



**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA



## PRESENTATION

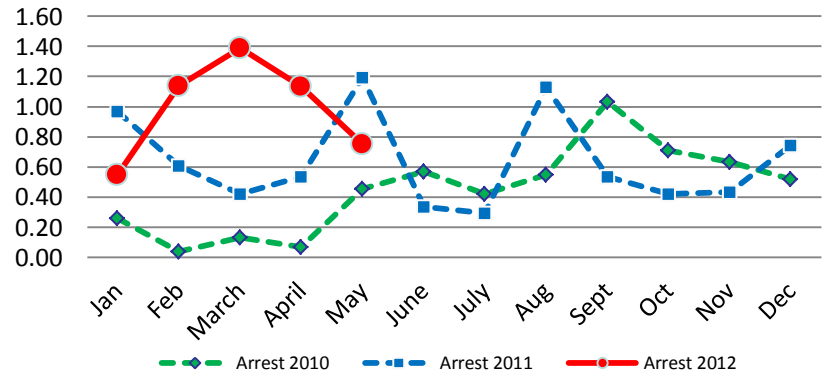
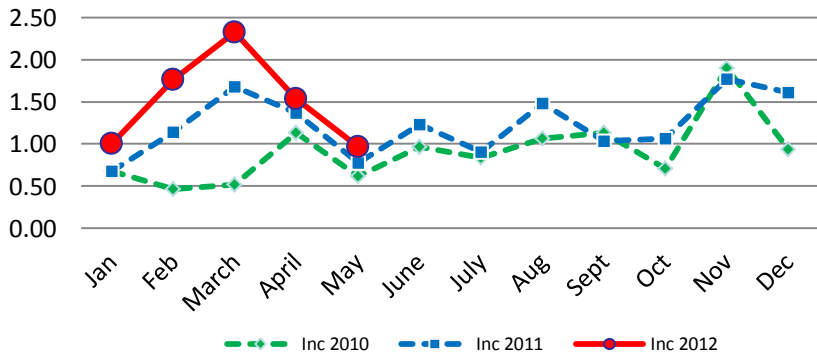
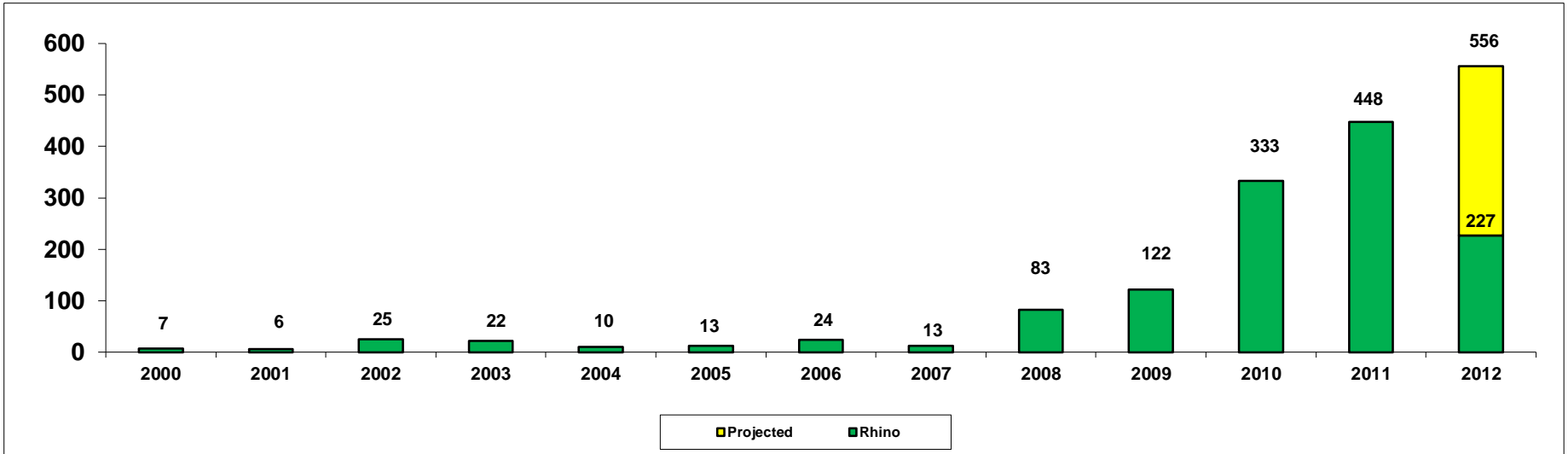
### Rhino Poaching in South Africa

### National Rhino Conservation Dialogue Workshop



Presented by: / Mr Ken Maggs (SANParks) / Colonel Johan Jooste (SAPS Hawks)

# SA Rhino Poaching Incidents 2000 – 2012 (May)



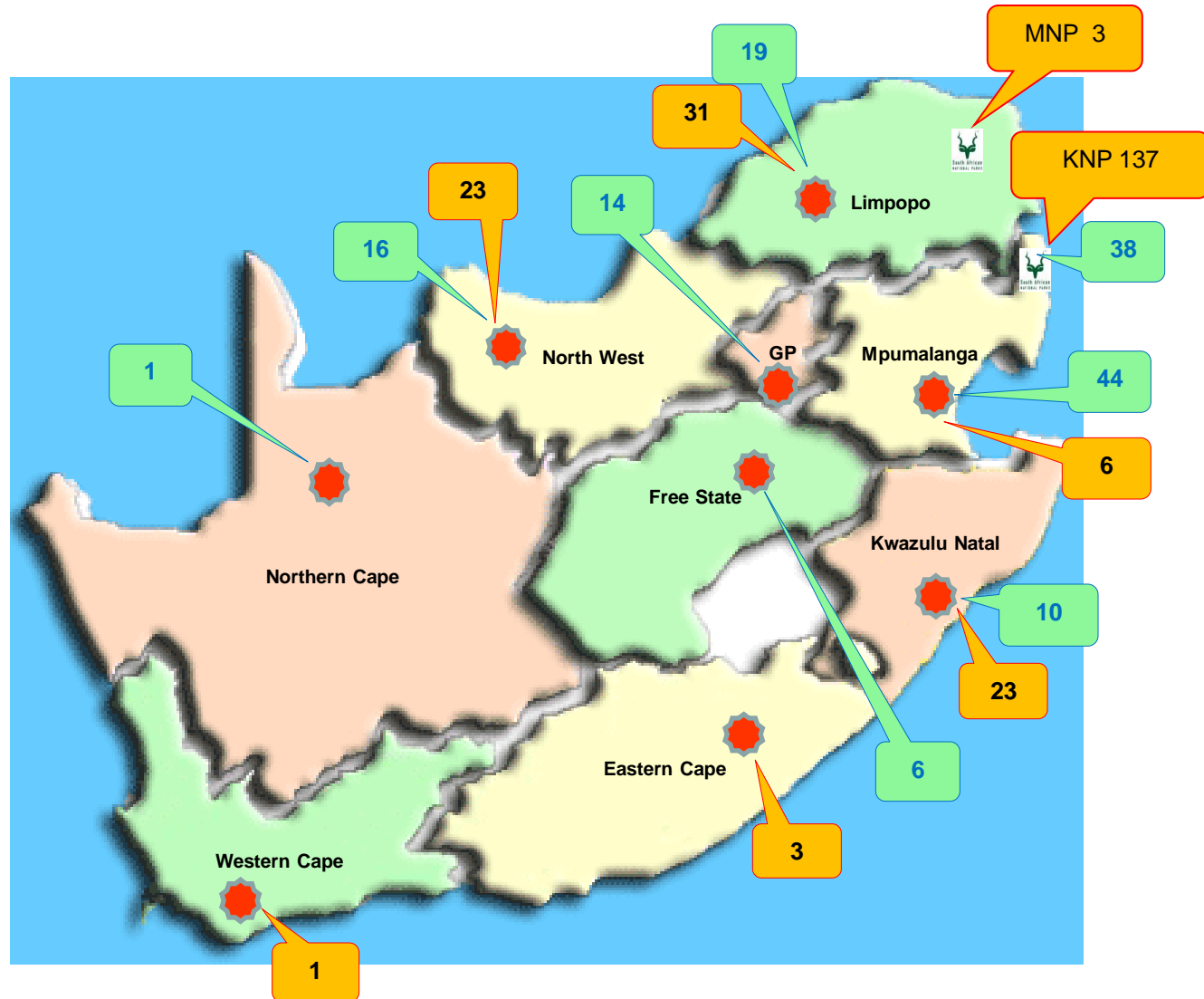
# Rhino Poaching Stats South Africa May 2012

## Incidents

	2010	2011	2012
KNP	146	252	137
MNP	0	6	3
GP	15	9	0
LIM	52	74	31
MP	17	31	6
NW	57	21	23
EC	4	11	3
FS	3	4	0
KZN	38	34	23
WC	0	6	1
NC	1	0	0
	333	448	227

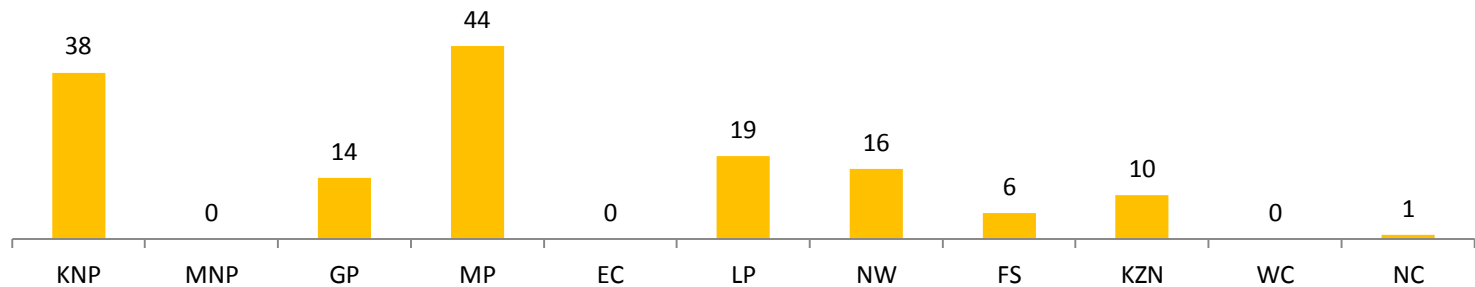
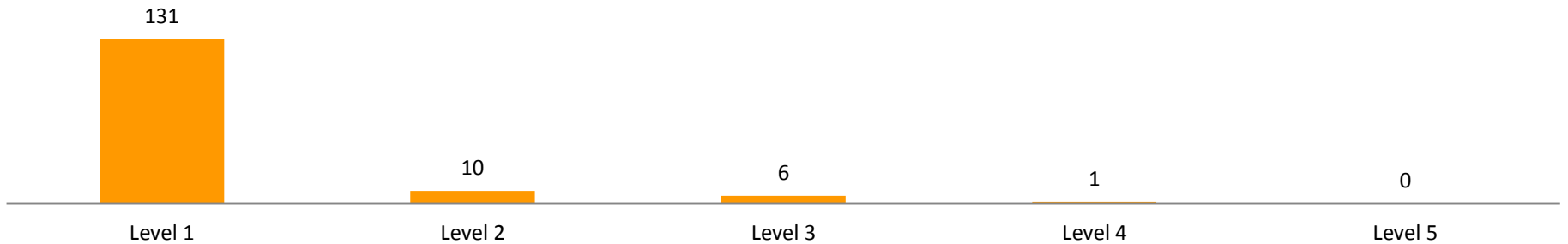
## Arrests

	2010	2011	2012
KNP	0	0	38
MNP	0	0	0
GP	0	0	14
LIM	0	0	19
MP	0	0	44
NW	0	0	16
EC	0	0	0
FS	0	0	6
KZN	0	0	10
WC	0	0	0
NC	0	0	1
	0	0	148



# Rhino Poaching Arrests South Africa 2012 (May)

Poaching Level	KNP	MNP	GP	MP	EC	LP	NW	FS	KZN	WC	NC	SA Totals	Level Description
Level 1	38	0	8	43	0	19	15	0	8	0	0	131	Poacher
Level 2	0	0	1	0	0	0	0	6	2	0	1	10	Receiver / Courier
Level 3	0	0	4	1	0	0	1	0	0	0	0	6	Courier / Buyer
Level 4	0	0	1	0	0	0	0	0	0	0	0	1	Exporter
Level 5	0	0	0	0	0	0	0	0	0	0	0	0	Buyer / Driver
<b>Total Arrests</b>	<b>38</b>	<b>0</b>	<b>14</b>	<b>44</b>	<b>0</b>	<b>19</b>	<b>16</b>	<b>6</b>	<b>10</b>	<b>0</b>	<b>1</b>	<b>148</b>	

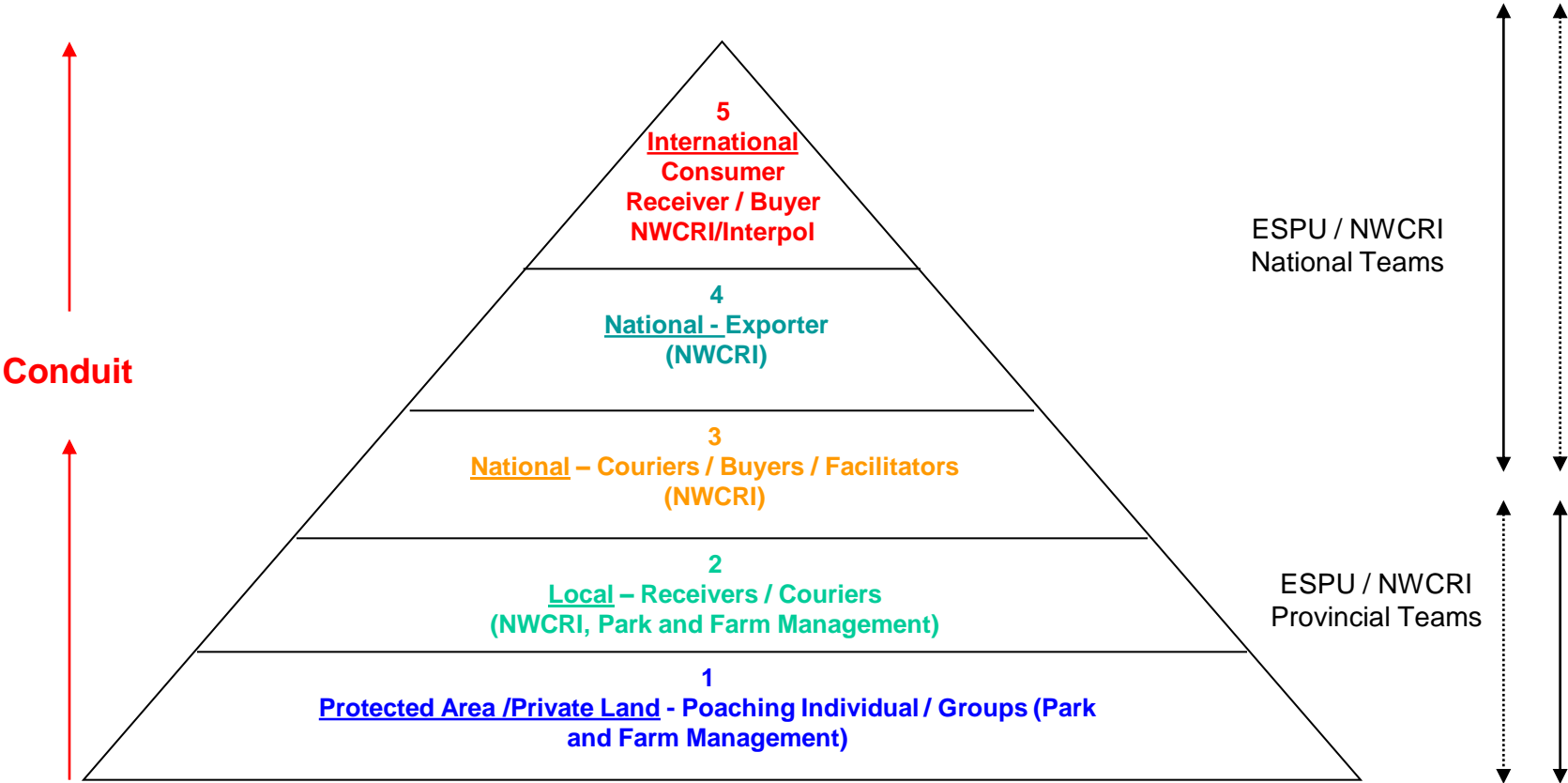


## South African Situation

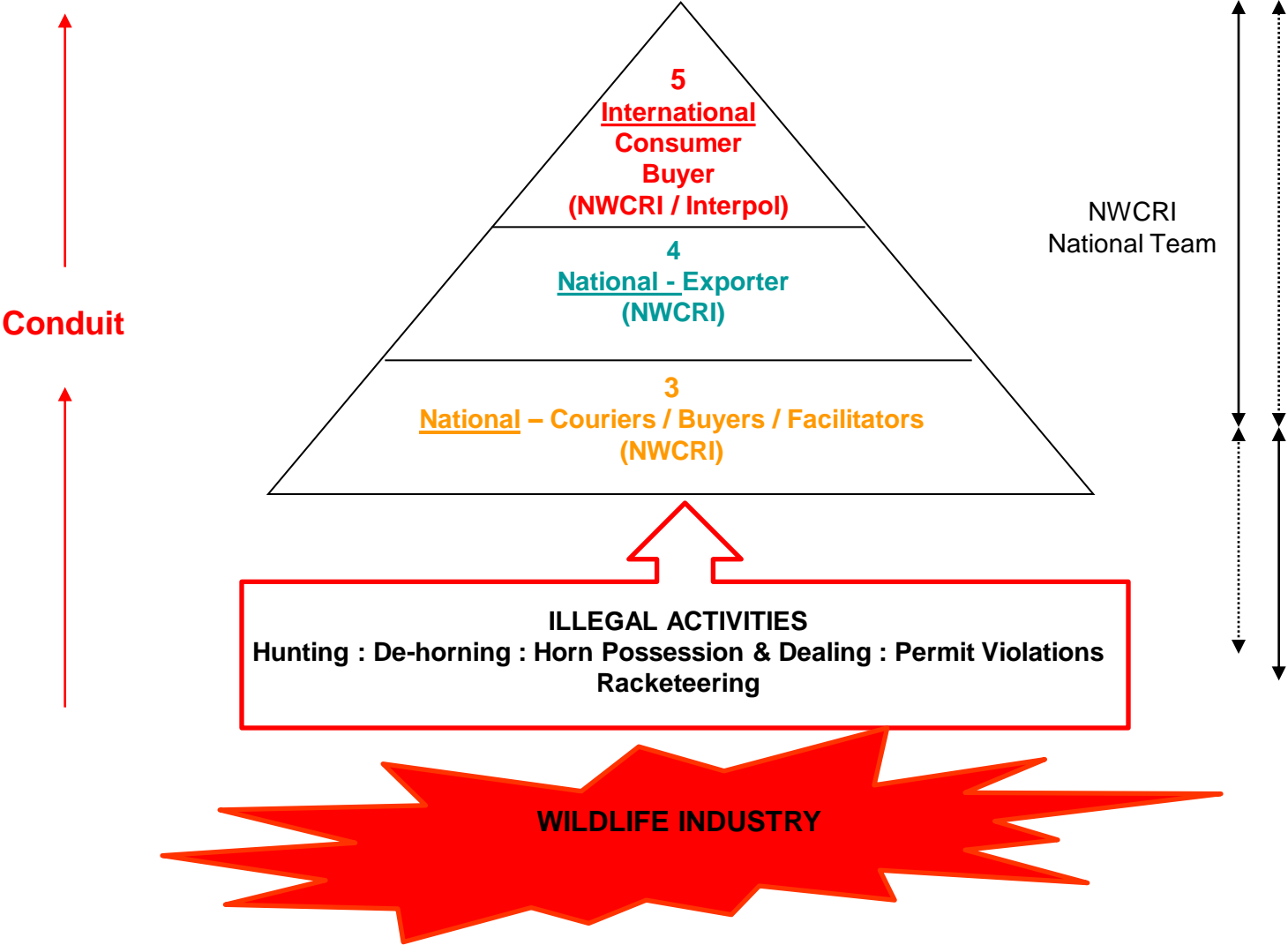
- The rhino poaching threat in SA is impacting all 9 provinces and the KNP;
- The poaching activity is being driven by an international illegal trade and demand for rhino horn;
- The activities are being coordinated by both internationally and nationally based organized crime elements;
- The activities comprise the following:
  - Illegal hunting (firearm, chemical, snaring);
  - Pseudo “legal hunting” (international hunters)
  - Illegal de-horning;
  - Permit violations;
  - Smuggling of rhino horn and horn derivatives;
  - Fraud and corruption;
  - Money laundering;

# South African Situation

Levels of threat



# South African Situation



## South African Situation

### Lower Level

- The following “lower level” tactics have been identified:
  - Local knowledge and experience in communities being exploited;
  - Larger poaching group size ( up to 6 individuals);
  - Well armed – multiple firearms; AK47 and heavy calibre firearms
  - Sophistication of equipment;
  - Good communications;
  - Highly mobile;
  - Increasing aggressive behaviour;
  - High remuneration for poacher level;
  - Immediate payment to poacher on exchange of horns;
  - Dominate the night - make use of favourable moon phases (full moon);



## South African Situation Higher Level

- The following “high level” tactics have been identified:
  - Mozambique support is key to reducing threats in KNP and SA
  - Well established linkages to other areas of organized crime;
  - High risk criminal activities re-directed to “less risk” rhino crime;
  - Organized “slick” conduit from crime scene to exporter;
  - Highly mobile – intra and inter provincial;
  - Targeting of rhino horn stockpiles;
  - Sophistication of methodology and equipment;
  - Unlimited funding mechanisms;

# South African Situation

## Crimes

### Crimes

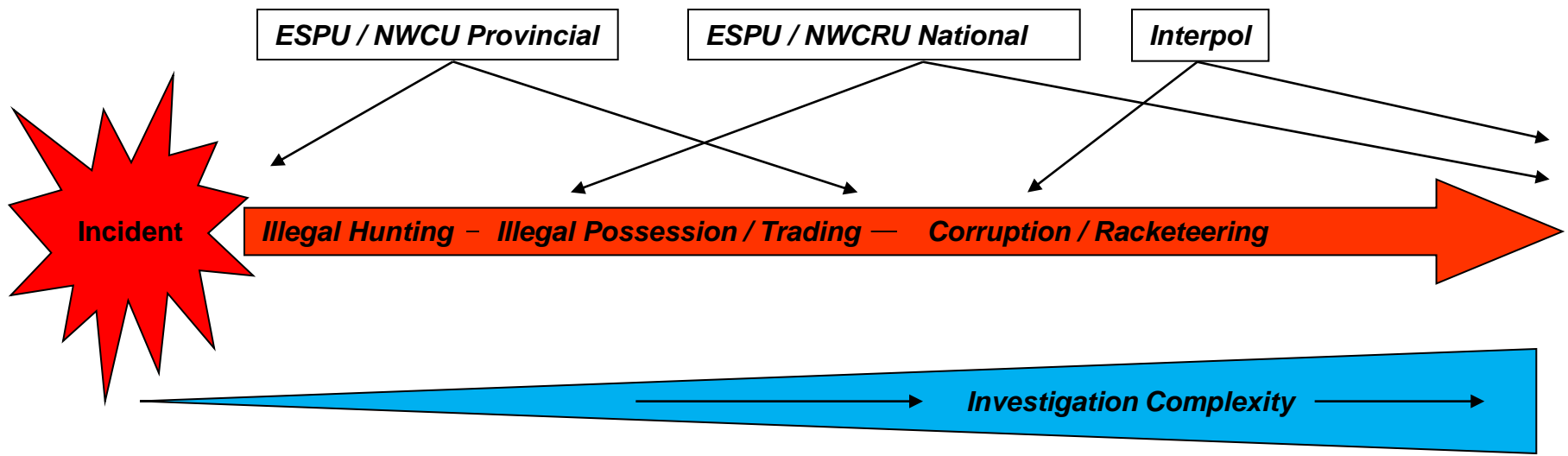
- Restricted activities as regulated by NEMBA Act 10/2004;
  - Illegal hunting;
  - Permit violations;
  - TOPS violations;
- Health and Medicines Act violations;
- SA Civil Aviation Authority regulation violations;
- Corruption;
- Fraud;
- Money Laundering;
- Racketeering;
- International transgression of the CITES convention on the trade in rhino;

## AIMS AND OBJECTIVES

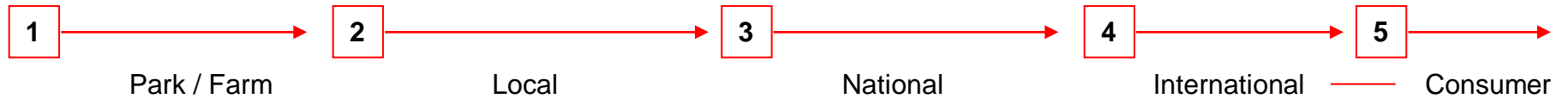
- Establish special team of investigators (professional, dedicated & passionate);
- Gathering of intelligence on related matters;
- Centralize investigations to the dedicated Investigation team;
- Conduct docket analysis on all case dockets including the trespassing cases;
- Analyse and centralize all case data for threat analysis and forecasting;
- Establish linkages with other provinces;
- Collate all evidence obtained during the audit and collection phase;

# STRATEGY TO ADDRESS THREATS

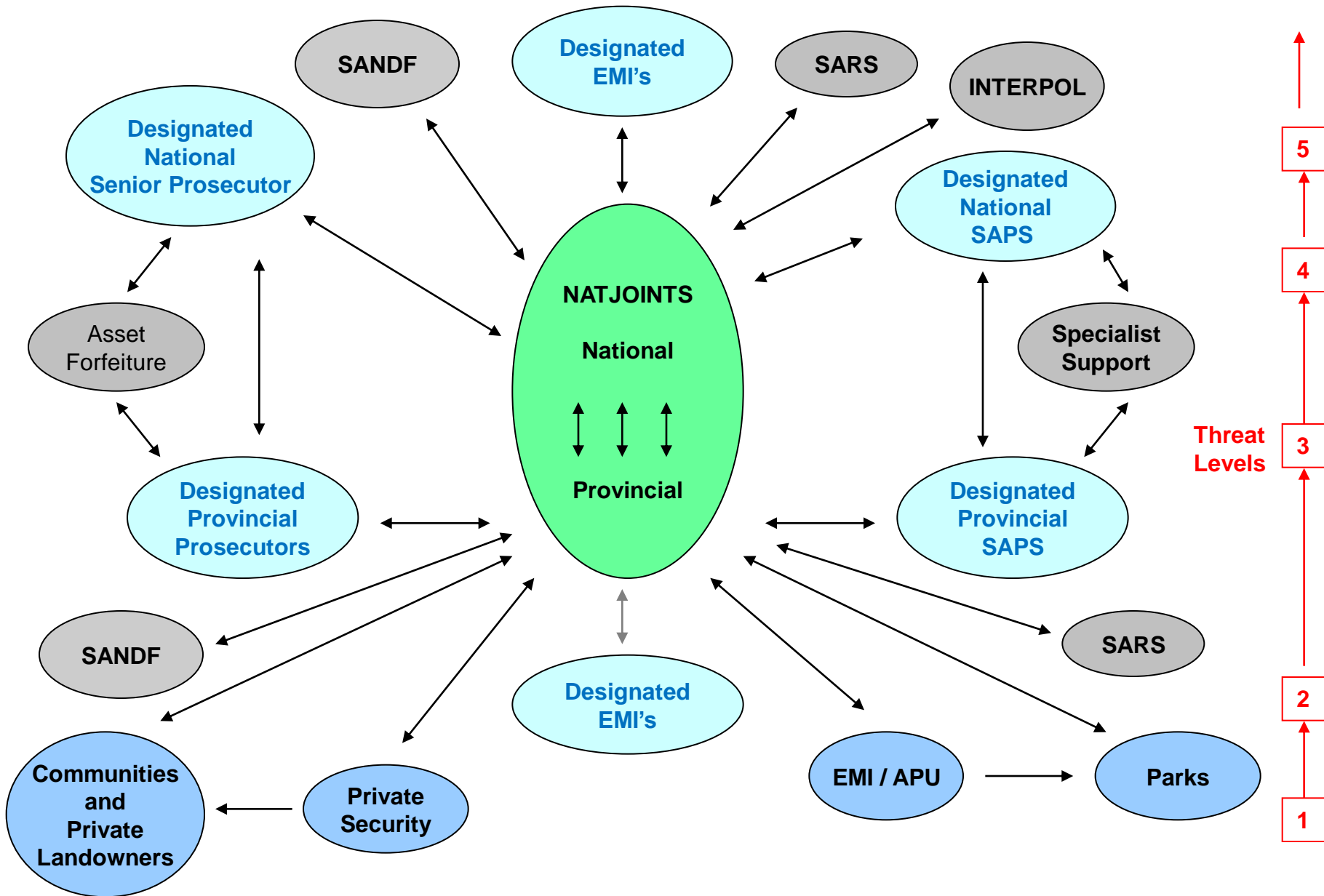
## Investigation Flow



### Levels of Threat



# STRATEGY TO ADDRESS THREATS



# Success

- In January a Zimbabwean citizen **Rogers Mukwene** was arrested for the illegal possession of three rhino horns in Kameeldrift, Pretoria. During the investigation it became known that he is a convicted rhino poacher in Zimbabwe. The rhino horns were later traced to a poaching incident at Dinaka Game Reserve in the Mookgopane district two weeks prior to his arrest. Rogers Mukwene's brother later tried to bribe the investigation officer in the matter to release Rogers Mukwene on bail and offered to pay the investigation officer R 10 000-00. Rogers Mukwene's brother was arrested for bribery.
- One of the most prominent and notorious syndicates led by **Joseph Naylunga** and 8 others was arrested on the 2nd of March 2012 outside Hazyview. During the operation over R 5 million rand in cash was seized from his house in Mhulu, hidden in a trunk in his garage. Several firearms, knives and vehicles were seized from the suspects.
- A **Chinese syndicate** responsible for the buying of rhino horns in Bruma Lake was arrested after the Hawks conducted an undercover operation. 4 Chinese citizens were arrested and charges of racketeering are in the process of formulation. The value of the operation is estimated at R 3 Million. The accused are still in custody.
- **Operation Worthy** was conducted by all Interpol countries with the aim to curb rhino horn smuggling. In South Africa a combined effort from The Hawks, Interpol, National Wildlife Crime Reaction Unit, Department of Environmental Affairs, NPA, NATJOINTS and SARS was conducted. Inspections were done at taxidermists, freight agencies, airports, borders, game farms and road blocks were held at key areas and searches were conducted.

# Success

- **S v Aselmo Baloyi, Jawaki Nkuna and Ishmael Baloyi (Phalaborwa court):**

The accused were convicted and sentenced as follows namely illegal hunting of rhino, sentenced to 10 years imprisonment; possession of automatic fire-arm, sentenced to 15 years imprisonment; possession of a hunting rifle, sentenced to 8 years imprisonment and possession of ammunitions, sentenced to 15 years imprisonment. The effective sentence imposed on 31 January 2012 was 25 years imprisonment as the sentences on count 2 to 4 run concurrently. No application for leave to appeal was made.

- **S v Phi Hung Nguyen (Kempton Park court):**

This accused, a male Vietnamese citizen was sentenced in August 2011 to 6 years imprisonment for possession of 6 horns and 2 years imprisonment for contraventions in terms of the Customs and Excise Act. The effective sentence imposed was 8 years imprisonment. On 8 March 2012 the appeal against the sentence was dismissed by the South Gauteng High Court and the imposed sentence was confirmed.

- **S v Duc Manh Chu (Kempton Park Court):**

This accused is also a Vietnamese citizen who was sentenced in August 2011 to 10 years imprisonment for possession of 12 rhino horns and 2 years imprisonment for contraventions in terms of the Customs and Excise Act. The effective sentence imposed was 12 years imprisonment. On 13 March 2012 the appeal against the sentence was dismissed by the South Gauteng High Court and the imposed sentence was confirmed.

# Success

- **S v Els (Musina court)**

Els is a game trader in Thabazimbi who pleaded guilty earlier this year to the illegal buying, possessing and conveying of 30 rhino horns which he bought from the late Mr Tommy Fourie who had committed suicide. Fourie was the manager at the Maremani Nature Reserve belonging to a Danish Consortium. Rhino were dehorned and the horns sold to Els. Els also dehorned his own rhino and illegally conveyed these 8 horns. On 13 March 2012 Els was sentenced to ten years imprisonment of which 2 years suspended for 5 years (iro the 30 horns). He was further sentenced to 4 years imprisonment wholly suspended (iro the other 8 horns) as well as repayment of R 100 000-00 per month for the next 10 months to the NWCRU to assist in rhino research. Leave to appeal against the sentence was granted and bail pending appeal increased to R 300 000-00.

- **S v Siguaque (Mokopane court)**

Accused was convicted earlier this year for illegal hunting of a rhino as well as trespassing on a farm in Moogapong. On 13 March 2012 the accused was sentenced to 12 years imprisonment for illegal hunting and 1 year imprisonment for trespassing to be served simultaneously.



# Summary of Convictions

- **Summary regarding convictions:**

The above convictions highlight successes during 2012.

However for the period February 2011 to March 2012 convictions followed in 8 cases for the illegal possession of rhino horns, convictions were obtained in 4 cases for the illegal dealing in rhino horns and convictions for the illegal hunting of rhinos were obtained in 6 cases. In only 8 of these cases were the accused sentenced to a fine.

However in 12 of these cases the accused were sentenced to direct imprisonment without the option of a fine.

Only 7 accused had been acquired during this period.

- The averaged conviction is between 6 and 10 years imprisonment of which the most recent conviction was 25 years imprisonment;

# END

“Non-violence leads to the highest ethics, which is the goal of all evolution. Until we stop harming all other living beings, we are still savages”

Thomas A. Edison