

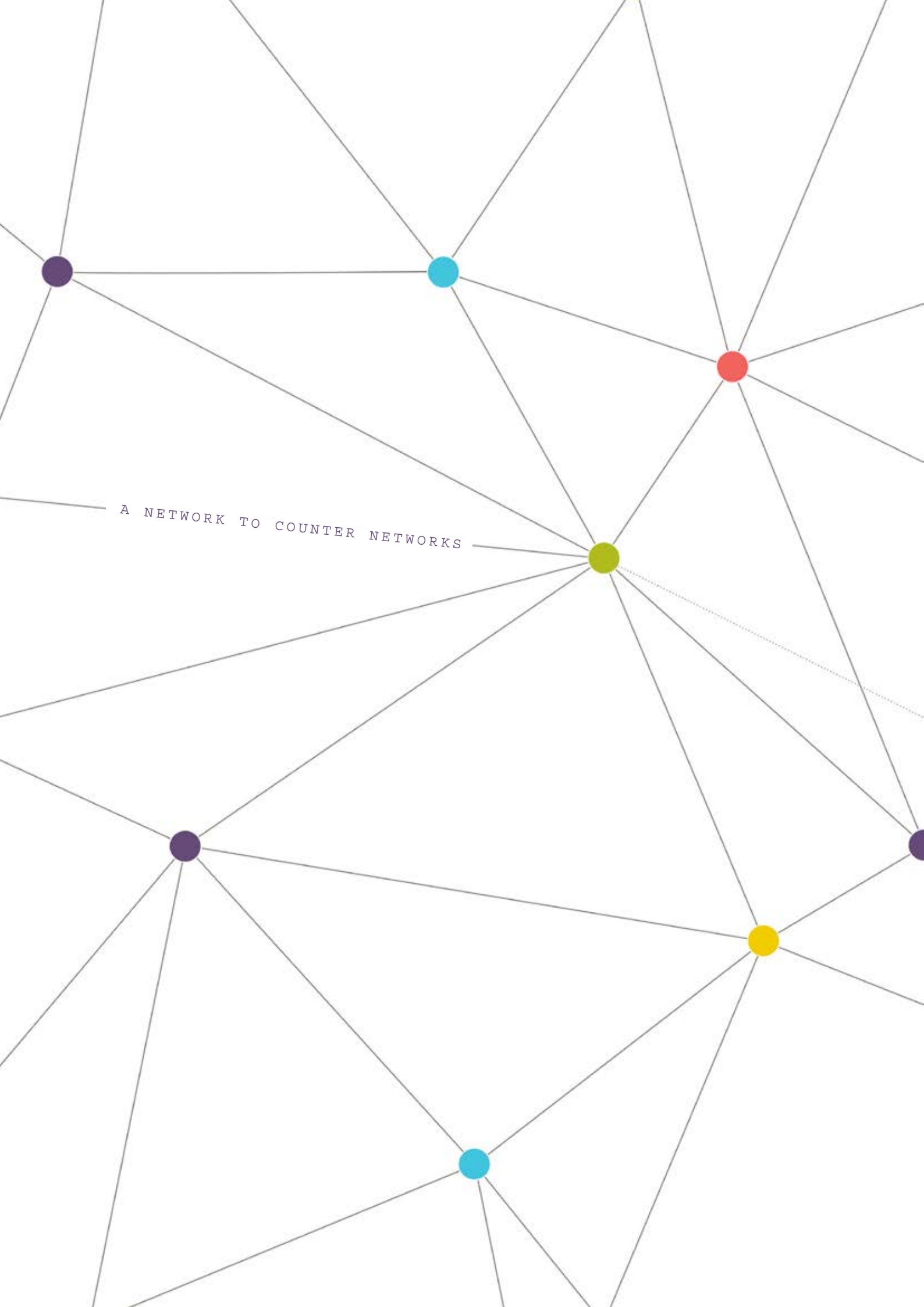
THE GLOBAL INITIATIVE  
AGAINST TRANSNATIONAL  
ORGANIZED CRIME

# Beyond Borders: Crime, conservation and criminal networks in the illicit rhino horn trade

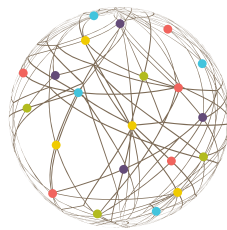
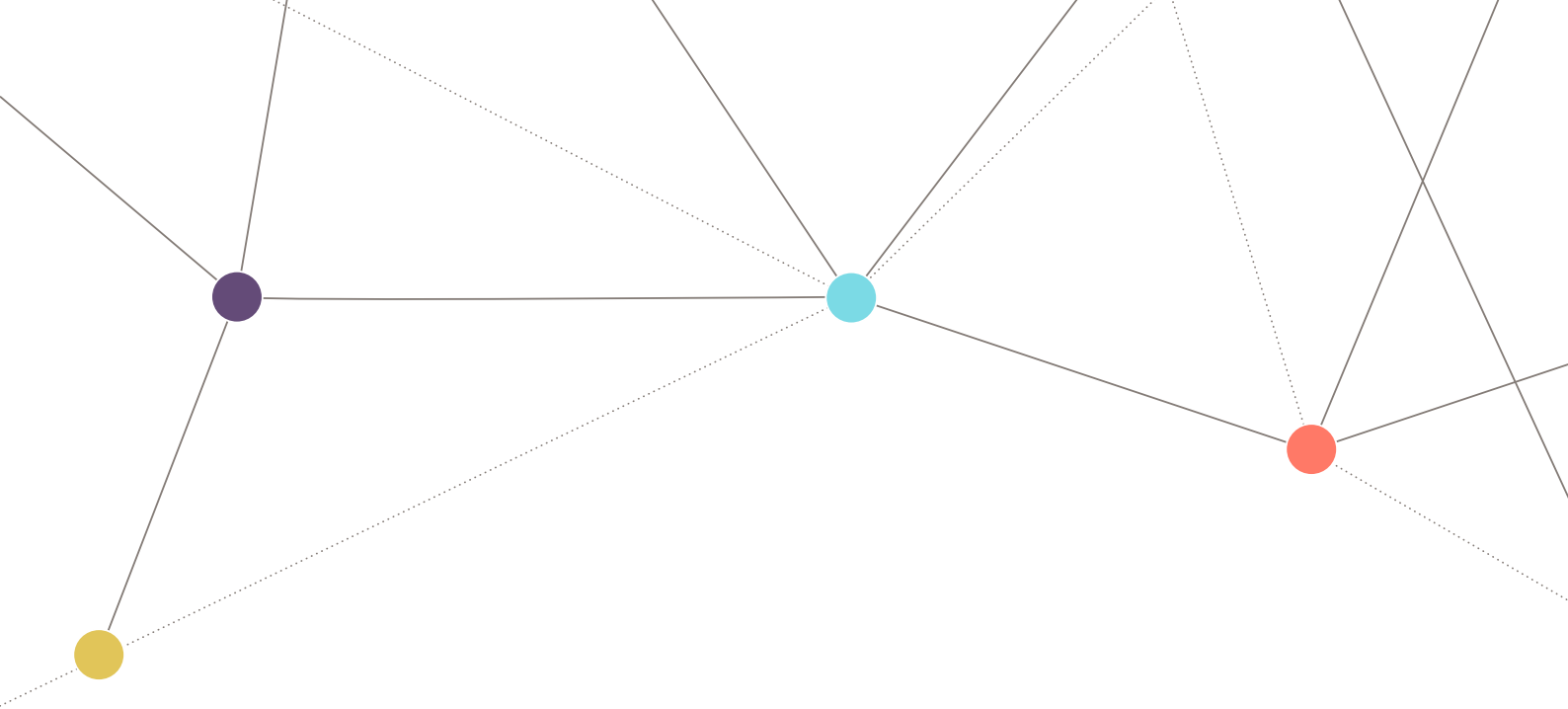
Part 2 of a 2-part investigation into rhino horn trafficking in Southern Africa



July 2016



A NETWORK TO COUNTER NETWORKS



# **Beyond Borders**

## **Crime, conservation and criminal networks on the illicit rhino horn trade**

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Part 2 of a 2-part investigation into  
rhino horn trafficking in Southern Africa

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By Julian Rademeyer

July 2016



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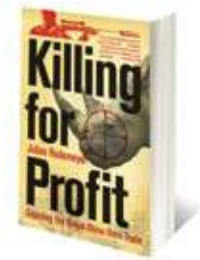




## Acknowledgements

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This report was written by Julian Rademeyer. Julian is an award-winning South African investigative journalist and senior research fellow with the Global Initiative Against Transnational Organised Crime. He is the author of the best-selling book, *Killing for Profit – Exposing the illegal rhino horn trade*.



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# Acronyms

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<b>ACU</b>	Anti-Corruption Unit
<b>AFP</b>	Agence France Presse
<b>ANAC</b>	National Agency for Conservation Areas (Mozambique)
<b>ANC</b>	African National Congress
<b>CAS</b>	Crime Administration System
<b>CEI</b>	Czech Environmental Inspectorate
<b>CI</b>	Crime Intelligence
<b>CIO</b>	Central Intelligence Organisation
<b>CITES</b>	Convention on International Trade in Endangered Species of Wild Fauna and Flora
<b>COIN</b>	Counter-Insurgency
<b>DEA</b>	Department of Environmental Affairs
<b>DIRCO</b>	Department of International Relations and Co-operation
<b>DPCI</b>	Directorate for Priority Crime Investigation
<b>DSO</b>	Directorate of Special Operations
<b>ECI</b>	Environmental Crime Investigations
<b>EIA</b>	Environmental Investigation Agency
<b>EMI's</b>	Environmental Management Inspectors
<b>ESPU</b>	Endangered Species Protection Unit
<b>GDP</b>	Gross Domestic Product
<b>GITOC</b>	Global Initiative against Transnational Organized Crime
<b>ICC</b>	Intelligence Co-ordinating Committee
<b>ICCWC</b>	International Consortium on Combating Wildlife Crime
<b>IMF</b>	International Monetary Fund
<b>IPZ</b>	Intensive Protection Zone
<b>ISS</b>	Institute for Security Studies
<b>IUCN</b>	International Union for Conservation of Nature
<b>LVA</b>	Layered Voice Analysis
<b>MA</b>	Management Authority
<b>Majoc</b>	Mission Area Joint Operations Centre
<b>MoU</b>	Memorandum of Understanding
<b>NAPHA</b>	Namibia Professional Hunters' Association



<b>NATJOINTS</b>	National Joint Operational and Intelligence Structure)
<b>NCB</b>	National Central Bureau
<b>NEMA</b>	National Environmental Management Act
<b>NISCWT</b>	National Integrated Strategy to Combat Wildlife Trafficking
<b>NPA</b>	National Prosecuting Authority
<b>NWCRU</b>	National Wildlife Crime Reaction Unit
<b>PSO</b>	Peace Support Operations
<b>PWA</b>	Parks and Wildlife Act
<b>RhODIS</b>	Rhino DNA Indexing System
<b>SADF</b>	South African Defence Force
<b>SANDF</b>	South African National Defence Force
<b>SANParks</b>	South African National Parks
<b>SAPS</b>	South African Police Service
<b>SSA</b>	State Security Agency
<b>TRaCCC</b>	Terrorism, Transnational Crime and Corruption Centre
<b>TRAFFIC</b>	Wildlife trade monitoring network
<b>UPI</b>	United Press International
<b>WCS</b>	Wildlife Conservation Society
<b>WCO</b>	World Customs Organisation
<b>ZANU-PF</b>	Zimbabwe African National Union – Patriotic Front)
<b>ZimParks</b>	Zimbabwe’s Parks and Wildlife Management Authority







Photo: WWF

## 1. Introduction

The rhino population is nearing the ‘tipping point’ where the numbers of rhino deaths could outnumber births, critically reducing the ability of the population to sustain itself. In the first part of this two-part series, “Tipping Point: Transnational crime and the ‘war’ on poaching,” the Global Initiative brought together evidence that the impact of rampant poaching and deeply entrenched transnational criminal networks active in Southern Africa over the past decade has been severe.

Driven by seemingly insatiable demand in Southeast Asia and China, rhino horn has become a black market commodity rivalling gold and platinum in value. Six thousand rhinos have fallen to poachers’ bullets in Africa over the past decade.<sup>1</sup> Dozens more have been shot in so-called “pseudo-hunts” in South Africa. Today there are estimated to be about 25,000 rhino left in Africa, a fraction of the tens of thousands that existed just half-a-century ago. Numbers of white rhinos (*Ceratotherium simum*) have begun to stagnate and decline, with 2015 population figures estimated at between 19,666 and 21,085. While the numbers of more critically endangered black rhino (*Diceros bicornis*) – estimated to number between 5,040 and 5,458 – have increased, population growth rates have fallen.<sup>2</sup>

Since 2008, incidents of rhino poaching have increased at a staggering rate. In 2015, 1,342 rhinos were killed for their horns across seven African range states, compared to just 262 in the early stages of the current crisis in 2008. While the vast majority of poaching incidents occurred in South Africa, home to about 79% of the continent’s last remaining rhinos, dramatic spikes in poaching in Namibia and Zimbabwe, two key black rhino range states, have counteracted the growing efforts of conservationists and the South African government to protect their remaining herd. Namibia, which had experienced little to no poaching from 2006 to 2012 saw incidents increase from four in 2013 to 30 in 2014 and 90 in 2015<sup>3</sup>. In Zimbabwe, 51 rhinos were killed, up from twenty in 2014. It was the country’s worst year on record since 2008, when 164 rhinos were lost to poachers.

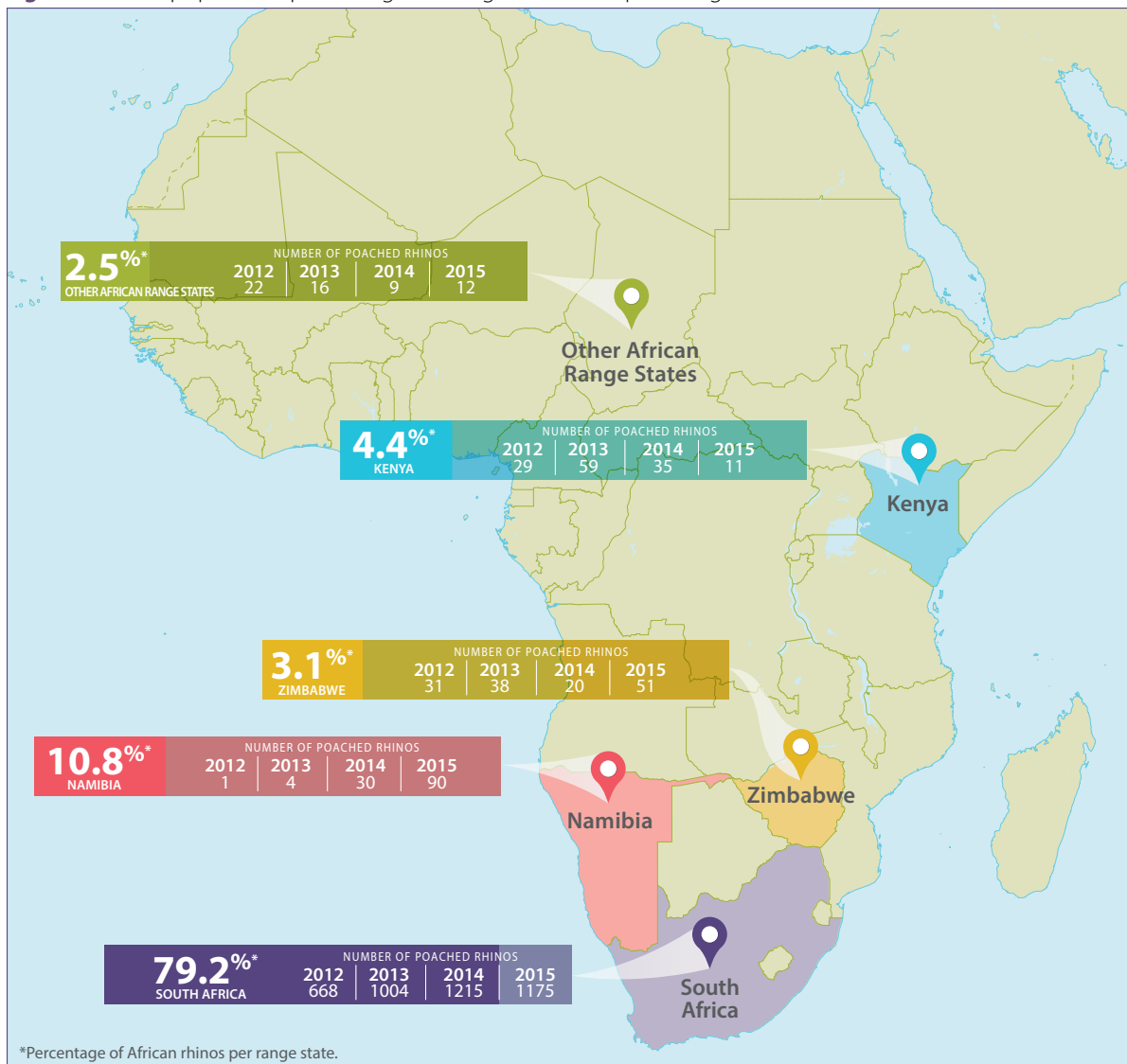
1 IUCN Species Survival Commission’s African Rhino Specialist Group (AfRSG)

2 IUCN. “IUCN Reports Deepening Rhino Poaching Crisis in Africa,” March 9, 2016. <http://www.iucn.org/content/iucn-reports-deepening-rhino-poaching-crisis-africa>

3 The number of rhinos poached in Namibia in 2015 was likely higher than the official tally. Thirty-four rhino carcasses were discovered in January and February 2016 in the Etosha National Park and Palmwag area. They were in varying states of decay and many are believed to date from 2015. <https://www.newera.com.na/2016/03/02/34-cases-poached-rhinos-uncovered/>



**Figure 1:** Rhino population percentages in range states and poaching numbers



Borders, bureaucracy and a tangle of vastly different laws and legal jurisdictions are a boon to transnational criminal networks and a bane to the law enforcement agencies attempting to disrupt them. Entities like Interpol, Europol, CITES and the World Customs Organisation are only as good as the government officials in member states who are delegated to work with them. Again and again, their efforts to target syndicates in multiple jurisdictions are hamstrung by corruption, incompetence, governments that are unwilling or incapable of acting, a lack of information-sharing, petty jealousies and approaches to tackling crime that wrongly emphasise arrests and seizures over targeted investigations and convictions as a barometer of success.

Drawing on hundreds of pages of documents and extensive interviews with officials in government, conservation and law enforcement agencies in Southern Africa, Europe and Asia, this report – the second of two - expands on the first to present overviews of rhino poaching, smuggling and organised crime in Zimbabwe and Mozambique. It also investigates the involvement of diplomats and diplomatic staff in the rhino horn trade including recent revelations of North Korean embassy involvement.

The upsurge in poaching has been attributed to continuing political instability, a foundering economy, land grabs and widespread corruption. On paper, Zimbabwe has stringent legislation to protect its wild fauna and

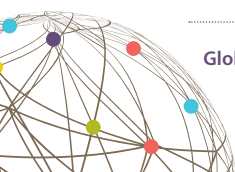
flora. But the application of the laws is uneven and police, prosecutors and magistrates are easily bribed to “make cases disappear”. Dumisani Moyo, a notorious poaching ringleader accused of being the “principal sponsor” of elephant and rhino poaching in Zimbabwe and Botswana, has repeatedly evaded prosecution. Worryingly there is growing evidence of the involvement of members of Zimbabwe’s feared Central Intelligence Organisation (CIO) in poaching and rhino horn smuggling.

Mozambique is beset by many similar problems. Once described as a “budding narco-state”, it is regarded as a regional hub for drug trafficking, money-laundering and kidnapping. The vast majority of poachers entering the Kruger National Park are recruited in small towns and villages in Mozambique. Mozambique is also an attractive option for rhino horn and ivory traffickers. Corruption permeates every level of the State and the country’s porous ports, airports and borders make it a smuggler’s paradise. So do the laws which punish poaching with prison sentences but allow traffickers to escape with a fine.

In May 2015, a North Korean diplomat and a Taekwon-Do instructor were arrested in Maputo after 4.5kg of rhino horn and \$100,000 was found in their vehicle. Twenty-four hours later they were released and the vehicle was returned to them. Days later, Mozambican police made the largest seizure of ivory and rhino horn in the country’s history. But within days a dozen of the horns had vanished from a provincial police command. Two Chinese suspects who had been arrested were released on bail and disappeared.

Conservationists say that while they are encouraged by the work of Mozambique’s national conservation agency, ANAC, and the new environment minister, they are disheartened by the failure of the Mozambican police and prosecutors to apprehend and prosecute known poachers and gang bosses.

If there is to be any credible chance of protecting the dwindling rhino species in Southern Africa, then addressing the legal loopholes and institutional weaknesses that have allowed the trade to flourish in South Africa’s neighbours and other range states must be a priority.

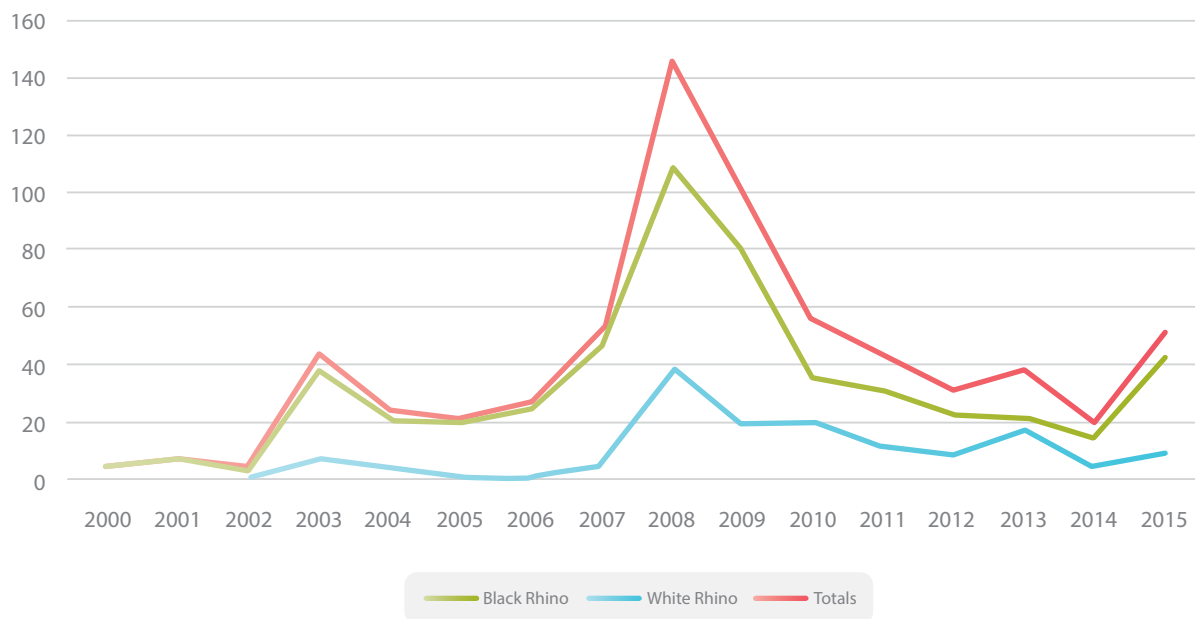


## 2. Zimbabwe

A floundering economy, politically-orchestrated land grabs, pervasive unemployment, encroaching human settlements and widespread corruption in state agencies and among staff in national parks and private conservancies has contributed to a dramatic spike in rhino poaching in Zimbabwe in the past year.

At least 51 rhinos were killed by poachers in 2015<sup>4</sup>, compared to 20 in 2014. Significantly, 42 of the animals lost in 2015 were black rhino, the most critically endangered of Africa's rhinos. While far lower than the 146 animals killed in 2008, the 2015 figures are the highest in five years.<sup>5</sup>

**Reported rhino poaching cases - Zimbabwe (2000-2015)**



Zimbabwe is home to a significant population of around 470 black rhinos. (There are estimated to be around 5,200 black rhino left in Africa today, a fraction of the 100,000 that existed half -a-century ago. Between them, South Africa and Namibia account for around 4,000 black rhinos, followed by Kenya with about 670 and Zimbabwe.) Unlike South Africa, where the beginnings of the current rhino poaching crisis have been traced to 2008, the slaughter in Zimbabwe dates to 2003, when at least 44 rhinos were lost to poachers – 33 of them on State-owned land.<sup>6</sup> (Accurate figures for poaching in national parks and on State-owned land are difficult to obtain and there are indications of significant under-reporting. For instance, the rhino population in the Matusadona National Park on the banks of Lake Kariba in the Zambezi Valley has fallen from 55 animals to just five, yet only 9 poaching cases have been officially recorded<sup>7</sup>.)

The upsurge in poaching in 2003 has been attributed to the instability, violence and political turmoil that accompanied Zimbabwe's controversial "fast-track" land reform programme, coupled with rampant illegal hunting by South African safari operators and widespread corruption among national parks officials.<sup>8</sup>

4 "Surge in Poaching Sees 50 Zimbabwe Rhinos Killed." News24, 09:16:04 AM. <http://www.news24.com/Africa/Zimbabwe/surge-in-poaching-sees-50-zimbabwe-rhinos-killed-20160110>

5 Lowveld Rhino Trust

6 ZimParks and Lowveld Rhino Trust

7 Personal communication, 6 March 2016

8 Rademeyer, Julian. Killing for profit: exposing the illegal rhino horn trade. Random House Struik, 2012.

About 85% of Zimbabwe's last remaining rhinos are clustered in three private conservancies in the country's south-eastern Lowveld near the borders with South Africa and Mozambique. The conservancies were established on land previously used for cattle farming in response to rampant rhino poaching in the Zambezi Valley on the border with Zambia in the 1980s and early 1990s. Farmers in the Lowveld - battling a severe drought and decades of overgrazing that had rendered many cattle ranches ecologically and economically unsound - were persuaded to drop fences and join forces in jointly-managed wildlife conservancies spanning a vast area. Fallow pastures were allowed to return to their natural state and the areas were restocked with wildlife at considerable cost to conservancy members. Rhino populations that had survived the poaching onslaught were translocated to the Lowveld.<sup>9</sup>

## Conservancies Under Threat

Twenty-five years later, some of the conservancies - which have been internationally hailed as a conservation success story - have collapsed or are coming undone.

The Buby Valley Conservancy lost 26 black rhino in 2015. To the north-east, land grabs and the "repression of commercial activity"<sup>10</sup> by government agencies has severely disrupted conservation efforts and fragmented anti-poaching operations. Informal settlements have sprung up and "completely taken over" parts of the 340,000 hectare Savé Valley Conservancy, home to one of the largest populations of black rhino in the country. At least 14 black rhino were lost there to poachers in 2015.<sup>11</sup>

The instability in Savé Valley dates back 15 years to the start of Zimbabwe's "fast-track" land reform programme and the violent seizure of white-owned farms by self-styled "war veterans" loyal to President Robert Mugabe and the ruling ZANU-PF. A provincial governor in Masvingo province incited local subsistence farmers to invade parts of the conservancy and seize land despite the fact that conservancies were exempted at that stage from "fast-track resettlement."<sup>12</sup> These unplanned settlements led to habitat loss and sharp increases in bushmeat poaching. Between August 2005 and February 2007, 2,191 incidents of bushmeat poaching were recorded and 13,920 snares discovered. By 2006 populations in the south of the conservancy near the settled areas were declining while animal populations to the north remained stable.<sup>13</sup>

In 2011, senior ZANU-PF officials and military officers seized other key properties and land in the conservancy. They justified their actions on the basis of "wildlife-based land reform" measures to empower indigenous black Zimbabweans. They were controversially granted 25-year leases on the properties by Vitalis Chadenga, then the head of the Zimbabwe Parks and Wildlife Management Authority. (Chadenga died in September 2012.)

## Politics and Poaching

According to a report in the Mail & Guardian newspaper,<sup>14</sup> the beneficiaries included the former Masvingo provincial governor Titus Maluleke, who grabbed the 3,388-hectare Hammond Ranch in the Chiredzi district, the former higher education minister Stan Mudenge, now dead, who seized the 16,507-hectare Senuko 2 Ranch, and the former Gutu South legislator Shuvai Mahofa, who took the 5,526-hectare Savuli Ranch in the same district.

The former Chiredzi North legislator Ronald Ndava received the 11,736-hectare Bedford Ranch in the Bikita district and his Chiredzi South counterpart, Ailess Baloyi, took the 6,886-hectare Humani Ranch in the Chiredzi

9 P. A. Lindsey, R. Du Toit. "Savé Valley Conservancy: A Large-Scale African Experiment in Cooperative Wildlife Management," 2008, 163–84.

10 Interview, 22 February 2016

11 Lowveld Rhino Trust

12 P. A. Lindsey, R. Du Toit. "Savé Valley Conservancy: A Large-Scale African Experiment in Cooperative Wildlife Management," 2008, 163–84.

13 P. A. Lindsey, R. Du Toit. "Savé Valley Conservancy: A Large-Scale African Experiment in Cooperative Wildlife Management," 2008, 163–84

14 Correspondent, Harare. "Conservancy Land Invaders Defy Zanu-PF." The M&G Online. Accessed March 7, 2016. <http://mg.co.za/article/2014-08-14-conservancy-land-invaders-defy-zanu-pf/>



district. Retired Colonel Claudius Makova, Lieutenant-Colonel David Moyo, Major-General Gibson Mashingaidze, Assistant-Commissioner Connel Dube, Major-General Engelbert Rugeje and Brigadier-General Livingstone Chineka also forcibly took land.

Many of them had previously benefited from the “fast-track” land reform programme. They ignored directives from Mugabe and the ZANU-PF politburo – who described their actions as “tantamount to greed” - to vacate the land. Then in January 2014, Zimbabwe’s environment minister Saviour Kasukuwere announced that Zimbabwe’s Parks and Wildlife Management Authority (ZimParks) “are moving ahead to indigenise Savé Valley Conservancy and this is going to lead to the creation of a significant national park.”<sup>15</sup>

Many white-owned units within the conservancy were “nationalised” and today, according to a recent report, the Savé Valley Conservancy is “in a deteriorating state where the income is less than the required expenditure to maintain high levels of ecological management and the protection of natural resources including rhinos, and local employment and community benefits are restricted.”<sup>16</sup>

The Savé Valley Conservancy - which depends heavily on hunting quotas to generate income - is splintered between the nationalised units and foreign-owned units which have been protected to some degree by a series of Bilateral Investment Promotion And Protection Agreements that Zimbabwe has entered into with several foreign countries. This has “utterly disrupted” the joint governance of the conservancy and undermined anti-poaching efforts.<sup>17</sup>

***Anti-poaching operations have faltered as conservancy staff and anti-poaching units have been “replaced by a handful of National Parks people who don’t even have a vehicle and some security contractors funded by donors”.***

## **Anti-Poaching Efforts ‘Destabilised’**

“It is a weird situation where foreign investors have some sort of protection but the local white Zimbabwean owners, whose units have been nationalised, have bizarrely had to lease back their own land and bid for five-year hunting concessions,” says one informed observer. “They were dispossessed of their land and then had avaricious rent-seeking practices imposed illegally on them by Parks.” The divisions between foreign investors and local Zimbabweans who have had their land taken are worsening with a “lack of a holistic approach” and people “pulling in different directions”.

The take-over by Zimbabwe’s Parks Authority has never been gazetted. Hunting quotas, which were previously issued to the conservancy, are now being issued by the Authority directly to “individual operations” resulting in the “destabilisation” of the co-management principles of the conservancy.

Anti-poaching operations have faltered as conservancy staff and anti-poaching units have been “replaced by a handful of National Parks people who don’t even have a vehicle and some security contractors funded by donors”. But, according to an observer: “National parks are not putting up funds to meet anti-poaching costs. Savé Valley is a mess in terms of anti-poaching effort. In the last year only three incursions by rhino poachers have been intercepted while they were underway in Savé, yet it has lost a hell of a lot of rhino.”<sup>18</sup>

15 “Zimbabwe: Save Valley Conservancy to Be Indigenised - allAfrica.com.” Accessed March 4, 2016. <http://allafrica.com/stories/201401170891.html>

16 Interview, 22 February 2016

17 Interview, 22 February 2016.

18 Interview, 22 February 2016





## From Ivory to Rhino Horn

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The conservancies and national parks are facing a renewed rhino poaching onslaught driven by seasoned gangs that had, until recently, made much of their money off ivory. Last year, at least 100 elephants were killed by poachers in Zimbabwe's national parks; 32 by cyanide poisoning in the Hwange National Park which lies on the Botswana border north west of Bulawayo.<sup>19</sup> There has also been extensive elephant poaching in the Kariba area and national parks and safari areas to the south.

"Firearm poaching in the wildlife areas lying south of Kariba has been rife," says Raoul du Toit, director of the Lowveld Rhino Trust. "But many of the big tuskers are now gone and poachers are moving further afield and once again turning their attention to rhinos in the south. There is more corruption among staff in game parks and conservancies. Initially many were fired up and motivated to do anti-poaching. But after a few years, some begin to feel that they are not being paid what they should be paid in such a high risk situation. They get disgruntled or get fired. The reality in Zimbabwe is that the money simply isn't there. These are people with access to a lot of information about animal populations and anti-poaching measures. Some become poachers themselves. Others act as guides or advisers to poaching gangs."<sup>20</sup>

Financial pressures and the temptation of easy money can corrupt even the bravest and most committed of game scouts. In one case, a game scout at the Buby Valley conservancy who had survived several "contacts" with poachers and had a reputation for fearlessness - and recklessness - under fire, threw in his lot with poaching gangs.

In an incident that helped cement his reputation for bravery, the game scout stood up in the middle of the firefight with poachers and pursued an AK-47-wielding gunman as bullets cut the air around him. He was armed only with a rifle. "I'm not worried that I'll die," he said in an interview in 2011. "It can happen, but I'm not worried."<sup>21</sup>

In 2010, he was nearly killed when poachers ambushed his patrol group. A dozen shots were fired at them from dense bush a few feet away. Miraculously, none of the rangers were hit. The game scout returned fire, wounding one of the poachers in the face and the attackers scattered. Scouts tracked the blood trail until it disappeared into the undergrowth. The next day they found the poacher lying on his back on a track, caked in blood. His name was Sam Mazhongwe. In Zimbabwe, he had been known as "Big Sam".<sup>22</sup> He was one of the country's most notorious poachers. For twenty years he and his gang had poached elephant and rhino in parks and conservancies across the country.<sup>23</sup>

Over time the scout's behaviour became increasingly erratic. Financial pressures - he is said to have five wives and a number of young children - took their toll. Finally, he absconded from his post. Investigators subsequently obtained evidence that he had provided inside information to poaching gangs in exchange for cash and had participated in poaching operations within the conservancy that he once protected.<sup>24</sup>

## National Parks

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ZimParks, the legal authority responsible for protection and conservation of wildlife in Zimbabwe, lacks funds, equipment and adequate training. According to Transparency International it had a staff of 140 employees in 2013. Staff and rangers have not consistently received salaries and allowances. While the country's Parks and

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19 "Nearly 100 Elephants Killed by Poachers in Zimbabwe in 2015 | Shanghai Daily." Accessed March 4, 2016. [http://www.shanghaidaily.com/article/article\\_xinhua.aspx?id=320417](http://www.shanghaidaily.com/article/article_xinhua.aspx?id=320417)

20 Interview, Raoul du Toit, 4 March 2016

21 Interview, Buby Valley Conservancy, 10 October 2011

22 "Zimbabwe: He Who Lives By the Sword . . . - allAfrica.com." Accessed March 7, 2016. <http://allafrica.com/stories/201006180045.html>

23 Interview, October 2011

24 Interview, November 2015





Suspected poacher Makhosini Tshuma. Photo: Supplied



A policeman examines a CZ-550 rifle and silencer found in Tshuma's possession. Photo: Supplied

Wildlife Act prohibits hunting in national parks, officials have permitted “non-trophy” sport hunting, particularly of elephants, to raise funds. According to conservationists, meat from the hunts is often divided up among staff.

There have been reports that hunters, paying as little as \$10,000 for a seven-day hunt, can shoot an elephant, pose for a photograph with the kill and get a cast of the tusks as a keepsake. The Zimbabwe Professional Hunters Association has described this activity as “unethical” and argued that “if we start hunting within a national park, it destroys the entire purpose of having national parks.”<sup>25</sup>

South African safari operators and hunters have also been accused of taking advantage of the instability and land-grabs in Zimbabwe to hunt in protected areas and conservancies.<sup>26</sup>

Dawie Groenewald, the South African game farmer and hunter who is facing more than 1,700 charges relating to the illegal hunting of rhinos and trading in their horns, was implicated in large-scale hunting on farms in the Gwaai Valley Conservancy near the Hwange National Park in the early 2000s. According to conservationists, ‘whole herds of animals’ were shot there. Groenewald has admitted to hunting on occupied farms.

There are also puzzling clues pointing to large-scale trade in elephant ivory and body parts from Zimbabwe to China, possibly as a result of increased hunting by Chinese nationals. CITES trade data is notoriously inconsistent and conflicting, dependent on member states to accurately report their export and import data. International trade in ivory is banned with the exception of hunting trophies, some exports for non-commercial purposes such as science or education and for ivory acquired prior to the CITES listing of African elephants in February 1976.<sup>27</sup> But all too often, the bureaucrats charged with doing so fail to standardise their reporting. The trade data shows that Zimbabwe is the most significant exporter of elephant ivory and body parts to China. But the export and import records raise more questions than they answer.<sup>28</sup>

According to the CITES Trade Database<sup>29</sup> significant quantities of elephant ivory have been exported from Zimbabwe to China in the past five years. In most instances the purpose of the exports is listed as “personal” or as “hunting trophies”. But there are major discrepancies in the import and export data. China’s import data for 2010,

25 Rademeyer, Julian. Killing for profit: exposing the illegal rhino horn trade. Random House Struik, 2012.

26 Rademeyer, Julian. Killing for profit: exposing the illegal rhino horn trade. Random House Struik, 2012.

27 “CITES & elephants: What is the ‘global ban’ on ivory trade?” US Fish and Wildlife Service. Accessed March 8, 2016.

28 “Big Game Hunting, the New Sport of Choice for China’s Tycoons.” Shanghaiist. Accessed March 8, 2016. [http://shanghaiist.com/2012/02/29/hunting\\_becomes\\_popular\\_among\\_chine.php](http://shanghaiist.com/2012/02/29/hunting_becomes_popular_among_chine.php)

29 CITES Trade Database. Accessed March 8, 2016. <http://tinyurl.com/j3qpg28>



for instance, shows that 130 ivory “carvings”, 40 elephant feet, 218.8kg of tusks and no trophies were imported from Zimbabwe. But Zimbabwe’s export data records 2,512 ivory carvings, 8 feet, 4 trophies and 41 tusks.

In 2013, China reported importing two ears, eight feet, 113 carvings, two tons of skins, 41.5kg of teeth, 315kg of tusks and 82 tusks. Zimbabwe, however, recorded exporting 16 ears, 44 feet, 3.4 tons of ivory carvings, 1922 carvings, 522 skins and two tons of tusks.

In 2014, China recorded that it had imported six ears, 12 feet, 15 ivory carvings, two tons of skins, 41 skins, 1 tail, 16 teeth and 160 tusks. There is no corresponding trade data from Zimbabwe.

John M. Sellar, the former head of enforcement at CITES, has written that: “The apparent discrepancies and contradictions may be simple mistakes; all these movements of elephant parts may have been entirely legal and complied with the provisions of the [CITES] Convention. If so, it illustrates why CITES parties need to carefully address how they report trade in future and follow the Secretariat’s guidance much more rigidly. But it also demonstrates that monitoring trade using data which is more or less gobbledegook is next to impossible.”<sup>30</sup>

***While inaccurate and inconsistent reporting is “probably the major issue,” Sellar says, “my worry is that it masks illicit activities and trying to separate the wheat from the chaff is next to impossible”.***

While inaccurate and inconsistent reporting is “probably the major issue,” Sellar says, “my worry is that it masks illicit activities and trying to separate the wheat from the chaff is next to impossible.”<sup>31</sup>

## Law Enforcement

Zimbabwe has far-reaching legislation to protect its wild fauna and flora. Enacted in 2001, the Parks and Wildlife Act (PWA)<sup>32</sup> allows for relatively severe prison sentences to be imposed, particularly in cases where animals designated as “specially protected” are poached. These include black and white rhino, cheetah, pangolins, vultures, storks, cranes and several types of eagle and falcon. Elephants are not classified as “specially protected” although trafficking in ivory is punishable with lengthy prison sentences.

Someone convicted of illegally killing or hunting a rhinoceros, or being found in possession of ivory or rhino horns without a permit can be jailed - on first conviction - for up to nine years and, if subsequently convicted, up to eleven years. In addition, convicted poachers are expected to compensate landowners for the value of the animals lost. A convicted rhino poacher, for instance, could be expected to make compensatory payment of up to \$120,000 to the landowner on whose property the crime was committed. A poacher who, for instance, shot an elephant in Hwange National Park could – in addition to a prison sentence – be expected to pay up to \$50,000 to ZimParks. If convicted of poisoning a waterhole with cyanide or aldicarb, a poacher could face a five-year prison sentence and a fine of \$5,000. The seller of the poison could spend a maximum of ten years behind bars and be fined \$10,000.<sup>33</sup>

In reality, however, the application of these laws is uneven. Suspected poachers and ringleaders are regularly released on bail and disappear. “The bottom line is that our laws are very good, but the application is very weak,” says Raoul du Toit.<sup>34</sup>

30 John M. Sellar. “China and the Hunting of Elephants .:,” October 17, 2015. <http://annamiticus.com/2015/10/17/china-and-the-hunting-of-elephants/>

31 Personal communication. John M. Sellar. 8 March 2016.

32 Zimbabwe Parks and Wildlife Act. [https://www.unodc.org/res/cld/document/parks-and-wild-life-act\\_html/Parks\\_And\\_Wild\\_Life\\_Act.pdf](https://www.unodc.org/res/cld/document/parks-and-wild-life-act_html/Parks_And_Wild_Life_Act.pdf)

33 DLA Piper, Empty Threat 2015: Does the law combat illegal wildlife trade. <https://www.dlapiper.com/~media/Files/News/2015/05/IllegalWildlifeTradeReport2015.pdf>

34 Interview, Raoul du Toit, 4 March 2016



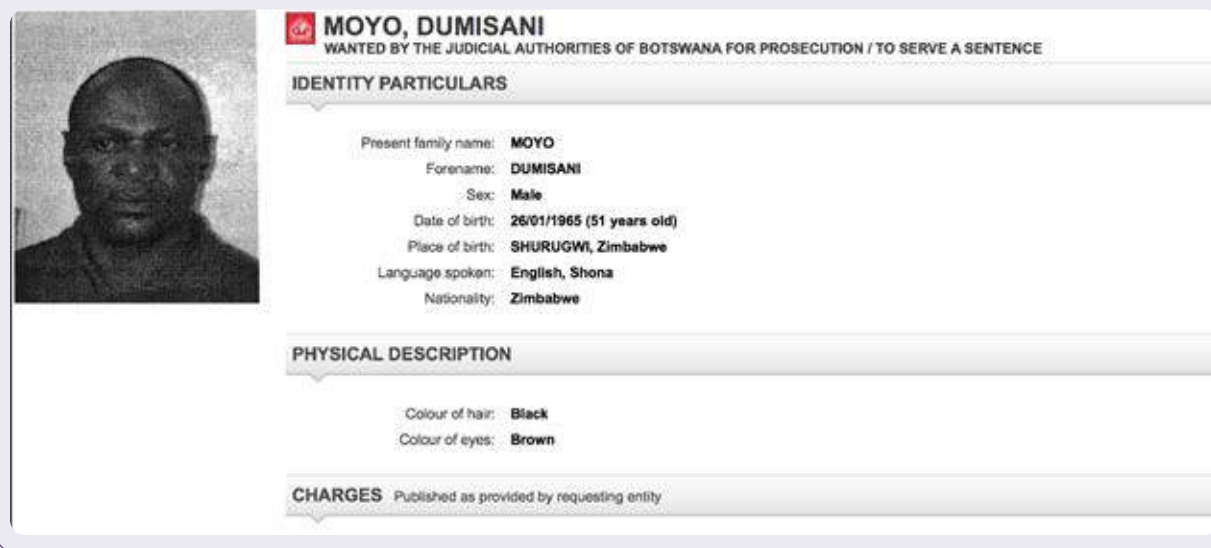
According to a comprehensive overview of legislation and enforcement in 15 countries published by the law firm DLA Piper in 2015<sup>35</sup>, offenders are often quickly released on bail and avoid prosecution “due to subsequent delays”, repeat offenders are released on bail that is “entirely disproportionate to their crimes or financial capacity” and offenders use the appeal process to “avoid serving prison sentences by securing bail and then either continually delaying trial dates with the assistance of corrupt officials or simply absconding”. Police, prosecutors and magistrates are also bribed to “make cases disappear”. Witnesses fail to appear and cannot be traced, investigators say.

A 2009 assessment by the wildlife trade monitoring network, TRAFFIC, found that only 18 cases resulted from 123 poaching incidents. Of the 41 people arrested, only six were ultimately convicted. “All other individuals were either acquitted, released on bail, subsequently absconded or otherwise evaded prosecution, including cases involving signed confessions, repeat offenders and individuals in possession of illegal firearms and rhino horns.”<sup>36</sup>

### Case Study - Dumisani Moyo

Dumisani Moyo is one of Southern Africa’s most notorious poaching ringleaders. Believed to be on the run in Zambia, he has been linked to elephant poaching, ivory smuggling and “dozens of rhino killings” over the past decade. Interpol has issued an international “red notice” calling for his arrest.<sup>37</sup>

A holder of both Zimbabwean and Zambian passports, Moyo, 54, was born in the town of Shurugwe in Zimbabwe’s Midlands province, 350km from the capital Harare.<sup>38</sup> He has been accused of being “the principal sponsor of rhino and elephant poaching in Zimbabwe and Botswana.”<sup>39</sup> Much of the poaching was perpetrated by the “Mazhongwe gang”<sup>40</sup>, to which Moyo is said to be closely affiliated. He has also been linked to elephant poaching in Zambia and is said to have played a role in efforts to “smuggle tons of ivory” from Tanzania to the Philippines. Intelligence agents in Botswana believe Moyo may also have been involved in poaching in South Africa’s Kruger National Park.<sup>41</sup>



**MOYO, DUMISANI**  
WANTED BY THE JUDICIAL AUTHORITIES OF BOTSWANA FOR PROSECUTION / TO SERVE A SENTENCE

**IDENTITY PARTICULARS**

Present family name: **MOYO**  
Forename: **DUMISANI**  
Sex: **Male**  
Date of birth: **26/01/1965 (51 years old)**  
Place of birth: **SHURUGWI, Zimbabwe**  
Language spoken: **English, Shona**  
Nationality: **Zimbabwe**

**PHYSICAL DESCRIPTION**

Colour of hair: **Black**  
Colour of eyes: **Brown**

**CHARGES** Published as provided by requesting entity

- 35 DLA Piper, Empty Threat 2015: Does the law combat illegal wildlife trade. <https://www.dlapiper.com/~media/Files/News/2015/05/IllegalWildlifeTradeReport2015.pdf>
- 36 COP15 Doc. 45.1 Annex - IUCN Species Survival Commission (IUCN/SSC) African and Asian Rhino Specialist Groups and TRAFFIC Report, “African and Asian Rhinoceroses - Status, Conservation and Trade”. 20 November 2009. Accessed 1 March 2016. <http://www.cites.org/common/cop/15/doc/E15-45-01A.pdf>
- 37 Interpol Red Notice. Accessed 2 February 2016. <http://www.interpol.int/notice/search/wanted/2014-77808>
- 38 Interpol Red Notice. Accessed 2 February 2016.
- 39 Personal communication, November 2012
- 40 “Zimbabwe Rhino Poacher Sentenced to 17 Years: Turning Point At Last? – Savingrhinos.org.” Accessed March 7, 2016. <http://www.savingrhinos.org/2010/01/20/zimbabwe-rhino-poacher-sentenced-to-17-years-turning-point-at-last/1286>
- 41 Interview, 22 February 2016





Between 2008 and 2015, according to a dossier compiled by Zimbabwean investigators, he was tied to poaching incidents in the Midlands Black Rhino Conservancy, Savé Valley Conservancy, Buby Valley Conservancy and Matobo National Park. Many of the horns are believed to have been smuggled to Zambia. Arrested poachers have also identified Moyo as a supplier of hunting and assault rifles and ammunition to poaching gangs.

There is some evidence to support claims that Moyo has close ties with elements in Zimbabwe's Central Intelligence Organisation (CIO). He has been named as a suspect in the killing of two rhinos in the Sango Ranch area within the Savé Valley Conservancy and tied to a gang of poachers allegedly facilitated by a CIO officer named Munashe Mugwira (See below)<sup>42</sup>.

In October 2012, Moyo was arrested at a roadblock in Francistown, Botswana along with a Botswana wildlife conservation officer and two others and charged with dealing in rhino horn.<sup>43</sup> Moyo was subsequently released on bail and absconded. At the request of police in Botswana, an Interpol red notice was "eventually" issued calling for his arrest.

He was re-arrested on 6 February 2013 by police in Zimbabwe. Once again he was released from custody and disappeared.

In December 2015, Moyo was implicated in a poaching incident in the Buby Valley Conservancy in which two black rhino were killed. An informant told investigators that Moyo had also supplied a G3 rifle and an AK-47 to the poachers. One suspect, Makhosini Tshuma, was arrested while trying to hitch a lift on a road outside the conservancy. He was carrying a CZ 550 hunting rifle fitted with a red-dot sight and a new Swedish-made aimZonic Plus silencer which Tshuma said had been bought in Johannesburg. In March 2016, Tshuma "skipped bail". An arrest warrant has been issued.

42 "CIO Agent up for Rhino Poaching." NewsDay Zimbabwe, January 5, 2016. <https://www.newsday.co.zw/2016/01/05/cio-agent-up-for-rhino-poaching/>

43 "Wildlife Officer Amongst Four in Court on Rhino Horn Charge – The Voice Newspaper." Accessed March 7, 2016. <http://www.thevoicebw.com/2012/11/12/wildlife-officer-amongst-four-in-court-on-rhino-horn-charge/>



## Case Study - Munashe Mugwira

The November 2015 murders of two policemen by a suspected poacher in Zimbabwe have shone a spotlight on persistent allegations about the involvement of the country's feared Central Intelligence Organisation (CIO) in rhino and elephant poaching.

Sergeants Robert Shumba (39) and Vengai Mazhara (35) died in a hail of bullets on 24 November 2015 at a homestead near the Chipinge Safari Area in Zimbabwe's eastern Highlands after following up a tip-off that a man had been seen there with an AK-47<sup>44</sup>. Chaita Simango (22), the homestead owner who, it was claimed, had helped hide the poacher, was also killed. The poacher escaped.

A month later, police arrested a senior CIO operative, Munashe Mugwira, 36, at a flat in Bulawayo. Mugwira is alleged to have supplied the AK-47 that was used to kill the policemen. A suspected poacher arrested after another shoot-out with an anti-poaching team in the Savé Valley Conservancy on 13 December 2015 supplied details of Mugwira's involvement. In a statement, the suspect, John Chisango, told police that Mugwira had supplied him and four others with AK-47s and .303 hunting rifles to "kill rhinos". The serial numbers had been filed off the weapons.

Chisango also implicated Mugwira in the cyanide poisoning of elephants in Zimbabwe's national parks. In October 2015, at least 62 elephants were reported to have been poisoned with oranges laced with cyanide in Kariba and Hwange National Park<sup>45</sup>. Twenty-two carcasses were discovered in Hwange in late October. The park has been particularly hard hit. In 2013, in what was described as "the largest massacre of elephant in this part of the world for the last 25 years", poachers killed at least 300 elephants by poisoning waterholes and salt-licks with cyanide. Cyanide is widely used in Zimbabwe's mining industry and lax controls mean that it is relatively easy to obtain.

Mugwira - who is currently on trial - is alleged to have used his official CIO vehicle to ferry weapons and smuggle rhino horn<sup>46</sup>. He has also been linked to Dumisani Moyo.<sup>47</sup>

In December 2015, one of Mugwira's co-accused, Tawenga Machona<sup>48</sup>, was sentenced in a separate trial to 35 years in prison after being convicted of poaching two rhinos in the Savé Valley Conservancy in Chiredzi. The Lowveld Rhino Trust described Machona as a "hardcore" poacher involved in "decades of poaching activity".<sup>49</sup> The court suspended 15 years of the sentence on condition that he pay \$480,000 - the value of the rhinos - to the conservancy.

This is not Mugwira's first brush with police. In May 2010, he was shot and wounded by police during a high-speed chase through the streets of Bulawayo. He had attempted to evade arrest on charges of fraud, kidnapping, extortion and robbery stemming from a bizarre plot to con a Pakistani businessman into buying red mercury - a hoax substance peddled by conmen as the "ultimate weapon" and an ingredient for a "dirty bomb".<sup>50</sup> Despite a court case, Mugwira kept his position at the CIO, evidence some say of his "untouchability".

44 "Suspected Poacher Guns down 2 Cops, Civilian | The Chronicle." Accessed March 7, 2016. <http://www.chronicle.co.zw/suspected-poacher-guns-down-2-cops-civilian/>

45 "Zimbabwe's Elephants 'Poisoned by Dissatisfied Rangers,'" October 27, 2015, sec. World. <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/zimbabwe/11958445/Zimbabwes-elephants-poisoned-by-dissatisfied-rangers.html>

46 "Poacher Kills 2 Cops with 'CIO Firearm' | The Chronicle." Accessed March 7, 2016. <http://www.chronicle.co.zw/poacher-kills-2-cops-with-cio-firearm/>

47 "CIO Agent up for Rhino Poaching." NewsDay Zimbabwe, January 5, 2016. <https://www.newsday.co.zw/2016/01/05/cio-agent-up-for-rhino-poaching/>

48 "35 Years in Jail for Zim Rhino Poacher." News24, 09:55:15 PM. <http://www.news24.com/Africa/Zimbabwe/35-years-in-jail-for-zim-rhino-poacher-20160101>

49 "Surge in Poaching Sees 50 Zimbabwe Rhinos Killed." News24, 09:16:04 AM. <http://www.news24.com/Africa/Zimbabwe/surge-in-poaching-sees-50-zimbabwe-rhinos-killed-20160110>

50 Lunga Sibanda. "CIO Man Shot over Phony Nuclear Substance." New Zimbabwe, May 11, 2010. <http://www.newzimbabwe.com/news-2407-CIO+man+shot+in+high+speed+chase/news.aspx>





The involvement of the CIO in poaching appears to extend beyond a single rogue agent. According to conservationists in Zimbabwe, there is evidence that corrupt game scouts and poachers have regularly supplied horns and tusks to CIO operatives. “The CIO told them what price they were willing to pay and warned them that if they didn’t accept it and tried to sell the horns elsewhere, they would be arrested. When poachers started reading about rhino horn being worth its weight in gold, they got pissed off about that and it had the perversely beneficial effect of causing disputes in the ranks. Some simply gave up, not prepared to be screwed over by CIO and government officials. Others tried to get their horns out via South Africa and Zambia.”

Ironically, the head of the CIO, retired Major-General Happyton Bonyongwe, has publicly stated that wildlife trafficking and poaching is a “national security issue”.<sup>51</sup> Speaking at a meeting of senior law enforcement and intelligence officials from 16 African countries in Harare in July 2015, Bonyongwe claimed there was “substantial evidence of fledgling linkages between poaching and wildlife trafficking on the one hand and transnational organised criminal activities, including terrorism and weapons proliferation, on the other”.

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51 “Poaching Security Threat: CIO Boss - The Zimbabwe Independent.” Accessed March 7, 2016. <http://www.theindependent.co.zw/2015/10/23/poaching-security-threat-cio-boss/>





Matola seizure.

### 3. Mozambique

When police stormed a house in Matola on the outskirts of the Mozambican capital, Maputo, on 12 May 2015, little did they expect to make the largest seizure of ivory and rhino horn in the country's history. Packed into shipping crates and piled on the floor were 340 elephant tusks and 65 rhino horns. Together they weighed around 1,3-tons, representing the deaths of at least 170 elephants and more than 30 rhinos at the hands of poachers. Fresh blood spatter and the rank smell of decay indicated that some of the horns were from recent kills. One of the occupants of the house, a Chinese national, was taken into custody. A day later, a second Chinese man was arrested when he offered police investigators a \$34,000 bribe to drop the case.

TRAFFIC, the wildlife trade monitoring network, praised the "highly significant seizure" and said it hoped the arrests would signal "a new chapter in Mozambique's history of wildlife trade law enforcement". Tom Milliken, TRAFFIC's rhino and elephant programme leader, said it was "now absolutely vital for a full and thorough investigation to be carried out," adding that "[t]he opportunity must not be squandered".<sup>52</sup>

But it was squandered. A dozen horns vanished within days of the raid, despite being under guard at the police's provincial command headquarters. They were replaced with crude replicas made from "bull horns", according to some reports.<sup>53</sup> The Chinese suspects were released on bail after promising to return to court in November. They disappeared without trace.<sup>54</sup>

52 TRAFFIC. "Largest Ever Rhino Horn Seizure Reported in Mozambique," May 15, 2015. <http://www.traffic.org/home/2015/5/15/largest-ever-rhino-horn-seizure-reported-in-mozambique.html>

53 Schrader, Hanti. "Six Arrested in Connection with Rhino Horn Theft." Accessed May 15, 2016. <http://citizen.co.za/393131/six-arrested-in-connection-with-rhino-horn-theft/>

54 Interview. Law enforcement official. January 2016.



Six people, including four policeman – one of whom was the head of the Criminal Investigation Division in Matola – were arrested and charged with the theft of the horns. A police spokesman, Pedro Cossa, told reporters: “The police cannot be stained by this kind of action...They have dirtied the entire force.”<sup>55</sup> But that case too appears to have stalled, according to conservationists in Mozambique.

Potential evidence was also destroyed when the Mozambican authorities – aware that they could not protect the valuable stockpile – decided to burn the ivory and rhino horn during a public event. The environment minister, Celso Correia, said the conflagration was intended to “send a signal” that the country “will not tolerate poachers, traffickers and the organised criminals which employ and pay them to kill our wildlife and threaten our communities.”<sup>56</sup> While DNA samples had been taken from all the ivory, South African authorities only managed to obtain samples from about 18 rhino horns before the rest went up in smoke.<sup>57</sup>

## Systemic corruption

Once hailed as a post-civil war success story, Mozambique today is a country in crisis, paralysed by rampant corruption, a weak judiciary, an ineffectual and criminally compromised police force, and powerful criminal syndicates with tentacles reaching into every level of the State. Corruption indicators shown little improvement over the past decade.<sup>58</sup> A 2013 survey found that 45% of Mozambicans considered corruption a serious problem and 32% believed that it had increased in the two years preceding the survey.<sup>59</sup> More than half the population (54.7%) live below the poverty line. Debt-to-GDP levels are nearing 100% and value of the country’s currency, the metical, continues to fall sharply against the dollar.

Many of the country’s political elite have grown fat on the proceeds of the patronage networks that grew and festered for a decade under the country’s former president, Armando Guebuza – nicknamed “Mr Gue-Business.”<sup>60</sup> His successor, Filipe Nyusi, is still grappling with Guebuza’s toxic legacy and, more than a year since he took office, has yet to solidify control over the State and Frelimo, the ruling party.

Nyusi has vowed to shake up the country’s law enforcement agencies and has said that “the fight against corruption and the defence of ethics must be a permanent way of life” in his government. He has his work cut out for him and so far it doesn’t appear to be going well.

The country has been described as a “budding narco-state”, incapable of disrupting the criminal syndicates that have turned it into a major transshipment point for heroin, cocaine, methamphetamine and marijuana. It has been argued that “the value of illegal drug trade in Mozambique is probably greater than all foreign aid combined”<sup>61</sup>.

Added to this is Mozambique’s role as an important regional money-laundering hub, a dramatic increase in kidnappings-for-ransom and a series of high profile assassinations that, among others, have claimed the

***“Mozambique today is a country in crisis, paralysed by rampant corruption, a weak judiciary, an ineffectual and criminally compromised police force, and powerful criminal syndicates with tentacles reaching into every level of the State.”***

55 AIM News Agency. “Police Involvement in Theft of Rhino Horns Confirmed,” June 5, 2015.  
56 Reuters. “Mozambique Burns Seized Ivory, Rhino Horn in Anti-Poaching Drive.” Accessed May 15, 2016. <http://www.reuters.com/article/us-mozambique-ivory-idUSKCN0PG1PL20150706>  
57 Personal communication. Anonymous. Maputo. March 2016.  
58 Transparency International. “Mozambique: Overview of Corruption and Anti-Corruption,” November 4, 2014. [http://www.transparency.org/whatwedo/answer/mozambique\\_overview\\_of\\_corruption\\_and\\_anti\\_corruption](http://www.transparency.org/whatwedo/answer/mozambique_overview_of_corruption_and_anti_corruption)  
59 “Transparency International Corruption Perceptions Index 2015.” Accessed May 15, 2016. <http://www.transparency.org/cpi2015#results-table>  
60 Mosse, Marcello. “Armando Guebuza: the new Frelimo candidate.” African Security Studies 13, no. 1 (2004): 79-82.  
61 PANA. “Drug Trafficking Reportedly Rampant in Mozambique,” June 29, 2001. <http://www.panapress.com/Drug-trafficking-reportedly-rampant-in-Mozambique--13-473953-17-lang4-index.html>



lives of a judge, journalists and most recently a prosecutor.<sup>62 63 64</sup> “There is a very real sense of fear within the judiciary and government,” said a diplomat based in Maputo. “People don’t want to rock the boat because they could be next.”

The country was also rocked in May 2016 by revelations that the government had tried to conceal close to \$1.4-billion in hidden loans from donor countries and agencies.<sup>65</sup> The International Monetary Fund, the World Bank, the European Union, African Development Bank, and several other donors suspended aid “pending a full disclosure and assessment of the facts”. An IMF official told the Financial Times that the case “is probably one of the largest cases of the provision of inaccurate data by a government the IMF has seen in an African country in recent times”.<sup>66</sup> Mozambique is heavily dependent on foreign aid.

Tensions between Frelimo and the opposition, Renamo, are steadily worsening amid growing accusations of government atrocities – including rape and murder - against civilians in areas surrounding Renamo’s stronghold in the central regions of the country. At least 12,000 Mozambicans have fled to neighbouring Malawi since 2015 to escape what some are now calling “Mozambique’s invisible civil war”.<sup>67</sup> In April 2016, reports of a mass grave in central Mozambique containing about 120 bodies were quickly scotched by authorities. But journalists visiting the area discovered decaying corpses scattered in the bush.<sup>68</sup>

## Other priorities

Against this background, it is unsurprising that the involvement of Mozambican nationals in the relentless poaching of rhinos in South Africa is low on the government’s list of priorities. White rhinos have twice gone extinct in Mozambique, most recently in the late 1990s. In 1980, Mozambique’s black rhino population was estimated to number around 250 animals. They too were eventually eradicated, victims of poachers and a war that saw South Africa, Rhodesia and their proxies plunder the country’s natural resources.<sup>69</sup> In 2013, the warden of Mozambique’s Limpopo National Park said the country’s last rhinos had all been wiped out by poachers.<sup>70</sup>

62 allAfrica.com. “Money Laundered Out of Mozambique May Be From Ransoms,” December 28, 2015. <http://allafrica.com/stories/201512282697.html>

63 Kavanagh, Camino, ed. *Getting Smart and Scaling Up: Responding to the Impact of Organized Crime on Governance in Developing Countries*. 2013. [http://cic.nyu.edu/sites/default/files/kavanagh\\_crime\\_developing\\_countries\\_mozambique\\_study.pdf](http://cic.nyu.edu/sites/default/files/kavanagh_crime_developing_countries_mozambique_study.pdf)

64 allAfrica.com. “Mozambique: Murdered Prosecutor Was Being Followed,” April 13, 2016. <http://allafrica.com/stories/201604140001.html>

65 “Secret Security Debts Devastate Economy.” Africa Confidential, May 13, 2016. [http://www.africa-confidential.com/article/id/11658/Secret\\_security\\_debts\\_devastate\\_economy](http://www.africa-confidential.com/article/id/11658/Secret_security_debts_devastate_economy)

66 England, Andrew. “IMF Halts Mozambique Aid after Finding Undisclosed Debts of \$1bn.” Financial Times, April 18, 2016. <http://www.ft.com/intl/cms/s/0/6c755214-057f-11e6-9b51-0fb5e65703ce.html#axzz48iSGme5r>

67 Bowker, Tom, Kamm, Simon, and Sambo, Aurelio. “Mozambique’s Invisible Civil War.” Foreign Policy. Accessed May 15, 2016. <https://foreignpolicy.com/2016/05/06/mozambiques-invisible-civil-war-renamo-frelimo-dhlakama-nyusi/>

68 “Calls Intensify for ‘Credible Investigation’ into Mozambique Mass Grave Rumours.” Zitamar News, May 6, 2016. <http://zitamar.com/calls-intensify-credible-investigation-mozambique-mass-grave-rumours/>

69 Emslie, Richard and Brooks, Martin. African rhino: status survey and conservation action plan. IUCN, 1999. [https://www.researchgate.net/profile/Richard\\_Emslie/publication/242752393\\_African\\_Rhino\\_Compiled\\_by/links/0deec53a94a0455cd7000000.pdf](https://www.researchgate.net/profile/Richard_Emslie/publication/242752393_African_Rhino_Compiled_by/links/0deec53a94a0455cd7000000.pdf)

70 Sapa-AP. “Mozambique Rhino ‘Extinct’ Again.” The M&G Online. Accessed May 16, 2016. <http://mg.co.za/article/2013-05-02-mozambique-rhino-extinct/>



**Figure 1:** Map of Kruger National Park and Limpopo National Park



Today, the only rhinos that occur in Mozambique are those that cross the border from the Kruger National Park. Rangers refer to them darkly as “the suicidal ones”. There are estimated to be about twenty of them wandering across every day and, on average, ten are killed by poachers on Mozambican soil every year.

Mozambique’s most pressing environmental problems centre, not on rhinos, but on illegal logging and elephant poaching. Insatiable demand for timber in China has seen trees harvested on such a scale in Mozambique that some believe it will be stripped of its forests “in just a few years”. A report published by the Environmental Investigation Agency (EIA) found that 93% of logging in Mozambique in 2013 was illegal and that “without major reforms, Mozambique’s forests and forest economy are staring down the barrel of a very bleak future”.<sup>71</sup> Elephants have been slaughtered on a massive scale. A census of Mozambique’s elephant population published in 2015 found that numbers had fallen 48% in just five years from over 20,000 to just 10,300. The Niassa Reserve which, at 42,000 square kilometres, is twice the size of the Kruger National Park was hardest hit. In 2012 there were an estimated 12,000 elephants there. Today only about 4,500 remain.<sup>72</sup>

Conservationists in South Africa and Mozambique say they are encouraged by the work done by Mozambique’s National Agency for Conservation Areas (ANAC) and Correia, the environment minister, but are frustrated by the lack of progress from the Mozambican police in apprehending key poaching and trafficking ringleaders. “Policing is abysmal. There is enough evidence to arrest and prosecute. We know who the key figures are. They are very well-known. Despite that we are not able to arrest any of the poaching gang leaders,” said one conservationist in Mozambique. “There is a lack of leadership and training within the police and prosecutors’ offices. Petty corruption, fear and inertia is giving organised crime fertile ground to continue.”

71 EIA. “China’s Illegal Timber Imports Ransack Mozambique’s Forests.” EIA International, July 23, 2014. <https://eia-international.org/chinas-illegal-timber-imports-ransack-mozambiques-forests>

72 Wildlife Conservation Society. “Govt of Mozambique Announces Major Decline in National Elephant Population,” May 26, 2015. <http://newsroom.wcs.org/News-Releases/articleType/ArticleView/articleId/6760/Govt-of-Mozambique-announces-major-decline-in-national-elephant-population.aspx>





## Smuggling networks

Smuggling networks appear to have largely untrammelled access to its ports and airports with dozens of corrupt officials on their payroll. "If you want to smuggle a suitcase out of the airport, you just have to bribe enough people and you'll get it done," says a seasoned prosecutor.

The US State Department's 2014 *International Narcotics Control Strategy Report* cited Mozambican police contacts saying that "narcotics shipments make use of the same transnational crime networks that facilitate trafficking in persons and wildlife products derived from poaching".<sup>73</sup> In a submission to the South African Parliament in September 2015, the Directorate of Priority Crime Investigation (DPCI), better known as the Hawks, said commercial airlines including Kenya Airways, Ethiopian Airlines and Qatar Airways were regularly used by rhino horn syndicates to smuggle their contraband from Maputo airport to Nairobi, Addis Ababa, Thailand, Hong Kong and Vietnam.<sup>74</sup> The port and airport at Beira, Port Maputo and Nacala-Porto have also been identified as key transshipment points for ivory, rhino horn and a wealth of other contraband.<sup>75</sup>

Chinese and Vietnamese criminal networks have become ever more deeply entrenched in Mozambique, secure in the knowledge that being caught smuggling ivory, rhino horn or any other wildlife product can usually be resolved by paying a fine or a bribe. Since the beginning of the current rhino poaching crisis, no Vietnamese or Chinese nationals arrested in connection with smuggling rhino horn or ivory have been jailed. However, significant numbers of seizures have been made in Mozambique or tied to the country. (See Annex 1).

***"Airlines including Kenya Airways, Ethiopian Airlines and Qatar Airways were regularly used by rhino horn syndicates to smuggle their contraband from Maputo airport to Nairobi, Addis Ababa, Thailand, Hong Kong and Vietnam."***

## Cross-border cooperation

While South Africa and Mozambique have signed a police co-operation agreement to exchange information, expertise and training, there is no formal extradition treaty between the two countries.<sup>76</sup> (Article 103 of Mozambique's 1990 Constitution makes provision for courts to rule on extradition but, in the same breath, states that: "No Mozambican citizen may be expelled or extradited from the national territory."<sup>77</sup>)

In 2014, Mozambique allocated additional capacity and resources to an existing – but under-resourced – Environmental Police unit. South Africa donated R2,6-million worth of equipment including backpacks, tents, sleeping bags, solar panels, bulletproof vests, solar panels, cameras, computers and GPS devices.<sup>78</sup> Around 1,200 Environmental Police have been put into service around the country. In Niassa National Reserve they have had successes against elephant poaching gangs in operations led by ANAC, the Wildlife Conservation Society (WCS) and private tourism operators.<sup>79</sup> But in general, the Environmental Police's successes have been mixed and there are allegations linking some of them to mining operations and the illegal timber trade.

73 Bureau of International Narcotics and Law Enforcement Affairs, "International Narcotics Control Strategy Report." (2014). <http://www.state.gov/j/inl/rls/nrcrpt/2014/>

74 Directorate for Priority Crime Investigation. "Presentation to the Portfolio Committee on Police. Rhino Threat." Cape Town, September 9, 2015. [http://pmg.org.za/files/150909DPCI\\_KNP.pdf](http://pmg.org.za/files/150909DPCI_KNP.pdf)

75 Couto, Madyo. "A Strategic Approach to Combating the Illegal Trade and Poaching of Elephant and Rhinoceros." WWF Mozambique, June 2014. [http://www.rhinoresourcecenter.com/index.php?sr=1&act=refs&CODE=ref\\_detail&id=1435810769](http://www.rhinoresourcecenter.com/index.php?sr=1&act=refs&CODE=ref_detail&id=1435810769)

76 Vecchiato, Paul. "DA Questions Pursuit of Poachers into Mozambique." Business Day Live, August 14, 2014. <http://www.bdlive.co.za/national/2014/08/14/da-questions-pursuit-of-poachers-into-mozambique>

77 Constitution of the Republic of Mozambique, 1990. [http://www1.chr.up.ac.za/undp/domestic/docs/c\\_Mozambique.pdf](http://www1.chr.up.ac.za/undp/domestic/docs/c_Mozambique.pdf)

78 Peace Parks Foundation. "Cross-Border Collaboration Strengthens Counter-Poaching Efforts in Mozambique." Accessed May 16, 2016. <http://ppf.info/1603.htm>

79 Mongabay. "WCS-Led Raids Lead to Six Arrests near Mozambique's Largest Reserve." Conservation News, September 12, 2014. <https://news.mongabay.com/2014/09/wcs-led-raids-lead-to-six-arrests-near-mozambiques-largest-reserve/>





## A country in need of 'priority attention'

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CITES has listed Mozambique as a country in need of "priority attention" to strengthen wildlife laws.<sup>80</sup> In a submission to CITES in March 2016, Mozambique stated that between 2012 and 2014, 539 "poachers" were arrested and 84 weapons seized. However, in all cases of CITES-related offences, only 17 fines were issued and no prison sentences were imposed.<sup>81</sup> In November 2015, a Mozambique government spokesman said 75kg of rhino horn and 1,1-tons of ivory had been seized that year, the bulk of it from the ill-fated Matola raid.<sup>82</sup> There have been persistent thefts of ivory from government stockpiles, and at least 5.5 tons has vanished in the last two years.

A new Conservation Law (Act 16/2014) was enacted in June 2014 to address some of the legislative gaps and bring the country more in line with CITES requirements. The law introduced significantly tougher penalties for poaching which, in the past, had been punished with fines, if it was punished at all. Increased penalties for poaching endangered or protected species include mandatory prison sentences for poaching incidents involving the illegal use firearms and traps. But, somewhat contradictorily, the law also allows for a broad discretion to impose more lenient sentences. In a review of Mozambican legislation, the law firm DLA Piper said this discretion was "a significant flaw in the Conservation Law, particularly given criticisms levelled at Mozambique for its failure to enforce existing wildlife legislation" and that it could "undermine the deterrent effect of the increased mandatory sentences...and also increase the risk of exploitation by corrupt individuals".

The most glaring oversight is that while the law makes provision for mandatory prison sentences for poaching, it is largely silent on trafficking. In effect, a poacher can be jailed for up to 12 years for killing an endangered animal, but a trafficker who smuggles dozens of tusks and horns out of the country can escape with a fine. (The law is in the process of being revised to provide for a prison sentence of between 12 and 16 years for trafficking.) Mozambique's Anti-Corruption Law (Act 6/2004) is also inadequate and "does not define or cover other forms of corruption such as the diversion of funds, illicit enrichment, the laundering of the proceeds from corruption, or embezzlement".<sup>83</sup>

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80 CITES. "Press Release: CITES and UNEP Support Strengthening of Wildlife Laws," May 5, 2015. [https://cites.org/eng/CITES\\_UNEP\\_support\\_strengthening\\_of\\_wildlife\\_laws](https://cites.org/eng/CITES_UNEP_support_strengthening_of_wildlife_laws)

81 ANAC. "Notification No. 2005/035," <https://cites.org/sites/default/files/reports/12-14Mozambique.pdf>

82 allAfrica.com. "Mozambique: Over 400 People Arrested for Poaching," November 4, 2015. <http://allafrica.com/stories/201511050132.html>

83 DLA Piper. "Empty Threat 2015: Does the Law Combat Illegal Wildlife Trade? A Review of Legislative and Judicial Approaches in 15 Jurisdictions." London, 2015. <https://www.dlapiper.com/~media/Files/News/2015/05/IllegalWildlifeTradeReport2015.pdf>



## 4. Dodgy Diplomats

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On 3 May 2015, Mozambican police stopped a Toyota Fortuner 4x4 near Avenida Mao Tse Tung in the country's capital, Maputo. Inside it was a North Korean diplomat, a Taekwon-Do master, close to \$100,000 in cash and 4.5kg of rhino horn. The red "D" license plates indicated it was a diplomatic vehicle.<sup>84</sup>

The diplomat was Pak Chol-jun, the political counsellor at the North Korean embassy in South Africa's capital, Pretoria. Next to the ambassador, he was North Korea's most senior representative in Southern Africa. It was his second stint at the embassy. His passenger, Kim Jong-su, was a Taekwon-Do master and, according to diplomatic and government sources, a suspected North Korean spy whose cover was teaching martial arts students in South Africa and Mozambique. He had done so for the better part of a decade. The men's passports showed that they made several trips to Mozambique and Namibia.

Police detained them and impounded the vehicle. Within hours of learning of the incident the ambassador, Yong Man-ho, was on a flight from Johannesburg to Maputo. Pak and Kim were released after paying \$30,000 and the Fortuner was returned to them. An hour or so later they crossed the Ressano Garcia border into South Africa.

News of the incident broke on 26 May. "Two North Koreans were arrested in Mozambique after local police discovered illegal rhinoceros horn in the trunk of their car," United Press International (UPI) reported. There were a brief flurry of follow-up reports - primarily in South Korea - then silence. Kim - who has denied any involvement in rhino horn trafficking - was never questioned by South African police. He remained in South Africa until "late October or early November" 2015 before flying out to Pyongyang to "visit family". The South African government's Department of International Relations and Co-operation (DIRCO) took no action against Pak for several months. Finally, in November, they informed the North Korean embassy that he had 30 days to leave South Africa or be declared *persona non grata*. He flew out on 11 December. Two weeks later a DIRCO spokesman grudgingly admitted that "the official has returned" to North Korea.

The incident appears not have been an isolated one. Citing a "South Korean embassy source", UPI reported<sup>85</sup> at the time of the arrests that "North Koreans regularly access the land route to Mozambique, in order to acquire horns of protected wildlife". Diplomatic and government sources in South Africa have made similar claims, telling the Global Initiative that the North Korean embassy in Pretoria is "actively involved in smuggling ivory and rhino horn" and may be linked to other illegal activities. There are also allegations that the North Korean embassy in Addis Ababa, Ethiopia is being used as a transit point for the smuggling of illicit wildlife products China, with embassy officials abusing their diplomatic status to act as couriers.

Officials at the North Korean embassy in Pretoria manhandled and threatened a Global Initiative researcher and cameraman when asked about allegations of the embassy's involvement in rhino horn trafficking. One official - who refused to give his name - denied that Pak had worked there. Pushed for comment, he tried to attack the researcher and then pelted the vehicle the Global Initiative team were using with stones.

### The Perfect Crime?

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For diplomats with a criminal bent, the privileges that they enjoy in terms of the 1961 Vienna Convention on Diplomatic Relations<sup>86</sup> present a tantalising opportunity to commit a perfect crime.

84 Rademeyer, Julian. "North Korean Diplomat Expelled from SA for Rhino Horn Trafficking | News24." Accessed March 16, 2016. <http://www.news24.com/SouthAfrica/News/exclusive-north-korean-diplomat-expelled-from-sa-for-rhino-horn-trafficking-20151223>

85 Shinn, Elizabeth. "Illegal Rhino Horns Found on NKoreans Arrested in Mozambique." UPI. Accessed March 16, 2016. [http://www.upi.com/Top\\_News/World-News/2015/05/27/Illegal-rhino-horns-found-on-NKoreans-arrested-in-Mozambique/974143275847/](http://www.upi.com/Top_News/World-News/2015/05/27/Illegal-rhino-horns-found-on-NKoreans-arrested-in-Mozambique/974143275847/)

86 Vienna Convention on Diplomatic Relations [http://legal.un.org/ilc/texts/instruments/english/conventions/9\\_1\\_1961.pdf](http://legal.un.org/ilc/texts/instruments/english/conventions/9_1_1961.pdf)





Top: Pak Chol-jun Bottom: Kim Jong-su

Senior Master Kim Jong-su

Usually the “diplomatic bag” - a blanket term that refers to anything from an envelope to shipping container - cannot “be opened or detained” by customs, police or any other officials or individuals. Similarly “the means of transport of the mission shall be immune from search” and the “premises of the mission shall be inviolable” and cannot be entered without the consent of the head of mission. Diplomats themselves “shall not be liable to any form of arrest or detention”.

But, as John M. Sellar<sup>87</sup>, an organised crime consultant and former head of enforcement at CITES points out, the privileges set out in the Vienna Convention were “never intended to be some form of Monopoly game ‘get-out-of-jail’ card for diplomats”. The privileges exist to ensure that diplomats can operate freely and are not subject to arbitrary detention, harassment and intimidation.

Police and customs officials do have some recourse if they suspect that a diplomat or embassy is smuggling contraband. In terms of the Vienna Convention, a diplomatic bag “may contain only diplomatic documents or articles intended for official use”. And while a diplomat’s personal baggage is usually exempt from inspection it can be searched “if there are serious grounds for presuming that it contains articles not covered by the exemptions ... or articles, the import or export of which, is prohibited by the law or controlled by the quarantine regulations of the receiving State”. The diplomat, or an “authorised representative”, has to be present if an inspection is carried out.

The Convention states “it is the duty of all persons enjoying ... [diplomatic] privileges and immunities to respect the laws and regulations of the receiving State”. That duty is all too easily ignored. Since 1986, there have been no less than 29 incidents in which diplomats - or people carrying diplomatic credentials - have been implicated in rhino horn and ivory smuggling in Africa (See Annex 2).

The role played by diplomats based at the Vietnamese embassy in South Africa is well known.<sup>88</sup> In 2006, police uncovered evidence that Nguyen Khanh Toan, the economic attaché there, had used a diplomatic bag to smuggle rhino horn out of South Africa. He was recalled to Hanoi.

In April 2008, a jeweller of Vietnamese origin, Tommy Tuan, was arrested in a police sting in the historic diamond-mining town of Kimberley in the Northern Cape province. He had attempted to buy ten rhino horns from an

87 Sellar, John M. “When Duplicity Overtakes Diplomacy.” Accessed March 16, 2016. <https://www.linkedin.com/pulse/when-duplicity-overtakes-diplomacy-john-m-sellar-obe-frgs?trk=mp-reader-card>

88 Rademeyer, Julian. “North Korean Diplomat Expelled from SA for Rhino Horn Trafficking | News24.” Accessed March 16, 2016. <http://www.news24.com/SouthAfrica/News/exclusive-north-korean-diplomat-expelled-from-sa-for-rhino-horn-trafficking-20151223>







A North Korean diplomat reacts when asked if the Pretoria embassy is smuggling rhino horn.

undercover policeman he believed to be a dealer. At the time of his arrest Tuan was driving a Vietnamese embassy car with diplomatic plates registered to Pham Cong Dung, the political counsellor. In March 2010, Tuan was fined R20,000 and left South Africa shortly afterwards.

Later that year, Vu Moch Anh<sup>89</sup>, the embassy's first secretary, was secretly filmed receiving rhino horn from a "dealer" outside the embassy in Pretoria. She protested her innocence saying that she was merely helping a dealer with his paperwork. This, despite the fact that trade in rhino horn was banned both internationally and within South Africa's borders at the time. She was recalled.

## "A Criminal State"

Less well known is the involvement of North Korean diplomatic missions in the illicit rhino horn and ivory trade. North Korean embassy officials have been implicated in 16 of the 29 cases involving diplomats that we have identified in a variety of sources dating from 1986. It is likely that many more cases of diplomatic involvement in the illicit trade have gone undetected and unreported.

Since the mid-1970s, North Korea's involvement in transnational organised crime - particularly drug and cigarette trafficking, weapons smuggling and the production of counterfeit US currency - has grown steadily, peaking during the severe economic crisis and famine the country faced in the early and mid-1990s.

A 2007 assessment<sup>90</sup> of illicit activity and smuggling networks concluded that "North Korea possesses sophisticated smuggling capabilities developed from years of transnational criminal activity, driven by economic necessity and justified with ideological veneer". These illicit activities are said to be controlled by a shadowy agency variously known as "Office 39", "Bureau 39" or "Division 39". The US describes it as "a secretive branch of the government... that provides critical support to [the] North Korean leadership in part through engaging in illicit economic activities and managing slush funds, and generating revenues for the leadership."<sup>91</sup> North Korea's embassies appear to play a key role.

89 50/50. "Vietnam Embassy Official Caught Red-Handed in Illegal Rhino Horn." Accessed March 16, 2016. [https://www.youtube.com/watch?v=l4a\\_UhWIMu8](https://www.youtube.com/watch?v=l4a_UhWIMu8)

90 Chestnut, Sheena. "Illicit activity and proliferation: North Korean smuggling networks." *International Security* 32, no. 1 (2007): 80-111. <http://scholar.harvard.edu/files/greitens/files/Chestnut%20-%20Illicit%20Activity%20and%20Proliferation%20-%20North%20Korean%20Smuggling%20Networks.pdf>

91 Burgis, Tom. "North Korea: The Secrets of Office 39 - FT.com." Accessed March 16, 2016. <http://www.ft.com/intl/cms/s/2/4164dfe6-09d5-11e5-b6bd-00144feabdc0.html#axzz3zsCUprth>





Photo: WWF

Pyongyang “poured military and financial resources into Africa [from the mid-1960 to the late 1990s], hoping to sway newly independent countries to recognise the leadership in Pyongyang as the official representative of the Korean people”.<sup>92</sup> Embassies were established across the continent but quickly became a financial burden. After the country defaulted on its international debts in 1975, they were required to “self-finance” their operations, a practice that continues to this day. Diplomats are expected to earn enough money to supplement their paltry salaries and be able to make sizeable financial contributions to the central government in Pyongyang. North Korean diplomats have been implicated in crimes ranging from diamond, gold, drug and gun smuggling to trafficking in counterfeit currency, cigarettes, medicines and electronics.

A 2006 US Senate committee hearing<sup>93</sup> into North Korea’s illicit economy heard testimony that “North Korea’s diplomatic corps has long been under pressure to support the maintenance of foreign missions by earning foreign exchange”.

“One of the simplest ways of doing so is to exploit diplomatic immunity, including most importantly the international conventions that protect the secrecy and integrity of the diplomatic pouch... Although drugs almost certainly dominate North Korea’s smuggling activity, there is evidence - in the form of diplomatic expulsions - of trade in other sanctioned items, including conflict diamonds, rhino horns and ivory.”

Zimbabwe under President Robert Mugabe and ZANU-PF developed close ties with North Korea in the 1980s. North Korean soldiers trained Zimbabwe’s notorious Fifth Brigade or “Red Beret” troops who went on to wage a campaign of terror and mass murder in Matabeleland in Western Zimbabwe. At least 20,000 civilians<sup>94</sup> were killed in what became known as the Gukurahundi massacres.

“It was an ‘open secret’ in the late 1980s that the North Koreans were keen to purchase rhino horn from whatever source, and it appeared those sources included anyone with access to horns, including government

92 Young, Benjamin R. “North Korean Diplomats and the Illegal Ivory Trade | NK News - North Korea News.” Accessed March 16, 2016. <https://www.nknews.org/2014/10/north-korean-diplomats-and-the-illegal-ivory-trade/>

93 North Korea: *Illicit Activity Funding the Regime*. Washington DC, 2006. <https://www.gpo.gov/fdsys/pkg/CHRG-109shrg28241/html/CHRG-109shrg28241.htm>

94 Doran, Stuart. “Zimbabwe: New Documents Claim to Prove Mugabe Ordered Gukurahundi Killings.” *The Guardian*, May 19, 2015. <http://www.theguardian.com/world/2015/may/19/mugabe-zimbabwe-gukurahundi-massacre-matabeleland>





and military officials," wrote John Hanks,<sup>95</sup> a veteran conservationist and former head of the World Wildlife Fund's Africa programme.

"In addition to members of the North Korean Diplomatic Corps, from the ambassador down, this illegal network extended to medical personnel located throughout the country."

In 1989, the Environmental Investigation Agency (EIA)<sup>96</sup> accused North Korean diplomats based in Zimbabwe's capital Harare of being "deeply implicated in the illegal ivory and rhino horn trade". Ivory and rhino horn smuggling, the organisation said, was among the "many illicit activities which North Korean embassies undertake because their embassies have to be self-financing."

"Virtually the entire staff of the diplomatic missions of North Korea [in Zimbabwe and Zambia] are involved in the illegal rhino horn trade", with "70% to 80% of the rhino horn traded by the North Korean embassy in Harare said to originate from rhinos killed in Zimbabwe."

In 1996 Hyun Sung-il - the third secretary to the North Korean embassy in Lusaka in Zambia - defected<sup>97</sup>, later confessing that he had "engaged in trafficking of ivory, gemstones and rhino horns, which were sold to China and some Middle Eastern and Asian countries".<sup>98</sup>

He said the embassy had received no funds from Pyongyang and he and his colleagues were expected to use any means possible to raise funds. An embassy minibus was turned into a private bus service to raise money for living expenses. When the embassy held a reception to celebrate North Korea's national day, the diplomats had no money to feed their guests so they went fishing in a nearby river. Hyun said the North Korean embassy in Mozambique was shut down by Pyongyang after it requested funding. The North Korean embassy in Zimbabwe quietly closed its doors in February 1998.<sup>99</sup> That same month, North Korea's embassy in Zambia also shut down.<sup>100</sup>

A report in the Zimbabwe Standard newspaper speculated that the Harare embassy's criminal activities may have contributed to the closure. "[R]elations between Harare and Pyongyang have not been stable over the years due to suspected criminal activities on the part of Korean diplomats based here."<sup>101</sup> However, Zimbabwean government officials said that North Korea's economic crisis had forced it to scale down its foreign embassies. At the time, the country was nearing the end of a famine - dubbed the "Arduous March" - that ultimately claimed the lives of an estimated 2-million people.

South Africa's continued diplomatic relations with Pyongyang can be traced to the support that the African National Congress and the South African Communist Party received from North Korea during the apartheid

***"In 2014, South Africa – along with Cuba, China, Belarus, Ecuador, Venezuela, Russia, and Iran – opposed a motion before the United Nations calling for diplomatic and legal action against North Korea over continued human rights abuses that include mass murder, rape, forced abortions, torture, and enslavement."***

95 Hanks, John. *Operation Lock and the War on Rhino Poaching*. Cape Town, South Africa: Penguin Random House South Africa, 2015.

96 Environmental Investigation Agency. *A System of Extinction: The African Elephant Disaster*. 1989 <https://eia-international.org/report/a-system-of-extinction-the-african-elephant-disaster>

97 "Turncoat North Korean Diplomats Reveal Black Comedy of Life in a." *The Independent*, December 2, 1997. <http://www.independent.co.uk/news/turncoat-north-korean-diplomats-reveal-black-comedy-of-life-in-a-socialist-paradise-1286385.html>

98 Reuters. "N. Korean Diplomats 'Smuggled Ivory to Survive,'" December 2, 1997. <https://news.google.com/newspapers?nid=2492&dat=19971202&id=2-NDAAAIBAJ&sjid=IroMAAAAIBAJ&pg=951,140340&hl=en>

99 Staff Writer. "Zimbabwe: North Korean Embassy Shuts down." *The Standard (Zimbabwe)*, February 7, 1998. <http://allafrica.com/stories/199802070029.html>

100 Staff Reporter. "Zambia: North Korean Embassy Officials Quit." *Times of Zambia*, February 16, 1998. <http://allafrica.com/stories/199802160021.html>

101 Staff Writer. "Zimbabwe: North Korean Embassy Shuts down." *The Standard (Zimbabwe)*, February 7, 1998. <http://allafrica.com/stories/199802070029.html>





years. As recently as May 2016, senior ANC and SACP officials congratulated Kim Jong Un on his “re-election” as the country’s Supreme Leader and said they would oppose international sanctions imposed on the country because of its nuclear weapons programme.<sup>102</sup>

In 2014, South Africa – along with Cuba, China, Belarus, Ecuador, Venezuela, Russia, and Iran – opposed a motion before the United Nations calling for diplomatic and legal action against North Korea over continued human rights abuses that include mass murder, rape, forced abortions, torture, and enslavement. The motion came against the backdrop of a 400-page UN report which concluded that the country’s appalling human rights track record “exceeds all others in duration, intensity and horror”.<sup>103</sup>

While South Africa and North Korea appear to have little in the way of trade relations, South Africa’s department of Environmental Affairs did approve sales of various live animals to the Pyongyang Zoo in 2014. These included two white rhinos, two lions, a tiger, three caracal and two servals.<sup>104</sup>

North Korea is not a member of CITES. But the Convention allows for trade with countries that are not member states provided that “competent authorities in that State” issue documentation which “substantially conforms with the requirements of the present Convention for permits and certificates”. According to a CITES spokesman, Yuan Liu, “There has been no recommendation from CITES to suspend trade with the Democratic People’s Republic of Korea.”<sup>105</sup>

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102 “ANC and SACP Applaud N Korea Leader on His Re Election.” eNCA, May 17, 2016. <https://www.enca.com/south-africa/anc-and-sacp-applaud-n-korea-leader-on-his-re-election>

103 Allison, Simon. “SA on North Korea: Realpolitik Trumps Human Rights, Again and Again.” Daily Maverick, November 19, 2014. <http://www.dailymaverick.co.za/article/2014-11-19-sa-on-north-korea-realpolitik-trumps-human-rights-again-and-again/#.V2FjOFFN5j5>

104 Email correspondence. Department of Environmental Affairs. 19 May 2016

105 Email correspondence. Yuan Liu. 24 March 2016





Photo: WWF

## 5. Conclusion

While South Africa is the rhino range state with the largest population, its actions and the actions of its neighbours in combating wildlife trafficking and poaching cannot be effective in isolation. The networks that traffic rhino horn and other wildlife products are ruthlessly efficient, imaginative, endlessly adaptive and free of the strictures imposed by legal jurisdictions, bureaucratic regulations and international boundaries. They are everything that the government bureaucracies and law enforcement agencies rallied against them are not. Time is of the essence and the onslaught on wildlife and the environment is only worsening.

As the evidence presented in this report clearly shows, disrupting the criminal networks will require a concerted effort to address the systemic levels of corruption that are undermining efforts to protect Southern Africa's rhino populations. Realistically, the levels of fragility in both Mozambique and Zimbabwe will present significant challenges to bringing this issue higher up the list of priorities, as well as ensuring the levels of necessary leadership, cooperation and capacity to have an impact.

The international community must play a vital role, by addressing the nature of international cooperation and diplomatic relations both in the region itself and with demand countries whose abuse of diplomatic privilege has played such a key role in perpetuating the outflow of trafficked environmental resources. Transnational rhino horn trafficking networks cannot be addressed in isolation in rhino range states or destination and consumer countries. To have real impact, they must be disrupted along the length of the illicit supply chain.

High-level political interventions including bilateral and multi-lateral law enforcement agreements on wildlife trafficking are required and should be led by government ministers in the police, state security, justice and foreign affairs portfolios in the affected countries.



Capacity and resource constraints in the police, conservation agencies and national parks must be urgently addressed. Illicit financial flows and money-laundering linked to wildlife trafficking are key to understanding and dismantling criminal networks and much greater efforts are needed to follow the money.

Poverty, inequality and limited opportunities in economically underdeveloped rural communities near national parks create livelihoods and economies that are sustained through wildlife trafficking and poaching. Violent crackdowns on poachers and the communities where they are recruited will only exacerbate rifts with police and government agencies. Communities in and around national parks are essential to finding a solution and their involvement and inclusion in conservation and law enforcement strategies is key to their success.

As our two reports show, we are a long way from being able to meaningfully disrupt transnational criminal networks, and reaching a point where we can protect key species in not just Southern Africa but around the world. Their future is becoming increasingly uncertain. In the narrow window remaining to reverse this devastating downward trend, only the concerted and coordinated effort of many states, with active engagement from civil society, the non-governmental sector, international law enforcement agencies and the private sector, can hope to be effective.

If this investigation has revealed anything, it is the complexity of the challenges facing those trying to protect the rhino and other African wildlife from virulent and versatile professional criminal networks. There is no easy answer: responses will need to be comprehensive, integrated and multi-faceted. It was not the job of this research report to propose a response framework, as this is an exercise that will have to be lead and owned by the countries and key stakeholders in the region. However, it is a process to which the Global Initiative lends its full support going forward, and it is hoped that this report will provide a valuable contribution in building the evidence basis for improved policy setting, coordination and action.



# Annex 1: Significant rhino horn and ivory seizures tied to Mozambique since October 2014

- May 2016 - Mozambican police seized 907 blocks of rhino horn weighing a total of 22kg in a “nationwide” operation that resulted in the arrest of one man for poaching and illegal possession of a firearm;<sup>106</sup>
- 2 May 2016 – A Vietnamese national was detained at Maputo Airport before he could board a Kenya Airways flight to Nairobi with 22,4kg of rhino horn stuffed in his bags. It is unclear whether he will be prosecuted.<sup>107</sup>
- 3 April 2016 – Three Chinese citizens were arrested at Jomo Kenyatta International Airport in Nairobi with worked ivory bangles and lion teeth. They also had pieces of ivory concealed in cooking foil and a condom.<sup>108</sup>
- March 2016 – 76kg of rhino horn was seized at Maputo International Airport on route to Nairobi, Kenya. No arrests.<sup>109</sup>
- 27 March 2016 – Thai customs officials seized 87 elephant tusks weighing 315kg packed in barrels. They had been flown from Maputo, via Kenya. A further 561kg of ivory linked to the shipment was seized in Nairobi. No arrests.<sup>110</sup>
- November 2015 – Mozambican police arrest a Vietnamese man at Maputo airport after he was found to be in possession of 14 pieces of rhino horn. He was also carrying 59 lion claws and 49 lion teeth.<sup>111</sup>
- 5 November 2015 – Four Chinese nationals were arrested in Mbeya in Tanzania with 11 rhino horns. Their passports showed that they had travelled frequently to Mozambique and Malawi.<sup>112</sup>
- 13 August 2015 - Police and customs officials at the central port of Da Nang in Vietnam seized 593kg of ivory and 142kg of rhino horn. The contraband had been shipped via Malaysia. The final destination was unknown but the ship had been due to dock at Vietnam’s northern Hai Phong port. No arrests.
- 15 May 2015 – Vu Anh Tuan, a Vietnamese national, was arrested at Jomo Kenyatta Airport with seven rhino horns, rhino tails and 1,2kg of lion teeth and claws. He was in transit from Maputo to Hanoi. He is currently on trial in Kenya.<sup>113</sup>
- 18 April 2015 – A Vietnamese woman was arrested at Maputo airport with 1,8 kg of rhino horn.<sup>114</sup>

106 “Mozambican Police Seize 907 Rhino Horns - Africa” StarAfrica.com, May 10, 2016. <http://en.starafrika.com/news/mozambican-police-seize-907-rhino-horns.html>

107 ANAC. “Vietnamese Man Arrested in Maputo Airport with 11 Rhino Horns.” Club of Mozambique, May 8, 2016. <http://clubofmozambique.com/news/vietnamese-man-arrested-in-maputo-airport-with-11-rhino-horns/>

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111 AIM News Agency. “Mozambique: Vietnamese Arrested With Rhino Horn - allAfrica.com,” November 9, 2015. <http://allafrica.com/stories/201511100006.html>

112 Mwambona, Lauden. “Tanzania: Police - We Are Investigating Chinese Arrested With Rhino Horns.” The Citizen, November 12, 2015. <http://allafrica.com/stories/201511121355.html>

113 “Kenya: Vietnamese Denies Having Ivory at JKIA.” The Star, May 28, 2015. <http://allafrica.com/stories/201505280197.html>

114 AIM News Agency. “Mozambique: More Rhino Horn Seized At Maputo Airport,” April 21, 2015. <http://allafrica.com/stories/201504220189.html>.



- 13 April 2015 – Three Vietnamese nationals were arrested at Maputo airport with 3.8kg of rhino horn.<sup>115</sup>
- 31 October 2014 – Customs detector dogs at OR Tambo International Airport in Johannesburg, South Africa found 34 large pieces of rhino horn, weighing 41kg in the hand luggage of two Vietnamese men. They had been aboard a Qatar Airways flight from Maputo to Doha, via Johannesburg. Their final destination was Vietnam. At the time it was described as “the single biggest rhino horn seizure ever”.<sup>116</sup>

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115 AIM News Agency. “Mozambique: More Rhino Horn Seized At Maputo Airport,” April 21, 2015. <http://allafrica.com/stories/201504220189.html>

116 AIM News Agency. “South Africa: Passengers From Maputo Detained With 41 Kilos of Rhino Horn,” November 2, 2014. <http://allafrica.com/stories/201411031340.html>





## Annex 2: Three Decades of Diplomats Linked to the Illegal Rhino Horn Trade

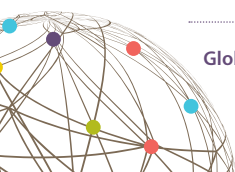
Date	Name	Nationality/Designation	Details
1986	Kim Tae-song	Former commercial attaché, North Korean embassy, Harare, Zimbabwe	Kim was accused of sending 40kg of rhino horn from Harare to Pyongyang. He also apparently purchased a further 30kg.
1987	Kim Min-san	North Korean diplomat, Harare, Zimbabwe	Acquired a “large amount of rhino horn [in Zimbabwe] and travelled to North Yemen soon after to sell it”.
1987	Kim Son-gok, Lim Tae-dok, Lim Tak-bok	North Korean diplomats, Harare, Zimbabwe	Purchased “large quantities” of rhino horn in the Zambian capital, Lusaka. The horn was later sold in Yemen. At the time, according to an Environmental Investigation Agency report, Lim Tae-dok was offering to pay dealers \$14,000 (the equivalent of around \$30,000 today) for a set of horns taken from one animal and \$2,500 for individual horns.
Jan-88	Il Chan-ik	North Korean diplomat, Harare, Zimbabwe	Attempted to buy rhino horn from a Korean doctor in Chinoyi, Zimbabwe.
1988	Chong In-song	Third Secretary, North Korean embassy, Harare, Zimbabwe	Attempted to recruit a rhino poaching team. According to a 1989 EIA report, “He said he was willing to finance and equip a five to eight-man team to poach in Mozambique or anywhere they like.” Suspected of bribing government and ZANU-PF officials. He was said to have obtained at least ten rhino horns from a Zimbabwe Parks official.
21-Oct-88	Unidentified	North Korean diplomat	Customs officials at Paris Charles de Gaulle Airport searched the luggage of a man later identified as a North Korean diplomat who had arrived from Doula, Cameroon en route to Beijing in China. They discovered 576kg of ivory in 20 suitcases. The seizure included whole tusks and 92 large pieces of ivory. The man was not travelling on a diplomatic passport at the time of his arrest, but was later “released because of his diplomatic status”.



Jan-89	Hussein Joesoef	Ambassador, Indonesian embassy, Dar es Salaam, Tanzania	Joesoef, the outgoing Indonesian ambassador, attempted to smuggle 184 elephant tusks, 24 partly carved tusks and 82 ivory figurines, necklaces and walking sticks out of Tanzania in a shipping container that also contained 3 tons of carved ebony, five zebra skin handbags, 16 ostrich eggs and two mounted gazelles.
1990	Pak Su-yong	North Korean diplomat, Harare, Zimbabwe	Arrested with a quantity of rhino horn and deported, according to a report in Zimbabwe's state-run Herald newspaper. Pak was subsequently transferred to Zambia where he continued to deal in rhino horn. He was deported from Zimbabwe again in 1992.
Nov-91	Han Dae-song	North Korean diplomat, Harare, Zimbabwe	Accused of purchasing a "number of rhino horns" from a dealer and using his embassy's "diplomatic bag" to smuggle them out of the country. He was "sent abroad" by his embassy before he could be officially deported.
24-Jan-97	Jang Myong-sik	Counsellor, North Korean embassy, Lusaka, Zambia	Jang was stopped from boarding a flight to Europe at Harare International Airport in Zimbabwe after an x-ray scan of his luggage detected 33 pieces of ivory. It was estimated at the time to be worth about \$52,000. He was arrested and later released into the custody of the North Korean ambassador in Harare. According to the Zimbabwe Standard newspaper "he spent a month holed up at his country's embassy to prevent police from questioning him".
Nov-97	Rim Ho	Third secretary, North Korean embassy, Lusaka, Zambia	Detained at Jomo Kenyatta International Airport in Nairobi, Kenya after six pieces of ivory were found in his luggage. He was recalled.
Dec-97	Unidentified	Interpreter, North Korean embassy, Lusaka, Zambia	The man was arrested at Lusaka's international airport with an undisclosed quantity of rhino horns. The interpreter had apparently been asked by Rim Ho - the diplomat arrested in the November 1997 incident listed above - to send his remaining luggage to Pyongyang. The interpreter claimed that he knew nothing about the rhino horn in the luggage and was released.
Dec-97	Hyun Sung-il	Former third Secretary, North Korean embassy, Lusaka, Zambia	Hyun, who defected in 1996, confessed at a conference in London that he had "engaged in trafficking of ivory, gemstones and rhino horns, which were sold to China and some Middle Eastern and Asian countries".



Apr-99	Unidentified	Wife of a North Korean diplomat	Russian customs officials seized over half a ton of elephant tusks being taken from Nigeria to China in the baggage of the wife of a North Korean diplomat. Officials carrying out a routine inspection of transiting cargo confiscated 537kg of ivory.
Aug-99	Unidentified	North Korean diplomat based in Equatorial Guinea	Approximately 700 kg of ivory was seized at Jomo Kenyatta International Airport in Nairobi and a North Korean diplomat was arrested and charged. The man was returning to Pyongyang via Dubai and Beijing, where he said he planned to leave the ivory. At the time he expressed surprise at being arrested in Kenya as he claimed to have transported similar amounts of ivory several times previously through other East African countries.
01-Apr-06	Nguyen Khanh Toan	Economic Attaché, Vietnam embassy, Pretoria, South Africa	Arrested in South Africa with two rhino horns, diamonds and large sums of cash. During an interrogation he admitted to using the embassy's "diplomatic bag" to smuggle rhino horns to Vietnam.
23-Apr-08	Nguyen Thien Tuan AKA Tommy Tuan	Vietnamese national	Arrested by police at a hotel in Kimberley, South Africa during a "buy -bust operation" in which undercover police offered to sell him ten rhino horns for R1,2-million (about \$120,000 at the time). At the time he was driving a Honda Accord fitted with diplomatic licence plates and registered to Pham Cong Dung, the political counsellor at the Vietnamese embassy in Pretoria.
Sep-08	Vu Moc Anh	First Secretary, Vietnam embassy, Pretoria, South Africa	Filmed receiving a number of rhino horns outside the embassy in Pretoria. Vu Moc Anh later claimed that she was helping a "dealer" with his papers. (A moratorium on domestic trade in rhino horn in South Africa had been in place since 2009.) Vietnam's ambassador to South Africa subsequently described her actions as "highly reprehensible" and she was recalled to Vietnam. Four years later, Vietnam's foreign ministry cleared her saying there was "no evidence of Moc Anh's involvement in rhino horn dealing in both Vietnam and South Africa".
2009	Unknown	Vietnam embassy, Pretoria, South Africa	On at least two occasions police received information that Vietnamese embassy vehicles were being used to move rhino horn within South Africa.



2009	Unknown	Chinese diplomats and government officials, Tanzania	Ivory traders filmed secretly as part of a documentary by Channel 4's current affairs programme Unreported World, told a journalist that Chinese officials accompanying then President Hu Jintao on a 2009 state visit bought "a lot of ivory". They also claimed that a Chinese "VIP" used a diplomatic bag to smuggle ivory out of the country. He was their biggest customer, they claimed, buying 200kg at a time.
Between January 2008 and November 2010	Unkown	Chinese diplomat	Arrested in South Africa for "trading in wildlife resources listed under CITES". The case was withdrawn due to his diplomatic immunity. He had to forfeit R30,000 and \$2,000.
Between January 2008 and November 2010	Unknown	Chinese diplomat	Arrested in South Africa after being found in possession of 12 ivory statues, according to the Justice Ministry. The statues were forfeited to the State. The diplomat was not prosecuted.
02-Sep-11	John Kalume	Democratic Republic of Congo	Kalume - described as "Congolese businessman" - was arrested in Ndola, Zambia after 169 elephant tusks were found in his possession. He was driving a vehicle with a diplomatic licence plate. The Ndola Magistrates' Court later sentenced him to five years in prison with hard labour. The ownership of the vehicle was never established.
11-Oct-12	Kim Jong-guk	North Korean citizen, possibly a diplomat	Mozambican customs officials confiscated 130 items of carved ivory, valued at an estimated \$36,000, found in Kim's hand luggage. He was also carrying \$133,000 in cash.
14-May-13	Geoffrey Mwamba	Zambian Defence Minister	Mwamba was allegedly stopped at Kenneth Kaunda International Airport in Lusaka with large bags containing elephant tusks while en route to Beijing, China. He claimed diplomatic immunity. Customs and Zambia Wildlife Authority officials seized the ivory, apparently valued at an estimated \$140,000. Mwamba was released and cancelled his trip. He was never charged and is currently a Member of Parliament and vice president of the opposition United Party for National Development. Two days after the incident an army general allegedly tried to smuggle the tusks through the airport. They were seized again.



29-May-13	Unknown	Chinese diplomats, Zambia	This incident has been linked in press reports to the seizure of tusks from Mwamba. The unknown number of diplomats allegedly tried to smuggle two suitcases of ivory - believed to be the same tusks seized from Mwamba - on to a commercial flight leaving for Beijing from Kenneth Kaunda International Airport. They were arrested and claimed diplomatic immunity. Zambia's tourism minister Sylvia Masebo told reporters that the arrests "involved some diplomats",
Mar-13	Unknown	Chinese delegation accompanying President Xi Jinping on a state visit to Tanzania	A report by the Environmental Investigation Agency alleged that the Mwenge Carvers' Market in Dar es Salaam saw a boom in ivory trade during Chinese President Xi Jinping's visit to Tanzania. "The large Chinese government and business delegation used the opportunity to procure such a large amount of ivory that local prices increased." Two traders claimed that Chinese buyers purchased thousands of kilogrammes of ivory later sent to China in diplomatic bags on the presidential plane. Tanzania's foreign minister rejected the allegations as a "fabrication" designed to drive a wedge between Tanzania and China. A government spokesman said the report was weak "as it did not clearly show how and where the Chinese diplomats hid the ivory".
Jun-13	Col David McNevin (ret)	Former defence attaché, United States embassy, Nairobi, Kenya	McNevin headed Africa programmes for the security company Atlantean Worldwide at the time of his arrest. He was detained at Jomo Kenyatta International Airport in Nairobi after customs inspectors found five bangles, seven rings, seven pendants and two figurines - all carved from ivory - in his luggage. McNevin pleaded guilty and was fined the equivalent of \$350. He said the ivory trinkets were items he had inherited from his father's estate. "He left them in Sudan after he had passed on. So I was taking them to other family members. I am sorry."

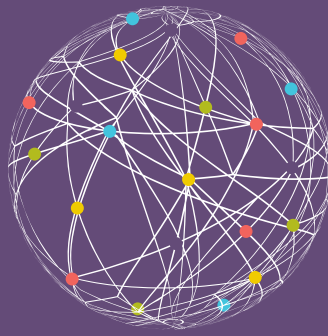




03-May-15	Pak Chol-jun	Political counsellor, North Korean embassy, Pretoria, South Africa	Pak Chol-jun and North Korean Taekwon-Do master Kim Jong-su were arrested in Maputo, Mozambique after police discovered \$99,300 in cash and 4.5kg of rhino horn in the embassy vehicle they were travelling in. They were later released on \$30,000 bail and returned to South Africa. Kim left the country in late-October or early-November to “visit family” in North Korea. In November 2015, the South African government gave the embassy a 30-day ultimatum for Pak to leave the country, failing which he would be declared persona non grata. He left South Africa on 11 December.
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SOURCES: EIA, TRAFFIC, Reuters, The Independent, The Herald (Zimbabwe), Associated Press, AFP, UPI, The Times, The Spectator





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