

Joining the dots

Prosecutors and magistrates improve skills to combat wildlife crime in Namibia



Namibia's population of free-roaming black rhino is the world's largest, but there are no rhinos in the north-east Zambezi Region. The last were killed for their horns in the late 1980s. A Namibian public prosecutor from Zambezi's regional capital, Katima Mulilo, says she once asked a poacher if he had ever seen a Northern White Rhino.

"No," he replied.

"Well you never will," Prosecutor Khama said. "The last one just died. It is extinct. And it is your fault: the poachers."



Prosecutor Khama

Namibian prosecutors and magistrates were meeting at Popa Falls, the gateway to Bwabwata National Park that leads into Zambezi Region, to learn how to conduct wildlife crime and trafficking prosecutions more effectively. The workshop, one of four, took place in September 2018 and was led by Dannie Small.



Retired prosecutor Small

Small – a good 6 foot – is a retired public prosecutor called in by the Combatting Wildlife Crime Project funded by USAID. Its 13 partners encompass community involvement, wildlife monitoring and law enforcement. One of the partners is the Legal Assistance Centre, which was instrumental in fighting for Namibian rights during the independence struggle, and has now joined the fight against international criminal syndicates targeting Namibia’s rhinos and elephants.

Apart from passing on experience to younger prosecutors, and advising magistrates about the economic seriousness of wildlife crime, Small is joining up the dots – opening up old criminal dockets to find correlations in ballistics, telephone numbers and addresses. A successful prosecution is not just a fine or a jail sentence, he says, “it is intelligence,” and he gives the example of a man caught sending a rhino horn by courier to Hong Kong. He was fined and the case closed. But Small’s re-examination of the docket shows that the same warehouse address in Hong Kong appeared on other dockets.

Joining the dots is also what TRAFFIC does. The international organization, one of the 13 partners in the USAID funded project to combat wildlife crime, tracks the movement of species, flora and fauna, across continents, providing vital intelligence to international law enforcement. TRAFFIC's Dominc Prinsloo and Adam Pires gave a presentation to the prosecutors detailing the 30 arrests for possession of rhino horn in Namibia over the last 18 years, resulting in 13 charges.



Katima Mulilo magistrate Boyd Namushinga

The slow pace of charges being laid and the record of successful prosecutions have been disappointing in the past, which is the impetus for the workshops for prosecutors and magistrates. The Namibian police have also joined the workshops, in order to strengthen common knowledge of scene of crime protocol and information that needs to be put onto criminal dockets to improve the rate of successful prosecutions.

Prosecutor Khama says she learnt a lot from the two-day training, especially about collaboration with partners. For example, the Ministry of Environment and Tourism has set up a unit to provide expert witnesses. Its Director of Parks and Wildlife recently testified that if the current poaching rate were to continue, the Black Rhino would be as extinct as the Northern White, and he was able to give a monetary value to the poached animal. Now, Khama says: "I can motivate for a higher sentence."



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