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## Courts fire shots across the bows of poaching syndicates

Strides made with hefty sentences and fines for criminals endangering game rangers and animals

in [National](#) by Michael Schmidt



Picture: REUTERS/ROGAN WARD

When Jimmy Mashopane of Winterveld, north of Pretoria, was arrested for shooting, killing and mutilating nine white rhino in a Free State game reserve, taking 14 horns estimated at more than R500,000, veteran prosecutor Antoinette Ferreira threw the book at him.

That one of the rhino was a month away from giving birth “only enhances one’s sense of abomination”, judge Phillip Loubser said. It is clear from “the heartbreaking photographs of the carcasses of the slain rhinos ... that the accused had attacked the poor animals viciously and without any sympathy or mercy... The furrows dug by two of the rhinos in their death throes bears witness to the suffering they had been exposed to.”

Mashopane was jailed in 2020 on six counts for an effective 24 years. That and many sentences like it in recent years, ranging up to 38 years at the dedicated wildlife crimes court in Skukuza in the Kruger National Park, fired shots across the bows of the armed trafficking syndicates, who put the lives of so many animals and game rangers at risk.

At a workshop in Johannesburg last week, convened by US-based rule of law initiative the Attorney-General Alliance Africa alongside pan-African research and publishing outfit Good Governance Africa, prosecutors and conservationists spelt out how combating trafficking in fauna and flora is evolving.

Wildlife crime is now viewed as SA’s fourth-highest priority crime, with most offences centred on the trafficking of rhino, elephant, lion and pangolin products, succulent plants and cycads, as well as abalone. Financial Crime News estimated in 2020 that the sub-Saharan illegal wildlife trafficking trade was worth \$2bn a year — with SA the main hotspot.

In 2020, a sting operation was set up targeting German reptile smuggler Daniel Lohde, who had expressed an interest on Facebook in buying protected tortoises, lizards, and geckos from SA.

An undercover agent contacted Lohde, and they discussed how to smuggle reptile species into Germany. Lohde and his German accomplice, Marko Drescher, were arrested at Askham in the Northern Cape in November 2021 with a vehicle-load of protected reptiles.

Investigators used the accused's social media trail as well as analysis of devices and finances to determine the scope of their crime. In July, the two men were found guilty on four counts of the illegal international trade in species listed by the Convention on International Trade in Endangered Species, and other conservation charges.

Lohde was sentenced to 11 years or a fine of R175,000 suspended for five years on condition he immediately pay R350,000 to the department of forestry, fisheries and the environment.

Drescher was sentenced to 10 years or a R175,000 fine suspended for five years on condition he immediately pay R100,000 to the department. The money will be used to bolster antitrafficking operations in the region.

Frances Craigie, chief director of sector enforcement at the department, said an important additional punishment was the forfeiture of ill-gotten cash as well as vehicles or premises used in the crimes. For instance, South Korean nationals Byungsu Kim and Young Il Sungwoo were arrested in the Western Cape for illegally picking 1,749 *Conophytum pageae* succulents, which are red-listed plants.

While both men were sentenced to only six years suspended for five years, the authorities confiscated R2.47m from Kim, who is awaiting extradition to California on an Interpol red

notice, and R2.40m from Sungwoo who was deported to South Korea. The criminals' money was shared between hard-pressed Western Cape conservation organisations.

Yet a November 2021 report by the SA Anti-Money Laundering Integrated Task Force on the illicit financial flows derived from the trade noted that of 22 banks and money remitters it had surveyed, 86% had no specific system in place to detect the trade, 73% had not performed a risk assessment on it, 59% had not trained their staff in awareness — and none had dedicated wildlife trade investigators.

Because fauna and flora trafficking often involves syndicates, courts are now handing down an additional 10 years in prison if an organised crime connection is proven, while investigators leverage the arrests of poachers to mop up their entire distribution and sales network.

But syndicate trafficking networks increasingly intersect with the illicit arms trade, forcing a “militarisation” of conservation, controversial as rangers now spend 80% of their time on antipoaching patrols and only 20% on conservation such as erosion control or encouraging species diversity, and risky as game rangers usually live in the same communities as the lower members of the trafficking syndicates.

A study by anthropologist Naomi Haupt of the University of the Free State shows that, like Mashopane, aged 35 at the time of his arrest, was the same age as the median SA ranger, half of whom hadn't finished school and on average earned half his pre-arrest salary. Only a quarter of them received danger pay.

Many rangers suffer post-traumatic stress disorder, not only from facing off against armed poachers, or from fear of picking up the spiritual “shadows” of poachers they kill, but from witnessing the atrocities committed against animals.

One ranger told Haupt that after encountering a slaughter scene like that left by Mashopane, “I feel like they killed my parents.”