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INVESTIGATION: By reviewing old wildlife crime cases, the relationship with corruption can be better understood. Photo: FILE

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## CORRUPTION REVIEWED IN WILDLIFE COURT CASES

Corrupt officials enable poaching

**By reviewing past wildlife crime court cases, the relationship between these crimes and corruption can be better understood.**

**Ellanie Smit**

- 16 HOURS AGO

Corruption is a key enabler of the illegal wildlife trade and its effects can be seen in every stage of this crime chain.

This is according to a new report by the wildlife trade monitoring network, TRAFFIC, which said by reviewing past wildlife crime court cases, the relationship between these crimes and corruption can be better understood.

It noted that thoroughly investigating corruption in these cases can potentially identify higher-level individuals for investigation, arrest, conviction and appropriate sentencing, disrupting organised criminal groups to a greater extent.

TRAFFIC reviewed a total of 146 wildlife crime case records from Namibia, Botswana and Zambia to examine the presence of corruption-related charges and/or any 'red flag' indicators of potential corruption.

It scanned court records from these countries directly through the Combatting Wildlife Crime in the Namibia and Kavango Zambezi Area Project (CWCP).

The indicators used in this analysis included events involving any officials such as police, army, investigation unit or magistrates; whether police or military uniforms were used; whether permits were authorised illegally; events involving a wildlife ranger, or reference to a bribe.

It found that none of these contained formal charges of corruption offences, but five were flagged as suspected of involving corruption. Two of the flagged cases were from Namibia.

All five records mentioned the involvement of former or current public officials, suspected of either facilitating the crime or as a target for attempted bribery. Four involved high-value wildlife products (elephant ivory and rhino horn), while one involved an unlawfully hunted

buffalo.

## Difficult

According to the network, the court case records flagged for Namibia occurred in 2014 when three suspects were arrested with 14 rhino horns and a leopard skin and a bribe was offered to a Chief Inspector in the police to remove one of the accused's name off the charge sheet.

In the other incident – which occurred in 2018 - eight suspects were arrested and charged for poaching four elephants inside a national park. One of the accused was a former police officer.

TRAFFIC, however, said investigating and charging corrupt acts are difficult, particularly when placed alongside additional pressures such as court case backlogs and legal time constraints.

“Many criminal justice systems in southern Africa are overburdened with increasing caseloads and low capacity for officials to process them. For example, the Oxpecker Centre for Investigative Journalism cites an example of this seen in Namibia, especially as it relates to cases involving rhino poaching.”

It said the reality is that many officials have no option but to prioritise some cases over others.

“Many officials may also have to prioritise charges considering legal time constraints; for example, a person arrested without a warrant should be brought before a magistrate's court as soon as possible and cannot be detained in custody without being charged with an offence for a period longer than 24 hours.”

## Bribes

TRAFFIC also pointed out that court officials and members of the criminal justice system might be bribed or threatened to influence court proceedings and outcomes, and this might lead to the absence or withdrawal of charges.

“Corrupt practices may manifest as deliberately misplaced or missing court documents, a lack of response upon request of further information from officials, lengthy court delays, or blatant political involvement or interference,” it said.