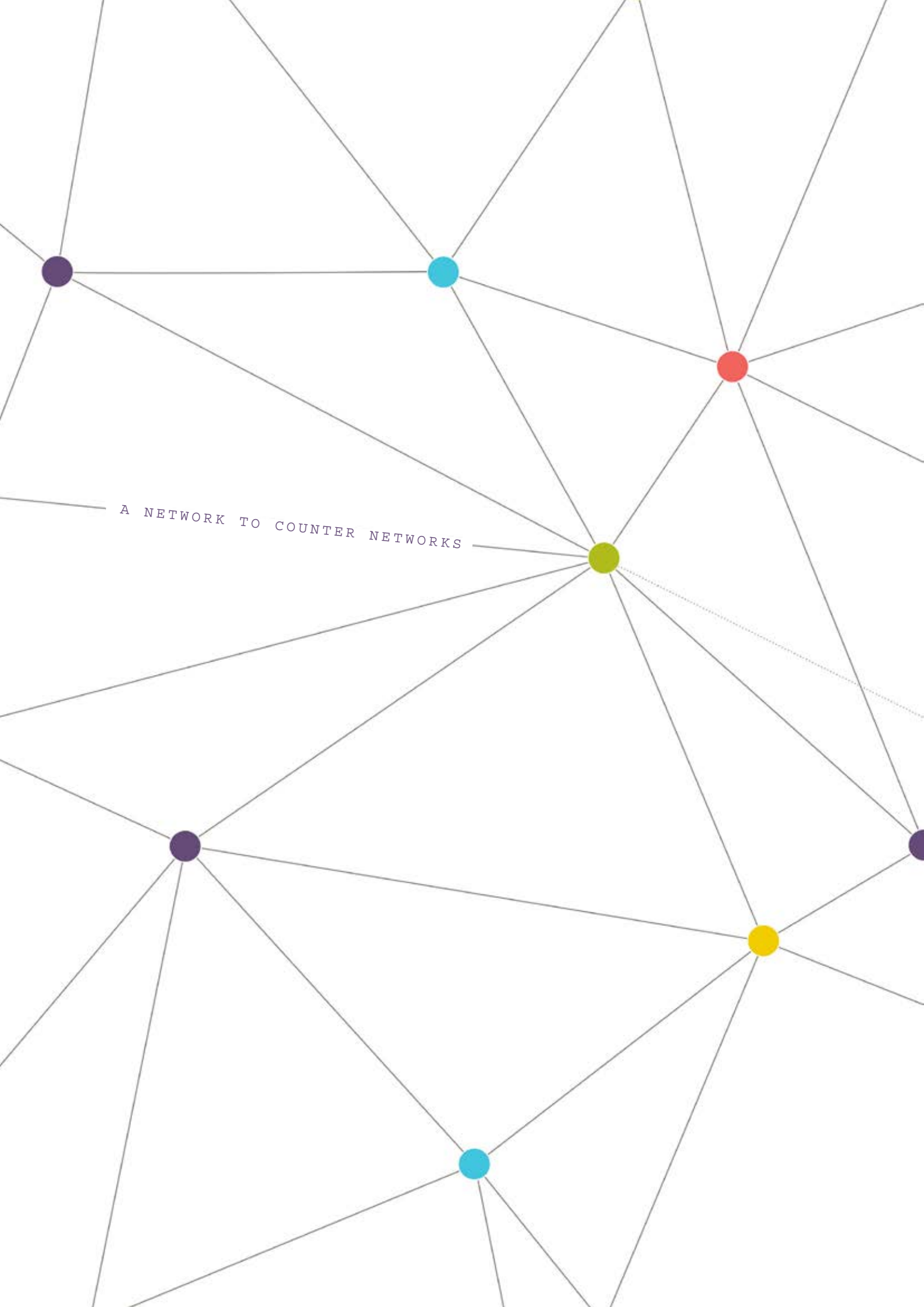
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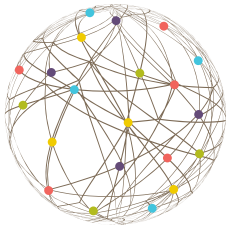
Tipping Point: Transnational organised crime and the 'war' on poaching

Part 1 of a 2-part investigation into rhino horn trafficking in Southern Africa



July 2016


A NETWORK TO COUNTER NETWORKS



Tipping Point

Transnational organised crime and the ‘war’ on poaching

Part 1 of a 2-part investigation into rhino horn trafficking in Southern Africa

By Julian Rademeyer

July 2016



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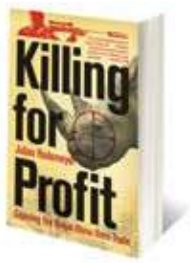
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This report was written by Julian Rademeyer. Julian is an award-winning South African investigative journalist and senior research fellow with the Global Initiative Against Transnational Organised Crime. He is the author of the best-selling book, *Killing for Profit – Exposing the illegal rhino horn trade*.



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NORWEGIAN MINISTRY
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Contents

1. Introduction 3

2. South Africa 6

The Republic of Kruger 7
A complicated war 8
War Talk 9
Reluctant Militarisation 9
The Poachers 11
In the Line of Fire 13
Weapons of War 13
Regulating Silencers 14
The Human Cost 15
A Priority Crime 17
On Our Own 18
A Devastating Decision 19
Starting from Scratch 19
The First Strategy 20
A National Wildlife Crime Reaction Unit 20
NATJOINTS 21
A Changing Mandate 22
The Silo Effect 23
The Trouble With Crime Intelligence 24
Corruption 27
Convictions 30
The Language Barrier 32
Networks Without Borders 33



Contents

3. The Czech Connection - 'White Horse' and Pseudo Hunters 35

None of Them Can Hunt 36

Institutional Lapses and Corruption 38

Personal Effects 39

Plugging Loopholes 40

The Czech Connection 41

White Horses on Safari 42

Allegations of a Conspiracy 43

The Devil in the Detail 46

4. The Diamond Magnate 48

The Island 51

5. Conclusion 56



Acronyms

ACU	Anti-Corruption Unit
AFP	Agence France Presse
ANAC	National Agency for Conservation Areas (Mozambique)
ANC	African National Congress
CAS	Crime Administration System
CEI	Czech Environmental Inspectorate
CI	Crime Intelligence
CIO	Central Intelligence Organisation
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
COIN	Counter-Insurgency
DEA	Department of Environmental Affairs
DIRCO	Department of International Relations and Co-operation
DPCI	Directorate for Priority Crime Investigation
DSO	Directorate of Special Operations
ECI	Environmental Crime Investigations
EIA	Environmental Investigation Agency
EMI's	Environmental Management Inspectors
ESPU	Endangered Species Protection Unit
GDP	Gross Domestic Product
GITOC	Global Initiative against Transnational Organized Crime
ICC	Intelligence Co-ordinating Committee
ICCWC	International Consortium on Combating Wildlife Crime
IMF	International Monetary Fund
IPZ	Intensive Protection Zone
ISS	Institute for Security Studies
IUCN	International Union for Conservation of Nature
LVA	Layered Voice Analysis
MA	Management Authority
Majoc	Mission Area Joint Operations Centre
MoU	Memorandum of Understanding
NAPHA	Namibia Professional Hunters' Association

NATJOINTS	National Joint Operational and Intelligence Structure)
NCB	National Central Bureau
NEMA	National Environmental Management Act
NISCWT	National Integrated Strategy to Combat Wildlife Trafficking
NPA	National Prosecuting Authority
NWCRU	National Wildlife Crime Reaction Unit
PSO	Peace Support Operations
PWA	Parks and Wildlife Act
RhODIS	Rhino DNA Indexing System
SADF	South African Defence Force
SANDF	South African National Defence Force
SANParks	South African National Parks
SAPS	South African Police Service
SSA	State Security Agency
TRaCCC	Terrorism, Transnational Crime and Corruption Centre
TRAFFIC	Wildlife trade monitoring network
UPI	United Press International
WCS	Wildlife Conservation Society
WCO	World Customs Organisation
ZANU-PF	Zimbabwe African National Union – Patriotic Front)
ZimParks	Zimbabwe's Parks and Wildlife Management Authority





Photo: © Ola Jennersten / N IBL WWF

1. Introduction

More than six thousand rhinos have fallen to poachers' bullets in Africa over the past decade.[1] Dozens more have been shot in so-called "pseudo-hunts" in South Africa. Across Europe, castles and museums have been raided by criminal gangs in search of rhino horn trophies. And in the United States, businessmen, antique dealers – even a former rodeo star and a university professor – have been implicated in the illicit trade. Driven by seemingly insatiable demand in Southeast Asia and China, rhino horn has become a black market commodity that rivals the value of gold and platinum.

The impact of rampant poaching and deeply entrenched transnational criminal networks over the past decade has been severe. Today there are estimated to be about 25,000 rhino left in Africa, a fraction of the tens of thousands that existed just half-a-century ago. Numbers of white rhinos (*Ceratotherium simum*) have begun to stagnate and decline, with 2015 population figures estimated at between 19,666 and 21,085. While the numbers of more critically endangered black rhino (*Diceros bicornis*) - estimated to number between 5,040 and 5,458 – have increased, population growth rates have fallen.[2]

Since 2008, incidents of rhino poaching have increased at a staggering rate. In 2015, 1,342 rhinos were killed for their horns across seven African range states, compared to just 262 in the early stages of the current crisis in 2008. The vast majority of poaching incidents occurred in South Africa, home to about 79% of the continent's last remaining rhinos. The country's Kruger National Park – which contains the world's largest rhino population – has suffered the brunt of the slaughter. While South Africa experienced a marginal dip in poaching figures in 2015 – the first time that the numbers had fallen since 2008 – this was offset by dramatic spikes in poaching in Namibia and Zimbabwe, two key black rhino range states. Namibia, which had experienced little to no poaching from 2006 to 2012 saw

1 IUCN Species Survival Commission's African Rhino Specialist Group (AfRSG)
2 IUCN. "IUCN Reports Deepening Rhino Poaching Crisis in Africa," March 9, 2016. http://www.iucn.org/content/iucn-reports-deepening-rhino-poaching-crisis-africa.

incidents increase from four in 2013 to 30 in 2014 and 90 in 2015.[3] In Zimbabwe, 51 rhinos were killed, up from twenty in 2014. It was the country's worst year on record since 2008, when 164 rhinos were lost to poachers.

While Vietnam remains a key destination and transit country, growing numbers of Chinese nationals have been arrested and prosecuted in recent years in Africa, Europe, Asia and the United States for smuggling rhino horn. Research conducted by TRAFFIC has pointed to a thriving online market for rhino horn on Vietnamese and Chinese social media platforms. There is some evidence of divergent markets in Vietnam and China with demand for "raw", unworked rhino horn in the former and carvings, libation cups and fake antiques –commonly referred to as *zuo jiu* – in the latter.[4] In Vietnam, for instance, a number of artisanal villages are known to produce rhino horn bangles, bracelets, beads and libation cups for Chinese buyers. China has also emerged a significant destination for antique rhino horn carvings that have been auctioned in Europe, the United States and Australia.

The killing shows little sign of slowing. Despite the valiant efforts of many law enforcement and government officials, prosecutors and game rangers, the transnational criminal networks trafficking rhino horn are as resilient as ever and – with rare exceptions – impervious to attempts to disrupt their activities. Fragmented law enforcement strategies – often led by environmental agencies with little political power and no mandate to investigate or gather intelligence on organised crime networks - have had little impact on syndicates that operate globally, with tentacles reaching from Africa to Europe, the United States and Asia.

"Contrary to popular images of poaching gangs equipped with night sights, semi-automatic weapons and even helicopters, most poachers are poorly equipped for the bush. Military weapons are a rarity."

Borders, bureaucracy and a tangle of vastly different laws and legal jurisdictions are a boon to transnational criminal networks and a bane to the law enforcement agencies rallied against them. Entities like Interpol, Europol, CITES and the World Customs Organisation are only as good as the government officials in member states who are delegated to work with them. Again and again, their efforts to target syndicates in multiple jurisdictions are hamstrung by corruption, incompetence, governments that are unwilling or incapable of acting, a lack of information-sharing, petty jealousies and approaches to tackling crime that wrongly emphasise arrests and seizures over targeted investigations and convictions as a barometer of success.

Drawing on hundreds of pages of documents and extensive interviews with officials in government, conservation and law enforcement agencies in Southern Africa, Europe and Asia, this report – the first of two - examines law enforcement responses to international rhino horn trafficking syndicates and investigates legal loopholes, institutional lapses and a confluence of licit and illicit activities that have allow the trade to fester.

The first section of this report presents an overview of law enforcement responses in South Africa since the start of the poaching crisis in the mid-2000s. The country is home to 70% of the world's last remaining rhinos. The Kruger National Park is the eye of the storm, accounting for roughly 60% of poaching incidents over the past seven years. It is there that a complex "war on poaching" is being waged, one that has led to the deaths of at least 200 suspected poachers, several soldiers, two field rangers and a policeman.

Contrary to popular images of poaching gangs equipped with night sights, semi-automatic weapons and even helicopters, most poachers are poorly equipped for the bush. Military weapons are a rarity, although there has

3 The number of rhinos poached in Namibia in 2015 was likely higher than the official tally. Thirty-four rhino carcasses were discovered in January and February 2016 in the Etosha National Park and Palmwag area. They were in varying states of decay and many are believed to date from 2015. https://www.newera.com.na/2016/03/02/34-cases-poached-rhinos-uncovered/

4 Rademeyer, Julian. "Chinese Crime Rings and the Global Rhino Horn Trade." China Dialogue. Accessed June 15, 2016. https://www.chinadialogue.net/article/show/single/en/7232-Chinese-crime-rings-and-the-global-rhino-horn-trade.

been an influx in recent years of increasingly sophisticated .375 and .458 calibre hunting rifles equipped with silencers. At any time, more than a dozen poaching gangs are operating in the park, sometimes saturating areas where large numbers of rhino are found. It is a dangerous work, but for those prepared to take the risks the rewards can be high with poachers receiving payments ranging from as little as $2000 to as much as $20,000. In 2015 it is estimated that at least 7,500 poachers entered the park, a 43% increase on the previous year. Against seemingly improbable odds, rangers managed to hold the line, preventing another significant spike in poaching numbers.

The closure of the police's Endangered Species Protection Unit in the early 2000s, widespread maladministration, corruption and political meddling in the South African Police Service and its Crime Intelligence division and pervasive ill-discipline in the South African National Defence Force have had a severely detrimental effect on efforts to curb poaching.

Until fairly recently, law enforcement responses in South Africa have largely been driven by the country's Department of Environmental Affairs (DEA) and conservation agencies with limited support from police and security agencies. The Department has also taken the lead in negotiating co-operation agreements with their counterparts in Vietnam, China, Mozambique and Cambodia. But many of those interviewed for this report argue that the "wrong people are sitting around the table" and that environmental ministries, which are regarded as relatively junior entities in the governments concerned do not have the power or mandate to influence law enforcement and national security strategies. As a result, previous efforts by the Department to establish a National Wildlife Crime Reaction Unit failed to gain traction. Increasingly, the responsibility for tackling the transnational criminal networks involved in rhino poaching is being shifted to security ministries and police. A new National Integrated Strategy to Combat Wildlife Trafficking has been developed for police and proposes a centralised structure to co-ordinate investigations and responses. Completed in February 2016, it has the potential – if implemented correctly – to have a positive impact.

The second section of the report examines the confluence of licit and illicit activities in the trade in rhino horns and sheds new light on investigations in Europe into so-called pseudo-hunting cases, and the links between syndicates smuggling rhino horn in the Czech Republic and other countries to crimes that include the trade in counterfeit goods and the drug smuggling. It also presents evidence of the involvement of Vietnamese pseudo-hunters and rhino horn smugglers in a tiger and rhino farm in South Africa's North West province and their involvement in attempting to secure a hundred rhinos for a new safari park established in Vietnam by one of the country's largest companies.

2. South Africa

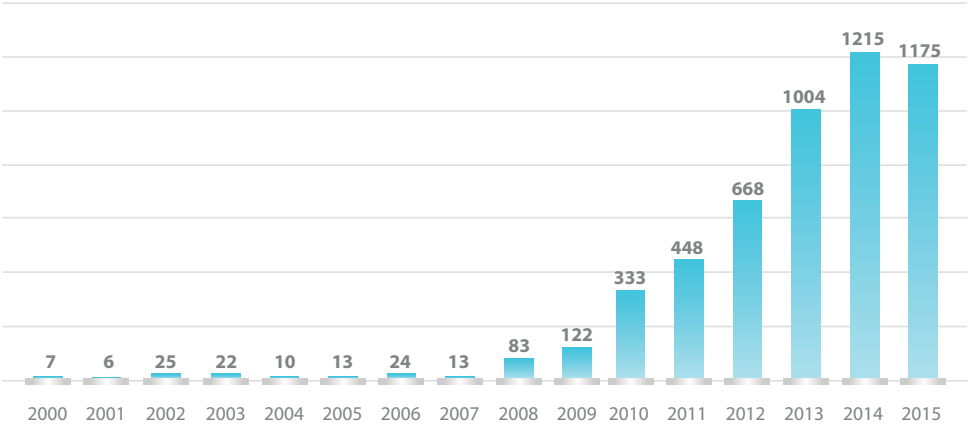
South Africa is home to more than 70% of the world's last remaining wild rhinos and 79% of Africa's: an estimated 18,413 white rhino and 1,893 black rhino.[5] It is one of the country's greatest conservation success stories and one that is dangerously close to coming undone.

Figure 1: Map of Kruger national park



From January 2006 to April 2016, at least 5,460 rhino were killed in South Africa, accounting for about 84% of Africa's total rhino poaching losses.[6] [7] With the exception of 2015 - which saw a marginal drop in numbers, offset by a dramatic increase in poaching in neighbouring Namibia and Zimbabwe – a grim new record has been set every year. Over the past decade, South Africa has lost twenty-two times the number of rhinos that it lost to poaching in the preceding 25 years.[8]

Figure 2: Reported rhino poaching incidents in South Africa (2000-2015)

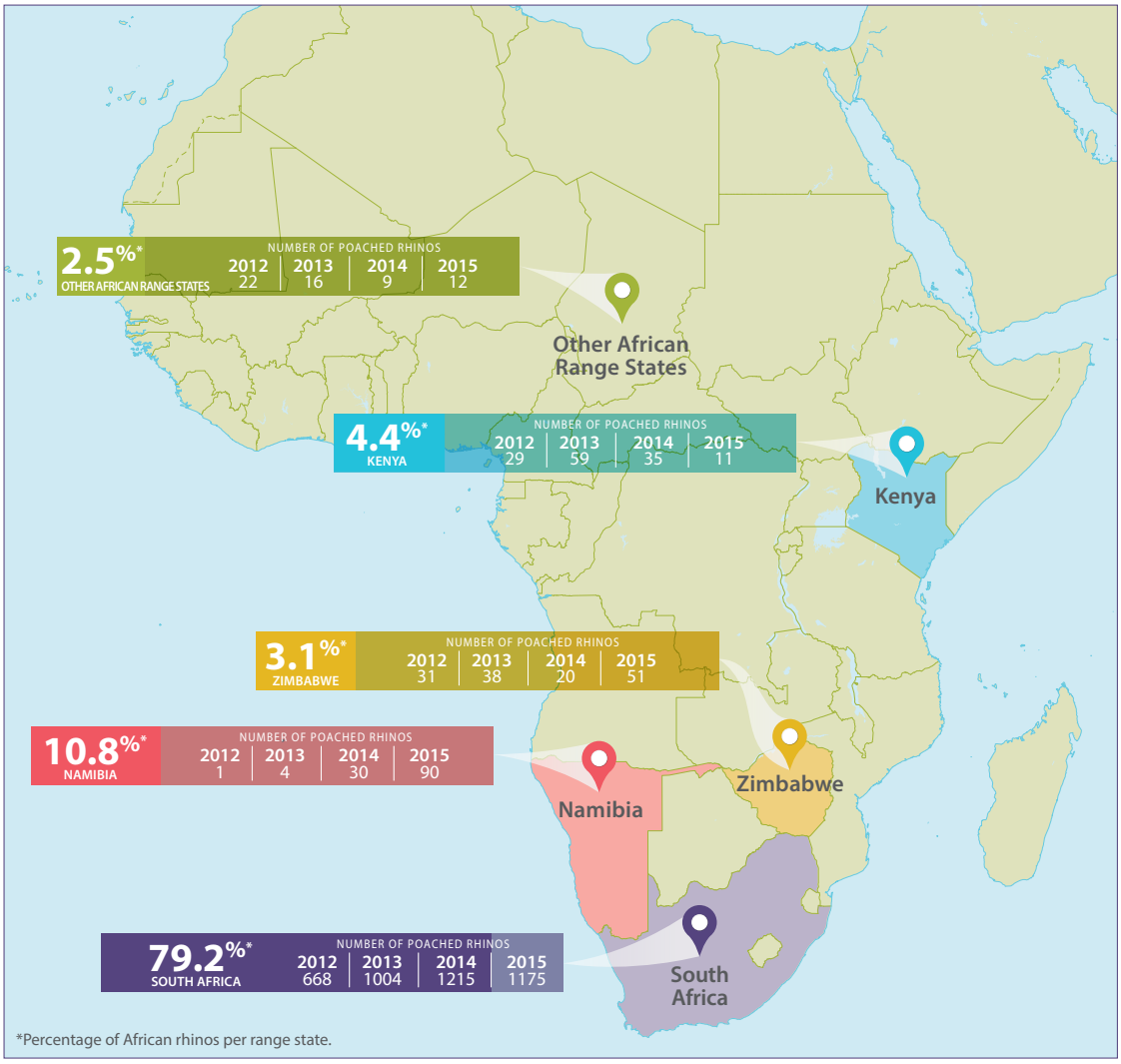


5 IUCN Species Survival Commission's African Rhino Specialist Group (AfRSG)
6 Department of Environmental Affairs poaching statistics for 2006 - 2015
7 IUCN Species Survival Commission's African Rhino Specialist Group
8 Walker, Clive, and Anton Walker. The Rhino Keepers: Struggle for Survival. Sunnyside, Auckland Park 2092, South Africa: Jacana Media, 2012.

The 'Republic of Kruger'

South Africa's Kruger National Park is the eye of the storm, accounting for roughly 60% of poaching incidents over the past seven years. It holds a population of around 8,875 southern white rhino and 384 south-eastern black rhino; approximately 48.2%% and 7.3% of the world's white and black rhinos respectively.[9] Most are clustered in an "Intensive Protection Zone (IPZ)" in the south of the park.

Figure 3: Rhino population percentages and numbers of poaching deaths in Africa



Source: IUCN SSC AfRSG

The park has lost more than 3,189 rhinos to poachers in the past decade and the population now appears to be declining. According to the IUCN Species Survival Commission's African Rhino Specialist Group, "statistical modelling suggests that in all likelihood the populations of both black and white rhinos have decreased" since 2012.[10] A recent academic paper suggests that if poaching rates continue at levels experienced in 2013 (when 598 rhinos were reported killed), the Kruger National Park's white rhino population will "plummet to [between]

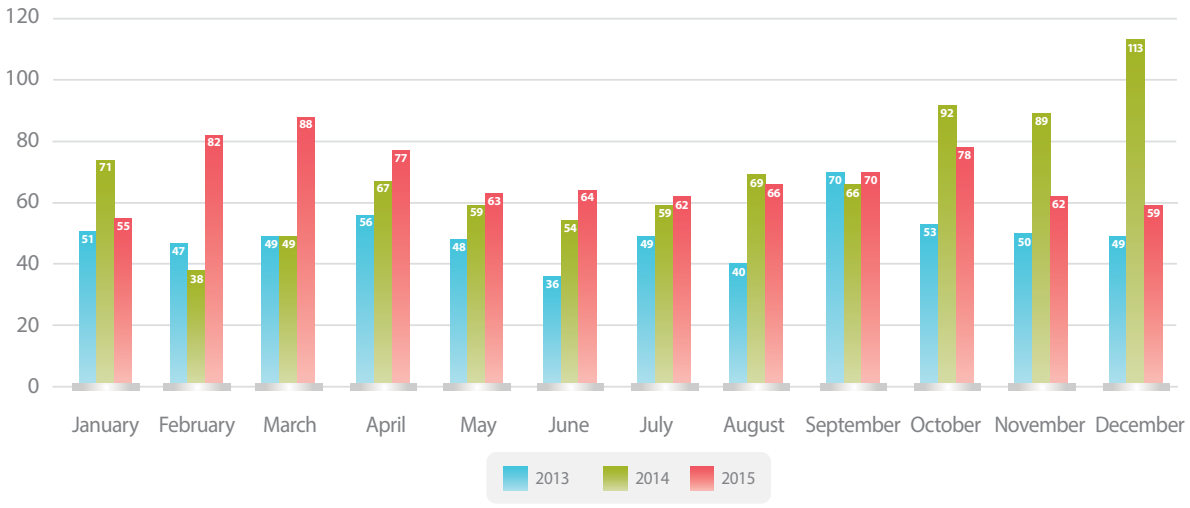
9 Email correspondence with Richard Emslie, IUCN AfRSG Scientific Officer

10 IUCN. "IUCN Reports Deepening Rhino Poaching Crisis in Africa," March 9, 2016. http://www.iucn.org/content/iucn-reports-deepening-rhino-poaching-crisis-africa.

2879 and 3263 individuals…by 2018", about a third of current population estimates.[11] Given that the park lost 826 rhinos to poachers last year, three fewer than in 2014, estimates based on 2013 rates are conservative.

Nearly 80% of poaching activity in recent years has been concentrated on the south of the park. In 2015, officials recorded a 43% increase in poacher activity in the park compared to the previous year. There were approximately 2,466 "incursions" – evidenced by fresh spoor, shots heard and poacher sightings - and 137 armed "contacts" between poachers and rangers, compared to 111 "contacts" in 2014, and 202 arrests. Kruger National Park officials "conservatively estimate" that at least 7,500 poachers entered the park in 2015, compared to 4,300 in 2014. There were an estimated 1,038 incursions in the first four months of 2016, compared to 808 in the same period in 2015. Despite this, according to official statistics, the park lost 826 rhino in 2015 – three fewer than the previous year – and 232 in the first four months of 2016, compared to 302 over the same period in 2015.[12] [13]

Figure 4: Recorded monthly rhino poaching figures, Kruger National Park (2013-15)



Source: South African Police Service

A Complicated War

On the frontlines of the Kruger National Park's "war on poaching" are around 400 field rangers, 22 section rangers and 15 special rangers.[14] This equates to roughly one ranger for every 47 km^2. But that would only be the case if they worked 24 hours a day, seven days a week. In reality, less than half that number are deployed at any given time. They are supported by a dozen investigators, four helicopter pilots, a fixed-wing pilot and three Bantam microlight pilots.

The park – roughly the same size as Israel or Wales - covers an area of 19,485 square kilometres. Park officials often dryly refer to it as the "Republic of Kruger". Driving along the tourist roads and dirt tracks that loop through dense bush past waterholes teeming with wildlife, it is difficult to comprehend the sheer expanse of the terrain. "To bring it home to people, I fly them to a rhino carcass. Then we get back into a helicopter and climb to 1,500 feet or 2,000 feet. The horizon gets rounder and the sky darkens and you see the vastness," says head ranger Ken

11 Ferreira, SM, Greaver, C, Knight, GA, Knight, MH, Smit, IPJ, and Pienaar, D. "Disruption of Rhino Demography by Poachers May Lead to Population Declines in Kruger National Park, South Africa." PLoS ONE 10(6): e0127783. doi:10.1371/journal. pone.0127783 (2015). http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0127783.

12 Source: SANParks

13 Department of Environmental Affairs. "Minister Edna Molewa Joined by Security Cluster Ministers Highlights Progress in the Fight against Rhino Poaching," May 8, 2016. https://www.environment.gov.za/mediarelease/molewa_onprogresagainst_rhinopoaching.

14 Major-General Johan Jooste. "Media Briefing on Rhino Poaching in the Kruger National Park." August 30, 2015.

Maggs. "The carcass below and the people around the crime scene become pinpricks and then vanish into the bush as you climb. There are no witnesses around, not a house in sight where you can question anyone. You're relying on spoor left by the poachers and any other physical evidence that you can find."[15]

War Talk

As the numbers of poaching incidents and incursions have increased, so has the militarised response. In December 2012, SANParks appointed a retired army major-general, Johan Jooste, as head of "Special Projects". A 35-year veteran of the South African Defence Force (SADF) and its post-1994 incarnation, the South African National Defence Force (SANDF), Jooste was tasked with developing and implementing an anti-poaching strategy in the Kruger. "Our approach was quite fragmented at the time," says Maggs, who has worked in the park for more than twenty years, at various times heading up anti-poaching teams and managing the SANParks Environmental Crime Investigations (ECI) unit. "[Jooste] brought his knowledge, experience and strategic thinking. He adapted military doctrine that could be applied practically in our situation."

In his first statement after his appointment, Jooste did not mince words: "The battle lines have been drawn and it is up to my team and me to forcefully push back the frontiers of poaching. It is a fact that South Africa, a sovereign country, is under attack from armed foreign nationals. This should be seen as a declaration of war…We are going to take the war to these armed bandits and we aim to win it."[16]

This combative rhetoric, and the frequent use of military phraseology to describe the poaching threat as an "insurgency", "attack", "fight" or "war" is typical of statements by many SANParks and government officials in recent years. In 2010, the SANParks CEO at the time, David Mabunda, warned that "we will fight fire with fire".[17] Fundisile Mketeni, the former deputy director-general for biodiversity and conservation in the Department of Environmental Affairs, said bluntly in 2012: "We are now at war."[18] Ike Phaahla, a SANParks spokesman referred to the poaching crisis in 2013 as a "military incursion". [19] And, until mid 2016, the Environment Minister, Edna Molewa, has peppered speeches with references to the "war on poaching", telling journalists on one occasion: "We see it as a war and will fight it as such."[20]

Reluctant Militarisation

Strip away the public bluster, the "war talk" and the easy soundbites and more nuanced picture begins to emerge. Mketeni, now the CEO of SANParks, says the reality is that national parks "have always been militarised to some degree". The Kruger National Park's strategic position along South Africa's eastern border with Mozambique and a portion of the northern border with Zimbabwe has meant that it has long had military significance. In the apartheid years, South African Defence Force (SADF) soldiers were sent there for training and the park was used to covertly supply materiel to Mozambique's Renamo rebel movement during the civil war with Frelimo.[21] "Kruger rangers were trained militaristically anyway because of the border environment," Mketeni says. "Most rangers there [in the 1980s] were soldiers or had been soldiers."

15 Interview. Ken Maggs. 8 July 2015.

16 SANParks. "Media Release: SANParks Enlists Retired Army General to Command Anti-Poaching." South African National Parks, December 12, 2012. http://www.sanparks.org.

17 Smith, David. "South Africa Wages War on Ruthless Rhinoceros Poachers." The Guardian, November 16, 2010. http://www.theguardian.com/environment/2010/nov/16/south-africa-war-on-poachers

18 BuaNews. "Govt, Rhino Owners to Meet on Poaching," May 31, 2012. http://www.southafrica.info/about/sustainable/poaching-310512.htm#.V1PmTVfN5j4

19 "South Africa Sics Drones on Rhino Poachers | GlobalPost," January 11, 2013. http://www.globalpost.com/dispatch/news/regions/africa/south-africa/130110/rhino-poaching-rhinoceros-horns-vietnam

20 Munusamy, Ranjeni. "Rhino Poaching: It's War! | Daily Maverick." Daily Maverick, March 1, 2013. http://www.dailymaverick.co.za/article/2013-03-01-rhino-poaching-its-war/#.V1PmS1fN5j4

21 Cock, Jacklyn and Fig, David (2000). 'From colonial to community based conservation: Environmental justice and the national parks of South Africa', Society in transition, 31 (1), pp. 22-35



A ranger heads out on patrol in South Africa's Kruger National Park. Photo: Julian Rademeyer

Both he and Jooste say they are keenly aware that a "war on poaching" is an unwinnable war. "We militarise our staff, not because we want it, but it is a part of the job," says Mketeni. "If you are a lifesaver, we must train you how to swim. For me, when a ranger is lost, I want to be able to go and look at the family and say, 'He was ready for this. He died ready for this.' I don't want to be in a position where I gave him a pen when I knew that he needed a rifle. These are the hard decisions we have to make."

It is a view echoed by Jooste. "It is a fallacy to think we get any joy or satisfaction out of this conflict," says Jooste. "It is a war of attrition. We are forced into it to buy time. But victory will not occur in the bush. You can do what you will and you can save a lot of rhinos but you're not going to win. The high demand for rhino horn means poaching cannot be defeated with force on force. The only thing that can make a difference is taking on the crime networks. Victory will only occur in the courts."

Another key factor in the militarization in the ranger corps is the void in which SANParks had to operate for many years with little or no support from police and the army. Molewa recently praised the SANDF for their "invaluable support" in the Kruger National Park.[22] In reality, however, the soldiers – with the exception of a small Airforce component and Special Forces operators – play little part in counter-poaching efforts and have come to be regarded as "more of a liability than an asset".

Between 100 and 150 soldiers are deployed in the Kruger to "safeguard" South Africa's porous border with Mozambique. Their efforts – taking into account the large numbers of poachers entering the park – have been largely ineffective. Tales of soldiers routinely getting drunk, being abusive to park staff and even bringing prostitutes into the park for wild parties on the border fence are legion. The lack of discipline finally came to a head in January 2015 when video footage emerged of a soldier verbally abusing a Kruger section ranger.[23] [24] As one of the rangers has complained, "The soldiers don't have the training, they don't like being in the bush because they are scared of the animals, they don't want to go on patrols and they're ill-disciplined. When they do go on patrol they usually stick to the boundary or walk along a road for two kilometres and back."[25]

22 Department of Environmental Affairs. "Minister Edna Molewa Joined by Security Cluster Ministers Highlights Progress in the Fight against Rhino Poaching," May 8, 2016. https://www.environment.gov.za/mediarelease/molewa_onprogresagainst_rhinopoaching

23 "SANDF Ill-Discipline Sticks Its Head out in Kruger." defenceWeb. Accessed June 5, 2016. http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=37561:sandf-ill-discipline-sticks-its-head-out-in-kruger&catid=111:sa-defence

24 Soldate Kyk Sokker Eerder as Stropers Soek - YouTube." Accessed November 15, 2015. https://www.youtube.com/watch?v=qWBljtdx4aQ

25 Interview. Ranger. July 2015

Part of problem is attributed to a lack of counter-insurgency training to prepare them for operations in the bush. The apartheid-era defence force conducted brutal counter-insurgency campaigns during the "bush wars" of the 1970s and 1980s. As a result, following South Africa's first democratic elections in 1994, the new SA National Defence Force largely abandoned counter-insurgency (COIN) training. "After 1994, the Army assumed a conventional, non-offensive approach," Major CS van der Spuy wrote in a 2013 issue of the South African Army Journal.[26] "COIN was seen as a taboo topic, something that was associated with the Apartheid regime. The basis for this policy framework was the 1996 White Paper on Defence. It outlined that the primary focus of the military would be defence against external aggression and that secondary functions would include border protection, support for the police and peace support operations (PSO)." COIN "doctrine" and strategy has not been updated since 1998 and specialist training has been discontinued.

Aside from disciplinary infractions, soldiers have also been implicated in poaching. In a presentation to the parliamentary portfolio committee on police in September 2015, the Directorate for Priority Crime Investigation (DPCI) expressed concern that: "Corrupt officials among parks personnel, SAPS, SANDF and border agencies assist syndicates to locate rhinos and provide forewarning of police operations and deployments."[27] In one high-profile case, a former SANDF soldier is accused of killing at least six rhinos with high-powered rifles fitted with silencers. He was arrested after a shoot-out with rangers.[28]

These incidents reflect a broader crisis within the SANDF. In July 2014, defence minister Nosiviwe Mapisa-Nqakula told parliament that there are "serious problems of discipline within [SANDF] ranks".[29] She was echoing similar comments made by her predecessor Lindiwe Sisulu two years earlier, when she remarked: "There is a problem with discipline... a serious problem of discipline in the defence force."[30]

The 2014 South African Defence Review found that the SANDF "is in a critical state of decline" and warned that "[l]eft unchecked, and at present funding levels, this decline will severely compromise and further fragment the defence capability". The report continued: "It is clear that certain defence capabilities, if not addressed now, will be lost in the very near future…Even with an immediate intervention, it could take at least five years to arrest the decline and another five years to develop a limited and sustainable defence capability."[31]

The Poachers

They enter the park in groups of three or four, usually at night with the moon behind them to light their way. One man will carry a rifle fitted with a silencer, a second an axe or machete and a third will have a few supplies – two litre Coca Cola bottles filled with water from a river, a few tins of fish, and perhaps a loaf of bread crammed into a garishly coloured backpack. Sometimes one of them will be armed with an AK-47 assault rifle. In most cases they carry cellphones, but no radios or night vision equipment. They hunt in jeans and t-shirts. Some are barefoot or wear running shoes and sandals instead of boots. "If people think of a poacher in most cases they probably think of some sort of special forces guy," says Maggs. "The opposite is true."

Usually the men wait until daybreak before they look for a kill. "They're not very successful at hunting at night, especially if they have silencers," says Maggs. "With a silencer, you lose your front sight. A lot of animals are being wounded and we suspect it is a combination of silencers and being forced to hunt at night. You can't track at

26 Van der Spuy, CS. "Lessons Learned from African Insurgencies: Implications for South African Army Intelligence," South African Army Journal, Issue 8, 2013. http://www.army.mil.za/publications/journal/2014_publish/SA%20Army%20Journal%20Edition%208.pdf

27 Directorate for Priority Crime Investigation. "Presentation to the Portfolio Committee on Police. Rhino Threat." Cape Town, September 9, 2015. http://pmg.org.za/files/150909DPCI_KNP.pdf

28 News24. "'Rangers Framed Me for Kruger Rhino Poaching,' Soldier Tells Court," March 29, 2016. http://www.news24.com/SouthAfrica/News/rangers-framed-me-for-kruger-rhino-poaching-soldier-tells-court-20160329

29 South African Press Association. "SANDF Discipline Problem Growing - Minister | News24," July 23, 2014. http://www.news24.com/SouthAfrica/News/SANDF-discipline-problem-growing-minister-20140723

30 "Sisulu: Serious Discipline Problem in SANDF." News24, September 8, 2009. http://www.news24.com/SiteElements/HomePage/NewsYouShouldKNow/Sisulu-Serious-discipline-problem-in-SANDF-20090908

31 Defence Review Committee. "South African Defence Review 2014," 2014. http://www.gov.za/sites/www.gov.za/files/dfencereview_2014.pdf

night and if you do get a rhino it will almost be accidental unless they know of a particular pan and go and lie there and wait for the rhino to come and drink."

At any time, there are between five and 15 groups of poachers in the park. "The poaching is relentless," says Maggs. "It does not stop, rain or shine. They keep moving from area to area. They will always go where the rhino are. Their primary objective is to hunt and kill a rhino, get the horns and get out. So, if it goes quiet in particular area, one of the first questions you ask yourself is whether there are any rhino left there? If your anti-poaching teams manage to dominate a particular area that will have displacement effect. If poachers find rhinos and don't come across rangers or see any counter-measures, other groups will soon saturate the area. You'll have four or five groups hunting. That happens regularly."

It is dangerous work, but there is good money to be made. The fees that the poachers earn vary considerably, from as little as $500 or $600 up to $20,000. How much they are paid usually depends on their role. A "shooter", for instance, will earn several times more than a "water carrier". And prices have increased dramatically since 2008, according to information gathered during interrogations of suspected poachers. Then, a water carrier could expect to get anywhere between $200 and $600, while the shooter could count on close to $2,000.
By 2012, water carriers were being paid between $500 and $2,000, with the gunmen taking home $1,500 to $6,000 for a set of horns. In early 2014, some shooters were earning between $2,200 and $21,300. Then, in mid-2014, the pay scales changed. Growing numbers of poachers began demanding payment based on the weight of the horns they supplied, with water carriers receiving around $1500 a kilogram and the shooters taking home upwards of $5,000 a kilogram.[32]

Czech manufactured CZ-550 hunting rifles equipped with increasingly sophisticated silencers have become the "weapons of choice" for rhino poaching gangs operating in Southern Africa, say investigators and field rangers."

The past three years have seen other shifts. As efforts to stop poachers crossing from Mozambique into the Kruger intensified, so the incursions shifted to the west. In 2013, roughly 75% to 80% of all poaching incidents in the park could be attributed to poachers crossing the park's eastern border with Mozambique. By 2014, the entry points had evolved. Rather than basing themselves in the sparsely populated villages and towns along the Kruger's eastern border, poaching gangs began moving their bases of operation to South Africa. About two million people live along the Kruger's western boundary. For the poachers it was the perfect place to disappear. It also gave them easier access to the rhino populations in the south of the park. In 2013, as many as 80% of poaching incidents were attributed to poachers crossing from Mozambique. By mid-2014, that had fallen to around 60%.

Today, the majority of poaching incidents are believed to emanate from within South Africa. According to the DPCI, gangs of poachers "enter through the western border with the assistance of South African citizens who know the areas". To avoid army patrols, some poachers cross legally from Mozambique and "then stay with relatives or accomplices [in South Africa] before entering the park".[33] The majority are believed to be Mozambican nationals, but many of them have acquired South African identity documents.[34]

In recent years, there has also been an increase in so-called "drop-off" incidents involving poachers who enter the park posing as tourists. Rifles are hidden in engine blocks or custom built secret compartments behind seats and in trunks. Once the gang spot a rhino, the shooter is dropped off and his accomplices drive away. They return to pick him up once a kill has been made and then drive out the way they came.

32 Unpublished SANParks data
33 Directorate for Priority Crime Investigation. "Presentation to the Portfolio Committee on Police. Rhino Threat." Cape Town, September 9, 2015. http://pmg.org.za/files/150909DPCI_KNP.pdf
34 "Operation Rhino 6 - Kruger National Park: Inputs on Rhino Poaching by Division Crime Intelligence." presented at the Portfolio Committee on Police, Cape Town, September 2015.

In the Line of Fire

Czech manufactured CZ-550 hunting rifles equipped with increasingly sophisticated silencers have become the "weapons of choice" for rhino poaching gangs operating in Southern Africa, say investigators and field rangers. Seven years ago as the poaching crisis began to escalate, silencers – more accurately described as "sound suppressors" as they dampen, rather than silence, the sound of a shot - were a rarity. Many were hand-tooled, crudely fitted and often dangerous to use.

Today, large calibre rifles equipped with silencers – many of them commercially manufactured - make up "a significant number" of the weapons found in the Kruger National Park, says General Jooste. Similar trends have been seen in Zimbabwe and Namibia.

Since 2013, 304 weapons have been seized from suspected poachers in the Kruger National Park. "A good 80% of them are high calibre hunting rifles," says Jooste.[35] Data collected by South Africa's national parks authority, SANParks, shows that most are .458, .375, .308 and .303 calibre rifles.[36] A small number of R1, AK-47 and G3 assault rifles have also been confiscated. Military weapons like these are usually used by poachers for "protection" against anti-poaching teams, while a designated "shooter" equipped with a hunting rifle and silencer carries out the poaching.

There have been reports of standard-issue AK-47 rifles being "borrowed" by poachers from Mozambican security personnel, particularly the border police or *Forga de Guarda Fronteira*[37]. And there have been instances where .458 rifles, dating from the Mozambican civil war, were used in poaching. [38]

"These guns [.458 rifles] were supposed to have been surrendered to the government after the war ended, but some people decided to keep them," a South African National Defence Force spokesman told the government news agency in 2011. "Some former soldiers are believed to be selling the weapons to make a quick buck." He claimed that "man-made" .303 rifles originating in Swaziland were also being used.

Weapons of War

Assessing how many small arms dating from the civil war remain in circulation in Mozambique is a near impossibility. Accurate records were not kept and "arms control measures were either non-existent or ineffective". Following the 1992 peace accord, Mozambican authorities found themselves unable to accurately account for the extent of small arms proliferation in the country. And while thousands of arms and hundreds of thousands of rounds of ammunition were collected and destroyed, "an unknown quantity of arms and ammunition remained hidden in caches in undisclosed locations throughout the country". [39]

The steady escalation of poaching activity over the past seven years has seen an evolution in the types and sophistication of firearms available to criminal networks. In recent years, according to investigators, there has been an influx of "brand new" CZ-550 rifles into the Kruger National Park. Some of the weapons appear to have been shipped to Mozambique as part of an order of hunting rifles placed by the country's agriculture department for "dealing with problem elephants". As many as 80 of these rifles are said to be in circulation among poachers.[40]

Others have been provided to poaching networks by corrupt police, soldiers, border guards and field rangers in South Africa, Mozambique, Zimbabwe and Namibia. In Zimbabwe members of the Central Intelligence

35 Interview with Major-General Johan Jooste. 5 October 2015.
36 SANParks
37 Michler, Ian. "The Mozambique Connection to Rhino Poaching | South Africa." Accessed July 11, 2015. http://showme.co.za/lifestyle/the-mozambique-connection/
38 "Mozambican War Rifles Used in Rhino Poaching | SA News." Accessed February 25, 2015. http://www.sanews.gov.za/south-africa/mozambican-war-rifles-used-rhino-poaching
39 Gould, Chandré, and Guy Lamb, eds. Hide and seek: Taking account of small arms in Southern Africa. https://www.issafrica.org/pubs/Books/Hide+Seek/Mozambique.pdf Institute for Security Studies, 2004.
40 Interview with an investigator. 7 November 2015.

Organisation are said to have supplied weapons to poachers. In South Africa's Limpopo province, there have been a number of instances where licensed gun shops have been identified as suppliers of silencers to poaching gangs operating in the Kruger National Park and Zimbabwe. There is also a roaring trade in firearms rentals.

"It has become an economy of its own," says Jooste. "As we seize more weapons, the available pool of weapons becomes scarcer and people dealing in firearms are getting more money. The guys who rent out the guns and provide a little training are scoring hugely." In one case in 2013, investigators identified an individual "believed to be a stockpiler of ammunition and manufacturer of all types of silencers". Due to the "high demand", an investigation report noted, "he is believed to be manufacturing up to six silencers per week".[41]

The high rate of firearms theft in South Africa certainly contributes to the pool of weapons available to poachers. More than 7,300 firearms were reported lost or stolen in South Africa in the 2014/15 financial year. Police recovered just 716 of those firearms.[42] There have also been high levels of weapons losses from police. Between the 2012/13 and 2013/14 financial years, 2,356 police issue weapons went missing.[43] There have also been documented cases where hunting rifles stolen in robberies on farms and small-holdings in South Africa have turned in the hands of poachers in that country and Zimbabwe.[44]

In 2015, rangers in the Kruger National Park seized 188 hunting rifles and 39 silencers. Many of the silencers were manufactured or sold in South Africa, prompting calls from conservationists in South Africa and Zimbabwe for greater regulation and licensing. But some law enforcement officials argue that while licensing of silencers would "look good on paper", it won't have an impact on the types of silencers available to poachers. "The problem is enforcement. We are struggling to enforce the licensing of firearms in South Africa. There just isn't the capacity. Without enforcement it falls apart." [45]

Regulating Silencers

Provincial ordinances governing hunting in South Africa do not prohibit the use of silencers. According to the Professional Hunters' Association of South Africa[46], only the Mpumalanga and Northern Cape provinces have restrictions on the use of silencers. Mpumalanga does not allow the use of silencers without a permit. In the Northern Cape, silencers are "listed as a prohibited hunting instrument" unless used with the permission of a landowner.

Silencers are also legally available in Namibia and do not require permits. Tanja Dahl, CEO of the Namibia Professional Hunters' Association (NAPHA), says that hunters need to present a rifle and a weapons permit at a gun shop to purchase a silencer.[47] However, silencers are illegal in Zimbabwe. Adri Kitshoff, CEO of Wildlife Ranching South Africa, says that in general "no license is necessary" to purchase a silencer in South Africa. "There are game farmers who now prefer hunting clients to use silencers because it is less disruptive to other game in the field. They are often used by women and children who hunt because, although the weapon becomes heavier, the recoil is less."

According to Kitshoff, the only requirement - if someone is found with a silencer and rifle – is that the silencer matches the rifle. She does not believe that greater regulation will have an impact on the use of silencers by

41 Unpublished investigation report, January 2013
42 South African Police Service Annual Report 2014/15. Accessed 10 March 2016. http://www.saps.gov.za/about/stratframework/annualreports.php
43 Seale, Lebogang. "Cops Lost 2 356 Guns in 3 Years." IOL. Accessed March 11, 2016. http://www.iol.co.za/news/crime-courts/cops-lost-2-356-guns-in-3-years-1857689
44 Rademeyer, Julian. Killing for profit: exposing the illegal rhino horn trade. Random House Struik, 2012.
45 Personal communication, 10 February, 2016.
46 PHASowever "Is It Legal to Use a Silencer When Hunting in South Africa?" Accessed March 10, 2016. http://www.phasa.co.za/phasafaq/item/493-is-it-legal-to-use-a-silencer-when-hunting-in-south-africa.html
47 Email from Tanja Dahl. 10 March, 2016.



Swedish manufactured aimZonic Plus silencer found on a poacher in Zimbabwe.

poachers. "They can simply put a water bottle on the the front of barrel or make their own silencers". Kitshoff does concede that the quality of a silencer can "affect shot placement". Crude, home-made silencers would be far less accurate than a sophisticated high-end silencer.

Raoul du Toit, director of the Lowveld Rhino Trust in Zimbabwe, says that as in South Africa, most "commercial gangs of poachers" there use high-calibre hunting rifles. "We are seeing a lots of silencers of widely-varying sophistication. Some of the gangs will carry AK-47s for protection and may even use them in poaching, but they are usually worried about the noise. So they prefer hunting rifles with silencers."[48]

In December 2015, for example, a poacher was arrested near the Bubye Valley conservancy armed with a CZ-550 hunting rifle and a new Swedish-manufactured aimZonic Plus silencer. "It was a very sophisticated subsonic thing," says Du Toit. The poacher told investigators that the silencer had been purchased in Johannesburg, South Africa.

The Human Cost

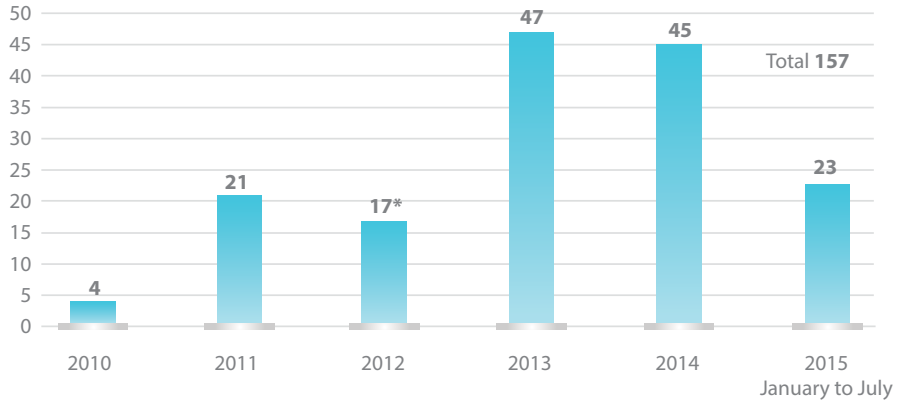
The human toll of the "poaching war" continues to escalate. Between 150 and 200 suspected poachers are believed to have been shot and killed in "contacts" with rangers in the Kruger National Park between 2010 and July 2015.[49] [50] Many others have been wounded. At least seven SANDF soldiers have lost their lives since 2012 – five in a helicopter crash and two as the result of accidental shootings.[51] Two field rangers and a policeman have also died. In April 2012, a ranger and a policeman were killed in a so-called "blue-on-blue" incident.[52] In May 2013, a ranger was accidentally shot in the stomach and seriously wounded by a soldier while out on patrol.[53] Another field ranger was fatally wounded in January 2016 when he and colleague opened fire on a buffalo that charged them while they were on an anti-poaching patrol.[54] Two months later, a field ranger was shot and wounded in an

48 Interview, Raoul du Toit, 4 March 2016
49 SAPS, SANParks
50 Hübschle, Annette Michaela. "A Game of Horns: Transnational Flows of Rhino Horn." PhD diss., Universität zu Köln, 2015. http://kups.ub.uni-koeln.de/6685/
51 "Kruger Helicopter Crash Victims Named." SAPA, April 1, 2013. http://www.news24.com/SouthAfrica/News/Kruger-helicopter-crash-victims-named-20130401
52 SAPA. "Ranger, Cop Killed in Kruger Shooting." IOL, April 29, 2012. http://www.iol.co.za/news/crime-courts/ranger-cop-killed-in-kruger-shooting-1285717
53 Crawford, Alex. "Rhino Wars: Ranger Shot On Anti-Poaching Raid." Sky News. Accessed June 5, 2016. http://news.sky.com/story/1569048/rhino-wars-ranger-shot-on-anti-poaching-raid
54 Pretorius, Wim. "Kruger Park Ranger Dies after Colleague Accidentally Shoots Him | News24," January 14, 2016. http://www.news24.com/SouthAfrica/News/kruger-park-ranger-dies-after-colleague-accidentally-shoots-him-20160114

arm during a "contact" that left one suspected poacher dead.[55] SANParks helicopters have also come under fire from poachers on at least two occasions, once in 2015 and again in May 2016.[56]

In order of priority, a SANParks "risk mitigation strategy" lists the possibility of a ranger being convicted of murder or culpable homicide in the death of a poacher, or a ranger being killed in a shoot-out, as its greatest risk factors.[57] "If a ranger is convicted, that day this war will stop," says General Jooste.[58]

Figure 5: Suspected poachers killed, Kruger National Park, 2010-15



* As many as 30 suspects may have been killed in 2012.

Sources: SANParks, SAPS, Huebchle, A

In the "poaching villages" in and around the *Parque Nacional de Limpopo* which, together with the Kruger National Park, forms the Limpopo Transfrontier Park, there is deep-seated anger at the deaths and arrests suspected poachers. Albert Valoi lives in the village of Mavodze. His son Toti was shot dead by rangers during a "contact" with a group of poachers in June 2015. "South Africa is killing, not arresting," Valoi said, holding his up son's identity card and death certificate. "Why was an animal's life worth more than my son's?"[59]

The dead are often buried as heroes in dusty graves scattered with some of their favourite possessions and covered with thorny *sekelbos* to keep predators at bay. Stories are told about their exploits and songs are written about them. One, by a Mozambican DJ, is popular in clubs and bars in the border areas. He names SANParks rangers and officials and asks: "What is wrong with you?..Our children are dying. You are killing our people."[60]

"The hatred, the anger worries me," Mketeni says. "The anger directed at our rangers. But what do you expect our rangers to do when they come across armed poachers at night? I don't think they want to die first."

At a parliamentary portfolio committee meeting in September 2015, South African Police National Commissioner Riyah Phiyega, said accusations by Mozambican authorities that South Africa was "killing its citizens" in the park were having a detrimental impact on bilateral relations. According to minutes of the meeting, Lieutenant-General Vinesh Moonoo – head of detectives in the SA Police service – echoed Phiyega's comments remarking that while "good strides had been made in Mozambique" there were accusations that South Africa viewed rhinos as more valuable than Mozambique's citizens. [61]

55 Bernardo, Carla. "KNP Ranger Wounded in Shoot-out | IOL," March 7, 2016. http://www.iol.co.za/news/crime-courts/knp-ranger-wounded-in-shoot-out-1994469

56 "Dramatic Escalation in Fight against Poaching as Suspected Poachers Fire on SANPARKS Helicopter | Department of Environmental Affairs." Accessed June 5, 2016. https://www.environment.gov.za/mediarelease/dramaticescalationinfightagainstpoaching

57 SANParks. "Presentation: KNP Special Projects - Rhino Poaching in Context." 2014.

58 Interview, General Johan Jooste, 5 October 2015

59 Interview. Albert Valoi. July 2015

60 Serino, Kenichi. "The Human Victims in the Fight over Rhino Poaching in Africa," January 7, 2015. http://america.aljazeera.com/multimedia/2015/1/the-human-cost-ofrhinopoaching.html

61 Parliamentary Monitoring Group. "SAPS 1st Quarter 2015/16 Performance; Kruger National Park: Progress Reports," September 9, 2015. https://pmg.org.za/committee-meeting/21488/

The exact numbers of suspected poachers killed in the Kruger National Park remain shrouded in secrecy. "It is a very sensitive issue," South Africa's national police spokesman, Vish Naidoo, said when asked for information about inquests and the identities of suspected poachers killed in the park. "I can ask SANParks, the NPA or the police, but they won't give it to me."[62]

"SANParks does not make statistics available relating to the numbers of poachers killed during engagements in the Kruger National Park," a SANParks spokesman, Paul Daphne, wrote in response to emailed questions.[63] "Our rangers are under instruction to act with restraint and within the prescribed rules of engagement when confronting poachers in the park. This having been said our rangers operate under extremely difficult conditions, often having to confront armed poachers at night in dense bush. The first objective of any engagement with armed poachers is to effect an arrest, but the lives of our rangers are constantly under threat when attempting to do this, and they are mandated to defend themselves when they are under threat."

A 'Priority Crime'

On paper, rhino poaching is designated a "priority crime".[64] In reality, there are many greater priorities in South Africa; rising levels of violent crime, a stagnant economy, widespread unemployment, labour unrest, service delivery protests, a failing schooling system, a lack of housing, entrenched corruption and dysfunctional police, defence, intelligence and prosecutions structures.

If budgets are an indicator of the importance of a portfolio, then environmental and conservation concerns are among the least of the government's worries. South Africa's Department of Environmental Affairs was allocated a budget of just R5.9-billion for the 2015/16 financial year, less than 1% of the national government total.[65] By comparison, the defence and public safety budget is R172-billion.[66] Only about R730-million of the environmental budget has been assigned to biodiversity and conservation expenditure, with R278,6-million allocated to SANParks which administers 21 national parks including the Kruger National Park. (The DEA and SANParks have also received R350-million in funding from foreign donors in recent years, including a R255-million – about US$23.7-million - donation from the Howard G. Buffet Foundation that was announced in 2014.)[67] Aside from its biodiversity and conservation role, the DEA also deals with a range of issues relating to climate change and air quality, chemicals and waste management, oceans and coastlines and regulatory compliance and enforcement.

"It took years for this to become a priority crime and it is only now that 800 rhino are being lost a year in Kruger that people are panicking and things are finally beginning to change.

Yet, for the much of the last decade, the DEA has been the *de facto* lead agency in developing and driving the country's strategic and policy responses to rhino poaching and organised wildlife crime. It was the DEA – not law enforcement and security agencies – that, together with SANParks, drafted the first "safety and security strategy" for the country's rhino populations. It was the DEA – not the police or justice ministries - that negotiated bilateral agreements with Vietnam, China and Mozambique "aimed at curbing the

62 Vish Naidoo. 9 March 2016
63 Email from Paul Daphne. 24 September 2015
64 Department of Environmental Affairs. "Interventions to Address the Illegal Killing of Rhinos," August 29, 2011. https://www.environment.gov.za/sites/default/files/docs/interventionto_adressillegal_killingofrhinos.pdf.
65 "2016 Budget - Estimates of National Expenditure: Environmental Affairs," February 24, 2016. http://www.treasury.gov.za/documents/national%20budget/2016/enebooklets/Vote%2027%20Environmental%20Affairs.pdf
66 "Read the Full 2016 Budget Speech Here." Sunday Times, February 24, 2016. http://www.timeslive.co.za/sundaytimes/stnews/2016/02/24/Read-the-full-2016-Budget-Speech-here
67 "Media Release: Howard Buffett R255 Million Donation to Rhino Conservation," March 14, 2014. https://www.sanparks.org/about/news/?id=56022

current scourge of rhino poaching through cooperation in law enforcement*, compliance with international conventions and other relevant legislation…" [68] And, until fairly recently, it was the DEA that took primary responsibility for reporting publicly on rhino poaching statistics and arrests of poachers.

This approach was not unique to South Africa. For decades, poaching and wildlife crime has been regarded by many governments as a conservation issue, best left to park wardens, game rangers, bureaucrats and conservation scientists to deal with. But the industrial scale of the slaughter in recent years, the rising human cost, global security fears, increasing militarisation of national parks and the ingenuity and sophistication of transnational wildlife trafficking syndicates has seen a change over the past four or five years.

In 2012, the United Nations Security Council and the General Assembly acknowledged the links between transnational organised crime, wildlife trafficking and regional security for the first time. The CITES Conference of Parties in Bangkok in 2013 focussed heavily on measures to combat wildlife crime and was the venue for the first ministerial roundtable and global meeting of wildlife enforcement networks hosted by the International Consortium on Combating Wildlife Crime (ICCWC). In June that year, the G8 Summit recognised the need to combat wildlife trafficking.[69] And in July, US President Barack Obama issued an executive order describing wildlife trafficking as an "international crisis" and referring to poaching as "coordinated slaughter commissioned by armed and organised criminal syndicates".[70]

'On Our Own'

Nine years ago, the picture was very different. In South Africa, as the numbers of rhinos shot by poachers surged from 13 in 2007 to 83 in 2008 and 122 in 2009, the DEA and SANParks found themselves in a mad scramble to stop the killing. "When this thing hit, we were pretty much on our own," one senior official recalled.[71] "It took years for this to become a priority crime and it is only now that 800 rhino are being lost a year in Kruger that people are panicking and things are finally beginning to change. It is only very, very recently that people have begun to understand that this is an organised crime issue and needs to be dealt with as such."

There had been warnings as early as 1994 to "indicate that an intensified onslaught on the elephant and rhino populations" in the Kruger National Park was "imminent".[72] They went largely unheeded. When the storm finally broke, just over a decade later, South Africa was ill-equipped to deal with it. The South African Police Service (SAPS) had no specialised capacity to investigate wildlife crime. Jackie Selebi - the national police commissioner who would go on to serve as president of Interpol, before being disgraced and jailed in a corruption scandal – had seen to that. Selebi, a politician and bureaucrat with no police experience, embarked on a drastic restructuring programme shortly after his appointment as commissioner in 2000. Dozens of specialist units dealing with drugs, murder, gang violence, fraud, car hijackings and child protection were shut down over the next six years. Detectives and police officers were transferred to local police stations, ostensibly to empower the stations "with the skills and expertise of the specialised units". Instead, skills eroded and the police's responses to crime became increasingly fragmented and ineffectual.

68 Department of Environmental Affairs. "Press Statement: Update on Rhino Poaching and Signing of MoU between South Africa and the People's Republic of China," March 27, 2013. https://www.environment.gov.za/mediarelease/updaterhinopoaching_signingmoubetween_sa_china

69 CITES. "Increasing Attention on Illegal Trade in Wildlife - A Visual Summary of Key Events and Measures since 2012," https://cites.org/sites/default/files/eng/news/sundry/2015/IWT-events.pdf

70 "Executive Order - Combating Wildlife Trafficking." Whitehouse.gov, July 1, 2013. https://www.whitehouse.gov/the-press-office/2013/07/01/executive-order-combating-wildlife-trafficking

71 Interview. Anonymous. May 2016

72 Maggs, K.A.R., and Greeff, J. de V. "Special Measures to Protect the Kruger National Park Rhino Population." Proceedings of a Symposium on Rhinos as Game Ranch Animals. Onderstepoort, September 1994. http://www.rhinoresourcecenter.com/pdf_files/127/1275004459.pdf

A Devastating Decision

Among the units that Selebi killed off was the Endangered Species Protection Unit (ESPU). Established in the late 1980s, it had once been staffed by a team of 30 police officers who carried out investigations into wildlife and environmental issues ranging from ivory, rhino horn and abalone smuggling to the illegal dumping of toxic waste. When it shut its doors in 2002, its informant networks crumbled and its investigators scattered. Some were transferred to police stations across the country or absorbed into SANParks, or the FBI-style Directorate of Special Operations (DSO) (also known as the Scorpions) under the auspices of National Prosecuting Authority (NPA) and Department of Justice. Others left the police for the private sector. The result was that the SAPS "lost a vast reservoir of investigative expertise in terms of being able to tackle complex crimes".[73]

By 2009, the Scorpions had been disbanded; victims - many believed - of their own success in rooting out corruption tainting high-level political figures including the future president of South Africa, Jacob Zuma. The DSO was replaced by the Directorate for Priority Crime Investigation (DPCI), which was firmly rooted in the SAPS. Its staff were drawn primarily from the police's organised crime and commercial crime units and some former Scorpions investigators. To create the impression of an elite crime-fighting unit that was equal to the Scorpions, the DPCI's political masters dubbed it the "Hawks".[74]

Starting From Scratch

Colonel Johan Jooste, a former Endangered Species Protection Unit detective who had joined the Scorpions after the ESPU's closure, was appointed to head a "wildlife crime desk" within the Hawks. Months later as the numbers of poaching incidents continued to rise to about one a day, the desk was expanded into a unit staffed by five investigators. "It was difficult," Jooste recalled.[75] "We basically had to start from scratch. Everything had fallen flat [after the closure of the ESPU]."

At the same time, the NPA created a specialised organised crime component to work closely with Jooste's unit in prosecuting poachers and rhino horn smugglers. By 2011, twenty prosecutors had been assigned "specifically to rhino poaching cases".[76] In September 2010, the "rhino task team" carried out its first major arrest. A game farmer and hunting outfitter named Dawie Groenewald and ten other suspects, including veterinarians, a helicopter pilot and farm labourers, were taken into custody in highly publicised raids. A police spokesman later described the case and the seizure of the suspects' assets as a "huge stride in our undying effort to thwart rhino poaching".[77] [78]

73 Burger, Johan. "No-Man's-Land: The Uncertain Existence of SAPS Specialised Units." Institute for Security Studies, August 2015. http://www.corruptionwatch.org.za/wp-content/uploads/2015/12/No-mans-Land-Spes-Units.pdf

74 In March 2011, South Africa's Constitutional Court invalidated the SAPS Amendment Act of 2008, which had created the Hawks, on the grounds that it did not secure adequate independence for the DPCI in its efforts to combat corruption and organised crime. The court also found that the Hawks were insufficiently insulated from political interference. The SAPS Amendment Act of 2012 was intended to remedy this by ensuring that while the DPCI remained within the SAPS, the national police commissioner's role was limited to consultations with the DPCI head on staffing, budgets and joint operations. The head of DPCI was also appointed by the police minister, not the national police commissioner. For more details see: Burger, Johan. "No-Man's-Land: The Uncertain Existence of SAPS Specialised Units." Institute for Security Studies, August 2015. http://www.corruptionwatch.org.za/wp-content/uploads/2015/12/No-mans-Land-Spes-Units.pdf

75 Interview. Colonel Johan Jooste. Pretoria, 6 February 2012.

76 Department of Environmental Affairs. "Interventions to Address the Illegal Killing of Rhinos," August 29, 2011. https://www.environment.gov.za/sites/default/files/docs/interventionto_adressillegal_killingofrhinos.pdf

77 "United States Indicts Dawie Groenewald." Killing for Profit, October 23, 2014. http://killingforprofit.com/2014/10/23/united-states-indicts-dawie-groenewald/

78 The Groenewald case has been dogged by numerous delays. At the time of writing, nearly six years after the arrest, the trial was due to begin on 28 July 2016. The Asset Forfeiture Unit seized assets worth R55-million (about $6.8-million at the time) from Groenewald and two veterinarians, Karl Toet and Manie du Plessis in 2012. The forfeiture was subsequently overturned by a court.

The First Strategy

In October 2010, the Department of Environmental Affairs unveiled a *National Strategy for the Safety and Security of Rhinoceros Populations in South Africa*.[79] The first law enforcement plan of its kind in South Africa, it was as ambitious as it was naïve.[80] Implemented at a cost of R10-million (about $700,000 at the time),[81] the strategy firmly positioned the DEA as the lead agency in the "development of a national organised environmental crime investigation unit". The DEA would also oversee the "development and maintenance of an integrated crime information database and national permit system". In terms of the strategy, both the wildlife crime unit and database would operate "under the auspices of the Department of Environmental Affairs in conjunction with the…Police Service, National Prosecuting Authority and all other relevant stakeholders".

A key role was intended for Environmental Management Inspectors (EMI's) – the network of officials in various national and provincial environmental departments and game parks whose task it is to enforce and monitor compliance with green legislation and regulations, provincial ordinances and decrees and local by-laws. At the time there were about 1,600 of them across the country. Nicknamed the "Green Scorpions" by the press, EMI's undergo a standard training course and, depending on the grade assigned to them, have a relatively wide range of powers under the National Environmental Management Act (NEMA)[82] including authority to conduct some criminal investigations, effect arrests, carry out search and seizure operations and issue notices compelling compliance with environmental laws and regulations. The majority of EMI's are game rangers employed by SANParks. Others are inspectors, investigators and "enforcers" employed in the DEA and provincial nature conservation and environment authorities. "All EMI's go through the same training and they have the same powers as non-commissioned police officers,"[83] Frances Craigie, the DEA's chief director of enforcement, explained. "The idea was to give powers to environmental officials at various levels, from those working on biodiversity issues to those involved with waste and pollution and oceans and coasts. They remain in the employ of whichever national or government depart they work for but they are designated EMI's. People often talk about 'the boss of Green Scorpions' but there is no one boss."

The rhino safety and security strategy stated that criminal investigations conducted by EMI's would be reliant on "support from SAPS, the NPA, including the Asset Forfeiture Unit, South African Revenue Service, a sensitized judiciary with courts specialised in environmental crime and on the effective recruitment and management of informer networks". The relationship between the EMI's and police was defined by a 2009 Standard Operating Procedure (SOP) agreed to by the DEA and SAPS. It established a "collaborative procedure that enables designated SAPS representatives to book out certain criminal case dockets to EMI's". The police, however, remained "the ultimate custodian of criminal dockets as the law enforcement agency tasked with the Constitutional duty to prevent, combat and investigate crime in the Republic".[84]

A National Wildlife Crime Reaction Unit

In line with the strategy, an "interim National Wildlife Crime Reaction Unit (NWCRU)" was established "to respond to the…spate of wildlife crime and more specifically the upsurge of rhino poaching and smuggling of rhino horn" through "joint operations with law enforcement agencies".[85]

79 Department of Environmental Affairs. "National Strategy for the Safety and Security of Rhinoceros Populations in South Africa," September 2010. https://www.environment.gov.za/sites/default/files/docs/nationalstrategy_rhinopopulation_safetysecurity.pdf

80 Department of Environmental Affairs. "National Strategy for the Safety and Security of Rhinoceros Populations in South Africa," September 2010. https://www.environment.gov.za/sites/default/files/docs/nationalstrategy_rhinopopulation_safetysecurity.pdf

81 "Question 143 - National Assembly," February 12, 2015. https://www.environment.gov.za/sites/default/files/question143_rhinopoaching_interventions.pdf

82 National Environmental Management Act 107 of 1998. Accessed May 25, 2016. http://www.gov.za/documents/national-environmental-management-act

83 A non-commissioned officer is a police officer under the rank of inspector.

84 Department of Environmental Affairs. "Briefing Document: Environmental Management Inspectors," September 17, 2014.

85 Department of Environmental Affairs. "Interventions to Address the Illegal Killing of Rhinos," August 29, 2011. https://www.environment.gov.za/sites/default/files/docs/interventionto_adressillegal_killingofrhinos.pdf

Rather than being run by the police, it was co-ordinated by the then head of the SANParks Environmental Crime Investigation Unit, Ken Maggs. Ultimately, if it was successful, the strategy foresaw the interim NWCRU evolving into "a permanent…structure within the Department of Environmental Affairs".*

The DEA's plan necessitated "support for the establishment, and structure of the NWCRU from Provincial Conservation Authorities including SANParks, SAPS, NPA and Provincial conservation agencies…" In addition, the plan required the "secondment of appropriate and carefully vetted officials" from these agencies.

"The poaching was only getting worse and it was hoped that this would get people across all levels of government to work together," said one official. "On paper it was a great strategy but, in hindsight, it was naïve to think that it could get all the right people sitting around a table, from provincial up to national level, planning operations and carrying them out."

From the start the plan met with resistance from provincial government departments unwilling to part with resources and manpower, and adamant that they would not be dictated to by a national government department or a conservation agency. There was conflict about provincial and national priorities and arguments about who would pay for what. "It became a bit of a political thing."

The strategy also had a hostile response from police management who believed that DEA and SANParks had overstepped their mandate. "They felt it was a police function. There was a lot of jealousy. It was never going to work, particularly from the police's side. If the NWCRU did well, it was seen by them as a slap in the face because they were the people who had been mandated and were responsible for taking the lead in fighting crime," said an official familiar with the strategy and its implementation. Prior to 2010, investigations into many poaching cases had been conducted by Environmental Management Inspectors. But as the poaching worsened "there came a point where we [the Environmental Management Inspectorate] realised we needed the police to get more involved," says Craigie. And the police – asserting their position as "custodian of criminal dockets" – issued an instruction that EMI's should no longer "carry" case dockets related to poaching.

The interim NWCRU did have its successes. When it worked, insiders say, it worked "pretty seamlessly" cutting out layers of bureaucracy and channelling information through a central point to the Hawks. But the resources it required, the resistance from provincial authorities and the incongruity – at least, in the eyes of police – of environmental agencies running a crime unit ensured that it never really gained traction.

"The sad thing is that the rhino safety and security strategy was never really tested. Nobody took ownership of it or were accountable. There was confusion about whether it was the DEA or the police who should be in charge."

NATJOINTS

By the end of 2012, the interim NWCRU had largely ceased operations, its work supplanted by a "priority committee" established in 2011[86] under the auspices of the National Joint Operational and Intelligence Structure (NATJOINTS).[87] A "security legacy" of the 2010 Soccer World Cup, NATJOINTS has a core membership of 17 national government departments and agencies with various others co-opted when necessary. It develops operational security plans for large events and centralises and co-ordinate responses to specific "security threats" including issues relating to immigration, service delivery protests and rhino poaching, among others. The structure has not been without controversy. The opposition Democratic Alliance has questioned its legislative mandate. So far, the

86 Directorate for Priority Crime Investigation. "Presentation to the Portfolio Committee on Police. Rhino Threat." Cape Town, September 9, 2015. http://pmg.org.za/files/150909DPCI_KNP.pdf

87 "Question 847 - National Assembly," March 20, 2015. "Question 143 - National Assembly," February 12, 2015. https://www.environment.gov.za/sites/default/files/question143_rhinopoaching_interventions.pdf

police have been unable to explain which legislation or regulations provided for the establishment of NATJOINTS and continues to govern its activities.[88] Activists have also expressed concern that the existence of NATJOINTS and structures like it suggest that government's security cluster is blurring the lines between the police, military and intelligence services and increasingly treating them "as one organism", rather than distinct entities with clearly defined mandates and functions.[89]

The NATJOINTS priority committee on rhino poaching brings together a motley collection of government agencies including the South African Police Service, National Defence Force, Revenue Service (SARS), State Security Agency (SSA), the national parks authority, SANParks, the Civil Aviation Authority, the Veterinary and Medicines Control Councils and the Departments of Environmental Affairs (DEA) and Agriculture. It is mandated to co-ordinate and "handle all rhino-related investigations and cases" carried out in terms of a national project dubbed "Operation Rhino". NATJOINTS is, in essence, the operational arm of the government's justice, crime prevention and security cluster. Yet, for a significant period, the priority committee was chaired by Fundisile Mketeni, the DEA's deputy director-general for biodiversity and conservation and currently the CEO of SANParks. "Once again there were questions about why it was being chaired by an environmental official and not someone from the security cluster," a government official said. Finally, towards the end of 2015, the police took over chairing the committee.

In August 2014 South Africa's environment minister, Edna Molewa, announced the implementation of an "integrated strategic management" plan for the country's rhino populations which acknowledged that "poaching is part of a multi-billion dollar worldwide illicit wildlife trade".

A Changing Mandate

There have been other indications of a shift away from conservation-led strategies to combat rhino poaching. In August 2014 South Africa's environment minister, Edna Molewa, announced the implementation of an "integrated strategic management plan" for the country's rhino populations which acknowledged that "poaching is part of a multi-billion dollar worldwide illicit wildlife trade". [90] Key "interventions" included the "improvement of actionable intelligence" and "steps to disrupt crime syndicates". Molewa was vague about the details but, importantly, said these aspects would be "implemented by our security cluster".

In half-a-dozen press briefings held since May 2015 to "highlight progress in addressing rhino poaching", Molewa has been joined on stage by one or more of the cabinet ministers responsible for the policing, justice, defence and state security portfolios. In the past, these kinds of media briefings were conducted by Molewa and senior officials in the DEA and SANParks. In May 2015 the national police commissioner, Riah Phiyega, briefed journalists about rhino poaching investigations and convictions. Then in August, it was the turn of police minister Nathi Nhleko and defence minister Nosiviwe Maphisa-Nqakula. In January 2016, Molewa was joined by justice minister Michael Masutha. He returned in May 2016, alongside Maphisa-Nqakula and General Berning Ntlemeza, the head of the Hawks. The press release accompanying the latter briefing emphasized the point: "Minister Edna Molewa joined by Security Cluster Ministers highlights progress in the fight against rhino poaching".[91]

It was a shrewd political move on Molewa's part. Not only did the appearance of the ministers and police

88 Flanagan, Louise. "Police Seeks Answers about Natjoints." The Star, March 4, 2016. http://www.iol.co.za/news/crime-courts/police-seeks-answers-about-natjoints-1993678

89 Duncan, Jane. "The Lang-Arm of the Law Is a Deadly Dance." The M&G Online, August 2014. http://mg.co.za/article/2014-08-07-the-lang-arm-of-the-law-is-a-deadly-dance/\

90 Department of Environmental Affairs. "Minister Edna Molewa Leads Implementation of Integrated Strategic Management of Rhinoceros in South Africa," August 12, 2014. https://www.environment.gov.za/mediarelease/molewaintegratedstrategicmanagement_rhinoceros

91 Department of Environmental Affairs. "Minister Edna Molewa Joined by Security Cluster Ministers Highlights Progress in the Fight against Rhino Poaching |," May 8, 2016. https://www.environment.gov.za/mediarelease/molewa_onprogresagainst_rhinopoaching

commissioners present the semblance of a united front, but it publicly shifted the burden of responsibility from the DEA to the departments that should be playing a far more active role in combatting poaching and wildlife trafficking.

"The reality is that DEA simply doesn't have the manpower or the mandate to gather intelligence and investigate organised crime," said a government official, mirroring what many others in the security cluster and entities linked to it said in interviews for this report. "It also doesn't have the ability to counter sophisticated transnational crime networks. Organised crime is a policing competency and the police won't give that up very easily. And they shouldn't. That is their responsibility. Police will never take orders from a 'civilian' department. Environmental agencies the world over simply don't have the power to compel action by police and security agencies. So it is pointless that DEA is developing law enforcement strategies or entering into agreements about 'law enforcement' with their counterparts in Vietnam and China."

Towards the end of 2015, Lieutenant-General Elias Mawela – the chairman of NATJOINTS and a divisional commissioner in the SAPS – established an interdepartmental task team consisting of officials from the police, DEA, the South African Revenue Service, NPA, Department of Justice and SANParks to develop a wildlife trafficking law enforcement strategy for the police. The team was led by Dr Lyle Pienaar, a senior State Security Agency (SSA) analyst working on transnational organized crime. Wildlife trafficking specialists at a number of key local and international NGO's were also consulted on the strategy. The plan, which – for the first time - positions the SAPS as the lead agency, makes provision for the creation of a specialist unit to combat wildlife trafficking and proposes far-reaching changes to improve law enforcement and intelligence-gathering strategies and international co-operation. Submitted to police in February 2016, the final draft of the National Integrated Strategy to Combat Wildlife Trafficking (NISCWT) has been described by some of those involved as a potential "game changer" in South Africa's efforts to tackle wildlife trafficking. "But it needs to be implemented correctly, the right people need to be appointed and somebody must be held accountable otherwise it will just become another document on a pile of strategies that have been abandoned," said one.

During her May 2016 briefing, Molewa said the DEA was "under no illusions about the challenges ahead, but we are confident that slowly but surely, progress is being made".[92] The harsh reality, however, is that about three rhinos are being killed every day in South Africa. More than 5,400 have fallen to poachers' bullets since 2006. Local, regional and international law enforcement responses to rhino poaching have simply not been able to match the ruthless efficiency of the criminal syndicates driving poaching and wildlife trafficking. On paper, the NISCWT strategy represents a new approach, but can it survive the systemic issues that are crippling the police and the Hawks? The challenges that have to be overcome are immense.

The 'Silo Effect'

Perhaps the single greatest frustration for many investigators is the lack of collaboration and information sharing between police stations, police units, national parks, government departments, security agencies, the defence force and security companies established to tackle poaching. While there is recognition that "only a well-coordinated effort by all law enforcement agencies in South Africa will impact on the illegal killing of rhinos", [93] the reality is far messier. It is commonly referred to as the "silo effect".

"Everyone works in their own silo. There is a lack of co-ordination and communication," says a detective. "It is a systemic thing. People don't trust each other. Every province is sitting on their own information dung pile. People just focus on their own backyard and fuck the rest. Everyone is trying to keep the poaching statistics for their area

92 Department of Environmental Affairs. "Minister Edna Molewa Joined by Security Cluster Ministers Highlights Progress in the Fight against Rhino Poaching," May 8, 2016. https://www.environment.gov.za/mediarelease/molewa_onprogresagainst_rhinopoaching

93 Department of Environmental Affairs. "Interventions to Address the Illegal Killing of Rhinos," August 29, 2011. https://www.environment.gov.za/sites/default/files/docs/interventionto_adressillegal_killingofrhinos.pdf

as low as possible and the arrest numbers up. When they arrest somebody, that's it. They've made their case. They don't take it any further because that is not their mandate."

Unlike government agencies, poaching syndicates don't remain static or limit activities to their own "backyards". A crackdown in Limpopo or Mpumalanga, for instance, will displace poaching gangs to other provinces such as the Eastern Cape or KwaZulu-Natal. Each gang has its own set of unique signatures: the shoes they wear and the tracks they leave, the weapons and ammunition they use and the anti-tracking techniques they employ. It is information that could help identify the gang and build a case linking them to poaching activities in other parts of the country. Similarly, a stock theft unit detective in North West province may pick up information that ties into investigations in KwaZulu-Natal and Gauteng provinces but neither he nor the other investigators are aware that they are working on the same case. The same is true of private anti-poaching companies which treat any information they gather as a commercial "work product" and rarely share it with police or rival firms.

"The idea of a national integrated approach is just not getting through," says a senior official. "That's where the fragmentation comes in and that is where it falls apart. The only way to sort this out is a centralized approach. You can have people decentralized at provincial and local level but they must report to a single organ and all information must be channelled through a single point."

"Each gang has its own set of unique signatures: the shoes they wear and the tracks they leave, the weapons and ammunition they use and the anti-tracking techniques they employ. It is information that could help identify the gang and build a case linking them to poaching activities in other parts of the country. "

Currently high level syndicate investigations are handled by the Hawks. Investigations into rhino poaching incidents and the activities of low-level poaching gangs have been delegated to the police Stock Theft Units to help relieve pressure on organised crime detectives. But, in many cases, police working in the stock theft units have limited experience investigating rhino poaching cases and little knowledge or understanding of the activities of poaching gangs.

"Personnel will always be a problem but it can be addressed if the right people take control," says a detective. "It is not just about boots on the ground, it is about experience. You can appoint another 500 investigators and it won't solve the problem. But if you can find twenty who actually know what is going on, it will have a much better impact."

Maggs argues that the "challenge with intelligence isn't necessarily intelligence itself, because there is certainly enough of it". "I think we have more than enough information and intelligence to do considerable disruption. It is how we co-ordinate and share…Trust is an issue. The only time you get a good exchange of information is if two people become friends and develop a really good position of trust. That is how it has been since the year dot. The Americans, the Germans, the French – all have the same problem."[94]

The Trouble with Crime Intelligence

Years of poor administration, corruption and political interference have crippled the police's Crime Intelligence (CI) division, the agency mandated to gather "actionable intelligence" to combat organised crime.[95] Its former head, Lieutenant-General Richard Mdluli, stands accused of murder, kidnapping, corruption and fraud. Major-General Chris Ngcobo, who took over as as acting head of Crime Intelligence after Mdluli's arrest, was placed on "special leave" in October 2013 after "consistently lying" about his school qualifications. He finally resigned from the police

94 Interview. Ken Maggs. 8 July 2015

95 Burger, Johan. "A Dysfunctional SAPS Intelligence Division Has Severe Implications for Reducing Crime." ISS Africa. Accessed June 2, 2016. https://www.issafrica.org/crimehub/news/a-dysfunctional-saps-intelligence-division-has-severe-implications-for-reducing-crime

in 2015 and, according to some reports, was promptly "rewarded with an ambassador's post". [96] The rot in CI ran deep. A secret crime intelligence "slush fund" was reportedly looted for years by the division's officers who splurged money on luxury cars and even rental on a furniture shop that was registered as a "safe house". Some reports suggest that more than R145-million was "blown". Dozens of irregular appointments were made. Under Mdluli, at least seven of his family members were allegedly added to the crime intelligence payroll after his appointment[97]. A convicted drug dealer, his wife, daughter and son-in-law were also paid thousands as crime intelligence operatives, without doing a stitch of police work. Laptops loaded with "confidential information" regularly went missing.[98] Between 2013 and 2015 at least 32 crime intelligence officers were charged with fraud and corruption.[99] A "Crime Intelligence turnaround strategy" has been implemented but the damage won't easily be undone.

A lack of "tactical intelligence to prevent poachers from entering the Kruger National Park",[100] has been discussed at a number parliamentary portfolio committee meetings on policing and environmental affairs in recent years. In February 2015, the portfolio committee on police recommended that the "SAPS drastically improve its crime intelligence capacity and capability in and around the [Kruger National Park] communities with a view to gathering information about rhino poachers with immediate effect".[101]

This came amid complaints that police crime intelligence officials were "not pulling their weight" and were frequently absent or had little, if anything, to contribute to weekly Intelligence Co-ordinating Committee (ICC) meetings held at the Mission Area Joint Operations Centre (Majoc) near Skukuza airport in the Kruger National Park.[102]

During a presentation to the policing portfolio committee in September 2015, Major-General J. Lekalakala, CI's head of covert intelligence collection, conceded that "planned police actions on rhino poaching were not yielding the desired result due to the lack of an integrated approach and a dedicated crime intelligence capacity to provide accurate, relevant and timeous intelligence". He said that eight "intelligence collectors" and two information analysts had been deployed in the Kruger National Park since July 2015. The "collectors" were required to obtain "effective and efficient actionable intelligence related to rhino poaching", recruit informers, establish the origin of weapons used in poaching incidents, "identify all suspects involved, including their hideouts, routes, timeframes, hotspots and modus operandi", interview arrested suspects, conduct intelligence-driven operations, establish a suspect database and "identify the main targets/end-receivers of rhino horn for arrest and disruption purposes". [103]

Many of those interviewed for this report said deep suspicions of the CI division continue to persist – fuelled by tales of incompetence and corruption, of CI operatives spying on members of the Hawks for organised crime figures[104] or becoming embroiled in the dirty factional politics of the ANC.[105] "They should actually close the place

96 Jika, Thanduxolo. "Zuma's VIP Protector Gets Top Foreign Post." Sunday Times, November 22, 2015. http://beta.pressreader.com/test/beta/south-africa/sunday-times/20151122/281535109895652/TextView

97 Pauw, Jacques. "Mdluli Inc in Top Gear: BMW's, Mercs and Jeeps - the High, Expensive Lives of Crime Intelligence Head's Family." City Press, April 22, 2012

98 Staff Reporter. "Thieves Rob SAPS Crime Intelligence Unit." IOL, July 23, 2015. http://www.iol.co.za/news/crime-courts/thieves-rob-saps-crime-intelligence-unit-1889693

99 Hofstatter, Stephan, and wa Afrika, Mzilikazi. "How Cop Spies Looted Slush Fund." Sunday Times, November 22, 2015.

100 Parliamentary Monitoring Group. "SAPS 1st Quarter 2015/16 Performance; Kruger National Park: Progress Reports," September 9, 2015. https://pmg.org.za/committee-meeting/21488/

101 Parliamentary Monitoring Group. "Report of the Portfolio Committee on Police on Its Oversight Visit to the Mpumalanga Province, Dated 10 February 2015," https://pmg.org.za/tabled-committee-report/2461/

102 Interviews. January 2014

103 "Operation Rhino 6 - Kruger National Park: Inputs on Rhino Poaching by Division Crime Intelligence." presented at the Portfolio Committee on Police, Cape Town, September 2015.

104 Rademeyer, Julian. "Police 'Paid by Czech Mobster'" City Press, March 20, 2011. http://www.news24.com/SouthAfrica/News/Police-paid-by-Czech-20110320

105 Evans, Sally. "Why Spies Are Flocking to Mangaung." Mail & Guardian, December 14, 2012. http://mg.co.za/article/2012-12-14-00-road-to-mangaung-why-spies-are-flocking-to-mangaung



Photo: © Ola Jennersten / N IBL WWF

down, chase everybody away and appoint people with integrity," says a detective who has worked with CI. "It is all a big charade. While there are exceptions, there are too many people who want to be James Bond, wear thick dark glasses and make as if they are working deep undercover."

The analysts and intelligence collectors assigned to Kruger are not permanent deployments and rotate on a regular basis. Few of them have any background investigating wildlife trafficking syndicates. "There is a belief that if someone is an analyst, they can analyse anything," says a senior investigator. "That's their downfall. To do it properly, they need to have the background and understand how this [wildlife trafficking] all works. Just because someone has done analysis of drug syndicates and vehicle theft syndicates, doesn't mean they can do the same on wildlife crime networks…They [CI] think that anyone with an Excel spreadsheet is an analyst. Appointments are being made for the sake of appointing people, not for the sake of getting people who can actually do the job."

Says Richard Emslie, scientific officer for the IUCN Species Survival Commission's African Rhino Specialist Group: "The quality and quantity of dedicated data analysts you have interrogating the data and trying to obtain new knowledge and insights that you didn't have before also counts. To be a good analyst requires an enquiring analytical mind and an ability to use the sophisticated software and other techniques like social network analysis. Data capturers are not analysts."

Basic elements of policing are often ignored. "This is intelligence, not rocket science," says a policeman. Hundreds of arrested and convicted poachers are behind bars. Each of them of them has potentially valuable information to impart. Those who have been jailed for 10, 15 or 20 years have little to lose. "You can cut them some slack or arrange for them to be moved out of the cesspit they're in to a better prison in exchange for information. That's what CI should be doing."

Large amounts of data about poaching suspects, syndicates and smugglers already exists, collected by SANParks, Ezemvelo KZN Wildlife and private parks and anti-poaching operations over the past eight years. The names of many of the poaching gang bosses and kingpins are known. But sifting and collating information and using data visualization software to better understand the intricacies of the networks involved is only part of the process. "You can obtain as much information as you like, but if you don't act on it, it is fairly pointless," says an investigator. "Ultimately all of this information must be directed at a target," says Maggs. "We have a lot more information and intelligence than we often realise."[106]

106 Interview. Ken Maggs. 8 July 2015

The lack of support from police crime intelligence forced SANParks, Ezemvelo and private parks and game farms to develop their own intelligence gathering operations on various scales, hire analysts to fill the void or recruit private risk and security companies to fill the void. In February 2013 SANParks, for instance, hired the Pathfinder Corporation, a company staffed largely by ex-South African National Defence Force soldiers and ex-police officers with intelligence backgrounds, to conduct risk assessments and beef up intelligence gathering and analysis in the Kruger National Park. It played a "vital role", insiders say, but its contract was abruptly terminated in June 2014.[107] No official explanation has ever been given. Internal SANParks documents indicate that Pathfinder's sacking had a detrimental impact on anti-poaching efforts and identified an "urgent need to obtain actionable intelligence to manage the poaching threat proactively". With Pathfinder gone, the Kruger National Park would have to "insource and develop its own capacity over time".

A similar fate befell a project initiated by the Terrorism, Transnational Crime and Corruption Centre (TRaCCC) at George Mason University in the United States. Its proposal to use academics, analysts and former US law enforcement officials to map the rhino horn supply chain, identify financial networks, track financial flows and provide training to officials and conservationists in South Africa collapsed after months of negotiations that were nearing finalisation. Again no explanations were given although some of those involved say that "there seemed to be paranoia from the South Africans that American intelligence was somehow going to sneak in through the back door".

Corruption

Corruption is rife in many countries along the rhino horn smuggling routes. According to Transparency International's 2015 Corruption Perceptions Index, which scored countries on a scale ranging from 0 (highly corrupt) to 100 (very clean), South Africa (with a score of 44), Mozambique (31), Zimbabwe (21), Zambia (38) , Vietnam (31), Laos (25) Cambodia (21) and China (37) all have a "serious corruption problem".[108]

In South Africa, according to a recent Victims of Crime Survey, 48% of households believe that police are corrupt, co-operate with criminals (39.1%) or are simply "lazy" (58,6%). [109] Similarly, a 2014/15 AfroBarometer survey found that among the respondents, 33.1% of South Africans, 32.5% of Namibians, 38.1% of Zimbabweans and 29.2% of Zambians believed most police officials in their countries were corrupt.[110]

The South African Police Service has not had an effective anti-corruption strategy in place since the closure of the police's Anti-Corruption Unit (ACU) in 2001- one of the many specialist units that shut their doors that year. A report by the Institute for Security Studies (ISS) concluded that the closure of the ACU – which received more than 20,000 complaints of police corruption in the six years of its existence and saw an average of 1,300 dirty cops convicted each year - "was a step backwards...in terms of combating corruption and resulted in a reduction in the numbers of arrests and convictions of police officials involved in corruption".[111] Writing in 2007, an ISS crime researcher, Andrew Faull, argued that since the disbanding of the ACU, "the SAPS has struggled to settle on and implement an anti-corruption strategy," adding that "[n]umerous indicators suggest a lack of political will on the part of the SAPS and government as a whole in taking steps to counter police corruption".[112]

107 Joubert, Pearlie. "Rhinos Lose out in Kruger Turmoil - Mystery over Shock Sacking of Security Company." Sunday Times, June 15, 2014. http://www.sapressonline.com/aacl/?p=3522

108 Transparency International. "Corruption Perceptions Index 2015," January 27, 2016. http://www.transparency.org/whatwedo/publication/cpi_2015

109 Statistics South Africa. "Victims of Crime Survey 2014/15," http://www.statssa.gov.za/publications/P0341/P03412014.pdf

110 "Afrobarometer." Accessed June 3, 2016. http://afrobarometer.org/

111 Newham, Gareth, and Faull, Andrew. "'Protector or Predator.' Tackling Police Corruption in South Africa." Institute for Security Studies, 2011. https://www.issafrica.org/uploads/Mono182Web.pdf

112 Faull, Andrew. "Corruption and the South African Police Service - A Review and Its Implications." ISS Paper 150. Institute for Security Studies, September 2007. http://www.apcof.org/files/2406_PAPER150PDF.pdf

The scandals have continued through successive police commissioners. In 2010, Jackie Selebi was convicted of corruption for taking bribes from a convicted drug dealer and sentenced to 15 years behind bars. He was released on medical grounds after serving just 229 days of his sentence and died at home in January 2015. His successor as police commissioner, Bheki Cele, was suspended and eventually fired in 2012 over his role in murky SAPS office rental deals. In August 2013, police revealed that a "thorough" and "protracted" audit had found that 1,448 serving SAPS officers were convicted criminals. They included a major-general, ten brigadiers, 21 colonels, ten majors, 43 lieutenant-colonels, 163 captains, 84 lieutenants and 716 warrant officers. Many of them remain at their posts.[113]

Growing numbers of police – including crime intelligence operatives - game rangers and park staff have been arrested in recent years on charges involving rhino poaching and horn smuggling. In 2015, at least 11 policemen, including three attached to crime intelligence units, were arrested:

- 9 January 2015 – Christopher Gumbi, a 48-year-old warrant officer stationed with the Jozini Crime Intelligence unit in Kwazulu-Natal province was arrested after robbing two undercover policemen posing as rhino horn dealers. Gumbi allegedly held them up at gunpoint, relieved them of the two rhino horns they were using in a "buy-bust" sting operation and sped away in his car. The undercover policemen subsequently gave chase and arrested him.[114]
- 24 February 2015 – Three police officers were arrested during a sting operation at a shopping mall near South Africa's capital, Pretoria. The men formed part of a group of five suspects who allegedly attempted to sell three rhino horns to undercover police. One of the suspects, Captain Mandla Khumalo (42) [115] was stationed at the West Rand Crime Intelligence unit. Another, identified in a newspaper report only as a Warrant Officer Khumalo[116], reportedly belonged to the Honeydew Crime Intelligence unit. A third, Warrant Officer Mothupi, was attached to the West Rand police dog unit and, ironically, was the handler of a sniffer dog trained to detect smuggled rhino horn. [117]
- 6 May 2015 – Four police constables from the Middleburg Police Flying Squad in Mpumalanga province were arrested on charges of corruption and dealing in rhino horn. According to a press report, the four police officers had pulled over a vehicle with five occupants inside. They searched it and found a rhino horn and an unspecified quantity of cash which they confiscated. Instead of arresting the five suspects, the cops demanded a bribe and later tried to sell the horn.[118]
- 27 November 2015 – Three police officers were among 12 suspects arrested in Gauteng and North West provinces. The men were said to be part of a "major" rhino poaching and trafficking syndicate that had been targeted in a three-year investigation codenamed "Operation Ringleader". The Hawks seized 13 illegal firearms – eight rifles and five pistols – R1,1-million in cash, four rhino horns and several blocks of horn.

Police corruption also runs like tangled thread through a number of high-profile rhino-poaching cases that are currently in court including that of an alleged poaching syndicate "kingpin", Joseph "Big Joe" Nyalunga (56). Nyalunga – whose trial continues later this year – is a former policeman who left the SAPS under a cloud in 2009 after becoming the subject of an investigation into a criminal syndicate who were smuggling counterfeit cigarettes and cars across the Mozambican

113 Rademeyer, Julian, and Wilkinson, Kate. "South Africa's Criminal Cops: Is the Rot Far Worse than We Have Been Told?" Africa Check, July 23, 2014. https://africacheck.org/reports/south-africas-criminal-cops-is-the-rot-far-worse-than-we-have-been-told/

114 Mitchley, Alex. "Corrupt Cop Caught in Rhino Poaching Sting." The Citizen, January 10, 2015. http://citizen.co.za/304836/corrupt-cop-caught-rhino-poaching-sting/

115 South African Police Service. "Press Statement: Police Pounce on a Crooked Cop and Accomplices in Possession of Rhino Horn," February 28, 2015. http://www.saps.gov.za/newsroom/msspeechdetail.php?nid=4140

116 It is unclear whether "Captain Khumalo" and "Warrant Officer Khumalo" are one and the same, or whether they may be related in some way. The numbers of policemen arrested differs in official police statements and press reports.

117 "Name and Shame: Two Cops Arrested for Rhino Horn Deals." Roodepoort Record, March 3, 2015. http://roodepoortrecord.co.za/2015/03/03/name-and-shame-two-cops-arrested-for-rhino-horn-deals/

118 Staff Reporter. "Four Cops Arrested for Possession of Rhino Horn, Corruption." Sowetan LIVE, May 8, 2015. http://www.sowetanlive.co.za/news/2015/05/08/four-cops-arrested-for-possession-of-rhino-horn-corruption

border. A year later he was linked to the murder of man who had been beaten to death before his corpse was weighted down with a rock and dumped in a dam. In March 2012, Nyalunga was arrested in Hazyview near the Kruger National Park with four rhino horns and a quantity of marijuana. Two field guides, a ranger and a traffic policeman who had worked in the Kruger were also arrested in connection with the case, as were seven Mozambican nationals. Searches of three properties owned by Nyalunga yielded 60 hunting knives and machetes – some still spattered with blood – night sights, silencers for .375 and .458 hunting rifles, stolen laptops and television sets, an electronic money-counter and more than R5-million (about $610,000 at the time) in cash hidden in two steel trunks.[119] [120]

In a separate case, a Hawks warrant officer, Willie Oosthuizen, is standing trial alongside an alleged poaching "ringleader", Hugo Ras, and seven others. Oosthuizen is implicated in several illegal rhino horn and ivory deals and rhino poaching cases. He is also alleged to have a played a role in the theft of four rhino horns from a nature conservation office in Limpopo province. A second police officer – who has not been charged and appears on a list of witnesses for the prosecution – is alleged to have sold Ras four rhino horns that had been entrusted to him for safekeeping by a game farmer. The indictment alleges that Ras paid him R298,500 (about $40,000 at the time) for the horns. The involvement of the policeman, a captain in the police's Stock Theft Unit, came as a bitter shock to his colleagues. He had a track record of successful investigations into rhino poaching and trafficking cases and was widely considered "one of the good guys".

"Corruption also extends to provincial nature conservation offices where officials have been implicated in covering-up pseudo hunts, taking kickbacks, selling hunting permits under the counter and turning a blind eye to abuses in the hunting industry."

"Corruption is a "major problem" affecting the Kruger National Park, but officials believe it is "not uncontrollable". In 2013 SANParks began implementing a process of "integrity testing" for all park rangers. By February 2015, about 1,376 evaluations had been conducted.[121] "Integrity tests have now become part of the conditions of service in all employment contracts," says General Johan Jooste.[122] "You need guards to guard the guards. If someone becomes a person of interest, we then carry out further investigations."
Layered Voice Analysis - the technology that has been used in the park – is controversial. Billed as "state of the art…emotion and lie detection software" is said to be more advanced and reliable than a polygraph, relying on "analysis of the entire audible spectrum of voice frequencies". However, a number of research reports and academic papers have raised questions about the accuracy of LVA testing.[123] [124] Labour unions have also resisted the broader implementation of integrity testing. While the ranger corps and senior anti-poaching staff have been subject to integrity tests, the same is not true of general staff employed in the park. The Kruger employs 2,200 permanent staff with a further 930 temporary posts. "About 20% of staff in the Kruger are rangers. The rest aren't subject to testing and that's a problem. There are probably far fewer corrupt rangers than other staff," says a SANparks official.

A number of rangers have been implicated in poaching. In June 2016, two Kruger Park field rangers were arrested on charges of rhino poaching. The arrests followed closely on the suspension of two other field rangers attached to the Special Operations unit in Skukuza on 8 June 2016 and the arrest of field ranger based in the park's Satara section.[125]

119 Viljoen, Buks. "Fotos Wys Glo Marteling," June 17, 2012. http://152.111.1.88/argief/berigte/beeld/2012/06/17/B1/4/bvnyalungamartel_1729.html
120 Rademeyer, Julian. Killing for Profit: Exposing the Illegal Rhino Horn Trade. Cape Town: Penguin Random House South Africa, 2012.
121 Parliamentary Monitoring Group. "Report of the Portfolio Committee on Police on Its Oversight Visit to the Mpumalanga Province, Dated 10 February 2015," https://pmg.org.za/tabled-committee-report/2461/
122 Interview. General Johan Jooste. 5 October 2015
123 Damphousse, Kelly R; Pointon, Laura; Upchurch, Deidra; Moore, Rebecca K. "Assessing the Validity of Voice Stress Analysis Tools in a Jail Setting," June 2007. https://www.ncjrs.gov/pdffiles1/nij/grants/219031.pdf
124 Cho, Adrian. "Brouhaha Over Controversial Forensic Technology: Journal Caves to Legal Threat." Science | AAAS, February 10, 2009. http://www.sciencemag.org/news/2009/02/brouhaha-over-controversial-forensic-technology-journal-caves-legal-threat
125 News24. "Two Kruger Rangers Arrested for Alleged Poaching," June 20, 2016. http://traveller24.news24.com/Explore/Bush/two-kruger-rangers-arrested-for-alleged-poaching-20160620

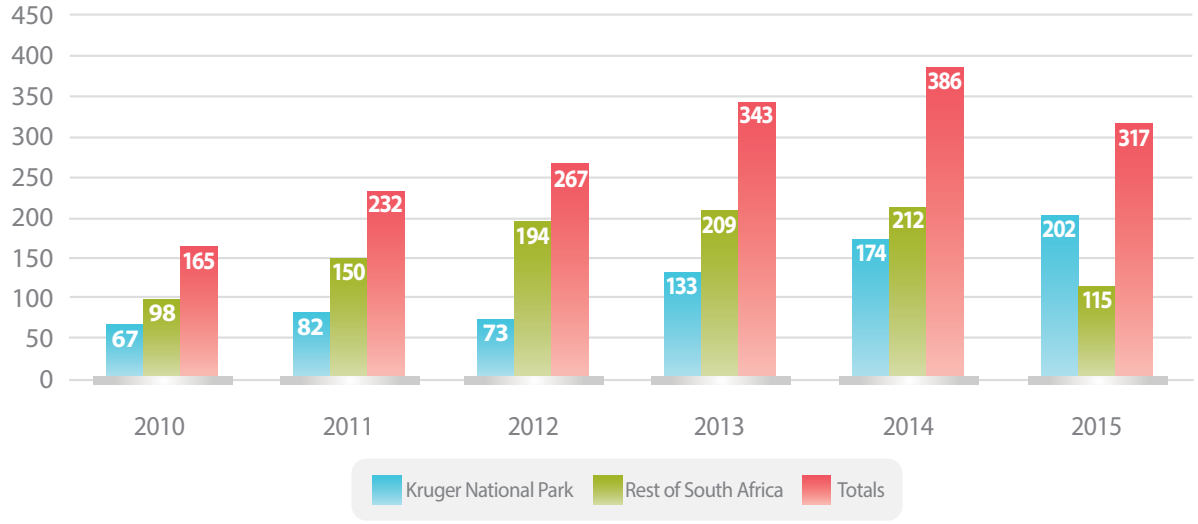
Corruption also extends to provincial nature conservation offices where officials have been implicated in covering-up pseudo hunts, taking kickbacks, selling hunting permits under the counter and turning a blind eye to abuses in the hunting industry. In March 2013, environmental affairs minister Edna Molewa acknowledged severe problems in North West and Limpopo provinces. "We have had to dismiss officials before for irregularities in hunting permits…[T]here is a need again to actually clean the system in both North West and Limpopo. Action has not been taken timeously...."[126]

But in many instances involving abuses in the provinces, the DEA's options are limited. For the most part it can only seek to tighten laws and regulations and request the provinces to take remedial action. While the Constitution allows the national government to intervene if a province "cannot or does not fulfil an executive obligation in terms of the Constitution or legislation," such interventions are rare. In a report to CITES last year setting out the steps taken to implement strategies developed by the CITES Rhinoceros Enforcement Task Force, the DEA conceded that the DEA does not not "yet" have a specific programme to combat corruption.[127]

Convictions

More than 1,700[128] suspected poachers and rhino horn smugglers have been arrested in South Africa since 2010. In recent years, the country's National Prosecuting Authority (NPA) has stated that "conviction rates" for poaching cases range between 83%[129] and 88.8%. But conviction rates – which are based on the number of cases finalised in court in a given year - are an unreliable benchmark for evaluating the real impact of arrests and convictions.

Figure 6: Arrests of suspected rhino poachers, 2010-15



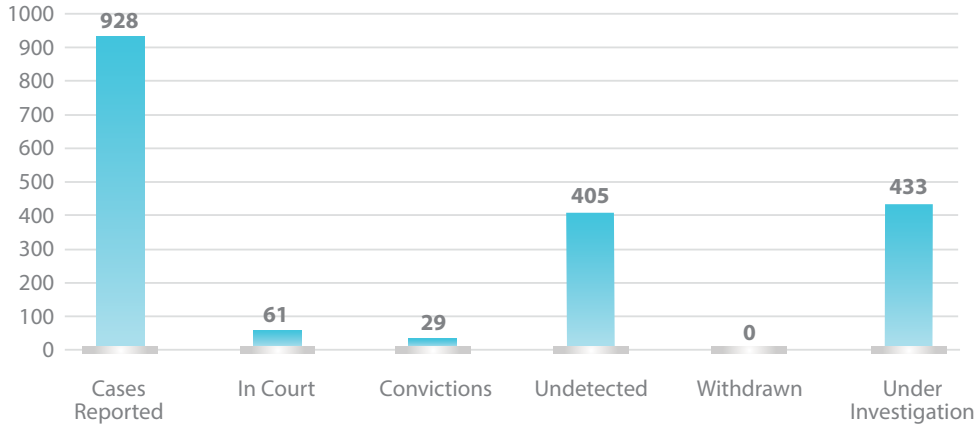
Source: SAPS, DEA

The NPA defines a conviction rate as the "percentage of cases finalised with a guilty verdict divided by the number of cases finalised with a verdict"[130]. In essence, that means that if ten cases are finalised in court in a year and eight result in a guilty verdict, the NPA has achieved an 80% conviction rate. But many more cases never make it to court, are struck off the roll due to insufficient evidence, or are sent back to investigators for further investigation because the case dockets are incomplete or fail to provide the basis for a successful prosecution.

126 Interview. Minister Edna Molewa. Bangkok. March 2013
127 Department of Environmental Affairs. "South Africa - Report on Recommendations Adopted by the 65th Meeting of the CITES Standing Committee," July 31, 2015. https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-51-01-A3.pdf
128 Department of Environmental Affairs
129 "Justice, Crime Prevention and Security (JCPS) Cluster Media Briefing | Government Communication and Information System (GCIS)." Accessed March 14, 2016. http://www.gcis.gov.za/content/newsroom/media-releases/media-briefings/2012/June/25
130 National Prosecuting Authority. "NPA Response to Da Press Release on Conviction Rate," June 5, 2012. https://www.npa.gov.za/sites/default/files/media-releases/June-05-2012-NPA-Response-To-DA-Press-Release-on-Conviction-Rate.pdf

For example, in January 2016, the Department of Environmental Affairs published a briefing note on rhino-poaching related convictions from "April 2015 to date"[131]. It stated that there had been an 88.8% conviction rate over that period with 48 accused convicted on charges relating to rhino poaching and horn trafficking. Three accused were acquitted and charges against another three were withdrawn. What the briefing note does not include is analysis of the number of cases that were sent back to investigators for further investigation or cases that were scrapped because prosecutors did not believe they had a reasonable prospect of success.

Figure 7: Kruger National Park cases finalised between January 2015 and December 2015



Source: SAPS, DPCI

Prosecutors have a wide discretion to decide which cases have "reasonable prospects of success" and some argue that the NPA's emphasis on high conviction rates as a performance measure has encouraged a "tendency to decline to prosecute."[132] A US study of convictions versus conviction rates puts it more bluntly, finding that "a prosecutor's high conviction rate may not be a sign that he is tough on crime and doing a good job."[133]

"Instead he might be taking easy cases and letting too many criminals go without prosecuting them…Any system that pays attention to conviction rates, as opposed to the number of convictions, is liable to abuse."

Data presented to the South African Parliament by police in January 2016 suggests that police, prosecutors and courts face an overwhelming backlog of cases and that real conviction rates – when compared to the numbers of arrests – are low. Several high profile cases have also dragged on for years, draining time and resources. These include the case against game farmer Dawie Groenewald and several co-accused[134], which began in 2010, the prosecution of "Big Joe" Nyalunga, which began in 2012[135], and the trial of Hugo Ras[136], who was arrested in 2014.

In September 2015, the national head of Hawks, Major-General Berning Ntlemeza, told the South African Parliament that critical challenges facing efforts to combat rhino poaching included "cumbersome court proceedings and slow conviction rates". [137]

131 "Briefing Note: Rhino Convictions - April 2015 to Date," January 21, 2016. https://www.environment.gov.za/sites/default/files/docs/briefingnotes.pdf

132 Redpath, Jean. "Failing to Prosecute? Assessing the State of the National Prosecuting Authority in South Africa." Institute for Security Studies, 2012. https://www.issafrica.org/uploads/Mono186WEB.pdf

133 Eric Rasmusen Manu Raghav, and Mark Ramseyer. "Convictions versus Conviction Rates: The Prosecutor's Choice," December 31, 2008. http://kelley.iu.edu/riharbau/RePEc/iuk/wpaper/bepp2008-16-rasmusen-raghav-ramseyer.pdf

134 "United States Indicts Dawie Groenewald." Killing for Profit, October 23, 2014. http://killingforprofit.com/2014/10/23/united-states-indicts-dawie-groenewald/

135 Mashaba, Eric. "Suspected Kingpin, 11 Others in Court for Rhino Poaching." News24, January 21, 2016. http://www.news24.com/SouthAfrica/News/suspected-kingpin-11-others-in-court-for-rhino-poaching-20160121

136 Rademeyer, Julian. "Rhino Syndicate 'ringleader' Arrested." Killing for Profit, September 22, 2014. http://killingforprofit.com/2014/09/22/rhino-syndicate-ringleader-arrested/

137 Parliamentary Monitoring Group. "SAPS 1st Quarter 2015/16 Performance; Kruger National Park: Progress Reports," September 9, 2015. https://pmg.org.za/committee-meeting/21488/

As the graph in Figure 7 shows, that year 928 cases relating to poaching in the Kruger National Park were "finalised". (Note: 491 of those cases were reported prior to January 2015.) Convictions were obtained in 29 cases involving 48 accused and 61 cases were listed as being on the court roll at the end of 2015. A further 433 (46.6% of the total) were categorised as "under investigation" and 405 (43.6%) were classed as "undetected", meaning that there was either insufficient evidence to prosecute or suspects could not be identified.[138] In the normal course, the latter would be shelved and could be "revived if evidence or suspects emerge at a later stage," says National Police spokesman Brigadier Vish Naidoo.

In March 2015, South Africa's Minister of Police, Nathi Nhleko, was asked in Parliament to provide details of the numbers of rhino poaching cases recorded by police and how many had resulted in a trial since 2008. The Directorate of Priority Crimes Investigation (DPCI), commonly known as the "Hawks", responded that it was aware of 69 "finalised rhino matters for 2009 up to date" involving 102 accused. These cases do however appear to exclude cases dealt with by other police units such as the detective branches and stock theft units.

Tracking rhino poaching cases from arrest to conviction and obtaining reliable statistics has been a source of frustration for both the South African Police Service (SAPS) and NPA. The SAPS's computerised Crime Administration System (CAS), which records and categorises reported crimes and is used as the basis for annual crime statistics and report-backs to Parliament, does not include categories for "rhino poaching" or "wildlife trafficking", making it almost impossible to accurately monitor cases.

Instead, poaching incidents are categorised according to the various offences that constitute the crime e.g. "trespassing, "hunting of a specially protected species", "hunting without a permit", "illegal possession of firearms and ammunition" or, in cases of smuggling, offences under the Customs and Excise Act. It is understood that police are currently considering a proposal to include "rhino poaching" as a category on the CAS system. This could have far-reaching consequences, making it easier to track cases and, perhaps more importantly, ensure that "rhino poaching" becomes a reportable crime category in the annual police crime statistics. This would help shift the institutional balance of responsibility for combating rhino poaching from the DEA to police and ensure that they are held accountable for their work.

The Language Barrier

Further complicating criminal investigations and prosecutions is the dearth of skilled Vietnamese, Chinese and African-language interpreters and translators available to police and prosecutors. In a number of instances, cases have been delayed or dismissed because interpreters were unavailable or, in some instances, were found to have links to criminal networks. In May 2013,[139] a case against two Vietnamese nationals implicated in an attempt to smuggle a dozen rhino horns on a cross-country bus was struck from the court roll "due to [the] non-availability of [an] interpreter". Justice Department officials had attempted to "secure an interpreter as from 20 August 2011", but those that were available were either "compromised due to the fact that they failed [a] crime security intelligence test" or were "related to the accused".[140] Despite this setback, prosecutors were ultimately able to obtain a conviction.

Prosecutors say that in some instances interpreters have been "planted" by criminal networks or have themselves been implicated in rhino horn smuggling. "It is a huge risk finding an interpreter," says one investigator, "because they are so closely bonded and linked to the embassy". Many other members of the Vietnamese and Chinese communities are simply too afraid to involve themselves in organised crime cases. "People aren't just going to stand up and agree to interpret without worrying that their lives may be at risk."

138 "Portfolio Committee on Police: Briefing by SAPS, SANParks and DPCI on the Fight against Rhino Poaching in the Kruger National Park." Cape Town, January 29, 2016.

139 Meyer, Warda. "Interpreter in Rhino Horn Case 'compromised,'" May 5, 2013. http://www.iol.co.za/news/crime-courts/interpreter-in-rhino-horn-case-compromised-1510573.

140 "Question 993 - National Assembly," May 10, 2013. https://pmg.org.za/question_reply/444/.

These linguistic constraints can cripple any attempts to investigate, infiltrate and disrupt criminal networks. "They don't need to use encryption or code-words. They just have to speak a Vietnamese or a Chinese dialect." Even if police do manage to obtain a court order allowing them to intercept the phones of a Chinese, Vietnamese or a local Tsonga-speaking syndicate, the recordings will be rendered useless unless they can be translated and transcribed rapidly to ensure that any intelligence gathered can be acted on.

Networks Without Borders

International borders are a boon to transnational wildlife trafficking syndicates and a bane to those trying to disrupt them. For the most part, law enforcement efforts end where borders begin. Entities like CITES, Interpol and the World Customs Organisation (WCO) are only as good as the police and enforcement officials in member countries that they rely on. The deadening, reactive and often unimaginative bureaucracy of law enforcement gives transnational criminal networks a crucial advantage and "an incentive to organize in ways that maximize the jurisdictional tangle".[141] Their products – ivory, rhino horn, tiger bones, pangolin scales, reptiles, birds and apes – are moved easily and rapidly across multiple jurisdictions. Each step closer to the final destination further complicates efforts to break the chain. The networks are flexible, resourceful, relentless, imaginative and adept at circumventing the hurdles that governments and law enforcement agencies put in their way. High levels of corruption and an absence of real political will to stop the trade in most supply and consumer countries renders them largely untouchable.

"The deadening, reactive and often unimaginative bureaucracy of law enforcement gives transnational criminal networks a crucial advantage and "an incentive to organize in ways that maximize the jurisdictional tangle".

Since 2012, South Africa's Department of Environmental Affairs has concluded Memorandums of Understanding (MoUs) with Vietnam, China, Mozambique and Cambodia focusing on "areas of co-operation" around biodiversity, conservation, enforcement, multilateral environmental agreements and skills development. In October 2013, the DEA announced that South Africa would "soon" sign an MoU with Laos, a key link in the illicit rhino horn supply chain. [142] As of May 2016, the agreement had not been concluded. At the time of writing, agreements with Thailand, Cambodia, Kenya, Botswana and Tanzania had also yet to be concluded.[143] The agreement with Mozambique, together with a draft co-operative agreement on the protection of elephant and rhino populations and a Joint Cross-Border Operations Protocol, were perhaps the most far-reaching, paving the way for cross-border operations by rangers and police.[144]

The trouble with the MoUs, say many of the law enforcement officials interviewed for this report, is that "the wrong people are sitting around the table". In most of the governments concerned, environmental departments are regarded as junior ministries with little or no power to influence law enforcement and national security strategies. Should South Africa implement the proposed National Integrated Strategy to Combat Wildlife Trafficking (NISCWT), that could begin to change with the security cluster ministries and the Department of International Relations and Co-operation playing a far more active role.

It is difficult to assess how effective the MoUs have been as very little information about their implementation has been made public. In the case of Vietnam it has been a rocky road. Not only has Vietnam failed to complete

141 Naim, Moises. Illicit: How Smugglers, Traffickers, and Copycats Are Hijacking the Global Economy. New York: Anchor, 2006.

142 Department of Environmental Affairs. "Press Statement: South Africa and Laos to Sign an Agreement to Protect and Conserve Rhino," October 25, 2013. https://www.environment.gov.za/mediarelease/southafrica_laos_mouconserverhino

143 Department of Environmental Affairs. "Minister Edna Molewa Highlights Progress in the Fight against Rhino Poaching," January 21, 2016. https://www.environment.gov.za/mediarelease/molewa_highlightsprogress_againstrhinopoaching

144 Department of Environmental Affairs. "South Africa and Mozambique Sign Memorandum of Understanding in the Field of Biodiversity, Conservation and Management," April 17, 2014. https://www.environment.gov.za/legislation/international_agreements/sa_mozambique_sign_mou

inspections of rhino horn trophies taken by alleged pseudo-hunters, but there have "been some challenges" in the collection of DNA samples from confiscated horns. In terms of the MoU, South Africa supplied Vietnam with DNA forensic kits to enable to country's CITES Management Authority to collect samples and send them to South Africa for analysis and possible use in court proceedings. According to South Africa's report to CITES, there have "been some challenges in relation to the way in which these samples have been collected and the chain of custody process needed in order for the analysis of samples to be admissible as evidence in court".

The Global Initiative has established that a number of rhino horn samples were reported stolen *en route* to South Africa from Vietnam in May 2015. The samples were being carried by a Vietnamese delegation, headed by the then CITES Management Authority director, Do Quang Tung. According to the DEA, at least eight samples were "stolen from their luggage in Mozambique". The delegation had travelled to South Africa via Kenya and Mozambique. A spokesman for the DEA, Albi Modise, said that "according to the permit from Vietnam, 24 rhino horn samples were due…and we received 16 small pieces of rhino horn that were sent…for analysis." South Africa received no samples from Vietnam in 2014 or in the first half of 2016, although the Vietnamese authorities had indicated that as many as 75 samples could be sent to the country. [145]

In June 2015, during a meeting in Vietnam, the DEA asked that one of their officials be allowed to take a number of rhino horn samples back to South Africa for testing. "This request was not favourably received," South Africa stated in a July 2015 report to CITES, adding that "further engagements will need to take place in order to deal with challenges related to rhino DNA collection in Viet Nam."[146]

Similar frustrations have been experienced by the Czech authorities in their dealings with South Africa. In 2013, at an Interpol meeting in Nairobi, the Czech Environmental Inspectorate (CEI) complained that repeated requests for assistance with investigations into Czech pseudo-hunters, who had shot rhino in South Africa, had been ignored by the DEA, Interpol and the Hawks. In a detailed report submitted to CITES in July 2015, the CEI stated that "international co-operation…is not very satisfactory especially in the area of enforcement and investigations" and listed a litany of grievances that encapsulate many of the challenges that persist despite efforts to improve working relationships between countries.

"The differing legal systems and national laws complicate the exchange of information. Individual states declared their willingness to co-operate and make some efforts, but the implementation in practice is lacking…The official channels for exchange of enforcement information i.e. Interpol and the Mutual Legal Assistance [treaties] are, unfortunately, cumbersome, long lasting [sic], and often completely dysfunctional. Unofficial information exchange on the basis of personal contacts can be fast, but the information cannot be used as…evidence for the purposes of prosecution." According to the CEI, the CITES MA in South Africa took two years to supply them with a comprehensive list of Czech nationals who had hunted rhinos there. "This list is pretty much the only information that the Czech Republic managed to gain…Interpol NCB [National Central Bureau] Pretoria did not provide any co-operation or the required information." According to the Czech authorities, their first information request to Interpol was submitted on 21 March 2012. Several reminders followed, but there was no response. The South African Police Service promised to forward information relevant to the Czech investigation, but then failed to do so. In its report to CITES, the DEA said that it "continues to collaborate with the Czech Republic".

Until fairly recently, the Interpol NCB office in Pretoria has been heavily criticized with regard to wildlife trafficking cases. "They didn't do their jobs," said one investigator. "Where were the purple notices that they were supposed to go out to all the countries if someone was identified as a person of interest in a wildlife trafficking case?" In June 2014, the DEA arranged a meeting intended to establish "better working relationships" between various government departments and agencies and the Interpol NCB. A "detailed action plan" was adopted and "communication has been strengthened". Interpol NCB staff were also invited to attend the National Biodiversity Investigators' Forum and are now "actively participating in this meeting".

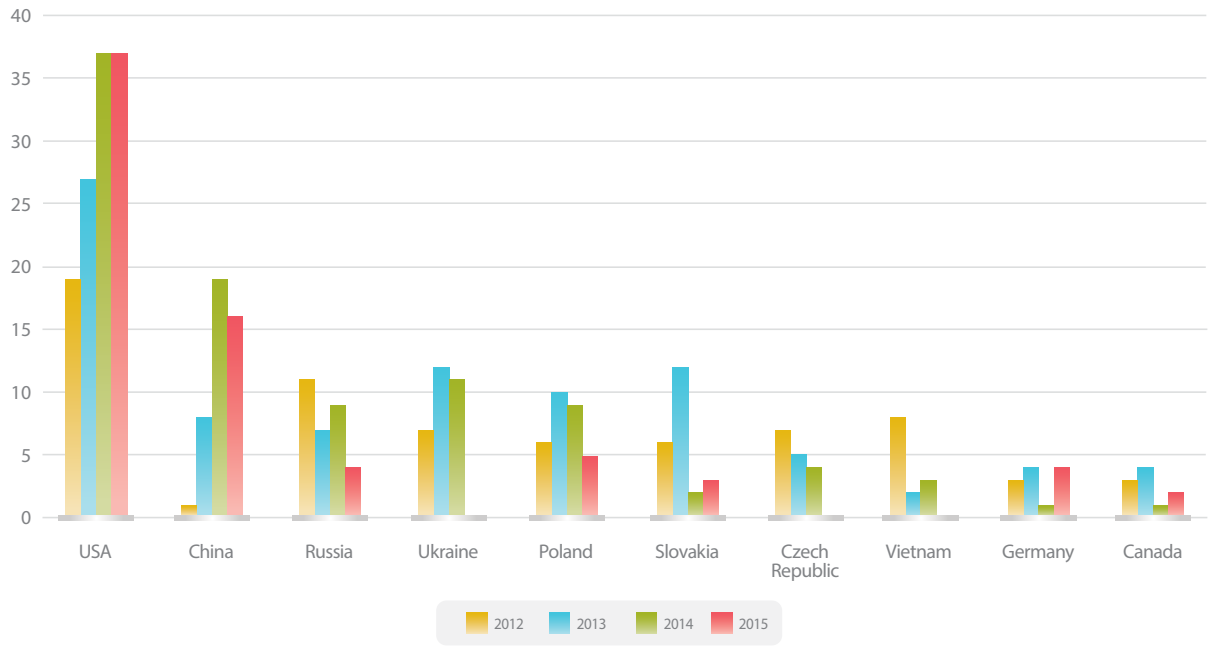
145 Email correspondence. Albi Modise, Department of Environmental Affairs, 4 May 2016

146 Department of Environmental Affairs. "South Africa - Report on Recommendations Adopted by the 65th Meeting of the CITES Standing Committee," July 31, 2015. https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-51-01-A3.pdf



3. The Czech Connection - 'White Horses' and Pseudo-Hunters

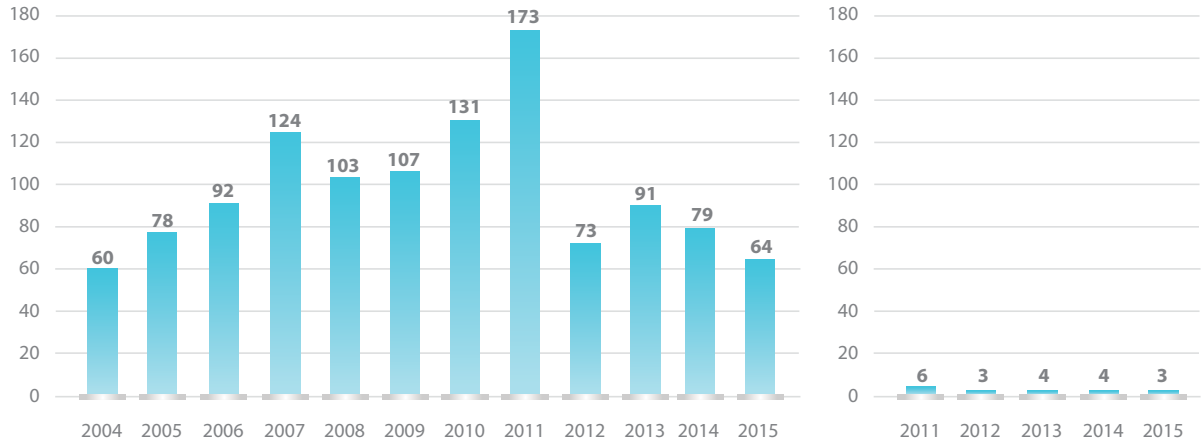
Figure 8: Leading nationalities - white rhino hunting applications (2012 to 2015)



Source: DEA

Since 2003, wildlife crime syndicates have sought to exploit legal trophy hunts of white rhino in South Africa as a means of obtaining horn for Asia's illegal black markets. Known as "pseudo-hunting", the fraudulent practise became so widespread by 2010 and 2011 that sham "hunters" recruited by wildlife trafficking syndicates in Vietnam, Thailand, South Africa and the Czech Republic accounted for the vast majority of white rhino hunts in South Africa - displacing the US and other European hunters who had traditionally dominated the market. Tighter hunting regulations and controls implemented by South African authorities in 2012 – and decisions to reject permit applications by Vietnamese and Czech nationals – saw a sharp decline in the number of hunts from a peak of 173 in 2011 to 64 in 2015.

Figure 9: White rhino hunted in South Africa and Namibia in 2011-15



Source: IUCN SSC AfRSG[147]

But anomalies in recent hunting data, including significant spikes in rhino hunting applications by Chinese, Ukrainian, Russian, Polish and Slovak nationals in recent years - suggest that "pseudo-hunts" have not been entirely eradicated.

'None Of Them Can Hunt'

Both white and black rhino can be hunted in South Africa and Namibia. The numbers of more "critically endangered" black rhino that can be shot for sport are limited to a quota of five a year in each country and the hunts are usually auctioned off to the highest bidder. The full quota is rarely reached. For instance, ten black rhino were hunted in South Africa and four in Namibia between 2013 and 2015.[148] [149]

South Africa and Namibia's conservation policies hinge on the "sustainable use" of wildlife and aim to encourage economic incentives for private rhino ownership, ranging from breeding and sales of live rhino to eco-tourism and hunting. Ideally, the hunts are meant to generate income for private game farmers and hunting outfitters and ensure that some money is ploughed back into conservation through purchases and breeding of more rhino. The estimated 6,141 white rhino on private land in South Africa - a third of the total population in South Africa – has been largely attributed to these policies. In 2013, the average price of a white rhino trophy hunt was $74,000. A black rhino could fetch a staggering $300,000. (By comparison, the cost of hunting an elephant was $26,500 and a lion, $21,200.)[150]

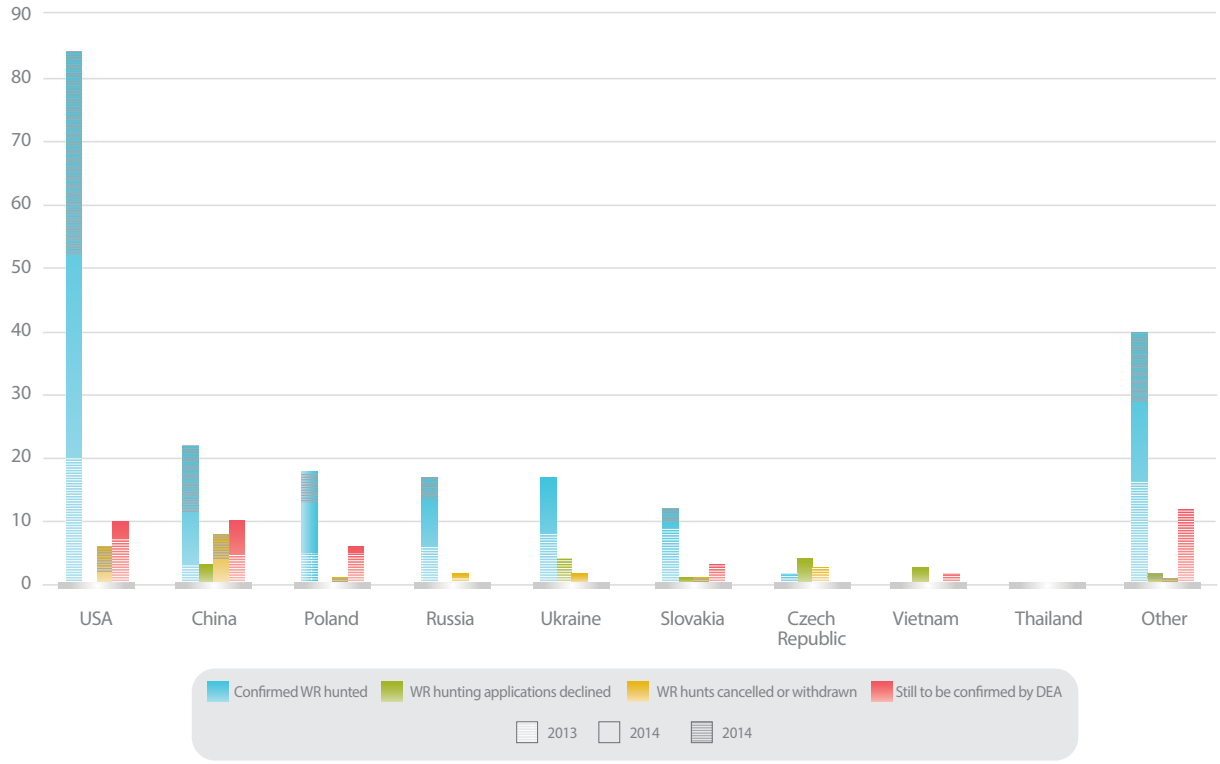
147 Email correspondence with Richard Emslie, scientific officer for the IUCN Species Survival Commission's African Rhino Specialist Group. South African data for 2004 from Hall-Martin et al. 2005-2010 from DEA in Milliken & Shaw 2012, for 2011-2013 as supplied to AfRSG by DEA in 2014 and for 2014-2015 total confirmed white rhino hunts on the DEA hunt database. As the status of eight 2014 applications still have to be confirmed by DEA, the 2014 total hunted could be up to eight higher. Namibian data was provided by Namibia's Ministry of Environment and Tourism (MET).

148 Department of Environmental Affairs

149 IUCN SSC AfRSG

150 Department of Environmental Affairs. Trophy hunting statistics: 1 January 2013 – 31 December 2013

Figure 10: White rhino hunting applications confirmed, declined or withdrawn, by nationality 2013-15



Source: IUCN SSC AfRSG

The first "pseudo-hunts" occurred in 2003 when a small number of "hunters" from Vietnam applied for, and were granted, hunting permits by provincial nature conservation authorities. Vietnam has no tradition of big game hunting and few of these new hunters had any prior hunting experience. Many of them had never fired a rifle and had to be coached by the South African professional hunters who abetted them and turned a blind eye to the real reasons for the hunts. Dawie Groenewald, a notorious game farmer and hunter who faces criminal charges in South Africa and the United States for "secretly trafficking in rhino horns"[151], has said: "None of the Vietnamese can hunt…They are not here to hunt. They are here to get the horn. That's it. These guys are making so much fucking money out of rhino horn. They've been trading in it for thousands of years and we'll never stop it."[152]

Some syndicates, like the now infamous "Xaysavang network"[153] – named after the Xaysavang Trading Export-Import company registered in Laos - hatched elaborate schemes to find participants for pseudo-hunts. Initially, groups of hunters were recruited in Thailand and flown to South Africa. Later – in an apparent bid to save costs – the syndicate set about enlisting young Thai women who had been trafficked to work in strip clubs and massage parlours in South Africa to pose as hunters. Their passports were used to apply for hunting permits and the women would be paid a few thousand rand for a weekend away on a game farm. Few, if any, of the women ever fired a shot. In almost all cases, the fatal shots were fired by a South African professional hunter. The women would be taken to the rhino carcass to pose for photographs holding hunting rifles and then be required to sign a hunting register to create the appearance that they had hunted. The trophies were

151 "United States Indicts Dawie Groenewald." Killing for Profit, October 23, 2014. http://killingforprofit.com/2014/10/23/united-states-indicts-dawie-groenewald/

152 Rademeyer, Julian. Killing for Profit: Exposing the Illegal Rhino Horn Trade. Cape Town: Penguin Random House South Africa, November 2013.

153 Rademeyer, Julian. "US$1-Million Bounty for Wildlife Crime Syndicate." Killing for Profit, November 18, 2013. http://killingforprofit.com/2013/11/18/1-million-bounty-for-wildlife-crime-syndicate-exposed-in-killing-for-profit/

subsequently shipped to Thailand and Laos. A significant number went to an address in the town of Paksan in Bolikhamxay Province, Laos that was used by Xaysavang boss Vixay Keosavang.[154]

Institutional Lapses and Corruption

The number of pseudo-hunts hunts escalated rapidly, aided by inadequate controls and monitoring systems in provincial and national conservation structures and corruption among officials in key hunting provinces like North West and Limpopo. The most glaring deficiency was the lack of a national, computerised permitting system linking all nine provinces and allowing for real-time tracking of permit applications and hunts. Efforts to get such an "integrated electronic permitting system" online have gone through a number of iterations since the late 1990s. All have been failures. (Note: Officials are hopeful that an electronic permitting system, covering everything from hunts to live sales, exports and imports will go live ahead of the CITES Conference of Parties in Johannesburg in September 2016. South Africa is also compiling a national database of rhino hunting permit applications and hunts dating back to 2009. While data is largely complete for 2014, 2015 and 2016, the process of reconciling hunting applications and hunts in all nine provinces has proven to be an arduous task.)

Until mid-2012, when it became a requirement for all rhino hunting permit applications to be referred to the national Department of Environmental Affairs (DEA) for recommendations on whether a permit should be issued, DEA officials had to write to each of the nine provincial permitting offices to request hunting data. It took weeks - sometimes months – to get the responses and when the information was received it was often inaccurate and incomplete. In some instances, provinces simply failed to supply any data.

As a result, the DEA's response to the growing numbers of "pseudo-hunts" was flat-footed and slow. According to the Department's records, six Vietnamese nationals took part in hunts in 2006. The following year that number jumped to 35. By 2010, Vietnamese hunters dominated the hunting market, accounting for 85 hunts. In reply to questions in the National Assembly, Environment minister Edna Molewa said in April 2012 that 384 "foreign nationals" had hunted rhino in South Africa since 1 July 2009.[155] Vietnamese hunters accounted for 221 hunts – 57% of the total. TRAFFIC, the wildlife trade monitoring network, has estimated that as many as 400 hunts were conducted by Vietnamese citizens between 2003 and 2012.[156] In contrast, hunters from the United States – traditionally one of the dominant hunting markets and destinations for "Big Five" trophies - conducted just 43 hunts in that period.

As increasing numbers of "pseudo-hunters" entered the market, so the price of rhino hunts soared. Weight became the new measure for calculating the cost of a hunt. "When the Vietnamese came in, all of a sudden they started paying R50,000, R60,000 and R70,000 [between $5,800 and $8,200] a kilogramme," Groenewald explained in a 2011 interview. "Rhino prices shot through the roof. American hunters won't pay that."

In the mid 2000s, the average price of a white rhino hunt was around $30,000. By 2010, prices had almost doubled. In 2012 – the year that South African authorities tightened regulations to counter pseudo-hunting – the average price of a white rhino trophy hunt was $85,000.[157] It is estimated that Vietnamese hunters spent about $22-million to hunt rhinos in South Africa between 2003 and 2010.[158] It was a small price to pay.

154 Rademeyer, Julian. "Untouchable? Wildlife Crime Kingpin Vixay Keosavang." EIA International, February 14, 2014. https://eia-international.org/vixay-keosavang-an-untouchable-kingpin-of-wildlife-crime

155 "Question No. 886 - National Assembly," April 20, 2012. http://pmg-assets.s3-website-eu-west-1.amazonaws.com/questions/RNW886-120507.pdf

156 Milliken, Tom, and Shaw, Jo. "The South Africa – Viet Nam Rhino Horn Trade Nexus: A Deadly Combination of Institutional Lapses, Corrupt Wildlife Industry Professionals and Asian Crime Syndicates." TRAFFIC, 2012. www.traffic.org/species-reports/traffic_species_mammals66.pdf

157 Department of Environmental Affairs. South African Professional Hunting Statistics: 1 January 2012 – 31 December 2012

158 Milliken, Tom, and Shaw, Jo. "The South Africa – Viet Nam Rhino Horn Trade Nexus: A Deadly Combination of Institutional Lapses, Corrupt Wildlife Industry Professionals and Asian Crime Syndicates." TRAFFIC, 2012. www.traffic.org/species-reports/traffic_species_mammals66.pdf

An average pair of rhino horns weighs about 5,88kg.[159] That means that the 221 hunts conducted between July 2009 and April 2012 would have netted around 1,3 tons of horn for the hunters and the syndicates that, in most cases, employed them. At estimated black market prices of between $30,000 and $65,000 a kilogram, the horns could ultimately have been sold for anywhere between $40-million and $80-million.

Other suspected pseudo-hunts in that period appear to have involved a Cambodian citizen and Thai and Chinese nationals. The latter exported 20 hunting trophies to China between 2007 and 2011, although only three imports were officially recorded.

Personal Effects

Under the provisions of CITES – which are meant to be enforced through legislation and regulations in import and export countries, rhino hunting trophies cannot be traded for commercial gain or given as gifts. They remain "non-commercial 'personal effects' in perpetuity.[160] To have any weight, this provision requires importing countries to be able to account for trophies at the point of importation and be able to inspect and monitor ownership.[161] That is often not the case. Vietnam, for instance, has largely failed to meet commitments to verify the locations of rhino horn trophies that pseudo-hunters had imported into the country. There are also glaring gaps in importation records. Of the 607 rhino horn trophies recorded to have been exported from South Africa to Vietnam between 2006 and 2010, only about 170 were officially declared as imports in Vietnam.[162] Following a February 2012 request from South Africa and subsequent pressure from the CITES Standing Committee, Vietnam's CITES Management Authority (MA) conducted random checks of 40 "hunters". Only seven of them still had the trophies in their possession. The others had either cut up the horns as gifts, used them to make carved cups and bowls or had "lost" or "given away" the trophies.

Vietnam submitted a report on the outcome of the inspections in September 2013. Nearly three years later, Vietnamese environmental officials seem to have made little, if any progress, tracing any other hunters or trophies. In mid-2015, South Africa expressed concern - in a report to the CITES Secretariat – that "[f]urther co-operation and collaboration will however be required to find appropriate mechanisms to address the low percentage of trophies that remained in possession of the hunters" in Vietnam.

Since mid-2012, South Africa has refused hunting and export permits to hunters "whose **state of usual residence** is Vietnam"[163]. (Note: This could change if Vietnam implements legislative reforms and demonstrates that it can monitor trophies that have been imported. In December 2012, South Africa and Vietnam signed a Memorandum of Understanding (MOU) to "promote co-operation…in the field of biodiversity management and protection".[164] The possibility that hunts could be resumed if conditions were met was left open. An action plan, drafted to give effect to the MOU, made provision for Vietnam to "select a professional travel company which is the only one allowed to organise travelling for sport hunting of specimens in South Africa".[165] In a report to the CITES Standing Committee,

159 Pienaar, DJ, Hall-Martin, AJ and Hitchins, PM. "Horn Growth Rates of Free-Ranging White and Black Rhinoceros." Koedoe 34, no. 2 (1991): 97–105.

160 CITES Secretariat. "Interpretation and Implementation of the Convention, Species Trade and Conservation: Rhinoceroses." Bangkok, Thailand, March 2013. https://cites.org/eng/cop/16/doc/E-CoP16-54-02.pdf

161 Milliken, Tom, and Shaw, Jo. "The South Africa – Viet Nam Rhino Horn Trade Nexus: A Deadly Combination of Institutional Lapses, Corrupt Wildlife Industry Professionals and Asian Crime Syndicates." TRAFFIC, 2012. http://www.traffic.org/species-reports/traffic_species_mammals66.pdf

162 CITES Secretariat. "Interpretation and Implementation of the Convention, Species Trade and Conservation: Rhinoceroses." Bangkok, Thailand, March 2013. https://cites.org/sites/default/files/eng/cop/16/doc/E-CoP16-54-02.pdf

163 Department of Environmental Affairs. "South Africa - Report on Recommendations Adopted by the 65th Meeting of the CITES Standing Committee," July 31, 2015. https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-51-01-A3.pdf

164 Department of Environmental Affairs. "South Africa and Vietnam Sign an MOU to Fight Rhino Poaching and Other Environmental Crimes," December 10, 2012. https://www.environment.gov.za/content/southafrica_vietnam_sign_mou

165 "Action Plan to Implement the MOU on Co-Operation in Biodiversity Conservation and Protection For the Period 2012 – 2017," May 2013.



Rhino horns seized at Noi Bai International Airport in Hanoi on 1 November 2014. Photo: Vietnam CITES MA

which met in Geneva in January 2016, South Africa said it had advised Vietnam's CITES Management Authority in February 2014 that "legislative gaps be addressed" before a "positive recommendation" could be made to provincial permitting authorities "relating to the hunting of white rhinoceros by foreign hunters [from]…Vietnam".[166])

Investigators in South Africa and Europe say the ban on hunters from Vietnam has not precluded hunters of Vietnamese origin, who have citizenship or residency in other countries, from applying for, and being granted, permits.

Plugging Loopholes

In April 2012, nearly a decade after the first Vietnamese hunters obtained permits to trophy hunt rhinos in South Africa, the Department of Environmental Affairs introduced amended hunting "Norms and Standards"[167] to plug the loopholes the syndicates had exploited. Key among them were requirements that hunters:

- Provide proof of membership of a recognised hunting association in their country of origin;
- Submit a CV listing hunting experience in their country of residence and provide proof of previous experience "in the hunting of any African species";
- Provide a copy of their passport.

In addition, hunting applications received by provincial nature conservation authorities, must now be referred to the DEA for a recommendation on whether a permit should be issued or not. This enables the department to compile a "database of hunting clients and ensure that a hunting client does not hunt more than one rhinoceros in the country within a 12-month period".

Provincial permitting authorities are asked to "consider whether the country of usual residence of the hunting client, where the rhinoceros horns and the rest of the hunting trophy will be imported to, has adequate legislation to ensure that the…trophy will be used for the purpose…indicated on the CITES export permit". There are also requirements that a nature conservation official be present during the hunt and that the horns be micro-chipped

166 Department of Environmental Affairs. "South Africa - Report on Recommendations Adopted by the 65th Meeting of the CITES Standing Committee," July 31, 2015. https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-51-01-A3.pdf

167 Norms and Standards for the Marking of Rhinoceros and Rhinoceros Horn, and for the Hunting of Rhinoceros for Trophy Hunting Purposes, 2012. https://www.environment.gov.za/sites/default/files/gazetted_notices/nemba_huntingstandards_g35248gen304.pdf

and horn samples sent to the Veterinary Genetics Laboratory at the University of Pretoria's Faculty of Veterinary Science in Onderstepoort. Hunting trophies must be prepared for exportation by a taxidermist and cannot be shipped in hand luggage or personal baggage.

In 2013, according to data compiled by the DEA,[168] hunters from 23 countries applied for 111 permits to shoot white rhinos. Ninety-one hunts ultimately took place[169]. Four applications were declined on the basis that the hunters had applied to shoot more than one rhino in a 12-month period. This was often a tell-tale sign of a pseudo-hunt. Taking advantage of the lack of a centralised permitting system, hunters would apply for permits in different provinces in the hope that they would not be detected and would be able to obtain more than one trophy. In 2014, according to the DEA, 109 applications for white rhino hunting permits were received and 12 declined. Nine permits were cancelled or withdrawn. Seventy-nine hunts were recorded to have taken place, but the figure could be higher. The DEA says the status of eight permit applications has yet to be confirmed by provincial authorities. In 2015, 79 applications were received and one rejected. Eleven were cancelled or withdrawn and 64 hunts were recorded to have taken place.

While the tighter regulations and the "ban" on Vietnamese hunters appears to have curbed pseudo-hunting, it hasn't put a complete stop to the practice. As early as 2010 and 2011 – as pseudo-hunts by Vietnamese and Thai nationals came under increasing scrutiny – some wildlife syndicates began to search for "hunters" whose nationalities wouldn't attract suspicion.

The Czech Connection

At first glance, the Czech Republic seems an unlikely nexus for a global rhino horn smuggling racket. Yet, between 2010 and 2014, it became a key strand in a complex web of criminal activity and illicit rhino horn deals stretching from the capital, Prague, to Slovakia, Switzerland, Germany, South Africa and Vietnam.

On 25 November 2011, during a routine inspection at Václav Havel International Airport, officials from the Czech Environmental Inspectorate (CEI) were shown paperwork relating to a crate of "treated game trophies" that were due to be airfreighted from South Africa to Prague.

The documents identified the consignee as Roman Jicha and listed his address as an apartment block in Dubi, a small, economically depressed town on the Czech-German border once notorious for its thriving sex trade and dozens of brothels. Two months earlier, Jicha had shot a white rhino in South Africa's Limpopo province. The hunt took place on Prachtig, a game farm belonging to Dawie Groenewald, the professional hunter and safari operator who currently faces hundreds of criminal charges including counts of racketeering, money-laundering, fraud, intimidation, illegal hunting and dealing in rhino horns - for his role in an alleged rhino horn smuggling syndicate.

But it wasn't Groenewald's name that piqued the CEI's interest. That would come later. It was the final destination of the trophy listed in the documents. Rather than going to Jicha – the hunter who had shot the animal – the consignment was to be re-routed from Prague to a company called Truong Hai Ltd at a street address in Hanoi, the capital of Vietnam.

The discovery became the catalyst for a three-year investigation into a network of financiers, smugglers, recruiters and pseudo-hunters. Ultimately, Czech investigators believe, as many as 180 people may be implicated in the scheme, some with ties to drug syndicates involved in the manufacture and distribution of methamphetamine and others to counterfeit goods.

168 The Department of Environmental Affairs is reliant on provincial nature conservation officials to provide data on hunts. There have been instances where information is not made available, where requests from the DEA are ignored and where data is inaccurate. The quasi-federal nature of South Africa's nine provinces limits the extent to which the national department can intervene.

169 IUCN SSC AfRSG



Rhino horn trophies intercepted by Czech Customs on 6 March 2012. This was the first shipment of "pseudo-hunted" trophies. Photo: CEI

At least 60 Czech nationals applied for permits to hunt rhinos in South Africa between 2008 and 2014. According to a report[170] outlining the results of the Czech investigations – Operations Rhino and Osseus – "73% of [these] hunters were involved in the illegal trade in rhino horns".

'White Horses' On Safari

In the Czech Republic, police commonly refer to them as "white horses". The term broadly describes people who wittingly or unwittingly become fronts for criminal, often fraudulent, schemes. The ideal "white horse" is someone who won't draw attention, has an unblemished record, can be controlled and easily dispensed with if things go awry. Like many of the Vietnamese and Thai pseudo-hunters, the majority of Czech "white horses" recruited to participate in pseudo-hunts in South Africa were poor, heavily in debt and, in some cases, facing sequestration. They rarely kept the same address, moving from town-to-town in search of work and swapping one monotonous Soviet-era apartment block for another. "These people didn't have licenses to keep guns. They had no previous hunting experience," says Pavla Říhová, head of the CEI's CITES Department.[171] "They were invited to hunt rhino in South Africa free-of-charge. Everything was free. They didn't pay for flights or accommodation and [then] signed [a] declaration that they didn't want the hunting trophy…It was not your typical safari." The "hunters" rarely stayed in South Africa for longer than three days.

In a witness statement given to Czech investigators in 2014[172], one of the "white horses" described a typical hunt. The man said a recruiter had offered him 5,000 Czech Crowns (around $200) and an airline ticket to go "on safari" to South Africa. The money "came via a Vietnamese". While he "found it strange", the man decided the offer was too good to pass up. Accompanied by two other Czechs, he flew to Johannesburg via Frankfurt in 2011. The group caught a connecting flight to Polokwane in Limpopo province and drove to a game farm. He was impressed by the "luxury accommodation" at what was later identified as Groenewald's farm, Prachtig. "We took a safari every day. They showed us the whole sanctuary and animals. [I]n the afternoon we were taken to the shooting [range] where we were firing at the targets in the sand."

170 Czech Environmental Inspectorate. "Report - Trade in Rhino Horns in the Territory of the Czech Republic." Geneva: 66th meeting of the CITES Standing Committee, 11 - 15 January 2016. https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-51-01-A6.pdf

171 Interview with Pavla Říhová, Prague, 16 October 2016

172 English translation of statement dated 26 October 2014.

Two days after their arrival the men were told that they each had to "go for a hunt". "We told the reserve owner that we had not come to hunt but for a safari, that we had not paid for shooting. [He] said it was ok…I did not want to shoot…I am not a hunter [and] I have never killed anything in my life but they said I had to."

The hunt went ahead. The witness said he was accompanied by trackers, a ranger, a "sniper" with a gun – most probably a South African professional hunter – and two men in uniform he thought were "policemen". (The latter may well have been Limpopo Nature Conservation officials monitoring the hunt.)

"I deliberately fired [a] shot away from the rhino. After me it was the sniper firing and then they wanted me to shoot again as it was obvious I was aiming away before. They told me not to shoot at the rhino's head but I had to shoot him. So the second time I fired [below] the rhino's legs. The rhino then started after me - I was wearing red shorts; I was told it was not good. Then the sniper began to fire - about six times and the rhino fell down."

He was not allowed to take any photographs or video of the hunt itself, an aspect confirmed by other hunters. Only once the animal was dead could they pose for pictures next to the carcass. He said he was also told to sign a document ceding the trophy to a third party. "They told us that [once] we signed that we gave up the trophy. It was weird because I did not apply for the trophy…It was rather strange that we should have hunted. We had thought we were going there for a safari. They told us it was normal like this, everything was legal…"

On the road to the airport with some of Groenewald's "rangers", the group was stopped by police and the vehicle and their backpacks were searched. "The rangers showed them those documents we had signed and were angry at the policemen…" The police escorted the men to the airport and waited with them until they had boarded the aircraft.

Aspects of this account were confirmed by Groenewald and one of the professional hunters he employed on the farm, Tielman Erasmus, in an interview some weeks after the incident.[173] According to Erasmus, "The three clients and I had to pack everything out and they searched the bakkie (a pickup truck)…I told the policewoman, 'Here are the fucking permits. These people hunted three rhino. Here are the permits. Nature Conservation attended and signed off.'" For Groenewald, who was arrested in South Africa in 2010 along with several other suspects accused of trafficking rhino horn, the police action was nothing more than harassment. "They frightened those people [the Czech hunters] and they will never come back…The [police] are looking for something to nail us with. They are trying to victimise us." (*Groenewald's trial in South Africa has been subject to numerous delays and postponements. He is due back in court in July 2016.*)

Allegations of a Conspiracy

Information compiled from hunting records and permits by investigators in the Czech Republic and South Africa show that at least 26 hunts by Czech nationals were conducted on Groenewald's farm in 2011. Hunting applications appear to have been submitted to conservation authorities in batches. The permits issued were often closely or consecutively numbered. A dozen hunts also took place in 2010, 2012 and 2013 on a farm in Limpopo owned by Ivan Višňák, a former senior bureaucrat in the Czech Republic Land Fund who was fired in 2005 [174] amid a scandal over restitution claims.[175] Višňák's wife, Jana Višňáková, arranged many of the hunts through the hunting company they operated, Limpona Safaris.[176] Both Višňák and Višňáková said they were unaware that some of the hunts may have been pseudo-hunts. "I don't know nothing about this," said Višňáková. "Never one client tell me this [the hunts] is for selling [rhino horn]. Always tell me this is for my trophy, for my

173 Interviews with Tielman Erasmus and Dawie Groenewald, Prachtig, 18 June 2011

174 Blažek, Vojtěch. "Bývalý Státní úředník Přestal Nabízet Své Safari v Africe. 'Všichni Mi Křivdili,' říká." Hospodářské Noviny. September 1, 2014. http://domaci.ihned.cz/c1-62719360-byvaly-urednik-ivan-visnak-prestal-nabizet-sve-safari-afrika

175 Slonková, Sabina, and Machová, Martina. "Úředník Ze Skandálu S Pozemky Má Luxusní Farmu v JAR." Aktuálně.cz, November 1, 2011. http://zpravy.aktualne.cz/domaci/urednik-ze-skandalu-s-pozemky-ma-luxusni-farmu-v-jar/r~i:article:719622/

176 Smatana, Ľubomír. "Ze Židlochovic Vyrazili Farmařit Do Jižní Afriky." Radiožurnálu, June 27, 2010. http://www.rozhlas.cz/radiozurnal/zzz/_zprava/751777



Czech police stand guard during a press conference announcing the seizure of rhino horns. Photo: CEI

showroom. Everything was correct. We always did everything through Nature Conservation." Groenewald has also said that he knew nothing about the purpose of the hunts. "How should I know they are trafficking horns?" he told a journalist in 2014 after Czech prosecutors announced that 16 people had been arrested and charged in connection with pseudo-hunts.[177] At least eleven of those arrested had hunted rhinos on Groenewald's farm, Prachtig, in 2011.

Three other accused played a leading role in the scheme, according to prosecutors. Nguyen Huy Mao (53), a representative for a Vietnamese company that imported fish to the Czech Republic, and Nguyen Hoai Phong (51), have been named as the "organisers" of the pseudo-hunting conspiracy. They apparently received funding for the enterprise from a number of "affluent Vietnamese citizens" in Switzerland and Germany. A 37-year-old Czech woman, Petra Minarikova, is alleged to have worked closely with the two men to find and recruit Czech pseudo-hunters, acted as an intermediary between the Vietnamese, Czech and South African conspirators and arranged for the trophies to be shipped to Vietnam. She is also said to have close ties with "a member of a politically important family in Vietnam".

In the early stages of the scheme, between 2010 and 2011, according to Czech investigators, hunting trophies obtained in pseudo-hunts were shipped directly from South Africa to Vietnam. They were all addressed to Truong Hai Ltd, a non-existent company with a street address supposedly about two blocks from the Hanoi Police Museum. (The name may have been borrowed from that of an established vehicle manufacturing company.)

Then in May 2011, consignments containing trophies from two hunts were stopped by customs officials at OR Tambo International in Johannesburg. The shipments were labelled "samples and documents" and were addressed to Truong Hai Ltd in Hanoi. Petra Minarikova and her brother, Daniel Schneider, were listed as the consignors. The horns were confiscated. In response, the syndicate arranged for shipments to be routed via Czech Republic and airports in neighbouring Slovakia and Germany. In March 2012, ten rhino horns from five trophy hunts conducted by alleged Czech pseudo-hunters were seized at Prague airport. The declared customs value: $100. (The Rhino DNA Indexing System (RhODIS), developed by the Veterinary Genetics Laboratory at Onderstepoort in South Africa, analysed horn samples and identified the specific animals that had been shot.

177 Bloch, Simon. "Global Rhino Syndicate Bust." Times LIVE, December 18, 2014. http://www.timeslive.co.za/thetimes/2014/12/18/global-rhino-syndicate-bust



Czech investigators cut open a "machine part" made of electrical wire, metal and resin to reveal the base of a rhino horn. Photos: CEI

According to Říhová, the white rhinos – all male – were transported to the farm where they were shot "one to two days" prior to the hunts. "It was an execution, not a sport hunt," she said.[178])

Eight more rhino horns (four trophies) bound for the Czech Republic were seized at Bratislava airport in Slovakia in July 2012. That same month two other trophies were temporarily stopped at Frankfurt airport and then allowed to continue on to Bratislava. They subsequently disappeared. Three months later they turned up Germany in a car that had been stopped "during a random inspection". The driver was a Vietnamese citizen.

During Operation Osseus, Czech customs officers and CEI inspectors identified a Vietnamese-owned freight-forwarding company, Sapa Cargo, as a key link in shipments of wildlife products, ivory and drugs. (The Czech Republic has one of the largest immigrant Vietnamese populations in Europe and the Sapa Market in the heart of Prague is a thriving community of around 7,000 to 10,000 traders, shopkeepers and restauranteurs.) In June 2013, two complete tiger skeletons were found hidden inside a sound system being shipped from Prague to Vietnam. On 17 December 2013, 25 pieces of rhino skin, 16 tiger claws and two tiger teeth were found in a container at Vaclav Havel Airport. Three days later, two rhino horns and a quantity of bear bile was discovered. The horns had been sealed in resin and then hidden inside electric coils. The shipment was declared as "electronic equipment". Neither the sender or intended recipient could be traced.

The smugglers had however failed to remove microchips embedded in the horns allowing Czech authorities to trace them to a hunt that occurred on the Višňák farm in Limpopo in April 2013. Unlike the "white horses", the hunter in this instance, was a member of a Czech hunting association and an experienced hunter. He had been part of a small group of rhino hunters who had obtained permits through Limpona Safaris to hunt on the farm, which was called Nazarov.

When the hunter was questioned about the trophy and the attempt to smuggle it to Vietnam, he said the trophy had been stolen from him. He told investigators that he had gone deer hunting in a forest outside Prague and left the trophy on the back seat of his vehicle. When he returned from the hunt, it was gone. He did not report the theft to police at the time. Trophies obtained by two hunters who had accompanied the hunter to South Africa had also vanished, Czech inspectors discovered. The hunters claimed the "rhino horns got mouldy and were dumped into a container of bio-waste".

In July 2014, police conducted a series of house raids under the the auspices of Operation Osseus and arrested three Vietnamese citizens, Tung Danh Dinh (46), Tru Quoc Dang (55) and Minh Van Giang (48). Several clay rhino

178 Říhová, Pavla. "Operation Rhino - Czech Republic." Presented at the 24th Interpol Wildlife Crime Working Group, Nairobi, November 2013.

horn grinding dishes, a block of horn and photos and video of the men with rhino horns was discovered. Police also confiscated bottles of tiger and monkey bone wine and bags of yellowish powder that was "later genetically identified as powdered rhino [horn] and…tiger [bone]". Quantities of ammunition, counterfeit cigarettes, watches, handbags and wallets were found along with an "entire forgery workshop with embroidery machines and different patterns of protected brands". Dinh, Dang and Giang were sentenced in June 2015 to terms of imprisonment ranging from three to five years.

Czech authorities say their investigations demonstrate how rapidly and effectively wildlife trafficking networks adapt. "It is a never-ending battle," says the CEI's Pavla Říhová. "If we seize rhino horns and make a case, the [syndicates] find another method and continue their business." As South Africa cracked down on pseudo-hunting and tightened hunting regulations in 2012, the syndicates began to look for recruits who matched the new requirements that hunters be members of recognised hunting associations and be able to prove previous hunting experience. Within months, they had found members of the "hunting community in the Czech Republic" to do their dirty work. This, investigators believe, included "some wealthy Czech hunters" and people who are "influential and politically-connected". One individual who has come under suspicion, for example, is a "wealthy" or "multi-millionaire" Czech industrialist who made his fortune after the 1989 "Velvet Revolution" and owns a farm in South Africa. Law enforcement sources in Prague describe the man as "very rich and very dangerous".

Czech investigators also appear to have uncovered links between the rhino horn smugglers and criminal networks involved in drugs and counterfeit goods. Some of the suspects arrested during Operation Osseus have been linked to a Czech-based syndicate that manufactures and distributes methamphetamine across Europe. "For years," a law enforcement official in Prague explained[179], "there were criminal elements within the Vietnamese community here that dealt in fake goods and cigarettes. The Russians and Albanians ran the drug trade and protection rackets. That has changed in recent years. Now the Vietnamese have taken over the drug business. The drug trade in the Czech Republic today is under Vietnamese management."[180]

The Devil in the Detail

Hunters from the Czech Republic have not been granted permits to shoot rhino since June 2014, according to South Africa's environmental ministry. Four permit applications from Czech nationals were refused that year. The Czech authorities have told South Africa that they cannot vouch for the legitimacy of any of the hunters applying for permits to shoot rhino.[181]

Similarly, permit applications from prospective hunters in Vietnam have been refused since mid-2012.[182] As a result of the permit prohibitions, overall numbers of hunting applications have fallen to levels last seen a decade ago.[183]

The United States – traditionally the largest market in the world for "Big Five" game hunting – has reclaimed its position at the top of the leader board, accounting for the majority of white rhino hunts in South Africa. Since 2012, about 120 US hunters have applied for hunting permits, according to DEA data.

China has claimed the second spot. While about 20 hunts involving Chinese nationals took place between 2007 (when three hunts were recorded) and 2012 (one hunt), there has been a dramatic surge in hunting activity in

179 Interview, Prague, October 2015

180 In South Africa methamphetamine – known locally as 'tik' – and the trade in abalone are closely linked. See: De Greef, Kimon. "The Abalone Poacher." Roads & Kingdoms, April 12, 2016. http://roadsandkingdoms.com/2016/the-abalone-poacher/

181 Interview with Pavla Říhová, Prague, 16 October 2016

182 Department of Environmental Affairs. "South Africa - Report on Recommendations Adopted by the 65th Meeting of the CITES Standing Committee," July 31, 2015. https://cites.org/sites/default/files/eng/com/sc/66/E-SC66-51-01-A3.pdf

183 Eight hunts involving Vietnamese nationals did take place that year, however, as permits had already been issued.

the past three years. Chinese nationals have accounted for as many as 43 hunting applications since 2013: eight that year, 19 in 2014 and 16 in 2015. Four applications were denied and four cancelled. At least 22 hunts were conducted by Chinese nationals in that period. The status of ten hunts has yet to be confirmed by the DEA.[184]

Big game hunting has increased in popularity among some of China's rich in recent years. A 2012 report in the Guangzhou Daily on the new "hunting craze" claimed that "[a]t least 100 Chinese tycoons have hunted overseas with the number increasing". New hunting associations have sprung up with some described as "clubs for the rich and powerful".[185] And some of the hunters are prepared to pay upwards of $100,000 to hunt a white rhino.[186] While many of the hunts appear to be legal, law enforcement officials are concerned that Chinese hunting associations could be used to mask pseudo-hunts for black market rhino horn.

The concerns don't stop with China. There have been puzzling spikes in recent years in the numbers of permit applications from hunters in Ukraine, Poland and Slovakia. For instance, applications from Slovakian hunters doubled between 2012 and 2013 at the same time that Czech authorities began seizing trophies and making arrests. Authorities in the Slovak Republic believe that many of hunts conducted by their citizens are pseudo-hunts.

Authorities in Poland believe that there is a "connection between the Vietnamese mafia and Polish rhino hunters, facilitating illegal traffic of rhino horns".

Similarly, hunting applications from Poland – a country with one of the largest Vietnamese minority populations in Europe - increased sharply in 2013 and 2014 before dropping off again in 2015. According to an analysis of wildlife crime in Poland that was submitted to the European Parliament in April 2016, the first warning signs emerged as early as 2009. "Poland recorded 28 rhino horns imported from South Africa between 2009 and 2011 because of a 'sudden entry of Polish hunters into the South Africa rhino hunting trade'…The majority of imported rhino horns [were] supposedly…stolen shortly after they entered Polish territory." Authorities in Poland believe that there is a "connection between the Vietnamese mafia and Polish rhino hunters, facilitating illegal traffic of rhino horns". While there is little evidence or hard data of Poland's role as a transit country, "Poland controls over 1,100km of the EU's Eastern border, making it a natural entry point for exports from Russia, Belarus and Ukraine as well as Asian markets".[187]

According to Karol Wolnicki, an official in Poland's Ministry of Environment, police and customs agencies have been asked to investigate rhino horn trophy imports and have yet to conclude their inquiries. He said that five or six trophies had been reported stolen by hunters according to information received through "unofficial channels". "Having quite considerable level of imports of rhino trophies from [South Africa] in recent years and being aware that 'pseudo-hunting' affected our neighbouring countries…we think the subject needs special and careful attention".[188]

184 IUCN SSC AfRSG

185 "Hunting Is the New Game for Rich and Famous in China - Times of India." The Times of India. Accessed May 1, 2016. http://timesofindia.indiatimes.com/world/china/Hunting-is-the-new-game-for-rich-and-famous-in-China/articleshow/45500918.cms

186 "Big Game Hunting, the New Sport of Choice for China's Tycoons." Shanghaiist. Accessed May 1, 2016. http://shanghaiist.com/2012/02/29/hunting_becomes_popular_among_chine.php

187 Paquel, Kamila. "Wildlife Crime in Poland - In-Depth Analysis for the ENVI Committee." Institute for European Environmental Policy (IEEP), April 2016. http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/578960/IPOL_IDA(2016)578960_EN.pdf

188 Email from Karol Wolnicki, 1 June 2016



A rare photograph of Michael Chu after a "trophy hunt".



Chu Duc Gu Lit photographed at Voi Lodge.

4. The 'Diamond Magnate'

Rifle in hand, a young Vietnamese man with shoulder length hair squats next to the carcass of a dead rhino. The photograph was taken in late-2006 on a game farm in Limpopo, South Africa – "the first legal hunt of a rhino by a Vietnamese national" recorded in that province.[189] At the time, the man in the picture called himself Michael Chu. His real name, however, was Chu Đăng Khoa.

Today, nearly a decade later, Chu is a wealthy businessman and "notorious playboy"[190] whose extra-marital affair[191] with a popular Vietnamese supermodel turned popstar and actress has become grist for the country's gutter press. In numerous press reports and blog posts – each one more breathless than the next – Chu is frequently described as a "diamond tycoon" and "mysterious character" who spent several years in South Africa where he "specialised in rhino horns, ivory and diamonds". His ties to South Africa are such that the press have even nicknamed him "*Khoa Nam Phi*" or "Khoa, the South African".[192]

What the tabloids don't say is that Chu left South Africa under a cloud in around 2011. According to a press release issued at the time by the Endangered Wildlife Trust, he was arrested and charged with the illegal possession of five rhino horns. He was subsequently convicted, fined R40,000 (about $4,700 at the time) and ordered to be deported.[193]

Despite this, a company established by Chu in South Africa – ostensibly to import and sell hardwood garden furniture[194] - has now emerged as a key player in efforts by Vinpearl Safari, a Jurassic Park-style zoo on a Vietnamese island in the Gulf of Thailand, to purchase as many as 100 white rhino from private owners in South Africa.

The company, DKC Trading, also owns a 924-hectare farm in the South Africa's North West province where as many as 50 tigers and a number of lions[195] have been kept in captivity[196] and where at least three rhino hunts have taken place since 2011, two of them involving Vietnamese nationals.

189 Endangered Wildlife Trust. "Press Release: Mild Sentence for Rhino Crimes," February 15, 2011.
190 Baomoi.com. "Không Cần Sinh Con Như Maya, Hà Hồ Cao Tay ép Chu Đăng Khoa Ly Hôn Vợ?" February 26, 2016. http://www.baomoi.com/s/c/18745713.epi
191 VnExpress. "Chu Đăng Khoa: 'Tôi có lỗi trong vụ lùm xùm với Hồ Ngọc Hà.'" VnExpress Giải Trí. Accessed May 2, 2016. http://giaitri.vnexpress.net/tin-tuc/gioi-sao/trong-nuoc/chu-dang-khoa-toi-co-loi-trong-vu-lum-xum-voi-ho-ngoc-ha-3356956.html
192 "Tình Mới Của Hà Hồ - đại Gia Kim Cương Chu Đăng Khoa Bị Tố Buôn Lậu Sừng Tê Giác Nam Phi." Accessed May 2, 2016. http://game8.vn/news/tinh-moi-cua-ha-ho--dai-gia-kim-cuong-chu-dang-khoa-bi-to-buon-lau-sung-te-giac-nam-phi-25082
193 Endangered Wildlife Trust. "Press Release: Mild Sentence for Rhino Crimes," February 15, 2011.
194 "DKC Trading." Accessed May 6, 2016. http://www.dkcfurn.co.za/
195 Telephonic interview. Huy Bao Tran. May 13, 2016.
196 Williams, VL, Newton, DJ, Loveridge, AJ and Macdonald, DW. "Bones of Contention: An Assessment of the South African Trade in African Lion Panthera Leo Bones and Other Body Parts." Cambridge: TRAFFIC, 2015. http://www.traffic.org/species-reports/traffic_species_mammals83.pdf

According to company records, DKC Trading – which takes its name from Chu's initials – was established in 2005 in Port Elizabeth, a small coastal town in South Africa's Eastern Cape. According to its website, the company – which later moved offices to Cape Town - specialises in balau and keruing wood furniture "imported straight from our manufacturing plant". A year after its registration Chu shot his first rhino. In May 2010, the company paid R7,5-million (about $1,1-million at the time) for three portions of the farm Rhenosterspruit. In April 2011, the company bought another 290 hectares of farmland, snapping up a chunk of a neighbouring farm called Syferfontein for R2,5-million (about $300,000). They called the new acquisition Voi Game Lodge.

The DEA says two rhinos were hunted there in July 2011 and another in 2013.[197] At least one tiger was hunted at Voi Lodge in November 2013. There may have been others. Tigers are not indigenous to South Africa and are classified in most provinces as an exotic species. As a result, captive bred tigers have few legal protections in South Africa and there is no reliable data on the numbers of hunts that take place. In North West, a permit is not required to hunt a tiger and there are no regulations governing trade in tiger parts and derivatives within the province. (International commercial trade in the parts and products of Asian big cats is prohibited under CITES Appendix I, which lists species that are most endangered and threatened with extinction.)



According to a report published by TRAFFIC in July 2015, conservation officials in North West have seen an increase in the number of people enquiring about tiger hunting in the past three years. And there are concerns that there may be instances where tiger bones are being smuggled out of South Africa as lion bones. [198] Conservationists in Asia interviewed by the Global Initiative expressed similar concerns, saying that tiger traders could very easily exploit the regulatory black holes in South Africa to breed tigers and source tiger bones, skins and other derivatives. "There is so much pressure and focus on tiger farms in Asia at the moment that it would make sense for them to look for other places where people aren't watching," said one.[199] The TRAFFIC report called for an investigation of "the Vietnamese-owned tiger facility in North West", a clear reference to Voi Lodge. "If tigers are being bred at this facility for international trade in their parts and derivatives, then this would be in contravention of CITES..," the report stated.

The hunters who shot the first two rhinos at Voi Lodge were both Vietnamese nationals. Hunting records identify the outfitter and professional hunter who accompanied them as Frikkie Jacobs from Shingalana Game Breeders and Hunting Safaris, formerly known as the Shingalana Lion and Rhino Reserve.[200] Jacobs conducted at least 48 rhino hunts with suspected Vietnamese pseudo-hunters between June 2009 and July 2011,[201] according to North West province hunting records.

There appear to be some ties between Voi Game Lodge and Shingalana. Photographs taken by several Vietnamese nationals linked to the lodge over the past five years show them hunting, boating, barbecuing and drinking with Jacobs, members of his family and Shingalana staff.

197 Personal communication. Department of Environmental Affairs. March 2016.
198 Williams, VL, Newton, DJ, Loveridge, AJ and Macdonald, DW. "Bones of Contention: An Assessment of the South African Trade in African Lion Panthera Leo Bones and Other Body Parts." Cambridge: TRAFFIC, 2015. http://www.traffic.org/species-reports/traffic_species_mammals83.pdf
199 Personal communication. Anonymous. April 2016.
200 Shingalana website. Accessed May 11, 2016. http://www.shingalana.co.za/
201 North West Department of Agriculture, Conservation and Environment. "Rhino Hunting Register - Dr Keneth Kaunda District, North West Province," 2009 - 2013.



Buried rhino horns.



Chu Duc Gu Lit and Nguyen Đăng Khánh after their arrest. Photo: SAPS



A secret compartment used to smuggle rhino horns

In November 2011, Chu Đăng Khoa's wife, Van Anh Le, visited Voi Lodge and posed for a photo with two tiger cubs while wearing a bush shirt emblazoned with both the Voi Lodge and Shingalana logos. (The Voi Lodge emblem contained images of an elephant and tiger while Shingalana's consisted of a rhino and lion. In other images, Voi Lodge employees and some of its Vietnamese visitors can be seen wearing shirts embroidered with the words "Hunter VN".)

As recently as December 2015, a Vietnamese national named Van Thanh Chu, who is involved in the day-to-day running of Voi Lodge, posed for a photograph in the Shingalana helicopter, a Robinson R44. His relationship with Shingalana dates back to at least March 2010 when he shot a white rhino there, according to North West hunting records. Frikkie Jacobs is listed as the outfitter who arranged the hunt and also as the professional hunter who accompanied Van Thanh Chu on the shoot. Other images show Van Thanh Chu posing in front of caged tigers and lions at Voi Lodge. In one photo he holds a dead jackal by the scruff of the neck. In another, posted on Facebook on 22 November 2013, he crouches behind a dead tiger, rifle in hand. "Went hunting yesterday," he wrote.

Frikkie Jacobs denies any knowledge of illegal activity at Voi Lodge. "We have nothing to do with that farm...There is no relationship or business partnership or anything. I've hunted plains game there to help them bring in some money...They struggle to understand English one hundred percent and then I have to translate for them." He says that if any of the rhino hunts he conducted with Vietnamese nationals were pseudo-hunts, he was not aware of it. "They were all legal hunts with permits."

His father, Kobus Jacobs, the owner of Shingalana, strongly denies any impropriety. "There is absolutely no, no, no partnership [with Voi Lodge]...We have nothing to do with Voi Lodge. Anything we did was legal...In no way can you link us to them, even if I drank a drink with Won Chu or I drank a drink with Beckham (Voi Lodge employees 'Dragon' Won Chu and 'Beckham' Van Thanh Chu). I can put you in jail if you say you are linking me with that...For heavens sake, we are here to protect the rhinos."

Aside from Chu Đăng Khoa, a number of key individuals linked to DKC Trading and Voi Lodge participated in alleged pseudo-hunts. The manager of DKC Trading's import and export operations in South Africa, Ben Tran – also known as Huy Bao Tran – shot one rhino in May 2010 and another in March 2011. A regular fixture at the farm, Chu Duc Gu Lit – who also used the name Gulit Chu Duc – was one of the most prolific of the Vietnamese "pseudo-hunters", shooting four of the animals in three years. His first hunt took place in December 2009 at Shingalana. The following year – in July and August - he hunted two more rhinos on a farm called Koedoesrand. Then in February 2011, he shot a fourth. A close friend of his, who features in several photographs taken at Voi Lodge, Nguyen Đăng Khánh, also hunted a rhino in February 2010. Another DKC Trading representative in South Africa, Kieu Ti Phuong, also known as "Anna", is recorded to have applied for a rhino hunting permit in North West province in 2011.

On 31 May 2012, Chu Duc Gu Lit and Nguyen were arrested in a police raid on house in Midlands Estate, a luxury gated security complex in Centurion near the South African capital, Pretoria. A police tactical unit "breached the



Van Thanh Chu poses with a dead tiger.



A predator camp at Voi Lodge. Photo: Julian Rademeyer

front door of the house" and both men were apprehended as they attempted to escape[202]. The arrests formed part of Operation Whisper, "an undercover operation targeting organized crime groups involved in rhinoceros poaching and the illegal international trade in rhinoceros horn" led by the police's Durban Organised Crime Investigation Unit.[203]

Investigators found a "professionally" made secret compartment between the back seats and the boot of a blue Volvo parked in the garage. Inside it were two rhino horns in green propylene bag. The bases of the horns were still "red and wet" indicating that they were from a fresh kill. Someone had written the weight of each horn on the sides with a black marker. DNA analysis later linked the two horns to a poaching incident in Kwazulu-Natal's Hluhluwe-iMfolozi game reserve.

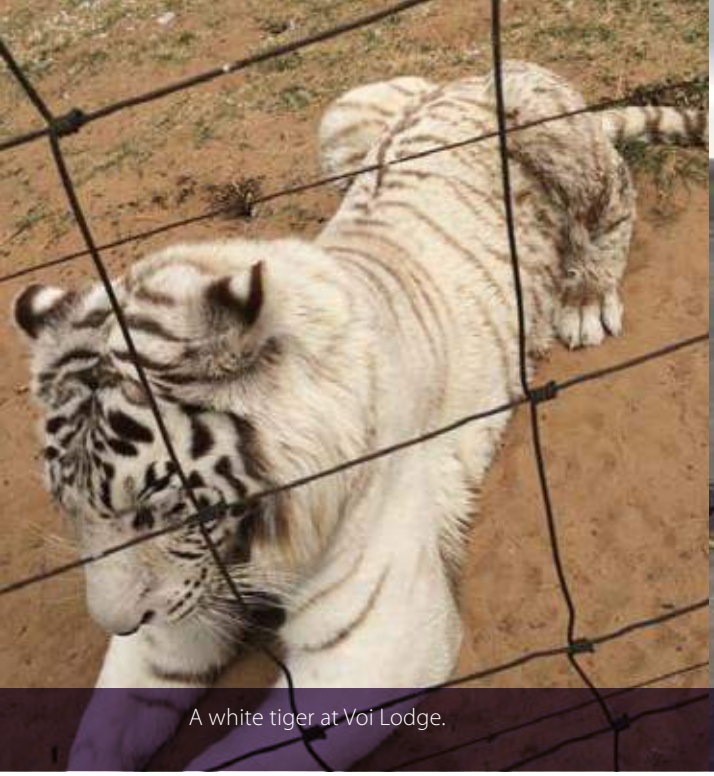
Another, older horn, was found behind a rear seat in the Volvo. (A second vehicle found at the house, a gold Mercedes Benz S 350, had previously been owned by the Vietnamese embassy in Pretoria.) Against the wall of the garage stood an electrical band saw. A rhino horn was caught in the blade as if someone had started cutting it and been interrupted. In the garden, police excavated a flower bed and found another six rhino horns wrapped in cling-film and black plastic garbage bags. Fungal growth and bright red bloodstains indicated that some of them were also from recent kills. Each horn had been neatly drilled to remove the microchips that would identify the specific animal the horns had come from. Police also discovered two scanning devices used to detect microchips. [204]

Charges against Nguyen were eventually dropped after prosecutors concluded a plea bargain which saw Chu Duc Gu Lit plead guilty to charges of illegal possession of rhino horn. In December 2013, a Johannesburg Regional Court Magistrate sentenced him to five years in prison. He was released after serving about half the sentence. Nguyen returned to Vietnam.

The Island

It was against this background that DKC Trading became an integral part of efforts by Vingroup – one of Vietnam's largest conglomerates – to obtain as many as 100 rhinos for an ambitious new $147-million safari park on Phú Quốc Island in the Gulf of Thailand.[205] Vinpearl Safari – billed as Vietnam's "first-ever safari zoo" – boasts that

202 Statement by Captain WI Pretorius, SAPS Intervention Unit, Durban, April 11, 2012.
203 Department of Environmental Affairs. "Media Statement on South Africa's First-Ever Certificates of Commendation by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)." Accessed May 12, 2016. https://www.environment.gov.za/mediarelease/molewa_certificatesofcommendation
204 Evidence in State vs Chu Duc Gu Lit, Johannesburg Regional Court, November 2013.
205 Tuoi Tre News. "Vietnam's First-Ever Safari Zoo Set for Xmas Opening on Phú Quốc Island," December 16, 2015. http://tuoitrenews.vn/lifestyle/32260/vietnam-s-safari-zoo-set-for-xmas-opening-on-phu-quoc-island



A white tiger at Voi Lodge.



Shipping crates apparently containing animals bound for Vinpearl Safari Park.

it is home to 400 species of plants and "3000 wild animals representing 150 different species, many of which are considered rare and endangered". Tigers, elephants, rhinos and parrots feature prominently on the Vinpearl website and entrance tickets, although the park has some stranger acquisitions like Texas Longhorn cattle.

In late November 2015, the news website VietnamNetBridge reported that the first 200 animals had arrived on the island and that three flights "had been deployed to transfer rare animals from the United States, Europe and South Africa" to the park. It said five more flights were expected.[206] Several photographs showing a dozen large crates being loaded on to an Emirates flight were posted on Facebook by Van Anh Le – and also appeared on blogs and news websites in Vietnam. (She later deleted the pictures from her page).

South Africa's Department of Environmental Affairs has confirmed that permits were issued, and endorsed at OR Tambo International Airport, for 130 animals to be shipped to final destinations listed as either Vinpearl Safaris or Phú Quốc Tourism Development between 1 September 2015 and 29 February 2016. They included 20 tigers and 23 lions. Most of the tigers appear to have originated from Voi Lodge.

Figure 11: Permits issued to Vinpearl Safaris to ship animals, 2015-16

Species	Number
Tiger	20
Monkey	12
Servals	4
Birds	48
Caracal	2
Hyenas	2
Pythons	4
Lions	23
Baboons	12
Reptiles	3

Source: DEA



A Vinpearl voucher advertising the new safari park.

206 VietNamNet. "Vinpearl Safari Phú Quốc Welcomes 200 Rare Animals," November 18, 2015. http://english.vietnamnet.vn/fms/society/146513/vinpearl-safari-phu-quoc-welcomes-200-rare-animals.html



An unidentified man pokes a rifle at tigers in one of the predator camps at Voi Lodge.

(The DEA said that four white rhinos were exported from OR Tambo to Vietnam between October 2015 and March 2016, but the permits "in respect of these specific shipments do not, however, reflect Vinpearl, DKC Trading or Phu Quoc".[207]) The DEA declined to reveal the names of the farms or breeders who supplied the animals to Vinpearl saying that it "cannot provide third party information unless authorised to do so as this might infringe on the applicant's privacy". [208] But Huy Bao Tan, DKC Trading's import-export manager confirmed that the company had exported various "wild animals" to Vinpearl in December 2015. These included "lion, zebra, tigers, hyenas and monkeys".[209]

Vinpearl Safari opened its doors in late December. Early press reports stated – somewhat inaccurately - that the park "is also home to 200 flamingos, 100 rhinos and 60 giraffes, becoming the only place in Vietnam breeding such large numbers".[210] (Visitors to the park in January 2016 were told that it held about dozen rhinos and planned to buy 100.) A Zulu dance troupe was flown from South Africa to entertain guests at a lavish launch function.

The first rumblings of discontent about conditions at the park emerged on 15 February 2016 on Zoo News Digest, a blog run by an "itinerant zoo keeper"[211] and consultant, Peter Dickinson. He claimed that expatriate veterinary staff employed at Vinpearl had abandoned Phú Quốc Island "mostly in disgust after the deaths of over 1,000 birds and nearly 700 mammals, including twenty giraffe". Dickinson – who did not respond to requests for an interview – said the deaths had been attributed to "parasites, disease, underfeeding and horrific accident". He claimed that around 500 monkeys and numerous birds had also escaped from cages.

In a statement released on 21 February, Vingroup said: "The information that the animal death toll at Vinpearl Safari hit thousands is completely untrue." The company, however, admitted that more than 100 birds and animals died "because of the impact of the long shipping process which weakened [them]" and the animals' failure to adapt to "the new environment, soil and climate". The company also confirmed that 135 macaques had escaped from cages "designed for larger monkeys".[212]

207 Personal communication. Albi Modise, Department of Environmental Affairs. 15 March 2016
208 Personal communication. Albi Modise, Department of Environmental Affairs. April 30, 2016.
209 Telephonic interview. Huy Bao Tran. May 13, 2016.
210 "Island Zoo Opens in Kien Giang." Vietnamnews.vn. Accessed May 13, 2016. http://vietnamnews.vn/english-through-the-news/280853/island-zoo-opens-in-kien-giang.html
211 "Peter Dickinson | LinkedIn Profile." Accessed May 13, 2016. http://www.linkedin.com/in/dickinsonpeter?authType=&authToken=&trk=mp-allpost-aut-name
212 VietNamNet Bridge. "Over 100 Animals Die at Phu Quoc Vinpearl Safari," February 23, 2016. http://english.vietnamnet.vn/fms/environment/151544/over-100-animals-die-at-phu-quoc-vinpearl-safari.html

Vietnam's CITES Management Authority came out in support of Vinpearl, saying that all animals shipped there had a "clear and legal origin". These included 14 white rhinos, officials said had been loaned to Vinpearl by My Quynh Zoo Corp, a company licensed in 2011 to open a zoo of the same name in Long An province. The zoo was built in 2012 but has yet to open its doors. According to a recent news report, conditions at My Quynh Zoo are "poor" with rhinos "left in the sun most of the time so their skin has dried up". The zoo is also "located near factories and constantly bombarded with noise from passing traffic". As a result of the "poor infrastructure and conditions", the zoo loaned the rhinos to Vinpearl Safari and also gave away eight lions and six tigers. [213] (Where My Quyhn zoo obtained the rhinos remains a mystery. The DEA says it "does not have any records of rhino export permit applications for My Quynh Zoo".[214] There is speculation that some of the animals may have originally come from China or were sold to My Quynh by other zoos in Vietnam.)

Last year DKC Trading and its agents began sourcing large quantities of rhinos from private owners in a number of provinces in South Africa for Vinpearl Safari. According to the DEA, 43 applications for export permits to send rhinos to Vinpearl were received from four applicants over a number of months. Ultimately, the DEA recommended that the export permits be denied by provincial nature conservation authorities "due to concerns [about] the quantities and further information required from the applicants on the appropriateness of the destination".

In terms of CITES Resolution Conf. 11.20, "appropriate and acceptable destinations" for white rhino are places where "the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitable equipped to house and care for it." In effect that removes any responsibility from South Africa to ensure the suitability of the destination and places the onus on – in this case - Vietnam to provide a recommendation. Once the animals have been exported, South Africa has no jurisdiction and no means of monitoring them "unless an agreement exists between the governments of the two countries trading". South Africa has no such agreement with Vietnam or China.[215]

South Africa continues to sell live rhinos to both countries, despite the significant involvement of Vietnamese and Chinese nationals in the illicit rhino horn trade and persistent allegations that at some zoos in Vietnam the horns of live animals are being "scraped" to obtain horn for the black market. DEA officials argue that they are reliant on the Vietnamese CITES Management Authorities of Vietnam and China to evaluate the suitability zoos and breeding facilities and cannot turn down an export permit without a compelling reason.

Sales of live rhinos to Vietnam have fallen sharply since 2014 while sales to China have increased in recent years:

Figure 12: Live rhino sales to Vietnam and China, 2012-15

	2012	2013	2014	2015
Vietnam	10	19	0	2
China	0	0	32	15

Source: DEA

Huy Bao Tran said no rhinos had been shipped from South Africa to Vinpearl. "Now we are not allowed to export," he said. "The South African government won't allow it. They want to check conditions there."

By mid-2016, about twenty tigers remained at Voi Lodge. When the Global Initiative visited the farm, some could be seen pacing up-and-down in wire enclosures behind an electrified game fence. A faded sign at the entrance to the farm listed the "Voi Game Lodge Rules", among them: "You enter this predator camp at own risk".

213 VietNamNet Bridge. "Animals Suffer in Private Zoo in Vietnam," February 12, 2016. http://english.vietnam.net.vn/fms/environment/152105/animals-suffer-in-private-zoo-in-vietnam.html

214 Personal communication. Albi Modise, Department of Environmental Affairs. April 30, 2016.

215 Personal communication. Albi Modise. Department of Environmental Affairs. March 14, 2016



Photo: WWF

In March and April, the farm was reportedly targeted by a gang of armed robbers masquerading as police and then by a group of rhino poachers. The first incident apparently took place on 2 March 2016. Van Thanh Chu and another Vietnamese citizen told police they had been held up at gunpoint by four men in police uniforms. The robbers made off with about R100,000 in cash and two rhino horns. Then, on 21 April, two rhinos were killed and another wounded on the farm by suspected poachers. Five men, aged between 21 and 42, were subsequently arrested and charged in connection with the poaching incident. One of the farm managers, Dragon Won Chu, confirmed the poaching incident, but referred all further questions to Frikkie Jacobs at Shingalana.[216]

Contacted by phone in Vietnam, Chu Đăng Khoa, claimed that he could not understand the questions and referred any queries to his DKC Trading representative Kieu Thi Phuong. She did not respond to calls or detailed questions emailed to her work and private email addresses.

216 Dragon Won Chu, Voi Lodge, 27 May 2016

5. Conclusion

As the range state with the largest rhino population, almost 80% of the total rhino population on the African continent, South Africa remains the epicentre of the battle to the save the rhino. More than six thousand rhinos have fallen to poachers' bullets in Africa over the past decade.[217]

The networks that traffic rhino horn and other wildlife products are ruthlessly efficient, imaginative, endlessly adaptive and free of the strictures imposed by legal jurisdictions, bureaucratic regulations and international boundaries. They are everything that the government bureaucracies and law enforcement agencies rallied against them are not. Time is of the essence and the onslaught on wildlife and the environment is only worsening.

This assessment of the capacity of the South African strategy and capacity to prevent rhino poaching has shown a number of critical weaknesses. The "war on poaching" is increasingly being understood as an unwinnable war. And reducing a complex struggle against transnational criminal syndicates to a "war" between poachers and rangers over-simplifies an extraordinarily difficult challenge that requires much greater global and regional co-operation.

Disrupting the criminal networks, requires a radical rethink of reactive and fragmented national and international law enforcement strategies and a concerted effort to uplift and include communities living in and around national parks in conservation and law enforcement efforts.

To do so requires a realisation that rhino poaching and wildlife trafficking is not a "green issue" to be dealt with by game rangers and conservationists. Environmental ministries and agencies have neither the mandate or the necessary political power to address transnational organised crime. Instead, it requires concentrated efforts from law enforcement and intelligence structures at local, national, regional and international level. Only carefully targeted investigations and prosecutions of high-level figures in poaching and transnational syndicates will have an impact. Arresting dozens of low-level poachers, couriers and smugglers will do little to disrupt the transnational criminal networks. They are the cannon-fodder; expendable and easily replaced.

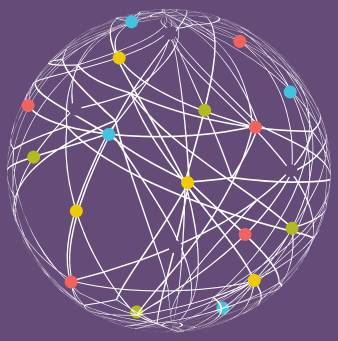
Rhino horn and ivory seizures have little impact without subsequent investigations and prosecutions. Contraband found in a container or a suitcase is evidence, not a law enforcement success.

Systemic weakness in law enforcement institutions in Southern Africa and Asia undermine law enforcement institutions undermine the efforts to address wildlife trafficking, which is an issue of questionable national priority, given the numerous other security, economic and developmental challenges currently facing the country. In particular, corruption is at the root of the problem and any efforts to address wildlife trafficking will require concomitant efforts to address corruption in State, police, intelligence and conservation agencies and the private sector.

However, it is clear that transnational rhino horn trafficking networks cannot be addressed in isolation in rhino range states or destination and consumer countries. To have real impact, they must be disrupted along the length of the illicit supply chain.

The subsequent report, *Beyond Borders: Crime, conservation and criminal networks in the illicit rhino horn trade* is the second part of this 2-part investigation into rhino horn trafficking in Southern Africa. It expands on this report to present overviews of rhino poaching, smuggling and organised crime in Zimbabwe and Mozambique. It also investigates the persistent involvement of diplomats and diplomatic staff in the rhino horn trade, including recent revelations of North Korean embassy involvement. It draws a series of conclusions, highlights priorities and proposes a process by which to effectively address the chronic and urgent challenge of preventing rhino horn trafficking in Southern Africa before this charismatic species moves irretrievably beyond the tipping point toward extinction.

217 IUCN Species Survival Commission's African Rhino Specialist Group (AfRSG)



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