

## Principal and woman caught with two rhino horns

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Jana-Mari Smith - After spending seven months behind bars for being caught with illegal rhino horns in his possession, a Zambezi school principal is released on bail following a successful appeal to the Windhoek High Court.

Mr. Kenneth Tebuho (57) was in July 2021 with his traditional wife, me. Joyce Libuku, 48, was arrested after a bag containing two rhino horns was discovered in their vehicle while police were searching it at a roadblock. The two are facing various charges related to the illegal possession and trafficking of protected game products.

Tebuho turned to the Windhoek High Court late last year after Magistrate Clara Malilo Mwilima of Katima Mulilo refused his application for bail in August 2021. Tebuho, a longtime teacher and principal at the Ngoma Combined School in the Zambezi region, testified he knew nothing of the rhino horns found in a bag his wife allegedly loaded into the vehicle in question.

Tebuho's lawyers said his wife, with whom he shares three children, argued during the bail hearing in the magistrate's court last year that her husband was innocent. She told the court her husband was unaware of what she had in the bag and that she had "just got into the vehicle with the bag. He only provided transport".

"He never knew anything; he did not know what was going on," she continued.

Libuku also testified that she earns a small income by selling devil's claw, sweet potatoes and tomatoes. She claims she was not sure at the time of her arrest whether the products were rhino horn or not.

She told Magistrate Mwilima she wanted to try to verify if it was rhino horn, after which she planned to sell it. Tebuho said in court he supports his wife, seven children and his elderly parents through the salary he earns as principal. High Court Judge Herman January was also told that Tebuho will not interfere with state witnesses as he does not know who the witnesses are. Furthermore, as a home and cattle owner, plus the likelihood that he will receive a fine if convicted, the chances are slim that he will strike on the run.

"HE KNEW"

However, the state said Tebuho's behavior on the day of their arrest indicated that he knew what she was carrying in her bag.

A police officer testified that Tebuho refused to stop his vehicle at a roadblock, and only pulled over when police fired warning shots after he drove away. Police further claimed both Tebuho and his wife refused to roll down their windows when police approached the vehicle.

He only obeyed their orders after police threatened to break the window. They also apparently saw Libuku trying to push the bag under her seat.

According to court documents, Tebuho's wife admitted she had the rhino horns in her possession. January on Monday ordered that the initial decision to refuse bail be set aside, and that Tebuho be released on N \$ 15,000 bail. He is further obliged to report to the Katima Mulilo police station every Monday and Friday, and is prohibited from leaving the town without informing the police. He was also ordered to hand over all travel documents in his possession to the police.

Mr. Kalundu Kamwi acted as Tebuho's legal representative, while the state, through Mr. Johannes Mwatondondandje Kalipi was represented. It is unclear whether Libuku also filed a bail application with the high court at this stage.

Penalties for trading in rhino horn may include a fine not exceeding N \$ 25,000 or imprisonment for a maximum of 25 years, while unlawful possession of a rhino horn may result in fines not exceeding N \$ 15,000 or imprisonment for a maximum of 15 years.

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