

Rhino horn smugglers want to appeal

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by Werner Menges



FOUR Chinese citizens sentenced to 14 years' imprisonment each in connection with an attempt to smuggle rhinoceros horns and a leopard skin out of Namibia in March 2014, will appeal against their conviction and sentences.

This was said by their defence lawyer, Orben Sibeya, after their sentencing in the Windhoek Regional Court on Friday last week.

The trial of the four – Wang Hui (41), Li Zhibing (55), Pu Xuexin (51), and Li Xiaoliang (32) – ended with magistrate Alexis Diergaardt sentencing each of them to 14 years' imprisonment without any option of a fine, but with part of the sentences suspended in accordance with the length of time each of the four has already spent in jail following his arrest.

The magistrate suspended 30 months of the sentences of the two Lis and Pu for a period of five years on condition that they are not convicted of the export, attempted export, possession of or dealing in controlled wildlife products without a permit during the period of suspension. They have been in jail since their arrest on 24 March 2014.

Twenty-eight months of the sentence of Wang, who has been in custody since his arrest in May last year, were suspended on the same condition.

“The message must be clear to the rest of the community and the international community that this type of behaviour will

not be tolerated," magistrate Diergaardt told the four.

Having reminded them that they were convicted of serious offences, she added that what made their crimes even more serious was the fact that three of them had travelled from China to Namibia with the intention of breaking the law in Namibia, while Wang, who had permanent residence in Namibia, had a duty to adhere to the country's laws and help to protect Namibia's wildlife.

She also reminded them that rhinos were on the edge of extinction, and that there was outrage in society about the poaching of rhinos for their horns.

The court had to impose a sentence that would deter not only the four from repeating their crimes, but would also act as deterrence for would-be offenders, magistrate Diergaardt said.

In response to an argument from Sibeya that his clients had not been convicted of the illegal killing of rhinos, but were found guilty of less serious offences, magistrate Diergaardt said in her opinion, the possession of, dealing in, import, export and attempted export of rhino horns all led to the poaching of rhinos.

The two Lis and Pu were arrested at Hosea Kutako International Airport on 24 March 2014, after 14 rhino horns and a leopard skin were discovered in two suitcases that the two Lis had booked on to a flight with which they and Pu were to leave Namibia.

Magistrate Diergaardt concluded in her verdict that the four acted with a common purpose, and had jointly planned the attempt to smuggle the rhino horns and leopard skin out of Namibia. Her finding was based on evidence that the two Lis and Pu were in close contact with Wang at a Windhoek hotel during the evening before they were due to leave Namibia, that Wang had booked rooms in the hotel for them and had bought their flight tickets, and that the suitcases in which the contraband was found at the airport were moved to and fro between the two hotel rooms occupied by the four men, and were handled by all of the four.

The court heard after the delivery of the verdict that 201 rhinos have been killed illegally in Namibia since 2011, and that the country's entire rhinoceros population could be wiped out in the next ten years if the rate at which rhinos have been poached over the past five years continues unchanged.

The court also heard that two of the horns found in the suitcases at the airport were traced to a black rhino cow that had been poached in the Uukwaluudhi Conservancy to the north-west of Etosha National Park, while one of the other horns came from a white rhino that had been imported from South Africa and was later legally hunted, and of which the horns disappeared in late 2013 while they were in the custody of a taxidermist at Brakwater near Windhoek.

DNA tests have shown that all of the other 11 horns came from the south-western black rhino subspecies, which is mainly found in Namibia.

The minister of environment and tourism, Pohamba Shifeta, welcomed the conviction and sentencing of the four on Friday. Shifeta warned that the law would sooner or later catch up with people involved in poaching and the illegal trafficking of wildlife products, and appealed to members of the public to report anyone involved in such crimes to the police or the Ministry of Environment and Tourism.