

The Global Observatory of Transnational Criminal Networks

Background on South Africa, Rhino Poaching and Rhino Horn Trafficking

No. 8

Khalil Goga
Eduardo Salcedo Albarán
(Authors and Researchers)

Luis Jorge Garay Salamanca
(Scientific Director)



This research was elaborated through protocols and technologies developed by Vortex
Foundation
(<http://www.scivortex.org>).



Fusion supported this research as preparation for the series "The Traffickers"
(<http://thetraffickers.com>).





The Global Observatory of Transnational Criminal Networks - Research Paper No. 8.
VORTEX Working Papers No. 22

Background on South Africa, Rhino Poaching and Rhino Horn Trafficking

© Khalil Goga, 2017

© Eduardo Salcedo Albarán, 2017

Scientific Director
Luis Jorge Garay

Text, audio and video included in this publication are protected by copyright laws. Reproduction is permitted if the author and the editor are referenced and quoted.

Opinions and ideas expressed by the authors do not compromise or reflect the opinions of Fusion Media Group or Vortex Foundation.

© Vortex Foundation, 2017. Copyright.

First edition, 2017.

Electronic Edition, Bogotá, Colombia

Disclaimer

The facts and the analysis presented herein are sustained in documents and interviews exposed in mass media and judicial records related to the criminal networks analyzed. No primary information uncovering facts has been gathered, which means that only secondary sources were consulted, from legal to media documents. In the case of the names mentioned, quoted or referenced on indictments —with the exception of those specifically mentioned, quoted or referenced in the text as definitively condemned-, the presumption of innocence, in observance of individual rights is always preserved.

The judicial truth is the jurisdiction of the courts, which by law will decide whether the defendants are innocent or guilty. It is stated that belonging to, participating in, being connected to, or appearing on a network, as analyzed herein, does not imply having committed a criminal act or being engaged in a criminal enterprise. It is always possible to belong, participate, be connected, or appear on a network as an agent promoting interests that are socially and institutionally beneficial, or as a result of coercion, among other reasons unrelated to criminal acts committed by the agent.

Table of Contents

Introduction	6
1. Background to South Africa	6
2. Crime rates in South Africa.....	8
3. Organized Crime in South Africa	8
4. Rhino Horn	9
5. The Police and enforcement	12
6. Arrests related to Rhino Poaching	15
Conclusion	17

Introduction

The purpose of this descriptive document is to present relevant background information about South Africa and the criminal markets of rhino poaching and rhino horn traffic. The document consists of seven parts: (i) A introduction to relevant economic and political characteristics of South Africa, (ii) relevant crime rates in South Africa, (iii) an introduction to relevant characteristics of organized crime in South Africa, (iv) a background and decision of the rhino horn market, (v) an introduction to the police and enforcement agencies in charge of investigating and prosecuting rhino poaching and rhino horn traffic in South Africa, (vi) statistics of arrests related to rhino poaching, and (vii) a conclusion.

1. Background to South Africa

South Africa is a country with a population just over 50 million people. It occupies much of the southern tip of the continent and shares borders with Namibia, Botswana, Zimbabwe, Lesotho, Mozambique and Swaziland. Lesotho, is completely within the borders of South Africa. Major ports include Durban and Richards Bay on the East Coast and Cape Town on the West Coast. The economic heartland lies in Gauteng and in particular the city of Johannesburg, which is the country's largest city.

South Africa's economy is the second largest economy in Africa (after Nigeria) and is arguably the most sophisticated on the continent. Whilst much of the country's fortune was built on the proceeds of mining, the country now boasts a diverse and mixed economy which includes other resources, agriculture, fishing, manufacturing, tourism and services.

Economic growth has however remained sluggish since the financial crisis of 2008 with a growth rate of under 2% far less than the rest of sub-Saharan Africa. The country has also been affected by a series of crippling power cuts, major strikes and service delivery protests over the last few years. Since the end of white rule, the country has been led by the African National Congress (ANC), which has won majorities in every election since freedom. Despite being linked to various instances of corruption and being the target of numerous demonstrations of discontent, the ANC appears unlikely to lose power in the near future. A single province is in opposition hands and the ANC has a strong rural support base. Jacob Zuma, an ANC member and former ANC intelligence operative, leads

the country with an entirely ANC cabinet. Parliament is also controlled by the ANC and they have a comfortable majority to make and change legislation.

The democratic system is mixed, with national and provincial elections as well as local government elections. The executive is accountable to parliament, although, given the strength of the ruling party, true power lies within the structures of the ANC and its National Executive Committee (NEC). The country boasts a strong independent judiciary and is guided by a progressive constitution.

Despite ranking as medium developed country according to the Human Development Index in 2014, the country is characterized by extreme levels of inequality due to centuries of colonialism and apartheid. The country began the final phase of its march toward freedom in the late 1980s, and had its first democratic election in 1994. Trying to repair the colonial and apartheid legacies has been a monumental task for the state in the twenty years since then. The country has however had its fair share of successes and failures. While, social services as well as greater levels of electricity, water and other social goods have been provided to millions of people, South Africa still battles with rampant unemployment, estimated at over 25%. Joblessness is reported to have reached the highest levels in the last 11 years (using a narrow definition) resulting in gross inequality.

The GINI coefficient, a measure of inequality in a country, stood at reached 0.65 in 2011, which was the highest in the world.¹ The inequality within the country broadly follows racial lines, mirroring the structure of the apartheid state. Whilst average income according to a 2011 census in the country was R103 204, African households had an average annual income of just R60 613 compared to white-headed households, which had an average annual income of R365 134 per annum.

Inequality and deprivation which has been rooted in the colonial economy, was built on during apartheid, to further characterized by a profound marginalization of the black population. The British colonialists used a system of legislative tools, which governed where black people could own land, live and work. Following their military conquests, they were able to maintain this control through a system of indirect rule through kings and chiefs to control the black population, particularly in rural areas. The apartheid regime followed this with a division drastic racial discrimination of people and a formalization of

¹ Gini Index (World Bank Estimate) Available in: <https://goo.gl/qYKjQG>

rural and urban segregation. The creation of 'Bantustans', under rural leaders was a crucial factor in the control of people, as well as the movement of blacks in the country. According to Statistics South Africa, in 2011, "*more than two-thirds (68,8%) of rural dwellers were still living in poverty as compared with less than a third (30,9%) of residents in urban areas.*"² Urban areas, have suffered from similar divisions social discrimination while with apartheid town planning keeping has kept former white areas apart from others. Many urban centers have had problems with urban decay and rampant crime.

2. Crime rates in South Africa

Since the fall of apartheid, the South African state has struggled to contain criminality in the country. Inheriting a system from the apartheid, government, which was highly skewed in terms of policing priorities. The state during this period located a number of police stations in former white areas and ensured that policing was primarily focused on the movement of the black population. Crime rates generally spiked in the early 2000s. In 1994, recorded murder rates were roughly 67 per 100 000 people in the country. This peaked to a level of 78,9 in 2002/2003, before steadily falling to lows of 35 per 100 000 in 2010. Since then the state has recorded steady increases in the murder rate, which has concerned civil society and criminal justice experts. Property crimes and robbery remain a major problem for the country and have seen steady increases. Over the last four years, the decreases in crimes have arguably been halted and crime has been on the increase. It has not yet research peaked periods but there are major concerns within security research.

3. Organized Crime in South Africa

Although organized crime existed in South Africa since the early development of mining settlements, it remained primarily a local phenomenon. During the final years of apartheid, organized crime became more sophisticated in the country. The opening of borders also allowed for the inflow of illicit commodities into the country, illicit drugs. Organized crime grew exponentially in the 1990s, with early organized crime threat assessments developing during the latter part of the decade in response to this growing threat. During this period, there was a notable increase in crimes associated with organized crime, such

²Statistics South Africa, 2014, Poverty Trends in South Africa: An examination of absolute poverty between 2006 and 2011. Available in: <https://goo.gl/HO87op>

as cases of drug trafficking, vehicle thefts and robberies. Foreign organized crime groups also became prevalent in the country during this period and engaged in a variety of crimes. Many of these groups could operate with local crime groups to develop transnational networks with a strong local presence.

The involvement of Asian organized crime groups in environmental crimes has created a great concern. As early as the 1990s, Asian gangs (such as the Table Mountain Gang as well as more established Hong Kong organized crime groups such as the 14K) began poaching a variety of species. Shark fin, with a limited market in South Africa, was an important source of income for many gangs. Abalone, a small shellfish found in the Western Cape, which had long been a source of conflict between fishing communities and the State, became a lucrative commodity for both local and international crime networks. As the demand in Asia grew, so did the organization of the trade, with Asian gangs and entrepreneurs³ engaging with local communities and gang lords for access to copious quantities of poached abalone. Abalone remains a concern for the State as quantities remain dangerously low. These networks have been linked to rhino poaching syndicates though evidence of this remains scant and primarily anecdotal. It is also noted that many foreign syndicates would trade precursor substances for making drugs (such as “*mandrax*” and crystal meth -known as “*tik*” in the country) for poached commodities. Evidence of this trade has decreased in the last few years, but interviewees suggest this may be due to the lack of intelligence gathered by the police.

4. Rhino Horn

The poaching of rhino horn in Africa is not new. While estimations state that at the beginning of the century there were 500.000 rhinos in Africa and Asia, this fell to just 70.000 in 1970 and up to the point that there are now 29.000 in the world today. Rampant poaching primarily caused this large-scale loss of population. In the 1990s, a massive spike in poaching also hit the rest of Africa but South Africa was largely insulated from this.

Two types of rhino exist in South Africa, these being the black and Southern white rhino. The Southern white rhino has also been regarded as wonderful an conservation effort with just 50 of these creatures existing in 1900 in KwaZulu-Natal to over 20.000 in the world

³ Peter Gastrow (2001). Triad Societies and Chinese Organised Crime in South Africa. Occasional Paper No 48. Available in: <https://goo.gl/8j1azM>

today. In fact, 25% of these are on private land in South Africa. On the other hand, there were only 2300 black rhinos in 1993, but through conservation efforts, the population were able to increase to roughly 5000. In South Africa, there are an estimated 2000 black rhinos with 23% of these being on private land.

Pseudo Hunts were one of the first ways in which rhinos were poached. In this instance, traders used the specific exemption of sport hunting to obtain rhino horn. Often, professional hunters would kill the animal and then register the kill under the name of the pseudo-hunter.

There are also robberies and thefts of stockpiles of rhino horn. In 2014, 40 rhino horn were stolen from the safe of a governmental national parks department.

Table 1. Potential mass of white rhino horn exported with CITES permits from South Africa to Viet Nam as a result of pseudo-hunting

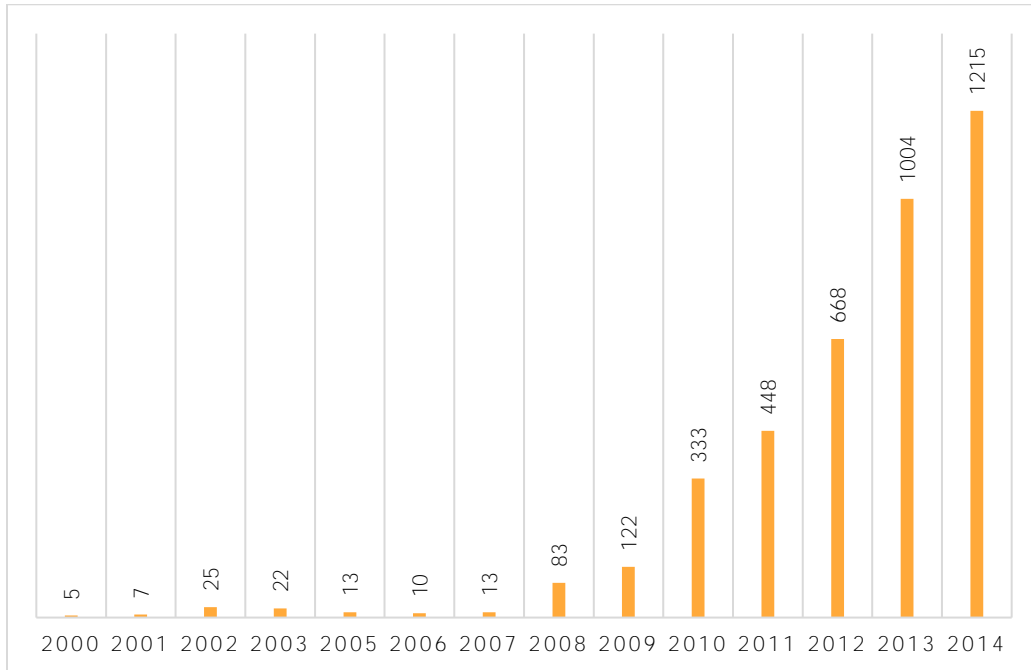
Year	Minimum number of pseudo-hunts	Maximum number of pseudo-hunts	Average number of pseudo-hunts	Potential mass (kg) of horn acquired from average pseudo-hunts
2002	0	0	0	0
2003	5	11	8	66
2004	0	3	2	17
2005	4	12	8	66
2006	6	58	32	266
2007	13	74	44	365
2008	31	48	40	332
2009	17	99	58	481
2010	28	111	70	581

Source: Rhino Horn Trade, South Africa Legalising Report. Available in: <https://goo.gl/rbrRYz>

Finally, there are traditional poaching methods where poachers enter into a game farm of the park and shoot and dehorn the rhino. These poaching methods have become more sophisticated and have led to increased bloodshed between poachers and law enforcement. The growth in the poaching of rhino, presented in the graph below,⁴ has been exponential and rhinos are at serious risk of extinction at the current rates.

⁴ Poaching Statistics: Available in: <https://goo.gl/aavDC0>

Figure 1. Number of rhinos poached in South Africa



Source: Poaching Statistics. Available in: <https://goo.gl/YCb2VX>

As can be seen in Figure 2, since 2008 there has been an increased demand for rhino horn trafficked from South Africa. With limited demand in South Africa, rhino horn is popular in Asia and has become a growth industry for organised criminals. The table 2, with the number of seizures of rhino horn, illustrates that East Asia is a high demand region for rhino horn.

Table 2. Number of seizures of rhino horn and demand in East Asia

Country of destination	Number of seizures cases	Estimated number of horn seizures	Estimated weight of rhino horns seized	% of total weight of horns seized
Viet Nam	34	228	573,88	36,76
China	46	191	470,85	30,16
Thailand	4	19	34,94	2,23
Malaysia	2	7	19,46	1,25
Leo PDR	1	5	15,3	0,98
Nepal	1	1	0,75	0,05
Subtotal	88	451	1115,18	71,43
Unknown	60	165	445,86	28,56
Total	148	616	1561,04	99,99

Source: Tom Milliken, 2014, Illegal trade in ivory and rhino horn: An assessment to improve law enforcement under the wildlife traps project. Available in: <http://goo.gl/5OF1Wt>

However, seizure data must be used with caution as it can illustrate increased interdiction efforts and abilities. The demand for horn has changed since the 1990s, when countries such as Yemen, had a high demand.

Rhino horn is primarily used for producing “medicine” in these Asian countries. Since Vietnam has become such a significant destination for rhino horn, the South African government has signed a Memorandum of Understanding with the Vietnamese government to collaboratively confront this trade. However, Vietnam currently has an illicit wildlife trade valued at between eight and ten billion dollars a year, and rhino horn is a key component of the illicit trade. The financial incentives of trading in rhino horn cannot be underestimated given the growth of the value of the horn. In 1993 the cost of rhino horn was just USD\$4700 per kilogram, and now rhino horns can sell for USD\$60,000 to USD\$100,000 per kilogram, which is over double the cost of gold. The cost of rhino has also shot up in the last two decades.

5. The Police and enforcement

The South African Police Service (SAPS) was established in 1994 and took over policing capacity from the apartheid states. Since the end of apartheid, the police had to greatly expand the focus to the entire country and to adopt a less militarized and more community orientated approach to policing.

The police service comprises roughly 160 000 personnel, excluding civilian personnel. Its size has greatly increased, as has the budget. Between 2002/2003 and 2009/2010, an additional 61 000 people were recruited (an increase of 44%), though this number has stabilized since then. The police have been criticized for several reasons, including extreme brutality and corruption. According to a recent survey, just 16% of the population trust in the police, and in a victimization survey, more than 70% of households believed that corruption had increased during the period 2010–2013. Most notoriously, the head of the SAPS, commissioner Jackie Selebi was sentenced to 15 years for having a corrupt relationship with drug trafficker Glenn Agliotti.⁵ There has been a host of other notable high-profile corruption scandals including:

⁵ CNN (2010) Former S. African police chief convicted of corruption. Available in: <http://goo.gl/6ZI7dP>

- That of Joey Mabasa who was Gauteng crime intelligence boss, who was known to have business interests with Czech fugitive Radovan Krejcir.⁶
- Current Western Cape police commissioner Arno Lamoer who is being investigated for links to a Cape Town underworld criminal.⁷
- Figures in the Hawks (SA's specialized law enforcement body) including former head, Anwar Dramat and Gauteng head Shadrack Sibiyi, who were accused of illegally rendition prisoners to Zimbabwe. Some of whom were later murdered.⁸
- Richard Mdluli, the crime intelligence boss was accused of murder as well as a host of corruption-related charge.⁹

Whilst criticism towards the police has often been virulent, managing the post-apartheid police force has not been an easy task. The police had to manage a system where many senior police officials were white and the police had to create a system for black police officials. They also had to align themselves with political appointees and former ANC soldiers to the SAPS. The SAPS was also a highly politicized institution and members of the notorious security branch focused primarily on political control and enforcement. The SAPS during the apartheid period also was notoriously brutal and corrupt, and routinely tortured and murdered civilians. The police have battled to overcome geographic and institutional problems, such as the way police deployed to various stations, with those in more well off areas often having higher police to civilian ratios than poorer areas with higher crime rates.

Since the SAPS have been in charge they have battled with institutional problems and have been caught up in infighting between divisions such as Crime Intelligence and specialized anti-corruption bodies. The SAPS have also suffered from a continual shift in strategy and planning. The SAPS inherited a system with multiple "specialized units" to combat everything from violent crimes, diamond theft and commercial crime. These units

⁶ Mail & Guardian (2015) Krejcir, the cop and the "free" Hilux <http://goo.gl/MLxWel>

⁷ Eyewitness News (2015) Top cop Arno Lamoer hands himself over the police. Available in: <http://goo.gl/MLxWel>

⁸ SABC News (2016) NPA to charge Dramat, Sibiyi, and Maluleke. Available in: <http://goo.gl/HqkhLI>

⁹ City Press (2015) Richard Mdluli's "hidden hand" in report to get rid of Anwa Dramat. Available in: <http://goo.gl/POk2xk>

were disbanded during the period of Jackie Selebi, leading to the loss of many specialized skills.

In order to combat priority crimes, including environmental crime (especially the trade in rhino horn), the police depend on the specialized skills of the Directorate of Priority Crimes Investigations (DPCI), commonly known as “the Hawks”. The DPCI fall under the control of the SAPS though their independence is currently being contested in the courts with recent court judgments ordering them to report to the Minister of Police rather than the commissioner of Police. This remains a concern and part of the reason for the DPCI’s uneasy place is that it developed from the Directorate of Special Operation (DSO or Scorpions) which was housed in the National Prosecuting Authority (NPA).

The DPCI and the NPA have prioritized rhino poaching and have dedicated units to investigate and prosecute rhino poaching crimes. The DPCI also have a dedicated “Champion”, who is on the level of provincial commissioner (General) who manages it. The NPA also have a dedicated rhino poaching prosecutorial team, which focuses primarily on prosecuting rhino trafficking and poaching crimes.

Enforcement is not only conducted by the DPCI and NPA. Forensics and the detective service within SAPS also provide support. Crime Intelligence also provides intelligence support, though the relationship between Crime Intelligence and the DPCI is fractured and is a handicap against fighting rhino poaching. Forensics can provide detailed scientific notes on the trade.

Further support comes from the South African National Defense Force (SANDF) and their intelligence bodies as well. It should be noted that the previous SADF of the apartheid regime was known to engage in extensive poaching and smuggling operations across Africa, yet nothing of the same scale is noted in the current structures.

Support is also provided by the department of Environmental Affairs as well as Customs (under the South African Revenue Service – the taxing unit) who have key roles. Customs agents and border police (part of the SAPS) check baggage and containers leaving the country. Customs are allegedly quite corrupt. and will often turn a blind eye toward shipments. There is also a lack of capacity, with equipment such as scanners at ports being in short supply.

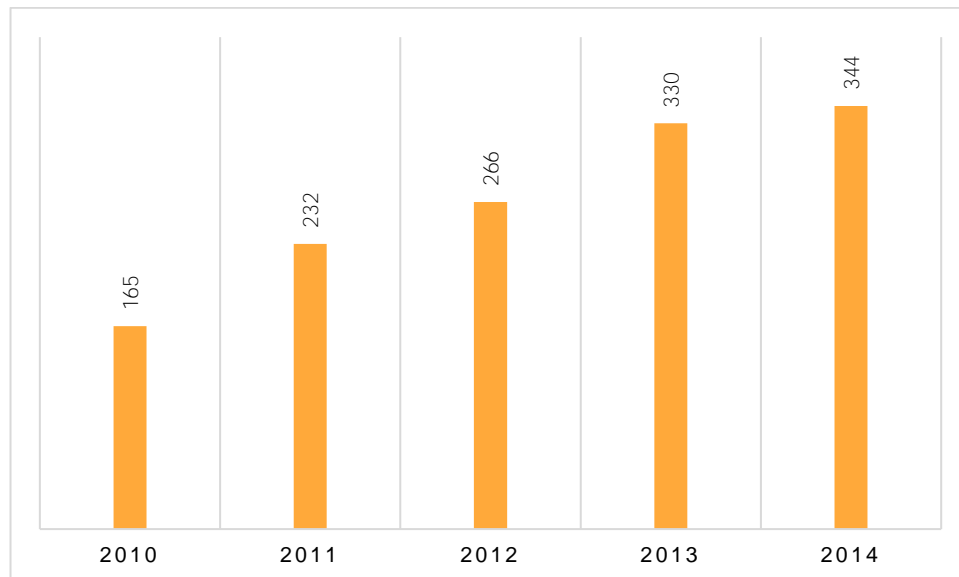
Additionally, the South African National Parks Department are integrally involved in the limiting of poaching and many of their rangers do the patrolling and arresting of poachers.

All these bodies and institutions fall under the National Joint Operation and Intelligence Structure (NATJOINTS), which reports to parliament. All these stakeholders and institutions have been working together to limit rhino poaching, which is a priority crime within the country. Furthermore, many non-governmental organizations have offered to assist and provide a variety of functions. The more well-known has been the University of Johannesburg, which provides DNA and forensic services to law enforcement to track the flow of rhino horn.

6. Arrests related to Rhino Poaching

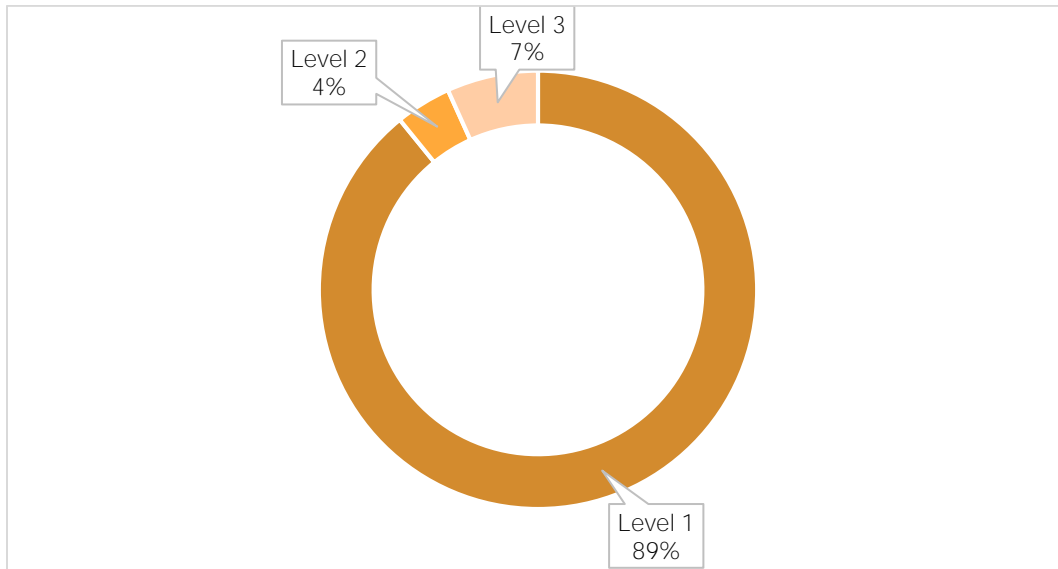
Poaching arrests stood at 386 people in 2014, a slight increase from the year before, however most of the arrested have been low-level poachers who are regarded as level 1 (levels go up to 5 and suggest a greater sophistication with those at level 5, being international syndicates). Only 12 arrests took place at a higher level. The conviction rate stood at just 50%.

Figure 3. Number of Rhino Poaching arrests in South Africa



Source: Environmental Affairs (2015) Rhino poaching statistics update. Available in: <http://goo.gl/Zww970>

Figure 4. Arrests differentiated by the level of the poacher (DATA from DEA)



Source: Tom Milliken, 2014, Illegal trade in ivory and rhino horn: An assessment to improve law enforcement under the wildlife traps project. Available in: <http://goo.gl/5OF1Wt>

Table 3. Estimated number of rhino horns and total weight seized, 2009 – March 2014

Year	Number of seizures	Reported number of rhino horns or pieces of horns	Reported weight (kg) of rhino horns	Estimated number of horns	Estimated horn weight (kg)
2009	16	44	54,03	51	138,91
2010	44	120	85,8	130	373,1
2011	31	76	104,82	84	207,83
2012	26	137	76,17	149	403,83
2013	25	167	137,51	167	346,01
2014	6	35	44,1	35	91,36
Total	148	579	502,43	616	1561,04

Source: Tom Milliken, 2014, Illegal trade in ivory and rhino horn: An assessment to improve law enforcement under the wildlife traps project. Available in: <http://goo.gl/5OF1Wt>

Conclusion

Whilst this paper has given a background into issues from a South African perspective, it is also important to note that much of the rhino poaching takes place in the Kruger National Park and there is extensive involvement from the Mozambique side. Poachers and traffickers often use this porous border to engage in their criminal acts and are able to swiftly get back into Mozambique. The large natural reserves and the development of the Great Limpopo Trans-frontier Park, which links parks in Zimbabwe, South Africa and Mozambique, has also arguably been a factor. The South African and Mozambican governments have signed a Memorandum of understanding to try to limit this transnational crime, though interviews with officials at various law enforcement bodies have continually lamented the lack of cooperation and the difficulties in cross-border operations. Poaching laws in Mozambique are also far less stringent than South Africa.

The human cost remains a concern, and in the last year, around fifty poachers were killed in the Kruger National Park alone. As this escalation and militarization continue, the increase in bloodshed will increase creating further hostilities for the rural and often impoverished communities that surround national parks.

About the Authors

Khalil Goga

Khalil Goga is a Researcher for the Transnational Threats and International Crime Division of ISS Pretoria. He has been researching organized crime in Africa since 2009. He previously lectured at the University of KwaZulu-Natal, from where he received both his undergraduate and master's degrees.

Eduardo Salcedo-Albarán

Philosopher and MsC in Political Science. Founder and CEO at Vortex Foundation. Eduardo has researched in the areas of organized crime, kidnapping, corruption, drug-trafficking and State Capture. As partner, advisor or consultant, he currently researches on the structure and impact of Transnational Criminal Networks with scholars, institutes and Universities in North, Central and South America, Europe and Africa.