



## New wildlife law tough as nails

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The National Assembly has passed the Controlled Wildlife Products and Trade Amendment Bill.

This brings the barring of foreigners in Namibia should they be convicted of a wildlife crime, one step closer.

The bill will now be looked over by the National Council which has the right to make amendments and then send it back to the National Assembly. If not, it can be signed by President Hage Geingob and gazetted into law.

The bill, amongst others, proposes that foreigners who are found guilty of wildlife crimes will not be allowed back in Namibia after completing their jail terms.

This will apply to foreigners who are found guilty of possession of, and dealing in, elephant and rhino products.

A court order will be issued and the person would be declared persona non grata after serving his or her sentence, or after paying a fine.

The bill further proposes that the fine for the illegal possession of controlled wildlife products should be increased from N\$20 000 to N\$15 million and the imprisonment period increased from five years to 15 years.

It also proposes that the fine for illegal dealing or trading in controlled wildlife products be increased from N\$200 000 to N\$25 million and the imprisonment period be increased from 20 years to 25 years. The fine for non-compliance with regulations will be increased from N\$8 000 to N\$100 000 and the imprisonment period from two to 10 years.

Additionally, an amendment is proposed to strengthen the seizure and forfeiture provision of the principal Act by adding reference to the Prevention of Organised Crime Act of 2004.

The environment minister Pohamba Shifeta said he is elated that the Controlled Wildlife Products and Trade Amendment Bill and the Nature Conservation Amendment Bill have been passed.

According to him, the Nature Conservation Amendment Bill will soon be gazetted after being signed by Geingob.

Shifeta said that these two bills will reinforce the anti-poaching efforts that are taking place on the ground.

He said that the results from anti-poaching activities can already be seen with a drastic decrease in both elephant and poaching numbers this year, compared to a few years ago.

He also pointed out that there has been no poaching of rhino in the Etosha National Park this year, thus far.

Meanwhile, Shifeta is still advocating for wildlife courts to be established in Namibia and said during the debate of the bill that with these specialised wildlife courts there will be one more tools in the box to combat wildlife crime in Namibia.

Shifeta said during the debate that Namibia has undertaken a number of activities to create awareness among the judiciary's prosecution staff and the police on wildlife crimes, specifically poaching.



(<https://d3rp5jatom3eyn.cloudfront.net/assets/wildlife-law-tough-as-nails2017-06-270.jpg>)  
 POACHERS WATCH OUT: The new laws pertaining to wildlife crimes are far stricter than the former regulations. PHOTO: NWR

He further explained that when the bill was drafted the issue of rhino and elephant poaching was not a big challenge in Namibia. "We had nearly 30 years of no real rhino and elephant poaching and as a result the fines in the Act were adequate."

According to him at the rate which the rhino and elephant poaching is occurring in Namibia action needed to be taken to find a way to deter Namibians and others from committing these crimes in Namibia.

"The laws must be dynamic and must be able to respond to changing conditions. He said that having fixed fines with annual increases may not be an ideal way to deal with issues such as wildlife crime that is so complex and always evolving," said Shifeta.

He said that the ministry also objects to the issuing of granting bail to people apprehended for wildlife crime but respects the constitutional provisions and the laws under which such activities are conducted.

He however encouraged the judiciary and prosecutors to work closely with the ministry when bail is granted.

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