



Biodiversity Challenge Funds Projects Darwin Initiative, Illegal Wildlife Trade Challenge Fund, and Darwin Plus Half Year Report

Note: If there is any confidential information within the report that you do not wish to be shared on our website, please ensure you clearly highlight this.

Submission Deadline: 31st October 2022

Project reference	IWT090
Project title	Enhancing East-African Judicial Systems: Increasing Wildlife Crimes Asset-recovery and Convictions
Country(ies)/territory(ies)	(1) Kenya, (2) Uganda, (3) Rwanda, (4) South Sudan
Lead partner	Space For Giants
Partner(s)	(1) East African Association of Prosecutors (EAAP), (2) United Nations Office on Drugs and Crime (UNODC)
Project leader	Katto Wambua
Report date and number (e.g. HYR1)	HYR2
Project website/blog/social media	Wildlife Law and Justice Social Media Report April-Sep 2022

1. Outline progress over the last 6 months (April – Sept) against the agreed project implementation timetable (if your project has started less than 6 months ago, please report on the period since start up to end September).

In the past six months, we have conducted a total of 3 training sessions for Rapid Reference Guides (RRGs) in Kenya and Uganda on wildlife, fisheries and forestry with a focus on asset recovery. We conducted trainings in the Central Rift area which entailed on-site trainings of 301 participants in 17 stations, and 2 key RRG-related training sessions were carried out in Uganda.

KENYA

In Kenya, the interagency RRG sensitisation training sessions were conducted with the aim of sensitising prosecutors, investigators, judicial officers and rangers from the Kenya Wildlife Service, the Kenya Coast Guard and the Kenya Fisheries Service on the use of the Rapid Reference Guide on wildlife, fisheries and forestry offences, prior to full-fledged RRG trainings in the course of 2022. A total of 301 participants received training on the use of the RRG toolkit, how to conduct parallel financial investigations and use of other ancillary laws to combat IWT in an interagency fashion. These trainings also included the use of real case studies, simulated moot courts and tests for participants.

With regard to Court Monitoring in Kenya in the half year, a total of 119 high-profile wildlife cases were monitored. 63 high-profile wildlife cases were monitored in 14 court stations in

Northern Kenya between April and June 2022, 56 high-profile wildlife cases were monitored in 13 court stations between July and September 2022. A new and improved data collection tool was developed and launched by Space for Giants to enhance the quality and efficiency of court data collected.

UGANDA

Two major activities have been carried out in Uganda between April and September 2022 regarding the prosecution and investigation of forestry and wildlife crime. The first is the National Prosecution Symposium that took place in April 2022 in Kampala, Uganda. Over 350 prosecutors from the Office of the Director of Public Prosecutions (ODPP), the Uganda Wildlife Authority (UWA) and the National Forestry Authority (NFA) attended the symposium. This was a significant event, as it was an opportunity to expose all prosecutors in Uganda in one session to the importance of supporting the prosecution of wildlife crime as a means to safeguarding wildlife resources in East Africa and beyond. All participants were supplied with copies of the Rapid Reference Guides that included new wildlife legislation measures, and received training on the use of the Rapid Reference Guides and the importance of asset recovery. The second major activity was the RRG training that took place in May 2022 in Entebbe, Uganda on the prosecution and investigation of forestry crime for the National Forestry Authority of Uganda. 40 forestry officers and investigators received training on forestry crime and asset recovery, and received copies of the Rapid Reference Guides. Following on from this training conducted by Space for Giants in which agents of the National Forestry Authority participated, a High Court ruling was issued in September 2022 in favour of the NFA against a local company regarding the occupation of a portion of Budongo Forest land in Masindi.

In terms of court monitoring in Uganda, The Space for Giants Court Monitoring team continues to conduct data collection for wildlife crime cases in Uganda at the Standards, Utilities & Wildlife Court sitting at Buganda Road Court in Kampala. Between April and June 2022, a total of 284 wildlife crime cases data had been collated and uploaded onto the Space for Giants database, bringing the total number of cases collected to 957. Between July and September 2022, a total of 787 wildlife crime cases data had been collated and uploaded onto the Space for Giants database, bringing the total number of wildlife crime cases collected and registered to 1071.

The highlight of this reporting period in terms of our court monitoring efforts was in the September 2022 Queen Elizabeth National Park “Lions case” in which Space for Giants trained and equipped the scene of crime unit and investigations team involved, continuously mentored the prosecution team including intervening on the appropriate charges that were initially wrongly drafted. The conviction and resultant sentence is the highest ever given for a wildlife crime case in Uganda’s legal history.

RWANDA

In Rwanda, we undertook one inception forum and two drafting forums for the development of the Rapid Reference Guides on wildlife crimes between April and June 2022. These fora were an interagency collaboration effort to supplement the development of the Rapid Reference Guides. Space for Giants will be undertaking a third and final drafting forum in October 2022, with the aim of validating the Rapid Reference Guide by the end of November 2022 prior to its establishment in December 2022.

We also conducted a review of the wildlife offences under the new wildlife legislation and prepared a report with our comments and recommendations shared to the Rwanda Development Board (RDB), Rwanda Environmental Management Authority (REMA), and the National Public Prosecution Authority of Rwanda (NPPA). Following on from this review, Space for Giants together with the Rwanda Development Board will work to develop 16 regulations to implement the new wildlife legislation in Rwanda.

In terms of court monitoring in Rwanda, all case data is a secure, online government-run platform that is not publicly open. Space for Giants has therefore requested the Prosecutor

General for special access to all wildlife crime cases from 2019 to date for case analysis. The request was approved, and Space for Giants aims to produce a report of our findings by the final quarter of 2023.

SOUTH SUDAN

We undertook an interagency and interministerial project inception forum where a team was selected and appointed to develop a Rapid Reference Guide for South Sudan. It was agreed that the development of the Rapid Reference Guide will be conducted in tandem with the development of Mutual Legal Assistance legislation as well as the National Prosecution Policy. Space for Giants has commenced the drafting of a Rapid Reference Guide on wildlife crime, National Prosecution Policy and Mutual Legal Assistance legislation. We have also undertaken a review of the wildlife offences in South Sudan.

Furthermore, we started the process of conducting baseline court monitoring and wildlife crime cases surveys in a two-phase approach. Phase one involved undertaking baseline surveys in two states, which are Central Equatoria and Western Equatoria. Additional baseline surveys and data collection will occur in the Lake and Upper Nile states. The data collection on wildlife crime cases is part one of the two-phase approach that commenced in August 2022 and is currently ongoing.

EAAP

We undertook a regional wildlife crime and asset recovery training workshop in Nairobi for the lead prosecutors of each East African Association of Prosecutors (EAAP) member country. 35 prosecutors attended in total, and the training focused on asset recovery, illicit financial flows, international cooperation in combating wildlife crime and emerging transnational wildlife crimes. The matter of expanding the network of the EAAP e-course was also discussed and approved by the EAAP Secretariat, to determine which of the 12 member countries will be included as part of the e-course. The Directors of Public Prosecutions of the member countries will hold a meeting in Kampala in December 2022 to determine which countries will be included, following the recommendation made by the EAAP Secretariat.

2. Give details of any notable problems or unexpected developments/lessons learnt that the project has encountered over the last 6 months. Explain what impact these could have on the project and whether the changes will affect the budget and timetable of project activities.

In Kenya and Uganda, the provision of key match funding from UNODC experienced a delay during the third quarter of 2022. The match funds were meant to cover the costs of co-hosting and undertaking the Rapid Reference Guides rollout workshops in conjunction with UNODC between June and September 2022. However, match funding has been secured by UNODC as of September 2022, and training sessions and necessary procurements are currently ongoing.

In Uganda, there will be two training workshops held in mid-November that would have been conducted in July and in September 2022.

In Kenya, we experienced delays occasioned by the same. Additional Rapid Reference Guide training sessions in Central and Western Kenya are scheduled to be carried out in conjunction with UNODC in the final quarter of 2022.

Overall, we are on course with regard to the Rapid Reference Guide training sessions, and aim to complete a total of 6 training sessions for each country by December 2022. We are confident that the delays experienced in quarter 3 will not affect our budget or project timelines.

Over the past six months, the impact of COVID-19 did not significantly affect the administrative organisation of in-person stakeholder meetings. However it must be noted that two key lessons were drawn from this aspect. The first being that all in-person meetings or training sessions still have to be scheduled far enough in advance in order to successfully deliver the work as agreed. The second lesson was that funding also needs to be secured in advance to ensure that the aforementioned deliverables are met.

Additionally, despite the reduced impact of COVID-19 on project activities during the half year period, one notable outcome was an increase in requests by different country environmental agencies for Space for Giants to develop capacity-building for various environmental offences. For instance, the National Environmental Management Authority in Uganda (NEMA) requested capacity-building and the development of RRGs on environmental offences pertaining to the forestry and fisheries sectors, as these are the leading types of environmental offences in the country. As mentioned in Question 1 above, this activity was conducted by Space for Giants as part of our capacity-building focused on the prosecution of wildlife, fisheries and forestry crime and asset recovery. This is typically outside of the scope of work done by Space for Giants, but due to the increased appetite in such capacity-building work and the establishment of long-standing agreements with relevant agencies, there are continued opportunities to support institutional capacity building in all four countries beyond the scope of this project.

3. Have any of these issues been discussed with NIRAS-LTS International and if so, have changes been made to the original agreement?

Discussed with NIRAS-LTS: Yes/No

Formal Change Request submitted: Yes/No

Received confirmation of change acceptance Yes/No

Change request reference if known:

4a. Do you currently expect to have any significant (e.g. more than £5,000) underspend in your budget for this year?

Yes No Estimated underspend: £

4b. If yes, then you need to consider your project budget needs carefully. Please remember that any funds agreed for this financial year are only available to the project in this financial year.

If you anticipate a significant underspend because of justifiable changes within the project, please submit a rebudget Change Request as soon as possible. There is no guarantee that Defra will agree a rebudget so please ensure you have enough time to make appropriate changes if necessary. Please DO NOT send these in the same email as your report.

5. Are there any other issues you wish to raise relating to the project or to Darwin's management, monitoring, or financial procedures?

No.

If you are a new project and you received feedback comments that requested a response (including the submission of your risk register), or if your Annual Report Review asked you to provide a response with your next half year report, please attach your response to this document.

Please note: Any planned modifications to your project schedule/workplan can be discussed in this report but **should also be raised with NIRAS-LTS International through a Change Request. **Please DO NOT send these in the same email.****

Please send your **completed report by email** to BCF-Reports@niras.com. The report should be between 2-3 pages maximum. **Please state your project reference number, followed by the specific fund in the header of your email message e.g. Subject: 29-001 Darwin Initiative Half Year Report**