



Chinese rhino smugglers guilty

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The evidence of the Chinese nationals who were arrested in Namibia's biggest rhino horn smuggling case to date, was rejected by Magistrate Alexis Diergaardt as false and they were found guilty of the possession and export of controlled wildlife products.

The landmark case, which has been dragging on for more than two years, finally came to an end on Friday when Diergaardt made her judgment at the Windhoek Regional Court in Katutura finding the four Chinese nationals guilty on two of the three counts they were charged with.

Diergaardt said that she found the four men guilty of the possession and export of 14 rhino horns and a leopard hide.

Although she noted that they did not actually export the products as they were caught before leaving the country, Diergaardt said that they were attempting to export this contraband and therefore they were found guilty. With regards to charge on the Prevention of Organised Crime Act, she said that the State did not prove its case and therefore she found the four convicted not guilty on this charge.

The four convicted, Li Xiaoliang, Li Zhibing and Pu Xuexin and Wang Hui were arrested in 2014 for trying to smuggle 14 rhino horn to the value of N\$2.3 million out of Namibia.

Li Xiaoliang, Li Zhibing and Pu Xuexin were caught with the rhino horns as well as a leopard hide worth roughly N\$50 000 in their luggage on 23 March at the Hosea Kutako International Airport. Wang Hui, who was believed to be the kingpin of the rhino horn smuggling operation, was arrested in May at the Windhoek Country Club and Resort following further investigations by the police.

Li Zhibing entered a guilty plea and did not give evidence during the trial while the other three smugglers pleaded not guilty. Diergaardt, when reviewing the evidence, said that the question before the court is whether the four convicted acted in common purpose.

She said that their intention was to export the rhino horns and leopard hide out of Namibia and that although the four had different roles to play, they planned it together.

She also mentioned the fact that Li Xiaoliang and Pu Xuexin previously came to Namibia which was clearly with the intention to come and scout how their smuggling activities would work.

While she rejected the evidence of Li Xiaoliang and Pu Xuexin as being untruthful going into the evidence of Wang she said the problem with his evidence was that he claimed to not know Li Xiaoliang and Li Zhibing, but went out of his way to help them. According to her even when the four men left the hotel in the early morning of 24 March 2014 he was also with them although he claims that he had come to Windhoek to do business.

She points out that he even took possession of a luggage bag at the hotel in which the rhino horns were later found. This, Diergaardt said, was done as though he wanted to make sure the bag was safe. "He eats with them, buys travelling tickets for them and pays for accommodation. His actions are more of a caretaker and someone who is responsible for them."

Diergaardt said it is therefore difficult to believe his version adding that all four men acted with common cause.

According to her the four smugglers thought that their arrival and departure in Namibia would go unnoticed because they used different entry and exit points to the country and did not make use of a return ticket as would normally be the case.

While she said that there were several contradictions that were made by the state's witnesses and raised by the defence, these were not material or major contradictions and therefore the evidence was not dismissed.

Furthermore she stressed that she also accepted the evidence of an interpreter who was called by the state. This interpreter was the one who was first called when Li Xiaoliang, Li Zhibing and Pu Xuexin were arrested at the airport and brought to the Protected Resource Unit for questioning. Diergaardt said that the interpreter is an independent witness and that she had no reason to lie.

According to the interpreter it was said during conversations between the convicted that Li Zhibing must take the "weight".



(<https://d3rp5jatom3eyn.cloudfront.net/asse/rhino-smugglers-guilty2016-09-190.jpg>)

GUILTY: Li Xiaoliang, Li Zhibing and Pu Xuexin and Wang Hui have been found guilty of smuggling rhino horns. Photo: ELLANIE SMIT

This Diergaardt said eventually did happen, as he was the only one who pleaded guilty. It was also said during this conversation that Pu Xuexin is the “employer” of them. The four men will be sentenced on 23 September.

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