



USAID's VukaNow Activity

IMPLEMENTATION OF SADC LEAP STRATEGY IN MALAWI- ZAMBIA TFCA

Moderated by:

Dr. Simon Munthali, Chief Technical Advisor, USAID, VukaNow

INTRODUCTION

Several strategies and protocols have been developed in the SADC region to disrupt poaching and IWT. Notable among these being:

1. **SADC Protocol on Wildlife Conservation and Law Enforcement, 1999**

- Promotes enforcement of wildlife laws within, between and among States Parties

2. **Strategic Indicative Plan of the Organ (SIPO), Aug 2010**

- Identifies among others poaching as a serious challenge facing the State Security, Public Security and the Police. The Strategy recommends collaboration among security agencies in the fight against crime.

3. **SADC Biodiversity Action Plan, 2013**

- Advocates for cooperation in undertaking law enforcement operations, such as investigation of wildlife crime, dissemination and exchange of information on illegal trade activities, and capacity building on awareness promotion on the impacts of IWT on biodiversity, governance, rural livelihoods, etc.

3. **SADC MLA Protocol on Criminal Matters**

- Facilitate extradition of fugitive from wildlife crime prosecution

4. **SADC Law Enforcement & Antipoaching (LEAP) Strategy**

- Significantly reduce the level of poaching and IWT in the SADC Region by 2021.

SADC LEAP Strategy (2016-2021) Developed & Implemented to:



1. Enhancement of legislation and judicial processes;
2. Minimization wildlife crime and illegal trade;
3. Integration of people and nature
4. Sustainable trade and use of natural resources;
5. Improvement and strengthening of field operations

SADC LEAP Strategy – Implementation at two levels

1. National level
2. Transboundary level

Considering the cross-sectoral nature of the interest to effectively CWC, multiple agencies participate in implementing the LEAP Strategy at both national and trans-national levels



MALAWI - ZAMBIA TFCA Experience

We have two Guest Speakers:

1. Mr. Nasson Tembo, Project Coordinator, PPF – northern Sector of the MAZA landscape
2. Mr. Patricio Ndadzela, COP, IFAW, USAID Combating Wildlife Crime – southern Sector of the landscape. Mr. Ndadzela will also share strides being made in influencing:
 - a. Legislative reform, and
 - b. Development of Institutional & Financial Sustainability Mechanisms in support of CWC.



NASSON TEMBO

Agencies supporting LEAP implementation MAZA northern sector



National Coordination: Established Multi-agency LEAP Task Forces

1. Department of National Parks & Wildlife (DNPW)
2. Malawi Police Service
3. Malawi Army
4. Malawi Revenue Authority (MRA)
5. Anti-Corruption Bureau (ACB)
6. National Investigation Services (NIS)
7. Department of Forestry
8. Finance Intelligence Authority (FIA)
9. Judiciary
10. Lilongwe Wildlife Trust (LWT)
11. Directorate of Public Prosecution (DPP)
12. Immigration
13. Ministry of Foreign Affairs
14. Veterinary services -for forensic support

1. Department of National Parks & Wildlife
2. Zambia Army
3. Zambia Police Service
4. Zambia National Service
5. Zambia Air Force
6. Office of the President (Special Division)
7. Drug Enforcement Commission
8. Anti – Corruption Commission (ACC)
9. Customs (ZRA)
10. Immigration
11. National Persecutions Authority (NPA)
12. National Forensics Authority (NFA)
13. National Anti- Terror Unit
14. Forest Department
15. Fisheries Department
16. Financial Intelligence Agency
17. Ministry of Finance

Roles of National LEAP Task Forces

1. Coordinate development and delivery of capacity building of the law enforcement agencies
2. Facilitate investigations of wildlife cases
3. Facilitate timely prosecutions of wildlife cases
4. Advocate for use of multiple laws in prosecution of wildlife cases
5. Advocate for review of wildlife legislation and other related pieces of legislation
6. Strengthen collaboration and co-ordination among participating agencies
7. Facilitate gathering, collating, and analysis of intelligence and disseminate to appropriate agencies
8. Facilitate awareness campaigns on impacts of IWT to the general public and other stakeholders on wildlife crimes.

Ground - Field Level Operations

At ground/field level - Northern MAZA TFCA:

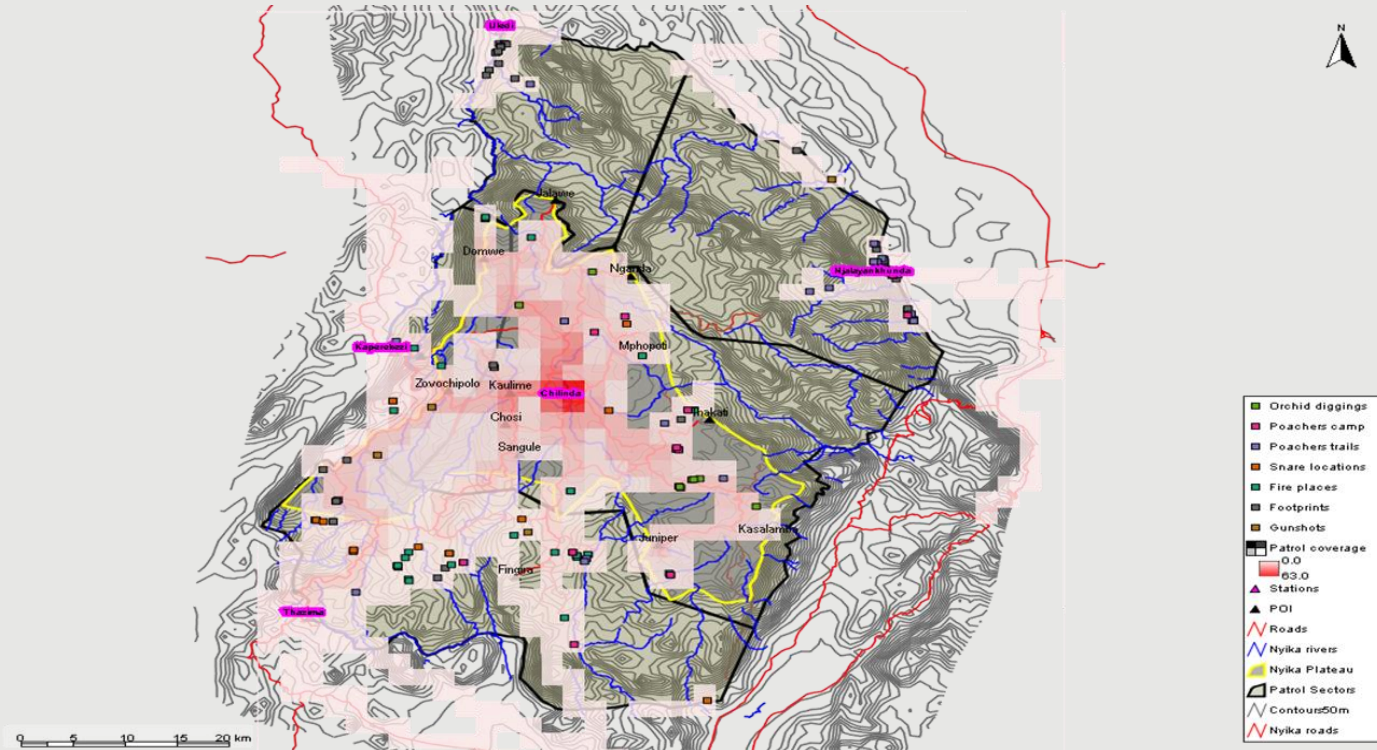
1. Amendment of the National Parks and Wildlife Acts both in Malawi and Zambia - significantly increasing penalties for poaching and trafficking of wildlife products
2. Development of Antipoaching & Law enforcement strategy:
 - a. Advocates for standardization of law enforcement training, rations,
 - b. Establishment of IIU in Nyika and Vwaza,
 - c. Inter Agency & Inter Governmental collaboration meeting,
 - d. Joint cross border operations, introduction of standardized performance-based incentive system, standardized data collection and use of SMART
3. Establishment Rapid Response units which operate at transboundary level, undertaking joint patrols
4. Establishment of radio communication, with shared signals – both in northern & southern sectors

Ground - Field Level Operations

At ground/field level – Northern component of MAZA:

5. Improving living conditions of field personnel (e.g., housing) - planned
6. Intelligence information sharing
7. Joint quarterly Law Enforcement review meeting
9. Standardized FR incentives rates

Law Enforcement Patrol Coverage



People and Nature- Bee- Keeping in Nyika National Park



People and Nature- Community Efforts-Firearms and snares surrendered by communities around Vwaza & Nyika NP



Key success over the past 1-2 years

- 2019. Using the IIU in Chama, cross border elephant poacher who hunted in Vwaza and Chama, was tracked.
 - Through joint operation by combined team of DNPW Malawi & Zambia arrested him and recovered a .375 sport rifle
- July 2020 again through IIU information, group of poachers planning to poach in Vwaza, suspects were arrested
 - 3 shotguns, 3 Home made shotguns, 2 MLGs recovered

Bursting Wildlife Crime- Joint Opt Vwaza-Chama



Key Challenges & Solutions

Challenges

- Lack of IIU in Nyika and Vwaza
- Restrictions on allowable coverage
- Lack of radio communication
- Poor road infrastructure
- Lack of harmonized FR training
- Low FRs Accommodation and salaries
- Budget limitations for Inter Agency & Inter Govt collaboration meetings

Solutions under development

- Establishment of IIU in Nyika and Vwaza – underway (Training of 12 APWA 3rd Aug)
- Ease of entry for Joint Operations – proposed in policy harmonisation
- Establishment of cross border radio communication- under consideration
- Rehabilitation of main access roads
- Recruitment of additional FRs and renovation of houses, Introduction of incentives
- Provision of budget allocation for Inter Agency and Intergovernmental meetings

PATRICIO NDADZELA

Chief of Party for IFAW'S Malawi-Zambia Transboundary Landscape Project



The collage consists of six images arranged in a grid. The top-left image shows a pile of yellow plastic cups. The top-right image shows two elephants. The middle-left image shows a man in a white shirt holding a leopard cub. The middle-right image shows a leopard resting. The bottom-left image shows a pile of animal carcasses. The bottom-right image shows two gazelles by a lake.



The USAID logo includes the text "USAID" and "FROM THE AMERICAN PEOPLE".

Background

- Combating wildlife Crime is a project funded by the United States Agency for International Development (USAID) and implemented by the International Fund for Animal Welfare (IFAW)
- The goal is to ensure that Elephant populations stabilize or increase in the targeted landscape through a decrease in poaching-related mortalities
- The Project employs a participatory approach to wildlife crime prevention efforts by engaging key stakeholders
- The five years project started in May 2017 and it is expected to come to an end in May 2022

The Targeted Landscape

- The TFCA encompasses more than 32,000 km² of protected landscape.
- The TFCA includes Zambia's North Luangwa National Park, South Luangwa National Park, Luambe National Park, Lukusuzi National Park and Malawi's Kasungu and Nyika national parks.



Strategies

- Strengthening inter-agency and cross-border cooperation, coordination, and information sharing to combat wildlife crime collectively in the TFCA.
- Improving law enforcement capacity to increase overall effectiveness in enforcing wildlife crime laws
- Engaging local communities as stakeholders in regional governance and wildlife protection, building transparency with law enforcement and securing benefits for communities
- Bolstering prosecutorial and judicial capacity to effectively investigate, prosecute, and convict wildlife criminals

Strategy I

- **Strengthened inter-agency and cross-border cooperation, coordination, and information sharing to combat wildlife crime collectively in the TFCA:**
 - Trained 43 wildlife crime investigation & intelligence operators from Zambia and Malawi.
 - Five training and experience-sharing workshops were conducted for 43 Wildlife Crime Intelligence Unit and Intelligence operators from Zambia and Malawi



Strategy 2

- Improved law enforcement capacity to increase overall effectiveness in enforcing wildlife crime laws:
 - 49 different ivory arrests -approximately 1,019 kg
 - 32 convictions including 56-years combined jail term for 9 Chinese .
 - Voluntary Surrender of 225kgs of ivory and wildlife skins of other protected species, leopard, lion and cheetah valued \$20,000

Ivory Seizures:	49
Recovered ivory:	1,019 kg
Zambia-based arrest & seizure:	42
Malawi-based arrest & seizure:	4
Cross-border arrest & seizure:	3
Total arrests:	75



Strategy 3

- **Bolstered prosecutorial and judicial capacity to effectively investigate, prosecute, and convict wildlife criminals:**
 - Trained 89 prosecutors and magistrates on the new wildlife act and its associated regulations in Malawi through Lilongwe Wildlife Trust
 - Monitored 75 arrests in both Malawi and Zambia
 - Organized a successful field visit to South Luangwa National Park for six magistrates from Zambia.



Implementation of SADC LEAP: Legislative, and Institutional & Financial Sustainability Mechanisms

- One of the strides to address the Legislative, Institutional and Financial Sustainability mechanisms is the establishment of a *Transboundary LEAP Task Force* for MAZA TFCA in December 2019.
- The Transboundary LEAP Task Force includes the following agencies, drawn from both countries (Malawi & Zambia):
 1. DNPW
 2. Ministry of Finance
 3. Judiciary
 4. Intelligence (Police, Finance, Military)
 5. Customs
 6. Anti-corruption Bureau/Commission
 7. Immigration
 8. Conservation NGOs (Lilongwe Wildlife Trust & Wildlife Crime Prevention) – providing advisory & capacity building

The roles of the Transboundary Task Force are outlined below.

I. Lobbying for Legislative Reforms to Resolve current Challenges

- Easement of restriction on movement of law enforcers and their equipment across international boundaries
- Easement of hurdles encountered in repatriating fugitives from wildlife crime prosecution and exhibits
- Harmonization of penalties for wildlife crime offences

2. Address corruption

- Develop targeted strategies to address corruption, which will include vetting and life-style auditing of the LEAP Task members

3. Facilitating Intelligence Gathering & Sharing

The Transboundary LEAP Task Force will:

- Develop Standard Operating Procedures (SOPs) to ensure that critical processes and responsibilities related to law enforcement are routinely followed and actioned
- Develop SOPs for intelligence gathering:
 - Establishment of informant networks
 - Electronic information sharing
 - Intelligence data organization & analysis
 - Intelligence feedback and sharing
- Case development, charging & Guidelines for prosecution of suspects
- Monitoring cases and offenders

4. Develop Institutional Mechanism for Sustaining Coordination of both National & Transboundary LEAP Task Forces

Considering the multiplicity of agencies included in the Task Forces, there is need to:

- Identify and develop effective and sustainable mechanisms to coordinate multiple agencies and stakeholder participating in CWC in the landscape. This could be in the form of very lean secretariats, or other mechanisms that have proven success in other TFCAs, or countries.
 - USAID VukaNow is supporting this activity in collaboration with IFAW, LEAP Task Forces, and others key stakeholders

5. Development of Financial Sustainability Strategy for LEAP Task Force Operations

Financial sustainability is critical to enable the LEAP Task Forces to fund operations in a regular predictable manner over multiple years. In collaboration with USAID VukaNow, a consultant has been hired to assist the processes of:

- a) Diagnosing the current level of funding of the LEAP Task Forces
- b) Developing Business Plans as the basis for identifying sources of long-term funding of the LEAP Task Forces
- c) Exploring the merits of establishing a **LEAP Trust Fund**, as a mechanism to meeting the long-term financial needs of the Task Forces, including means of capitalizing it
- d) Development of auxiliary administration and operational tools for the Fund, such as:
 - Administrative and Financial Procedures Manual, which will specify policies, and procedures to guide the Fund's day-to-day management.
 - Investment Policy, setting out the core principles for managing the Fund's assets; and
 - Any other tools considered critical to the administration of the recommended LEAP Trust Fund.

This work has already commenced, so some of you will be contacted to provide input. Your support will be greatly appreciated.

Highlights of Success in collaborative CWC

- The arrest of a **Congolese Military Intelligence Officer** and two others in possession of ivory.
- The arrest of a **Zambian police special unit intelligence officer and two others** with two rhino horns.
- **32 convictions** including **56-years combined jail term for 9 Chinese** .
- **Voluntary Surrender of 225kgs of ivory and wildlife skins of other protected species, leopard, lion and cheetah valued \$20,000**

Lessons on Success Factors

- Governments' political will and willingness to amend wildlife legislation to stiffen penalties
- Multisectoral collaboration – through formation of the inter-agency committee on CWC, which has evolved into Task Forces
- Long-term collaboration between Malawi and Zambia, through Joint Permanent Commissions, since 1980s helps to consolidate trust among the partners
- Donor financial support (USAID, KfW, UKAID, World Bank, GIZ, etc.)
- NGO support – capacity building in various aspects including development of prosecutors' guides
- USAID VukaNow/TRACE Forensic support