



TANZANIA

PARTY TO CITES (1980) | UNTOC (2006) | UNCAC (2005) MEMBER OF INTERPOL | WORLD CUSTOMS ORGANISATION | LUSAKA AGREEMENT TASK FORCE

SOURCE

OVER 12 TONNES
IVORY SEIZED
SINCE 2010

IVORY



SOURCE • TRANSIT

53.3 kg RHINO
HORN SEIZED IN OR
LINKED TO TANZANIA
SINCE 2010

RHINO

38 975 ELEPHANTS
IN SELOUS 200966% FALL IN
SELOUS ELEPHANT
POPULATION IN
JUST OVER 4 YEARS13 084 ELEPHANTS
IN SELOUS
2013IVORY CONVICTION
NEW ENFORCEMENT UNIT803 SUSPECTS • 233 CONVICTIONS
REPORTED IN 2015

TANZANIA | INVESTING IN ENFORCEMENT

KEY INDICATORS¹INTERPOL National Central Bureau has officer(s)
dedicated to investigating wildlife crimeMulti-agency enforcement mechanism
established to investigate wildlife crimeFinancial intelligence unit includes wildlife crime
on their portfoliosAssets and proceeds of crime seized in relation
to wildlife crime cases since 2014DNA analysis used in wildlife crime
investigations since 2014

Government monitoring of online wildlife trade

Part of bilateral or multilateral agreements that
specifically tackle transnational wildlife crime²Participated in INTERPOL operations
on wildlife crime since 2014Participated in regional/international enforcement
operations on wildlife crime since 2014³Applied or declared intention to apply ICCWC
Wildlife and Forest Crime Analytic Toolkit

MAIN OBSERVATIONS

- The **Tanzanian Wildlife Authority (TAWA)** was conceptualised in 2014 for wildlife conservation in areas outside national parks and was reported to have become fully operational in July 2016.
- **Government investment** since 2014 has included the hiring and training additional
- wildlife rangers. In addition, several capacity-building initiatives have been implemented with the support of NGOs and foreign governments.
- **Canine units** have been deployed at key border crossings since January 2016 and, as of June 2016, have led to 26 wildlife seizures, including ivory and pangolin scales.
- Tanzania has **not conducted DNA analysis** on any of the four large-scale ivory seizures (≥500kg) made since 2010, as per CITES recommendations. However, DNA analysis conducted on 28 large-scale ivory seizures outside Tanzania (between 1996–2014) indicates Tanzania was one of the main sources.
- There appear to be duplication of efforts between the **two multi-agency units** responsible for combatting wildlife trafficking, namely the National and Transnational Serious Crimes Investigation Unit (NTSCIU), and the Multi-Agency Task Team (MATT) established in 2015. The NTSCIU has made 803 arrests in relation to ivory in 2015, of which 233 led to convictions.
- An **Inter-Ministerial Task Force** exists to coordinate wildlife-related enforcement and includes agencies such as the Tanzania Revenue Authority and Intelligence and Security Services.
- **Efforts to improve international collaboration** have included the adoption of an MoU with China, but despite this agreement there does not appear to be strong enforcement cooperation between the two countries. A bilateral agreement was adopted with Mozambique to coordinate management

and anti-poaching activities across the Selous-Niassa ecosystem. Tanzania also hosted a regional summit on wildlife crime in November 2014, which resulted in the adoption of the 'Arusha Declaration', signed by eight African states, committing to improving regional collaboration. While Tanzania has participated in INTERPOL operations since 2014, there is insufficient evidence available as to whether other proactive regional and international enforcement operations have taken place outside the INTERPOL framework.

- Applying the **ICCWC Wildlife and Forest Crime Analytic Toolkit** is a positive step and it is now important to ensure that information on progress made in implementing the recommendations arising from the Toolkit process is made publicly available.

CASE FILES

Tanzania issued INTERPOL Red Notices for two Chinese nationals for ivory trafficking following which, in 2016, two other Chinese nationals were sentenced to 35 years imprisonment for ivory trafficking and attempted bribery.

High-profile arrests in 2015 including the so-called 'Queen of Ivory' Yang Fenglan, a Chinese national based in Dar es Salaam, and 'Shetani', named in media reports as a key organiser of large-scale elephant poaching.

In 2016, a number of convictions of both Tanzanian and Chinese nationals related to ivory have resulted in fines of between US\$4,400–274,000 or 20-year prison sentences; other punitive measures exceed this. This is encouraging progress and it is hoped that several older ivory trafficking cases which remain pending in the courts will be concluded in the near future.

TANZANIA | ENSURING EFFECTIVE LEGAL DETERRENTS

KEY INDICATORS¹

Legislation treats wildlife crime as a 'serious crime' as per UNTOC, ie, the maximum sanction applicable is not less than 4 years

Sentencing guidelines for wildlife crime have been disseminated

Known convictions for wildlife crime since 2014

Charges brought under ancillary legislation such as anti-money laundering laws in wildlife crime cases since 2014

Has anti-corruption unit

Known convictions for corruption related to illegal wildlife trade cases since 2014

30/100 TI Corruption Perceptions Index 2015

MAIN OBSERVATIONS

- In conjunction with NGOs, a programme was launched in May 2016 by the Tanzania Judiciary Training Department and the Tanzania Wildlife Division to improve awareness of wildlife crime among the judiciary. A study conducted by TRAFFIC revealed that the vast majority of the judiciary have received **no training on wildlife crime**. Furthermore, chronic delays in the court system mean that even the best investigations and prosecutions stand a significant chance of derailing due to the persistent culture of adjournments; a case of ivory smuggling through Zanzibar is in its third year and has yet to start hearing evidence.

- Amendments to Tanzania's Wildlife Conservation Act 2009 are awaiting submission to parliament. The process has been delayed since 2013. According to a recent study, there appears to be **confusion among prosecutors and judges** themselves regarding the applicable legislative framework (Jayanathan, S. 2016). The situation is likely exacerbated by the lack of clarity on the status of existing laws and the undue delay in adopting amendments. Access to laws has been cited as a problem within the judiciary and the prosecution, with no central database of enacted laws available.
- While charges have been brought for corruption in at least one case related to ivory trafficking, it is **unclear whether relevant ancillary legislation such as anti-money laundering laws are being applied** in wildlife trafficking cases.



CHALLENGE

Although Tanzania's Wildlife Conservation Act 2009 provides for a minimum of five years imprisonment or a fine for illegal wildlife trade, the equivalent legislation in the autonomous region of Zanzibar stipulates a maximum penalty of six months imprisonment or a fine of US\$185 equivalent.

Zanzibar law only applies to native species, therefore excluding the majority of CITES-listed species, including elephants and rhinos. Efforts are reportedly underway to address this major legislative loophole. There is a need to improve enforcement co-operation between mainland Tanzania and Zanzibar.

Chronic corruption in Tanzania is a vital enabling factor for the trafficking of large consignments of ivory, particularly in Customs at key ports. EIA's 2014 report Vanishing Point revealed that Chinese-led criminal gangs were conspiring with corrupt Tanzanian officials to traffic huge amounts of ivory, leading to an elephant poaching crisis in Tanzania.

Many high-level officials within the ruling CCM party have also been named in the Tanzanian media and Parliament in connection with ivory trading. It does not appear that the key corrupt officials implicated in ivory trafficking which led to Tanzania's elephant poaching crisis have been held accountable or prosecuted.

LEFT: TUSKS FROM YOUNG POACHED ELEPHANTS OF SELOUS BEING OFFERED FOR SALE © EIA 2010

TANZANIA | ERADICATING DEMAND

KEY INDICATORS¹

Prohibits trade in elephant ivory

Prohibits trade in parts/products of Asian big cats

Stockpiled ivory has been inventoried

Destroyed ivory stockpile since 2014

Destroyed other wildlife stockpiles since 2014

No known incidents of thefts of government-owned wildlife stocks

Government-led initiatives to reduce demand for wildlife products implemented since 2014

MAIN OBSERVATIONS

- Tanzania is a co-founder and signatory to the Elephant Protection Initiative (EPI), which includes commitments to put ivory stockpiles beyond economic use, close domestic ivory markets and commit to a minimum of a 10-year moratorium on all international ivory trade. Yet **despite these commitments under the EPI, Tanzania actively supports proposals from other countries to enable international legal trade** under the CITES framework.
- Tanzania has reportedly conducted an **inventory of its ivory stockpile** with assistance from the NGO Stop Ivory; however the inventory results have not been made publicly available and it is unclear whether the inventory included all Government-held ivory.
- NGOs African Wildlife Foundation and WildAid, in conjunction with the Ministry of Natural Resources, launched the **'Poaching Steals from Us All' campaign** in 2015, aimed at increasing awareness of illegal wildlife trade.

CHALLENGE

Based on information provided by the Government in December 2012, Tanzania has stockpiled approximately 137 tonnes of ivory. Despite its commitment under the EPI to 'put all stockpiles beyond economic use' and investigations by Tanzania's Auditor General which documented mismanagement of the ivory stockpile and missing tusks from the stockpile, the Government has failed to destroy any stock.