



Illegal Wildlife Trade (IWT) Challenge Fund Annual Report

To be completed with reference to the “Writing a Darwin Report” guidance:
(<http://www.darwininitiative.org.uk/resources-for-projects/reporting-forms>). It is expected that this report
will be a **maximum** of 20 pages in length, excluding annexes)

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IWT Challenge Fund Project Information

Project reference	IWT067
Project title	Strengthening implementation of Zimbabwe’s wildlife crime legal system.
Country/ies	Zimbabwe
Lead organisation	Space for Giants
Partner institution(s)	Speak Out For Animals
IWT grant value	£319,207.00
Start/end dates of project	1 April 2019 to 31 March 2022
Reporting period (e.g. April 2019-Mar 2020) and number (e.g. Annual Report 1, 2, 3)	April 2020 – March 2021 Annual Report 2.
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Report author(s) and date	Katto Wambua, Marc Collins 1 April 2020

1. Project summary



(Map of Zimbabwe's major urban centres and wildlife national parks)

The project aims to redress wildlife crime such as poaching and trafficking of Zimbabwe's large concentrations of endangered species in Zimbabwe's Zambezi Valley, North West Matebeleland, Sebungwe and South East Lowveld. Poaching and trafficking of elephants and pangolin are growing problems. According to the Zimbabwe Parks and Wildlife Management Authority (ZimParks) 800kgs ivory was recovered in 2017 as compared to 250kgs in 2016. This represents a 216% increase in recovered ivory and indicative of increase in poaching. Overall, the elephant population in Zimbabwe fell by around 6% between 2013-2016, with some areas experiencing a reduction as high as 74%. In the same period, pangolin trophies (the most trafficked species globally) increased by 37% while Rhino populations, as elsewhere in Sub-Saharan Africa, remain under huge threat, and are surviving in heavily protected parks. Poaching is predominantly being undertaken by Zimbabwe nationals with 539 of them arrested for wildlife crime in 2017, compared to 62 foreigners. There is also use of hazardous chemicals with wider impact on people and the environment such as cyanide (11kgs recovered in the Western region in 2017). Zimbabwe currently has around 84,000 elephants, which fluctuates as they roam to and from Botswana.

The problem of wildlife crime in Zimbabwe is multi-faceted and can be grouped as follows:-

Legal:

- Poor law enforcement knowledge and skills, leading to acquittals of poachers more on technicalities than on fact.
- Too many legal inconsistencies within Zimbabwe's laws, making it hard to interpret and effectively protect wildlife.
- "Bail pending Appeals" is a major challenge as poachers are released back into the community and commit the offence again.

- The policy on Problem Animal Control means animals are euthanized regularly for human-wildlife conflicts, leading to a new trend causing the loss of lions, baboons and elephants as “problem animals”.

Governance:

- Corruption within the parks, police and judicial systems.
- Illegal hunting in safari areas, due to poor monitoring and poor regulation by parks authorities.
- Conservancies and safari areas poach under “ration meat”, abusing their licences and quotas.
- National Parks are under-resourced (people, vehicles, money).

Socio-economic:

- Poverty within communities especially with the poor state of Zimbabwe’s economy. This is increasingly worsened by ongoing climate change, such as the ongoing prolonged drought.
- Aggrieved wildlife custodians: parks employees are poorly paid and paid late; and communities are not compensated for human-wildlife conflicts, leading to retaliation killings.
- Crime informants are not paid properly nor on time.
- Encroachment by communities into wildlife designated habitats- new resettling schemes are not properly coordinated by the government, causing habitat loss for wildlife as humans take space, and fight for water.

Not all of these threats are addressed by this project. However, this project aims to significantly address the legal aspects, through capacity building of prosecutors and judicial officers based on training on the use of the Rapid Reference Guide to Investigation and Prosecution of Wildlife Crime in Zimbabwe (RRG). The RRG includes sentencing guidance to guide prosecutors and judicial officers to arrive at deterrent sentences. The project also aims to implement a national wildlife case monitoring programme to assess the effectiveness of prosecutions and use of the RRG. This will bring clarity and consistency to application of the law and thereby strengthen the implementation of Zimbabwe’s wildlife legal system. The project also aims to scale up the capacity of local NGOs engaged in wildlife legal training and animal protection who are our project partners, to better address the legal dimensions of wildlife crime in Zimbabwe.

The key outcome expected from the project is that Zimbabwe’s criminal justice system will be more responsive and provide a significant deterrent effect to wildlife criminals, leading to reductions in poaching and trafficking of endangered species in Zimbabwe.

2. Project partnerships

Space for Giants is the lead institution in this project with her main project partner being Speak Out For Animals (SOFA), a Zimbabwe based local NGO working on wildlife legal training and protection. Through this project, SOFA hired 4 legal officers to serve as court monitors of wildlife cases country-wide and together with its CEO, assist in delivery of RRG based training workshops to prosecutors and judicial officers. Two of the court monitors are based in Harare, and the other two in Hwange and Masvingo. This is more than originally envisaged within the project but still within the budget.

They track all wildlife cases in Zimbabwe in 52 court stations. This partnership has scaled-up the operational capacity of SOFA not only in hiring staff, but also vehicles and office equipment. SOFA has been involved in all aspects of project planning and implementation, and project decisions have been made consultatively.

During the reporting period, which was greatly affected by the Covid-19 pandemic, the project delivery remained resilient and delivered impressive results despite a national lockdown, travel/meeting restrictions and the partnership in this project led to SOFA's CEO being included in the first ever [Top 100 Young African Conservation Leaders' List 2021](#). SOFA has also been granted prosecutorial power by the National Prosecution Authority which signals the trust, good rapport and support that the government has extended to this project. This will enhance the capacity of the court monitors at SOFA to not only document how cases are being prosecuted in Zimbabwe, but also take remedial action where necessary thereby directly affecting court outcomes.

Going forward, Space for Giants has, independent of this project, recruited a KAZA-wide Wildlife Justice Advisor to further embed the work being implemented under this project and provide increased mentorship and support to SOFA in delivery of this project.

3. Project progress

1. A training of trainers for SOFA's legal team of 5 was delivered in April, 2020 by Space for Giants which then enabled the project to continue delivering socially distanced and public health compliant trainings in the midst of the Covid-19 pandemic.
2. Four prosecutorial and judicial RRG dissemination workshops were delivered resulting in the training of 48 prosecutors/investigators and 15 judicial officers between March 2020 and March 2021. Thus a total of 5 trainings were delivered involving 68 individuals i.e., 63 investigators, prosecutors and judicial officers, as well as, the SOFA team of 5. This is more than those trained in the pre Covid-19 year 1 of the project i.e. 2019-2020. This is exceptional given the difficult circumstances the project operated in during this pandemic year and the general halt or disruption of projects world wide.
3. The project's 4 lawyers undertaking court monitoring across the country were approved by the National Prosecution Authority to also prosecute wildlife crime cases, thereby ensuring they can directly affect court outcomes. This has culminated in the signing of a long-term formal MoU on prosecutorial support and capacity building between SOFA and the NPA on 12 November, 2020. This can only make the project more sustainable.
4. A Wildlife Justice Advisor for the entire KAZA region, which includes Zimbabwe has been hired by Space for Giants to further mentor and support SOFA in project delivery. This was achieved through complimentary funding unrelated to this project. This will greatly enhance the sustainability of achieving the project's goals.
5. Due in part to the activities of this project SOFA's CEO was recognized in the inaugural list of the TOP 100 Young African Conservation Leaders in March, 2021. This is a testament to the value of partnerships and support for young national NGOs through mentorship by credible international NGOs that has underpinned the delivery of this project. It has ensured visibility of local actors and increased local capacity to address critical national conservation goals.

3.1 Progress in carrying out project Activities

Activity 1: Publication of the Rapid Reference Guide for Zimbabwe, including Points to Prove Toolkit, by September 2019.

The RRG includes 'points to prove' for all relevant offences applicable in combating wildlife crime (including offences outside of wildlife-specific legislation such as the Money Laundering and Proceeds of Crime Act); it also includes sentencing guidance for prosecutors and judicial officers. This was developed between November 2018 and September 2019 by Space for Giants and SOFA and later validated by prosecutors and judicial officers at a workshop in Hwange National Park.

The RRG was published in September 2019.

The RRG was formally launched on the 1st October, 2019 at the Matopos National Park near Bulawayo by Space for Giants , SOFA, the NPA represented by the Deputy Prosecutor General and the Permanent Secretary for the Ministry of Environment.

Space for Giants has since printed and supplied SOFA with an initial 250 copies, which were disseminated to workshop participants and the rest to the NPA, ZimParks, the Zimbabwe Republic Police (ZRP) and the Judiciary. 100 more copies were printed for use from March 2020 to March 2021.

This activity has been successfully implemented and delivered on project output 1, namely; the publication of the RRG by September 2019¹.

Activity 2: Deliver 10 training and mentoring workshops held with 75 of Zimbabwe's prosecutors and judiciary on implementation of the Rapid Reference Guide Between April 2019 and March 2022.

Space for Giants is expected in partnership with SOFA to deliver **10** training and mentoring workshops to **75** prosecutors and judicial officers. The implementation of this is expected to result in **4** workshops being delivered in 2019-2020, **3** workshops delivered in 2020-2021 and **3** workshops in 2021-2022.

In 2019-2020 3 workshops were delivered training a total of 60 persons, comprising 59 prosecutors and 1 judicial officer. These workshops were held as follows:

- a) Matopos National Park, Bulawayo (20 pax from 2-4 October, 2019 for prosecutors drawn from the wider Matabeleland),
- b) Harare (20 pax, 7-9 October, 2019 for prosecutors drawn from the capital and its environs)
- c) Harare (20 pax from 16-19 March, 2020 for prosecutors from Mashonaland - wider Kariba Region).

In addition to these trainings, 4 prosecutorial and judicial trainings were delivered, as well as, 1 training of trainers workshop in the reporting period, March, 2020 to March, 2021 which trained a total of **68** individuals i.e 63 investigators, prosecutors and judicial officers, as well as, the SOFA team of 5 which underwent a training of trainers workshop which enabled delivery of the 4 prosecutorial and judicial training workshops. Those trained included 32 females or 47% of those trained. The four prosecutorial and judicial RRG dissemination workshops were delivered in-person in the midst of the covid-19 pandemic in a manner that observed all covid related public health guidelines and by trainers who were present in person and online (from Space for Giants team via Zoom from Nairobi, Kenya). This resulted in the training of 48 prosecutors/investigators and 15 judicial officers. Importantly, none of the participants contracted Covid-19 following attendance of these training workshops. Thus the project surpassed its annual target of 3 prosecutorial and judicial training workshops and also the overall project's training target of 75 prosecutors by the end of 2020. Now all 7 training workshops meant to have been delivered by now have been delivered and the project is set to hold more workshops that was originally scheduled by the end of March, 2022.

Following extensive mentoring by Space for Giants to SOFA's CEO and the 4 lawyers hired under the project, including a training of trainers workshop, the project remained resilient and was one have assisted in planning and delivering the prosecutorial RRG based training and mentoring. They have gained experience and confidence to lead the final 3 training workshops for 2021-2022.

¹

<http://www.speakoutforanimals.org/january.php?art=2>

The NPA, the Judiciary and ZimParks have been very supportive of the implementation of the project as they have seen its value and are seeing improvements in the quality of their trainees.

Activity 3: Court monitoring data from wildlife crime cases in courts across Zimbabwe published annually between July 2019 and March 2022.

Apart from ensuring SOFA's participation in RRG based prosecutorial training, Space for Giants ensured that under the project 4 lawyers were retained by SOFA to serve as legal assistants and court monitors. They are located and covering different regions, namely: Kaza/Matabeleland, Manicaland/Masvingo, Harare/Mashonaland East and West. They collected case data of 345 cases in 8 courts registered from 2015-2018; that data was analysed and the findings published in a report by Space for Giants in July 2019, entitled "A Baseline Survey of Wildlife Crime Court Cases in Zimbabwe's Kaza Region" [<https://spaceforgiants.org/wp-content/uploads/2019/07/Space-for-Giants-Zimbabwe-Court-Outcomes-Baseline-Survey.pdf>].

The report was shared with the NPA, ZimParks and the ZRP in a meeting held in Victoria Falls on the 17th July 2019 hosted by Space for Giants' legal director. The baseline report provides an overview snapshot of what was happening in Zimbabwe's courts in their handling of wildlife crime during the period 2015 to 2018 and will serve as a basis for assessing if these project's interventions have had an impact on the quality and effectiveness of prosecutions and court outcomes.

The 4 legal assistants from SOFA have from September 2019 to March 2020 submitted to Space for Giants quarterly reports on the progress of their court monitoring daily activities. To facilitate court monitoring project activities going forward, Space for Giants and SOFA procured by October 2019 three vehicles purchased for court monitors, together with necessary communication equipment and office equipment.

From March 2020 to March 2021, despite court monitoring activities being significantly affected by covid-19 resulting in a months-long national lockdown, shut down of courts and court operations, the monitors were able to safely monitor 221 wildlife crime cases in 52 courts, as well as, 29 incidents where warrants of arrest were issued. 85 of these cases are ongoing, while 115 convictions and 15 acquittals were recorded which translates to a conviction rate of 88.5%. 97% of the suspects were male and Zimbabwean nationals. The most affected species were elephants, rhinos and pangolins with these types of cases being recorded several days every week. Bushmeat cases are also on the rise. There was also a notable increase in the number of cases where firearms were used in poaching and this is suspected to be fueled by Army officers who are leasing their guns and ammunition to poachers as a way to earn an extra income during these tough times of Covid-19 pandemic. It is very encouraging to note that cases registered in this period routinely now apply the full range of the law approach emphasized by Space for Giants and SOFA during the RRG trainings, leading to accused persons now facing other offences outside the wildlife law, which is unprecedented in Zimbabwe. This means the prosecutorial and judicial training are already having a positive impact.

However the adverse effects of the Covid-19 pandemic on court operations and court monitoring have been far reaching. First, there were 2 national lockdowns of a total of 4 months (one in 2020 and another in early 2021 following the second wave of infections), followed by periods of low working capacity at the Judiciary, with Magistrates having to work in rotational shifts and some stations closing for weeks due to Magistrates or Prosecutors getting infected. Secondly, some magistrates were transferred leaving part-heard cases which they have not returned to hear to date. Thirdly, to depopulate the prisons and police remand facilities which had a high risk of infections, many accused persons were granted bail and then absconded

subsequent hearings. Fourthly, many adjournments have arisen partly due to unavailability of co-accused persons and failure to execute warrants of arrests. As a consequence a backlog of cases has developed which we project will persist way past the end of the project in March, 2022. Lastly, there has been some inconsistencies in sentencing per species or per offence type, an issue we have raised with the leadership of the Judiciary and the NPA. For example there have been differing court decisions on the status of pythons as protected species. Similarly, there have been decisions arguing that if a wildlife species or trophy does not originate from Zimbabwe it is not subject to criminal sanctions in the country.

Our mitigation measures to these challenges included facilitating our stakeholders such as police, prosecutors and investigators with airtime so as to monitor and brief us on arrests and cases remotely. We also did legal briefs, case reviews and written submissions for prosecutors which were of great value to them since they have overwhelming case dockets. These resulted in numerous convictions and informed the NPA's decision to grant our court monitors with prosecutorial powers, so as to ensure there is structured support for arrests and prosecutions. This culminated in a MoU on direct prosecutorial support with the NPA, a first of its kind with local Zimbabwean conservation NGOs. Other NGOs and private landowners have also been routinely getting in touch with our court monitors whenever they have issues they need prosecutorial solutions on. To address sentencing inconsistencies we have delivered the first ever training of judicial officers and 2 more are scheduled for June and August 2021. This has led to the judiciary being open to the development of prescriptive sentencing guidelines for wildlife crimes which would properly guide judicial discretion in these cases and ensure proportionality and consistency in sentencing. We have also raised concerns over abscondment of bail with the NPA and Police. We have successfully pushed for over half of the 29 warrants of arrests being issued and execution of those warrants through gathering of local information on the whereabouts of suspects. Additionally, we have raised legal concerns about the state of the wildlife offences in law and have urged the Ministry to initiate a national, participatory process to review the law. The Ministry has agreed and will hold the first forum regarding this in May, 2021 where Space for Giants and SOFA will present a written memorandum with proposed amendments. We also bought a third motor-vehicle (Toyota Rush) at a cost of \$10,500 to facilitate the court monitors to more effectively travel in their operations across the provinces/regions.

Our court monitors also began data clean up for 2018-2020 during the covid-19 pandemic in line with the Space for Giants KAZA Baseline Survey format and an annual court monitoring report for 2019-2021 will be published by December, 2021 and the delay in doing this earlier is due to the covid-19 related disruptions.

3.2 Progress towards project Outputs

Significant progress has been made over the last one year to achieve all the project outputs by close of project.

Project output 1 : Publication of the Rapid Reference Guide for Zimbabwe by September 2019, implementation is complete.

Project output 2 : Delivering 10 training and mentoring workshops held with 75 of Zimbabwe's prosecutors and judiciary on implementation of the Rapid Reference Guide Between April 2019 and March 2022. The project's overall training target of training and mentoring 75 prosecutors between 2019-2022 has so far been met and surpassed by 70% with 128 prosecutors, investigators and judicial officers trained with all 7 training workshops expected by March 2021 having been fully delivered..

Project output 3 : publishing annual court monitoring data for wildlife crime cases in courts across Zimbabwe between July 2019 and March 2022. This is on track. A baseline

report of 345 cases registered between 2015 and 2018 was published by Space for Giants and SOFA in July 2019. The data was collected by court monitors hired under this project.

Those same monitors continue to track wildlife cases from September 2019 and provide quarterly reports to Space for Giants. The required court monitors are in place and assisted in the collection of court data for the baseline survey. Publication of the first annual court monitoring data is due in the last quarter of 2021 owing to Covid-19 disruptions in court operations and court monitoring.

3.3 Progress towards the project Outcome

There are strong indicators that the project is on course to meet its overall aim of ***strengthening the Zimbabwe wildlife legal system*** and assessing whether the ***criminal justice system in Zimbabwe provides a significant deterrent effect on wildlife criminals, leading to reductions in poaching and trafficking of endangered species in Zimbabwe***. These indicators are outlined above.

The project has sustained delivery of a prosecutorial RRG based training programme in the midst of the COVID-19 crisis due to a good working partnership by Space for Giants and SOFA. This crisis has delayed or altered the manner in which training is delivered and the use of technology has significantly been utilised although electricity shortages remain a challenge.

Court monitoring is ongoing and in light of the COVID-19 pandemic, has been adapted to take place remotely utilising the excellent networks that SOFA and Space for Giants have established with the NPA and other state and non-state stakeholders.

3.4 Monitoring of assumptions

Project Assumptions: All project assumptions for each output crucial to project success remain the same. There is clear commitment to institutional change (for instance the NPA has recently set up a Wildlife Prosecution Unit and has signed a prosecutorial support MoU with SOFA which includes granting prosecutorial powers and duties to the project's 4 court monitors and the CEO of SOFA), buy-in and interest in implementation of the project by all agencies in the criminal justice pathway, especially from the leadership of the Ministry of Environment and ZimParks. Agencies required to provide officers for training have delivered without fail. The Judiciary, NPA, ZimParks have all been highly cooperative in providing case data necessary for court monitoring. Court officials have been open to mentoring on court monitoring by the 3 SOFA legal assistants and have attended the first ever judicial training of wildlife crime in the country. They have also warmed up to the development of prescriptive wildlife crime sentencing guidelines.

Comment: The project assumptions did not however anticipate a global pandemic. This has so far resulted in two national lockdowns in Zimbabwe including closure of court precincts and the State encouraging social distancing/avoidance of large gatherings. There is now an increasing case backlog which will take long to clear. Training activities were also postponed several times. This crisis may still cause significant delays going forward on the remaining project outputs. The project team is mitigating the same by using hybrid methods of training using technology, where possible. It's important to appreciate that Zimbabwe has chronic electricity shortages. The project has decided to proceed with court monitoring remotely through phone calls with prosecutors and investigators, although this has also resumed back to normal when the courts have been open.

Impact: achievement of positive impact on illegal wildlife trade and poverty alleviation

The publication of the baseline survey report on wildlife crime cases in Zimbabwe's KAZA region of 345 cases in 8 courts from 2015-2018 is the first in-depth analysis of the state of wildlife crime prosecutions in Zimbabwe. It offered recommendations to the authorities which if

implemented will highly impact biodiversity conservation in Zimbabwe by enhancing the deterrent effect of the criminal justice system.

The publication of the RRG offers a simple toolkit for investigators, prosecutors and judicial officers to apply the law in a manner that makes it more responsive to the protection of biodiversity in Zimbabwe. By including the relevant laws in one document, access to law and procedure is made easy and prosecutors, investigators and judicial officers can see, at a glance, what their respective powers are.

Court monitoring is ongoing to ensure that gaps in prosecution of wildlife crime are addressed timeously. The project has also ensured that SOFA retains Zimbabwe nationals as staff thus alleviating for them and their dependents the strain of unemployment which is very high in Zimbabwe. The same effect is achieved when the project procures local facilities to deliver training workshops.

Overall, the impact of prosecutorial training and resultant better conviction rates are serving to protect not only existing wildlife populations, but local communities and the national tourism sector which is currently 8% of the GDP and employing 300,000 directly and indirectly². We have for example noted an increased use of other laws to prosecute wildlife crime in addition to the wildlife offences, which is a positive step forward encouraged constantly in our training.

4. Project support to the IWT Challenge Fund Objectives and commitments under the London Declarations and Kasane Statement

The project goals are aimed at delivering on the commitments set out in the London Declarations on the Illegal Wildlife Trade and/or the Kasane Statement and reaffirmed at the Hanoi Conference. Particularly the project is aimed at addressing two of four of the themes of the Declaration and Statement, namely; *Strengthening law enforcement & Ensuring effective legal frameworks*.

Strengthening law enforcement:

The project delivered on training and mentoring prosecutors and the judiciary in Zimbabwe, to implement the new Rapid Reference Guide (RRG) across Zimbabwe. This is helping develop a more responsive and synergized criminal justice response to wildlife crime. This is enabling Zimbabwe to strengthen law enforcement against poaching and trafficking.

The RRG with its emphasis on the 'points to prove' approach to wildlife cases ensures that cases that don't meet the evidential threshold don't get into the court system and cause injustice. It ensures prosecutors are ready for trial and reduces court delays which can lead to suspects (not necessarily guilty) being held without charge for lengthy periods. By following the RRG, prosecutions are more objective, transparent, and importantly target those most responsible for wildlife crime by applying the full range of the law and considering the approach of 'follow the money'. This encourages targeting not just low-level poachers but also those further up the criminal chain with financial means. The result is that this project improves the prospects of criminalising all strata of criminal networks and not just the poor/low level poachers.

The court monitoring of wildlife cases with the publication of its findings promotes more institutional transparency. All these interventions are helping to realize and implement the London Declaration and the Kasane Statement in Zimbabwe.

² Takaruzva Munyanyiwa; How to boost tourism in 2019, Feb, 2019; NewsDay. (Available on <https://www.newsday.co.zw/2019/02/how-to-boost-tourism-in-2019/>)

Ensuring effective legal frameworks:

Sentencing guidance in the RRG and related training promote proportionate sentencing commensurate with the seriousness of the crime. This promotes consistency in sentencing and mitigates the risk of discrimination between defendants and mitigates the risk of corruption by making it harder for judicial officers to justify lenient sentences where the guidance clearly advises otherwise. Such guidance is therefore enhancing the effectiveness of the legal framework of Zimbabwe. Following our first judicial wildlife crime training, the judiciary has opened up to our idea of developing prescriptive sentencing guidelines for these offences.

Further, the RRG with its inclusion of objective charging standards, akin to those used by the Crown Prosecution Service of the United Kingdom, promotes accountability and transparency in the decision to charge - the entry point to the criminal justice system. These standards are vital for an effective legal framework. Attendant training on written case reviews by prosecutors will only serve to make Zimbabwe's legal frameworks more effective.

The court monitoring of wildlife cases with the publication of its findings also contributes to measuring the effectiveness of the legal framework of Zimbabwe to combat IWT. The findings and recommendations from court monitoring are informing advocacy on necessary legal and policy changes to Zimbabwe authorities and now a meeting to review the wildlife offences and law generally will be held in May, 2021.

5. Impact on species in focus

The Project has contributed to the conservation of protected species in Zimbabwe by including relevant provisions/reference of CITES in the RRG and providing clarity as to what is required to successfully prosecute offences applicable for CITES protected species.

Through the aspect of court monitoring of wildlife cases and publishing the findings of that monitoring, such as the 2015-2018 baseline survey, this project is highlighting the degree of prevalence of poaching/trafficking of protected species in Zimbabwe; it is also identifying case outcomes where CITES protected species are involved.

Such data is useful for shaping policy and laws in Zimbabwe. Space for Giants and SOFA are able to use this information to engage policy makers including focal points for CITES; for example, SOFA was particularly involved in the delegation of Zimbabwe to the 2019 CITES Conference of State Parties and is looking forward to do the same in the upcoming CITES conferences.

6. Project support to poverty alleviation

This project is directly alleviating poverty by protecting wildlife through promoting effective prosecution of wildlife crime.

At the Wildlife Economy Summit held in June 2019 in Victoria Falls, (supported by Space for Giants) the President of Zimbabwe, identified the need to grow tourism by 10 to 15% of the GDP in order to support the national economy, develop job opportunities and grow local communities. By enhancing protection of wildlife through this project, those aims are supported.

Through this project SOFA is able to retain four lawyers and pay for █████ of the SOFA CEO's time through this project which directly provides employment and alleviates poverty.

The same applies when the project has used hotels and other facilities in Zimbabwe directly contributing to employment and reduction of poverty. A total of [REDACTED] of project funds has directly been spent in Zimbabwe's economy.

7. Consideration of gender equality issues

Space for Giants' main partner is a local NGO founded and led by a female Zimbabwe national and together with her legal team (the 4 legal assistants) is 60% women.

Out of the investigators, prosecutors and judicial officers trained so far, 47% were female (60 out of 128) which is higher than similar training in Botswana, Uganda and Kenya.

8. Monitoring and evaluation

The internal project monitoring and evaluation plan has included regular reviews between Space for Giants and SOFA on how the project is being implemented, staff performance appraisals and quarterly submission of case data collected. The impact of the training will be comprehensively reviewed in late 2021, and Space for Giants is developing a qualitative and quantitative tool for this purpose to be administered to relevant stakeholders.

The outputs so far have contributed to the project outcome by ensuring that Zimbabwe now has a RRG with acceptance of all stakeholders in government, casework is being monitored there exists a baseline against which to measure impact. Recommendations have also been made to the authorities and Space for Giants /SOFA are advocating for their implementation. As a first result of this advocacy, the NPA has now established a dedicated prosecution unit to oversee and standardize the prosecution of wildlife crime cases. Further they have signed an MoU on prosecutorial support with SOFA allowing our court monitors to have prosecutorial powers and duties showing how important the project's work is viewed by relevant agencies.

Impact of training will be reflected in higher convictions and deterrent sentences and the project is on course to develop tools to measure the impact. The RRG is now in use and the ongoing prosecutorial training programme is indeed the first of its kind on wildlife crime in Zimbabwe. Its notable impact is that there is an increased uptake in the full range of the law approach to charging, with cases registered in the reporting period increasingly having other charges besides those in the wildlife law and resulting in stronger convictions. This has been a core message to all trainees under the programme.

9. Lessons learnt

In addition to the adverse effects of Covid-19 listed above, the economic situation in Zimbabwe, the significant daily currency fluctuations/scarcity and chronic fuel & electricity shortages, the project team could not get a reliable and cost effective venue in certain regions. This meant that several workshops were held in Harare.

The need to equip SOFA offices with reliable electricity remains a project imperative. Space for Giants is working with SOFA to identify specific needs e.g. inverters or other equipment.

We have learned that projects in Zimbabwe need particular investment and consideration of issues often taken for granted, such as the supply of electricity and availability of fuel.

Accordingly, more time is taken in advance of training activities to now consider those issues and mitigate the risks of adverse impact at the time of delivery.

10. Actions taken in response to previous reviews (if applicable)

No review has been conducted yet for this project.

11. Other comments on progress not covered elsewhere

The main risk to the project that may necessitate delays in implementing the exit strategy is the global pandemic of COVID-19. Its impact on Zimbabwe has been adverse and remains to be fully seen., particularly in relation to the closure of courts and postponement of project training activities. We have outlined the measures we have taken to respond to the impact of this pandemic. We have also encountered difficulties in procuring appropriate and cost effective venues in some regions (like the Kariba region) and may have to do more training in Harare. Given that the project ends in 2022, we nevertheless anticipate that there will be no major changes to the exit strategy.

12. Sustainability and legacy

The project's work has been promoted to all relevant stakeholders and they have shown interest in the project by sending high level officers to the launch of the RRG and the availing of trainees. Thus the profile of the project and its visibility is growing. The NPA's decision to create a specialized unit to prosecute wildlife crime is in line with the project's aim of streamlining prosecutions and ensures that there will be sustainability of standards during the roll out of prosecutorial training and RRG dissemination. SOFA's capacity to deliver legal training was being enhanced, ensuring that capacity building of local NGOs to monitor cases and train prosecutors and judicial officers. This has led to SOFA's CEO being recognized as one of Africa's leading young conservationists.

13. IWT Challenge Fund identity

The UK government's and Darwin Initiative's contribution to this project is well known to all involved state agencies, employees in the project, workshop trainees and workshop programmes. The events of the project were well publicized in traditional and new media (social media like Twitter).

14. Impact of COVID-19 on project delivery

For many of our projects, we know that COVID-19 will have impacted project delivery and so it might be relevant to discuss the pandemic throughout your report. Here, we would like you to summarise the impact of COVID-19 on your project as well as providing an overview of how you have responded.

The COVID-19 Pandemic has seen us explore options such as outdoor training and the use of technology to deliver 'train the trainers' sessions to SOFA in order to equip them with the necessary tools to continue delivery of this project should we be unable to attend. We have had hybrid training workshops where some of the facilitators in Kenya have delivered using online means. We have therefore adapted well and ensured we have delivered on training as expected despite the pandemic.

- To what extent has COVID-19 impacted your project?

We have had to adapt our modes of training delivery and how we undertake court monitoring as detailed above, including facilitating our stakeholders with airtime so as to ensure continuous, accurate monitoring of arrests and cases remotely, when it was necessary.

- COVID-19 caused a closure of all law courts in Zimbabwe

Yes. Courts were closed entirely for a cumulative period of a quarter of the reporting period, with the remaining period having very few trials being undertaken on rotation by judicial officers. Some courts were closed due to infections and many accused persons were granted bail and absconded further court attendance. Trials with unavailable co-accused persons have stalled and are being adjourned a lot. There are many part-heard cases pending due to transfers necessitated by the covid pandemic with some stations being critically understaffed. The overall

consequence is an ever increasing backlog which we project will not be cleared by the end of the project in March 2022.

- How have you responded? For example, by adjusting your work plan or approach to help maintain delivery.

We adjusted schedules for training to correspond with periods where it was safe to resume training after lifting of national lockdowns. We did remote court monitoring, when it was necessary. We adopted a hybrid style of training delivery mixing in-person training with online facilitators.

- Are longer-term delays expected?

Simply put, YES for reasons outlined above. There are risks for a third and a fourth wave given that vaccination programmes are far from reaching a critical mass for herd immunity.

- How are you assuring the health and safety of project staff and beneficiaries?

Where any work can be done remotely and from home, we have ensured staff do so and have facilitated them to work from home. We have therefore for example been able to undertake remote case monitoring limiting risky travel or exposure. When courts re-opened we ensured our staff were briefed on personal protective measures they should take and have provided sanitizers and face masks throughout the pandemic. This has also been provided to all our stakeholders for events we are responsible for such as in-person training workshops which were held in strict adherence to all public health authorities guidelines on Covid-19 management and prevention. As a result we have not had a single case of a person being infected following attendance of our workshops or being at the office.

- Could any of your project outcomes or impacts assist with the response to COVID-19 or reduce the risk of future pandemics?

The RRG training programme and court monitoring are directly contributing to reduction of wildlife crime which has been linked to Covid-19 and future pandemics due to its possible zoonotic origin. Strengthening the rule of law and improving court outcomes in wildlife crime is critical to this effort.

- Do you expect or hope to continue with any of the new ways of working adopted over the past year, once the pandemic passes? For example, greater use of virtual meetings to reduce the need to travel?

Yes and No. Yes to various personal hygiene measures like use of hand sanitizers and temperature guns. This is in addition to the use of virtual tools for hybrid training. However, practical training of professionals such as in the RRG programme still needs to be in person in future as there are many limitations to use of virtual methods including lack of reliable internet access and electricity.

15. Safeguarding

While the project has not developed a specialized safeguarding policy, Space for Giants and her partner Speak Out For Animals fully adhere to occupational safety guidelines and laws in Zimbabwe and Kenya where its employees operate. In particular, travel safety is considered in all travel and other logistical project actions. For instance, in the wake of the ongoing Covid-19 global pandemic, the project quickly responded by postponing workshops that were scheduled and all its staff worked from home and observing social distancing guidelines issued by relevant governments when court operations were down. None of the attendees of the training workshops has contracted Covid-19 as the events have been in strict adherence to Covid-19 protocols. In addition, the both NGOs have zero tolerance policies on workplace bullying, harassment, sexual exploitation and abuse. Both have well defined administrative, reporting and escalation processes to register or complain of safeguarding issues. Both have internal

investigative and disciplinary procedures that safeguard whistleblowing and all its employees, volunteers and sub-contractors are required to observe their codes of conduct. These are in comforty with UK law, as well as laws of Zimbabwe and Kenya on these matters.

16. Project expenditure

Table 1: Project expenditure during the reporting period (1 April 2020 – 30 March 2021)

Project spend (indicative) since last annual report	2019/20 Grant (£)	2019/20 Total Darwin Costs (£)	Variance %	Comments (please explain significant variances)
Staff costs (see below)				
Consultancy costs				
Overhead Costs				
Travel and subsistence				
Operating Costs				
Capital items (see below)				
Monitoring & Evaluation (M&E)				
TOTAL				

17. OPTIONAL: Outstanding achievements of your project during the reporting period (300-400 words maximum). This section may be used for publicity purposes

The key achievement of the project has been the launch and roll-out of trainings in the use of the RRG, a prosecutorial toolkit. The RRG ties together the following elements for investigators, prosecutors and judicial officers;

- Need to know relating to offences, their penalties, their legal elements and points to prove to be successful.
- Applicable ancillary powers, what evidence is needed and how the charges should be framed.
- Relevant notes including charging standards, bail, expert & digital evidence, sentencing, conduct of appeals and applicable case law.

All this information is provided in a summarized format that lends itself to daily use by legal practitioners. It's been highly welcomed by prosecutors as an important reference material and training tool. The project has trained 128 investigators, prosecutors and judicial officers in the use of the RRG, and has already surpassed the project's training target by a significant margin of 70% and at cost.

The project also produced a wildlife crime case baseline report that will be critical in future assessments of the effectiveness of the legal framework in Zimbabwe and the efficacy of interventions by this and other projects in Zimbabwe. In addition, it has led to the signing of a prosecutorial support between the NPA and SOFA which now grants prosecutorial power and duties to the project's court monitors. These achievements have led to SOFA being recognized as a leading conservation outfit in Zimbabwe.

Annex 1: Report of progress and achievements against Logical Framework for Financial Year 2019-2020

Project summary	Measurable Indicators	Progress and Achievements April 2019 - March 2020	Actions required/planned for next period
<p>The criminal justice system in Zimbabwe provides a significant deterrent effect on wildlife criminals, leading to reductions in poaching and trafficking of endangered species in Zimbabwe.</p>	<p>Successful prosecution of wildlife crime to rise to 80% by 2022 from 60% in 2016. 2020 conviction rate target at 70% by December, 2020.</p> <p>80% success rate by 2022 in prosecution of wildlife crime cases involving protected species such as Elephants, Rhinos and Pangolins. 2020 target for this is 70%.</p> <p>By 2022 only 10% of wildlife crime cases heard at the Appeals Court have their convictions overturned or sentences significantly reduced, due to technical, legal process errors in the original sentencing.</p>	<p>RRG launched aimed at improvement of prosecution of wildlife crime and protection of endangered/protected species.</p> <p>128 investigators, prosecutors and judicial officers trained on prosecutorial skills, using the 'points to prove' method and wildlife sentencing guidance so as to better protect wildlife in Zimbabwe. This represents an achievement of beyond 70% of the project's total training target.</p> <p>Baseline report published on the state of prosecution of wildlife crime from 2015-2018, including protected species; recommendations made to various authorities in the criminal justice system. A proper baseline was missing at the start of the project.</p> <p>Case monitoring and mentoring of court officials by SOFA begins with retention of 4 lawyers to serve as court monitors.</p> <p>NPA establishes a prosecution unit dedicated to oversight and standardization of prosecution of wildlife crime in line with advocacy by Space for Giants /SOFA.</p> <p>Conviction rate in 2020-2021 is at 88% well above the required 70% target for the period and above the 2016 baseline threshold of 60%.</p> <p>MoU signed between SOFA and NPA for prosecutorial support which has granted the project court monitors prosecutorial powers/duties.</p>	
Outcome			
Output 1.			
<p>Publication of the Rapid Reference Guide for</p>	<p>By September 2019 RRG published (baseline Oct 2018,</p>	<p>RRG published in September, 2019.</p>	

<p>Zimbabwe, including Points to Prove Toolkit, by September 2019.</p>	<p>RRG in draft and being trialed in KaZa area of Zimbabwe). [https://spaceforgiants.org/wp-content/uploads/2019/07/Space-for-Giants-Zimbabwe-Court-Outcomes-Baseli-ne-Survey.pdf]</p>	<p>RRG launched on 1 October, 2019 by PS, Ministry of Environment & Deputy Prosecutor General. 350 copies disseminated to date.</p>
<p>Activity 1.1 Publication of RRG agreed to by ZimParks & Judiciary.</p>		<p>RRG published and launched as required.</p>
<p>Output 2. Between April 2019 and March 2022 10 training and mentoring workshops held with c75 of Zimbabwe’s prosecutors and judiciary on implementation of the Rapid Reference Guide.</p>	<p>By 2022 c75 judiciary and prosecutors trained and mentored in implementation of the RRG, baseline 2018 10 judiciary in Hwange testing draft RRG.</p> <p>By 2022 c75 prosecutors and judiciary will have received up to 30 days training or mentoring on implementing the RRG processes for delivering wildlife crime cases.</p> <p>83 days of Space for Giants legal teams’ time devoted to delivering this project.</p>	<p>128 investigators, prosecutors and judicial officers were trained between Oct 2019-Mar 2021 in 7 out of 7 workshops for 2019-2021.</p> <p>24 training days delivered from Oct 2019-Mar 2021.</p> <p>44 out of 44 days devoted in 2019.</p> <p>24 out of 24 days devoted so far in 2020-2021.</p>
<p>Activity 2.1.10 training and mentoring RRG workshops over 3 years. Yr1: 3-day workshop for 30 prosecutors and judiciary in Harare. 3x3-day regional workshops for 25 people in each region.</p>		<p>7 trainings of 128 investigators, prosecutors and judicial officers delivered</p>
<p>Output 3. Court monitoring data from wildlife crime cases in courts across Zimbabwe published annually between July 2019 and March 2022.</p>	<p>100% of data on the progress and handling of wildlife cases publicly available.</p>	<p>Baseline report for wildlife crime cases from 2015-2018 of 345 cases in 8 courts was published in July 2019 & is publicly available on Space for Giants website. [https://spaceforgiants.org/wp-content/uploads/2019/07/Space-for-Giants-Zimbabwe-Court-Outcomes-Baseline-Survey.pdf]</p>

		221 cases monitored between Mar 2020-Mar 2021.
<p>Activity 3</p> <p>SOFA participation in this project: 3 legal assistants as court monitors, CEO manager, participation in RRG training and leading RRG training delivery by year 3.</p>		<p>SOFA CEO & 4 legal assistants have helped deliver 3 training workshops.</p> <p>4 legal assistants helped collect data for the baseline report published in 2019 & have begun monitoring cases & mentoring court officials.</p> <p>Space for Giants has added a Wildlife Justice Advisor for KAZA region to mentor and support SOFA in this project, using complimentary but unrelated funding.</p>

Annex 2: Project's full current logframe as presented in the application form (unless changes have been agreed)

Project summary	Measurable Indicators	Means of verification	Important Assumption
<p>Impact:</p> <p>A reduction in wildlife crime in Zimbabwe due to the deterrent effect of improved prosecutions of wildlife crime suspects, and sentencing proportionate to international, organised, crime.</p>			
<p>Outcome:</p> <p>The criminal justice system in Zimbabwe provides a significant deterrent effect on wildlife criminals, leading to reductions in poaching and trafficking of endangered species in Zimbabwe</p>	<p>1.Conviction rates of over 80% for wildlife crime by 2022.</p> <p>2. By 2022 80% of successfully prosecuted cases of poaching and/or trafficking of ivory, rhino horn and other endangered species receive custodial sentences.</p> <p>3.By 2022 only 10% of wildlife crime cases heard at the Appeals Court have their convictions overturned or sentences significantly reduced, due to technical, legal process errors in the original sentencing.</p>	<p>1.Zimbabwe Parks and Wildlife (Zimparks) 2016 Annual Report</p> <p>2. Baseline surveys by court monitors as part of this project to establish current and historic data.</p> <p>3.Data for custodial sentences of longer than 9 years is recorded as 55 of 114 cases ie 48% of 2017 total wildlife crime court cases, (source Zimparks 2017 Annual Report).</p> <p>4. CITES reports on status of poaching and trafficking in Zimbabwe</p> <p>5. Appeals Court data: baseline and annual court data to be surveyed by this project's legal assistants.</p>	
<p>Output 1</p> <p>Publication of the Rapid Reference Guide for Zimbabwe, including Points to Prove Toolkit, by September 2019.</p>	<p>1.1</p> <p>By September 2019 RRG published (baseline Oct 2018, RRG in draft and being trialed in KaZa area of Zimbabwe).</p>	<p>1.1</p> <p>2019: RRG published on SfG website/ SOFA website.</p>	
<p>Output 2</p> <p>Between April 2019 and March 2022 10 training and mentoring workshops held with c75 of Zimbabwe's prosecutors and judiciary on</p>	<p>2.1</p> <p>By 2022 c75 judiciary and prosecutors trained and mentored in implementation of the</p>	<p>2.1</p> <p>Exit tests from individuals who undertook training and mentoring</p>	

<p>implementation of the Rapid Reference Guide.</p>	<p>RRG, baseline 2018 10 judiciary in Hwange testing draft RRG</p> <p>2.2</p> <p>By 2022 c75 prosecutors and judiciary will have received up to 30 days training or mentoring on implementing the RRG processes for delivering wildlife crime cases,</p> <p>2019: 12 days training delivered</p> <p>2020: 9 days</p> <p>2021: 9 days</p> <p>Baseline 2018: 10 individuals (judiciary) received 3 days RRG training in Hwange.</p> <p>2.3</p> <p>83 days of SfG legal teams' time devoted to delivering this project:</p> <p>2019: 44 days</p> <p>2020: 24 days</p> <p>2021: 15 days</p>	<p>demonstrates that by 2021 90% feel competent in delivering improved legal processes, in line with RRG guidance:</p> <p>End 2019: 60% feel competent, End 2020: 80% feel competent, End 2021: 90% feel competent.</p> <p>2.2</p> <p>Feedback forms from workshops demonstrate number of trainees attended, satisfaction level, knowledge gained, and are disaggregated male/female (2019, 2020, 2021)</p> <p>2.3</p> <p>Annual reports by SOFA and SfG to LTS/Defra as part of the project monitoring.</p> <p>Audit of SfG pay and travel, submitted to LTS as part of this project.</p>	
<p>Output 3</p> <p>Court monitoring data from wildlife crime cases in courts across Zimbabwe published annually between July 2019 and March 2022.</p>	<p>3.1</p> <p>100% of data on the progress and handling of wildlife cases publicly available in each Zimbabwean court report, and on SfG and SOFA websites (Dec 2019, 2020, 2021)</p> <p>2017 Zimparks Annual Report baseline:</p>	<p>3.1</p> <p>Court reports (Zimbabwe court journals)</p> <p>3.2 Zimparks annual reports (on number of cases, number of arrests, number of convictions and pending cases).</p> <p>3.3</p> <p>SfG reports for this</p>	

	<p>total number of arrests (539), total number of wildlife cases (232), number of convictions (114), and number of pending cases (74).</p>	<p>project 3.4 SOFA reports.</p>	
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Activities

Activity 1.1

Publication of RRG agreed to by ZimParks & Judiciary.

Activity 2.1

10 training and mentoring RRG workshops over 3 years.

Activity 3.1

SOFA participation in this project: 3 legal assistants as court monitors, CEO manager, participation in RRG training and leading RRG training delivery by year 3.

- No changes made or sort to the logic framework.

Annex 3: Standard Measures

Table 1 Project Standard Output Measures

Code No.	Description	Gender of people (if relevant)	Nationality of people (if relevant)	Year 1 Total	Year 2 Total	Year 3 Total	Total to date	Total planned during the project
Established codes								
6A & 6B	Prosecutorial & RRG Dissemination Training Workshop	28 Female & 32 Male of workshop participants (59 prosecutors & 1 Judicial officer).	Zimbabwean	60 out of 75 between 2019-2022				75 prosecutors and judicial officers from 2019-2022.
9	A Baseline Survey of Wildlife Crime Court Cases in Zimbabwe's Kaza Region” [https://spacefor-giants.org/wp-content/uploads/2019/07/Space-for-Giants-Zimbabwe-Court-Outcomes-Baseline-Survey.pdf]	2 Females & 1 Male of report authors.	Zimbabwean, British, Dutch.	1 out of 1 required baseline survey.				1
10	Zimbabwe Rapid Reference Guide (Points to Prove Toolkit and Sentencing Guidance).	2 Females & 1 Male of authors.	Zimbabwean, British & Kenyan.	1 out of 1 required RRG.				1
20	██████ of worth of physical assets including rent for office space, vehicles, computers, printers and reference material (Copies of RRG).			██████				██████

Annex 4 Onwards – supplementary material (optional but encouraged as evidence of project achievement)

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Do you have hard copies of material you need to submit with the report? If so, please make this clear in the covering email and ensure all material is marked with the project number. However, we would expect that most material will now be electronic.	
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