

Illegal Wildlife Trade (IWT) Challenge Fund Annual Report

To be completed with reference to the “Project Reporting Information Note”:
(<https://iwt.challengefund.org.uk/resources/information-notes/>)

It is expected that this report will be a **maximum of 20 pages** in length, excluding annexes)

Submission Deadline: 30th April 2024

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● IWT Challenge Fund Project Information

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| Project reference | IWT090 |
| Project title | Enhancing East-African Judicial Systems: Increasing Wildlife Crimes Asset-recovery and Convictions |
| Country/ies | (1) Kenya, (2) Uganda, (3) Rwanda, (4) South Sudan |
| Lead Partner | SFG |
| Project partner(s) | (1) East African Association of Prosecutors (EAAP), (2) United Nations Office on Drugs and Crime (UNODC) |
| IWTCF grant value | GBP.519,836 |
| Start/end dates of project | 01/10/2021 - 31/3/2024 *end date 30th September 2024 incorporating extension |
| Reporting period | Apr 23- Mar 24/Annual Report 3 |
| Project Leader name | Katto Wambua |
| Project website/blog/social media | www.spaceforgiants.org |
| Report author(s) and date | Katto Wambua 2.5.24 |

1. Project summary

SFG (SFG) along with the East African Association of Prosecutors (EAAP) have worked with Kenya, Uganda, Rwanda and South Sudan to improve wildlife crime legal capacity and convictions, tackle corruption and recover criminals’ assets, focusing on the following activities:

- monitor and review wildlife case performance in all four countries
- produce baseline surveys of wildlife crime prosecutions in Rwanda and South Sudan
- develop South Sudan’s Mutual Legal Assistance (MLA) Law and National Prosecution Policy
- develop a regional MLA guide for transboundary collaboration on Illicit Wildlife Trade (IWT) across the East African region
- develop Rapid Reference Guides (RRGs) on investigation and prosecution of wildlife crime in Rwanda and South Sudan and roll-out RRG based trainings for investigators, prosecutors and judicial officers in Kenya, Uganda, Rwanda and South Sudan including through the expansion and use of the EAAP Prosecutors e-Course on Wildlife Crime.

Additionally, the project seeks to address the following biodiversity, human development, and wellbeing challenges in the East African region:

- Illicit funds continue to fuel wildlife crime and enable corruption. Although conviction rates between 2017 and 2022 for wildlife crime cases in East Africa are relatively high (for example, 99% in Uganda from the specialised wildlife court), existing legislation that could be used to recover assets from wildlife crime cases are seldom used, due to a lack of full understanding amongst investigators and prosecutors of how to adequately use them in this specific context. In all four countries, there have been few asset recovery or corruption charges against organised crime syndicates in wildlife crime cases, despite the aforementioned conviction rates. Organised criminals are not deterred by existing fines, and yet the recovery of their assets would affect their ability to continue operating in the region. In Kenya and Uganda, despite the high overall conviction rates for wildlife crimes the highest-ranking criminals are rarely prosecuted, and international criminal gangs continue to operate.
- The newest iterations of prosecution guidelines in Kenya and Uganda allow for multiple ways to asset recovery, be it conviction-based or by civil judgement. However, with several overhauls to wildlife prosecution laws over the last seven years, prosecutors in these countries need further capacity building to stay up to date. An increase in penalties results in increased burdens on all criminal justice actors, and especially prosecutors— which tends to be outside the scope of most prosecutorial original training.
- In Rwanda and South Sudan, updated wildlife laws have been under development. South Sudan in particular is at a key developmental stage for their legal frameworks, as they make the legislative transition from Islamic law to common law. There is an opportunity within this project to develop improved wildlife crime prosecution standards for the country in line with neighbouring countries in the region. The development of a National Prosecution Policy as well as a Mutual Legal Assistance and Extradition law in South Sudan are examples of regulatory frameworks that will bolster rule of law in the country which is necessary as it transits from civil war and its stabilisation.
- Rwanda is committed to growing its tourism sector, particularly as wildlife numbers are rising and it becomes a key transport hub in Central Africa. As numbers of both increase, so does the potential for increased wildlife crime. Rwanda’s existing wildlife offences were outdated and required updates to match the penalties found in neighbouring countries. Through enactment of a new Biodiversity law, development of a rapid reference guide and training, Rwanda is primed to have the tools to combat IWT incidences and successful prosecution of these IWT cases.
- Regionally, IWT law enforcement is hampered by bottlenecks in regional legal cooperation. South Sudan has no Mutual Legal Assistance (MLA) law arrangement with neighbouring countries, causing a backlog of legal cases that are unable to progress. Similarly, the lack of a regional MLA law Guide hampers judicial officers' efforts to collect crucial information to pursue cases for the highest-ranking organised criminals that move freely across national borders. A key example is in Kenya, where poaching rates in the country are low in comparison to the disproportionately high rates of seizures at the ports in Mombasa over the last decade.
- Furthermore, Court Monitoring (CM) in all four countries has and will continue to identify regional gaps and trafficking patterns, which will supplement all in-person training sessions by reflecting the most up-to-date, relevant situation.
- SFG with state and non-state partners revised the Kenya and Uganda RRG toolkits (into 3rd edition and 2nd edition respectively) and has been through this project developing the inaugural editions of the RRG toolkits for Rwanda and South Sudan. It aims to undertake 10 inter-agency trainings each for Kenya and Uganda (with 11 out of 20 trainings already delivered) and 4 inter-agency trainings each earmarked for Rwanda and South Sudan before the end of the project.

On a community level, wildlife crime directly correlates with poverty and high infant mortality rates, leading to a downward spiral of poverty and ecosystem degradation. As a result, a negative feedback loop is created that inevitably limits the capacity for sustainable resource

management (according to a 2021 report by *Conservation and Society*¹). Tackling wildlife crime through the criminal justice system is just one intervention for helping communities develop sustainably.

2. Project stakeholders/ partners

SFG partnered with the East African Association of Prosecutors (EAAP) and UNODC to improve the capacity for prosecutors, investigators and judicial officers and regional legal cooperation to increase conviction rates and asset recovery for wildlife crimes in Kenya, Uganda, Rwanda, and South Sudan. SFG's role was to lead this project by managing all components, deliverables, and reporting.

This included developing content and conducting training with the assistance of a judicial consultant. Further activities include court monitoring in all four countries, developing a regional MLA guide, developing an MLA and Extradition Law for South Sudan, developing a National Prosecution Policy for South Sudan, conducting baseline surveys in South Sudan, as well as reviewing wildlife offences in Rwanda and South Sudan (Please see Annex 1 for more details). As a close supporting partner of SFG, the role of the EAAP in conjunction with SFG is to carry out Rapid Reference Guide and asset recovery in-person training sessions in all four countries, as well as develop an e-course for wildlife crime prosecutors in the East African region to be hosted on the EAAP website. UNODC played a supporting role by covering costs associated with the in-person training sessions and rollout of the RRGs in the four countries (which included accommodation). Moreover we have in each country partnered with the National Authorities/Institutions in charge of wildlife conservation/management, investigation, prosecution and judicial matters.

The following are the host government and non-government stakeholders we are working with in each of the 4 project countries:- 1. **Kenya** - ODPP, KWS, NPS, KeFS, KFS, Judiciary, FRC, AWF, IFAW. 2. **Uganda** - ODPP, UWA, NFA, UPF, NEMA, FIA, Judiciary, US-DOI-OPDAT, Basel Institute of Governance, RUSI, NRCN, Help African Animals (HAA). 3. **Rwanda** - NPPA, RDB, RIB, FIC, REMA, Judiciary, 4. **South Sudan** - Ministry of Justice & Constitutional Affairs, ODPP/OPG, SS Wildlife Service, SS National Police Service/CID, Judiciary, SS Forest Service, SS Law Reform Commission, SS Parliament, Ministry of Interior, Ministry of Wildlife, Ministry of Environment and EcoPeace Initiative. 5. **All Countries** - UNODC and EAAP. To coordinate our partnerships we have used email communication, phone calls and where absolutely necessary, physical meetings, including consortium meetings (**Annexures 20-25**).

3. Project progress

3.1 Progress in carrying out project Activities

To enhance the capacity for prosecutors, investigators, and judicial officers to improve regional legal cooperation and increase conviction rates and asset recovery in the region, specific activities were carried out in relation to the desired output (see Annex 1 and Logframe for more information). There are seven outputs in total, with several activities relating to each output

3.1.1 Activities relating to Output 1: 28 RRG-based prosecutorial wildlife crime trainings conducted in Kenya (10), Rwanda (4), Uganda (10) and South Sudan (4), as well as an e-course created and disseminated to approximately 1000 independent learners across all four countries:

- Activity 1.1 shows that two days were spent on prep for RRG and Asset Recovery Trainings in Kenya by Mr. Wambua and Ms. Maina in early March 2022 [Done].
- Activity 1.2 also shows that two days were spent on prep for RRG and Asset

¹ Anagnostou, Michelle, et al. "Poverty, Pandemics, and Wildlife Crime." *Conservation & Society*, vol. 19, no. 4, 2021, pp. 294–306. *JSTOR*, <https://www.jstor.org/stable/27081516>.

Recovery Trainings in Kenya by Mr. Wambua and Mr Atwebembeire in early March 2022 [Done]

- Activity 1.3 demonstrates that one day was spent on input for Ms. Jayanathan (SFG judicial consultant) on training content for Kenya in February 2022 [Done].
- Activity 1.4 demonstrates that one day was also spent on input for Ms. Jayanathan on training content for Uganda in March 2022 [Done].
- Activity 1.5 projected 10 3-day RRG & Asset recovery (virtual) training sessions to be held in Kenya by September 2024 (in partnership with UNODC). 5 3-day training sessions have been undertaken with a total of 150 prosecutors trained. Another 5 3-day training sessions to be undertaken targeting a total of 150 prosecutors [Ongoing].
- Activity 1.6: Conducting 10 3-day RRG & Asset recovery training sessions in Uganda (in-person and virtual) by September 2024 (in partnership with UNODC). Six (6) 3-day training sessions have been conducted with a total of 180 prosecutors trained. 4 3-day training sessions remain to be conducted by September 2024, targeting a total of 120 prosecutors [Ongoing with 50% of the remaining in-person training workshops delivered in February and March 2024].
- Activity 1.7 shows that two days will be spent on prep for RRG & Asset Recovery Trainings in Rwanda by Mr.Wambua and Mr Atwebembeire by September 2024
- Activity 1.8 shows that two days will be spent on prep for RRG & Asset Recovery Trainings in South Sudan by Mr. Wambua and Mr Atwebembeire by September 2024
- Activity 1.9 shows that one day was spent on input for Ms. Jayanathan on developing training content for Rwanda in August 2022 [Done].
- Activity 1.10 demonstrates that one day was spent on input from Ms. Jayanathan on training content for South Sudan by October 2023.[Done]
- Activity 1.11 shows that four 3-day RRG & Asset recovery (virtual) trainings will be held in Rwanda by September 2024 [Ongoing].
- Activity 1.12 shows that four 3-day RRG & Asset recovery (virtual) trainings will be held in South Sudan by September 2024 [Ongoing].
- Activity 1.13 developing content of e-course by Mr. Wambua, Ms.Maina and Mr Atwebembeire will be completed by September 2024; with updates to be made annually [Done]. EAAP wildlife crime prosecutor's e-course content has been developed and currently ongoing a testing phase of the e-learning platform and will be rolled out in Kenya, Rwanda and Uganda. At least 455 prosecutors will enrol and complete the course.
- Activity 1.14 developing an e-platform/e-learning management system using an external service, overseen by Mr. Wambua and Mr Atwebembeire by September 2024. A system developer was engaged in February-April 2024. The system is expected to be up and running from May 2024.
- Activity 1.15 shows that testing of the e-platform by Mr. Wambua and Ms. Ogoma, and Mr Atwebembeire shall take place by September 2024 [In Progress]
- Activity 1.16 shows that the e-training will go live and be disseminated to prosecutors in all four countries through EAAP communication networks by September 2024 [In Progress]

3.1.2 Activities relating to output 2: court monitoring and mentoring support conducted in Kenya, Uganda, S. Sudan and Rwanda, baseline/impact evaluation surveys undertaken :

- **Activity 2.1** Two new team members were hired for court monitoring data analysis and expanded the Wildlife Justice Advisor/Mr Atwebembeire support to the region in January 2022 [Done].
- **Activity 2.2** Undertaking live monitoring of all IWT court cases in North Central Kenya, mentoring support and performing analysis of the case data on an annual basis. A total of 125 live court monitoring and mentoring supports were undertaken in Kenya between April 2023 and March 2024. Analysis of the case data was undertaken for the year 2023.

- Activity 2.3 Conducting live monitoring of all IWT court cases in Uganda, mentoring support and performing analysis for the case data . No court monitoring was conducted in Uganda for the period April 2023 - March 2024
- Activity 2.4 Conducting court monitoring of all IWT cases in South Sudan, mentoring support and performing analysis of case data on an annual basis to establish patterns and trends as well as informing the next course of intervention. No court monitoring was conducted between April 2023 and March 2024 in South Sudan
- Activity 2.5 Undertaking court monitoring of all IWT cases in Rwanda, mentoring support and performing analysis of case data on an annual basis to establish crime patterns and trends as well as inform the next course of action. No court monitoring was undertaken in Rwanda between April 2023 and March 2024.
- Activity 2.6 demonstrates that ongoing mentoring support will be provided by Mr Atwemebeire and the core SFG Wildlife Justice team, drawing on ad hoc support from UNODC, Rusi, the Basel Institute and other stakeholders as appropriate and needed [Ongoing].

3.1.3 Activities relating to output 3: Mutual Legal Assistance (MLA) Law and National Prosecution Policy (NPP) for South Sudan drafted and validated by stakeholders:

- Activity 3.1 Hold/host inception forums of relevant stakeholders to initialise the development of South Sudan MLA Law and National Prosecution Policy. The inception forums for both documents were hosted in November 2022.
- Activity 3.2 demonstrates that an MLA for South Sudan was drafted by Mr. Wambua and Mr. Atwebembeire and Ms. Maina with 1.5 days of support by Ms. Jayanathan in November 2022 [Done]. [Drafting of the initial MLA Law and NPP documents done by drafting teams from SfG and the South Sudan State Law Office]
- Activity 3.3 Organise review forums of relevant stakeholders to provide input and feedback on the draft MLA Law & NPP. Review forums were held in July 2023
- Activity 3.4 Organise Validation forums with relevant stakeholders to validate and approve the content of the MLA Law & NPP. The validation forums were held in September/October 2023. The validated MLA Law and NPP has been forwarded to parliament for enactment into Law

3.1.4 Activities relating to output 4: EAAP MLA Regional Guide developed and validated by stakeholders by the third year of this project (2024):

- Activity 4.1 a draft MLA Regional Guide will be developed by September 2024. Led by Mr Wambua with 24 days of input from Ms. Jayanathan and Mr. Atwebembeire [In Progress] [Developing initial draft of the EAAP MLA Regional Guide. Initial draft developed by Mr. Wambua and is currently being reviewed by Ms. Jayanathan and Atwebembeire]
- Activity 4.2 Organise a review forum of stakeholders from Kenya, Uganda, Rwanda, Tanzania, South Sudan & Burundi to provide input and feedback on the draft EAAP MLA regional guide with.
- Activity 4.3 Organise a validation forum of stakeholders from Kenya, Uganda, Rwanda, Tanzania, South Sudan and Burundi to validate and approve the content of the final EAAP MLA regional guide.
- Activity 4.4 Submitting validated EAAP MLA Regional Guide to the EAAP for adoption [To be done]
- Activity 4.5 Publishing and disseminating the adopted MLA guide to all prosecutors in the region by September 2024 [To be done]

3.1.5 Activities relating to output 5: baseline and impact Survey Reports of wildlife crimes for Rwanda and S. Sudan:

- Activity 5.1 Conducting baseline surveys of IWT cases in S. Sudan . The baseline survey was conducted in September through November 2022 and a report was prepared by March 2023.
- Activity 5.2 conducting baseline surveys of IWT cases in Rwanda [Partially Done]

- Activity 5.3 Undertake end-term/project evaluation/impact surveys across all four countries to assess and determine key learnings and trends. This will be completed by September 2024 [To be done].

3.1.6 Activities relating to output 6: National Prosecution Policy for South Sudan developed and validated by September 2024. The following activities were and shall be carried out:

- Activity 6.1 an inception forum for the development of South Sudan NPP (at same time as inception forum for MLA Law for South Sudan) will be hosted in May 2023 [Done].
- Activity 6.2 the NPP for South Sudan was drafted by Mr. Wambua and Mr. Atwebembeire, with 1.5 days of oversight by Ms. Jayanathan in December 2022 [Done].
- Activity 6.3 is directly related to Activity 3.4 above .

3.1.7 Activities relating to output 7: Wildlife Offences in South Sudan & Rwanda reviewed and amendments submitted to respective legislative assemblies for enactment:

- Activity 7.1 Inception and review forums were held to check in on the development process with relevant stakeholders, held in Rwanda to discuss the formal review of wildlife offences led by Mr.Wambua and Mr. Atwebembeire between January 2022 and December 2022 [Done].
- Activity 7.2 Review forum was held to check-in on development process with relevant stakeholders, held in South Sudan to discuss formal review of wildlife offences led by Mr.Wambua and Mr. Atwebembeire in November 2022 [Done]
- Activity 7.3 a Draft of formal review of Rwanda wildlife offences completed by Mr. Wambua and Mr. Atwebembeire, with 1/3-day support from Ms. Jayanathan was held in June 2022 [Done]
- Activity 7.4 a draft of formal review of South Sudan wildlife offences completed by Mr. Wambua and Mr. Atwebembeire, with 1/3-day support from Ms. Jayanathan was held in December 2022 [Done]
- Activity 7.5 a validation forum to check-in on development process with relevant stakeholders, held in Rwanda led by Mr. Wambua, Mr. Atwebembeire and Ms. Maina was held in November 2022 [Done]
- Activity 7.6 a Validation forum to check-in on the development process with relevant stakeholders, held in South Sudan led by Mr. Wambua and Mr. Atwebembeire will be held by November 2023 [Done]

3.2 Progress towards project Outputs

Output 1: 28 RRG-based prosecutorial wildlife crime trainings conducted in Kenya (10), Rwanda (4), Uganda (10) and South Sudan (4), as well as an e-course developed and disseminated to approximately 1000 independent learners across all four countries.

During this reporting period, between April 2023 and March 2024, two in-person training sessions were delivered in Uganda. SFG conducted the in-person interagency training workshops in the first quarter of 2024. The first was held in Fort Portal between 26th February and 1st March, whilst the second training workshop was held in Mbarara between 4th and 8th March 2024. The workshops were delivered to a total of 80 wildlife and forestry officers, prosecutors, investigators, judicial officers and was conducted in partnership with UNODC, the Wildlife Conservation Society (WCS) Uganda, the Uganda Wildlife Authority (UWA) and the Office of the Directorate of Public Prosecutions (ODPP) Uganda (**Annex 4**).

However, our planned activities were significantly impacted/hampered by delays in the release of match funding by UNODC. As the match funding was meant to cover the costs of co-hosting the planned RRGs in all four countries in conjunction with UNODC, we were not able to deliver our planned workshops as originally anticipated. However, now that match funding has been secured, we are confident that we will deliver the remaining RRG trainings be they in-person or virtually in all four countries by September 2024. Thus far, 5 trainings have been conducted in Kenya and 6 trainings have been conducted in Uganda, resulting in 11 out of 20 trainings

delivered for this output in Kenya and Uganda. Since the launch of the new editions of the RRGs for both Kenya and Uganda in November 2021, the RRG training sessions have been successful, based on the pre- and post-training assessments. For example in Uganda, test results have consistently shown that there was an over 50% knowledge acquisition for tests administered during each training workshop (**Annex 4, 23**). All RRG training workshops were delivered in partnership with the UNODC in both Kenya and Uganda, as well as the Basel Institute of Governance in Uganda who were invited back to make presentations on following the money at the workshops.

The remaining RRG training workshops in Kenya will be completed by September 2024 as per the revised log frame and a majority of them will be delivered virtually from May 2024. It is worth noting that a total of 301 participants in Kenya have already received training on the proper use of the RRG toolkit, as well as how to conduct financial investigations and use ancillary laws to combat illegal wildlife trade from an interagency standpoint. We anticipate at least 455 participants from 4 countries through the e-platform/e-learning management system.

Following the interagency inception meeting between the Rwanda Development Board (RDB), the National Prosecution Authority (NPPA), the Financial Intelligence Centre (FIC) and the Rwanda Environment Management Authority (REMA), an RRG for Rwanda was developed in 2022, with a translated Kinyarwanda version launched shortly after in 2023 (**Annex 7**). Similar to Kenya and Uganda, as a result of match funding delays we were unable to deliver the RRG workshops in Rwanda during this reporting period, however we are confident that we will deliver all four training sessions virtually by September 2024 through the use of the newly developed e-learning management system, as per our agreement with NPPA and RDB.

Following the successful inception, drafting, review and validation of the RRG for South Sudan in 2023, SFG developed extensive RRG training content for the four intended training workshops. However, as a result of both match funding delays as well as the political/security volatility in South Sudan, we were not able to deliver on the RRG training during the reporting period. Nonetheless, given that the e-learning management system has been developed, we intend to deliver the four remaining RRG training workshops by September 2024 either in-person with UNMISS or virtually as circumstances allow.

In addition to the development of the RRGs for Rwanda and South Sudan, as well as the roll-out of RRG trainings done thus far in Kenya and Uganda, SFG and the EAAP worked diligently on the expansion and roll-out of an EAAP e-learning management system/platform, and within this platform, the development of a new Prosecutor's e-Course on wildlife crime. Not only will this e-course deliver critical knowledge to a large number of e-learners within the EAAP and potentially reach a wider audience than originally anticipated, but also the online platform further enables SFG to deliver essential RRG-based content virtually. The development of the new e-course training content was conducted after the validation of the RRG for South Sudan. In the same vein, the existing e-course content developed for Kenya, Uganda and Tanzania was expanded to cover other EAAP states that have existing RRGs, which includes Malawi, Rwanda, South Sudan and Zambia. While Mozambique has an existing RRG, due to the use of the Portuguese language, it was agreed that Mozambique will be incorporated during the final phase rollout/expansion of the e-Course– which will cover other countries that do not have a RRG such as Ethiopia, the DRC, Djibouti, Eritrea and Somalia. The e-learning management system can train over 5000 users at a go. SFG and the EAAP acquired the software licences needed to host the platform in a manner that directly links it to the EAAP website². SFG and the EAAP have embarked on the final stages of developing/testing the e-learning platform, and will shortly move on to use of the training modules and course content in May 2024.

Output 2: Court Monitoring and mentoring support offered, and baseline/impact surveys undertaken

² EAAP E-learning Management System accessible through secure credentials at <https://eaaprosecutors.org/learning-centre>

In Kenya, there were 21 courts stations that were monitored, but only 17 had active court cases in specified key transit and wildlife hotspots (81% of courts in key transit and wildlife hotspots). These identified hotspots are areas where courts have recorded the highest caseload of wildlife crimes in the North and Central regions of Kenya, which incidentally hold the highest amount of wildlife in the country—outside of national parks and nature reserves—as the regions are also major land transit routes for the trafficking of IWT. In addition to court monitoring, SFG provides ongoing remote mentoring and the accompaniment of prosecutors and investigators, with these mentoring sessions being disaggregated by profession and gender. Court monitoring has been ongoing in the North and Central regions of Kenya since 2013, and in relation to this particular project, SFG has produced comprehensive annual internal court monitoring reports (**Annex 8**) in order to determine the impact of legislative change³ and Covid-19 on wildlife justice. Within this specific reporting period, we produced a detailed court monitoring report that analyses how wildlife crime cases are prosecuted, and provide applicable interventions aimed at a deterrent effect (**Annex 9**).

During this reporting period, a total of 92 high-profile cases across 17 court stations were monitored in the North and Central regions of Kenya (**Annex 9**), with 85 cases being monitored between April and September 2023 (**Annex 10**). Notably, a comparison of cases monitored between April and September 2023 and a similar period in 2022 highlights a 18.1% increase. On the other hand, the number of cases registered between April 2023 and March 2024 increased by 8.7% compared to a similar period between April 2022 and March 2023. Furthermore, there were 26 cases of interest monitored that involved significant amounts of illegal wildlife trophies, public and government officials, factions of organised crime, foreign nationalities and repeat offenders (**Annex 11**). Due to persistent socio-economic challenges in the country that have resulted in an overall higher cost of living⁴, as well as the residual effects of the worst drought Kenya had in 40 years, worsened living conditions in the country have put the general populace under considerable pressure to make ends meet. However, over the course of the past year, there has been a concerning increase in the number of wildlife crime cases that not only involve repeat offenders charged with the possession and dealing of wildlife trophies, but also public service employees, government officials, religious leaders, farmers, businessmen, college lecturers, law enforcement officers, British Army Training Unit Kenya (BATUK) employees, and county government employees. This notable shift in the socio-economic class of accused persons could explain why a majority of the accused persons in the cases monitored could afford legal representation. SFG has raised those cases with the Directorate of Public Prosecutions in Kenya, and continues to seek further action on the correspondent financial investigations on these cases.

It should be noted that 84.6% of the 26 high-profile cases registered during the period involved elephant species, with the highest recorded seizure amounting to 194 pieces of elephant tusk weighing 646 kilograms. Despite WHO's declaration of Covid-19 as a public health emergency⁵ and the resumption of normal court operations in Kenya, one of the lingering effects of the pandemic that affected the conduct of trials is the abscondment of accused persons as well as the loss or misplacement of court files (**Annex 9**). This inevitably resulted in the numerous adjournments in some cases, or subsequent dismissal in other cases.

In Uganda, SFG was supposed to have carried out extensive court monitoring activities in the Central, Western, Northern and Eastern regions of the country as well as collect wildlife crime data at the Standards, Utilities and Wildlife Court but was unable to do so. Following the publication of a comprehensive court monitoring report for high-profile wildlife crime cases in Uganda between 2018 and 2022, SFG used the data collated to inform the relevant authorities of potential interventions that can be undertaken (**Annex 13**).

In Rwanda, the National Public Prosecution Authority (NPPA) authorised SFG to access information from the online national case system after a drawn-out process of authorization and

³ [Wildlife Conservation and Management \(Amendment\) Bill, 2019.pdf](#)

⁴ [Kenya's cost of living crisis: Expert unpacks what's driving it](#)

⁵ [WHO Director-General's opening remarks at the media briefing – 5 May 2023](#)

security clearances. SFG is currently in the process of analysing the data as part of its undertaking of a national wildlife crime baseline survey. Court monitoring in Rwanda will be completed by September 2024, following the publication of the baseline report.

In South Sudan, a baseline survey was conducted in three states: Central, Eastern Equatoria and Western Equatoria with a fourth state (Jonglei)⁶ earmarked for the baseline being inaccessible due to insecurity. A total of 43 cases were monitored, and the data collected demonstrated that only 11.6% of all cases were actually referred to court. 81.4% of the cases resulted in mere confiscation of exhibits and release of suspects from police custody without clear recording of reasons for the same. This is despite notably high levels of poaching and trafficking in IWT products and bushmeat consumption. The remaining 7% of cases were still under investigation at the time the data was being collected (**Annex 12**). The baseline survey demonstrates that the inadequate implementation of available wildlife laws, as well as low prosecutorial and investigative capacity in the country coupled with nearly non-existent proper keeping of records by relevant authorities. Following the publication of the baseline report, court monitoring in South Sudan will commence in the second half of 2024.

Output 3: An MLA Law for South Sudan drafted and validated by Year 3 of this project.

South Sudan lacks the legal framework for mutual legal assistance (MLA) and extradition. As a result, wildlife cases in and outside South Sudan were frustrated because evidence cannot flow between South Sudan and neighbouring states. The development of a MLA & Extradition law for South Sudan allows for the full participation in mutual legal assistance in investigating and prosecuting transboundary wildlife crimes. A draft MLA & Extradition law for South Sudan was discussed at an inception forum, drafted by SFG and its consultant and was reviewed by the relevant stakeholders during the review forum (**Annex 4**). A validation forum was then hosted in October 2023 to complete the development process (**Annex 10**).

Output 4: EAAP MLA Regional Guide developed and validated by year 3 of the project.

The East African Community (EAC) has 7 countries with South Sudan and DRC being the latest member states hosting significant wildlife populations and critical biodiversity landscapes which are often transboundary in nature. Moreover the region is a key IWT trafficking corridor. Given that Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan all have corresponding national mutual legal assistance frameworks to assist in the prosecution of transboundary wildlife crime, it is essential to develop a regional MLA guide that serves all members of the EAAP which also include non-EAC neighbouring states i.e., Ethiopia, Somalia, Eritrea, Djibouti, Malawi and Zambia. The development of the regional guide is ongoing, following the validation of the MLA & Extradition law of South Sudan. A final EAAP MLA regional guide is to be completed by the end of the project. The guide serves as a critical toolkit for investigators, prosecutors and judicial officers in improving their understanding of the process involved in making, processing and coordinating MLA and extradition requests.

Output 5: Baseline and impact Surveys of wildlife crimes for Rwanda and South Sudan conducted by Year 2 and 3 of this project.

Please refer to the narrative in output 2 (above) regarding the court monitoring activities in Rwanda [in progress] and South Sudan [completed]. Impact surveys will be completed at the end of the project.

⁶ In September 2022, there was a significant increase in violence, including fighting between armed groups in some areas of Upper Nile, Jonglei, and Unity states. For example, at the time of the survey, the American Embassy in South Sudan issued a security alert on 8th September 2022 discouraging any travels to the area.

Output 6: A National Prosecution Policy for S. Sudan developed and validated by December 2024.

The National Prosecution Policy (NPP) for South Sudan was developed to be the overarching criminal justice policy framing the standards for the delivery of justice for all case types in the country. It is a most critical document for the establishment of rule of law and is an expected output of the national transitional peace accord. Its development is critical in setting standards for the investigation, prosecution and adjudication of wildlife crime cases—which are abysmal at the moment, but are nonetheless a critical step forward in developing legal/policy reforms necessary for peace building and the political stabilisation of South Sudan. Following the inception forum, SFG developed a draft NPP which was reviewed by stakeholders at a review forum and then validated at a validation forum in October 2023 (**Annex 4**) and its implementation is now ongoing by the Ministry of Justice in South Sudan.

Output 7: Wildlife Offences for S. Sudan & Rwanda reviewed and forwarded for enactment in the respective legislative assemblies.

A review of wildlife offences for Rwanda was completed in April 2022 (**Annex 25**) and a gap analysis report (**Annex 14**) shared with relevant authorities such as the Rwanda Development Board (RDB) and NPPA. Consequently, (outside the remit of this grant) SFG was requested by the Rwanda Development Board to develop 16 necessary regulations and ministerial orders to implement the new Rwanda biodiversity law including those on the proper running of the country's first wildlife authority (Rwanda Conservation Company -RCC). A gap analysis review of the new biodiversity wildlife legislation including wildlife and environmental offences will inform the development of these regulations/ministerial orders. The development of these regulations and ministerial orders was done in a phased approach. SFG then developed these regulations and submitted them to RDB for further processing. A key recommendation made in the gap analysis and review of offences was on enactment of a protected area management law, which was taken up by RDB resulting in the recent enactment of the National Parks and Nature Reserve law in February 2023.

A gap analysis legal review of the current legislations on wildlife offences for South Sudan was also conducted in November 2022. The gap analysis review report is currently under consideration by the South Sudan Ministry of Justice/Attorney General and Director of the Public Prosecutions Office and SFG has helped review legislations prepared in response to the Gap analysis such as draft bills on tourism, wildlife conservation which has a revamped wildlife offences regime and a law creating the wildlife service responsible for conservation work in the country. A public forum was held to review these bills which included community and civil society representatives, members of parliament from the relevant committee and state agencies and we made clear recommendations on how to improve these bills. The public forum was co-funded and organised by UNMISS and SFG in November 2023.

3.3 Progress towards the project Outcome

The project outcome is to increase conviction and asset recovery for wildlife crimes, resulting in reduction in those crimes. The following indicators correspond to the outcome:

- For Kenya & Uganda: a rise or maintaining of current conviction rates (99% for Uganda in 2022 and 53.3% for Kenya in 2022 and 79.2% in 2023. The conviction rate in Kenya has been fluctuating over the last 5 years from 85.7% in 2018, to 50% in 2020, and 100% in 2021. The reasons for these have been articulated above in output 2 and the 2022 court monitoring report). The Outcome of the project is to increase conviction rates and asset recovery rates to be above 90% across all three years of project operation, which are verified by Case monitoring reports produced by SFG as well as annual reports from the ODPP Offices of Kenya and Uganda. The conviction rate for Kenya rose by 26% from 53.3% in 2022 to 79.2% in 2023. The increase is partly attributed to the tireless case mentoring support efforts by the SFG court monitoring team. A number

of cases that the team advised ended up obtaining convictions. Example in a case, MCCR/722/2020 registered in Kerugoya Law Courts and involved 95kgs of elephant tusk, the SfG Court monitoring team noted errors on the chargesheet and recommended amendments as well as advised on an issue of lost exhibit memo form. The case concluded in 2023 with conviction of all the three accused persons who were sentenced to a fine of KSh 1 million in default 1 year jail term for each count.

- In the past 5 years, a trend of no guilty pleas continued– owing to the high minimum sentences introduced in 2019, thus making every case a trial. As a consequence the case conclusion rate increased to 25.5% in 2023 from 20.5% in 2022. The conviction rate has fluctuated over the years from 85.7% in 2019, 50% in 2020, to 100% in 2021 and 53.3% in 2022 and 79.2% in 2023. The rise in conviction rates in 2019 was tied to the revamped wildlife offences which set very high minimum penalties.
- In 2023, the Asset Recovery Agency applied for asset freezing orders for the properties of Televangelist Jackson Mbugua Burugu (charged in CR. 1442/2017 and E2189/2021), due to his involvement in the wildlife crime in these cases. In March 2024, the High Court issued preservation orders under the Proceeds of Crime and Anti-Money Laundering Act against the accused person’s car and two properties.
- For Rwanda & S. Sudan: Once baseline surveys and reviews are complete and monitoring begins in the second half of 2023, there should be at least a 5-10% rise in conviction rates in both countries by the end of the project. This will be verified through case monitoring reports by SFG and independent reports from RNPPA and the Prosecutors General office in S. Sudan. SFG will conduct a baseline and final assessment.
- In Kenya & Uganda: an increase in asset recovery orders being applied to eligible cases from the current rate of 0%, to at least 25% in both countries by 2024. This will be verified through asset recovery reports from the ODPP offices of Kenya and Uganda, and the Asset Recovery Agency in Kenya alongside desktop reviews conducted by SFG to determine case eligibility
- In Rwanda and South Sudan: asset recovery orders being applied to cases that are eligible - in at least 5-10% of cases by 2024. This will be verified through reports from the RNPPA and Prosecutor General’s office in South Sudan with SFG desktop reviews to determine case eligibility
- The percentage of concluded asset recovery cases that resulted in partial recovery of actual assets, described by the type of crime (high value, commercial bushmeat, bushmeat), the type of asset, and the value recovered, across all countries. This was verified through a desktop review prepared by the SFG team.
- The number of wildlife cases that meet the Rapid Reference Guide case checklist standard of excellence (i.e. 80% score on checklist), based on sampling across countries will be verified through case checklists prepared by the SFG Wildlife Justice team
- The capacity and perception of trends, application of MLA requests, asset recovery, RRG application, self-reported by prosecutors and investigators will be verified through questionnaires administered by SFG and the EAAP at beginning and end of project with sampling of prosecutors and investigators attending in person trainings and e-course
- An increase in the number of MLA requests legally processed, disaggregated by country and result (i.e., yes, no, partial) will be verified through MLA requests and responses from prosecution authorities, with public annual reports (on MLA requests) from Kenya and Uganda, as well as feedback from prosecutors trained on MLA.

3.4 Monitoring of assumptions

Output 1 Assumption: Stabilisation in the spread of Covid-19 and resumption of local and international travel enable SFG and partner stakeholders to hold in-person training both regionally and centrally in each country (this holds true although there have been outbreaks of other highly communicable diseases during the project period such as Ebola in Uganda in

September 2022⁷ which impacted our ability to travel and hold training workshops and court monitoring visits. Recently in March 2023 there was a marburg virus outbreak at the borders of Tanzania⁸, Uganda and Kenya which limited our ability to undertake activities near the affected region); EAAP website remains live and reliable. The training of judicial officers, investigators and prosecutors leads to an improvement in conviction rates; an increase in conviction rates leads to a reduction in wildlife poaching; close ongoing collaboration with UNODC, Arcturus, EAAP, National Prosecuting Authorities in each country to support recruitment and dissemination and endorse content and design; assume project start up begins in November 2021. [Valid]

Output 2 Assumptions: SFG to continue to have existing access/authorization to conduct case monitoring in Kenya and Uganda. Additionally, SFG is granted authority to conduct monitoring in Rwanda and S. Sudan (Space for Giant's court monitoring programme has been welcomed by both countries making this is a safe assumption)

Close ongoing collaboration with UNODC, National Prosecuting Authorities in each country, AWF in Kenya (Tsavo), Basel Institute and Rusi in Uganda to support information sharing and coordination on specific cases, as needed. Regional staffing combined with range of local partnerships enhances overall capacity and increases pace of project implementation [Valid]

Output 3 Assumptions: Parliamentary process will lead to enactment of the draft MLA law in South Sudan. Furthermore, South Sudan law is passed in time to be included in MLA guide While separate and distinct outputs, convenings will be conducted in parallel for both MLA and NPP in South Sudan [Valid]

Output 4 Assumptions: The MLA Guide is approved by EAAP. Additional assumption includes an ongoing collaboration with EAAP, UNODC, National Prosecuting Authorities in each country, EcoPeace in South Sudan, support of Ministry of Justice and Prosecutor General's office [Valid]

Output 5 Assumptions: Access is given to data in both countries (SFG has been invited to do surveys in both countries, so the assumption is a safe one. SFG will be working closely with in-country govt agencies to procure the data needed) [Valid]

Output 6 Assumption: the government of South Sudan participates in development and validation process and approves draft NPP [Valid]

Output 7 Assumptions: Government of S. Sudan and Rwanda enact the proposed legislative changes (South Sudan government has asked SFG to undertake the review, making it a safe assumption). Additional assumption includes having good coordination with RNPPA and SSPG/Ministry of Justice.[Valid]

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

The original application form demonstrated that impact was focused on two key areas: impact on the species in focus pertaining to biodiversity conservation, and impact on human development pertaining to poverty alleviation.

With regard to the higher-level impact on illegal wildlife trade, this project seeks to achieve an overall reduction in the poaching of elephants, rhinos, lions and pangolin. By building investigative, prosecutorial and judicial capacity in these countries we contribute to lowering poaching and IWT. Through the monitoring of cases, we are able to determine the drivers of failures in the criminal justice response to poaching and trafficking and implement or recommend appropriate interventions by state and non-state actors. For example, from ongoing court monitoring we have seen that sandalwood poaching and trafficking is growing at an alarming rate and have called on the authorities to implement national action plans for conserving the already critically endangered species (**Annex 10**). We have also tailored our training to be delivered to target officers working in key hot spots for poaching. Through the legal gap analysis reviews for Rwanda, action has been taken to swiftly enact a protected area management law and we are developing regulations to implement biodiversity (**Annex 14**). This will ensure there is a responsible specialist state agency for conservation of Rwanda's biodiversity for posterity. The NPP and MLA/Extradition law of S. Sudan and the RRGs developed for Rwanda and South

⁷ [Uganda Ebola Outbreak, September 2022 | Ebola \(Ebola Virus Disease\) | CDC](#)

⁸ [Marburg Virus Disease Outbreaks](#)

Sudan will be critical tools for wildlife conservation ensuring standards for delivery of wildlife justice are set and officials are properly trained and equipped.

With regard to the higher-level impact on human development, there are two sets of beneficiaries that will be impacted by this project. Primary Beneficiaries with at least 800 prosecutors present during the in-person training, including 300 in Kenya, 300 in Uganda, 100 in Rwanda and 100 in South Sudan. In addition, over 1800 prosecutors will benefit from the e-course (approx. 1000 in Kenya, 400 in Uganda, 300 Rwanda, and 100 South Sudan). So far a total of 736 officers in Kenya and Uganda have benefited from the rolled out RRG training workshops/symposium. Secondary Beneficiaries include the greater populations of Kenya (53.8m), Uganda (45.7m), Rwanda (13m) and S. Sudan (11.2m), totalling approximately 123.7million people. Wildlife crime has a negative impact on the greater population of a country, hindering development. Empowering prosecutors with tools to better address wildlife crime cases increases conviction rates, and deters future crimes, thereby increasing stability and security. Sustainable wildlife economies contribute to an average of 13% of GDP in these countries and are strengthened when wildlife is protected from illegal exploitation. Simultaneously, training prosecutors strengthens the judicial system, and helps to build citizen's trust in the courts and confidence in the rule of law. Improved prosecution policies, trust in the rule of law and prosecutorial capacity positively impacts an entire country, not just those who live in proximity to wildlife. Similarly, the MLA regional guide for the region will benefit the prosecution of all cross-border crimes, not just those relating to IWT. The lack of an MLA law in S. Sudan, and the absence of a regional MLA law guide, has created a bottleneck of untried cases as prosecutors across the region are not able to access the information they need. The courts, and the greater populations in the region, will all benefit from a more thorough and speedy trial process.

Part of the RRG training includes how to overcome court adjournments. Repeated court adjournments can lead to people languishing in custody for extended periods, without trial. The families of people held without charge for extended periods suffer hardship from income loss (**Annex 9**). Because of this the living conditions of all family dependents are affected and can lead to increased poverty, forcing dependent children into work and out of education. Key recommendations on active case management guidelines to the relevant authorities through our court monitoring reports which if implemented will result in speedy trials and raising case conclusion rates. Impacts on beneficiaries will be monitored in two ways: benefits to the prosecutors will be measured during the RRG training sessions, with all participants completing pre & post training assessments. The impacts to the greater population of each country will be monitored through improved conviction rates, as well as improved rates of asset-recovery. This will be closely tracked in all four countries through the court-monitoring component of this project. The law and policy development work for example on development of the NPP in Sudan will ensure the criminal justice system is improved which has indirect socio-economic and peace dividends. At the end of the project, an independent consultant will conduct a review on the overall project to gauge its effectiveness and advise on next steps.

4. Thematic focus

SFG through this project has been working to ensure effective legal frameworks and deterrents by reviewing the laws of Rwanda and South Sudan and highlighting to the authorities gaps and opportunities for strengthening the existing legal frameworks. A good example has been in Rwanda, where following our review of the wildlife legal framework we recommended amongst other action points, the development of a law determining what are the protected areas in the country. This was acted upon by our partner RDB and consequently a law was formulated on this and has been in effect since mid February 2023. Moreover, we were given an opportunity to support RDB in developing regulations that we had recommended are necessary for giving full effect to the new Biodiversity law. We have drafted all the draft 16 regulations, and submitted them to RDB for further processing.

In South Sudan, the NPP we developed with the government is the overarching criminal justice policy that recommends the enactment or amendment of a significant amount of substantive and

procedural laws. This will in turn affect the delivery of justice and protection for the South Sudanese and their vast wildlife population. The NPP will thus cultivate critical legal reforms that are necessary and long overdue under the country's fragile peace accord and transition to democracy, as well as becoming a state anchored by the rule of law. Moreover, we developed a thorough MLA/Extradition law for South Sudan, bringing it to the community of nations in terms of their participation in international legal cooperation.

In our court monitoring reports in Kenya and Uganda, we have strongly laid the empirical basis for the development of sentencing guidelines in both countries and the implementation of active case management guidelines to ensure higher case conclusion rates, especially in Kenya⁹. By equipping prosecutors, investigators and judicial officers with RRGs in all the 4 countries, and producing copies of new wildlife laws like we did in Uganda, and translated versions of the RRG like we did in Rwanda, we enable those on the frontlines of handling wildlife crime cases with the necessary tools to ensure success— which in turn result in the deterrence against IWT.

5. Impact on species in focus

It should be noted that poaching numbers significantly decreased in 2020, as a result of the COVID-19 pandemic. However, the latter half of 2022 saw a slight increase in poaching numbers overall, due to a resurgence in illegal wildlife trade and an increase in the scale of illicit wildlife operations in East Africa¹⁰.

In Uganda, there was a notable increase in the number of convictions and penalties imposed, particularly within the specialised Standards, Utilities and Wildlife Crime Court. This outcome is a combined result of continuous mentoring of investigators, prosecutors and judicial officers, and the extensive Rapid Reference Guide training for these officers that SFG has conducted in Uganda since November 2021. By utilising proven measures that ensure effective legal frameworks are in place and that law enforcement is bolstered, illegal wildlife trade can be effectively disrupted. A notable example of this is demonstrated in a wildlife crime case where an elephant ivory dealer was sentenced to life imprisonment for the unlawful possession of elephant tusks in October 2022 by the Uganda Standards, Utilities and Wildlife Court¹¹.

Kenya received zero rhino poaching incidents in 2022, which is the second time in 5 years that the zero poaching goal was achieved for a particular species in the country¹². It should also be noted 2 appeals were lodged against convictions in wildlife crime cases in the North and Central Kenya regions where the conviction rate of the 78 cases monitored was 53.3% (**Annex 8**). We highlighted to the authorities the need for urgent action to address the sky-high unsustainable poaching of sandalwood which is already a critically endangered species with 34 tonnes of the species poached from just these two regions of the country. We also noted that over 1.14 tonnes of elephant ivory were recovered through court cases and the same has been on the increase since the end of Covid-19 pandemic. We have also noticed a new trend of manufacturing elephant bones into ivory looking specimens in a few of the cases.

In South Sudan and Rwanda our baseline surveys have highlighted high levels of poaching and consumption of bushmeat in South Sudan and increased possession and trafficking of ivory in both countries. We are still analysing hundreds of case data received from Rwanda recently, but

⁹ [Guidelines for Active Case Management of Criminal Cases in Magistrate Courts and High Courts](#)

¹⁰ [Wildlife populations plunge 69pc since 1970— WWF - The East African](#) and [Mixed News for Elephants in 2022](#)

¹¹ <https://twitter.com/ugwildlife/status/1583361475569033216>

¹² Statement from Director General of Kenya Wildlife Service Brig. (Rtd) John Waweru: <https://twitter.com/kwskenya/status/1498986101549277187> and [State of the Rhino Update: Kenya and India's state of Assam report zero rhino poaching losses in 2022](#)

preliminary findings show that hippo teeth (which is a class of ivory) are in high demand and that Kigali International Airport is at risk of being a new route for trafficking in Central Africa.

6. Project support for multidimensional poverty reduction

Overall, wildlife crime is directly correlated with poverty and high infant mortality rates (TRAFFIC, 2014). Tackling wildlife crime through the criminal justice system is just one intervention for helping communities develop sustainably and protect the wildlife resources their tourism and other sectors depend on. The expected beneficiaries likely to be affected by this project are the greater populations of Kenya, Uganda, Rwanda and South Sudan totalling approximately 123.7million people. Wildlife crime has a negative impact on the greater population of a country, hindering development. Empowering prosecutors with tools to better address wildlife crime cases increases conviction rates, and deters future crimes, thereby increasing stability and security. A case in point is that Uganda’s first ever life sentence for a wildlife crime sent a strong message to traffickers and the community against engaging in this crime type. Training of investigators, prosecutors and judicial officers who have been working at the specialised wildlife court has resulted in an increase of conviction rate from 95% to 99% as evidenced by our court monitoring report. Sustainable wildlife economies contribute to an average of 13% of GDP in these countries and are strengthened when wildlife is protected from illegal exploitation. The work we are doing to deliver regulations in Rwanda for their first ever specialist wildlife authority charged with management of wildlife crime will have lots of indirect benefits for growth of tourism, protection of wildlife and addressing wildlife conflict of communities living with wildlife. Simultaneously, training over 800 prosecutors, magistrates, investigators, forestry and wildlife officers so far, strengthens the judicial system, and helps to build citizen’s trust in the courts and confidence in the rule of law. Impacts on beneficiaries will be monitored in two ways: benefits to the prosecutors will be measured during the RRG training sessions, with all attendees completing pre & post training assessments, to gauge how much they have learned.

7. Gender Equality and Social Inclusion (GESI)

| | |
|---|---|
| Please quantify the proportion of women on the Project Board ¹³ . | There are 7 members on the Project Board, and 4 are women. The percentage is 57.14% women |
| Please quantify the proportion of project partners that are led by women, or which have a senior leadership team consisting of at least 50% women ¹⁴ . | UNODC - 60% EAAP Secretariat - 66% |

| GESI Scale | Description | Put X where you think your project is on the scale |
|--------------------------|--|--|
| Not yet sensitive | The GESI context may have been considered but the project isn’t quite meeting the requirements of a ‘sensitive’ approach | |
| Sensitive | The GESI context has been considered and project activities take this into account in their design and implementation. The project addresses basic needs and vulnerabilities of women and marginalised groups and the project will not contribute to or create further inequalities. | |
| Empowering | The project has all the characteristics of a ‘sensitive’ approach whilst also increasing equal access to assets, resources and capabilities for women and marginalised groups | X |

¹³ A Project Board has overall authority for the project, is accountable for its success or failure, and supports the senior project manager to successfully deliver the project.

¹⁴ Partners that have formal governance role in the project, and a formal relationship with the project that may involve staff costs and/or budget management responsibilities.

| | | |
|-----------------------|--|--|
| Transformative | The project has all the characteristics of an 'empowering' approach whilst also addressing unequal power relationships and seeking institutional and societal change | |
|-----------------------|--|--|

IWT increases insecurity and instability, and men are disproportionately more likely to take part in violent crime such as poaching, ultimately leaving women to provide for families. Using legal networks to break down male-run poaching gangs increases stability and, in the long-term, reduces the inequitable burden on women. Law enforcement, including prosecutions in East Africa has traditionally been male dominated. However, this trend continues to change. Kenya now has more female prosecutors than male, and Uganda and Rwanda have growing numbers of female prosecutors. By building their capacity, this project will help bridge the gap in opportunities that are typically available to and benefit males, whilst contributing to visibility of women's role in combating IWT.

The percentage breakdown of female prosecutors in Kenya is 60% women/40% men, in Uganda the ratio is 40% women / 60% men, in Rwanda it is 40% women/60% men, and in South Sudan it is less than 10% women/90% men. The three RRG training workshops in Uganda had 40%, 60% and 62% of female attendees averaging 54% of trainees, while the symposium for prosecutors had 40% female attendance. Kenya's RRG training of 301 officers first focused on wildlife rangers and investigators which invariably meant that the overwhelming majority of trainees were male, with females accounting for 15%. This will be remedied through the next 5 training workshops which will have more prosecutors and judicial officers, majority of whom are female. From the start of the project, we will ensure that the list of proposed attendees to the training workshops is as well gender balanced as possible or circumstances permit. As a part of each training, we conduct pre and post tests on the participants to identify how much of the content is retained, as well as who benefits most from the training. These tests also collect basic details from the attendees, which includes gender. If there are any circumstances under which SFG discovers that the training sessions disproportionately benefit men, we will closely review the training content and our approach in order to adequately address this issue for example in the remaining 5 RRG trainings for Kenya.

8. Monitoring and evaluation

Monitoring of the success or otherwise of the training sessions has been measured from feedback at each training session and in the feedback forms from each participant, as well as training evaluation forms (see **Annexes 17 & 18**). Feedback received has been used to make adjustments when necessary such as rating questions introduced to get opinions of the participants. Additionally, all attendees have taken a pre and post assessment to gauge improvements in their understanding and how well the information is being shared and retained (see **Annex 19**).

Project impact monitoring has also focused on evidence that court procedures are improving in wildlife crime cases. SFG have collated annual court monitoring reports, which demonstrate higher rates of asset recovery and convictions (see **Annex 16**).

£7,000 is budgeted for evaluating how the project delivered overall at the end of the three years in order to maximise the lessons learned from this project, and analyse any areas to address going forward for countries involved. This assessment will be carried out by a third-party.

9. Lessons learnt

In Kenya and Uganda, the provision of key match funding from UNODC continued to experience delays recorded in last year's half-year report. The match funds were meant to cover the costs of co-hosting and undertaking the rollout of the Rapid Reference Guide (RRG) workshops in conjunction with UNODC from September 2023 until March 2024. Due to match funding delays and partner staffing changes it was necessary for SFG to submit a change request in Feb 2024. This was for a six month extension which was subsequently approved in March 2024. However, match funding was secured and confirmed by UNODC, and as of January 2024 all the necessary procurements were verified prior to the re-commencement of training in Uganda in February 2024.

As mentioned in our 2023 Half-Year Report (**Annex 10**), despite the political and security conflicts in South Sudan, we were able to successfully collect the data from three out of four states, with the fourth state being 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 the aforementioned 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. Whilst remaining cognisant of the political volatility in South Sudan, we completed a fully drafted National Prosecution Policy (NPP) as well as a Mutual Legal Assistance (MLA) and Extradition Law. These were both successfully discussed, reviewed and validated at inception, review and validation forums in the final quarter of 2023 in order to complete the development process. It should be noted that we recognised the potential impact that the political/security volatility could have on our progress in the country, and determined that activities pertaining to Court Monitoring, the Rapid Reference Guide, National Prosecution Policy and Mutual Legal Assistance and Extradition Law should be rolled out simultaneously. We are therefore confident that we can conclude all activities by project end, and have developed extensive RRG training content for both in-person and online training workshops for the duration of the project.

Overall, despite the delays with regard to the Rapid Reference Guide training sessions, we remain confident that we are still on track and the delays will not affect our budget. We aim to complete all 9 remaining RRG training workshops in Kenya and Uganda by July 2024 date in 2024, and all 4 RRG training workshops in Rwanda and South Sudan by September 2024.

Furthermore, there has been a notable increase in the number of requests by environmental officials who attended the RRG training workshops in Kenya and Uganda for SFG to develop RRG focused on environmental offences, regulations and administrative faults. For example, NEMA for Uganda and Kenya have requested for the development of such RRG toolkits.

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

- Due to match delays that significantly altered our timeline in meeting project deadlines, we were required to group/cluster/compound workshop trainings in order to deliver on project outcomes.
- We developed the EAAP platform and e-course as per Output 1 (Measurable Indicator 1.7) for e-learners, and will use this platform to deliver on remaining RRG workshops that cannot be conducted in person.
- Publication of baseline report for South Sudan kickstarted court monitoring in three of the four identified states. However, the political situation in South Sudan prevented the court monitoring process and RRG-based activities from being conducted due to insecurity.

The last Annual Report Review recommended:

- Recommendation: needed to report more on outcomes
 - Action Taken: The logframe has been revised and beyond outputs, the outcomes thereof have been reported.
- Recommendation: Court Monitoring data on courts and cases should be more disaggregated

- Action Taken: Court monitoring data is now disaggregated into more detailed segments to provide ease of analysis
- Recommendation: Increased recording and evidencing of monitoring & evaluation
 - Action Taken: Feedback from training workshops from participants and pre/post-tests which has been done since the inception of the project has been evidenced in this report.

11. Risk Management

Refer to **Annex 15**

12. Sustainability and legacy

By implementing the project, investigative, prosecutorial and judicial authorities and their officers will have been capacitated to enforce the law properly through legal reforms and trainings informed by continuous court monitoring. The over 730 officers who have so far been trained is evidence of the high interest in the training being delivered by this project. As a consequence for example in Uganda and Kenya, officers from NEMA have requested we develop RRGs focused on environmental offences and regulations. Those trained in Kenya were also each given a copy of the RRG and the wildlife law in the case of Uganda. In South Sudan we trained the prosecutors on court monitoring and data collection prior to undertaking the baseline survey. This will help them in future management of case data and records.

WCS in Uganda and UNMISS in South Sudan have shown significant interest in continuing capacity-building workshops with SFG and are now match-funding us as well. The targeted sustainable benefits of the project remain valid and have not been revised. This legacy will be sustained by the beneficiary state agencies and the EAAP who will not only have tools for continuous daily use such as RRGs in each of the project countries and a new NPP in South Sudan but also new laws to implement in South Sudan and Rwanda, as well as, the wildlife crime EAAP e-course for use beyond the project period. SFG also has long term Memoranda of Understanding with the governments of the project countries and beneficiary state agencies for continued support of wildlife justice goals secured by the impact of this project.

For clarity, the following stands as the activity-based exit strategy:-

Output 1: Conducting a total of 28 RRG-based prosecutorial wildlife crime trainings in Kenya (10), Rwanda (4), Uganda (10) and South Sudan (4), as well as the creation and dissemination of an e-course for approximately 1000 independent learners across all four countries. All officers will be provided with physical and electronic copies of the RRGs and physical copies of all relevant materials developed during the training. This will ensure state agencies which have training institutes and training departments (all have them save in South Sudan) will receive and continue using the training toolkits and update them as circumstances dictate. We have ensured that they have been involved in the development of the RRGs so that they retain historical working knowledge of the content and use the acquired capacity to update the RRGs as they would wish. We have also ensured that these RRGs are adopted and owned by the state agencies involved and they now consider them as part of their documents. The e-Course will be hosted on a platform by EAAP and Kenya's Prosecution Training Institute run by ODPP Kenya, which houses also the EAAP Secretariat and the Presidency of the Association. EAAP and ODPP Kenya are committed to the continued roll-out and expansion/revision of the e-Course to all their members through opening access to all their prosecutors under the EAAP's thematic wildlife crime prosecutors forum. Moreover, we will hand over access of the system to the EAAP Secretariat which has the technical expertise to run the system as they have been involved in its procurement from the beginning. Moreover, EAAP and ODPP Kenya are committed to allocate a part of their annual budget to the sustenance of the e-Course platform as they intended to also use the platform for hosting other thematic e-Courses on other types of crime.

Output 2: Undertaking 3 years of court monitoring in Kenya, 3 years of court monitoring in Uganda, 9 months of court monitoring in S. Sudan and 9 months of court monitoring in

Rwanda (court monitoring in Rwanda and S. Sudan begins once baseline surveys are complete).

The reports and data from court monitoring under this project will not only remain with SFG which has been amassing the data on court monitoring since 2013 and in 8 countries across Africa, but will also be shared with relevant state authorities of each country. SFG continues to lobby for action on the recommendations it has made based on the collected data, through meetings with heads of all investigative, wildlife, forestry, fisheries, prosecution and judicial institutions in these countries. We also raise these in other project proposals for future funding.

Output 3: Complete a fully drafted and validated MLA Law for South Sudan in Year 3 of this project.

Beyond developing a MLA law for S. Sudan we also used this project to deliver to the country a well considered extradition law that fits with the common law legal tradition as required by their Constitution and commonwealth MLA and Extradition international schemes. Beyond this value addition, the Ministry of Justice and Constitutional Affairs being the key competent authority and especially the ODPP/OPG under the law, will have the full onus of ensuring its proper implementation and thus their involvement in its development ensures there is internal capacity and historical focal point that was built in the process of its drafting, review and validation. Its inclusion in the MLA Guide will further ensure its contents are not only understood by South Sudanese prosecutors but also other prosecutors from the EAAP region and beyond.

Output 4: Develop EAAP MLA Regional Guide by year 3 of the project.

The EAAP and her constituent national prosecuting authorities (NPAs) have the responsibility of ensuring continued use of the guide in their processing of MLA/extradition requests. The guide will also be available on the websites of the EAAP and her constituent NPAs. UNODC also intends to upload it on its Sherlock website and promote its use among prosecutors in the region and beyond.

Output 5: Completing baseline and impact Surveys of wildlife crimes for Rwanda and South Sudan in Year 2 and 3 of this project.

Please refer to the exit strategy on court monitoring generally. Moreover, these reports will continue to be referenced in future research and court monitoring work in both countries.

Output 6: Draft National Prosecution Policy in S. Sudan by December 2024.

The Ministry of Justice and Constitutional Affairs and the ODPP/OPG will have the onus of implementing this overarching criminal justice policy for the country, in partnership with Parliament and Law Reform Commission where the policy recommends the enactment of various new laws or amendment of existing laws and policies. It is for this reason that we have walked this journey of its development with these stakeholders to build capacity and interest in its full implementation. Moreover, we are confident of its implementation as it will guide the formulation of key legal reforms earmarked by the transitional peace process.

Output 7: Review of Wildlife Offences in S. Sudan & Rwanda.

The review reports were shared with the NPPA and RDB in Rwanda who have already begun actioning of recommendations therein, including the enactment of a law governing national parks and nature reserves, which was one of the key recommendations. Moreover, outside this grant, we are working with the RDB to deliver 16 regulations required for the implementation of the new biodiversity law. In South Sudan, the authorities are considering the report and we are still in discussions regarding implementation of recommendations contained therein.

Regarding the **open access plan**, The outputs of this project which will be openly accessible are:

- The publishing of RRGs for Rwanda and S. Sudan, with the printing of the RRGs covered by UNODC.
- Court monitoring data for all four countries, collated into an annual summary report each year and will be made available on the SFG website.

- The development of National Prosecution Policy for South Sudan commenced in 2022
- The end-of-project evaluation report will include evidence from the court monitoring data, and conclusions on the impact of the project. This will be published on the SFG website.
- The development of an MLA and Extradition law for S. Sudan commenced in 2022
- The development of an MLA regional guide will commence in March 2024
- Reviewed offences for South Sudan (to be published on SFG website) and Rwanda to be published on Rwanda Government Portal
- In addition, the e-course training materials will be available to access by all prosecutors in the four countries. The content creation and design of the e-course is included in the budget. Hosting the e-course on the EAAP website is included in the matched funding

13. IWT Challenge Fund identity

- The IWT Challenge Fund logo was used on all project activities: RRG training workshops and other meetings in Reports, Court monitoring Reports, other project outputs etc.
- The UK Government contribution to the project has been recognised through our continued reference in our social media accounts postings, in speeches and explanation to all partners of who is funding the project, in some media articles as annexed below, etc.
- In introducing the project activities to host country partners, we have always made it clear that this is a distinct project by the IWT challenge fund and we always explain what the IWT challenge fund is and its goals.
- Extent of the understanding of the IWT Challenge Fund is well understood by the EAAP, UNODC and the key host country partners listed in section 2 above especially ODPP in Kenya, Uganda and South Sudan, NPPA and RDB in Rwanda, KWS and UWA in Kenya and Uganda respectively, etc.
- SFG has an active and engaged social media presence through Twitter, Instagram, LinkedIn and YouTube, where much of our IWT Challenge Fund and Biodiversity Challenge Fund project activities are publicised. Moreover, our social media accounts and those of most of the project staff also follow and tag IWT/BC social media channels.

Safeguarding

| | |
|---|---|
| Has your Safeguarding Policy been updated in the past 12 months? | Yes/No YES, it is reviewed and updated Annually |
| Have any concerns been reported in the past 12 months | Yes/No NO |
| Does your project have a Safeguarding focal point? | Yes/No <i>[If yes, please provide their name and email]</i> YES. Designated Safeguarding Lead is Darren Davies, Email: [REDACTED] |
| Has the focal point attended any formal training in the last 12 months? | Yes/No <i>[If yes, please provide date and details of training]</i> YES |
| What proportion (and number) of project staff have received formal training on Safeguarding? | Past: 100% - 8 Planned: n/a |
| Has there been any lessons learnt or challenges on Safeguarding in the past 12 months? Please ensure no sensitive data is included within responses. No. | |
| Does the project have any developments or activities planned around Safeguarding in the coming 12 months? If so please specify. Yes- annual Safeguarding Training | |

Please describe any community sensitisation that has taken place over the past 12 months; include topics covered and number of participants.

Not Applicable

Have there been any concerns around the Health, Safety and Security of your project over the past year? If yes, please outline how this was resolved.

NO

14. Project expenditure

■ **Table 1: Project expenditure during the reporting period (April 2023-March 2024)**

| Project spend (indicative) since last Annual Report | 2023/24 Grant (£) | 2023/24 Total actual IWT Costs (£) | Variance % | Comments (please explain significant variances) |
|---|-------------------|------------------------------------|------------|---|
| Staff costs (see below) | | | | variance due to project delays |
| Consultancy costs | | | | variance due to project delays |
| Overhead Costs | | | | £1750 is for final audit costs |
| Travel and subsistence | | | | variance due to project delays |
| Operating Costs | | | | variance due to project delays |
| Capital items (see below) | | | | |
| Others (see below) | | | | |
| TOTAL | | | | |

Table 2: Project mobilised or matched funding during the reporting period (1 April 2023 – 31 March 2024)

| | Secured to date | Expected by end of project | Sources |
|--|-----------------|----------------------------|---|
| Matched funding leveraged by the partners to deliver the project (£) | | | UNODC, USDO James and Laurel Knight WCS, UNMISS |
| Total additional finance mobilised for new activities occurring outside of the project, building on evidence, best | 0 | 0 | N/A |

| | | | |
|-------------------------------|--|--|--|
| practices and the project (£) | | | |
|-------------------------------|--|--|--|

15. Other comments on progress not covered elsewhere

16. OPTIONAL: Outstanding achievements or progress of your project so far (300-400 words maximum). This section may be used for publicity purposes.

I agree for the Biodiversity Challenge Funds to edit and use the following for various promotional purposes (please leave this line in to indicate your agreement to use any material you provide here)

| File Type (Image / Video / Graphic) | File Name or File Location | Caption including description, country and credit | Social media accounts and websites to be tagged (leave blank if none) | Consent of subjects received (delete as necessary) |
|--|----------------------------|---|---|--|
| Image  | SFG LinkedIn Page | NPP, MLA and RRG Validation Workshop in South Sudan | https://www.linkedin.com/feed/update/urn:li:activity:7117059337340018688/ | Yes |
| Image  | SFG LinkedIn Page | RRG workshop in Fort Portal, Uganda | https://www.linkedin.com/feed/update/urn:li:activity:7168550353620066304/ | Yes |
| Image  | SFG LinkedIn Page | RRG workshop in Mbarara, Uganda | https://www.linkedin.com/feed/update/urn:li:activity:7173240013353119744/ | Yes |
| Image  | SFG LinkedIn Page | Uganda Association of Prosecutors discussion panel in Kampala, Uganda | https://www.linkedin.com/feed/update/urn:li:activity:717112661026385920/ | Yes |