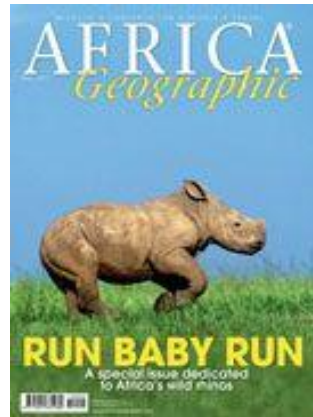


AFRICA GEOGRAPHIC

<http://www.africageographic.com/magazines/africa-geographic/>

View or buy all the issues of this great African travel magazine



April 2012: All about rhinos

Special issue - rhinos & the poaching crisis

80 and counting...

That's the number of rhinos killed in South Africa in the first two months of 2012. We dedicate this entire issue to finding out about rhinos and their precious horn, establishing exactly what is driving the poaching onslaught and examining the pros and cons of suggested solutions.

features

All about rhinos

Find out what we know about Africa's rhino species – how many there are and where they live – and about their horns, the unique evolutionary attribute that arguably makes them the most controversial and written-about animals of our time.

A chequered past

Prior to colonial times, Africa's rhino population across all species is thought to have numbered in the hundreds of thousands, possibly over a million. From the 1800s to the present, our summary tells their story. Rhino numbers, however, remained guesswork until the 1960s – and even today there is an element of uncertainty that is compounded by secrecy for security reasons.



The crisis

Crisis? What crisis? After all, rhino numbers for both species in southern Africa are actually increasing. It sounds crazy given a poaching scenario that is seemingly so out of hand, but it is true. It doesn't mean that rhinos in the wild aren't in trouble though – they are. We unpick the inner workings of the poaching syndicates and look at what we know about the Vietnamese and Chinese consumers who are driving the demand.



The solutions

We know rhinos are in trouble. We know we want to save them. But how do we do this, in the face of such seemingly overwhelming odds? The proposed solutions are as hotly debated as they are numerous. Do we increase security and penalties, should we stop legal trophy hunting or focus our efforts on changing mindsets in Asia? We evaluate every one, including the hottest potato of them all: calls to legalise the trade in horn.

Find it here:

<http://www.africageographic.com/magazines/africa-geographic/>

Peter Borchert
Founder

We chose our engaging little model for the cover of this issue for two reasons: relief from the brutal images that inevitably accompany so many stories about rhinos these days, and as a message of encouragement: for as long as there are rhinos being born that will grow up in the wildest of possible circumstances, there is hope for the species. Our exhortation 'RUN BABY RUN' is, therefore, as much a call for our baby pachyderm to be the essence of what it is, as it is a call to run for its very life.



GALLO IMAGES/THE TIMES/LEBOHANG MASHILOANE

LETTER OF THE LAW

It's all very well catching rhino poachers, but what happens once they are in the system? Are South Africa's penalties for wildlife crime harsh enough and are they being applied to their full extent? When it comes to enforcement, asks **Tim Jackson**, are we doing everything we can?

In South Africa it appears that the illegal trade in rhino horn is being treated seriously. Within the South African Police Service (SAPS), rhino-related crimes are handled by the Directorate for Priority Crime Investigations – or the Hawks – which is tasked with tackling organised crime. The Hawks work closely with the National Wildlife Crime Investigation Unit (NWCUI), an initiative of the Department of Environmental Affairs (DEA), and both divisions operate within the National Joint Committee's Operation Rhino. Nat Joints, established in 2010, is a top-level body responsible for the co-ordination, planning and implementation of high-

priority security measures. Its senior members include the National Prosecuting Authority (NPA) and the South African National Defence Force.

'Nowadays only the Hawks, working with the NWCUI, are allowed to investigate rhino poaching crime scenes,' explains Rynette Coetzee of the Endangered Wildlife Trust's Law and Policy Programme. 'Officers from local police stations may no longer investigate them. Crimes have to be reported immediately to the task force, which then starts the enquiry,' she adds.

The investigative and prosecution processes also need to be handled carefully throughout. 'Good investigation, good prosecution; bad investigation,

bad prosecution,' expounds Colonel Johan Jooste, head of the Endangered Species Section, the Hawks unit tasked with wildlife crimes.

CRIME SCENE MANAGEMENT

The trail starts at the crime scene. 'There are clear rules about how to tackle evidence so that it stands up in court. Otherwise you can lose your case because you have contaminated the crime scene,' warns Coetzee. As a result of Hawks-led operations, 232 people were arrested in 2011 for rhino poaching and related activities, a dramatic increase from the 165 suspects arrested for similar offences in 2010. Fifty more have already been arrested during the first two months of 2012.

'The arrest records this year are better than they have been before,' says Coetzee. 'I think it's because the task force teams, the rhino owners and the counter-poaching units are working together,' she reasons. It means that, currently, there are many cases in various stages of completion passing through the judicial system – 188 to be exact, according to Jooste – remembering too that several suspects may be appearing in the same case.

FLIGHT RISKS

The next stumbling block, in terms of a successful prosecution, is bail. 'When people walk on bail, they don't come back, you don't find them. That is why we are actively promoting that they don't get it,' says Coetzee. 'Here at the Kempton Park Magistrates' Court, the Vietnamese guys who are couriers don't get released because they'll be out of this country before you can blink. There is so much money backing them, they'll simply disappear,' she says.

Jooste is a little more circumspect. 'The state has to prove why the accused cannot be released on bail, based on the legal requirements. The defence, on the other hand, has to convince the court that their client won't be a flight risk, won't commit a similar offence and will stand trial.'

NO MERCY

Prosecutors are also pushing for stiffer sentences (see 'Going up', right). 'Obviously from the prosecution and investigation side we always want the maximum penalties,' says Jooste. New legislation has helped to prosecute people more harshly than in the past. 'Advocate Joanie Spies is the designated advocate within the NPA to address all rhino matters,' he continues. 'In each province there are prosecutors assigned to support her.'

When it comes to sentencing, perhaps the most notorious magistrate is Prince Manyathi, who has presided over a number of rhino-related offences at Kempton Park Magistrates' Court, close to Johannesburg's OR Tambo International Airport. He has warned poachers and couriers that it makes no difference whether they kill a rhino or are caught in possession of its horns; the penalty will be the same.

GOING UP

2009 A Vietnamese citizen is convicted for the illegal possession of four rhino horns. **Sentence:** R50 000 fine or 12 months imprisonment, with a further two years suspended for five years.

2010 Using DNA profiling provided by RhoDIS, Xuan Hoang is convicted on seven counts of illegal possession of rhino horn as well as fraud. **Sentence:** 10 years with no option of a fine.

2011 Duc Manh is caught with 12 rhino horns at OR Tambo International Airport. **Sentence:** 12 years imprisonment with no option of a fine (10 years for the illegal possession of rhino horn and two for fraud).

2012 Three Mozambique nationals are found guilty of illegal rhino hunting. **Sentence:** a maximum of 25 years imprisonment each (10 years for illegally hunting a rhino; 15 years for possession of a prohibited firearm; eight years for the possession of a hunting rifle; 15 years for the possession of ammunition – the last three counts to run concurrently).



GALLO IMAGES/FOTO24/MARY-ANN PALMER

Manyathi has also reiterated that fines will no longer suffice to discourage such crimes, and his sentences bear that out.

The chief weapon at the magistrates' disposal is the National Environmental Management: Biodiversity Act 10 of 2004 (NEMBA). Under NEMBA, the maximum penalty for illegal possession of rhino horn is 10 years imprisonment or a fine of R10-million, or both. And, while horn-related charges take centre stage, others such as racketeering, money laundering, theft, malicious damage to property and even animal cruelty are among the additional charges that have been used successfully. Nevertheless, progress through the judicial system is slow. ►

ABOVE On 8 November 2011, the alleged mastermind of a rhino-poaching syndicate, Chumlong Lemtongthai (left), appeared with Punpitak Chunchom (middle) and Marnus Steyl (right) at the Kempton Park Magistrates' Court. The magistrates here are handing down harsher penalties for those convicted of rhino-related crimes.

OPPOSITE Jail, not bail! A number of NGOs support calls for bail to be denied to a foreign national accused of rhino-related crimes.



TIM JACKSON (2)

CSI: RHINOS

One problem in bringing criminals to book is matching the rhino horn to the scene of the crime. On the flip side, how can you tell whether the horn of a rhino that has been shot legally by a big-game hunter is the same one awaiting legal export to their trophy collection?

Until recently the main method in horn identification was the insertion of a pair of small, matching microchips into the rhino: one into the horn, the other into its body. Scanning for them is easy, but natural horn growth or deliberate removal hamper their efficacy.

A year and a half ago a new system of horn identification was rolled out. Based on the DNA profile of individual rhinos, it provides an extremely accurate measure of the identity of a rhino – and its horn. Known as RhoDIS (Rhino DNA Index System), the project is based in the Onderstepoort Veterinary Genetics Laboratory at the University of Pretoria's Veterinary Faculty. It stems from research done in collaboration with the University of Wales in Bangor and was presented by Dr Cindy Harper (above) in the Kruger National Park in early 2010. 'Nobody really showed much interest at the time,' remembers Harper.

The news didn't go unnoticed, though. A few months later, as rhinos hit the headlines for all the wrong reasons, Kobus de Wet, from SANParks' Environmental Crime Investigating Unit, came knocking. With his help,

and that of Dr Kobus du Toit of the South African Veterinary Foundation, the system was developed to address rhino forensics, and has been modelled on the FBI's CODIS (Combined DNA Index System), which tackles DNA profiling in human-related crimes.

The potential of RhoDIS is immense. DNA profiling can link those in possession of horn to a particular crime; assist in historical cases (the DNA in horn is stable for decades); establish a connection between the rhino blood on items belonging to suspects and a horn or carcass; link an end-user of horn with a rhino victim; help manage rhino populations to reduce inbreeding; and provide details of the sex and species of a rhino. It has already contributed to successful prosecutions for both possession and smuggling of horns.

The South African government may soon make it a legal requirement to obtain a DNA profile for every rhino that is sedated, hunted or poached in South Africa. In the meantime, RhoDIS has been widely accepted by rhino conservationists. 'The compliance we've had has been incredible,' says Harper. 'We already have 3 500 animals on the database and that's after only 18 months.'

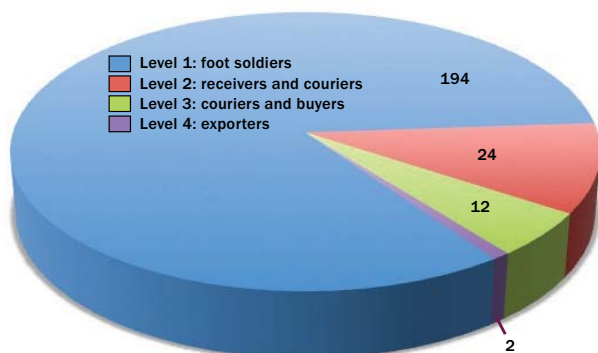
The rhino community across the continent is taking notice too. 'Namibia has profiled approximately 500 of its rhinos with us and we have DNA profiles for rhinos in Botswana and Zimbabwe.' The Veterinary Genetics Laboratory has also trained collaborators from Kenya. 'The Kenya Wildlife Service wants all its animals on the database,' says Harper, which would bring all 'Big Four' rhino states on board.



RIGHT: Simon Naylor (right) and his team from Phinda Private Game Reserve sedate a rhino before taking a DNA sample to submit to RhoDIS.

ARRESTS

Of the 232 rhino-related arrests made in 2011, none were of potential kingpins, or level 5 operators.



HOT ON THE TRAIL

'They're still bleeding on that side!' jokes Jooste in response to how quickly horns can be moved overseas. 'It is the same as your butcher selling biltong. Wet horn weighs more, so it means more money.' He confirms that the Hawks need to spring into action following a poaching incident. 'I think the poachers' biggest challenge is to get [their haul] out

of the country because of our law enforcement efforts. That's why the Nat Joints initiative is there, the intelligence structures are there, the armed forces are there, the Department of Health is there... You name it, they're there.' So it comes as no surprise that a number of measures are being taken to step up security at South Africa's major ports of entry and exit. Staff are being sensitised to the prevalence of wildlife-related crimes and how to spot them, while sniffer dogs have been trained to detect rhino horn and ivory.

Even so, the breakdown of cases to date reveals that while foot soldiers are being brought to justice, the kingpins remain untouched (see diagram left). Also noticeable is that only 35 per cent of arrests were made in the Kruger National Park, which accounted for 56 per cent of poaching incidents in 2011. 'We need to look at the national and international receivers and buyers. Last week we arrested big buyers of rhino horns – Chinese people – from Johannesburg and Pretoria,' says Jooste. The Hawks may not have arrested any big players yet, but it does appear that they are getting closer. **AG**

A JOB FOR THE DIPLOMATS?

Strengthening domestic measures is vital, but fostering closer international cooperation between South Africa and the enforcement authorities in consumer countries is equally important. 'Heads of state need to get involved,' says Steve Trent, president of the international charity WildAid, which focuses on the demand aspect of the use of endangered animals. 'China's 1993 ban on rhino horn, for example, was the result of high-level negotiations between Clinton's administration and the Chinese head of state,' says Trent. 'It's not actually complicated, it is basic policing. It can be done.'

His comments are echoed by WWF's African Rhino Programme Manager Joseph Okori. 'We need extradition treaties and agreements that afford a high-priority crime committed in South Africa the same status in the consumer country.'

Towards the end of 2011, South Africa and Vietnam drafted a memorandum of understanding (MoU) to promote cooperation in the fields of biodiversity, conservation and law. The negotiations were held in conjunction with Interpol, SANParks, and South Africa's NPA and customs authority. Progress is slow – the MoU has yet to be signed – but it's progress nonetheless.

