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Rwanda adopts toolkit to prosecute wildlife crimes

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New guide will assist investigators, prosecutors and other law enforcers to address the challenges of lack of evidence in prosecuting wildlife crimes. **Kelly Rwamapera** reports



Emmanuel Ugirashebuja, Rwanda's Minister of Justice and Attorney General, attended the launch of the toolkit in December 2022

Faced with an increase in cross-border wildlife offences over the past five years, Rwanda has adopted a technical toolkit to assist authorities in the judicial system to handle wildlife and other environmental crimes.

Launched in early December 2022, the *Rwanda Rapid Reference Guide on Wildlife and Environmental Crimes and Related Administrative Faults* will help address the challenges of lack of evidence in prosecuting wildlife crimes, especially those committed in border communities.

“The guide will help us curb wildlife crimes before they are too many to handle,” said Jean Pierre Habarurema, the focal point for the prosecution of wildlife and environmental crimes at Rwanda Prosecution.

The central African country in the East African Community bloc experienced relatively few instances of wildlife crime until neighbouring Tanzania intensified crackdowns on poaching in 2014 and Rwanda started emerging as a transit route. (See [Trafficking crackdown pays off in Tanzania](#).)

In response, in 2018 Rwanda revised its 2012 penal code according to which wildlife crimes were generally treated as “crimes committed against gorillas and other protected animal species”. Authorities found it important to have specific laws that can help in the tracking and monitoring of different categories of environmental crimes, said Habarurema.

“We now have separate laws that include biodiversity law, environmental law, mining law and forestry law. All of these have helped specify crime by crime, and made it easier to track and monitor the rate of wildlife crimes committed,” Habarurema said.

According to data from Rwanda’s prosecution authority, the wildlife crimes conviction rate since 2018 ranges from 70% to 95%, with the highest in 2019/20 and the lowest in 2018/19.

However, almost 22% of the wildlife crimes the National Public Prosecution Authority handled in 2021/22 were not lodged before the courts due to lack of evidence, statistics obtained from Rwanda Prosecution show. The number of written-off wildlife cases had reduced from nearly 40% in 2018/19.

[A Flourish chart](#)

Insufficient evidence

Among instances of insufficient evidence are cases in which authorities intercept individuals with meat, collect evidence and send the file to prosecutors but the latter drop the cases because of lack of evidence specifying whether the meat belonged to a protected animal.

Such a case happened on the night of September 15 2021 in the community that borders Tanzania located at Nyabubare Village, Nasho Cell, Mpanga Sector, Kirehe District, in Eastern Province.

Authorities intercepted a group of seven men who had emerged from River Akagera between Rwanda and Tanzania with unspecified kilograms of meat and three who were waiting for them on the Rwandan side to help carry the loads. Five were arrested and two disappeared into the darkness.

Rwanda's laws enable authorities to hold suspects for a maximum of five working days of investigation before handing over the file to the prosecutors, who can also take a maximum of five days to lodge the case at the courts.

The suspects – [identified as Noheli Bukakaza and Théogene Rutagengwa, Patrick Niyonzima, Emmanuel Karimijabo and Erneste Gakwaya](#) – remained in police custody for five working days to September 22, 2021. The next day the prosecution wrote off their case on grounds of insufficient evidence, including the fact that there was no laboratory or expert test to confirm the meat belonged to protected animal species.

[A Flourish chart](#)

Rapid Reference Guide

Katto Wambua is the director of Wildlife Justice and Rule of Law at Space for Giants, the organisation that worked with about a dozen countries including Rwanda to develop the Rapid Reference Guide. He said lack of evidence is one of the leading challenges in prosecuting wildlife crimes in Africa.

Wambu said it's not uncommon to have cases where it is clear that a crime was committed but with no evidence to convict the suspect for the crime. "It's one of the disturbing situations for prosecutors. The Rapid Reference Guide emphasises collecting evidence at the crime scene, including getting a veterinary expert to ascertain the meat and the animal it belongs to in such cases," he said.

The toolkit is being translated into Kinyarwanda and investigators, prosecutors, judges and other authorities will undergo training about how to use the guide by February 2023, according to Habarurema.

Since 2015, 10 African countries have adopted the Rapid Reference Guide, including Kenya, Uganda, Tanzania, Zambia, Zimbabwe, Botswana, Namibia, Mozambique and Rwanda while South Sudan is in the pipeline. Some of the countries have revised the guide three times so far, in order to deal with challenges arising from handling wildlife cases.

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Kelly Rwamapera is a data wrangler working with the [#WildEye Eastern Africa](#) project, supported by [InfoNile](#) and [Oxpeckers Investigative Environmental Journalism](#) with funding from the [Earth Journalism Network](#)



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