

A wooden gavel and a brass scale of justice are the central focus of the image. The gavel is positioned on the left, and the scale is on the right. They are set against a background of several old, leather-bound books. The lighting is dramatic, highlighting the textures of the wood and metal.

LESSONS FROM THE BENCH:

Wildlife Crime Prosecution and Adjudication in Mozambique & South Africa

28 July 2020

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INTRODUCTION

Rhino poaching and trafficking

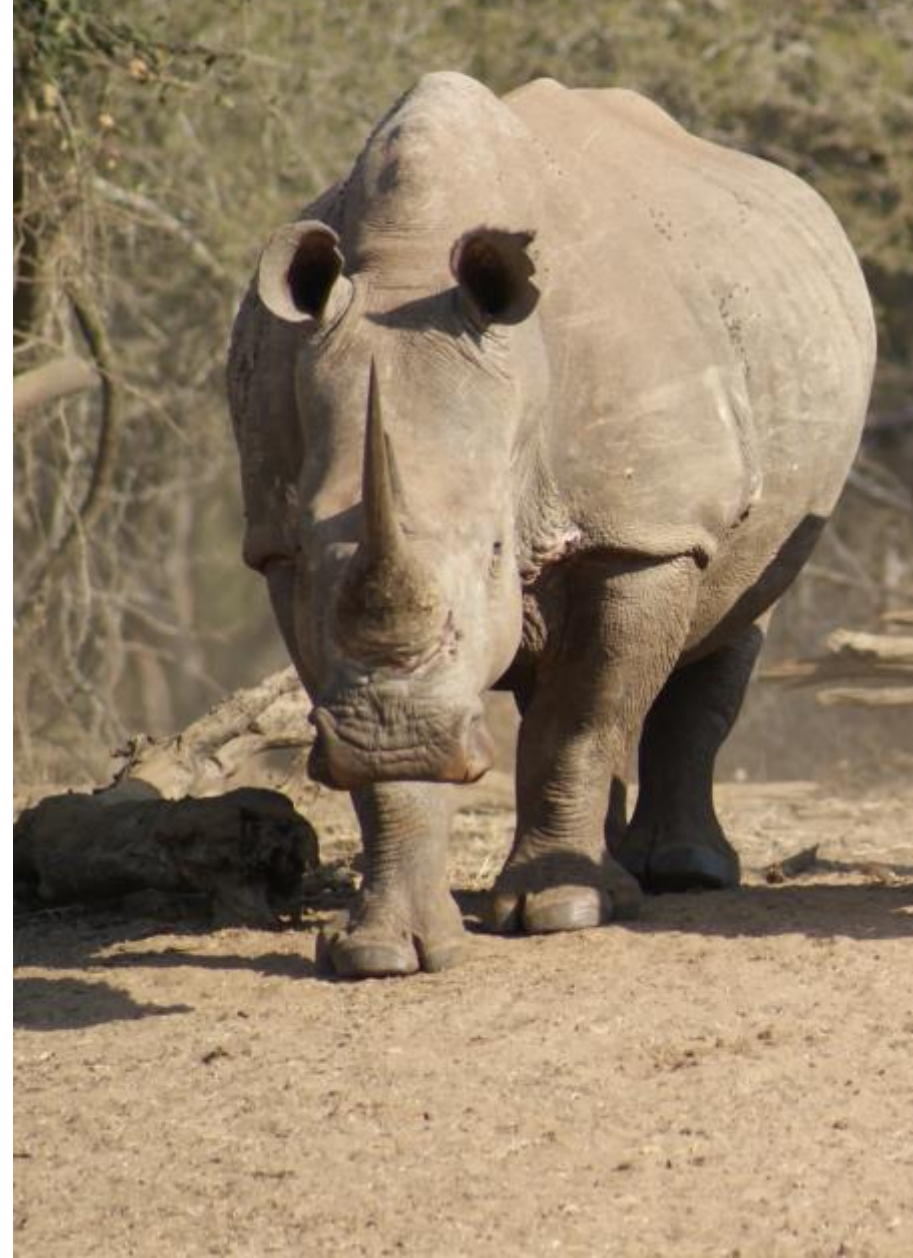
Arrests

VS

Court cases

VS

Convictions



INTRODUCTION

In SA, between January and December 2019:

Nationally, 584 rhinos poached, 327 in KNP

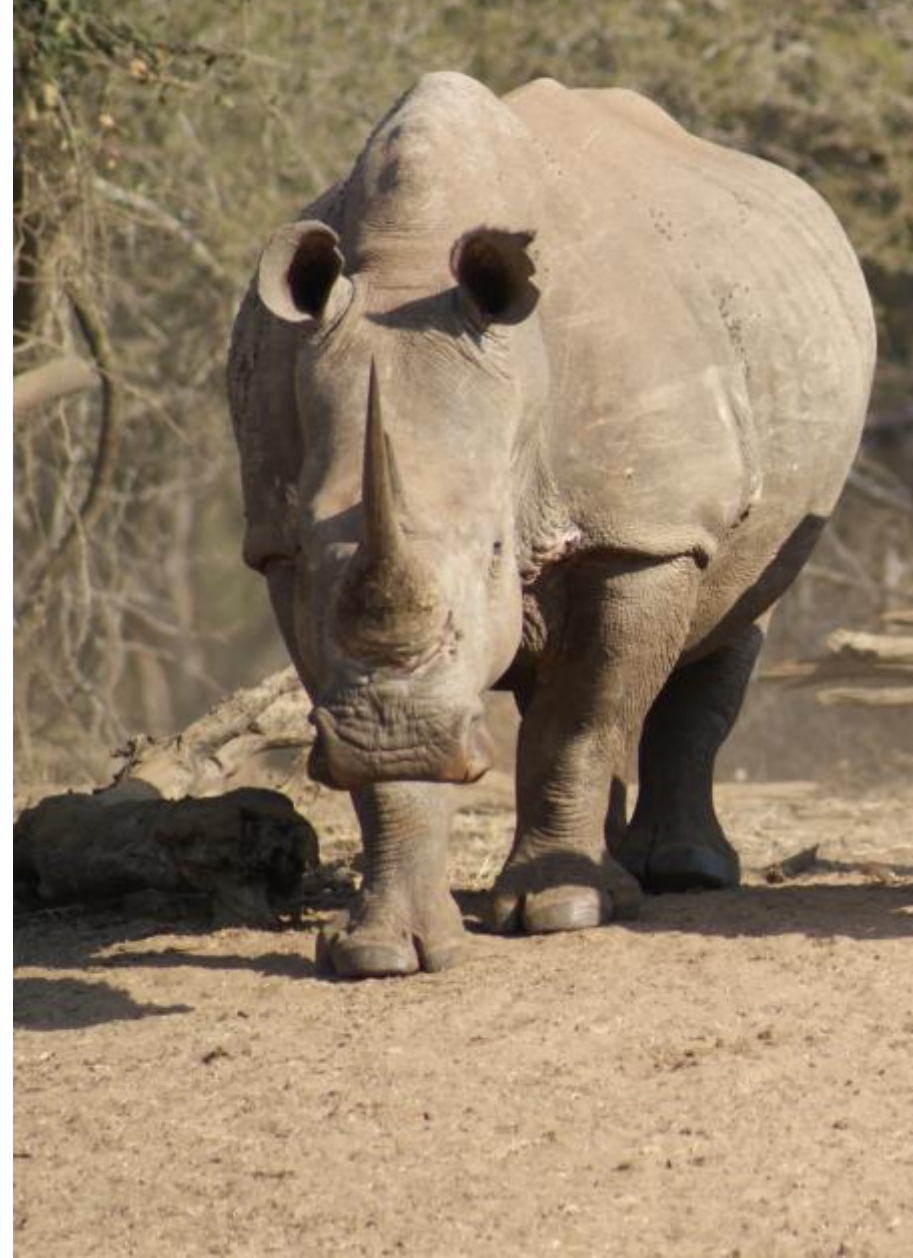
2,014 incursions and poaching-related activities recorded in KNP

Nationally 332 poachers and rhino horn traffickers arrested, 178 in the KNP

57 major investigations undertaken

145 sentenced in 2019:

- 75 convictions: 2-5 yrs
- 32: 6 – 10 yrs
- 32: 11 – 15 yrs
- 6: >15yrs



JOINT MZ-SA JUDICIAL COLLOQUIUM ON IWT







Marcelino Caetano Simão Salomo


Cirilo João Massingue

CONGRESS RENTAL







FROM THE BENCH: Challenges

1. Seriousness of wildlife crime

2. Disconnect between courts

- “The hard work is done in the lower courts and then just set aside in the higher courts.”

3. Lack of court resources



FROM THE BENCH: Challenges

4. Issues that affect bail applications, judgements and sentencing

- Information/evidence
 - *"If the prosecutor doesn't bring these impacts [of the environmental crime] before the court, we cannot consider it, especially during sentencing".*
- Out-dated legislation



FROM THE BENCH: Challenges

5. Language support

6. ~~Have your day in court~~

官 官
话 話

FROM THE BENCH: Other observations

1. The “untouchables”

2. Deportation of guilty foreign nationals



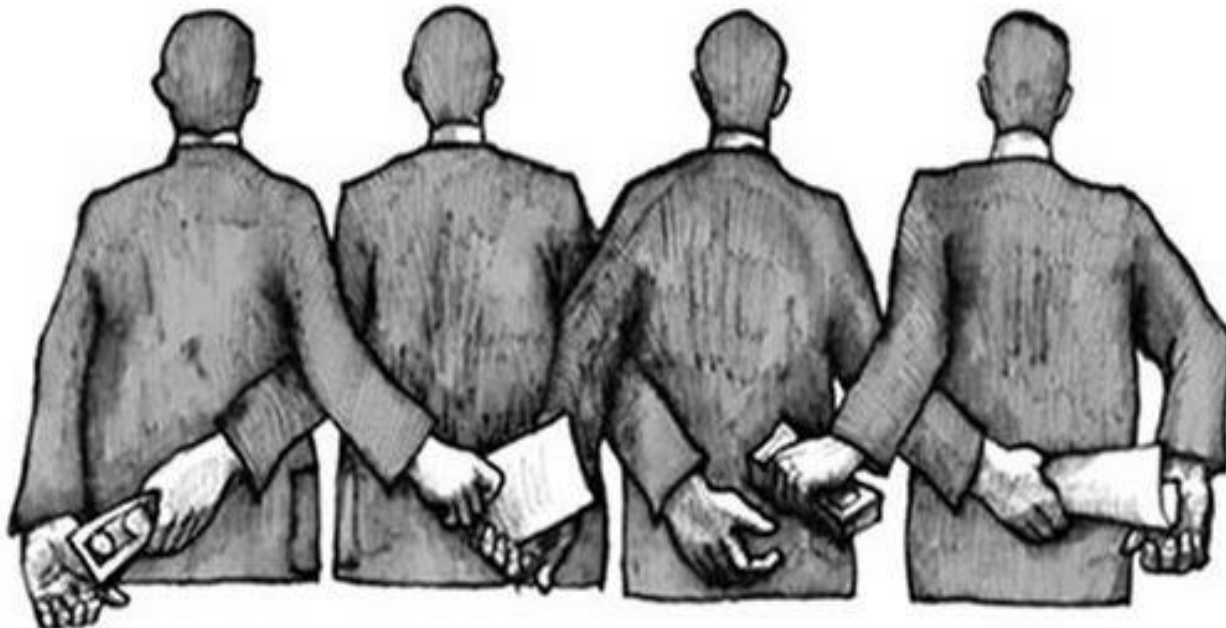
Artist's sketch of the court proceedings in Lilongwe

FROM THE BENCH: Other observations

3. Corruption

4. Transboundary cooperation

5. Capacity, experience of prosecution



RECOMMENDATIONS

1. **Sensitise all levels of the judiciary, including law enforcement and prosecutors to the seriousness and impact of wildlife crime**
2. **Prosecution should present the context & the impact of that crime - "They need to give the full picture."**
3. **Training for prosecutors**
4. **Uniformity in sentencing**
5. **Update legislation / harmonise legislation**



RECOMMENDATIONS

6. Improve evidence collection, management and preparation for court
7. Resources for the operations and functioning of courts
8. Language support inside and outside court
9. Strengthen judicial transboundary collaboration and learning



THANK YOU

