

Wildlife, Forest and Environmental Crimes and MONEY-LAUNDERING



BACKGROUND – FATF NRA SOUTH AFRICA

The Financial Action Task Force (FATF) is the **global Money laundering (ML) and Terrorist Financing (TF) supervisory body**.

It was established in 1989, by a Group of Seven (G-7) Summit held in Paris. The summit recognised the growing threat posed by money laundering to the banking system and financial institutions.

The Financial Action Task Force (FATF) previous evaluation South Africa was during February 2009.

The FATF assesses over 40 jurisdictions while the remaining global jurisdictions are assessed by the FATF Regional Bodies in conjunction with the **World Bank** and **IMF**.

- ❑ The FATF Plenary considers and adopts **only two mutual evaluation reports** at each of its three annual Plenary meetings; each assessment cycle is therefore eight years' long.
- ❑ A ME country report is only conducted every 9 years thus the **2019 FATF findings/2021 MER Report** will be attributed to South Africa until **at least 2028**
- ❑ When FATF evaluated South Africa in 2009, it already raised certain **caveats**. The MER noted that **corruption** already presented a problem. Regarding Recommendation 32 it was recorded that :

*"the assessment team was **not provided** with **comprehensive data or statistics** on **details** of **money laundering investigations, prosecutions and convictions**"*



BACKGROUND – NATIONAL RISK ASSESSMENT - SOUTH AFRICA

ASSESSING RISKS AND APPLYING A RISK-BASED APPROACH

South Africa followed a cabinet approved process and conducted its first National Risk Assessment (NRA) to address the **risks associated with Money Laundering**. Preliminary Key Findings released 10 July 2019.

The NRA process involved a range of stakeholders as part of the **Inter-Departmental Working Group on AML/CFT NRA (IWG)** consisting of the following government departments, Law Enforcement Agencies, Intelligence Agencies, Financial and Non-Financial supervisors and regulators:

In developing the methodology for this assessment, the IWG considered international best practice, including guidance developed by the

- ✓ Financial Action Task Force (FATF)
- ✓ the United Nations Office on Drugs and Crime (UNODC)
- ✓ the Organization for Security and Co-operation in Europe (OSCE)
- ✓ the World Bank and the International Monetary Fund (IMF)
- ✓ international training; approaches followed by other countries;
- ✓ as well as the experience and views of key stakeholders of South Africa's Anti-Money Laundering (AML) and Counter Terrorist Financing (CFT)

SOUTH AFRICAN
NATIONAL MONEY LAUNDERING
RISK ASSESSMENT

PRELIMINARY KEY FINDINGS
20 JUNE 2019
(Revised 10 JULY 2019)



FATF MUTUAL EVALUATION REPORT - SOUTH AFRICA 7

OCTOBER 2021

Evaluation of South Africa's Effectiveness in Combatting Money laundering and Terrorist financing

Page 5 of Executive Summary : SA MUTUAL EVALUTION REPORT states

2. South Africa has a relatively high volume and intensity of crime and more than half of reported crimes fall into categories that generate proceeds. **The main domestic proceeds-generating predicate crimes are : tax crimes**, corruption and bribery, fraud, then trafficking in illicit drugs, **and environmental type crimes**. As a large economy and a regional financial hub for sub-Saharan Africa, South Africa has a **notable exposure to the threat of foreign proceeds of crime** generated in the region being laundered in or through the country. South Africa is exposed to TF risks associated with the financing of foreign terrorism, foreign terrorist fighters (FTFs), and potential domestic terrorism.

3. **There is widespread use of cash** and a large informal economy including informal cross-border remittances in the region which often involve physical cash movement.

Page 18 of ML/TF Risks and Scoping of Higher Risk Issues

39. The **main domestic proceeds-generating predicate crimes** in South Africa **are tax crimes**, corruption and bribery, fraud, then trafficking in illicit drugs, and **environmental and resource type crimes**.

Recommended Actions

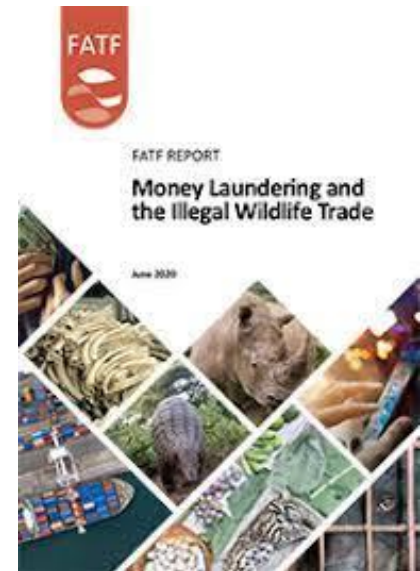
1. The authorities should **improve their understanding of the major proceeds generating crimes**, including those committed in a foreign country and channels and vulnerabilities exploited to launder these proceeds.
4. South Africa should ensure the key AML/CFT agencies' **priorities, objectives, and performance targets** are aligned with ML/TF risks identified and national AML/CFT policies, particular to ensure that LEAs focus on significant ML.
5. The authorities should review the **composition and structure of the IDC on AML/CFT to ensure it is (i) inclusive of all stakeholders including DNFBP supervisors; and (ii) able to drive policy making in both the Financial Cluster and the JCPS cluster**.
6. The authorities should put in place **mechanisms for cooperating and coordinating (financial intelligence)**
7. The authorities should **share the findings of the ML NRA and TF NRA**, upon their conclusion, **to all private sectors subject to AML/CFT obligations**.



FATF GUIDANCE AND STANDARDS : ILLEGAL WILDLIFE TRADE AND ENVIRONMENTAL CRIMES

Environmental crime - such as forestry crime, illegal mining and waste trafficking - is an extremely profitable criminal enterprise, **generating billions in criminal gains each year**. It fuels corruption, and **converges** with many other serious and organised crimes, such as **tax fraud, drug trafficking and forced labour**.

This FATF June 2020 Report : *“Money Laundering and the Illegal Wildlife Trade”* identifies **methods** that criminals use to launder proceeds from environmental crime, but also **tools that governments and private sector can apply to disrupt this activity**. When properly implemented, the **FATF Recommendations provide effective tools** to go after these illicit financial flows.



❑ **Environmental crime is a ‘low risk, high reward’ crime** - Across many countries, **light sanctions** for environmental crimes alongside **limited efforts** to follow and remove the profits, make this is a lucrative but safe source of income for criminals. The FATF therefore conducted this study to increase understanding of the scale and nature of money laundering threats from environmental crime and to **strengthen the response across public and private sectors**.

❑ The G20 Finance Ministers and Central Bank Governors have similarly recognized the need to **strengthen action**, and the importance of **FATF’s role in supporting biodiversity aims**.



FATF GUIDANCE AND STANDARDS : ILLEGAL WILDLIFE TRADE AND ENVIRONMENTAL CRIMES

Building on the FATF's 2020 report on money laundering from the illegal wildlife trade, this report shows that criminals are making **enormous profits** by using **front companies** to mix legal and illegal goods and payments early in the resource supply chains. They also rely on corruption, **trade-based fraud, and offshore corporate structures to conceal the ultimate criminals benefitting** from these crimes.



FATF REPORT
Money Laundering from
Environmental Crime

July 2021



Money Laundering from Environmental Crime Report - 28 June 2021

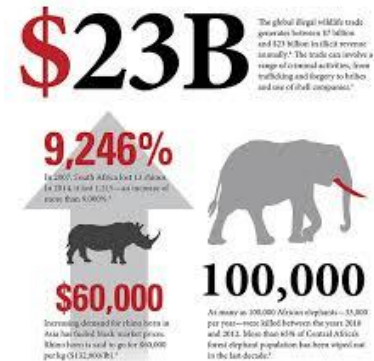
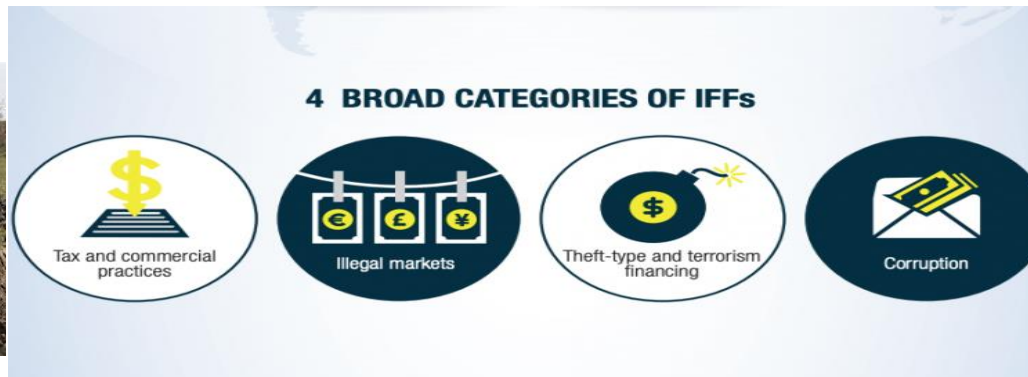
As a priority, countries should:

1. **Consider the risks** of criminals misusing their **domestic financial and non-financial sectors** to conceal proceeds from environmental crimes. This **extends** to countries without domestic natural resources as FATF work shows that criminals hide proceeds from these crimes across regions, including trade and financial centers.
2. Countries must **also strengthen inter-agency cooperation** between **financial investigators and environmental crime agencies**, to detect and pursue financial investigations into environmental crimes. This includes **working with foreign counterparts to share information**, facilitate prosecutions and recover assets that are moved and held abroad.
3. **The private sector** also has an important role in detecting financial flows from environmental crimes. The FATF's study identifies **good practices** and risk indicators to help financial and non-financial sectors detect potential cases.

Going forward, **FATF will continue its focus on environmental crime**, including exploring further policy needed. **On 7 December 2021, FATF For the first time, heads of international organisations including the UNODC, UN Environment Programme (UNEP) and CITES** met to discuss how to develop partnerships to tackle the dirty money that helps fuel environmental crimes

GLOBAL VIEW : THE ROLE OF CASH AND MONEY LAUNDERING IN ENVIRONMENTAL & WILDLIFE CRIMES

- ✓ The cash economy and cash used in tax evasion schemes are in many instances inseparably linked to **money laundering and Illicit financial flows**.
 - ✓ According to reports from United Nations Office on Drugs and Crime (UNODC) and Europol, 2% to 5% of the global GDP is laundered every year, this translates to between **€ 715 billion** to **€ 1.87 trillion annually**.
 - ✓ According to the European Union Agency for Law Enforcement Cooperation (Europol), **Environmental crime — the 3rd most lucrative** area of crime worldwide after drug trafficking and counterfeit goods — generates **profits** of between **\$110 billion and \$280 billion each year**.
- **= Money laundering is not a victimless crime it is the lifeblood of Organised Crime**

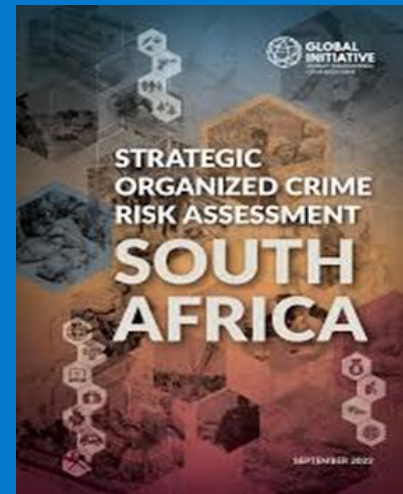


TYPOLOGIES, AND MODUS OPERANDI ON THE ILLEGAL WILDLIFE TRADE – ORGANISED CRIME NOV 2024

- ❖ **Democratic Republic of Congo**: Recent parrot seizure suggests wildlife trafficking through air transport sector continues apace - the past 12 months at least **12,000 Grey parrots** have been transported to N'djili International Airport in Kinshasa.
- ❖ **India and Malaysia** :coordinated to disrupt a network of **tortoise and turtle traffickers** referred to as the “Ninja Turtle Gang” in July and August 2024, resulting in the arrests of *six traffickers in Malaysia- four Malaysians and two Cambodians-* and the seizure of around 200 Indian star tortoises. The network was alleged to be supplying high value tortoises and turtles for the **pet trade in Indonesia, Thailand, and Malaysia**.
- ❖ **South Africa → China**: CITES protected bird egg trafficking, **Asia-based wildlife traffickers are actively sourcing eggs of rare birds, particularly parrots protected under CITES Appendix I and II, from unscrupulous breeders in South Africa**. Reportedly, traffickers purchase eggs as close to hatching as possible to improve the birds' chances of survival. **Eggs are likely strapped to a courier's body or wrapped in soft cloth inside metal boxes or sophisticated temperature control coolers hidden within hand luggage**.
- ❖ Warehouse raids in Nigeria lead to historic seizure of over **9.4 tonnes of stockpiled pangolin scales**, Wildlife Justice Commission
- ❖ **Panama Detains Macaw Egg Smugglers**, MENAFN
- ❖ **India's Most Trafficked Wild Animals**: A Crisis in Biodiversity, The Siasat Daily
- ❖ **5 tonnes** of trafficked **glass eels seized** and new smuggling routes identified in global operation, Europol
- ❖ **Wildlife traffickers' new routes**, The East African
- ❖ **Peruvian** police seize 1.3 tons of **shark fins**, RTL Today
- ❖ Risk Analysis of **Zoonosis** Along **the Bushmeat** Value Chain in **Cameroon**, TRAFFIC
- ❖ How Traffickers Got Away with the **Biggest Rosewood Heist** in History, YaleEnvironment 360
- ❖ Will **Nepal's Elite Finally Be Held Accountable** for Wildlife Crimes?, Foreign Policy
- ❖ **Uzbekistan**: Attempt to smuggle **400 turtles** prevented in Tashkent region, UZ Daily
- ❖ **South Africa exports millions of creatures** great and small in **shadowy global wildlife trade**, Daily Maverick
- ❖ Chennai Customs seize four **Siamang Gibbons, 52 green iguanas** from **Malaysian passenger at airport**, The New Indian Express

STRATEGIC ORGANISED CRIME RISK ASSESSMENT SOUTH AFRICA

SEPTEMBER 2022



ASSESSMENT OF THE RISK POSED BY ORGANIZED CRIME TO SOUTH AFRICA

THIS ASSESSMENT WAS PRODUCED BY THE **GLOBAL INITIATIVE AGAINST TRANSNATIONAL ORGANIZED CRIME (GI-TOC)** STRATEGIC RISK ASSESSMENT EXPERT GROUP

SOUTH AFRICA : STRATEGIC ORGANISED CRIME RISK ASSESSMENT SEPTEMBER 2022

Wildlife crime and illicit trade by **transnational organized crime groups** threatens not only our iconic species, like the rhino and pangolin but have a direct negative impact on the **South African tourism industry** which **contributes more than ZAR 268 billion (4.3%) of GDP annually** and **employs more than 1.1 million people**.

- ❑ Comprehensive overview of organised crime threat to **inform urgent responses**
- ❑ 15 illicit markets identified
- ❑ **Profound social, economic and political harms**
- ❑ **Three key phenomena have converged:**
 - ✓ Growth of organised crime
 - ✓ Rise of elite corruption
 - ✓ Erosion of state institutions
- ❑ Resulting in self-sustaining, self-protecting and self-expanding criminal economy
- ❑ **Diverse, complex and increasing**

Overview of SA's illicit markets

1. **Rhino**
2. Abalone
3. West Coast Rock Lobster
4. Hake
5. Shark
6. Lion products
7. Reptiles
8. Succulents
9. Cycads
10. Sand mining
11. Illegal waste



SOUTH AFRICA RESPONSE TO IWT – INTERNATIONAL AND NATIONAL CO-OPERATION

Globally tax and revenue authorities have **devised new strategies** which goes beyond tax and **embraces**

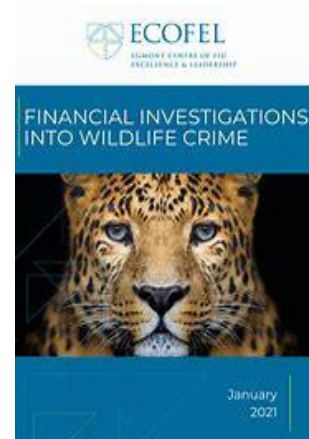
1. **joint action** and
 2. **the intelligent use of data and analytics** and
 3. with a strong focus **on whole-of-government approach**
 4. **add money laundering and tax evasion to charges/prosecutions**
- in **dealing with tax crimes, money-laundering networks and illicit financial flows.**

a. **National Co-operation - harvesting available financial intelligence**

- ☐ **The Egmont Group (EG) – Financial Investigations into Wildlife Crimes : January 2021** EG is a global organization of Financial Intelligence Units (FIUs).
- ☐ **SAMLIT IWT Report Nov 2021**
- ☐ **SAMLIT TOG and Quarterly meetings : Pro-active and Re-active Reports**
- ☐ **SAR Reports : FIC and SARS**
- ☐ **SARS Systems including Customs and border movement information**

b. **International Co-operation since 2012**

In order to strengthen cross border enforcement actions SARS continue to engage in enhanced co-operation with international tax and customs agencies abroad and collaboration with **INTERPOL, Europol, the World Customs Organization (WCO), the OECD Task Force on Tax Crimes (TFTC)** and the **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).**



SOUTH AFRICA RESPONSE TO IWT – SAMLIT

c. **The South African Anti-Money Laundering Integrated Task Force (SAMLIT)** was established in **December 2019** as a **collaborative public-private partnership** between the regulatory authorities, represented by the Financial Intelligence Centre (FIC), the Prudential Authority of the South African Reserve Bank, and the **domestic and international financial institutions registered in South Africa.**



SAMLIT's Objectives

- ❑ Assisting in combatting financial crime, effectively and efficiently, and enhancing a collective **understanding of financial crime trends.**
 - ❑ In June 2020, SAMLIT established an **expert working group (EWG) on IWT**, with a view to increasing the **knowledge about the financial flows linked with IWT supply chains among financial institutions, law enforcement and prosecuting authorities**
 - ❑ Establishment of **Expert research Working Group (EWG)** recognizes the devastation caused by illegal logging, cycad trading and the rapidly escalating succulent trade, amongst others, and the significant value of these
- = Increase the prospects of success in detection, financial investigation and money laundering prosecutions linked to IWT.**
- The work done by the EWG was not intended to repeat the work already done by various bodies or interest groups, and it drew its **insights from a number of reports**, most prominently those presented by **ESAAMLG, OECD, FATF and TRAFFIC.**

SAMLIT REPORT NOV 2021 : IDENTIFIED FINANCIAL FLOWS ASSOCIATED WITH ILLEGAL WILDLIFE TRADE

Regular Financial Intelligence Reports – the following already identified the methods of payment and laundering and more sophisticated higher up in the supply chain :

❑ **Business accounts** involved featured no business-related expenditures such as salaries, or tax, and personal accounts showed no salary credits, living expenses or debit orders. Funds moved quickly in and out of accounts, **some minors' accounts** were used, and people were unable to explain the source of their funds or wealth. Few reports reflected the suspected involvement of a **politically influential person**.

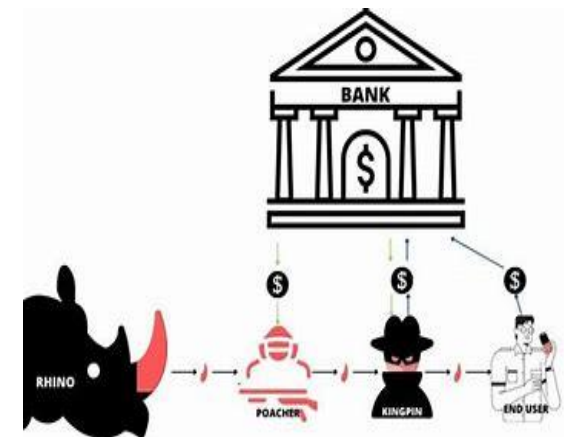
❑ Reported **deposit references** included some of the following **keywords**: *“secret, moola, mampies, happy, hunting package, villa payments, taxidermy, hunting trophies”*, names of individuals or entities involved in crime or code references with long alpha-numeric values.

❑ A variety of payment methods were identified for incoming transactions into **suspicious accounts**. The most common was through **cash deposits (24%** of reported transactions), via **ATM and branch cash deposits**, primarily in **round or large amounts, and multiple transactions**, conducted from various locations in South Africa, but many of which were **made at airports**.

❑ **Incoming funds** mostly occurred via electronic payments (16%), RTC (11%), immediate transfer credits, SWIFT payments (1%), cheques (1%) and money received from gambling institutions (1%). Internal transfers from different account holders of the same bank (9%) featured prominently. It was also noted that funds were often sent in the same amount to different individuals on a regular basis.

❑ Funds exited reported accounts most frequently via **ATM cash withdrawals** (16% from different regions in SA) and **point of sale purchases** (14%).

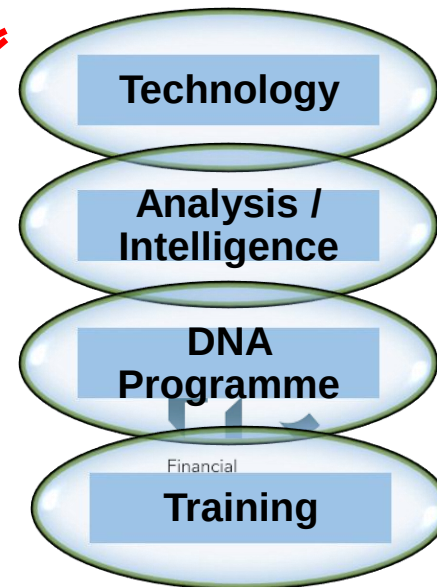
❑ **Other transaction types** also frequently noted included electronic transfers (8%), debit orders (5%), internal transfers to account holders at the same bank (4%), casino spend (1%), airtime and prepaid purchases (1%), Western Union and Moneygram transactions (1% of payments described as gifts) and cash send (1%).



UNDOC WORKSHOP : WILDLIFE AND FOREST CRIMES STAKEHOLDERS – 1 DECEMBER 2022

DEFF arranged a Wildlife and Forest Crimes Stakeholders' Workshop 1 December 2022 sponsored by United Nations Office on Drugs and Crime (UNODC)

National Integrated Strategy to Combat Wildlife Trafficking



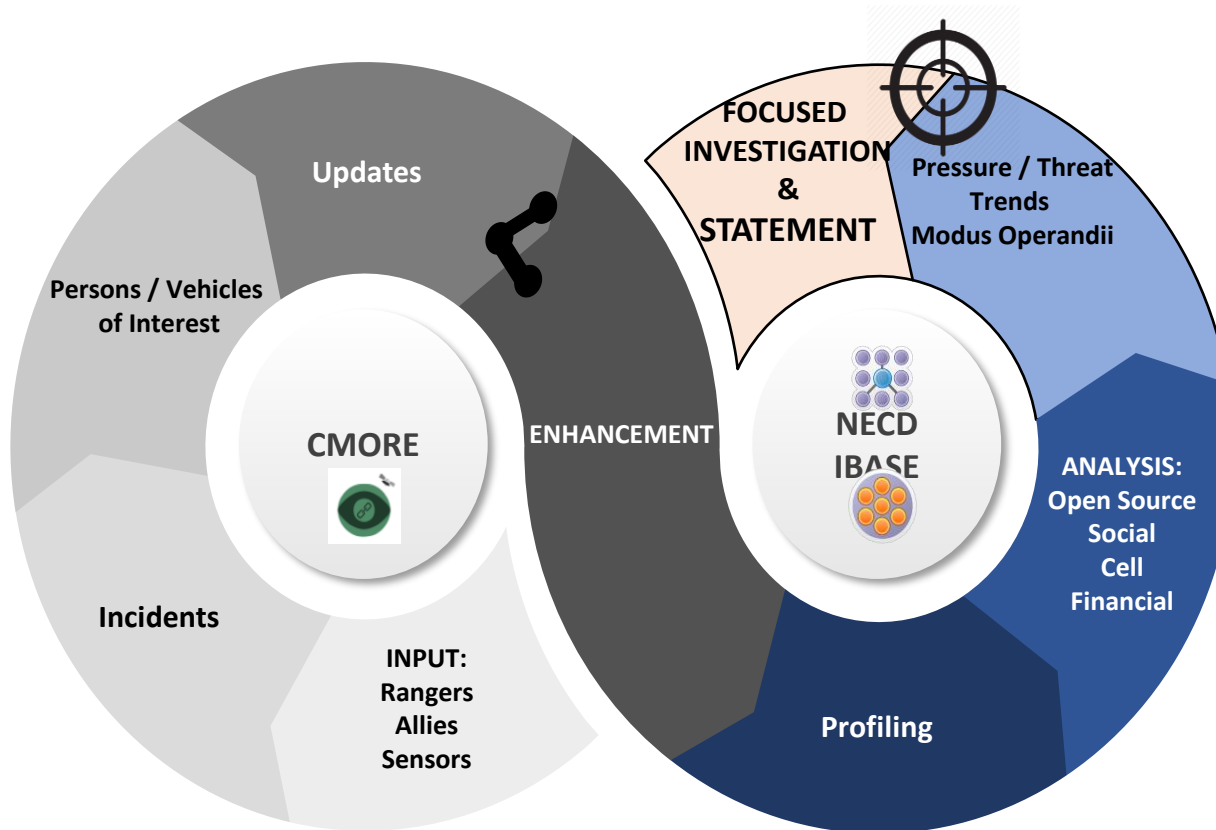
A well-resourced *integrated, multidisciplinary and consolidated law enforcement* approach, to break the illicit value chain of wildlife trafficking, in South Africa and beyond.



UNDOC WORKSHOP : WILDLIFE AND FOREST CRIMES STAKEHOLDERS – PROSECUTIONS

1. Consolidate and **increase compliance and enforcement** with wildlife-related legislation
2. **Enhance forensic and scientific support services** linked to wildlife trafficking investigations (The DNA barcode reference library and analyses of poached and traded wildlife are expanded)
3. Establish **specialised prosecution** and court capacity to focus on wildlife trafficking (hot spots, more effectively prosecuting capacity, etc.)
4. **Instill guidance and sharing of best practice** in the prosecution of environmental crime
5. Identify challenges in relation to prosecution of environmental crime - specialised **task teams**
6. Assist in the identification of prosecutors to undergo training interventions
7. **Discussion of specific cases** with a view to elevate or report on specific issues to other **relevant forums within the security cluster or other relevant structures**
8. Improve the reporting of environmental prosecutions
9. Improve the centralisation of cases where applicable
10. Improve the prosecution of **repeat offenders**, especially instances of inter-provincial offences
11. Improve SAMLIT **financial intelligence** for enhanced money laundering investigations/charges
12. Improved **Mutual Legal Assistance** and extradition requests; and
13. Improve inter-agency co-operation

ENVIRONMENTAL ENFORCEMENT FUSION CENTRE



NORTH WEST PARKS BOARD

ADVENTURE PROVINCE
Eastern Cape
PARKS & TOURISM AGENCY



Wildlife Zones
Private

ENVIRONMENTAL
MANAGEMENT
INSPECTORATE



HAWKS
DIRECTORATE FOR PRIORITY CRIME INVESTIGATION



Financial
Intelligence Centre



state security
State Security Agency
REPUBLIC OF SOUTH AFRICA



SARS AND ILLEGAL WILDLIFE TRADE (IWT) – FIC TACTICAL OPERATIONS GROUP (TOG)

Tax evasion is a predicate offence to money-laundering

During 2012 several specialised divisions within the South African Revenue Services (SARS) commenced with focused tax audit investigations aimed at suspect non-compliant taxpayers, actors and facilitators benefitting directly or indirectly from tax evasion and illicit financial flows stemming from wildlife crime. Several tax audits were identified and taxpayers forced registered and engaged during 2012.

SARS will continued to enhance its engagements with the Financial Intelligence Centre (FIC), DPCI, NPA, the **Department Forestry, Fisheries & Environment** and engagement with the SAMLIT aimed at combating financial crimes and illicit financial flows linked to criminal activity.

Project Broadbill : September 2018 a multi-disciplinary law enforcement operation consisting of the Directorate for Priority Crime Investigation (Hawks) Wildlife Trafficking Section, the SAPS Special Task and Force Unit, Counter Intelligence, Asset Forfeiture Unit, SANParks, the Department of Environmental Affairs, National Prosecuting Authority and SARS Specialised Debt and Customs Dog Detector conducted a search and seizure at 11 different private and business properties owned by Mpumalanga syndicate responsible for approx. 70% of poaching in Kruger National Park.

Project Blood Orange : December 2022 The two main suspects have pending charges of corruption, money laundering and fraud to related wildlife trafficking, whilst others are their family members.

Thunder series : INTERPOL and the World Customs Organization (WCO) coordinated since 2017 the Thunder Operations series, with police and customs administrations leading joint enforcement operations against wildlife and timber crime across 109 countries. SARS Customs / DFFE / DPCI / NPA / FIC / Interpol

SARS AND ILLEGAL WILDLIFE TRADE (IWT) – FIC TACTICAL OPERATIONS GROUP (TOG)

ENHANCING THE DETECTION, INVESTIGATION AND DISRUPTION OF FINANCIAL FLOWS FROM WILDLIFE CRIME IN SOUTH AFRICA

The **mass task team, numbering 123 members**, was deployed from a location outside White River, from where the operation was launched at daybreak on Tuesday morning. A strong team of **64 members of the police's Special Task Force** search and seizure at 27 different private and business properties – SARS

The Citizen

South Africa
22.9.2018 10:56 am

WATCH: Rhino poaching 'kingpins' busted include three policemen

Arian Jonse van Rensburg / CNS

A heavily armed task force has been involved since Tuesday in a massive crackdown that has seen the arrest of notorious alleged poachers.

Notorious poaching accused Joseph Nyalunga (33) and Petros Sidney Mabuza (53), dubbed Big Joe and Mr Big respectively, were rearrested by a heavily armed task force in a massive crackdown that started at sunrise on Tuesday, Lowvelder reports.

Various law-enforcement agencies participated in making the massive arrests, which are expected to result at least a 70 percent decline in rhino poaching countrywide.

The suspects include three policemen, one former policeman and three major role players in the rhino poaching syndicates.



An aerial shot of the task team surrounding Joseph Nyalunga at his home on Tuesday. Picture: Lowvelder.
Another suspect who is believed to be high up in the syndicate ranks, Cyril Masei (33), was also arrested. Two active police officers, and one who was fired from the force earlier this year, were arrested the same day for allegedly assisting the members.



[tps://youtu.be/wWvW2xqkTkk](https://youtu.be/wWvW2xqkTkk)

[Rhino poaching kingpins appear in court – YouTube](https://youtu.be/wWvW2xqkTkk)

SARS AND ILLEGAL WILDLIFE TRADE (IWT) – TAX CASE LAW

From a tax perspective are at **high level 3 aspects to consider dealing with proceeds of crime, money-laundering** :

1. Proceeds of illegal activities constituting Gross Income
2. Non-deductibility of any expenses emanating from illegal activities and specifically money laundering
3. Imposition of Understatement Penalties (USP) at 200% with regards to proceeds arising from all illegal activities

Joseph Nyalunga v The Commissioner, of South African Revenue Services (90307/2018) [2020] ZAGP

The taxpayer, Mr. Joseph Nyalunga (aka “Big Joe”), at the time a warrant officer in the South African Police Service was arrested on the N4 highway near Middelburg during 2011. His Range Rover Sport contained a **cash amount of R3.3 million and further cash notes amounting to R5.8 million** was found at his home. Nyalunga was charged with money laundering and released on bail.

- ❑ On 4 April 2013 SARS **hand delivered** its Notification of Audit for the years of assessment 2006 to 2013, **in prison**.
- ❑ Letter of Findings and Letters of Assessment to the taxpayer **whilst in prison**. SARS afforded Nyalunga 30 days from the date of his release, 8 April 2014 to object against his assessments, however Nyalunga failed to do so. SARS obtained a tax judgment in the amount of R15.2 million on 23 June 2014, however during 2016, the sheriff unsuccessfully attempted to execute the warrant against Nyalunga.

Judgment delivered on 6 May 2020 : The taxpayer was unsuccessful in his arguments **to review section 100(1)(a) and (b)** of the Tax Administration Act, which makes provision for **finality of an assessment read with section 104(5)(b)**, dealing with **prescription of objection period to an assessment**. The Gauteng North High Court confirmed the **principle that incarceration is not an excuse for failure to timeously deal with tax matters**.

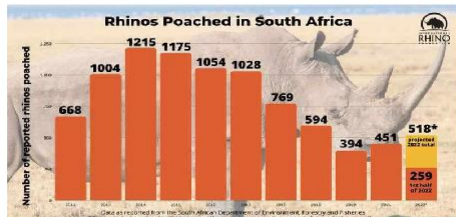


SARS AND ILLEGAL WILDLIFE TRADE (IWT) – FIC TACTICAL OPERATIONS GROUP (TOG)

SUNDAY INDEPENDENT

Sars clamps down on illicit rhino industry activities

Published Sep 26, 2022



The International Rhino Foundation shows a projected rhino poaching figure of 518, since 259 rhinos have been poached in the first six months of 2022.

Written by
Manyane Manyane

Johannesburg – As the world celebrated Rhino Day this week, a multidisciplinary law enforcement team nabbed several suspects in connection with wildlife crime, including rhino poaching.



OR Tambo customs officials seize rhino horns worth R117m

14 Jul 2020



Officials at OR Tambo International Airport said on Tuesday that they had seized dozens of rhino horn pieces disguised as art – and valued at about \$7 million (about R117 332 250).

They "discovered 41 pieces of rhino horn in a consignment declared as fine art", the customs authorities said in a statement.

The cargo, which was destined for Kuala Lumpur via Doha, was detected during a routine inspection of warehouses at the country's largest airport.

Home to about 80% of the world's rhino population, South Africa has become the epicentre of poaching in recent years, but has seen a steady decline in numbers of rhino killed since 2014.

In 2019, 594 of the animals were slaughtered for their horns, down from 769 in 2018.

Demand for rhino horn is primarily fuelled by consumers in Asia, where it is coveted as a traditional medicine, an aphrodisiac or a status symbol, and can fetch up to \$60 000 (more than R1 million) per kilogram.

The horn is composed mainly of keratin, the same substance in human nails.

According to the conservation organisation Traffic, criminal networks of Chinese origin operate in South Africa, processing rhino horn into beads, bracelets and bangles.

SOUTH AFRICA

Audit trail runs by tax authorities to curb wildlife crime

23 September 2022 - 07:41
BY TIMES LIVE



Several specialised divisions within the SA Revenue Service are focusing on tax audit investigations aimed at those benefitting from tax evasion and illicit financial flows stemming from wildlife crime. File photo.

To clamp down on the illicit rhino horn industry and other types of wildlife crimes, the SA Revenue Service (Sars) says it has initiated measures to make it "hard and costly" for offenders.

Several specialised divisions within Sars are focusing on tax audit investigations aimed at suspected non-compliant taxpayers, actors and facilitators benefitting directly or indirectly from tax evasion and illicit financial flows stemming from wildlife crime.

SARS Customs dogs detect R53 million rhino horn shipment

The huge bust is the fourth of its type at the airport since July last year.

6 February 2021



A CUSTOMS detector dog unit has identified a shipment of rhino horn, headed to Malaysia, with an estimated value of R53 172 000.

This led to a massive SARS customs rhino horn bust, the fourth of its kind since July last year.

According to South African Revenue Service (SARS) the customs officers immediately reported the find to the Directorate of Priority Crimes Investigation (Hawks) who confiscated the shipment at the scene for further investigation.

"Those that are determined to destroy the rich natural endowment of our country, which is a common treasure and heritage for all, that we should look after for future generations, will be met with unwavering commitment of our officers to enforce the law," he said.

- ❑ July 2020 : 41 pieces weighing 137kg and valued at **R115 668 828**.
- ❑ 30 Sept 2020 : Six pieces, weighing 4.9kg and valued at **R4 135 600** declared as "coffee beans" and bound for Malaysia.
- ❑ 14 Dec 2020 : 17 pieces of rhino horn weighing 72.4kg and valued at **R61 137 778** were concealed in a geyser bound for Malaysia.
- ❑ 4 February 2021 : 18 pieces of rhino horn, weighing 63kg and valued at **R53 172 000**. They were declared as "HP Cartridges Developers" and bound for Malaysia.
- ❑ 19 July 2021 – 31 pieces weighing 160kg worth more than **R234 million** "The shipment was declared as 'live plants' and consisted of eight pieces.

CONCLUSION - INTERNATIONAL ALIGNMENT : **ROLE OF PROSECUTORS** IN THE ENVIRONMENTAL PROTECTION

On 4 October 2022, the **Consultative Council of European Prosecutors (CCPE)** adopted its [Opinion No. 17 \(2022\) on the role of prosecutors in environmental protection.](#)

- ❖ The CCPE takes into account that the environmental crimes and related infringements **increasingly become a source of global concern**, and key role of prosecutors in any strategy for the protection of the environment
- ❖ **Stresses that increased and sustained attention by prosecutors** to environmental crime and law enforcement is essential to **strengthen the rule of law** on which the environmental governance is based.
- ❖ The Opinion adopted takes into account the guiding principles and guidelines. It addresses a range of pertinent issues related to environmental crimes and sanctions, **effective investigation and prosecution**, institutional aspects, **interdisciplinary and inter-institutional cooperation and coordination**.
- ❖ Highlights the very **important role of non-governmental organisations and civil society** as stakeholders in the implementation and enforcement of environmental law, without prejudice to the independence and autonomy of the prosecution services.
- ❖ The necessary **legal tools and investigative techniques** should be put to the disposal of prosecutors in order to combat environmental crime.
- ❖ **Parallel financial investigations** focusing on **both the environmental crimes and the connected money laundering offences** simultaneously are one of the effective tools to identify larger criminal networks and disrupt financial flows.
- ❖ Furthermore, the **regular review of links between environmental crimes and other serious crimes**, notably **organised crime and corruption, as well as crimes committed in the context of armed conflicts** through means of warfare.
- ❖ AND of the availability of adequate tools and channels for **national inter-agency and international co-operation are also critical**, prosecutors should always treat international co-operation requests on environmental matters with the **same diligence and priority level as all other criminal matters**.
- ❖ In particular, **establishment of additional official mechanisms** and procedures for a **swift and effective cross-border investigations**