

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 2023

Project reference	IWT090
Project title	Enhancing East-African Judicial Systems: Increasing Wildlife Crimes and Asset-recovery and convictions
Country(ies)/territory(ies)	1. Kenya 2. Uganda 3. Rwanda 4. South Sudan
Lead partner	Space for Giants
Partner(s)	East African Association of Prosecutors (EAAP) 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	

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).

Although we are not looking for specific reporting against your indicators, please use this opportunity to consider the appropriateness of your M&E systems (are your indicators still relevant, can you report against any Standard Indicators, do your assumptions still hold true?). The guidance can be found on the resources page of the relevant fund website.

In the last six months, our planned activities have been significantly impacted by delays in match funding provided by UNODC. These match funds were meant to cover the costs of the planned Rapid Reference Guide (RRG) workshops in all four countries in conjunction with UNODC between April and September 2023. However, match funding is currently in the process of being secured, which should allow activities to resume and be delivered. We expect the delivery of 2 RRG workshops in Uganda from December 2023, and the remaining RRG activities in Kenya, Rwanda and South Sudan by March 2024. Despite these unprecedented setbacks, we refined our newly developed court monitoring tool and have used it to conduct court monitoring activities in the North and Central Regions of Kenya, monitoring a total of 71 cases.

KENYA: With Court Monitoring in Kenya, 71 wildlife crime cases were monitored in 18 court stations situated within North Central Kenya between April and September 2023. 26 of these were cases of interest involving significant amounts of wildlife trophies, government officials, factions of organised crime, foreign nationalities and repeat offenders. 69% of the monitored cases involved elephant species, with the highest seizure recorded amounting to 37 pieces of elephant tusks weighing a total of 106kgs. There has been a concerning increase in wildlife cases involving public service employees, personnel working in protected areas and cases involving repeat offenders charged with the possession and dealing of wildlife trophies. We have raised those cases with the Director of Public Prosecutions (DPP) seeking further action on parallel financial investigations on these suspects. It is noteworthy that a new trend is developing of trafficking from Kenya into Uganda, especially of sandalwood rather than the traditional trafficking from Uganda to Kenya.

A comparison of cases between April and September 2023 and a similar period in 2022 points to a 125% increase in the number of cases registered. The majority of these cases involved ivory and sandalwood. Other species and trophies involved included rhino, bushmeat, forestry products, snakeskin and crocodile skin. Other exhibits recovered included firearms, ammunition and narcotics. The Court Monitoring team supported the Kenya Wildlife Service (KWS) Case Progression Unit in correctly drafting charge sheets and witness statements to ensure that cases were watertight and resulted in convictions and asset recovery. The Court Monitoring data collected was also used to inform the development and drafting of the Prescriptive Sentencing Guidelines by UNODC and the Judiciary. With regard to our RRG-based activities (Darwin Standard Indicator DI-A01), we have not been able to carry them out due to the aforementioned funding delays. However, we are optimistic and certain that with newly secured funding, we can carry out the remaining 5 RRG workshops before the project ends.

UGANDA: Space for Giants was due to carry out court monitoring activities in the Central, Western, Northern and Eastern regions of Uganda, as well as collect data for wildlife crime cases at the Standards, Utilities and Wildlife Court but have not been able to do so. We have conducted a comprehensive Court Monitoring report for Uganda for cases registered between 2018 and 2022, and the findings of this report have been shared with the relevant authorities to inform interventions this year and beyond. In any case, we continue to have excellent working relations with the Uganda Wildlife Authority (UWA) which reported that in the prosecution of wildlife crime cases between January and June 2023, 598 hippo teeth were seized across Uganda's national parks, which is a marked difference from the 32 hippo teeth seized in 2022¹. Furthermore, it should be noted that the Deputy Speaker of the Parliament of Uganda has tasked the Ministry of Tourism to probe allegations made by a Member of Parliament that unnamed Uganda Wildlife Authority (UWA) officials have been conniving with poachers in and around Rwenzori Mountains National Park. The ongoing investigations are yet to be concluded², but this prolific inquiry highlights the importance of our continued court monitoring efforts.

Similarly to Kenya, no RRG-related activities were carried out during the reporting period due to the stipulated funding delays, and we anticipate delivering on the remaining RRGs before the project ends.

RWANDA: The National Public Prosecution Authority (NPPA) authorised Space for Giants to access information from the interagency online national case management system after a drawn-out process of authorization and security clearances. Space for Giants has been informed that this information will be provided at the end of December 2023. We will analyse the data as part of undertaking a national wildlife crime baseline survey. Court monitoring of high-profile cases in Rwanda will be concluded by the project end, following the publication of the baseline report. In addition, Space for Giants developed 16 critical regulations and ministerial orders in 2022 to

implement Rwanda's new biodiversity law in anticipation of a review forum that was to be held in May 2023. We will co-host the review forum by December 2023. Following the successful conclusion of the review and validation workshops in November 2022 and the translation of the RRG into Kinyarwanda in March 2023, Space for Giants developed intensive RRG training material during the reporting period as scheduled. However, again due to funding delays, we could not carry out any RRG-based training as planned. We will carry out the 4 RRG training sessions by the project's end.

SOUTH SUDAN: We completed a fully drafted National Prosecution Policy (NPP) and Mutual Legal Assistance (MLA) and Extradition Law, which were both successfully discussed and reviewed at inception and review forums. During this reporting period, we made extensive preparations for the validation forum of the NPP and MLA & Extradition Law that was held in the first week of October 2023 to complete the development process. As mentioned in our 2023 Annual Report³, we conducted a baseline survey in three out of four states in South Sudan, with the fourth state inaccessible due to insecurity. The publication of the baseline report kickstarted the process of conducting court monitoring in the four identified states, however due to match funding delays as well as insecurity in South Sudan, we were unable to commence the court monitoring process together with all RRG-based activities. We are confident that we can conclude our court monitoring and RRG activities by the project end, and have developed extensive RRG training content in preparation for in 2024. Following our wildlife laws gap analysis, in the reporting period we prepared to host a public forum at the invitation of the National Legislative Assembly for the review of Wildlife Conservation and Tourism bills 2023. This was successfully held in October 2023.

EAAP: Pursuant to the meeting held in December 2022 to determine the expansion of the EAAP network and following the recommendations made by the EAAP Secretariat, Space for Giants with the EAAP developed e-course content and an e-platform. The course content has been developed and is in the process of being finalised, while the e-platform is undergoing testing to ensure functionality. The e-course will go live and be disseminated between October 2023 and March 2024. The draft EAAP regional MLA guide has been developed, but its review and validation processes are pending availability of match funds from UNODC. This will be concluded by March 2024.

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 all four countries, the provision of key match funding from UNODC experienced delays as reported in our 2023 Annual Report. As was previously stated, these match funds were meant to cover the costs of co-hosting and undertaking the Rapid Reference Guide rollouts in all four countries in conjunction with UNODC in the latter half of 2023. This has significantly altered our intended delivery timeframe in meeting project deadlines, however, secured match funding will enable us to carry out our activities as planned and deliver on all project outcomes by the end of the project. In Kenya, the five remaining RRG workshops will be held between November 2023 and March 2024 that would have been conducted during this reporting period. In Uganda, we experienced delays occasioned by the same, and the six remaining RRG workshops will be held between November 2023 and March 2024 that would have been conducted in the latter half of 2023 and the first quarter of 2024. In Rwanda, the four remaining workshops will be held in the first quarter of 2024. It should be noted that further delays were occasioned by the need to translate the RRG from English to Kinyarwanda, as some law enforcement officers in Rwanda only speak and understand Kinyarwanda. This delay and match funding delays further affected the rollout of project activities in Rwanda. However, training content has been developed in preparation for delivering the remaining workshops in the first quarter of 2024. In South Sudan, the four remaining workshops will also be held in the first quarter of 2024, similarly due to delays experienced by match funding from UNODC.

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

Discussed with NIRAS: Yes/No

Formal Change Request submitted: Yes/No

Received confirmation of change acceptance Yes/No-No

Change request reference if known:

4a. Please confirm your actual spend in this financial year to date (i.e. from 1 April 2023 – 30 September 2023)

Actual spend: £

4b. Do you currently expect to have any significant (e.g. more than £5,000) underspend in your budget for this financial year (ending 31 March 2024)?

Yes No Estimated underspend: £

4c. 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 re-budget Change Request as soon as possible. There is no guarantee that Defra will agree a re-budget 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.

NB: if you expect an underspend, do not claim anything more than you expect to spend this financial year.

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

No.

If you are a new project and you received feedback comments that requested a response, 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.

All new projects (excluding Darwin Plus Fellowships and IWT Challenge Fund Evidence projects) should submit their Risk Register with this report if they have not already done so.

Please note: Any planned modifications to your project schedule/workplan can be discussed in this report but **should also be raised with NIRAS 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**