A whole-of-society approach to wildlife crime in South Africa

The potential and challenges of community-based anti-poaching

Poachers, pirates and the global response to wildlife crime

Responding to organised environmental crimes

The cultural impact of wildlife crime in South Africa

Botswana’s ‘shoot-to-kill’ policy as an anti-poaching strategy

On the Record with Major General Johan Jooste
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Andrew Faull e-mail andrew.faull@uct.ac.za

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Editorial policy

South African Crime Quarterly is an inter-disciplinary peer-reviewed journal that promotes professional discourse and the publication of research on the subjects of crime, criminal justice, crime prevention and related matters, including state and non-state responses to crime and violence. South Africa is the primary focus of the journal but articles on the above-mentioned subjects that reflect research and analysis from other African countries are considered for publication, if they are of relevance to South Africa.

SACQ is an applied policy journal. Its audience includes policymakers, criminal justice practitioners and civil society researchers and analysts, including academics. The purpose of the journal is to inform and influence policymaking on violence prevention, crime reduction and criminal justice. All articles submitted to SACQ are double-blind peer-reviewed before publication.

Policy on the use of racial classifications in articles published in South African Crime Quarterly

Racial classifications have continued to be widely used in South Africa post-apartheid. Justifications for the use of racial descriptors usually relate to the need to ensure and monitor societal transformation. However, in the research and policy community racial descriptors are often used because they are believed to enable readers and peers to understand the phenomenon they are considering. We seem unable to make sense of our society, and discussions about our society, without reference to race.

South African Crime Quarterly (SACQ) seeks to challenge the use of race to make meaning, because this reinforces a racialised understanding of our society. We also seek to resist the lazy use of racial categories and descriptors that lock us into categories of identity that we have rejected and yet continue to use without critical engagement post-apartheid.

Through adopting this policy SACQ seeks to signal its commitment to challenging the racialisation of our society, and racism in all its forms.

We are aware that in some instances using racial categories is necessary, appropriate and relevant; for example, in an article that assesses and addresses racial transformation policies, such as affirmative action. In this case, the subject of the article is directly related to race. However, when race or racial inequality or injustice is not the subject of the article, SACQ will not allow the use of racial categories. We are aware that some readers might find this confusing at first and may request information about the race of research subjects or participants. However, we deliberately seek to foster such a response in order to disrupt racialised thinking and meaning-making.
Editorial

Organised environmental crimes: trends, theory, impact and responses

http://dx.doi.org/10.17159/2413-3108/2017/v0n60a2770

This issue of South African Crime Quarterly is a special issue dedicated to organised environmental crimes. It is guest edited by Annette Hübschle of the Environmental Futures Project, Institute for Safety Governance and Criminology at the University of Cape Town, and funded by the Global Initiative for Transnational Organised Crime.

Once considered peripheral, and a green matter, wildlife crimes have moved up global security and policy agendas. The UN General Assembly, for example, adopted two resolutions to tackle wildlife crimes in 2015 and 2016. Meanwhile, South Africa and the Southern African Development Community (SADC) have declared wildlife trafficking a priority crime issue. Rhino poaching, in particular, has captured the attention of the public, the international community and our national government. Less charismatic plant and wildlife species are also harvested and trafficked across the globe. The lesser-known pangolin is considered the most trafficked species, while cycads are the most threatened plant species on the planet. The illegal or irregular extraction of natural resources, logging, mining, overfishing, trafficking in toxic, nuclear or electronic waste, and industrial dumping have all become areas of concern.

A plethora of protective and regulatory national and international measures has failed to disrupt the consumer markets and criminal networks that allow these trades to flourish. While conservation is often regarded as a pastime of economic elites, the impact of environmental degradation disproportionately affects poor people. The role of local people in the protection and management of natural resources has become a policy prerogative in many Southern African countries. However, good intentions and long-term goals are often uprooted in the pursuit of short-term concrete outcomes that supposedly bring down poaching statistics. Shrouded in the terminology of a ‘war on poaching’, securocrats have called for more helicopter gunships and boots on the ground, while sustained community empowerment and coordinated transnational law enforcement responses seem to have taken a backseat. In the current environment, the perception that wild animals are valued more highly than black rural lives is difficult to dismiss.

South Africa, meanwhile, remains the most unequal country in the world. We know that inequality predicts all sorts of societal ills, including crime. Thus it is not a coincidence that South Africa is both notoriously unequal and crime saturated. Income inequality also produces opportunity inequality. On 1 June 2017 Statistics South Africa reported that the country’s unemployment rate of 27.7% was its worst in 13 years. That same day, the publication of over a terabyte of leaked emails between the Gupta brothers (a business family controversially close to President Jacob Zuma) and various
business people and government ministers hinted at billions of rands in kickbacks and dodgy deals, enriching a tiny group of politicians and business people.

South Africa is home to some of the world’s largest and most diverse populations of endangered flora, fauna and mineral resources. Structural inequality is also reflected in terms of who benefits from conservation in general, as well as from the protected areas and profits associated with the sustainable use of natural resources. Economic and political elites continue to reap the benefits while local people are often excluded or marginalised. It is perhaps not surprising that some people who have been denied sustainable livelihood strategies in the face of endemic corruption and abundant opportunity might be tempted by the promise of high returns and low risk to get there. Rhino horn, for example, has a street value higher than that of heroin or cocaine. The profits from a single rhino horn trump the annual income of many rural residents in South Africa, some of whom organised crime networks try to recruit as poachers. The real perpetrators are organised crime networks, corrupt government officials and members of the wildlife and conservation industries who facilitate the flow of illicit wildlife and plant contraband. Law enforcement officials and policymakers have been focusing their efforts on reining in poachers rather than buyers and intermediaries. The latter organise and coordinate the transfer of wildlife contraband and other natural resources from the bush to the market. These actors are usually well connected and able to access transnational trade networks. Progressive scholars have started to look at the root causes of environmental and wildlife crimes by considering broader economic, political and systemic factors. Their assessment is that broad-based community empowerment is key, not only to addressing structural inequality and poverty but also to alleviating wildlife crime and other crime types. Is the fight against organised environmental crime more important than the dismantling of organised structural inequality and poverty? Or do we need to take cognisance that responses to these societal ills are perhaps interlinked? Local communities could, for example, become protectors of wildlife and conservation areas if they were granted agency, ownership and beneficiation.

In June 2016 we put out a call for papers for this special issue. What was striking about the many abstracts we received – and what remains true of the contributions to this issue – was the narrowness with which many of the authors approached the subject, despite the diversity of environmental crimes and responses taking place. Perhaps not surprising in the broader political context of South Africa in 2017, white South Africans and researchers from Western backgrounds and institutions (like ourselves) were over-represented. In our call we pointed to the gaps in the scholarly and policy literatures. However, most authors chose to focus on the poaching of charismatic megafauna and law enforcement responses to wildlife crime. We accommodate in this issue a range of views and policy suggestions, but this is by no means an endorsement of such. From a human rights perspective, many readers will find it difficult to accept the proposal that ‘shoot-to-kill’ is a serious anti-poaching strategy, and the suggestion that rhino poaching is a form of cultural victimisation. However, such views are best debated, and it is in this spirit that we make them available to an audience of policymakers, practitioners and scholars in this publication.

We begin this issue with a conceptual contribution by Duarte Gonçalves, in which he advocates for a ‘whole-of-society’ response to wildlife crime. Gonçalves notes that the diffuse and networked nature of organised environmental crime threatens not only wildlife but also regional security and social stability. Borrowing from polycentric governance literature, he suggests that conservation
Interventions must be harmonised, incorporating cross-border cooperation and the protection of wildlife with local, national and regional socio-economic development and stability.

Aspects of Gonçalves’ argument, particularly its recognition of the need for cooperation, are echoed in most other contributions to this issue – although each adds a fresh twist and case study. For instance, Francis Massé, Alan Gardiner, Rodgers Lubilo and Martha Themba provide a glimpse into the lives of anti-poaching community scouts working in southern Mozambique, adjacent to South Africa’s Kruger National Park. Based on rich qualitative enquiry and professional observations, Massé and colleagues examine the viability of the community scout initiative to contribute to inclusive and sustainable anti-poaching and conservation programmes. Importantly, they describe the social stigma and exclusion that some scouts encounter in their communities, as neighbours accuse them of selling others out. They argue that such programmes will only be effective when legal wildlife economies produce clear benefits for local communities, and where scouts are accountable to communities rather than to top-down command and economic structures.

Next, Olga Biegus and Christian Bueger invite us to ponder piracy off the coast of Somalia, suggesting there are clear parallels between piracy and organised environmental crime. Similarities include the border-crossing nature and organised structures in which perpetrators are embedded, linking up local foot soldiers to smugglers and international financiers. The biggest challenge posed by such structures, Biegus and Bueger suggest, is that individual states lack the capacity to effectively disrupt their work. They propose that conservation and related stakeholders learn from the pragmatic international and multi-stakeholder cooperation which, in just five years, ended Somali piracy. Before accepting the response to Somali piracy as a silver bullet, it is important to note that powerful commercial and trade interests of predominantly Western nations were threatened. Meanwhile, the trade in endangered species originating in Africa south of the Sahara and headed for Asian markets is unlikely to receive the same attention, unless linked to other agendas. The suggested link between wildlife trafficking and terrorist financing, for example, was debunked. The recent flare-up in piracy in the Gulf of Aden would also suggest that the responses failed to deal with underlying structural and political issues in the long term.

Rob White and Grant Pink also think cooperation is key. They recommend using Interpol’s National Environmental Security Taskforce (NEST) model to produce and sustain pro-conservation initiatives. Ideally, they suggest, NESTs should be national structures comprising international, national and local actors and agencies. Through them, conservation actors could be in constant contact with each other, thus allowing for the rapid mobilisation of relevant resources, knowledge and skills, as issues arise. Like organised criminal networks, they suggest, NESTs can facilitate flexible and informed responses based on holistic understandings of illicit acts and flows. We suspect Biegus and Bueger would agree.

Cooperation also features in but is not the focus of two emotive commentary pieces in this issue. Some readers will likely think the authors’ messages brave, while others may find them naïve, even dangerous. The first, by Megan Griffiths, argues that some people feel the impact of wildlife crime at a personal and ontological level, experiencing it as ‘cultural victimisation’. Griffiths’s argument is based on interviews with game park-visiting South Africans, some of whom feared that wildlife crime might deny future generations their ‘rightful cultural heritage’. She suggests that such people experience wildlife crime as a personal harm, one that would be more widely recognised if protected areas were accessible to all South Africans. The author’s commentary supports assessments
elsewhere⁶ that suggest that white (South) Africans express their sense of belonging to Africa through nature rather than people.

The second commentary piece takes us to Botswana, where, so authors Goemeone Mogomotsi and Patricia Madigele tell us, the government’s controversial ‘shoot-to-kill’ anti-poaching strategy has virtually ended rhino poaching. What is missing from their analysis is an acknowledgment that rhinos were declared extinct or near extinct twice in Botswana. Moreover, Botswana protects only 1.12% of Africa’s rhinos within its borders, many of which were trans-located from South Africa.⁷ Where most contributors to this special issue have shied away from the explicit promotion of ‘green militarisation’, Mogomotsi and Madigele think it should be taken more seriously by South Africa and other affected states. The authors controversially dismiss human rights considerations, especially in reference to allegations that the ‘shoot-to-kill’ policy disproportionately affects foreign poaching suspects from Namibia and Zimbabwe, as well as indigenous San peoples, whose livelihoods rely on hunting.⁸ Despite our own misgivings, we included the commentary in this issue to allow for debate and critical engagement with the issues and arguments raised. Some policymakers and members of civil society have been calling for tougher enforcement measures, including the controversial ‘shoot-to-kill’ approach and ‘hot pursuits’.⁹ It is important to understand this point of departure in order to debunk its usefulness. South Africa and many of its neighbours are constitutional democracies that have abolished capital punishment. Introducing ‘shoot-to-kill’ may catapult us back to the dark days of apartheid and colonialism where the rule of law and fair process were applied selectively; ‘shoot-to-kill’ policies target the lowest tiers of organised crime networks while the upper echelons remain untouched.

Mogomotsi and Madigele’s proposal is explored in relation to South Africa in our ‘On the Record’ interview with Major General Johan Jooste (Ret.). Jooste heads the South African National Parks’ Special Projects team, formed in 2012 to tackle a surge in poaching activity in the Kruger National Park. Much of his team’s work involves armed patrols within the Kruger Park, or as he puts it – law enforcement. Does the general think a ‘shoot-to-kill’ policy would change wildlife crime in Kruger? Dig into the interview to find out – it is fascinating.

Finally, we would like to express our deep gratitude to the Global Initiative for Transnational Organised Crime for generously funding the production costs of this special issue, and to Mark Shaw and Tuesday Reitano for their support.

**Notes**


6 Environmental Humanities South, Saving the saviours? Confronting conservation’s underbellies, Seminar, University of Cape Town, Cape Town, 2 June 2017.


9 The practice of ‘hot pursuits’ involved South African Special Forces crossing into neighbouring countries to apprehend or even kill liberation fighters during the apartheid regime. Conservators were calling for the reintroduction of the controversial measure due to the high number of rhino poachers originating and/or working from Mozambique in 2013 and 2014.
Society and the rhino

A whole-of-society approach to wildlife crime in South Africa

Duarte Gonçalves*

dgoncalv@csir.co.za

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The recent and rapid increase in wildlife crime threatens not only the survival of significant populations of endangered species in South Africa but also regional security, the sustainability of the tourism sector and the social stability of communities. Many wildlife crime interventions fail to achieve sustained impact due to the complexity of the crime. Different aspects of the problem are interconnected, but stakeholders address them in parts. This causes some to view the problem as too complex to address, thus promoting a state of crisis management. Addressing wildlife crime requires harmonising efforts, incorporating on-the-ground cross-border cooperation that balances conserving wildlife with stakeholder needs for socio-economic development and local, national and regional stability. This article explores innovative and integrated ways to mitigate the complexity of wildlife crime, framed as a ‘whole-of-society’ response to the challenge with a specific focus on implementation.

Biodiversity loss and ecosystem collapse pose significant risks to the planet.¹ Damage is caused by a range of factors, including climate change, crime and inadequate governance. In South Africa, wildlife crime poses a significant threat to biodiversity, communities and tourism. It promotes ecological degradation, counteracts conservation efforts and poses a threat to the sustainable development and use of natural resources. It also exploits socio-economically vulnerable communities. Additionally, some communities on the borders of protected areas use socio-political issues to justify poaching as a form of protest.² Corruption often accompanies wildlife crime. From the glamorous Big Five to the forgotten cycad, wildlife crime threatens many species, often with limited consequences for the perpetrator.

Before it was designated as a national security threat by the South African government in 2016, the Department of Environmental Affairs was responsible for dealing with rhino poaching.³ After reclassification, this responsibility was transferred to the South African Police Service (SAPS), supported by other components of the government’s security cluster. Implicit in this shift was a recognition that wildlife crime has a transnational organised crime component, that the associated corruption undermines governance and efforts to deal with poaching, and that a multi-sectoral strategy is needed to address it.

* Dr Duarte Gonçalves is based at the Defence, Peace, Safety and Security Unit of the Council for Scientific and Industrial Research, where he leads a group focused on whole-of-society approaches to security problems and the capabilities required to address them.
Wildlife crime presents decision and policymakers with an opportunity for policy innovation. The interventions required for other complex challenges, such as addressing climate change or entrenched gang activity in Cape Town, lie outside the mandate of a single department or stakeholder. The same is true of wildlife crime. South Africa’s National Development Plan (NDP) 2030 is an example of a holistic, whole-of-government and civil society vision of how to deal with such interconnected challenges. Whole-of-society approaches are applicable to most 21\textsuperscript{st} century governance, especially in relation to macro-level socio-economic targets.

Using rhino poaching as an example, this article suggests that a whole-of-society approach to addressing wildlife crime in South Africa is urgently needed, with a specific focus on implementation.

The need for a whole-of-society approach

In this section, the need for a whole-of-society approach is outlined with particular focus on a security studies perspective, a policy and strategy implementation perspective, and in relation to the complexity of wildlife crime.

A security studies perspective

Governments might label an act as ‘criminal’ to justify criminal justice and force-related interventions. In response to rhino poaching in South Africa, government-run wildlife parks have introduced surveillance technology and transformed park rangers into response forces. As such, poaching and associated crimes have changed how parks are managed and staffed.

McDonald has argued that states tend to define security narrowly, primarily through the designation of threats, with a focus on the moment in which state agents might intervene. The August 2016 event in Nice, France, where a driver steered a truck into a crowd of people, illustrates the difficulty of intercepting ‘criminals’ at the moment when the offence takes place.

The United States, Netherlands and United Kingdom governments have in recent years reconsidered the balance between the four security chain tasks, namely analysis, prevention, response and evaluation. Security efforts and spending tend to focus on the response to incidents, while prevention receives the least attention. Reconsidering the balance requires a shift from a state-centric to a human-centric approach to security that considers the needs of communities and individuals. The broadening human and environmental dimensions of security and the asymmetric nature of security threats require departments that are traditionally non-security to work more closely with security-related departments.

South Africa also tends to focus on the response to wildlife crime, mainly via law enforcement. As South African government departments become larger and more specialised, knowledge, information and capabilities remain ‘siloed’; meanwhile, the ability of organisations to respond to rapid change or uncertainty in the environment requires high levels of integration.

Implementation

Integration of the work performed by government departments and other entities is essential if the complex security risks facing South Africa are to be addressed. Research suggests that organisations working to address wildlife crime may understand the subject and associated challenges very differently from others working in the same area. Part of the reason for this is that organisations have different mandates, which determine what information is gathered and how it is interpreted. On the spectrum of coordination, information sharing is an important but limited element, surpassed by collaboration and cross-organisational strategic collaboration (Figure 1). When addressing complex problems, sharing information is necessary, but not
sufficient. Rather, a cross-organisational strategy is required, where role players agree on shared strategies and methods.\textsuperscript{15} Nonetheless, with the global growth of accessible information technology and systems, some parties believe that information sharing is adequate. This view ignores stakeholder interests, which could disrupt, stall or undermine any joint effort.

**Figure 1: Spectrum of coordination\textsuperscript{16}**

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<tr>
<th>Information sharing</th>
<th>Collaboration</th>
<th>Cross-organisational strategy</th>
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<td>Least difficult with important, but limited results</td>
<td>Most difficult, but with best results</td>
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The successful implementation of strategies in the case of a single organisation can be as low as 10%.\textsuperscript{17} Organisational cultures should be realigned to ensure behaviour change by employees, and funds reallocated to ensure successful implementation. In addition, building capabilities to address wildlife crime in a sustainable way requires multiple disciplines, traditionally organised as silos.\textsuperscript{18} Social sciences, natural sciences, engineering and technology are key to these capabilities.\textsuperscript{19}

Common governmental responses to governance challenges deal with immediate problem solving. Such responses are politically expedient and often short-lived (five years or less); for example, the South African government’s goal to reduce the number of rhino poached. Such short-term problem solving can increase complexity and cost, but this is not immediately apparent since the costs are borne by many stakeholders. Ultimately, long-term visions and investments are required to effectively tackle complex challenges such as wildlife crime.

**Complexity and wildlife crime**

Understanding the complexity of wildlife crime is important in order to avoid unrealistic expectations with regard to how it might be addressed. Key factors shaping complexity in wildlife crime are: the number of stakeholders involved; the high stakes; the potential/necessity for numerous simultaneous interventions; and the specific dynamics of rhino poaching. These are explored below.

**The involvement of multiple stakeholders**

Wildlife crime involves and affects multiple states and their governments, each with a multiplicity of interests and agendas. States may have their own legislation for wildlife crime. In South Africa, wildlife crime spans the mandates of at least 10 government departments, and each department approaches the problem(s) through the lens of their mandate.\textsuperscript{20} Similarly, elements of the private sector, civil society and various communities are invested in the matter. With regard to rhino poaching, South African communities bordering wildlife parks are often affected by, or involved in, poaching. Over 100 stakeholders have interests in wildlife or are impacted by wildlife crime in the Kruger National Park alone, yet no single person or entity is charged with coordination.\textsuperscript{21}

Adding to the complexity of the matter, these groups and entities (among others) embody a variety of values and interests:

- Wildlife products, sought for medicinal and status use in South-east Asia\textsuperscript{22}
- Conservationists (parks and NGOs), who are ‘waging war’ to save the rhino\textsuperscript{23}
- The state, which makes laws and oversees their enforcement
- Poachers and traffickers, who contest the illegality of killing and trafficking rhino.\textsuperscript{24} For traffickers (the middlemen, transporters and kingpins), rhino horn is a way to make a living
- Communities around parks where access has been restricted, who want access to hunt, earn a living and enter sites of cultural importance (e.g. graves and ancestral grounds)\textsuperscript{25}
• Some private rhino owners, who see rhino as an investment that should yield returns

**High stakes**

The stakes in rhino poaching depend on the various stakeholders. Conservationists fear a loss of biodiversity, including the conservation of the rhino. Because 80% of the world’s rhino are found in South Africa, rhino poaching is a South African problem with global repercussions. Where security and rhino are threatened, wildlife parks risk a loss of income from tourism. Community members who poach rhino or work as armed rangers for the parks face the risk of injury and death. Communities also benefit from these activities, either through legitimate employment in the parks or illicit trade in horns. Some poachers may believe they have no other means to survive. Rhino owners hoping to trade their stock have no market in which to do so. They must also spend money securing their much sought-after stock.

**The past and future**

Rhino hunting picked up in the 1970s until the mid-1990s and then almost disappeared, resurfacing around 2008 for reasons that are not entirely clear. Wildlife crime networks and modus operandi constantly change. For example, the majority of incursions have shifted from the eastern border to the western border of the Kruger Park. Anti-poaching, community and other interventions take time and face resource constraints. They therefore require a long-term vision, but this often varies between stakeholders. Interventions are also fluid in terms of activities and stakeholders, so must be adaptable over time.

**The simultaneity of intervention**

Wildlife crime converges with other crimes such as illegal possession of weapons and drugs, trespassing, money laundering, fraud, corruption, murder, attempted murder and entrapment. Wildlife crime is also a product of broader socio-economic issues such as deprivation, inequality and poorly managed rural densification (among many others) around parks. Without addressing key co-occurring problems, such as local community needs, poaching cannot be prevented. Thus simultaneous interventions are necessary, ranging from individual to international. At a park level, international demand management must be addressed at the same time as physical security. It is not a matter of ‘either/or’, but of ‘and’. The challenge is to align interventions to ensure maximum effectiveness and impact, without producing new harms.

The case of rhino poaching reveals this web of interconnected challenges. While law enforcement is frustrated by its inability to get ahead of rhino poaching, some law enforcement managers refer to their efforts as a ‘war on poaching’ and to poachers as ‘insurgents’. Such language suggests armed conflict and subversive action against the government. But framing it in this way does not help those working with communities bordering parks. Wildlife parks fragment land and communities. Community interventions offer important alternatives to ‘militarisation of conservation’, but when law enforcers use militaristic language, these interventions may be viewed with suspicion by community members.

Interventions must occur on multiple time-horizons. From a conservation perspective, the most effective leverage point involves changing perceptions of the value of rhino horn. If this is achieved, challenges at other points in the value chain will naturally wither, but altering the value of horn is not straightforward and may take more than five years. However, in order to protect the rhino population, immediate action is also required.

Governance is about role players with diverse but interconnected interests and worldviews, managing the course of events. The notion
of purely state-centred security governance is inadequate, and is better conceptualised as polycentric or nodal governance. Polycentric governance is ‘the simultaneous functioning of multiple centres of governance and decision making with different interests, perspectives, and values’. There have been proposals for a whole-of-society approach to security governance in South Africa. More specifically, in the context of poor South African communities, the Zwelethemba model was developed to promote the effective governance of security and justice. Government created local institutions or nodes called peace committees with a code of good practice. The values espoused were non-violence, cooperation and an orientation towards the future rather than individual blame for community problems. Peace committees used community gatherings to achieve two outcomes. The first was peacemaking; i.e., developing responses to disputes and conflicts that seek to reduce the likelihood of them re-occurring. The second outcome was peacebuilding; concerned with addressing local problems in a way that reduces their impact on the life of the community. Built on previous work, the following section presents a whole-of-society approach, with a specific focus on the implementation of capabilities.

The whole-of-society model

Regarding rhino poaching in South Africa, the whole-of-society approach accepts that:

- Role players represent a diversity of sectors, values and interests
- Addressing wildlife crime requires inclusive participation in the co-development of strategies and capabilities
- The complexity of wildlife crime requires a particular intervention methodology

In the face of complexity, it is tempting to dismiss methodology in favour of ‘practicality’ – but this simply results in ‘muddling through’. The whole-of-society approach, illustrated in Figure 2, is developed in this section and focuses on capabilities required for implementation. It involves creating a shared understanding of the current situation, developing alternative futures, and proposing cross-organisational interventions that take into account the capabilities required within different enterprises. Depending on the level of the intervention, whether local or national, different stakeholders will be involved in the process. The broad sectors are government departments and agencies, NGOs, business, the public in general, and communities bordering parks.

Planning ought to be complemented by a futures paradigm. Futures studies is the systematic study of possible, probable and preferable futures and worldviews, and the myths and metaphors that underlie each future. The futures paradigm encourages stakeholders to create a preferred future. In futures, both forecasting and transformation are important. In forecasting, futures studies consider a diversity of indicators and variables that anticipate outcomes. Including different stakeholders in futures processes ensures that their interests and actions are understood by other participants. Several methods for promoting understanding must be used, based on the purpose, the type of information to be communicated and the set of stakeholders. The purpose of such methods is to support group thinking rather than to reach a complete understanding of the problem.

A number of products have been developed to support understanding in the context of rhino poaching, with two examples provided here. The first example is the spatial modelling of community vulnerability to involvement in poaching, which would assist in understanding the geographic context of a community intervention. Inequality and corruption are
two factors feeding into this vulnerability and have the potential to be exploited by criminals. The second example involves performance measures. Performance measures such as numbers of arrests and convictions serve the interests of only some stakeholders, in particular law enforcement. Such measures lead to a bias towards arresting poachers in protected areas. The underlying assumption is that arrests and convictions will lead to a reduction in rhino poaching. However, if law enforcement is to disrupt wildlife crime, then the rate at which law enforcers arrest traffickers (middlemen up to the kingpins) and disrupt their activities must exceed the rate at which traffickers are being replaced. This is a different goal and, were it to be feasible, would require a different measure. Thus, futures studies are important in order to escape a short-term focus by challenging assumptions and particular interests.

Transformation, the second aspect of futures studies, requires changing conscious and unconscious beliefs. For example, does poaching ‘happen’ as an event or is it ‘grown’? If the belief is that poaching happens, then the response is to intercept poachers during their hunt (in time and place). But if it is understood that poaching is grown collectively, different interventions can be considered. This may be obvious on reflection, yet when it is part of an organisational narrative it will hamper progress. For example, at a workshop with South African government departments the organisational narrative was one of ‘we live for the present’. The framing of an issue and the metaphors used to explain it may produce different interventions, or prevent consensus on an intervention, in so doing shutting down possible futures. Encouraging open-mindedness allows for alternative futures to be imagined and choices to be made.

From the four generic security chain tasks – analysis, prevention, response and evaluation – specific actions are required to perform...

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**Figure 2: The whole-of-society approach**

![Diagram of the whole-of-society approach](Image)
each generic task. These tasks contribute to the solving of problems and creation of opportunities identified in the planning approach, or to creating new futures of choice, subject to legal and other constraints. A problem-solving approach is required at inception. This will help build trust, after which futures can be discussed. Once vulnerabilities have been identified, prevention-related tasks can be discussed. Once those tasks have been described, the necessary capabilities and resources can be identified, and allocated to the relevant stakeholders according to mandate, cost, strategic importance and other considerations.46 To aid this process, an audit of stakeholder capabilities may be required.

The set of tasks and capabilities, and the particular allocation to stakeholders is referred to as an intervention. The fundamental principle of a whole-of-society approach is that interventions are developed outside organisational mandates. A siloed approach to interventions leads to creating (new) undesirable consequences, and insufficient resources for implementation. At least two possible interventions should be developed. Debates between stakeholders involved in the selection ensure that the consequences of a particular choice are understood. The intervention builds on a shared understanding of the situation to co-develop a shared approach to addressing the problem. An intervention also includes defining new capabilities required in an organisation.

The South African national strategic response to rhino crime has several interventions: law enforcement, community intervention, biological management, responsive legislative provisions and demand management.47 The Department of Environmental Affairs’ Rhino Lab, held from 14–26 August 2016, sought to develop detailed implementation plans for each of these areas. The process involved many stakeholders: parks, governmental law enforcement agencies, NGOs and private rhino owners. Communities (represented by a variety of tribal authorities and political leaders) were not adequately represented. The National Integrated Strategy to Combat Wildlife Trafficking (NISCWT) is an example of a law enforcement strategy that embraces a whole-of-government (a part of a whole-of-society) approach, which was developed before the Rhino Lab. The NISCWT strategy is top-down. While there is growing awareness of whole-of-society approaches, top-down planning approaches have a limited ability to deal with the complexities of rhino poaching. For example, in the Kruger National Park, improved surveillance and response capabilities, in conjunction with ranger efforts, led to a decline in poaching in 2016, but the number of attempted incursions detected increased dramatically.48 A holistic approach is thus not achieved, in part because of the absence of local-level interventions that address community and other stakeholder needs at the appropriate time and bottom-up.49

This methodology should not be seen as linear. Learning is an important part of responding to complexity in a whole-of-society model, and iteration is required throughout intervention formulation and rollout. As Parsons points out, ‘improving policy-making is … about learning, rather than command and control’.50 Jumping to a solution with only a superficial understanding of the problem threatens the intervention. Interventions usually need to be ‘separated’ in practice, but aligned at the meta and holistic levels. This means that interventions may overlap.

Without understanding the profusion of worldviews in relation to wildlife crime, the same policy recommendations emerge again and again with limited impact. A participative, facilitated approach that creates new measures in the short term and new metaphors in the longer term is required.
Conclusions and future work

Some progress has been made with certain aspects of a whole-of-society approach to rhino poaching in South Africa. However, much work remains in order to increase levels of shared understanding and to create futures for wildlife as well as sustainable livelihoods for communities. This will take many years to build. Where there are examples of community interventions, a concept for a local-level, whole-of-society intervention still requires formulation.

In proposing the whole-of-society model, focused on implementing capabilities, this article has made five core points:

- There is a need to include a range of stakeholders and to engage with their different ways of seeing and understanding wildlife crime and related aspects. This should include knowledge of relevant myths and metaphors. Inclusiveness sets interventions up to succeed rather than fail.
- Developing alternative futures is important for better long-term outcomes, given the complexity of wildlife crime. Futures move interventions away from reactive approaches alone, instead exploring and planning for different outcomes.
- Interventions should be developed outside of organisational mandates. Mandates create lenses through which role players see the world in specific ways. Siloed approaches lead to undesirable consequences and insufficient resources to implement interventions. Intervention formulation should include the identification of tasks and capabilities, and their allocation to stakeholders.
- Capability gaps must be identified and closed. Without the required capabilities, the new strategy will not get off the ground. Capabilities are determined from the tasks required for an intervention. Governance should dynamically problem solve and close the capability gaps.\(^1\) Foresight is important for capability building, because it takes time.
- Transformation of organisational narratives is important if interventions are to succeed.

These five elements should be at the heart of a whole-of-society approach to wildlife crime. Lessons learned in this regard can be applied to other complex governance problems.

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Notes

3 Department of Environmental Affairs, Minister Edna Molewa joined by security cluster ministers highlights progress in the fight against rhino poaching, Media Release, 08 May 2016.
5 The word ‘poaching’ is used for brevity and should be read as ‘the illegal killing or illegal harvesting of wildlife’.
A ‘capability’, i.e. the ‘ability to do something’, refers to

the departments or agencies involved include the Department of Environmental Affairs, Pretoria: Council for Scientific and Industrial Research (CSIR), 2016, 35–36.


Ibid.

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Inclusive anti-poaching?

Exploring the potential and challenges of community-based anti-poaching

Francis Massé, Alan Gardiner, Rodgers Lubilo and Martha Nthaele Themb*a

massef@yorku.ca
alagar@sawc.org.za
rlubilo288@gmail.com
mthemba@sawc.org.za

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As it is acknowledged that the largely (para)militarised approach to anti-poaching has its limitations, alternative approaches to conservation law enforcement are being sought. One alternative, what we call inclusive anti-poaching, focuses on including people from local communities in anti-poaching initiatives. Using a case study of a community programme from southern Mozambique, located adjacent to South Africa’s Kruger National Park, we examine the potential of a community ranger initiative to move towards a more inclusive and sustainable approach to anti-poaching and conservation. While highlighting its challenges and potential drawbacks, we argue that including local people in conservation law enforcement efforts can help address poaching and the problematic aspects of current anti-poaching measures. However, to be a genuine and sustainable alternative, community ranger programmes must be part of a broader shift towards developing local wildlife economies that benefit local communities, as opposed to supporting pre-existing anti-poaching interventions.

Most resources dedicated to combatting the illegal wildlife trade are focused on front-line enforcement efforts and, to a lesser extent, demand reduction. Relatively few are dedicated to community-focused initiatives.1 Critics posit that many more must be directed towards local communities, with some arguing that conservation law enforcement and local people need not be at odds.

Indeed, given the severity of the poaching crisis and the acknowledgement that the largely (para)militarised approach to anti-poaching has its limitations, which includes the entrenchment of divides between conservation and communities, alternative approaches to conservation law enforcement are being sought. These shifts largely remain recorded

* Francis Massé is attached to the Department of Geography, York University; Alan Gardiner is in the Department of Wildlife Area Management, Southern African Wildlife College; Rodgers Lubilo is with the Frankfurt Zoological Society-North Luangwa Ecosystem Project; and Martha Nthaele Themb is in the Department of Wildlife Area Management, Southern African Wildlife College.
in institutional or grey literature, and receive little empirical academic focus. The alternative approaches seek to include the participation of people within and adjacent to protected areas in combatting the illicit wildlife trade.

One example of incorporating local people into anti-poaching and conservation law enforcement, what we call ‘inclusive anti-poaching’, is the Mangalane Community Scout Programme (MCSP) in southern Mozambique, adjacent to South Africa’s Kruger National Park, where rhino poaching is at its highest. Part of a broader vision of developing a locally owned wildlife economy, the programme employs people from villages in the Mangalane area as community scouts.

Using the MCSP as a case study, this article explores the potential of a community scout initiative to move towards a more inclusive and sustainable approach to conservation and anti-poaching, and hopes to bring related discussions into academic circles. We argue that inclusive anti-poaching can help address poaching and certain problematic aspects of current anti-poaching measures, and provide broader benefits to communities. However, to meet its full potential, local people need to benefit from the wildlife they are protecting, and from the scouts themselves. Hence, community scouts must be accountable to their communities, not to existing, top-down anti-poaching interventions. We posit this as an organising framework for re-thinking the role of community-based anti-poaching.

**Background to inclusive anti-poaching**

While much has been written on community-based conservation, the issue of community participation in anti-poaching is garnering more attention. Proponents of inclusive anti-poaching cite the problematic aspects of top-down, often (para)militarised anti-poaching as a reason for seeking alternative models of enforcement. There are increasing concerns that green militarisation, defined as ‘the use of military and paramilitary (military-like) actors, techniques, technologies, and partnerships in the pursuit of conservation’, leads to human rights violations, the (often violent) perpetuation of exclusionary practices of conservation, and the further marginalisation of already vulnerable people.

Green militarisation thus risks further entrenching park–community divides, threatening both the social and ecological aims and the foundations of conservation. Hence, a common theme of these critiques is that top-down, para-militarised anti-poaching is unlikely to succeed in the long term. These critiques extend to the Kruger National Park and the Great Limpopo Transfrontier Conservation Area (GLTFCA) more broadly. There is increasing recognition that current anti-poaching efforts risk widening the gap and increasing hostilities between Kruger, neighbouring reserves and adjacent communities. For these reasons, attention is being given to alternative models of conservation law enforcement and anti-poaching in the area.

Building on insights from community-based conservation and community policing more broadly, proponents of inclusive anti-poaching argue that anti-poaching is likely to be more effective and sustainable in the long term if it includes the support and participation of people within and adjacent to protected areas.

While recent empirical examples highlight the successes of inclusive anti-poaching throughout sub-Saharan Africa, they also demonstrate the myriad challenges and implications of involving communities. Such challenges include violent reprisals against community rangers, threats to the social cohesion of communities, a lack of support for rangers, and a failure to compete with the monetary value of certain wildlife products, among others. Reflecting on the MCSP, we draw attention to another challenge, namely that community-based anti-poaching
must primarily support the rights and priorities of local people, rather than supporting pre-existing anti-poaching interventions. This proves difficult in contexts where poaching is a pressing and immediate priority.

**The Mangalane Community Scouts Programme**

Research for this article was conducted by the primary author and involved extensive participation observation over six months at Sabie Game Park (SGP) and the Mangalane area, interviews with anti-poaching unit (APU) and SGP personnel, local leaders and law enforcement, and focus groups with community scouts. These data are combined with the insights of the other authors who designed, implemented and managed the programme.

The Mangalane area is located in the Sabié district of Mozambique in the province of Maputo, running along the border with South Africa and the Kruger National Park. The area consists of five communities – Mucacasa, Mavungwana, Baptine, Ndindiza and Costine – with a combined population of approximately 900 people living in 300 households.

The villages are adjacent to SGP, a 28 000 ha private hunting reserve that is part of a larger conservancy of private reserves in Mozambique – the Greater Lebombo Conservancy, which is itself part of the GLTFCA. Like many protected areas in the region, the creation of the SGP in 2000 entailed various forms of displacement, including the compensated removal of these communities to what is now east of the reserve’s boundary.

The SGP has gained attention as it occupies a strategic position directly adjacent to Kruger’s most concentrated area of rhinos. It also has rhinos of its own, possibly the only population in Mozambique. Moreover, the Mangalane area is a hub of rhino poachers. While some local people are poachers, most poaching groups come from outside of the Mangalane area and use the communities as a primary transit point in and out of the SGP and Kruger. Many people from Mangalane thus work in support roles by providing information to poachers and/or working in the rhino-horn supply chain. The intensification of rhino poaching has brought about devastating social and economic consequences, including the arrests and deaths of hundreds of young men, leaving behind widows and fatherless households. The get-rich-quick mindset that accompanies poaching and the presence of external poaching gangs have also generated a rise in criminality, accompanied by social tensions and breakdowns within the villages.

To combat rhino poaching with limited resources, the SGP’s anti-poaching activities are led by an anti-poaching non-governmental organisation (NGO) that largely employs green militarisation tactics. Given the critiques of green militarisation and acknowledging that efforts must be made to incorporate local communities into conservation and combatting the wildlife trade, the SGP formed a partnership with the Southern African Wildlife College (SAWC) and WWF-South Africa to organise the communities of Mangalane and build a locally owned wildlife economy. Part of this initiative included developing an alternative anti-poaching model. Initiated in 2015, the MCSP employs 21 local...
residents as community scouts, with each community having its respective group of four to five scouts. With one exception, all scouts are male. Scouts range from 21 to 39 years of age with an average age of 28, and all but four scouts have children.

A primary motivation for becoming a scout is the salary, which is just above minimum wage. Beyond the salary, there are other sources of motivation for people to become scouts, and for communities to support them. Firstly, there are monetary benefits to be derived from wildlife and conservation. In addition, community support for the scouts is strongly related to their broader policing roles. Indeed, the scouts are meant to have many policing duties, with protecting the SGP just one of them. For example, scouts undertake conflict resolution within their respective communities, acting as a link between communities and local law enforcement. Scouts are also credited with eliminating cattle theft in the Mangalane area and play an active role in managing problem animals and human–wildlife conflicts. While we cannot detail all non-anti-poaching benefits here, what is important is that such benefits are the primary source of community support for the scouts, and are part of an overall approach to seeing rhino protection as a by-product of conservation-related benefits.

Drawing from the MCSP, the remainder of this article focuses on the anti-poaching role of the community scouts, highlighting some of the benefits and challenges.

**Community scouts and anti-poaching**

There are two primary ways in which scouts contribute to anti-poaching efforts and thus protect the SGP, Kruger National Park and their rhino populations. First, they monitor and patrol portions of the outer side of the reserve’s approximately 40 km fence every day, reporting signs of entries or exits by poachers. Scouts also perform other patrol duties as requested by APU management. Second, scouts provide intelligence to the APU regarding potential poaching incursions or past poaching activity, as gathered within their respective communities.

Until recently, most rhino poachers came from or transitioned through the Mozambican borderlands. The modus operandi of poachers has shifted so that the majority now enter Kruger from its western boundary. The SGP has seen a reduction in rhino killings from approximately 25 per year in the previous few years to just three in 2016. It is not possible to attribute this shift to the MCSP; rather, it should be seen as part of the broader efforts undertaken in the Mozambican borderlands to address rhino poaching. Indeed, whether the MCSP has contributed to a net decrease in poaching is difficult to quantify. We thus examine the MCSP from a qualitative perspective, focusing on the benefits and challenges of the programme so far. The lessons learned provide a foundation for ways forward in the Mangalane area and beyond.

There is widespread agreement from reserve and anti-poaching management that the community scouts have assisted in curbing poaching incidents. Observation, interviews and many conversations with APU management highlight the important role scouts play in providing intelligence to the APU, which has led to arrests, seizures and the frustration of poaching attempts.
as they routinely patrol outside the reserve’s boundaries. As a result, community scouts discourage poaching attempts, as it is known that poaching tracks and incursions are more likely to be found and reported. Scouts thus contribute in various ways to preventative or pro-active anti-poaching.

Bringing local people into anti-poaching efforts serves to increase the credibility and legitimacy of the SGP’s anti-poaching and conservation efforts in adjacent communities. There are still tensions between communities and the SGP, in particular the APU. But community members, scouts and reserve management see an inclusive approach to anti-poaching as a step towards addressing the antagonistic park vs. people relationship. It also demonstrates a willingness on the part of the reserve to work with communities. Importantly, employing people as community scouts offers an alternative source of income, especially for young men, who are otherwise likely to be involved in the wildlife trade. The salary itself cannot compete with the money from rhino poaching, but it does offer an income in an area where the economy is largely subsistence oriented, and based on migrant labour to South Africa or rhino poaching. Discouraging people from entering the wildlife trade may gain traction if scouts know they can climb the occupational ladder and become rangers or guides, and if community-based anti-poaching is integrated with the broader development of a local wildlife economy, as originally intended. This latter part, however, is proving difficult, ushering in a suite of challenges to the intentions and sustainability of the scout programme.

Co-opting scouts: whose wildlife is protected, and who benefits?

The MCSP was not designed primarily as an anti-poaching intervention, but was intended to be an integral part of the broader development of a community governance system that ensures local ownership and decision-making over wildlife through delegated rights and management responsibilities, including those related to anti-poaching. One of the main challenges facing the community scouts is that their role has largely shifted away from this broad mandate towards a narrower role of rhino protection, acting as a support for or appendage to the reserve’s existing anti-poaching unit and not as a vehicle for community decision-making and management of wildlife.

There is immense political pressure on both the Mozambique government and the private reserves, including the SGP, to combat rhino poaching. This pressure stems from altruistic motives of wanting to save rhinos, but also from the reality that if the SGP and the neighbouring concessions do not succeed in curbing poaching incursions into their respective concessions and Kruger, they risk losing access to the land and wildlife their businesses depend on.14 Thus, the SGP and its APU are primarily focused on rhino protection, and the community scouts are perceived as a logical way to support this. This greatly influences how the community scouts work on a day-to-day basis, as they fall under the guidance of the SGP’s anti-poaching unit, directed by a paramilitary-style anti-poaching NGO, and work primarily with the reserve’s rangers and Mozambican law enforcement authorities, not with their communities. The scouts have thus been co-opted by and brought under the umbrella of the APU, and take their daily orders from the APU management – even if this was not the original intention. This is particularly problematic as the existing anti-poaching unit is top-down, led by external actors, and largely takes a paramilitary approach. Moreover, its priorities may not reflect those of local people, or benefit them. This is a significant issue that frames the challenge to the long-term sustainability of and community support for inclusive anti-poaching efforts. In
a context where the protection of a particular species, such as the rhino, has become politically charged and the focus of attention and resources, this becomes a genuine challenge.

This broader challenge draws attention to the importance of conservation-related benefits as a source of sustainable community support for community-based anti-poaching. Redirecting the duties of scouts to focus primarily on protecting the wildlife of a private reserve and a neighbouring country’s national park is problematic in that it also means moving them away from their other community-centred policing roles and the development of a local wildlife economy. Put simply, scouts are not protecting the wildlife of their communities, as they have yet to gain any ownership rights, nor is there an adequate framework in place for communities to benefit from conservation and protecting rhinos. This presents a challenge to the ongoing motivation of scouts, and community support for them.

Apart from the few jobs created by the reserve, the benefits received by communities from the wildlife economy under the current government framework is their share of 20% of the SGP’s hunting licence fees. This money is distributed by the government of Mozambique between the five communities of Mangalane. In 2015 this amounted to just shy of US$50 per household, well short of viable motivation to support the reserve and anti-poaching efforts. While the SGP has invested in communities in terms of water access and the building of a school, community centre and a dozen houses, such benefits do not reflect a systematic or organised way for communities to benefit from wildlife through ownership or decision-making. Rather, they are reflective of the actions of an individual reserve and its owners. Moreover, these community investments existed before the MCSP, so beyond the 20% mentioned above, there has been little added wildlife-related benefit to communities since the inception of the programme.

Most important here is the lack of direct benefit from wildlife and from supporting anti-poaching initiatives. The lack of ownership over wildlife means that poaching is not seen as stealing from communities, but rather as the most lucrative way to use wildlife, with the scouts only getting in the way of this. In describing his anti-poaching duties, one scout explained how fellow community members accuse scouts of disrupting their livelihoods by making it more difficult to hunt (rhino), and that they are responsible for community members, being arrested and put in jail. As such, community support for the scouts’ anti-poaching efforts is tenuous at best, leading to a host of problems.

With the benefits of conservation and community participation in anti-poaching largely accruing to a private reserve, incentives to become involved in anti-poaching simply do not compete with the incentives offered by the wildlife trade. Scouts, like rangers and police, are routinely offered money to cooperate with poachers, or turn a blind eye. Corruption among community scouts and law enforcement is a major challenge. Numerous scouts, rangers and police have collaborated with poachers through information sharing or in more direct ways, leading to their arrest. In a context where the monetary gains from the wildlife trade are high, wages earned by community scouts, rangers and police simply cannot compete.

In addition, focus groups with scouts revealed how their patrol duties take them away from farming, which is needed to feed their families in the absence of higher wages. Indeed, scouts, rangers and environmental police all claimed to be denigrated by community members involved in poaching, and being insulted for being ‘poor’, having ‘no future’ and being ‘unable to properly support their families’, because they do not involve themselves in poaching.
Such perceptions (and the reality) of scouts and rangers make it difficult to convince young men to view them as role models, compared to those in the poaching economy who reflect the lifestyle and wealth to which they aspire.\(^\text{17}\) This highlights the importance of ensuring that scouts (and community members) derive adequate benefits from protecting wildlife. Such benefits and incentives must look beyond salaries to those directly related to wildlife, such as ownership of wildlife or related benefits derived from protecting a private reserve and neighbouring national park.

Pressure to work with poachers also takes on violent forms. Like anti-poaching rangers across sub-Saharan Africa, community scouts are at risk from poachers and the syndicates they are a part of. All Mangalane scouts reported routine threats of violence, and even death. In May 2016, for example, several scouts were attacked in their homes by men linked to poaching groups. One scout showed a scar on his face and explained that he received it when a known poacher in the community accused him of being a traitor and physically confronted him.\(^\text{18}\) This highlights concerns about the applicability of inclusive anti-poaching models in certain contexts. The concerns about violence and engagement with armed poachers, who are sometimes militarised themselves, raise the important question of how far community-based anti-poaching can go, and where it may or may not be appropriate, especially when substantial and direct wildlife-related benefits fail to materialise.

Violence against scouts is also indicative of the lack of support they get from community members for their anti-poaching duties. Scouts unanimously spoke of the alienation they faced after being labelled ‘traitors’ or accused of ‘working with the white men’, since anti-poaching is seen to benefit white-run private reserves, or South Africa, and not local communities.\(^\text{19}\) One APU manager recounted how, while on patrol with scouts outside the reserve, a scout was threatened. A resident of the area yelled, ‘Watch out, your time is going to come for working with the white men’.\(^\text{20}\) When asked to expand on the violence against scouts and their support among community members, another scout explained that communities support their broad policing duties that relate to cattle theft, conflict resolution and problem animal management.\(^\text{21}\) But he and his fellow scouts concurred that fellow community members see their anti-poaching work as impeding a potentially lucrative livelihood.\(^\text{22}\) Not only is the lack of support for the scouts and their anti-poaching work problematic for addressing poaching, but it also has the potential to divide people within villages into groups aligned with poachers or those combatting them, and lead to intra-community tensions, if not outright violence against scouts.

It is widely agreed that the tensions within communities are driven by outsiders (working for syndicates) and those aligned with them. The reality is that those associated with poaching are seen as enriching the community, at least in monetary terms, while anti-poaching forces (scouts or otherwise) are seen as impeding that source of wealth and income. This is exacerbated by the fact that the scouts are primarily accountable to an external anti-poaching unit. As others have reported, divisions in communities may be worsened when scouts are ‘perceived as part of external law enforcement agents rather than members of the community’.\(^\text{23}\) This again highlights the importance of having scouts primarily accountable to their communities, and not to external anti-poaching interventions. Following the original intentions of the MCSP, one way of achieving this accountability is to ensure that communities have ownership over wildlife, or at minimum derive substantial benefits from the wildlife and spaces that scouts are tasked with.

\(^\text{17}\) This highlights the importance of ensuring that scouts (and community members) derive adequate benefits from protecting wildlife.

\(^\text{18}\) Violence against scouts is also indicative of the lack of support they get from community members for their anti-poaching duties.

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\(^\text{21}\) This again highlights the importance of having scouts primarily accountable to their communities, and not to external anti-poaching interventions.
protecting. It is also important to emphasise the responsibilities of scouts other than anti-poaching, in particular those that are in line with community needs and contribute to broader community well-being.

Scouts, reserve management and local residents agree that community members support the scouts in their non-anti-poaching work. In this way, and much in line with the original intentions of the MCSP, rhino protection and broader support for conservation (and even anti-poaching) might emerge as a by-product of broader conservation or wildlife-economy practices, where communities directly benefit from species protection and conservation. This could help contribute to the motivation needed to support inclusive approaches to anti-poaching, such as community scouts.

**Conclusion: moving forward with inclusive anti-poaching**

Drawing on the MCSP, we have highlighted the potential of inclusive anti-poaching approaches, as well as the challenges they face. We put forward these challenges not to undermine efforts at inclusive anti-poaching, but to begin a discussion on the need for community participation in combatting the illicit wildlife trade, and related challenges and implications. One of the main challenges is ensuring that community-based anti-poaching directly benefits local communities, and is not co-opted by existing anti-poaching interventions, especially those that are militarised. This is paramount if scouts are going to have the much-needed support of their fellow community members, which is key to the long-term viability of inclusive anti-poaching activities. We hope to stimulate discussion about how models of inclusive anti-poaching might overcome this challenge, remain bottom-up and accountable to their communities, and increase local decision-making and ownership over the resources that they are helping to protect. We see this as a key framework for thinking about community participation in anti-poaching efforts, and how to move forward.

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**Notes**


2. See, for example, R Cooney et al., *From poachers to protectors: engaging local communities in solutions to illegal wildlife trade*, *Conservation Letters*, 2016, 1–8; D Roe et al., *Beyond enforcement: engaging communities in tackling wildlife crime*, IIED, Briefing, April 2015.


4 Cooney et al., From poachers to protectors; Duffy et al., The militarization of anti-poaching; A Hübschle, The social economy of rhino poaching: of economic freedom fighters, professional hunters and marginalized local people, Current Sociology 2016, 1–21.

5 Annecke and Masubele, A review of the impact of militarisation; Hübschle, The social economy of rhino poaching; interviews, SGP Manager 1, SGP, 8 October 8 2015; SGP Manager 2, SGP, 10 October 2015.


8 Biggs et al., Developing a theory of change for a community-based response to illegal wildlife trade; Roe (ed.), Conservation, crime and communities.


10 Scout focus group April 2016; interviews with programme personnel, SGP, 26 November 2015.

11 Scout focus group; interviews with SGP manager 3, 14 May 2016; Mucacasa resident, SGP, 25 November 2015.


13 Scout focus group; interviews with APU management, SGP, 14 May 2015.


15 Scout focus group.

16 Interviews with SGP rangers, SGP, 13 November 2015 and environmental police, Baptine, 26 October 2015; scout focus group.

17 Interviews with SGP manager 3, SGP, 14 May 2016; Sabié district administrator, Sabié, 19 November 2015; Mozambican NGO executive, Maputo, 30 June 2016; scout focus group.

18 Scout focus group.

19 Scout focus group.

20 Interview with APU manager, SGP, 17 May 2016.

21 Scout focus group.

22 Interview with scout; scout focus group.

23 Biggs et al., Developing a theory of change for a community-based response to illegal wildlife trade, 6.
Poachers and pirates

Improving coordination of the global response to wildlife crime

Olga Biegus and Christian Bueger*
olgabiegus@gmail.com
BuegerCM@cardiff.ac.uk
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This article aims to identify how the global response to wildlife crime can be improved and what role South Africa might play in it. To do so, we examine the emerging global wildlife crime regime and the challenges it faces. To offer an understanding of how governance could be improved, we ask how the success in curbing another transnational crime, piracy off the coast of Somalia, can serve as an example of international coordination. We discuss core lessons from the coordination and governance of counter-piracy. Through the comparison, we identify core dimensions by which the coordination of responses to wildlife crime might be improved. Our conclusion stresses the importance of more focused, inclusive and experimental forums. We end by outlining a number of core issues that South Africa should start to consider in its wildlife policies.

In January 2017 several new decisions and resolutions on wildlife crime entered into force.1 They were the core outcomes of the autumn 2016 17th Conference of Parties (CoP17) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), hosted by South Africa. The parties agreed, inter alia, to toughen sanctions against those violating bans on illegal trade in ivory and rhino horn. The decision was a reaction to the dramatic rise in poaching and wildlife trafficking in recent years.2

The new CITES resolutions confirm that poaching and wildlife trafficking should be considered as a form of transnational organised crime.3 Similarly, recent reports from United Nations (UN) agencies, including its Environmental Programme (UNEP) and Office on Drugs and Crime (UNODC), observe that wildlife crime is on the rise in Africa, emphasising that it is best conceptualised as a form of transnational organised crime with considerable security implications.4 In INTERPOL-UNEP’s December 2016 Strategic Report, 80% of governments surveyed stated that environmental crime was a top security priority.5

The new recognition and framing of wildlife crime as both an environmental and a transnational security problem has at least two major implications. Firstly, the transnational dimension of wildlife crime implies that no state will be able to tackle it on its own. A coordinated international response is required, one that

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* Olga Biegus is an MPhil Researcher at the University of Cape Town and Christian Bueger is a Reader in International Relations at Cardiff University.
focuses on trans-border and cross-jurisdictional collaboration and aims at integrating all relevant national, international and non-state actors in the coordination process. The lack of a coherent international approach to wildlife crime and the lack of capacity of most states have been identified as the core hurdles to an effective response to wildlife crime and improved conservation efforts. The complexity of the issue, its urgency and the range and number of actors involved require a rethinking of how responses to wildlife crime and conservation can be better coordinated.

Secondly, interpreting wildlife crime as a form of transnational organised crime also provides an opportunity. It allows us to learn from comparisons with other transnational crimes and how they have been addressed. We argue that significant insights can be gleaned from the international fight against Somali piracy. This response has not only been very successful but has also tested a range of novel forms of international coordination, which might provide new ideas for the fight against transnational wildlife crime.

In the next section, we outline the core characteristics of the international wildlife crime regime and the challenge of addressing it. We then summarise some of the core insights gleaned from counter-piracy strategies and ask how they might lead to new responses to wildlife crime. We conclude by discussing the role that South Africa could play in strengthening the Southern African response.

Poaching and the international wildlife crime regime

The new political salience of wildlife crime has led to the emergence of an international regime dealing with the issue. CITES is still the cornerstone of this regime. It remains, however, an overly bureaucratic and formal organisation driven by diverse national interests, while lacking adequate means to ensure compliance with the rules it develops. CITES provides a baseline framework for how the 183 parties should regulate wildlife trade and of their commonly agreed limitations, such as in reporting stockpiles of seized ivory. However, as noted by Hübschle, ‘[a]s is the case with most other international conventions, there is little recourse to dealing with infractions or non-compliance by way of international enforcement’. In other words, the convention has limited bearing on non-compliant parties. Time will tell how the most recent CoP17 resolutions will be respected, applied and enforced.

CITES has been complemented with a range of initiatives by international organisations and non-state actors, which have started to address related issues, particularly the poaching of elephants and ivory trafficking. To understand the challenges that the regime faces, we firstly emphasise that wildlife crime is a multi-dimensional problem that demands adequate definitions. Secondly, the multiplicity of actors involved means that the response to the problem will be complex and requires coordination.

Poaching, as defined by Lemieux, is understood as ‘illegal taking’ of wildlife and plants protected by national and/or international laws and conventions. This definition provides a basis from which a more systematic and detailed definition of wildlife crime can be formulated. The second part of the substrate – trafficking and trade – can be understood as illegal if conventions are breached. This, however, creates a conceptual challenge. Many agencies and states define wildlife crime differently. The lack of agreed definitions creates loopholes and provides opportunities for poachers and traffickers to ignore or circumvent the law. The consequence is poor law enforcement and illicit networks that include government agency officials or rangers; this creates a culture within which wildlife crimes are either not considered as
Despite UNEP calling in 2014 for clarification on how the term should be conceptualised, by early 2017 no unanimous or clear definition had been agreed on.

What certainly challenges anti-poaching efforts is the lack of coherence in response. The number of actors involved has increased substantially in recent years: from myriads of non-governmental organisation (NGO) campaigns, through the development of militarised responses and pledges from African governments, to inter-governmental agencies’ agendas. A multi-dimensional approach to transnational cooperation has become necessary. All mentioned stakeholders, as well as those often excluded from the dialogue – local communities – will be required to actively participate in defining and combating the crime, and putting real pressure on those who do not follow, enforce or support the efforts of the majority of engaged actors.

Recognising the importance of improving coordination, the international community in 2010 established the International Consortium on Combating Wildlife Crime (ICCWC) with the Wildlife Enforcement Network as its executive arm. The consortium is composed of five bodies operating internationally and aims to ‘bring coordinated support to national wildlife law enforcement agencies and the sub-regional and regional enforcement networks that act in defence of natural resources’. Since 2010 it has produced a healthy list of successes. One such effort is the development of a Wildlife and Forest Crime Analytic Toolkit through which the consortium offers tangible support to governments. However, a report from September 2016 revealed that only a few Southern African governments requested support and the implementation of the toolkit, and only Botswana fully implemented the programme in 2015 – this despite an official endorsement of the toolkit in the Southern African Development Community’s (SADC) Law Enforcement and Anti-Poaching Strategy.

Worth noting is that South Africa, which is home to 80% of the African rhinoceros populations, was in May 2017 still in a capacity-building phase. The biggest limitation of the toolkit is that its measures are non-obligatory. The CITES Standing Committee only recommends that states fully implement the proposals contained in the toolkit. The lack of support for the toolkit is at best a missed opportunity for an internationally coherent response. However, it also reflects the contested legitimacy of the consortium, suggesting its work might not be inclusive enough. We argue that several local initiatives should strengthen their coordination efforts, especially across the SADC region, and that outcomes should be closely monitored.

Other initiatives, such as the African Elephant Action Plan or the Elephant Protection Initiative, provide viable strategies for the region, but the absence of Southern African investment and an overarching implementation agreement threatens their success. Within the last two years, South Africa has started implementing an Integrated Strategic Management Approach that is yet to prove effective. The list of initiatives and projects is certainly much more extensive than can be presented here. Most are led by the wide range of NGOs now active in the field. The fact that poaching has not significantly decreased despite these interventions suggests that new strategies are needed, including those borrowed from elsewhere. In the next section, we discuss whether the response to Somali-based piracy can provide fresh ideas.

Lessons from the fight against Somali piracy

At first glance, piracy and wildlife crime have little in common. However, both are forms of contemporary transnational organised crime.
They are border-crossing phenomena, and perpetrators are organised in transnational networks that include local foot soldiers who commit the crime, international investors, and transnational financial flows. In addition, the same international actors invested in preventing wildlife crime, such as the UNODC or Interpol, are active in addressing piracy. Piracy and poaching are crimes that can arise and escalate quickly. Between 2008 and 2010 Somali piracy developed into a major international crisis, spurring the intervention of the UN Security Council. Similarly, the rapid increase in poaching and wildlife trafficking in the last few years, and in particular the growing number of warnings that wild African wildlife populations face extinction, suggests an emerging crisis.

Encouragingly, Somali piracy was quickly contained to reasonable levels. It took the international community less than four years – from the first UN Security Council resolution to the last known successful attack – to put in place a system that keeps pirates in check.

What were the ingredients of that system and could it be replicated to address wildlife crime? The Lessons Learned Project of the Contact Group on Piracy off the Coast of Somalia (CGPCS) provides good insight into the methods used; lessons that are relevant to tackling wildlife crime.

Firstly, in responding to Somali piracy, the international community took a focused approach. Within months after the first UN Security Council resolution, several states had created an informal coordination mechanism. The CGPCS was launched in early 2009 as an ad hoc informal coordination body that exclusively focused on piracy off the coast of Somalia.

Secondly, the approach taken by the CGPCS was inclusive. A forum was provided in which all organisations active in and relevant to counter-piracy could participate and share their agendas, activities and analyses. This included representatives from states and international organisations active in counter-piracy, but also technical experts from implementing agencies such as the International Maritime Organization, UNODC and Interpol. Representatives from the regional and central governments of Somalia and from regional states such as Kenya and the Seychelles participated, as did representatives from the shipping industry and NGOs. It was recognised that piracy was a multi-dimensional problem that required different forms of legal, law enforcement, diplomatic and development expertise. The approach emphasised that a solution could not be found without close consultation with actors from Somalia and the East African region.

Thirdly, the CGPCS was an ad hoc, informal, creative and very pragmatic forum that was willing to experiment with new ideas and strategies. The core objective was not to set up a new rule-based international organisation, grand strategy or action plan, but to identify pragmatic solutions to contain piracy. Rather than laying out rules and ensuring their enforcement, or negotiating legally binding documents, the focus was on information exchange, and on developing collaborative guidelines and concrete implementable projects in areas such as joint patrols and surveillance, capacity building, the handling of suspects and the regulation of private security providers. This approach kept big politics out of the discussion, helped avoid diplomatic pitfalls and focused on finding pragmatic implementable solutions.

Fourthly, the immediate core priority of the group was to end a culture of impunity. States arresting pirates had been unwilling to prosecute them. To respond to this problem, a sophisticated legal structure was developed within which the responsibility for arrest, prosecution and imprisonment was shared across jurisdictions. The structure
was implemented through Memoranda of Understanding between arresting and prosecuting states, legal capacity building, as well as the sharing of criminal evidence across different national law enforcement bodies. While this primarily addressed the arrest of pirates at sea, an informal Law Enforcement Task Force and an evidence-sharing centre were established to prosecute the financiers and backers of piracy.

In following these principles, the CGPCS successfully orchestrated an international coordinated response, characterised by a close collaboration of naval forces and the shipping community at sea, as well as law enforcement bodies, and included capacity building in Somalia and the wider region. It was the focused, informal and creative approach of the CGPCS in orchestrating these activities that made the difference.

The problem of wildlife crime differs from piracy in many important respects. The UN Convention of the Law of the Sea defines piracy to be a crime committed on the high seas, outside of national territories and jurisdictions. Moreover, the main country from which piracy operations were planned and conducted, Somalia, was a state with fragmented governance structures and limited sovereignty. Hence, in the case of piracy, sovereignty was less of a concern than would ordinarily be the case. This contrasts with land-based poaching, where multiple sovereign states, each with their own interests and jurisdictions, are involved. The piracy success story was partly a result of the sense of urgency with which the international community treated the problem. Because the UN Security Council saw piracy as threatening global trade and commerce, and as exacerbating insecurity in Somalia, it framed it as a priority issue. And while the UN Security Council has recognised wildlife crime as a problem and started to address it, it is unlikely that, in the current geopolitical climate, it will gain the momentum that piracy did. Wildlife crime does not threaten global commerce, nor are the primary victims of the crimes citizens of countries represented in the council. Finally, the security implications of wildlife crime are not straightforward.

Piracy was addressed through a tailored mix of instruments, including naval forces, the regulation of the industry, private security providers, community engagement work and capacity building. Wildlife crime is undoubtedly different and will require a different set of measures. In particular, as various commentators have noted, the use of the military instrument and of private security providers is much more problematic, as it has the potential to exacerbate the human insecurities from which this crime develops. While the problems differ, and a different mix of tools is required, it is the principles of coordination and style of governance developed in the counter-piracy response that might steer the fight against wildlife crime in new directions. The Somali piracy case illustrates how well-tailored, pragmatic multi-stakeholder responses can make a difference in preventing wildlife crime.

**South Africa’s role and the redirection of the response**

The framing of wildlife crime has changed considerably in recent years. Because it cuts across borders and involves transnational criminal networks, many states have come to see it as a security issue. The consequences of this reframing, and what it might mean for how responses can be coordinated locally and nationally but perhaps, most importantly, internationally, are thus poorly understood. In this article we have shown that a global wildlife crime regime is evolving, but that it suffers from a lack of clear definitions and coherence. It has thus far failed to effectively reduce poaching and trafficking.
Lessons learned from responses to Somali piracy might provide a sense of direction here. Concentrating efforts by narrowing issues into manageable problems, adopting a pragmatic, informal approach rather than embracing rhetoric or drafting declarations and new rules, developing inclusive forums, and prioritising the end of impunity through innovative legal structures, are some of the principles that can be gained from the counter-piracy experience. How can these principles be translated into South African policies and the position it takes on the international stage? There are at least five possibilities:

**Strengthen leadership in multi-lateral forums and show a willingness to experiment**

South Africa is not only directly affected by wildlife crime; it is also a regional powerhouse. Whether it engages as a regional leader or not makes a difference. Considering the important decisions taken at the CoP17, the fact that South Africa hosted it sent a strong message to the international community that it is willing to take leadership on the issue.

Given the urgency of the situation, different mechanisms will be needed. South Africa is well positioned to initiate a forum, which, drawing on the core principles of counter-piracy, has the potential to offer remedies to wildlife crime. Inviting the international community to experiment in an ad hoc, informal and focused forum allows the development of pragmatic solutions outside the institutional politics that drive organisations such as the African Union and SADC. While African regional organisations are important political institutions, they are only one part of the puzzle. A broader, more inclusive forum provides the opportunity for pragmatic measures, developed under African leadership but with ensured buy-in from donor states, international organisations and NGOs.

**Work in an inclusive forum to clarify the role of different agencies**

The plurality of actors engaged in the fight against wildlife crime has grown substantially. Working in an inclusive forum that brings all actors together allows for the clarification of roles and avoids duplication. A substantial part of the response to wildlife crime today is delivered by NGOs and international organisations, who often deliver their own version of conservation interventions, ranging from saving the survivors to proclaiming a war on poaching. Yet this work is often not well coordinated with that of state agencies. A better coordination of these actors and a sustainable dialogue would improve the response. An inclusive forum, similar to the CGPCS, might be a remedy for this situation.

**End the culture of impunity**

South Africa needs to lead by example. A top priority should be to end the culture of impunity whereby poachers and members of their networks are not prosecuted. If law enforcement is not the only response, a viable starting point is to develop an international legal structure through which law enforcement agencies can cooperate, transfer suspects and share evidence and information. South Africa, so far, has not been particularly pro-active in the prosecution of poachers, and few of the organisers and traffickers have been arrested. Demonstrating its willingness to enforce the law, and accepting assistance from international bodies such as the ICCWC, will be important if it is to gain credibility.

**Recognise the link to corruption**

Ending impunity also requires that more attention is paid to the role of corruption in wildlife crime. There is sufficient evidence that bribing rangers, border authorities, and local politicians and authorities is one of the core enablers of poaching. While there is no quick
fix to such corruption, by formally recognising its role in wildlife crime South Africa can ensure that more attention is paid to it, as already acknowledged in the Department of Environmental Affairs’ policy workshop, the Rhino Conservation Laboratory.  

**Work with and integrate communities**

Finally, it is increasingly clear that one of the keys to successful anti-poaching policies is engagement with communities around wildlife reserves. South Africa could take the lead in exploring how such engagement is best coordinated, and how best practices are learned and reproduced.

A comparison between wildlife crime and piracy reveals new ways in which the international response to wildlife crime might be redirected and better coordinated. We have argued that there is a clear set of principles that can be drawn from the fight against piracy, and which might prove useful. Quite obviously, wildlife crime and piracy differ, yet both are forms of contemporary transnational organised crime with considerable security implications. There is an urgent need for creative thinking and new governance solutions, given the rise in poaching and the decline of species.

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**Notes**


3 See CITES, New CITES trade rules come into effect as 2017 starts.


13 According to Hübschle, law enforcement actors such as the police or park rangers are often actively involved in wildlife crime and strengthen a culture within which poaching and illicit trade are not considered as a crime. See Hübschle, A game of horns, 50–54, 257–293.


25 Witternery et al., Illegal killing for ivory drives global decline in African elephants.

26 In the spring of 2017 a number of attacks were reported in Somali territorial waters. It remains unclear, however, whether these incidents were acts of piracy and whether they should be evaluated as a resurgence. See C Bueger, Learning from piracy: future challenges of maritime security governance, Global Affairs, 1:1, 2015, 33–42.


30 See C Bueger, Experimental governance: can the lessons of the CGPCS be transferred to other policy fields?, in Tardy (ed.), The Contact Group on Piracy off the Coast of Somalia (CGPCS), 78–85.


32 See e.g. UN Security Council, Resolution 2136 (2014).


Responding to organised environmental crimes

Collaborative approaches and capacity building

Rob White and Grant Pink *

r.d.white@utas.edu.au
grant@recapconsultants.com.au

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The aim of this article is to discuss the ways in which collaboration and a coordinated approach to dealing with criminal groups involved in environmental crime can be established and bolstered. The article begins by examining the challenges associated with organised criminal networks and transnational crimes for environmental law enforcement agencies. Such analyses continually highlight several factors: the importance of collaboration in combatting organised criminal networks; the need for flexibility in dealing with fluid on-the-ground situations; the importance of up-skilling in order to move laterally across different institutional and national contexts; and – the lynchpin across all of these areas – capacity building for sustainable practice. Various forms of collaboration are outlined, as well as the importance of trust and relationships in maintaining cooperative arrangements. A case study is used to illustrate contemporary developments relevant to enhanced collaboration with regard to environmental law enforcement.

This article aims to discuss the ways in which collaboration and a coordinated approach to dealing with organised criminal groups involved in environmental crime can be established and bolstered.

Moves to establish and develop a National Integrated Strategy for Combatting Wildlife Trafficking in South Africa highlight the strategic need for collaboration and, as part of this, the importance of critical reflection on the nature of multi-agency partnerships. The Department of Environmental Affairs, for example, recognises the need for an integrated management approach to issues such as poaching, bringing together national, provincial and local environmental and parks authorities into a national forum.¹

Operational activities pertaining to environmental compliance and enforcement are thus enabled and supported at the onset by forward planning and agreed-upon implementation plans.

Yet, while collaboration is a desired organisational goal, when involving direct

* Rob White is Professor of Criminology at the University of Tasmania, Australia. Grant Pink is an Adjunct Associate Professor at the University of New England, Australia and Managing Director of RECAP Consultants Pty Ltd.
Instituutter for Security Studies & University of Cape Town

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operational stakeholders as well as external agencies (including non-governmental organisations [NGOs]), the dynamics of collaboration are seldom adequately examined to ensure maximum effect. Assumptions about collaboration are made (for example, that because they may be constitutionally mandated, everyone is on the same page operationally), but experience shows that it is easier to talk about partnerships than to concretely forge effective cooperation. This is especially so when the target for intervention involves organised criminal groups and networks.

This article explores key aspects of agency interaction in order to demonstrate the possibilities and dilemmas associated with collaboration. In South Africa as well as elsewhere the demand for collaboration is manifest in policy prescriptions and statements of intent. We examine several models of collaboration, from other jurisdictions as well as at a regional scale, in order to discern potential ways in which to put the concept into practice.

Dynamics of collaboration

An examination of the challenges associated with organised criminal networks and transnational crimes for environmental law enforcement agencies continually highlights several factors: the importance of collaboration in combatting organised criminal networks; the need for flexibility in dealing with fluid on-the-ground situations; the importance of up-skilling in order to move laterally across different institutional and national contexts; and cutting across all of these areas, capacity building for sustainable practice (that is, putting into place practices and procedures that will ensure continuity over time).²

Environmental crime poses challenges for environmental law enforcement, especially from the point of view of police inter-agency collaborations, the nature of investigative techniques and approaches, and the different types of knowledge required for dealing with specific kinds of environmental harm. Moreover, many of the operational matters pertaining to environmental crimes are inherently international in scope and substance. The complexity of environmental crime means that greater investment in enforcement policy, capacity and performance management is needed in most jurisdictions, and Africa is no exception.³

The scale and number of role players involved in environmental crime range from small to large, local to international, loose associations to more formalised networks, and temporary and transient to the more enduring. Intelligence sharing and priority setting are thus needed to utilise law enforcement capabilities in the most effective manner. For example, in the United Kingdom, an intervention around illegal exports of hazardous waste targeted the ‘big, bad and nasty’ networks to maximise results for effort.⁴ Similarly, intelligence-led detection and investigation need to target the high-level players in the supply chain who are profiting most from wildlife crime in order to break up organised criminal networks and to have more wide-ranging impact.⁵

In recent years, addressing shortfalls or technical difficulties in environmental crime prevention and law enforcement has led to a range of collaborations between international bodies, governmental organisations and NGOs, and national governments.⁶ To be effective, agencies need to be able to harness the cooperation and expertise of many different contributors and to liaise with relevant partners at the local through to the international level. A ‘joined-up’ approach also means that links can be made between different forms of crime as well as between different agencies, and different parts of the world. For instance, illegal fishing has been tied to trafficking of persons, smuggling of migrants and the illicit
traffic in drugs. This is due to the influence of transnational organised crime in the fishing industry worldwide.\textsuperscript{7}

To build capacity and capability, the activities of and collaborations among environmental crime response agencies have tended to naturally occur around networks that are geographically based (for example, known transit points and destinations in Africa), discipline-based (for example, environmental prosecutors) and commodity-based (for example, wildlife).\textsuperscript{8}

Collaboration across these dimensions and involving these networks can be predominantly horizontal (across agencies), vertical (within agencies) or diagonal (within and across agencies). There is no fixed or usual way in which collaboration occurs – instead, the collaboration takes its shape depending on many factors, including how various networks are constituted. What is clear, though, is that for environmental crime, collaboration matters.\textsuperscript{9}

Not surprisingly, given the international nature of the illegal wildlife trade, South Africa is significantly engaged with the Interpol Environmental Crime Executive Committee. In turn, Interpol has played an important role in developing an integrated multi-pronged approach to environmental law enforcement, working in conjunction with many partner agencies and NGOs that share an interest in fighting environmental crime. The key ‘streams’ at the centre of its Environmental Crime Programme are biodiversity (for example, illegal trade in wildlife), natural resources (for example, crimes such as illegal logging and illegal fishing) and environmental quality (for example, illegal transport and trade in hazardous waste).\textsuperscript{10}

Its framework for collaboration is the National Environmental Security Taskforce (NEST) model.\textsuperscript{11} NESTs can provide an important focal and intersection point for domestic, regional and global efforts to combat environmental crime. Key attributes of NESTs are that they involve multiple agencies such as government organisations, international governmental organisations and NGOs, they involve the professional synchronisation of action and, importantly, they involve actors and agencies working with and observing each other.

Ideally, a NEST – which is a national structure – is constituted as a standing body of role players and agencies that are in constant contact and interaction with each other, mobilising specific resources, knowledge and skills depending upon particular circumstances and commodity crimes. Criminal groups and illicit networks have the advantage generally of flexibility and a good working knowledge of local conditions and role players, which facilitate the crimes in question. To some extent, a NEST approach mirrors these attributes. It mobilises a broad range of role players with varying types and levels of expertise, and local through to international connections, around single-purpose interventions. It has the capacity to provide ‘eyes on the ground’ as well as a ‘bird’s-eye view’ of commodity chains and criminal networks, and the community contexts within which activity occurs (e.g., the poverty of communities living close to wildlife parks).

Importantly, it is essential to link NEST activities with wider regional networks so that strong leadership, expertise, governance and accountability can be forged collectively over time, and with mutual support. For instance, it has been observed that joint investigations between countries, whether they are source, transit or destination countries for international wildlife trafficking, have proved effective.\textsuperscript{12}

Cross-national as well as cross-institutional and cross-agency collaboration is crucial to the success of such initiatives. For example, there are two Wildlife Enforcement Networks (WENs) that help South Africa contribute to regional efforts to strengthen capacity in the fight against the illegal wildlife trade: the Horn
of Africa-WEN (HA-WEN) and the Southern Africa-WEN (WENSA). Having a strong NEST at the domestic level can assist this kind of collaboration at the regional and/or commodity level. This is because information sharing is at the core of NEST activities. If this is accommodated and accomplished between and among the various agencies and actors within a NEST, it opens the door to the application of intelligence-led policing initiatives (based on a strategic and tactical assessment of intelligence databases) as well as market reduction approaches (which target disposal markets, including handlers and consumers). These require systematic and detailed analysis of specific information. Two-way sharing of information demands that protocols be put into place. In our interpretation of their institutional design and potential capabilities, NESTs can function to encourage communication, cooperation and collaboration between relevant agencies within a nation-state; between specific nation-states (bi-laterally and/or multi-laterally) on general or specific matters of mutual interest; and across all nation states, through national central bureaus, as occurs when Interpol conducts a global environmental enforcement operation.

In the South African context, the commencement of the implementation of the National Environmental Compliance and Enforcement Strategy (NECES) in 2015/16 provided a roadmap for more effective and efficient compliance and enforcement activities. NECES demands collaboration across the three tiers of government – national, provincial and local – as well as across government agencies and departments. At the operational level, this translates into multi-authority teams (or what is commonly referred to in law enforcement and regulation as multi-disciplinary teams or MDTs), tackling priority operations in Biodiversity/Protected Areas (e.g. traditional healers’ markets and lion breeding facilities), Oceans and Coast (e.g. coastal discharges) and Environmental Impact Assessment and Pollution (e.g. waste water treatment facilities). It was noted by the NECES that ‘[i]n order for the Inspectorate to execute its strategic and operational functions at an optimal level, its actions need to be based on a sound legal, information management and capacity development platform’ and that, furthermore, ‘the nature, scope and complexity of environmental crime requires the widespread collaboration of a range of key law enforcement partners in order to achieve the positive results recorded in this report’. In essence, this describes a NEST-like approach to collaboration. In each case, however, the emphasis on law enforcement must not override sensitivity to holistic understandings of wildlife crime and the varied economic, social and cultural drivers behind such activities. The incorporation of NGOs and relevant community bodies and representatives, is, therefore, a vital component for responding adequately to specific situational contexts.

South Africa is a source and transit country for various environmental commodities and crimes, most notably those derived from and related to mega-fauna such as rhinoceros and elephants, and wildlife smuggling. Its obligations to key international conventions and initiatives, and associated factors such as corruption and capacity limitation, means that it will often need to work jointly with global partners such as Interpol and the United Nations Environment Programme. Moreover, countries that have the interest, desire, expertise and resources play a role (for example, Norway for fisheries and the United States [US] for wildlife), although this ought to be framed as supportive and complementary rather than imposing a presumed ‘universal’ or ‘one-size-fits-all’ model, especially given that country-specific contexts vary greatly.
Building capacity for collaboration

We now turn to enhancing capacity building for sustainable practice. In order to do so, we consider issues pertaining to the activities of the US Fish & Wildlife Service (USFWS), which is committed to supporting the regional efforts of WENs worldwide and works with its partners to facilitate communication and cooperation between WEN members. Our argument is that such initiatives work best when engagement is considered in reciprocal terms, rather than presenting (yet another) ‘outside’ involvement in other people’s domestic affairs.

With a long history of global engagement, the USFWS created a dedicated International Operations Unit in 2016. The unit has five senior special agents stationed as ‘special agent attachés’ at US embassies in Bangkok, Beijing, Dar es Salaam, Gaborone and Lima. A new special agent was recently selected to serve as an attaché in the US embassy in Libreville, Gabon. These attachés initially dramatically expanded the reach and effectiveness of the USFWS law enforcement programme, while improving coordination and communication among law enforcement agencies across their regions. They have assisted their host country and regional law enforcement partners in wildlife trafficking investigations by providing local governments with investigative expertise, technical assistance, training and capacity building. They have also increased coordination among government agencies, and support WENs throughout their areas of responsibility.

Range states and local communities must have the necessary education, training and resources to effectively fight wildlife trafficking. The cornerstone of the USFWS strategy has involved strengthening and expanding collaboration with range states, agencies and partners to the greatest extent possible. Demand for wildlife products half a world away may drive poachers and traffickers. Poached and trafficked wildlife may be smuggled through half a dozen ports and cross numerous international borders before reaching their destination. An effective response requires strategic, intelligence-based law enforcement. It requires a robust legal framework, as well as the investigative, prosecutorial and judicial capacity to apprehend and prosecute traffickers, seize the proceeds of the crimes, and apply penalties that deter and prevent others from committing wildlife crimes. Yet all of these requirements simultaneously demand that powerful global authorities and agents listen carefully to and learn from the contributions of range states and local communities to policy and strategy formulation.

The US government has funded projects that provide basic field gear and training for ranger-led anti-poaching patrols, as well as training for community member involvement in conservation activities. The USFWS has supported regional efforts around the world to facilitate and coordinate a wide variety of investigative and technical training programmes. Intensive training programmes for law enforcement leaders from African countries have also been offered at the national conservation training centre in the US. It is important to note that the US is also a transhipment point and destination market for endangered wildlife. This, too, is perhaps one of the reasons why South Africa would want to cooperate with the US with regard to environmental enforcement initiatives. Equally, the US would benefit from drawing on local community knowledge and experience to inform its responses to this crime type.

Additional support to the WENs is provided by the National Fish and Wildlife Forensics Laboratory and the Digital Evidence Recovery and Technical Support Unit (DERTSU), which provide forensic support exclusively for wildlife crimes. Last year, the forensics lab examined more than 2 700 individual items of evidence in support of 370 wildlife crime investigations. All
large-scale wildlife trafficking cases investigated by the Office of Law Enforcement involve at least one or more types of digital evidence, such as smart phones, computers or GPS units. These devices require special techniques for proper handling and examination. The lab and DERTSU are staffed by technical experts who provide multi-layered expertise (both technical and investigative) to assist field officers with large-scale and complex investigations, both domestically and internationally. Such facilities and personnel resources could complement the considerable forensic science work and support conducted by South Africa-based laboratories, especially in the field of rhino-related crimes.

One question worth further consideration is where and how the money on forensic work should be spent. Strategically, for example, in terms of the worldwide trade in endangered species, it may be better to have greater US investment directed at expanding Southern African forensic capabilities and labs rather than concentrating primarily on foreign sourced illegal products within the US itself.

While collaboration is favoured by most countries, the specific role players, sources of funding and content of collaboration remain contentious. This is because collaboration on an international scale is never politically neutral; nor is it immune to domestic political events. For example, regardless of stated ‘good intentions’, many countries are wary of US assistance and intervention (as well as that of other donor countries), in that US interests are frequently seen to trump other interests in international operations and aid programmes.¹⁸ There may also be profound differences in local understandings of legitimate and culturally appropriate responses to environmental crime, compared to those proposed by US officials. Moreover, the election of a uniquely idiosyncratic US president has ushered in an era of both policy and budget uncertainty with regard to international environmental law enforcement.

The gagging of public servants and blocking of information (for example, release of scientific findings pertaining to climate change) and the overhaul of the Environmental Protection Agency, now headed by an acknowledged climate change contrarian and pro-industry advocate, signals how quickly collaborative efforts can be undermined by a change in political leadership. These changes obviously impact the conditions under which agencies and role players work together.

**Critical challenges for collaborative practice**

It is important to study the strengths and challenges of collaboration in general (especially those involving formalised environmental law enforcement networks), as well as how such approaches (which centre on personnel and professional development) pay attention to the dynamics of cross-cultural exchanges and training. Issues of concern include corruption (i.e. the undermining of effective responses), timing (i.e. adopting proactive approaches that address the urgency of intervening before more species disappear), harmonisation (i.e. ensuring that people and agencies are roughly on the same page) and governmental support (i.e. government responses to external influences and the funding and resources allocated to enforcement fields), among other things.

In its most basic sense, collaboration simply refers to people or agencies working together for a shared purpose. However, the meaning of and processes pertaining to collaboration as a form of social practice can be complicated and variable. This is due to the different functions and missions of specific agencies, and the varied levels at which collaboration can take place. It is our view that a strong collaborative network at the domestic level, such as a NEST, can simultaneously provide the basis for robust and resilient collaborations involving international
partners, especially where the latter may be under threat due to shifts in policy and funding.

To effectively respond to environmental crime, partnerships and collaborations therefore need to be established at local, regional and international levels. These partnerships need to leverage off and involve, where practical, existing networks, have clear drivers and a collaboration/partnership champion. Who takes the lead role in a partnership or collaboration, and what kind of leadership model is adopted (e.g. hierarchical or one based upon shared responsibilities), needs to be worked out: this can be on an established (fixed term, rotating leads) or situational basis (depending on locale, crime, agencies involved, first responder). The lead role is, in turn, determined by the structures, processes and purposes of the collaboration. Finding a suitable driver is vital to the success of collaborative action. As the case of the USFWS illustrates, there are also intrinsic political and financial aspects to who does what, why and under what circumstances.

As mentioned, collaborations such as the NEST are, ideally, constituted as ongoing structures with a multi-commodity focus, with the key member agencies providing the core. This is different to establishing a task force to combat an issue within a local or specific national context. The specific form of collaboration depends in part on answers to the questions: ‘Do we need to collaborate in this instance?’ and ‘For what specific purpose or outcome are we collaborating?’ In any given situation, ‘what works’ depends upon purpose: a once-off task force may be useful in particular circumstances (responding to a specific criminal network in a particular locale); but this is different to an overarching coordinating body (such as a NEST). There also needs to be room for ad hoc as well as more structured collaborations. The nature of inter-agency interaction is also highly contingent upon the extent of engagement in each instance.

Building capacity is about establishing avenues by which the greatest possible engagement can be leveraged.

What is most important in joint working arrangements, however, is the human element. At an operational level, things seem to work best when we work with people we trust. This takes time. It also frequently involves informal as well as formal contact. The former is especially important when top-down directives impose communication bans using official channels. Relationships of trust can take years to build – between individuals, teams and groups, agencies and institutions. They can also take seconds to unravel (one person betraying a confidence; an event that goes ‘pear-shaped’).

Resilience must be built into the equation somehow, in part by establishing protocols, but also by ensuring that both teams and individuals are highly engaged. At a practical level, this means that the soft skills of interpersonal communication are critically important. Moreover, since formally and informally we tend to go to our ‘personal contacts’ first in sizing up situations (including agency relationships and collaborations), it is important to analyse who the real ‘doers’ and ‘drivers’ are in any organisation, regardless of official status.

Conclusion

Responding to organised environmental crime requires that people work together on multiple levels, bringing new tools, expertise and resources to the collective project. To exploit the full capabilities of the international community to combat wildlife trafficking means adjusting to the ebbs and flows of public opinion, governmental change, and environmental law enforcement capacity. Systems that support continuity and development in this area include models of practice based on a wide variety of role players and agencies interacting on a regular, formalised basis. Thus, to be effective, partnerships and collaborations demand that time, energy
and resources are built into the workload of individuals and agencies. It also has to be recognised that periods of ‘nothing happening’ (which are resource neutral) will be interspersed with intense periods of activity (which is resource intensive). Therefore, the more time spent in contact and working together (across agencies), the better stakeholders will be able to pull together collective resources in times of greatest need.

As political, ecological and financial circumstances change, so too will the dynamics of collaborative practice. Adoption of the NEST at the domestic level, and the WEN at the regional level, suggests possible models for collaborative practice. How effective these are and whether they are worth following are empirical questions worth pursuing in future research and evaluation.

Notes


2 G Pink and R White, Collaboration in combating environmental crime: making it matter, in G Pink and R White (eds), Environmental crime and collaborative state intervention, Basingstoke: Palgrave Macmillan, 2016.


8 G Pink and R Bartel, Regulator networks: collaborative agency approaches to the implementation and enforcement of environmental law, in P Martin and A Kennedy (eds), Implementation of environmental law, Cheltenham: Edward Elgar, 2015.

9 Pink and White, Collaboration in combating environmental crime.


11 D Higgins and R White, Collaboration at the front line: Interpol and NGOs in the same NEST, in Pink and White (eds), Environmental crime and collaborative state intervention.


15 Department of Environmental Affairs, National Environmental Compliance and Enforcement Report 2015/16.

16 Ibid., 108.


18 For an illustration of this in regard to food aid, genetically modified corn and pressures put on Zambia by the US, see R Walters, Crime, bio-agriculture and the exploitation of hunger, British Journal of Criminology, 46:1, 2005, 26–45; R Walters, Eco crime and genetically modified food, London: Routledge, 2011.
Heritage lost

The cultural impact of wildlife crime in South Africa

Megan Griffiths*

griffithsml@telkomsa.net

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Crimes against wildlife have been in the spotlight in South Africa in the past decade – largely due to the escalation of rhino poaching. As a custodian of iconic species, South Africa is at the heart of the illicit and licit wildlife economy. Since the country’s economy relies on wildlife tourism as one of its sources of income, poaching has economic consequences. The negative impact, however, extends into the cultural sphere too. Some fear that extinction will rob future generations of the chance to experience wildlife, thus depriving them of their rightful cultural heritage. This commentary piece suggests that wildlife crime may be a form of cultural victimisation for people who feel that wildlife is part of their identity. It does so while acknowledging that poverty and other structural limitations prevent many South Africans from experiencing wildlife in this way, and that some may feel indifferent or resentful towards conservation initiatives if their basic needs are not met.

The illegal wildlife trade has garnered national and international attention in the past decade. In South Africa, rates of rhino poaching have ballooned since 2007, causing alarm among both conservationists and concerned citizens. Due to the fact that South Africa is a major wildlife tourist destination and is greatly dependent on tourism as a key source of income, the decimation of one of the iconic Big Five species has potentially dire consequences for the economy. Additionally, poaching affects biodiversity, negatively impacting the whole ecosystem. This is particularly true of rhino poaching.

The adverse effects, however, go further. I have found that some South Africans believe the killing of wildlife – especially endangered species such as rhino – has a bearing on them personally and may cause them shame. For those who feel that their identities intersect with the country’s wildlife, wildlife crime may be experienced as a threat to their cultural identity, thus making it a form of cultural victimisation. However, for many reasons, including lack of exposure to and/or appreciation of nature and animals, many people in South Africa do not share these sentiments.

This commentary considers both views. While it acknowledges that most South Africans may never set foot in a game park and that some may view wildlife activism as a ‘white’ or exclusionary cause, its key contribution is to suggest that crimes against wildlife can be regarded as a form of cultural victimisation.

The illicit wildlife market

The illicit trade in wildlife (which includes living or deceased animals, plants, or products thereof) is believed to be one of the most profitable on
the global black market. Animals frequently targeted in South Africa include rhino, elephant, lion, leopard, cheetah and wild dog, and the incidents may involve ‘kidnapping, smuggling, death or life in pain and/or confinement’. Rhinos are slaughtered for their horns, and elephants for their tusks, often destined for Asian markets. Lions may be farmed, killed in canned hunts, or poached for their bones, which are sometimes used as a substitute for tiger bones in traditional Chinese medicine. Leopards are poached for their skins, which some South Africans wear during important ceremonies. Although it is legal to own leopard skin, a permit is required to do so. Illegal pet traders regularly target cheetah for export to the Middle East, while wild dogs may be killed because they are seen as pests, or because it is a rite of passage for boys. These and other acts of wildlife crime may be detrimental to the environment.

From an ecocentric point of view, people are part of the environment; depending on and co-existing with animals and plants. For those who regard the environment as inherently valuable, wildlife crime may be viewed as injurious not only to the targeted species but to the whole natural world (including humans). Crimes against wildlife may therefore be seen as destructive to the environmental heritage of all people.

In light of the above, it becomes apparent that the damage caused to South Africa’s environment and biodiversity may have a severe impact on tourism, the economy and national security. It is speculated that tourists may become reluctant to visit the country due to the violence involved in poaching incidents, which may consequently exacerbate socio-economic problems, such as unemployment. Wildlife trafficking also serves to open the door to other types of transnational organised crimes, such as weapons smuggling. Understandably, rhino poaching in South Africa has drawn worldwide attention and criticism, which has been made more notable with the advent and widespread use of social media. The violence and brutality exercised by poachers in the killing of animals has resulted in feelings of sadness, despair and anger for some South African citizens, who fear the imminent extinction of species such as the rhino.

**The case for cultural victimisation**

The intense emotions experienced by some South Africans when faced with images of mutilated and/or dead rhino, lead some people to outrage. They may believe wildlife is their rightful inheritance – something to love and be proud of. For them, wildlife may be a source of national honour and history, so that its destruction is traumatic and may be experienced as cultural victimisation.

At times, government appears to agree with my proposal. In a 2015 speech, President Jacob Zuma highlighted the cultural significance of species such as rhinos, declaring:

> Rhino are the heritage of each and every South African. The fight being waged in protecting this, our heritage, is not to be waged by our law enforcement authorities alone … In blowing the whistle on rhino poaching and wildlife crime, you are not only saving a species. You are ensuring the legacy of your grandchildren and their grandchildren. We hold all our country’s natural heritage in trust for future generations … Let us work together to promote and protect our animals. They are our heritage and our livelihood.

Similarly, in 2016, Prince Mangosuthu Buthelezi said that ubhejane (the isiZulu word for ‘rhino’) are highly revered in Zulu culture and should be protected. He remarked that he could not comprehend why South Africans would destroy their irreplaceable heritage. These
points are reinforced by the understanding that victimisation may be experienced by way of ‘the loss of cultural and environmental heritage from public lands or lands set aside for conservation and preservation, such as national or nature parks’. The poaching of rhino and other species can therefore be viewed as destroying the cultural heritage of South Africans.

It is ultimately challenging to measure the cultural impact of crimes against wildlife, since the gravity with which these offences are perceived is highly dependent on socio-economic status, personal circumstances and individual beliefs. It is not possible to put a price on being able to view animals in their natural habitats or on the cultural consequences around dwindling wildlife populations. However, to many individuals, being in nature and experiencing wildlife is highly enjoyable, stimulating and authentic, and it would be devastating to lose this natural resource.

As such, South Africans should heed Zuma and Buthelezi’s calls to take ownership of the country’s wildlife (rhinos and other species) and do all they can to ensure they are preserved, in order to avoid cultural victimisation.

The case against cultural victimisation

Most South Africans likely have little or no exposure to wildlife as something to be viewed for enjoyment. This makes it challenging for them to appreciate the value and significance that others may place on wildlife, or to see the loss thereof as a form of cultural victimisation.

The position on cultural victimisation should therefore be contemplated in contrast to the experience of most South Africans, who have never seen and will never have the opportunity to see a rhino, except perhaps in a zoo. This becomes apparent when considering that South Africa has ‘one of the highest inequality rates in the world, perpetuating both inequality and exclusion’. It was ascertained by Statistics South Africa that the Gini coefficient (which determines relative wealth) rose to 0.65 based on expenditure data and 0.69 based on income data in 2014. The findings also showed that while the wealthiest 20% of the population accounted for 65% of total expenditure, the poorest 20% consumed less than 3%. In 2016 more than 50% of the workforce lived below the poverty line. The unemployment rate was found to be at 26.7% (although this figure rose to over 36% when the individuals who had given up on the job search were included).

Furthermore, by 2015 54% of South Africans were living below the poverty line and surviving on R779 per person per month or less. As a result, 16 991 634 social grants were awarded to South Africans every month in the 2015/2016 financial year. By comparison, the conservation levy or entrance fee to the Kruger National Park is R76 per adult and R38 per child per day. An overnight stay at a relatively inexpensive camp in Kruger would cost from R305 for camping to R1 450 for a basic bungalow for two adults. It is evident that even the cheapest accommodation would be completely out of reach for many South Africans. When taking these enormous disparities into consideration, it becomes clear that many South Africans are in dire financial need and that this unequal state of affairs paves the way for crime to flourish – particularly crime with a financial benefit for the offender, such as wildlife crime.

People living in such conditions may believe that a focus on wildlife issues detracts from human welfare concerns and might even think wildlife crimes defensible. Anti-poaching campaigns may be perceived as a pastime of wealthy white people, fostering feelings of exclusion and bitterness. This was made apparent by Julius Malema, the leader of the Economic Freedom Fighters (EFF), in a 2016 opinion piece:
One only needs to look at how cheap a black life truly is to white people by comparing the fact that 34 black mineworkers are massacred in broad daylight, and white people never even run a petition online.\textsuperscript{31} Although rhinos are poached daily, we do not see poachers poaching them like we did when the police shot and killed the workers. Yet, there is a big campaign and a huge investment in saving the rhino ... This tells you, right here in South Africa, a country with a majority of blacks, that black people are worth less than rhinos.\textsuperscript{32}

Indeed, the marginalisation of black South Africans – including those in communities neighbouring game reserves – has resulted in the belief that wildlife is prioritised over ‘black rural lives’.\textsuperscript{33} For such communities, the only value reserves hold may be poaching for bushmeat and profit.\textsuperscript{34} But Malema’s comments were criticised by Minister of Environmental Affairs Edna Molewa, who wrote that it was incorrect and prejudiced to assume that black people are not bothered about conservation issues. She said that resources were not being directed at animals instead of humans, and that both could be protected. She suggested that Malema’s comments may undermine the positive conservation strides made together with communities bordering game reserves.\textsuperscript{35}

Market research conducted by anti-wildlife trade organisation WildAid appears to support Molewa’s belief that concern for rhinos is a nationwide phenomenon. Although perhaps not scientifically objective, its study found that 80% of black South Africans stated they would be ‘very sad’ if rhinos became extinct, along with 83% of Indians, 84% of coloureds, and 81% of whites. Asked whether they were interested in visiting game reserves to see the wildlife, just 5% of blacks and 9% of whites said they were not interested. Notably, 18% of whites and 33% of blacks reported wanting to visit a game reserve to view wildlife but not being able to do so. These results suggest that most South Africans care about wildlife, even if they are not directly involved therewith.\textsuperscript{36}

Even if WildAid’s data are accurate, such attitudes may mean little in contexts of great poverty and hardship. Members of communities bordering game reserves should be provided with work opportunities, such as game ranger or craft work. Reserves could also give back to communities by giving their children opportunities to see wildlife, for example. In this way, communities would hopefully become invested in the reserves and their animals, and provide information on potential poaching incidents. However, such ventures should not result in community members being given low-paid work that reinforces their marginalisation.

An example of a successful initiative of this kind is found in the Zakouma National Park in Chad. As of 2017, a team of conservationists and rangers have reduced elephant poaching and increased the elephant population by instituting strict anti-poaching measures and involving the communities in the park’s work. Before the intervention, community members were unfamiliar with the park’s operations and had never seen wildlife such as elephant and giraffe. An arrangement was established to take 40 citizens into the park each day during the dry season, meaning that approximately 5 000 individuals are given the opportunity to see the animals each year. Chadians are also allowed to stay at one of the park’s camps without charge.\textsuperscript{37} Gestures such as these are not only vital for educational purposes but are also ethically sound. South African citizens should also have the right to access local game reserves without having to spend money. In addition to this, it is critical that communities are provided with the necessities of life, such as access to water and a basic income.\textsuperscript{38}
Until such transformation takes place, my proposal that wildlife crime be considered a form of cultural victimisation is unlikely to find broad appeal, despite its merits. Therefore, the abovementioned perception of cultural victimisation might presently be relevant only to those who are privileged enough to see wildlife for themselves.

Conclusion

In this commentary piece, I have suggested that wildlife crime can be considered a form of cultural victimisation for people who feel that their identities intersect with wildlife. Because of the poaching of animals such as rhino, some people feel personally harmed. Yet, for many South Africans, it would appear that wildlife holds little or no value – belonging to the exclusive realm of the safari-holidaying elite rather than the average citizen. My opinion, however, is that South Africa’s wildlife heritage belongs to all its citizens and that if it were accessible to everyone – as it should be – more people would feel aggrieved by wildlife crime. This issue has unfortunately become yet another glaring reminder of the inequality in our country. Nonetheless, I believe that crimes against wildlife victimise all South Africans, as they destroy cultural heritage that should be passed on to future generations. This destruction – leading to the partial or total decimation of species – will leave an ecological and cultural vacuum that will likely be impossible to fill. Not only are wildlife crimes an affront to the heritage of South Africa’s middle or upper classes who already have access to wildlife, but it is a tragedy for those who do not. It is unthinkable that because of poaching, some people and their descendants may never see animals in their natural habitats, or at all. This would be an ultimate and irreparable form of cultural victimisation.

Notes

1 While 13 rhino were poached in South Africa in 2007, the deaths have risen rapidly, with 1 054 rhino killed in 2016.
2 Tourism accounted for 3% of the total gross domestic product in 2015, and one in every 22 employed persons was found to work in the tourism industry. The Big Five are rhino, elephant, buffalo, lion and leopard.
5 Griffiths, The illegal trade in endangered animals in KwaZulu-Natal, 205; Wyatt, Wildlife trafficking, 70.
9 Griffiths, The illegal trade in endangered animals in KwaZulu-Natal, 208.
10 Wyatt, Wildlife trafficking, 63–64.
11 Ibid., 66.
12 Griffiths, The illegal trade in endangered animals in KwaZulu-Natal, 49–50.
13 Ibid., 27.
14 Ibid., 136.
15 Ibid., 125–126.
17 Prince Mangosuthu Buthelezi is the leader of the Inkatha Freedom Party and the chief of the Buthelezi clan in KwaZulu-Natal. He has campaigned since the 1970s in defence of rhino.
19 Wyatt, Wildlife trafficking, 65.
20 Andy, Why is poaching such a problem?, International Anti-Poaching Foundation, 21 August 2013, https://


22 Ibid.


31 The Marikana massacre of 2012 involved the controversial shooting of protesting mine workers by members of the South African Police Service.


34 Du Bois, The illegal trade in endangered species.


Rhino and elephant poaching affects various Southern African countries. Despite recent reductions in rhino poaching in Namibia and South Africa, it remains a concern. In response, the government of Botswana has implemented a controversial ‘shoot-to-kill’ policy, targeting poachers. We believe this has reduced poaching in Botswana, relative to most African countries. Private rhino conservators from neighbouring South Africa have relocated some of their rhinos to Botswana. This commentary piece discusses the militarisation of conservation as a viable conservation policy. It argues that anti-poaching is comparable to the war on terror. It reviews Botswana’s shoot-to-kill policy and its justification in international law, specifically with regard to war and armed combat. It adopts an exploratory methodology to reflect on the effectiveness of Botswana’s policy, and considers whether it can be adopted by other countries, particularly South Africa, to combat poaching. It concludes that shoot-to-kill is an effective deterrence to poachers when implemented alongside long-term conservation management interventions.

Illegal poaching in Africa poses serious threats to biodiversity, including the possible extinction of species. Between 1970 and the early 2000s, the population of African elephants (*Loxodonta africana*) is estimated to have declined by 50%. The recent Great Elephant Census found that elephant populations declined by 30% between 2007 and 2014, at the rate of 8% per year, as a result of poaching. The continent recorded an estimated 67% decline in black rhino (*Diceros bicornis*) between 1960 and the early 2000s. More than 6 000 rhinos have been poached in South Africa since 2007. Statistics released in February 2017 showed a 10.3% year on year decline in rhino poaching. Although commendable, 1 054 rhinos were still killed in South Africa in 2016, and another 1 175 in 2015.

In response to wildlife crime, some countries have declared a ‘war on poaching’. The government of Botswana in 2013 announced that it had devised and implemented a controversial ‘shoot-to-kill’ policy, targeting suspected poachers. Despite there being no
government document outlining this position, it does not make it any less a policy. Public policy is generally defined as what the government of the day chooses to do or not to do.\(^6\) It is an authoritative course of action, as pronounced, adopted, written or arising from practice, on various socio-economic issues of public interest that hinge on value and resource allocation of a given nation.\(^7\) Botswana is home to almost a third of Africa’s elephants, and depends on wildlife for tourism, which is the second largest contributor to its gross domestic product. In 2016 Lindsey et al. suggested that Botswana’s megafauna conservation efforts were some of the world’s most successful.\(^8\)

This commentary piece contributes to the debate on green militarisation by arguing that it is a legitimate conservation strategy. It reflects on the efficacy of Botswana’s ‘shoot-to-kill’ policy, its effects on communities neighbouring parks, and on cross-border relations. It asks whether this policy should be adopted by other Southern African states, particularly South Africa, to combat poaching.

**Findings and discussions**

**Economics of poaching**

Several market-based approaches have been proposed to reduce the incentive to poach or to lower the prices of ivory and rhino horn. One proposition is the lifting of the Convention on International Trade in Endangered Species (CITES) bans to allow for the stockpiling and sale of ivory at lower prices so as to reduce cases of illegal hunting of endangered species.\(^9\) According to opponents of this argument, the price received by poachers for ivory and rhino horn would increase where rhino and elephant hunting remain illegal.\(^10\) Another market-based solution is to increase the non-poaching wage rate of local communities living near or around wildlife parks and to increase the economic cost to poachers by increasing fines and prison sentences.\(^11\) This approach assumes that most poachers are members of local communities. It has been posited that poaching and trafficking of ivory and rhino horns are directly and indirectly linked to poverty.\(^12\) However, these market-based strategies have failed to reduce poaching in Southern Africa.\(^13\) Poaching rates have continued to rise, despite the threat of fines and prison terms.

In northern Botswana, where most of the country’s wildlife is found, rural communities derive benefits such as cash income, employment in the wildlife industry, hunting and food from wildlife. However, studies in northern Botswana indicate that these communities still have negative attitudes towards wildlife and conservation institutions.\(^14\) In our view, this is due to poorly managed human–wildlife conflicts, and rural communities’ belief that government prioritises conservation over human welfare.

The adoption of green militarisation in the form of a ‘shoot-to-kill’ policy has created tension in northern Botswana, where communities have complained of frequent raids by the Botswana Defence Force (BDF).\(^15\) Nonetheless, we believe these militarised responses effectively reduce poaching. For instance, Botswana had 1.12% of Africa’s rhino in 2015, but accounted for only 0.1% of mortalities between 2013 and 2015. On the other hand, South Africa was home to 79.32% of rhinos but accounted for 89.6% of mortalities.\(^16\) Similarly, 88% of African rhino poached since 2010 have been killed in South Africa.\(^17\)

Wildlife is regarded as a ‘common-pool’ resource in Botswana due to its non-excludability characteristics. That is, it is difficult, if not impossible, to exclude people from utilising such common resources.\(^18\) The non-excludability of common-pool wildlife resources poses a threat to their sustainability, and could lead to their depletion.\(^19\) While green militarisation might be effective in Botswana,
negative attitudes towards wildlife conservation in rural communities may indicate that green militarisation is a means to an end and not an end on its own. In 2010 Ostrom argued that the optimal management of common-pool resources such as wildlife requires a participatory approach between indigenous people and state governments. The lack of success in including communities affected by poaching may doom conservation efforts to failure. Green militarisation should thus be implemented alongside other conservation efforts. However, these other strategies appeared not to deter poachers, hence the adoption of the ‘shoot-to-kill’ policy.

**Militarised conservation and anti-poaching**

The militarisation of anti-poaching is not a new phenomenon in Africa. High incidences of poaching in the 1970s and 1980s exerted pressure on some African governments to resort to military responses to poaching. The use of military and para-military personnel and techniques in the pursuit of conservation and/or anti-poaching has been described as green militarisation. Similarly, green violence is defined by Büscher and Ramutsindela as ‘the deployment of violent instruments and tactics towards the protection of nature and various ideas and aspirations related to nature conservation’. According to Lunstrum, the militarisation of conservation in South Africa came about through the state’s interest in securing both its borders and its natural resources. This resulted in government anti-poaching warmongering, which framed poaching as threatening national security and ‘the reputation, eco-tourism industry, and the public image of South Africa’. However, such measures are expensive, and may alienate local communities.

Lunstrum has discussed the militarisation of conservation in South Africa in relation to the Kruger National Park. She suggests that an arms race between poachers and anti-poaching forces has led to over 300 suspected poachers being killed between 2009 and 2013. She believes that military-type operations in Kruger are comparable to other conservation efforts around the world. Lunstrum traces the birth of green militarisation to the 1980s, when various African governments first provided rangers with militarised training, lethal weapons and permission to use deadly force. She believes this led to the framing of wildlife as part of an expanded moral community and of poachers as ruthless and morally lacking, garnering support for shoot-on-site policies and endangering people who might not be poachers.

One critic of ‘shoot-to-kill’ policies, Neuman, argues that the militarisation of conservation in Africa juxtaposes issues of morality and human rights with the responsibility to protect wild animals and, in so doing, forces policymakers to choose between two moral ‘goods’. In essence, he argues that for ‘shoot-to-kill’ policies to be morally justifiable, an entire species must be threatened with extinction. Noting that there is no philosophical position in environmental ethics that justifies the taking of human life in defence of non-human species, he suggests that only a radical reordering of moral standing could justify shooting on sight. He believes that describing parks as war zones normalises deadly violence against humans, in defence not of human life but of wildlife.

As with any idea, there are those opposed to green militarisation. In addition to those already mentioned, anti-militarisation positions claim that it fails to address the underlying causes of poaching, namely the global trade networks and demand from end-user markets. Nonetheless, we support militarisation when implemented with complementary alternatives. For instance, with regard to the above misgivings, we hold that it is one thing to claim
that green militarisation is not going to help conservation, and quite another to call such efforts immoral, unjust and inhumane.\(^{37}\) We believe parks are war zones and that rules and principles of war ought to be implemented.

**Focus on ‘shoot-to-kill’ policy**

Botswana turned to the BDF to support anti-poaching operations in the late 1980s. The BDF’s involvement and success is threefold: 1) it has largely ended the megafauna poaching in northern Botswana, by either deterring or intercepting the poachers; 2) its disciplined and pervasive presence has re-established a perception of security among a population once very sensitive to armed poachers and among a jittery international tourist clientele; and 3) the rise in militarised conservation has been justified by non-governmental organisations (NGOs), states and the private sector, which argue that the survival of key species is threatened by the recent and rapid rise in highly organised poaching.\(^{38}\)

One justification for Botswana’s ‘shoot-to-kill’ policy, ‘[T]o send a clear message to say, if you want to come and poach in Botswana, one of the possibilities is that you may not go back to your country alive.’\(^{39}\) In essence, this policy is intended to deter poachers by threat of death. We believe that the ‘shoot-to-kill’ policy indicates that government considers poaching an act of war. This might be because implementing sustained enforcement action such as trade bans to protect highly valued CITES-listed species is ineffective.\(^{40}\) ‘Shoot-to-kill’ models are cheaper to enforce.\(^{41}\)

Conservation has become a ‘just war’ that supports shoot-on-sight policies.\(^{42}\) Such extra-judicial killing of human beings without trial is almost unheard of, and usually only permitted in self-defence (where the person poses an immediate threat) or to save lives.\(^{43}\) 

Arresting poachers does not always stop criminal syndicates. Rhino poaching has continued to rise in South Africa, despite increased arrests.\(^{44}\) Close to three decades ago, researchers claimed that the only ways to increase the cost of poaching were: 1) implementing the ultimate penalty of a ‘shoot-to-kill’ policy with its implications for justice and human rights; and 2) improving the detection rate of poaching and illegal trade in protected animal species.\(^{45}\) After the introduction of a ‘shoot-to-kill’ policy in Zimbabwe in the late 1980s the country’s elephant population increased from 52 000 to 72 000.\(^{46}\)

Notwithstanding the controversies surrounding the ‘shoot-to-kill’ policy, it has been used in various countries without significant outcry from the international community.\(^{47}\) It has in fact received public support from various quarters.\(^{48}\) This might be partly due to the philosophical narrative that the ‘taming’ of ‘barbarians’ and dissenters, in this case poachers, becomes all the more urgent when there are emergencies that threaten the life and power of the dominant opinion holders, thereby requiring exceptional measures, such as the temporary suspension of normal ways of doing things.\(^{49}\)

According to the minister of environment, natural resources conservation and tourism, Botswana has gained a reputation of being the final haven for endangered species, attributable to the country’s attitude towards poachers.\(^{50}\) The government of Botswana, through various forums and utterances of the minister responsible for environmental conservation, has confirmed the existence of such a policy stance. The minister has publicly stated that his government has adopted a policy of shooting and killing poachers where necessary.\(^{51}\) Such pronouncements, followed by practice and the ensuing inaction by law enforcement agencies, give credibility to these utterances and the existence of such a policy.
The right of states to use deadly force against suspected criminals is limited by both domestic criminal procedures and international law. The right to life is protected in terms of Section 4(1) of the Constitution of Botswana, which provides that no person shall be deprived of his or her life intentionally except in execution of the sentence of a court in respect of an offence under the law in force in Botswana of which he or she has been convicted. In Botswana, ‘shoot-to-kill’ policy is arguably justified in terms of Section 4(2)(d) of the Constitution, which provides that a person shall not be regarded as having been deprived of his or her life in contravention of Section 4(1) of the Constitution if he or she dies in order to prevent the commission by that person of a criminal offence, or if he or she dies as the result of a lawful act of war.

It is hence submitted that death sustained during anti-poaching activities should be reported in terms of Section 3 of the Inquests Act and an investigation should be carried out accordingly to determine whether the shooting was justifiable. This allows checks and balances to ensure that suspected poachers who surrender are not killed unjustifiably. If a determination is made that the killing is not justifiable in terms of Section 4(2)(d), the director of public prosecutions is empowered by Section 21 of the Inquests Act to pursue criminal proceedings against those responsible for the murder. The provisions of the Inquests Act or any other law do not discriminate on the basis of nationality. The same procedure should be followed whether the victims are citizens or foreign nationals. This process has to precede the repatriation of bodies in the case of foreign nationals. Although game scouts or rangers are empowered to shoot and kill poachers, they must exercise the authority lawfully and justifiably.

‘Shoot-to-kill’ is particularly interesting when considered in relation to the laws of armed combat. These allow agents of the state to kill the enemy. We provide justifications for classifying anti-poaching efforts as war. Where poachers are apprehended or surrender to anti-poaching agents, the normal rules of criminal law and procedure are followed and the suspects are afforded the constitutional right to a fair hearing and presumption of innocence. Botswana’s anti-poaching efforts have not gone unnoticed. In terms of clause 5.1 of the 2016–2021 Southern African Development Community Law Enforcement and Anti-Poaching Strategy (SADC LEAP), member states observe that ‘patrols require adequate arms and ammunition capable of matching that of poachers’. It is our view that ‘targeted actions’, coupled with weapons of war, are nothing but a ‘shoot-to-kill’ policy, packaged in politically correct language, indicating support for the targeted killing of poachers. We believe that a ‘shoot-to-kill’ policy is the only anti-poaching method that clearly signals that wild animals deserve to live.

In the next section we argue that international law allows for such a policy in certain instances.

**Target killing under international law**

International humanitarian law, or the law of armed conflict, regulates the conduct of states during armed conflict. However, modern conflicts are drastically different from those envisioned when this law first evolved. Modern conflicts, such as the ‘War on Terror’ or the ‘war on poaching’, between states and non-state actors have resulted in new military tactics, such as targeted killing. The war on poaching has been presented by conservationists from the international community as a just war and a serious threat to peace and security in terms of Chapter VII of the United Nations Charter. The narratives and discourse of wildlife crime have become increasingly belligerent on the international policy stage. The war model has commonly been adopted as a result of
the security implications posed by poaching and trafficking, which are compared with the threat of terrorism.\textsuperscript{62} This increasing tendency to discursively frame poaching via reference to terrorism resonates with wider conceptual approaches to environmental security.\textsuperscript{63}

Having established a philosophical and moral basis for declaring anti-poaching efforts a ‘war’ under international law, rules of engagement in wartime are applicable, including exceptions to ordinary principles of criminal procedure. Based on the proposition that anti-poaching is a war \textit{sui generis}, states are justified in using extraordinary approaches in protecting their resources, including wildlife. In war, the main obligation of the government to its citizens is to safeguard the state’s territorial integrity.\textsuperscript{64} Laws of armed combat apply equally to citizens and foreigners. Therefore, states acting on verified intelligence should be able to kill their targets.\textsuperscript{65}

It has been noted that targeted killing is acceptable under international law governing warfare.\textsuperscript{66} The concept of targeted killings is often referred to as ‘assassination’ or ‘extrajudicial execution’.\textsuperscript{67} This is not advisable, as they are value-laden terms connoting immorality and illegality, and may prejudice any debate.\textsuperscript{68} In this commentary we do not discuss the morality or ethics of ‘shoot-to-kill’.

Targeted killings are controversial in international law. Opponents argue that such killings contravene Article 6(1) of the International Covenant on Civil and Political Rights, and therefore contravene international human rights law.\textsuperscript{69} Proponents argue that the law applicable should not be international human rights law, but rather international humanitarian law. This argument is anchored in the jurisprudence of the International Court of Justice, which stated that law applicable to armed conflict, as the \textit{lex specialis} for the conduct of hostilities, determines the test of what is the arbitrary deprivation of life.\textsuperscript{70} In terms of international humanitarian law, civilians lose their protected status and may be targeted under the law of belligerent occupation, applicable to international and non-international armed conflict, if they take part in hostilities.\textsuperscript{71}

We accept the position of international humanitarian law or the law of armed conflict as applicable to anti-poaching efforts. As such, targeted killings or ‘shoot-to-kill’ policies are legal. Therefore, Botswana’s policy can be copied and implemented by other jurisdictions in terms of international humanitarian law. The following section proposes how this can be applied in South Africa.

\textbf{Lessons for South Africa}

South Africa is home to the largest population of rhinos in the world and is a poaching hot spot.\textsuperscript{72} This has forced the relocation of some wildlife to Botswana and Australia for safekeeping. Innovative anti-poaching interventions to make rhinos less attractive to poachers, such as dehorning or introducing dye or poison to rhino horns, have had limited impact and huge cost implications.\textsuperscript{73} South Africa has also struggled with the growth of organised crime more broadly.\textsuperscript{74} The country seems unable to deal with sophisticated criminals, including poachers and wildlife traffickers.\textsuperscript{75}

Notwithstanding the high numbers of poachers arrested in South Africa, prosecution remains a challenge.\textsuperscript{76} Most apprehended poachers are acquitted. Where poachers are convicted, they are mainly low level rather than kingpins.\textsuperscript{77} Consequently, it has been projected that African elephants and rhinos could be virtually extinct by 2020, unless poaching is considerably reduced.\textsuperscript{78}

In light of the above, South Africa is encouraged to seriously consider the adoption and implementation of Botswana’s ‘shoot-to-kill’ policy. It is our view that the current generation has a duty to protect rhinos and safeguard them from possible extinction. It is worth noting that
‘shoot-to-kill’ policies are not foreign to South Africa’s police service. This policy can also be applied to other enforcement agencies. The ‘shoot-to-kill’ policy in South African legislation is traceable to Section 49 of the Criminal Procedure Act of 1977, which originally applied to situations in which it was deemed justifiable for the police or any arresting authority to use lethal force.79 Four years after the dismantling of apartheid, this enabling provision was amended to align it to the new democratic Constitution of South Africa, but it only came into force in 2003.80

The amended section, which is arguably the legal framework for ‘shoot-to-kill’ policy in South Africa, has not been challenged in court, and thus it remains part of South African legislation. It has been observed that the 2003 redefined Section 49(2), which is aligned with the provisions of the Constitution of the Republic of South Africa, extends the powers of arrestors beyond mere common law private defence.81 A subsequent amendment in 2012 upholds the right of the arrestor to use reasonable deadly force in compliance with Section 49 (2)(a)-(c). Some believe these powers allow police to shoot to kill.82

It is hence our view that South Africa’s legislative framework allows for anti-poaching forces to be empowered to shoot at poachers if it is in the interest of their safety and the security of the endangered species. To the moralists, such a position is very difficult to accept; however, we argue that it is a necessary evil, considering the obligation to protect rhinos from extinction. It appears that poachers will do anything to ensure that they kill these animals, unless they are made aware of the possibility of their own death in the process.

Conclusion

We have argued that ‘shoot-to-kill’ is a useful policy tool in the conservation of endangered species in Africa. Despite the reservations of some, we argue that Botswana’s impressive elephant and rhino conservation record is due to its ‘shoot-to-kill’ policy, which deters poachers. This commentary does not discuss the rule of law or human rights perspectives related to ‘shoot-to-kill’ in significant detail, nor does it discount the usefulness of other conservation methods. However, it argues that for those methods to be effective, they should be implemented alongside the ‘shoot-to-kill’ policy.

We implore the government of South Africa to implement the SADC resolution on the adoption of a ‘shoot-to-kill’ policy. The country’s current legislative framework, we believe, allows law enforcement agencies to use force, including deadly force, where appropriate. It is incumbent on all states to definitively support conservation. ‘Shoot-to-kill’ policies must be implemented in the short to medium term while other conservation models are explored, and maintained once other strategies are implemented. Arguably, the only thing Botswana is doing differently to South Africa is to use a ‘shoot-to-kill’ policy. We believe that Botswana has demonstrated that its policies, especially ‘shoot-to-kill’, deter poachers in general and rhino poachers specifically.

Notes

1 K Messer, Protecting endangered species: when are shoot-on-sight policies the only viable option to stop poaching?, *Ecological Economics*, 69:12, 2010, 2334–2340.
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7 Ibid.
8 PA Lindsey et al., Relative efforts of countries to conserve world’s megafauna, Global Ecology and Conservation, 10, 2017, 243–252.
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15 Konopo, Ntibinyane and Mongudhi, Botswana’s ‘shoot-to-kill policy’ against suspected poachers.
17 Ibid.
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70 Ibid.
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On the record

Interview with Major General Johan Jooste (Retired),
South African National Parks,
Head of Special Projects

A multitude of measures, including regulatory changes, law enforcement measures and demand reduction campaigns, appear to have done little to stem the tide against organised environmental crimes. However, fewer rhinos were poached in South Africa’s signature national park, the Kruger National Park (KNP), in 2015 and 2016 than in the year before and a steady decline was evident at the time of the interview in June 2017. The KNP is home to the largest number of free roaming rhinos in the world. The park has been in the ‘eye of the storm’, losing close to 4 000 rhinos to poaching between 2006 and 2016. In 2012, the South African National Parks (SANParks) management formed a unit named Special Projects. The function of the project team was to develop and implement mitigation measures to deal with the drastic increase in wildlife crime and, in particular, rhino poaching in the KNP. Major General Johan Jooste (Ret) heads the unit. Critical voices have questioned the efficacy of the anti-poaching strategy, suggesting that park authorities are waging a ‘war on poaching’ with unintended long-term consequences for protected areas management and community relations.1 Scholars have argued that ‘green militarisation’ has led to an arms race between poachers and rangers and, moreover, that ‘green violence’ has led to the deployment of violent instruments and tactics in pursuit of the protection of nature, and ideas and aspirations related to nature conservation.2

In May 2017 Annette Hübschle interviewed Major General Johan Jooste (Ret.) to explore his views on the successes and failures of the South African anti-poaching strategy. The pair also discussed whether claims of ‘green militarisation’ in South Africa’s protected areas were justified.

Annette Hübschle (AH): General, please tell us a little about yourself and what drives you.

General Johan Jooste (JJ): During the later years of my military career, I played a key role in the transformation of the army. Many lessons were learnt. My main contribution to the rhino campaign is strategic thinking, strategy formulation and then the dynamic implementation at all levels, and considering the many facets of the problem. I also helped with the design of the anti-poaching toolbox and ensured that it is sustainable and value adding.

AH: What is the background to the current anti-poaching strategy in South Africa?

JJ: In early 2013, after I had been in office for about two months, we realised that [rhino poaching] was a global, continental and regional problem, and that our role is almost like buying time for other measures further along the supply chain to make an impact.
The things we do as law enforcers always take cognisance of the bigger picture. We must think big. I see community ownership [of conservation initiatives] and beneficiation in the form of business ventures with material gain as key to sustainable management.

Law enforcement in environmental protection requires certain skills and techniques. We had to start small but act with urgency without being reckless or hurrying. One example [of an anti-poaching strategy] which we looked at was Mozambique. The Mozambique story is a success story. In 2013–14, 75% of poaching in Kruger came from Mozambique; it’s now under 30%. This is because we engaged with all parties over a long period and kept working at it.

Apart from a professional ranger service with dedicated staff, another factor was the use of technology. We started with night vision goggles and moved onto more applied technologies with a friendly human/machine interface. We came to understand what technology could do for us.

The practice in Africa for the past decade has been to convert ranger corps into anti-poaching units. That’s a bold and profound but unavoidable decision. I wouldn’t like to call law enforcement a band aid but we understand that we will not [end poaching] with law enforcement alone. Such a victory is impossible. Although, it must be noted that our actions save many rhinos.

We wrote up the essence of our current national strategy in the first quarter of 2013 and in it addressed the necessity of biodiversity management and factors beyond law enforcement’s control. We realised that we needed alliances, better information and integration of efforts to be effective.

Our philosophy is ‘think big, start small, act now’. On this we built our strategy to ‘clear the park from the outside’. It’s like the layers of an onion, you start in the countries that consume wildlife products, you work the international networks. You go to local communities, in Mozambique for instance. As law enforcers you are not directly involved, you have to be indirectly involved and make yourself visible and make sure that the green uniform is not only seen to be the aggressor.

AH: Could you explain the role of rangers in the park? Their functions seem to have changed from a conservation to a law enforcement role. How does this affect ranger management?

JJ: This relates to the perimeter of the park, also called ‘fortress conservation’; the so-called ‘war’; and other allegations and assumptions about what we do inside the park. First, when it comes to anti-poaching you look at your rangers, what will the impact be? You then look at your structure, which is para-military – not military, but you must convey certain skills and techniques to all staff, and work as a multi-faceted unit in a structure. You determine how you will cooperate with your airwing, other forces, or intelligence agencies. How do you sustain this? It is expensive. Many people say anti-poaching takes money away from ‘proper’ conservation. But in terms of a value proposition: anti-poaching requires a multi-million rand input to protect a multi-billion dollar asset.

Our ranger training at the SA Wildlife College, as in the private industry, has changed drastically. Apart from their conservation ethic and skills, rangers need to be able to enforce the law through extended static and mobile patrols, and unfortunately making contact with poachers. How do you protect yourself? You adapt your training and your equipment. It starts with carrying ability. You’re no longer driving around, you’re walking. You’re in the bush for up to a week, so you also need camping equipment. Then you’re always
carrying a rifle, night vision goggles, good binoculars, camera traps, and sensors, all to improve rangers’ situational awareness. You add to that the Cmore [real-time situational awareness] technology – and you have rangers conduct operations applying the techniques and drills they were trained in, in a very specific way.³

We have designed and developed this structure and its systems, and we try to write it up as we go. So when the anti-poaching unit recruits rangers, we make sure they understand the line of command and management [we use]. We’ve got money behind this and we train and equip them for the business of protecting rhinos. We also need to ensure we protect our rangers by training them to acquire certain skills, many of which are military skills.

I am often asked how many rangers have been killed by poachers in the past 10 years and the answer is none. Apart from amazing grace, this is a result of discipline and training.

This approach has risks, such as cost and the unintended consequences to conservation. In the past only 10% of rangers’ work was law enforcement. Currently 10% is conservation and 90% law enforcement. This work never ends, day or night. These operations also have a human cost. Poachers also have families. We know that many or most are lured into poaching because they don’t have alternatives, and if you make it once as a poacher, it changes your life. Then maybe you go a second time because the chances of being detected in Kruger remain low, unfortunately.

The second cost is to communities. Communities start living off the proceeds of illegal trade because that is what is there. That creates a small economy, which in a way criminalises part of your community. The community then doubts the ranger uniform, perhaps wondering, “What did you do to my brother who went poaching?” The human cost is severe among rangers and their families. We had to launch concerted and sustained projects to look after the spiritual, social, psychological and physical welfare of rangers.

We manage five main risks. The biggest risk is a ranger down. Rangers can get killed. Once poachers have the horn they are especially aggressive. The second risk is of a ranger being convicted. What if the ranger had to shoot and there is a fatality? The police are called in immediately, a docket is opened and it is referred to the National Prosecuting Authority. So on the first risk – ranger down – all you can do is to discipline and train the rangers. On the second risk, we must have legal support and keep training rangers in the legal rules of engagement. We do that at every meeting, then twice a year we send a legal team through the park where rangers and the legal team role-play the rules of engagement. They drill it into them that you cannot take the law into your hands because it’s not nice to see a fatality, nobody likes that. And, by the way, we don’t support shoot to kill, it will not solve the problem. It will only demean and degrade who and what we are.

The third risk is of a ranger becoming psychologically bankrupt, their thinking and behaviour deviating from the norm. We have a lovely project, ‘Project Embrace’, where we have a psychiatrist who comes to the park to work with the rangers. Then, after every incident or tough time we contract psychologists who provide counselling. We also apply extensive preventive measures with our honorary ranger volunteers, talking through the stress and worries they have.

The fourth risk is of rangers being rejected by and alienated by from communities. You walk into a Shoprite near your home on a Saturday morning and you’re stared at, avoided or insulted. The only thing that we do there is to yet again emphasise rules of engagement, to
make sure nobody can ever point a finger at you and suggest that you’ve abused or taken your authority outside the park. If anything needs doing outside the park, it can only be done by the police. Police must make the arrest.

The last risk is a very strange one: ranger betrayed. We know there is corruption. It’s not a challenge that every ranger faces but it damages good people when they realise that their colleagues have betrayed them. For that we have a specific budget to fight corruption. We have instituted compulsory lie detector testing and continually investigate and act against the corrupt. Sadly last year, we arrested one of our senior people but we owe it to honest rangers to do so.

**AH:** You said that Kruger is doing lie detector tests with rangers. Can you say a bit more about what you are doing to prevent staff members and rangers from joining poaching gangs or collaborating with them?

**JJ:** First, we deal with that in our road shows during which we visit all 22 ranger sections in the Kruger National Park. When we engage with our rangers, it’s on a very personal level. We even have a former official from correctional services ask, ‘Do you want to go to jail one day?’ There’s the carrot and then there is the stick. We do integrity testing, including lie detector tests. It took a while to formulate this so that it fits into the framework of labour relations. A ranger gets a personal letter if we detect deceptions, so they know they are the subject of an investigation. We have extra capacity to investigate those cases. It is incumbent upon us to arrest and bring to justice those that are involved in corruption. There are not many but it’s not good for morale. You don’t want an honest ranger to feel betrayed.

**AH:** You mentioned that 75% of poachers came from Mozambique in 2013–2014. These numbers have changed. Are we seeing geographic displacement, including poachers moving from Kruger to KwaZulu-Natal? Has the composition of poaching groups changed?

**JJ:** There is a displacement effect, and we are very cognisant of it. We are in constant cooperation with the conservation authority Ezemvelo KZN Wildlife in KwaZulu-Natal. It’s no use asking [management at] Kruger. Yes, Kruger is the eye of the storm. Some of the poachers from our side, the western side, are foreign nationals but not more than an estimated 25%. Most are poachers recruited from the 2 million or more people west of Kruger, who haven’t got a lot of economic options. There are between 5 000 and 10 000 people involved in poaching out of a population of more than 2 million.

**AH:** Let’s tackle ‘green militarisation’. Several academics and policy researchers have suggested there is a burgeoning arms race between poachers and conservation officials. Are we fighting a ‘war against poachers’? Do you agree that militarisation is happening?

**JJ:** We are in the business of protecting all fauna, including megafauna, specifically rhino and elephant. The last of these species are in Africa, and the money involved in their protection is staggering. We have no option but to act now.

It is a business of protection. To protect rhino and elephant you need the rangers and if you send rangers, you must protect them. In a way, we feel the accusation of militarisation is a betrayal of the thin green line. We did not ask for it. If militarised poaching ended tomorrow we would just revert back to 10% law enforcement, 90% conservation.

I think ‘green militarisation’ is a loaded phrase. It is a necessary intervention which can be pursued with responsible rules of engagement. I don’t think it’s our preferred method, but I know of no conservation institution in Africa that did not have to go this way. The fact that
Kruger draws a lot of attention has to do with ‘the ex-general’ [me] that came there, although the [paramilitary] training started before my time. I was quoted early in my term, saying we would ‘take it to the poachers’ and we did. In the first four years we arrested over 1 000 poachers and confiscated over 300 weapons. So a lot of rhinos were lost on our watch and a lot were saved.

Green militarisation, I think, despite the one-sided criticism, it’s a reality. If there is any alternative, then one must consider it. You first go to your own forces, your police forces – but police in the bush, it’s not a good fit. The army is conventionally trained. It’s not a good match either. In Africa, these forces have other priorities – crime fighting and peace support operations. So now you’re back to the rangers.

Partial privatisation is not unthinkable but we have not done anything about it. It’s a profound decision: it will be expensive but there are specialist technologies with which you can combat wildlife crime in your park. That will bring about ethical, moral and practical issues that have not been considered yet.

We have also adapted our rhetoric to avoid saying it’s a ‘war on poaching’. We have toned down that rhetoric, it’s not helping public perceptions. One expects academics to read a little more broadly and to consider other utterances that people like me have made over the past four years. We accept that people out there talk about the so-called war and the negative dimensions of green militarisation. We understand that. Yes, militarisation is certainly not the preferred option in the bigger scheme of things. But what must we do to make sure that it doesn’t last a day longer than it must? One would like a discourse on that, to say, ‘Let’s make sure that this necessary intervention doesn’t last another 20 or 30 years.’

**AH:** Some have suggested that the privatisation of anti-poaching will ensure that only skilled professionals undertake anti-poaching operations, and that some in the ranger corps may lack the required skill set. There are examples elsewhere in the world, including Iraq and several African countries, where private military companies have been involved in conflicts on behalf of the state. Beyond legal, ethical and moral issues, does this proposal require consideration of human rights?

**JJ:** It smacks of mercenaries. Six months ago we took a firm stance. We, SANParks, the Game Rangers Association and the SA Wildlife College decided not to allow sponsored military people to train our rangers. If you have special skills worthy of sharing with our rangers, you go to the SA Wildlife College, where your skills are toned and changed to suit our curricula. We’ve seen instances elsewhere in Africa, and a few in South Africa, where the trainer means well – they were a staff sergeant or a captain with 10 years in Iraq or Afghanistan, which is fair – but don’t currently being launched but I honestly don’t see how selling beads at the gate is going to make a difference. I just don’t see a project that will create alternatives here, or change behaviour in the Far East, in the next three years.

When you look at the figures you wonder if it might be too late for the rhino of Kruger or for the whole rhino species. We are not fatalistic. The rhinos will not go extinct but one must understand the context. Yes, militarisation is certainly not the preferred option in the bigger scheme of things. But what must we do to make sure that it doesn’t last a day longer than it must? One would like a discourse on that, to say, ‘Let’s make sure that this necessary intervention doesn’t last another 20 or 30 years.’
train my ranger as a sniper, I don’t need snipers. Don’t try training them in combat so and so. We were about to accept such training because it was free but those trainers don’t understand our specific requirements. I don’t care how long you served in Iraq, can you help me with training? That is something we must guard against, it’s unnecessary overkill, killing a fly with a hammer, and it conveys the wrong ethic or approach.

I fully agree that employing private rangers is an option but one must be very careful. If you do that, for how long? What about your rangers? Where would they fit? How would the command channel work?

**AH:** An article in this special issue of *South African Crime Quarterly* suggests that South Africa should emulate Botswana’s ‘shoot-to-kill’ approach. Our Constitution would not allow such a policy, nor is there data that shows that the ‘shoot-to-kill’ approach has brought down poaching. What is your stance on this?

**JJ:** We have advocated over time for many interventions, like the ability to work closely with the parks in Mozambique, and we always found solutions that were acceptable. South Africans were angry, demanding three things. First, they said ‘drop the fence’ or ‘fence them out’, to which we said ‘No, the fence must be on the other side of their conservation area’. Then there was the issue of ‘hot pursuits’ [of poachers fleeing into the Mozambique side of the park]. We don’t do that. If we do joint cross-border operations and a situation develops where we come closer to your boundary, I hand that operation over to you. It’s impractical, it’s not feasible, it’s not necessary for two South African rangers to penetrate a 100 km into Mozambique. Finally, we get the really emotional people who respond to the barbarity of poaching depicted in a photo, by saying ‘shoot them’. But we as law-abiding citizens have never given consent [to such acts], no matter how angry we were. There is no evidence to suggest that [killing poachers] would solve the problem. We have to enforce the law, we must be clear about that. Similarly, our community projects will not succeed if we don’t prove to our communities that we can maintain the law.

I have never seen [an example] where [killing poachers] helps. It is misleading when one is protecting some rhinos very well to say it’s because of the ‘shoot to kill’ [approach].

**AH:** There have been a lot of rumours about the anti-poaching approach. People claim that poaching statistics are doctored and questions have arisen as to why they are released at infrequent intervals two or three times a year.

**JJ:** The strategy was to release them quarterly, but you know our country is busy. So unfortunately, here and there, they have been late. What we saw four years ago was an emotional response generated by the media. You opened the paper and read about ‘another bad weekend at Kruger’ where somebody said, ‘another 10 killed’, which was true but ignored the fact that the previous week fewer were killed. So we are in favour of a structured, periodic report and think that if there’s a report once a quarter, it provides enough of a context and a picture.

One thing I can confirm is that our stats are our stats. They come from us, and have never been sugar-coated, even in difficult times. Remember it took us three long years to stabilise the rhino poaching rate and now we’re driving it down. What we have achieved is success, not victory – but we will get there.

**AH:** On the topic of stats, are rhino calves and unborn rhino embryos counted in the rhino stats?

**JJ:** We don’t count unborn rhinos but calves are counted. A lovely part of our strategy is
the biological management. The thinking five years ago was, ‘Guys, let nature take its course, we don’t want rhinos in the zoo.’ But with time we adapted. So we have set aside resources and support and work closely with rhino orphanages. Where we can, we evacuate calves to one of those and we are pleased with the work that they do.

**AH:** You touched on the importance of communities. In my research I found that communities are crucial for conservation successes and anti-poaching strategies. Right now, a dead, poached rhino is worth more than a live one to people living on the edge of the parks. What is being done to include communities and incentivise local people to become involved with conservation?

**JJ:** You’re touching the very essence of the challenge: how can it be that this thing is so valuable to one person and means nothing to the next person? The fact that SANParks now has a special division at Kruger, Peoples and Parks, to look at corporate responsibility, has led to some good initiatives. Every time a bus of schoolchildren visit, every time you see meetings with traditional authorities and municipalities, good communication takes place. Recent efforts to compensate people who have land claims, the quick response to human–wildlife conflict, the preference given to communities when it comes to procurement, are some examples. There are also projects funded by [the Department of] Public Works, through which a lot of youths are now trained and brought in for auxiliary tasks. Some of these projects touch on awareness raising, a bit of socio-economic investment where we work on roads and infrastructure, and on microprojects – people selling beads at the gate, for example. But beyond that the business spaces are not big enough to get a funder interested, and that is why many of these community projects have little impact. It’s not that we have not done enough but we are falling behind with real community beneficiation. You know it’s about money, saying to communities, ‘You cannot have any of these, you must not try to compete with rhino money.’

You have to provide alternatives. If you side with me, it’s for the long term and it’s honourable. It must be possible, but then you need business people involved, you’ve got to build that business space, take their hands, you need honest developers and a lead time of at least a year or two until the project is fully-fledged. Personally, that makes me a little bit despondent because I don’t see any of those. I was in our archives the other day and I saw that the same thing was said about 20 years ago, but did not lead to anything.

**AH:** There are limits to what conservation authorities can do to uplift communities. Maybe this speaks to the bigger picture of the lack of service delivery to communities in rural South Africa. Especially in the south-western parts around Kruger, where you don’t even have small communities, there are peri-urban neighbourhoods with several hundred thousand residents. The frequent service delivery protests are an indication that the socio-economic conditions of people living around Kruger are dismal and that people are angry.

**JJ:** When I drew our plan up for 2020, I put up this macro-plan and I couldn’t find any indication that any of those community interventions have made an impact on rhino poaching. I know that’s a profound statement and it’s a personal statement, but dammit, where are we going? Why is it like this? As for law enforcement, we all wish that rhino poachers were gone so that we don’t have to live like we live. I was in Kruger yesterday; we’re asking impossible things of people. The stress and the emotional strain that this
so-called war causes are not things we should extend one day more than is necessary.

Notes
1 See, for example, Department of Environmental Affairs, Minister Edna Molewa highlights progress in the war against poaching, Media Release, 22 January 2015, https://www.environment.gov.za/mediarelease/molewa_waragainstpoaching2015 (accessed 12 June 2017).
3 Developed by the South African Council for Scientific and Industrial Research, Cmore is an integrative collaborative distributed awareness system that provides a platform for collaboration between agencies in interdepartmental and multinational scenarios.
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The potential and challenges of community-based anti-poaching

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On the Record with Major General Johan Jooste