



CONSERVATION & LAW ENFORCEMENT IN GORONGOSA & NIASSA: A STUDY OF THE CRIMINAL JUSTICE PROCESS FOR WILDLIFE CRIME, FROM APPREHENSION TO INCARCERATION

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CONSERVATION & ENFORCEMENT IN GORONGOSA & NIASSA: A STUDY OF THE CRIMINAL JUSTICE PROCESS FOR WILDLIFE CRIME FROM APPREHENSION TO INCARCERATION

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ACRONYMS

AIIM	The Global Community of Information Professionals
ANAC	National Administration for Conservation Areas (Mozambique)
B2B	“Bust-to-Bars,” the process from capture of a wildlife crime suspect to fulfillment of the sentence
BIOFUND	Foundation for the Conservation of Biodiversity
BIOTOUR	USAID’s Biodiversity and Tourism Project
CA	Conservation Area (formally declared by the GRM)
CLA	Collaboration, Learning and Adapting
ECO-SMART	Alliance for Ecosystem Conservation Systems, Markets and Tourism (USAID)
FCR	Findings, Conclusions and Recommendations
GDA	Global Development Alliance of USAID
GNP	Gorongosa National Park
GRM	Government of the Republic of Mozambique
IGBZ	Integrated Gorongosa Buffer Zone activity (USAID)
INGC	Institute for the Management of Natural Disasters (Mozambique)
IPs	Implementing Partners
M&E	Monitoring and Evaluation
MITADER	Ministry of Land, Environment and Rural Development
MMEMS	Mozambique Monitoring and Evaluation Mechanism and Services
MSI	Management Systems International
NGO	Non-governmental organization
NNR	Niassa National Reserve
UNODC	United Nations Office on Drugs and Crime
PGR	Attorney General’s Office
PRM	Police of the Republic of Mozambique
SERNAP	Prisons Service

SERNIC	Criminal Investigations Branch of the PRM
SPEED+	Supporting the Policy Environment for Economic Development
SOW	Scope of Work
USAID	United States Agency for International Development
WCS	World Conservation Society

EXECUTIVE SUMMARY

USAID's Biodiversity and Tourism (BIOTOUR) project includes two activities that apply integrated approaches to conserve biodiversity in Gorongosa National Park (GNP) and Niassa National Reserve (NNR). Staff from the National Administration for Conservation Areas (ANAC) and USAID and its Implementing Partners (IPs) in GNP and NNR identified the following key learning question in March 2018:

Under what conditions does increased detection of environmental crimes lead to prosecution and punishment?

This question was picked by USAID's IPs in GNP and NNR because wildlife criminals frequently avoid prosecution, jail sentence, fines or jail time and return to the areas of their crime to engage in the same anti-conservation, anti-security behaviors. It is important to note that the idea behind this study grew out of USAID's commitment to Collaboration, Learning, and Adapting (CLA) with both conservation areas (CAs). Poor detection and prosecution of wildlife crimes create a sense of impunity that emboldens perpetrators and potential wildlife criminals, because rangers and communities are discouraged from taking action to report and/or apprehend suspected criminals. This undermines conservation and the security of communities in and around the CAs.

In late 2018, USAID requested that its Mozambique Monitoring and Evaluation Mechanism and Services (MMEMS) contract team answered the learning question in order to help USAID's IPs (Wildlife Conservation Society in NNR and the Gorongosa Project in GNP) better understand and operate more successfully within the Mozambique's criminal justice system, from wildlife suspect apprehension through trial, conviction and successful sentencing: from "Bust to Bars" (B2B).

The team began with an in-depth review of the legal requirements from a suspect's apprehension through incarceration. Based on this information, the team created a B2B Process Chain that describes how the process *should* unfold. The team then examined secondary data and interviewed stakeholders involved in the chain – law enforcement, judiciary and conservation practitioners and community leaders – in Maputo and in the areas in and around NNR and GNP to understand what occurs on a typical day. This information enabled the team to develop a B2B Reality Map. Contrasting the two maps – the first depicting what should happen and the other showing what actually does happen – highlighted areas of divergence, which the team sought to understand through stakeholder analysis, based on interview data. The team then returned to GNP and NNR with these maps and analyses to hold validation workshops with stakeholders in the field, where the assembled practitioners tested emerging hypotheses and deepened the team's understanding of the issues.

Conclusions emerged from this inquiry that apply directly to the two CAs. Many are also likely to be relevant, with local adaptations, to the overall conservation system and to other CAs in Mozambique. The report also includes practical recommendations (most of which were also shared at the validation workshops) to improve the effectiveness of the criminal justice process with respect to wildlife crime in NNR and GNP.

At the most general level, the response to the learning question is that the following conditions are necessary to ensure that increased detection of environmental crimes leads to prosecution and punishment:

- I. Capture of accused wildlife criminals and evidence collection occur within the parameters of Mozambican law, especially the Code of Criminal Procedure.

2. All stakeholders (CA staff, police, prosecutors, judges and state administration) understand the importance of CAs, as well as their own roles in enforcement.
3. Strong collaborative relationships are developed among the above institutions through training, joint operations (where possible), improved communications practices and infrastructure, unified commands and mutual technical, material and logistical support.
4. CAs ensure that communities fully share the benefits and responsibilities of living with wildlife and participate fully in CA management.
5. Strategic and targeted stakeholder engagement is used to plan, develop and monitor CA relationships with all relevant stakeholders, including communities.
6. Strong institutional relationships resolve individual performance issues.
7. Support enables the prison system to increase incarceration capacity as well as develop alternatives to detention. (The previous conditions should also reduce the level of wildlife crime, while reducing systemic overload of the penal system.)
8. Creation of a special jurisdiction within each CA makes it possible to process wildlife crime suspects in any component district, regardless of the place of the crime (as per South African practice). In the meantime, and before this can be effective, a better coordination between agencies as described in this document will reduce the opportunities for the accused to 'play the system' by alleging jurisdictional errors. An improved coordination will also reduce time lost in documentation and transportation issues.
9. Responsibility for the supervision of detention is clearly assigned within the Mozambican legal framework; such a bill has already been tabled in Parliament.

This study contains conclusions and recommendations for players in the system to work toward those conditions. An important starting point that the team observed is that while the Mozambican legal system separates the roles of arresting agent, prosecutor and judge to protect citizens' rights, these functional parts must make an effort to coordinate and share information, while respecting the right of the accused, to be effective. In this context, the report's most general conclusion is that the links in the B2B Reality Chain are weak due to capacity challenges of each of the institutions engaged, and the overall system is hindered by lack of understanding, information-sharing and coordination among diverse stakeholders.

The most general recommendation, therefore, is that stakeholders must feel that they belong to a team with shared objectives, dedicated to executing the rule of law for the benefit of communities and conservation; they must strive to understand each other's perspectives and systematically communicate and coordinate to overcome common challenges. Some specific technical fixes are also suggested.

The report speaks in detail about the context in which this occurs and from which recommendations emerge. Stakeholder-specific recommendations include:

I. Conservation Areas (CAs) should:

- Invest in teambuilding and outreach to motivate and mobilize the diverse stakeholders in the B2B Process Chain. These stakeholders include district administrators, police (including the wildlife police and other special branches), prosecutors, the judiciary and the prison systems.

For law enforcement in conservation areas to be effective, these entities must function as a team with one another and with the CA administration.

- Understand the limitations under which other stakeholders operate, including being greatly under-resourced in many cases.
- NNR and GNP should coordinate and build relationships with the relevant district prosecutor's office, so they can provide direct assistance to literate rangers in preparing the *Auto de Notícia*.
- Establish two App mobile alert (e.g. using WhatsApp) groups per CA. One for rangers, police, prosecutors and judges; the other for ANAC staff, police and community leaders.
- Continue to provide operational support to local prison systems. The construction of prisons and holding cells could be a second step. The provision of food to all prisoners (related or not to wildlife crimes) could also be considered. Note that in both Niassa and Gorongosa Districts, the Ministry of Justice staff claims that 95% or more of cases that go on trial are related to wildlife crimes.
- Continue to create teams of rangers that include both "bush-wise" (but illiterate) scouts as well as formally educated scouts so they may mutually benefit from their respective expertise.
- In NNR, organize a finance training for additional rangers who could be detailed to concessions (officially assigned to support the concession, yet with a direct line of supervision to the NNR). They should be able to write *Autos de Notícia*, as per Mozambican legal requirements.
- Require rangers to carry a warrant and be accompanied on any home searches, preferably by a police officer (and preferably the police accompanied by a community leader) to ensure adherence to proper protocol.
- Organize and coordinate joint actions between NNR or GNP, the police station and concessionaires whenever possible. This can successfully take place only by establishing a relationship based on regular communication and mutual respect for each other's competencies and limits.
- Provide equipment – such as cell phones, computers, generators, airtime – to key stakeholders to improve effectiveness through better communications and networking with CA staff, as well as build a sense of unity across diverse actors.
- Create locking facilities for police department weapons that only police can access in CA secured storage areas. Access would require the presence of an ANAC official.
- Support quarterly summit meetings that incorporate all relevant stakeholders, to include:
 - In-service training for CA's rangers as well as its partners (police, prosecutors, judges and district administrations);
 - Exchange between units/stakeholders. For example, rangers and ANAC can learn from prosecutors about detailed criminal procedures and the criminal code; prosecutors (and other partners, such as police) can learn from ANAC and rangers about biodiversity-specific legislation and the overall benefits of conservation.
 - Information exchange on present activities, cases and infractions, and coordination of joint actions.

- Discussion on the issue of compensation for loss of present and future benefits. Share the legal foundation for this with all and reach a broad agreement about how such present and future benefits should be calculated.
- Instruction on the Regulations on the Commercialization of Protected Species, perhaps by ANAC staff from central level.
- Train rangers to be educators and communicators, as well as enforcement officials.
- Produce and disseminate a written brochure on CA rules for communities neighboring CAs, using diagrams, simple language and local languages.
- Maintain a staff lawyer to support stakeholders through the B2B Process Chain and serve as a liaison between the CA and local prosecutors.
- Recognize that significant challenges to fully engaging communities in conservation remain in virtually all CAs, and CAs must – to varied degrees – build on accomplishments to:
 - Improve lines of communication with local communities and their representatives;
 - Always develop management plans and community benefit schemes with communities;
 - Continually strive to improve community benefits schemes;
 - Hold regular public community meetings and record the proceedings for transparency and mutual accountability;
 - Provide community leaders with cell phones and a small monthly credit to support communication and coordination in law enforcement and other areas; and
 - Build on improved community relations to enlist communities to support law enforcement, as detailed below.

Since the above recommendations introduce considerable added workload to already overworked staff, CAs should consider the recommendations holistically, develop a change management plan to improve enforcement and wildlife management activities. This will help each CA make progress from where they are right now (the Reality Map) to as close as they can get to the ideal situation (the Theory Map). With this plan developed, CAs should get, in the interim level, additional material and human resource support to allow the change management plan to be implemented.

Communities leaders should:

- Educate the population about CA rules and regulations so that everyone understands what is allowed and what is not and encourage people to follow the rules.
- Participate actively in monitoring and apprehending suspects.
- Advise villagers who have finished serving their sentences to avoid problems in the future and help them reintegrate into the village.
- Engage in community sentencing of offenders, as is being tested in NNR.
- Engage actively in Mobile App alert enforcement groups to support other stakeholders and law enforcement overall.

ANAC should:

- Build on the work of USAID and the Attorney General’s Office (PGR) to develop a manual for prosecutors which contains the correct forms for the *Auto de Notícia* and *Auto de Denúncia*. This manual could serve as the basis for training of ANAC and concession rangers in filling out incident reports and complaints.
- Use that manual to create a smaller field reference guide for rangers to help them improve paperwork.
- Prepare an annex to the bound penal code reference (known colloquially as “the bible”). This means compiling all recent and relevant legislation into an adjustable binder for use by prosecutors and judges.
- Work with the police and the Ministry of Justice to prepare a manual that guides rangers in their interactions with public (as the police are trained to do) and through the procedural intricacies of the penal code.
- Consider integrating stakeholder engagement planning in the official ANAC outline for general management plans by including chapters (one for communities and one for institutional partners) on stakeholder engagement, with appropriate guidelines for planners.
- Develop good and supportive relationships with as many partners as possible at the institutional level (material, technical and logistical support, dialogue, communication, etc.), so these may be used for the resolution of individual performance issues.
- Work with partners to institute an official community notification process for prisoner release. This process might include the following steps:
 - Prisoner is formally released to community leaders by Justice or ANAC staff.
 - Community is informed that ex-prisoner’s debt to society has been paid.
 - Ex-prisoner presents his release warrant to the community leader (an official document).

The Ministry of Justice should:

- Create a Special Wildlife Crimes Jurisdiction for each CA (including Buffer Zones), comprising all districts within the CA. In this way, any court can hear any wildlife crime committed within the Special Jurisdiction. Precedents exist within South Africa and Kenya.
- Encourage prosecutors to promote detention, not bail. In the case of bail, they must apply for large amounts. This would make the value of the bail very high and thus discourage accused criminals from running away.
- Encourage prosecutors to expand charges beyond specific wildlife crimes to include related (often downstream) crimes as a way to attack crime networks, beyond the individual poacher captured.
- As a matter of course, and law, all instruments used in wildlife crime activities (including vehicles and buildings) can and should be impounded by the state. This both discourages crime and goes some way towards covering costs of protection.

A lesson from the analysis is that stakeholders must work together repeatedly throughout the entire B2B Process Chain to be successful. The steps of the B2B Process Chain are interlinked – successfully implementing one recommendation has positive effects throughout the process. Thus, even incremental steps forward can lead to significant improvements – particularly if done through collaborative effort.

BACKGROUND AND INTRODUCTION TO THE BUST-TO-BARS (B2B) STUDY

CONTEXT

The USAID’s Biodiversity and Tourism (BIOTOUR) project includes two activities implemented through a collaborative Global Development Alliance (GDA) that applies integrated approaches to conserve important biodiversity and focus on critical Mozambican conservation areas (CAs). The Integrated Gorongosa Buffer Zone (IGBZ) activity (implemented by the Gorongosa Project) focuses on Gorongosa National Park (GNP); and the Alliance for Ecosystem Conservation Systems, Markets and Tourism (ECO-SMART) activity (implemented by the Wildlife Conservation Society, or WCS, with three private partner concessionaires) focuses on the Niassa National Reserve (NNR).

As part of USAID’s commitment to Collaboration, Learning, and Adapting (CLA), both GDA agreements include space for learning activities throughout the life of the activities. By mid-2017, at the activities’ mid-term, shifts in the development and conservation context indicated a need for adaptive management. To address this need, USAID designed and facilitated a cross-GDA Learning Workshop in GNP. The March 2018 event provided exchange opportunities for the two CAs and led them through a learning exercise to revisit their theories of change, develop learning questions, and prioritize one for investigation:

Under what conditions does increased detection of environmental crimes lead to prosecution and punishment?

USAID used its monitoring, evaluation and learning mechanism, the Mozambique Monitoring and Evaluation Mechanism and Services (MMEMS) contract, to conduct a study to answer this question, as well as its four associated sub-questions.

STUDY PURPOSE, RATIONALE AND USES

The results of this study should help USAID’s implementing partners (WCS and the Gorongosa Project) better understand and operate successfully within Mozambique’s criminal justice system, from wildlife criminal apprehension through trial, conviction and successful sentencing – from “bust to bars” (B2B). Many of its recommendations and conclusions should also be applicable to other CAs and other ANAC partners as well. This study will also help inform GRM entities, such as the Attorney General’s Office (PGR), the Criminal Investigations Branch of the Police of the Republic of Mozambique (SERNIC/PRM) and other partners, while trying to inform the entire criminal justice system.

Wildlife criminals frequently avoid prosecution and sentencing of fines or jail time, then return to the point of their arrest to engage in the same anti-conservation, anti-security issues. This creates a sense of

impunity that emboldens perpetrators and other potential wildlife criminals. Currently, implementing partners (IPs) have little engagement in the B2B process after handing off perpetrators to authorities, beyond sometimes being called as witnesses to court. From the IPs' perspective, the process is opaque, and appears to be applied inconsistently. More clarity would help them intervene more effectively and appropriately.

One challenge to the successful monitoring and enforcement of wildlife crimes is a lack of cooperation and trust among conservation partners, local police and other agencies involved in judicial procedures. This study can serve as an entry point for an increased cooperation and relationship building between the IPs and local law enforcement with respect to CAs. A recent USAID study showed that 71 percent of cases leading to judgment in the Republic of Congo received NGO support during the judiciary processes, while those without such support have trended down toward 0 percent in recent years.¹ This indicates that greater collaboration between conservation organizations and law enforcement is likely to lead to more effective application of the law. The study can also serve as a tool that IPs can use to lobby for the Government of the Republic of Mozambique (GRM) to support improved law enforcement for conservation in NNR and GNP.

LEARNING QUESTION AND SUB-QUESTIONS

The study will answer the following learning question, which arose from the cross-GDA workshop:

Under what conditions does increased detection of environmental crimes lead to prosecution and punishment?

This question is addressed via the following sub-questions:

1. How should the criminal justice system for environmental crimes in CAs work, including the interactions between the CA administration, co-management partners, police, district criminal justice and provincial criminal justice?
2. How does the system actually work? Where are the breakdowns? What are the cultural and administrative norms? What are the incentives, both positive and perverse, that reinforce or disrupt the intended system, respectively? How does the enforcement of environmental laws and policies fit into judges', prosecutors' and police officers' overall "political economy"?
3. How can conservation partners (ANAC and its co-management partners) best work within the existing system – including not only the formal laws, but also how they are applied through procedural issues, evidence collection and case management – to achieve their goal (a greater proportion of potential illegal activities avoided or deterred)?
4. What can conservation partners do to improve accountability in the system (both on the CA side and on the justice system side)?

¹ Batchy, J. et al. 2018. Analysis of judicial proceedings relating to wildlife offenses in the courts of the Republic of the Congo (2008-2017). WCS Congo, for the CARPE SCAEMPS Program of USAID.

The distinction between questions 3 and 4 is subtle, but useful. Question 3 addresses actions that the CA staff and their partners can take to function more effectively within their environment.

Question 4 specifically addresses accountability, which is an important factor in working within the existing system and is an essential factor in troubleshooting/problem solving. If standard operating procedures (SOPs) do not assign accountability, troubleshooting is impossible. On the other hand, tweaking the SOPs to clearly assign accountability makes it possible to see where problems lie, which institutions and individuals are doing poorly (or well), and take appropriate actions. Note that sub-optimal performance is not always related to individual or institutional effort. Sometimes it is due to a lack of knowledge, resources, communications or coordination with partners. Apportioning accountability is thus the first step in developing a long-term, iterative institutional learning capability. Recommendations that address Questions 3 and are color-coded in the Findings, Conclusions and Recommendations (FCR) Matrix in Annex V.

The FCRs have been disaggregated, where relevant, according to CA, link in the Bust-to-Bars Process Chain, and whether the detection and apprehension occurred inside or outside the CA (including buffer zone). Some crosscutting issues are also addressed. The report strives to present its results in the rich local context. For that reason, recommendations are not presented separately. Rather the text is highlighted.

Answers to these questions are meant to help increase the ratio of punishment of offenders to apprehensions. The desired goal is not 100 percent; that would disallow the possibility that innocents may be accused. Rather, the idea is for the B2B process to work perfectly, given the constitutional, human and civil rights granted to all citizens by Mozambique's legal system. The authors, therefore, refer to "the accused" or "the suspect" rather than "the poacher" or "the offender" when referring to individuals before sentencing.

STUDY METHODOLOGY

METHODOLOGICAL OUTLINE

The study focuses on realities faced by conservation, law enforcement, and judicial professionals working in and around protected areas. It identifies actionable recommendations that BIOTOUR's IPs can take to affect more "busts" (apprehensions) that result in "bars" (convictions and implemented sentencing).

The team observed the experience in the areas in and around GNP and NNR, including buffer zones, to understand how to improve environmental justice. The study is designed to enable CA staff to absorb the material iteratively, apply its lessons and tools over time in order to develop new solutions for future problems as well. For that reason, the methodology that follows is described from the perspective of future use as a "Framework for Enforcement Process Chain Analysis" that CAs may include in their project cycles as part of a monitoring and evaluation process occurring possibly every three years.

It is important to re-evaluate the B2B Reality Map (described below) every few years since conditions change over time. The legal framework, the level of cooperation with partners, the amount of human wildlife conflict and even changes in poverty of the surrounding areas all influence the chain, creating new

blockages and concerns while also, hopefully, overcoming old ones. A clear understanding of the state of the enforcement process chain empowers CAs to review their stakeholder engagement programs and adjust as necessary. For example, an increased poverty of the surrounding areas may mean that more women come into the CA to dig edible root vegetables during the dry season; this could indicate that it is time to prioritize a partnership with an agricultural non-governmental organization (NGO) to support the buffer zones. In extreme cases, it may be important to contact the World Food Program or the Natural Disaster Management Institute (INGC) of the GRM. Success in piloting alternative punishments (currently occurring in the NNR) may mean that alternative punishments could be rolled out on a wider scale.

The study team took the following steps:

Step 1 was the development of a “**B2B Theory Map,**” presented as connected links in a chain, that describes the process from apprehension through prosecution, sentencing process, payment of fines and jail time, consistent with Mozambique’s legal and law enforcement rules. This study complements the ongoing Custody Chain study that USAID is funding (via the Supporting the Policy Environment for Economic Development, or SPEED+ program) that investigates the handling and procurement of ivory, rhino horn and other trophies. There are also close linkages to the USAID agreement with the PGR to strengthen wildlife crime prosecution.

The B2B Theory Map is a useful objective guide to all those involved as it outlines the processes which are supposed to happen within the mandates of GRM regulations. It frames practical issues and concerns, such as the limited time permitted to present the accused to court – even when criminals are caught in a location that requires more than a day to travel to the formal system.

Step 2 involved the development of **investigative tools** to collect information (such as the survey instruments and methodologies, and the Pointing Finger Accountability Tool, both explained in the text or Appendixes) and the creation of a **B2B Reality Map to complement** the B2B Theory Map. The Reality Map outlines what actually happens in the greater GNP and NNR CAs, including events or decisions that may stray from the theoretical B2B Process Chain for whatever reason and lead to the release of offenders. Contrasting the two maps can help practitioners identify strong and weak links in the B2B Theory Map, both worthy of further study and attention. The B2B Reality Map for NNR and GNP can be found in Annex V.

Step 3 pertained to **primary and secondary data collection**, to deepen the B2B Reality Map and conduct the stakeholder analysis. Primary data collection included the use of semi-structured interviews and surveys with law enforcement, judiciary and conservation practitioners, and guided discussions with community leaders. Direct observation of conditions on the ground proved to be a useful triangulation tool as well. The most important elements of the secondary data collection were copies of legislation, records of infractions compiled by ANAC at the central level, as well as some case records from the PRM.

The survey instruments and methodologies support a 360-degree perspective – of law enforcement, judicial and conservation institutions and practitioners – explaining why reality diverges from theory, helping those involved understand what is working or is not working, and why. Specific strong and weak elements in the process chain are identified. Analysis of the strong can generate solutions while analysis of the weak can help identify leverage points, areas of improvement, attitudes or communication that could be enhanced.

Step 4, a stakeholder analysis, was then used to understand the “who” and “why” factors associated with the strong and weak points. Stakeholders were clearly identified; they were either individuals, groups of individuals or institutions. Also identified were their potential issues with the B2B Theory Map, their relationship with the B2B process, their concerns and limitations, as well as their expectations. These stakeholders were additionally characterized by their degree of **influence** over B2B (how much their actions, decisions and opinions could affect it) and the degree to which they were **involved** (how much B2B actions, decisions and opinions affect their lives).

Such a deep understanding of stakeholders is important in the B2B Process Chain. For example, comparing a new prosecutor who does not yet fully grasp the Conservation Law and Regulations with one who is taking bribes to let offenders go free, or one who has health issues that limit his or her capacity or motivation. Although the link in the B2B Process Chain is the same (i.e., unsuccessful prosecution), the recommendations for action with respect to the individual stakeholder will differ in each case.

Step 5 was a **search for best practice solutions**, referencing secondary studies to consider what solutions may have been tried and have failed or worked in Mozambique and the region.

Step 6, development of specific recommendations, was based on the interaction of the Theory Map, Reality Map, stakeholder analysis and the results of the Search for Best Practice Solutions, as well as good practice in one CA or the other and identified by the consultant team during dialogue with stakeholders. Some recommendations will be for both CAs, and some tailored for a specific one.

Step 7 involved the **validation of the draft findings** with key stakeholders in the conservation, law enforcement and judicial sectors (many who had already provided information to the team) through separate workshops in GNP and NNR, as well as at the national level. This feeds the learning and information feedback to those interviewed, to validate the findings and recommendations and to build consensus about study conclusions and recommendations.

Step 8 entailed the **finalization of the study** based on those inputs and sharing the results widely via a forum in Maputo in the hopes that lessons learned will apply elsewhere, and to increase the understanding, by the law enforcement and the judicial sectors at the central government, of what occurs in the field. It is possible that greater linkage with and political pressure from Maputo may facilitate success in the provinces.

Although these steps are described in linear form, some were concurrent or overlapped, such as the creation of the B2B Reality Map and the stakeholder analysis.

DATA COLLECTION AND ANALYSIS

Although there was some quantitative analysis (already available statistics, as well as some quantitative questions in the Survey Tool), most of the data collected were qualitative, as follows:

1. Understanding of the B2B Process Chain was achieved through a review of relevant legislation and practice, and supplemented by the expertise of the team, as well as key informant interviews with the IBGZ lawyer and judicial experts, such as the ANAC lawyer, to clarify issues;
2. Data to understand how this theory relates to local reality (the B2B Reality Map) was obtained through separate field trips to Gorongosa District (for GNP) and two districts in NNR (Mecula and Marrupa), where the team reviewed case records and conducted individual key informant interviews and group interviews with stakeholders, using the Theoretical B2B Process Chain Map to help orient the discussion. The intent of the interviews was to:
 - a. Understand what actually happens in the Bust-to-Bars process by compiling the experiences of those involved in the process on a daily basis;
 - b. Understand the personal perspectives of those same stakeholders to better understand the incentives, frustrations, and motivations in the system; and
 - c. Identify strong and weak points of the B2B Process Chain.
3. Survey results were entered into tablets using the Fulcrum program, which facilitated quantitative analysis of approximately half of the questions. The remaining questions were analyzed systematically, by looking for commonalities or points of divergence, as well as solutions and conflicts.
4. Analysis of strong and weak points in the B2B Process Chain was conducted by comparing the B2B Theory Map and B2B Reality Map, as well as the results of the Search for Best Practice Solutions, as well as strong points identified in the CAs.
5. Formal instruments, based on the B2B Theory Map, guided group and individual interviews. Data from interviews was stored systematically in Microsoft Word documents. These instruments are described in a later section and in the annexes.
6. A notetaker recorded results of the workshop and conclusions and recommendations were listed on flip charts; vocal recordings were also made.
7. This report includes a Findings, Conclusions and Recommendations Matrix (Annex V) that shows the logical reasoning from each weak link identified to the associated stakeholder issues identified, any best practices identified and the resulting recommendation. While the study focus is on USAID's IPs, recommendations also address other partners, such as ANAC and judicial partners.

STUDY PARTICIPANTS

Study participants included representatives at the central, provincial and district levels of the main institutions involved in the B2B Process Chain, including:

- Rangers and conservation area (CA) management staff;
- ANAC Judiciary, Enforcement and Directorate staff;
- Judges and tribunals at the district and provincial levels;
- Prosecutors at the district and provincial levels;
- Police at the provincial and district levels, including sub-units of Natural Resources Police (*Polícia de Protecção de Recursos Naturais*).

- Other police elements, like the Special Forces;
- Prison administrators and administrative staff;
- CA co-management partners (Gorongosa Project, WCS, Chuilexi Concessionaires, Mariri Concessionaires and Luwire Concessionaires);
- District and provincial delegations of the Ministry of Land, Environment and Rural Development (MITADER);
- District administrations;
- Private sector partners, such as hunting concessionaires;
- Community leaders;
- The principal secretary of each provincial government;
- The Ministry of Justice at the national level and the Attorney General’s Office (PGR); and
- The Supreme Court.

Data were disaggregated according to institution to support the stakeholder analysis.

In preparation for the study and before entering the field, the study team contacted key leading institutions:

- The Principal Secretary of each provincial government;
- The Ministry of Justice at the national level and the Attorney General’s Office;
- The Supreme Court; and,
- ANAC.

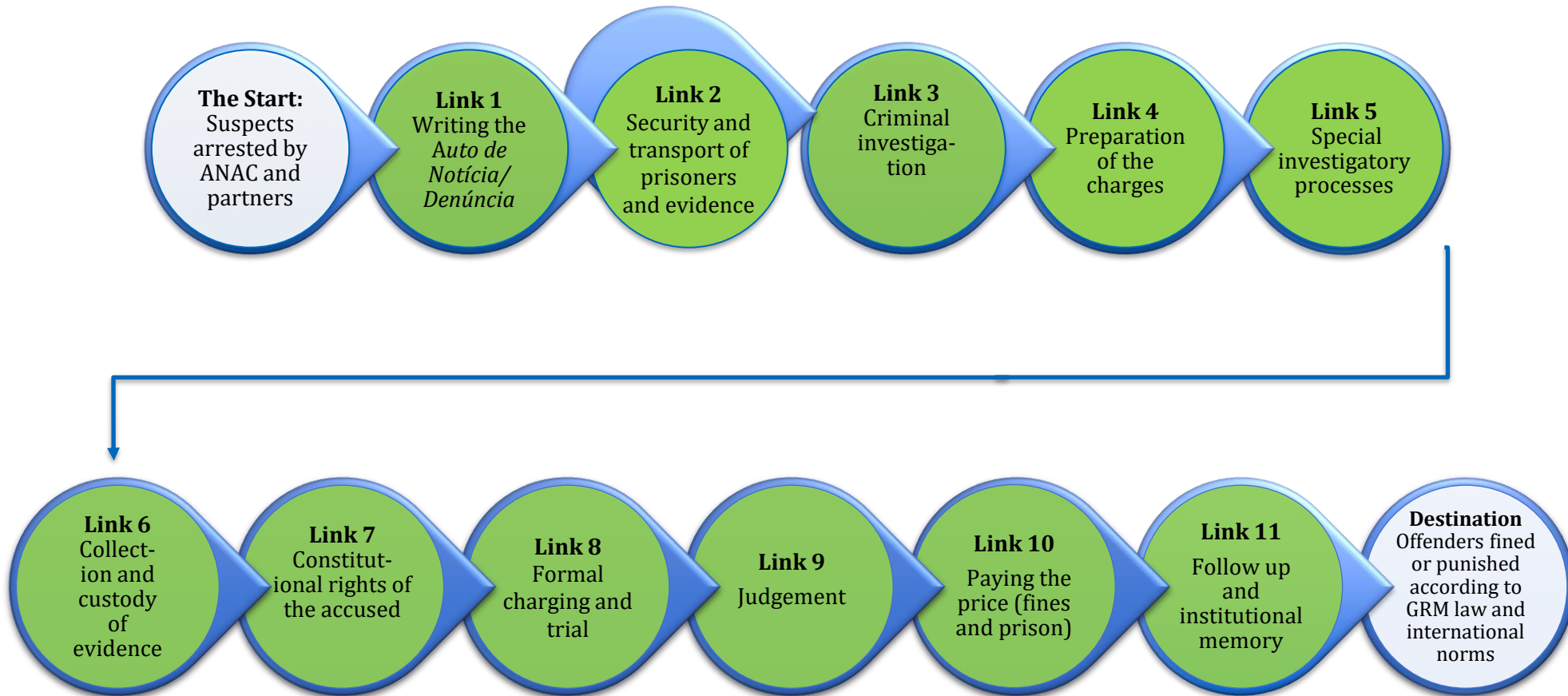
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

Practitioners are strongly recommended to consult the Findings, Conclusions and Recommendations (FCR) Matrix in Annex V, as it contains rich information for consideration.

B2B THEORY MAP (STUDY QUESTION 1)

In response to the first study question, the team created the B2B Process Chain (see Figure 1), derived largely from the literature review. While it is represented as a linear process, several links, including “Constitutional Rights of the Accused” and “Criminal Investigation,” are not necessarily linear. The constitutional rights of the accused must be considered at every step of the process, and criminal investigation sometimes precedes arrest. Still, during the validation phase, all participants agreed that this is an accurate description of the B2B process as it *should* occur, given this caveat.

FIGURE 1: THE B2B THEORY MAP



Procedural clarifications related to the graph:

1. Link 1, the *Auto de Notícia / Denúncia*.

The criminal process may be initiated in several ways:

- By *Ex Officio* knowledge: Article 165 of the Code of Criminal Procedure and Article 6 of Decree/Law 35007. In this case, the Prosecutor of the Republic opens the criminal process.
- By participation (mandatory) of other authorities (Article 7 of Decree/Law no. 35007, dated 10/13/1945). In this case, an ANAC staff member would create and submit the *Auto de Notícia*.
- By a complaint filed by any citizen in the case of a public crime (voluntary denunciation) and by the owners of the right of complaint in semi-public and private crimes (Articles 8 and 3 of Decree/Law no. 35007, of 13/10/1945). In this case, a concession operator or other private individual has the right to make an *Auto de Denúncia*.

The initiation of a process, whether by *Auto de Notícia* or *Auto de Denúncia*, must respect the elements in Article 9 of Decree/Law 35007. In this case, the *Auto de Notícia* is contained in the GRM Reference Manual to Investigate and Prosecute Wildlife Crimes (*Manual de Investigação e Procedimento Penal de Crimes Contra a Fauna Bravia*)². Bottlenecks associated with this process are detailed in the table below.

2. Link 8, Formal Charging and Trial

According to the Mozambican criminal process, district courts are competent to judge crimes with sentences of up to eight years only. Crimes with a sentence of more than eight years fall under the purview of the district attorney, based on the *Auto de Notícia* (formal complaint), to make the indictment, conduct the investigation and complete the instruction of the process. The district attorney must then refer the case to the provincial court, which hears cases with longer sentences. Based on the process instructed by the district attorney and sent to it, the provincial court will hear the case, and the provincial judge will deliver the judgment and sentence.

Bottlenecks/constraints in the B2B Process Chain (organized by link)

Link	Bottleneck	Comments
Link 1. Writing the <i>Auto de Notícia/ Denúncia</i>	Often the <i>Auto de Notícia</i> is poorly written, without the proper indication of the facts and circumstances in which the crime happened, and often lacking proper evidence. Only ANAC rangers can produce an <i>Auto de Notícia</i> . Concessionaires' rangers are	Consequently because of this, the case might be lost. The limitation on Concessionaires' rangers to write the <i>Auto de Notícia</i> delays

² SPEED+ supported the development of this Manual. This Manual is a GRM document that has been adopted by the PGR and ANAC as their official guidance.

Link	Bottleneck	Comments
	legally authorized only to produce <i>Autos de Denúncia</i> , as they are not government employees.	the process, because it has to be sent to ANAC rangers and this causes the violation of the 48 hours for the accused to be presented to a Judge.
Link 2. Security and transport of prisoners and evidence	<p>Overall and persistent shortage of transport.</p> <p>Very large areas with poor transport infrastructure.</p> <p>Poor security in transit.</p>	<p>Violation of 48 hours rule.</p> <p>Loss of evidence as it transits with poor accountability.</p>
Link 3. Criminal investigation	<p>Rangers’ knowledge of the Code of Criminal Procedure is weak.</p> <p>Police and Ministry of Justice’s knowledge of laws pertaining to wildlife is weak.</p> <p>Lack of resources and manpower to investigate everything that needs to be investigated.</p> <p>Attitude issues relating to corruption, or the notion that wildlife crime is not important, and as a consequence, that it is a victimless crime.</p> <p>Poor community links and cooperation.</p>	<p>Cases thrown out for procedural violations.</p> <p>Variable charging and sentencing, sometimes far too light for the severity of the crime.</p> <p>Poor or abandoned investigations.</p> <p>Poor or abandoned investigations.</p> <p>Community leaders are the only ones who have a record of their member populations and families.</p>
Link 4. Preparation of the charges	<p>Badly prepared <i>Auto de Notícia</i> results into poorly prepared cases.</p> <p>Untrained prosecutors will have technical knowledge gaps.</p> <p>Attitude issues relating to corruption, or the notion that</p>	<p>Cases thrown out for procedural violations.</p> <p>Variable charging, sometimes missing key elements like aggravating factors.</p> <p>Poor or abandoned cases.</p>

Link	Bottleneck	Comments
	<p>wildlife crime is not important: a victimless crime.</p> <p>Poor inter-institutional collaboration.</p>	<p>Poor or abandoned cases.</p>
<p>Link 5. Special investigatory processes</p>	<p>SERNIC with few resources.</p> <p>Complexity of this sort of investigation.</p> <p>Attitude issues relating to corruption, or the notion that wildlife crime is not important: a victimless crime.</p> <p>Poor inter-institutional collaboration.</p>	<p>These do not happen without extensive pushing from ANAC.</p>
<p>Link 6. Collection and custody of evidence</p>	<p>Poor storage of evidences, except for in the NNR and GNP.</p> <p>Loss of evidence, light or no charges brought against warehouse managers.</p> <p>Confused custody chains, perhaps purposefully so, in some cases.</p>	<p>Loss of evidence means accused will go free.</p> <p>Weapons in police custody lost only to be found again with poachers.</p> <p>Missing evidence, difficulty assigning responsibility.</p>
<p>Link 7. Constitutional rights of the accused</p>	<p>Very low bail set, not according to new legal framework.</p> <p>Rangers sometimes violate code of criminal procedure.</p> <p>Poachers know how to 'play the system', by pushing for jurisdictional changes and alleging jurisdictional errors on the part of enforcement agents.</p>	<p>Accused skip bail.</p> <p>Cases thrown out for procedural reasons.</p> <p>Cases thrown out for procedural reasons; poachers' 'shop' for the most lenient judges.</p>
<p>Link 8. Formal charging and trial</p>	<p>Accused skip bail.</p> <p>Loss of evidence.</p>	<p>All as noted above.</p>

Link	Bottleneck	Comments
	<p>Poor prosecutions.</p> <p>Poor recording of repeat offenders</p>	Due to semi-nomadic societal structure, low prevalence of people with ID's, etc.
Link 9. Judgement	Variable judgements. Variable sentences.	Due to lack of knowledge of new laws, or corrupt influences. One case was also noted of threats from poaching gangs.
Link 10. Paying the price (fines and prison)	<p>Ministry of Justice mandates alternative punishment for first offenders with less than 3 years sentence, but few options available for alternative punishments.</p> <p>Jails overcrowded and without food.</p>	<p>Weak follow-up, prisoners receive alternative punishments, but no one follows through to see if they comply.</p> <p>Prisoners released before term, sometimes to relieve overcrowded prisons, sometimes due to medical/sanitation issues (hunger, weight loss).</p>
Link 11. Follow-up and institutional memory	<p>Lack of follow-up to see if fines are paid and sentences are completed.</p> <p>No community links to control return of prisoners to society.</p> <p>No shared database on cases or offenders.</p>	<p>No records if sentences are completed.</p> <p>No way to leverage community knowledge and support for the penal process.</p> <p>Due to lack of resources and staff, staff turnover, and the many institutions involved.</p>

The Theory Map and Bottleneck Chart presented here are summaries, with many small tasks and permutations omitted. More details can be found in the Reality Map, in the following section.

B2B REALITY MAP (STUDY QUESTION 2)

The Reality Map mandated by Question 2 (see Annex IV) shows where the reality diverges from the theory, and documents divergences with color-coded process “hot buttons”.

FINDINGS, CONCLUSIONS AND RECOMMENDATIONS (STUDY QUESTIONS 3 AND 4)

The analysis focuses on each link of the B2B Theory Map. For a complete list of findings, conclusions and recommendations (FCR), please see the FCR Matrix in Appendix V. The authors would encourage all professionals interested in strengthening the B2B process to consult the matrix in detail.

A stakeholder analysis was used throughout, but especially to inform Study Question 3. The **Pointing Finger** accountability tool will be used to explore Study Question 4, which focuses on improvements in accountability in the system. This tool is described briefly below:

Accountability works like a hand pointing a finger. Three fingers on the hand point back at the institution. These represent “Training, Tools and Instructions” and the tool asks if the employee received:

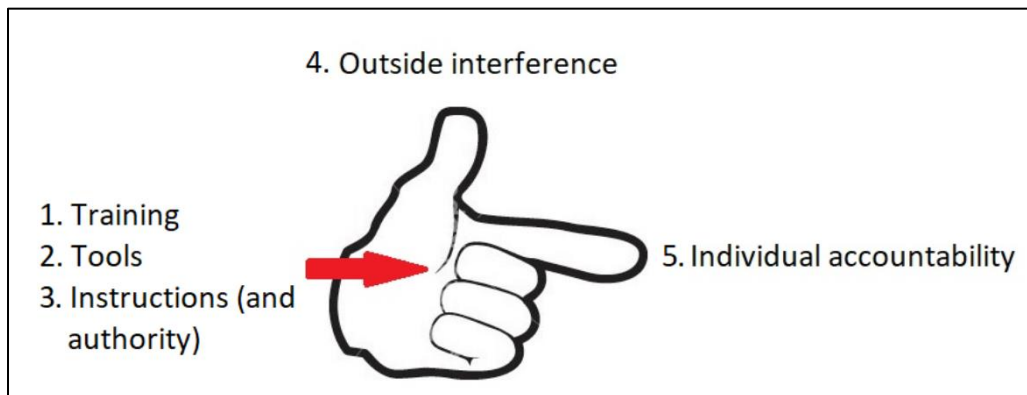
1. Correct **training** for the job;
2. All the **tools** and materials required for the job; and
3. Clear **instructions** (and authority) to do the job.

If you can answer “**yes**” to all the above, you must look at the thumb, which points upward, and ask the following question:

4. Did any outside forces prevent the job from being done?

If you can answer “**no**” to the final question, only then can you then look at the pointing forefinger and examine individual accountability. See below:

FIGURE 2: THE POINTING FINGER ACCOUNTABILITY TOOL



During the stakeholder analysis, and after understanding stakeholders’ issues, the Pointing Finger tool can determine the root causes of underperformance (or super-performance). The team found commonalities, enabling recommendations for groups of issues per the diagram – that is, recommendations to tackle poor training, missing tools, missing authority, missing instructions, mixed instructions, etc.

The issues that remain can go into a category of individual responsibility issues, where generalities will be expressed, giving recommendations for general categories of underperformance rather than pointing at individuals. The team discusses possible steps to motivate and encourage individual accountability, steps to take with appropriate institutions if that cannot be done and work-arounds if the institution has trouble resolving issues. As study questionnaires cover historical and present performance, people in current positions are neither identified nor singled out.

An example, using Link I, “Writing of the Incident Report” (or *Auto de Notícia*), demonstrates how the study team used its findings to generate conclusions and recommendations.

1. In theory, when rangers arrest a suspect, they write the *Auto de Notícia* using the proper legal format as defined by law (a finding).
2. In practice, however – and according to the Reality Map – when rangers catch a suspect, they first seek the chief ranger, who helps them correctly complete the incident report (a finding).
3. Hunting concessionaires in NNR face additional challenges. Private hunting company rangers are not legally empowered to write an incident report. They can write a complaint (*Denúncia*) only, and then must take suspects and complaints to an NNR ranger (as noted, generally the chief ranger). As a government employee, the chief ranger can fill out the formal incident report; only then can the suspect and the incident report be taken to district legal structures. This generates another hurdle to clear (another finding).
4. Why is writing an incident report challenging? First, many rangers lack literacy. Rangers with superb field skills they learned in the bush can read tracks on the ground but may not excel at reading and writing as taught in school. Both CAs tried to work around this by hiring and pairing literate rangers with illiterate rangers on patrols. However, even the literate rangers are often not skilled enough to write incident reports of quality that ensures a successful prosecution of cases (another finding).
5. This fix overloads the chief ranger, who must allocate hours to writing incident reports. It also makes it difficult to comply with the portion of the law requiring 48 hours to deliver suspects to police and incident reports to the district prosecutor. Rangers may not have sufficient time to return to park headquarters to find the chief ranger, fill out the incident report and then drive to wherever the nearest district court is. Both GNP and NNR cover large portions of territory, often poorly served by roads. Involving the chief ranger places stress on time and transport that could have been used for other tasks (these are conclusions).
6. Recommendations based on these conclusions include:
 - a. NNR and GNP should continue to team “bush-wise” and literate rangers. This practice could be applied throughout Mozambique’s CAs.
 - b. NNR and GNP should coordinate and build relationships with the relevant district prosecutor’s offices, so they can provide direct assistance to the literate rangers on preparing the *Auto de Notícia*. Cutting out chief rangers would save time.
 - c. NNR concessionaires should hire and train additional literate NNR rangers to be detailed to the concession. They could write *Autos de Notícia*, consistent with the law.
 - d. USAID and its partners have been working with the Attorney General’s Office to develop a manual for prosecutors that contains the correct forms for the *Auto de Notícia* and *Auto de Denúncia*. This manual could be used to train ANAC and concession rangers on how to fill out the Incident Report and complaints and to create a smaller field reference guide for rangers. Improved skills and a field guide would improve paperwork.
7. Improvements in Link I, preparing the *Auto de Notícia*, would have effects down the process chain, such as:

- a. Partnering literate and illiterate rangers improves everyone's skills, as rangers who are good at reading the forest floor can teach literate rangers bush skills, and vice versa. Conservation area supervisory structures should actively promote this.
- b. Training based on the GRM Reference Manual to Investigate and Prosecute Wildlife Crimes (CWC Manual) could improve everyone's skills, as well as documentation and communication throughout the system.
- c. Ranger/prosecutor collaboration results in better incident reports, as well as opens direct communication that expands prosecutors' understanding beyond the gains from merely reading a report on paper. This will help prosecutors prepare for court.
- d. Wide collaboration reinforces system integrity, as each individual learns from others. Rangers and ANAC can learn from prosecutors about detailed criminal procedure and the criminal code; prosecutors (and other partners, such as police) can learn from ANAC and rangers about biodiversity-specific legislation.

Since improvements in one link have ramifications across many others, the team couldn't restrict recommendations to a single link in the B2B Process Chain. Attempts to do so caused much repetition (the FCR Matrix is, in fact, somewhat repetitive, as it must by nature show the links between findings, conclusions and recommendations). A clearer understanding of what changes need to happen and how to make them comes from grouping discussion into five thematic areas:

- Partnership building;
- Training;
- Community relations;
- Conservation framework and information flow; and
- Prisons and punishment.

Each section begins with a conversational description of the current situation (consistent with the B2B Process Chain Reality Map), based on the greater detail in the FCR Matrix. It describes recommendations to move toward the ideal, as expressed in the Theory Map. The authors have attempted to maintain a conversational tone in this document, reflecting the voices from which the data was obtained. Recommendations, therefore, generally emerge from the discussion, which often continues to describe further ramifications of implementing the recommendation. For ready reference, recommendations are in bold text. Text boxes are used to highlight stories that illustrate the analysis.

Statement on Corruption

There is one crosscutting theme that must be addressed that affects each individual theme, and that is corruption, and the concomitant sense of impunity that it generates in poachers and wildlife traders alike. Interviewees from every sector (ANAC staff, CA staff, CA conservation partners, hunting area concessionaires, community members, rangers, PRM, PGR, and Courts) mentioned the presence of corruption as a factor that they had to deal with in their professional life, often on a daily basis. While the study methodology did not lend itself to finding concrete evidence of corruption, the surveys and

interviews did paint a picture of a Bust-to Bars process not only full of inefficiencies, but also containing individuals manipulating the process for private gain.

Comments on corruption were a constant thread in the interviews. Interviewees usually recounted stories about processes undone through the actions of members of other institutions; no one mentioned corruption within their own institution or group. Rangers complained about communities and judges and prosecutors and police and prisons; communities complained about rangers and police and prisons; prosecutors pointed fingers at poor police and ranger procedure, etc.

The team did have the opportunity to inform each institution/group about comments from other stakeholders during the round of validation visits in January and February 2019. In nearly all cases, staff and communities reacted negatively to any accusation or inference that they or their institution/group had acted wrongly. The notable exception was the PRM, who acknowledged their weakness of control over captured weapons and evidence with silence and the nodding of heads, and verbal acceptance of comments on how they might improve.

It was impossible for the team to determine exactly who had the right story, as sometimes stories told were directly contradictory. However, the general consensus was that this was not the most important take away. However, what is key is for members of each institution to honestly and transparently acknowledge the presence of corrupted individuals among them, and commit to:

- eliminate all forms of corruption and to systematically work to expose and remove all those who practice corruption and all those who tolerate it;
- work with other stakeholders in ways described in this document to improve the efficiency and effectiveness of the Bust-to-Bars Process Chain.

The following five thematic sections provide a guide to improve the B2B Process Chain.

PARTNERSHIP BUILDING

SUMMARY OF THE SITUATION

A nearly universal comment was that – despite recent improvements – coordination and communication were insufficient between CA staff and other stakeholders in the B2B process, including the police, the prosecutor’s offices, judges and neighboring communities. For example, training district prosecutors in wildlife crimes³ were frequently cited as an example of a positive move toward better collaboration. But judges and police complained about their own lack of involvement in this training.

Often, stakeholders focus only on their own agency’s performance and do not understand or respect the roles and performance of others. During one of the provincial validation workshops, a participant said he did not understand why he had to listen to issues relating to other ministries and departments. He thought

the meeting was supposed to be about *his* department's performance. He did yet not understand that his department's performance within the B2B process was interlinked with that of all agencies involved.

The need for inter-departmental cooperation is implicit in the design of the Mozambican legal system. For example, individual citizens have constitutional rights that the justice system seeks to protect, as in many other countries. This means one person cannot function as the arresting agent, prosecutor and judge. The fact that different people play various roles along the chain underscores the need for communication, strict and clear transfer of information in the process chain. These points related to the transfer of information and responsibility create most conflict and friction.

It was also clear that many stakeholders have little understanding of the constraints faced by others. For example, during one validation meeting, several participants insisted that prison administrators who released prisoners early (without judicial authorization) should be prosecuted, as this is a criminal act. They need to appreciate the dilemma of a prison official who does not have food or space to accommodate the number of prisoners in his prison. For example, the provincial prison in the center of Beira was built for 150 people but now holds 1,000. Faced with choosing between letting prisoners starve to death or freeing them (both criminal acts), prison administrators invariably choose to free prisoners. They deem this to be the more humane course of action in an impossible situation.

Several poignant moments during the investigation highlighted this lack of partnership and collaborative spirit among the various actors in the B2B process chain. CA staff lamented what they perceived as lack of support from prosecutors, as fines, sentencing, and bail were deemed to be too lenient. Provincial judiciary staff also lamented this situation but noted that judges were bound by decree to provide alternative justice to first-time offenders with sentences of less than three years. Some alternative punishments that have been tried in Gorongosa include work in the park, repairing roads and infrastructure. Sometimes, offenders are asked to build school rooms or latrines.

A judge shared other examples of unsuccessful experiences with alternative sentencing. In Beira, for example, she tried to post offenders as janitors in public institutions. However, the institutions were reluctant to assume legal responsibility for supervising convicts and the implementation of sentences. Provision of food and stipends for convicts is a major issue as, by law, prisoners serving alternative sentences must be fed and get paid for their labor. When the CA provided better food and pay to prisoners, many people sought to be arrested as prison life was seen a better option than their current life. To summarize, judges have few workable alternatives.

TEXT BOX I. DIVISION AMONG STAKEHOLDERS LEADS TO CONFLICT

Lack of understanding and communication can lead to finger-pointing and serious problems, as occurred in the northern part of the GNP, in the area known as Casa Banana. On February 11, 2019, the ranger station was attacked, with shots fired and several people wounded. Apparently, community members wanted to expand their crop fields within the GNP area and attacked the station in response to a call by the local administrative post chief, (a government official, the Head of the Administrative Post) who was acting on instructions from the Ministry of Agriculture, to promote sesame production in the area. The rangers called for help but the police did not respond until the GNP sent transport for them to extract the surrounded rangers. The following day, the area's district administrator submitted a formal complaint about the rangers' behavior to the provincial police. The GNP rangers involved felt abandoned and betrayed by the police and district administration. Meanwhile, the Wildlife Crimes and Natural Resources Police felt shunned, noting that the rangers had sidelined them, calling on the police only when they were in trouble. Rangers denied this, claiming that the police had been instructed not to patrol with them anymore due to ongoing political tensions in the area. Rangers further noted that the key problem was a lack of respect for them, their roles and what they were trying to do.

Nearly all aspects of the case in Text Box I illustrate a tragic lack of communication and cooperation. The entities involved, except for the local population, are all Mozambican governmental institutions. The Wildlife Crimes and Natural Resources Police are intended to be integrated into the ranger forces to build their capacity, capability, competence and respect, but their mutual estrangement detracts from the integrity of the GNP. NNR faces similar issues.

RECOMMENDATIONS

How can GNP and NNR resolve the current, nearly gridlocked, partnership situation?

First, **invest in teambuilding, reaching out, motivating and mobilizing the diverse stakeholders in the B2B process.** Stakeholders include the police (including the wildlife police and other special branches), the prosecutors, the judiciary and the prison systems. These groups need to function as a team, both with one another and with the CA. It is also important for CAs to reach out on a regular basis to district administrative structures to establish trust and further the “one-team” mindset.

A starting point may be to understand the limitations under which other stakeholders operate. In a district near the NNR, the team found a District Criminal Investigations Department (SERNIC) that possessed only a table and a chair and no other resources, severely compromising the partner institution's ability to engage in criminal investigation. Material resources are basic tools that police need to do their jobs (see the annexes and the Pointing Finger Accountability Tool).

The disparity between CA resource availability and partner resource availability can lead to resentment, as observed during this study. USAID's IPs can help overcome these disparities, as they have in some cases. For example, the NNR provided a specialized prisoner transport vehicle to the Ministry of Justice and Police. It addressed transport limitations and promoted goodwill among partners. GNP built a prison and a police post inside the GNP, efforts that partners appreciated and cited as good examples of cooperation.

Lack of partner resources should be seen as an opportunity to strengthen partnerships. CAs should provide equipment to improve partner effectiveness – cell phones, computers, generators, airtime – to improve communications and networking with CA staff. These

relatively low cost investments can pay significant social capital dividends in the future towards increasing the collaboration and therefore effectiveness of all parties. The study team noted successful examples using common technology to improve communication. That should be emulated, and **CAs should establish Mobile App groups (such as WhatsApp) to improve communications around enforcement issues.**

The provision of communications tools and internet access brings another advantage to the CA. A challenge in developing partnerships is turnover among government staff. For example, Ministry of Justice officials have the right to ask for a transfer every three years. Access to such essential infrastructure may make officials think twice before requesting a transfer, which would most likely be to a place that will not have such productivity support. Not only will communication be enhanced, but the official will also feel a sense of team spirit and belonging.

Team building should include mutual training and information exchange. No single institution or individual knows everything; each stakeholder can learn from another. Police and Ministry of Justice personnel may have only a superficial understanding of conservation and biodiversity, as well as their importance for the nation and the lives of families in and around CAs. They could consider wildlife crime as “victimless” and a low priority. **CAs should organize moments for mutual learning, where representatives of each agency can teach others, including appreciating the importance of biodiversity through visits to CAs.** Stakeholders need to not only understand the law relating to wildlife crimes, but also the importance of conservation, possibly even developing a deeper love for nature and the attendant cultural and spiritual values that so much of Mozambican tradition embraces.

The desired result of this conscious and strategic outreach is a set of law enforcement partners surrounding each conservation area who feel valued by the CA staff and who are in constant communication with the CA about law enforcement. They should feel they are on the same team as the rangers and the CA staff. No one should feel neglected, out of the loop or unimportant. As a matter of policy, CAs should take all steps possible to reduce the perception of “otherness” or superiority due to resources and international support, and foster inclusivity.

Once the team is built, effects include:

1. Collaboration time becomes mutual teaching moments, as each learns more about the life of the other, which also leads to better prosecution and case outcomes.
2. Communication is better via the WhatsApp groups; information about cases and specific suspects and offenders can be shared more easily.
3. The strong institutional partnerships can resolve individual performance issues (see the Pointing Finger Accountability Tool in the annexes). In an illustrative case from a CA, institutional collaboration led to the removal of a corrupt police commander.
4. It will be easier to organize joint operations and resource sharing. Imagine, for example, what might have happened if the police had been present on a joint patrol during the Casa Banana incident described in Text Box I. The incident may never have occurred, or two governmental institutions would have been present to attest to the events of the day. Instead, the word of the population stands against the word of the rangers. If good collaboration and communication had been established with the district administration, it is even possible that the issue of expanding crop fields inside the GNP would never have happened, as the administrative post chief would

have been instructed to defend the GNP and to spread the message about expanding the production of sesame. The administrative post chief is a salaried government official and thus subject to hierarchical discipline within the Ministry of State Administration, an effective means to control the behavior of this official.

5. A major issue that creates stress between the police forces and CAs is the security of evidence, particularly weapons. By law, weapons must be turned over to the police. However, in multiple cases, weapons being used for poaching were seized, turned over to the police, and then found in circulation again within a short period – used, again, for poaching. Similar situations have occurred with MITADER with respect to the security of elephant ivory. In one famous case, 300 elephant tusks went missing from the Niassa provincial storeroom. This is an issue (corruption) that needs to be addressed.

Both GNP and NNR have good storage for evidence, including weapons. They are locked in well-managed, fortified storerooms. Once good relationships are built with the police force, it may be possible to implement a policy analogous to that of the safe deposit box at a bank. **CAs should create locking facilities for the police department within the CA's secure storage area. Access to the police facility would be available only to the police, but in the presence of an ANAC official to open the ANAC storeroom.**

6. Strong institutional bonds open the possibility of the use of the Special Forces whenever a poaching crisis occurs. In 2018, the elephant poaching crisis in Niassa reached a crescendo, with estimated number of elephants plummeting to 3,000 in the NNR from a high of more than five times that. In desperation, ANAC called the Special Forces, who deployed in the reserve. Within six months of deployment, elephant poaching had fallen to zero. It is recommended that ANAC maintains good relationships with the Special Forces and deploys them if another poaching crisis occurs. With respect to the removal of the Special Forces from the NNR, experience in Botswana and other countries shows that a decrease in the level of protection, especially in vulnerable border areas, leads to an immediate rise in poaching. **Special Forces should stay in the NNR indefinitely;** their presence undoubtedly also contributes to other forms of security, such as territorial integrity and the containment of cross-border smuggling.

The strong recommendation for **other CA partners (police, prosecutors, SERNIC, and judges) is to embrace the new partnership opportunities on offer, to improve their own effectiveness as institutions, improve staff team knowledge, and reduce staff turnover.** The suggestions above create a win-win situation for all institutions involved. This same advice serves for the following 4 thematic areas as well.

TRAINING

Training is closely linked to information sharing, to be discussed in depth later. It must be preceded and accompanied by partnership development, as described above.

SUMMARY OF THE SITUATION

Training gaps exist among GNP and NNR rangers, as well as prosecutors, judges and the various police departments.

Data indicates that GNP rangers are prepared physically for their job, but they do not have a corresponding amount of technical and professional education. Rangers are perceived as not having good communication or teaching skills, nor do they have a good understanding of Mozambique’s criminal code (especially evidence-gathering and arrest procedures). One example of how these shortcomings complicate fieldwork pertains to searches. The study team heard repeatedly that rangers enter kitchens, open pots and demand to know what sort of meat is being prepared (Rangers denied these allegations.). By law, homes and houses can be investigated only by order of a judge, who issues a search warrant. Ideally, the search is executed in the presence of an officer of the court. At least, a police officer should accompany these searches. Such practices would eliminate the problem the ranger’s account being pitted against the word of the population and resulting in possible damage to the reputation of rangers and GNP.

Several discussions took place about the role of rangers in community education about relevant information contained in GNP and NNR management plans, and more generally about national CA regulations. Varied perspectives exist as to whether rangers should teach or just enforce the law. One provincial judge’s words rang true to the study team: **“The capture of poachers is the last step in the law enforcement process. The beginning is education.”** Text Box 2 provides an example.

TEXT BOX 2: USING ENVIRONMENTAL EDUCATION TO REDUCE INFRACTIONS

The broad consensus among stakeholder groups is that rangers are not adequately trained to effectively dialogue with and educate communities. Communities repeatedly questioned CA regulations, claiming to neither know the regulations nor understand the reasoning behind them. In an example involving artisanal mining in NNR’s Lugenda River, community members complained that several hundred artisanal gold miners were chased away from the river. The situation grew so tense that several public disturbances occurred in Mecula during this study, one of which forced district officials to evacuate. During validation discussions with community leaders, the study team learned that none of them understood the public health danger posed by artisanal gold mining. Gold is extracted from sediments using mercury, which pollutes downstream water and enters the food chain, concentrating in fish and eventually ending up in humans. Consumed in sufficient quantity, mercury that accumulates in tissues causes neurological damage. Community leaders were more accepting of the mining ban when they understood the reasons behind it.

Gaps exist in the training of prosecutors, police and judges. Except for the Wildlife and Natural Resources Police, they receive no specific training in wildlife crimes. The recent CWC Manual and respective training⁴ of district prosecutors represented a first step in specific training for this target group. Trainees report that it was effective not only in making prosecutors aware of the legal framework for wildlife crimes, but also helping them understand why wildlife crimes are problematic and how wildlife crimes – which may seem to be a victimless offense – negatively influence society and Mozambique’s overall well-being. On the other hand, judges and police complained in interviews that they were not included in this training. CA staff also complained that judges and police were not included, as they felt that sometimes the handling of cases by the police was uneven, and judges’ sentencing was inconsistent.

⁴ This training was promoted through a partnership between USAID, SPEED+, UNODC, and other partners.

RECOMMENDATIONS

CAs should assume responsibility for in-service training for their own rangers as well as their partners (police, prosecutors, judges and district administrations) by defining training moments during the annual work plan. Quarterly summit meetings in the CA might be one such moment. See Text Box 3 for a suggested agenda. These events could increase everyone's knowledge, increase communication and build team spirit and understanding of the importance of biodiversity and the wonder of nature. The CA should take the lead in organizing and financing this effort.

TEXT BOX 3: A QUARTERLY CA SUMMIT ILLUSTRATIVE AGENDA

Every three months, a three-day gathering could be arranged by the CA for all stakeholders, with an agenda along the lines of the following:

Mutual training exercises: ANAC staff can teach partners about wildlife-specific legislation and legal frameworks. Conversely, partner staff should teach ranger staff about the criminal code and procedure, standards of evidence collection and other aspects that are perhaps not sufficiently covered during standard ranger training. CA community liaison officers and police could help train everyone on how to better communicate with communities. CA managers could explain the rationale for CA regulations.

Communication and coordination, to include discussion about specific cases, including coordination of investigations, tracking of suspects, case follow-up, checking on offenders and incarcerations, planning joint actions, follow-up on specific problems presented on the Mobile App group, and more.

Visiting the conservation area: One such visit to the park can be of a tourism nature; the second time could be a short patrol with rangers, so partners can begin to understand the difficulties rangers face.

Incoming partner personnel, such as prosecutors, police and judges, should be invited for a one-day introduction as soon as possible after their arrival at their new job sites – if possible, during the first week. Making this a short and early exercise allows CA staff to spread messages such as the importance of conservation and the value of the conservation area before participants hear any contrary messages.

All home searches should be completed with a warrant and in the presence of a police official, or at least a community leader.

For partners such as the police and the Ministry of Justice personnel, the recommendation is to seize the opportunity to both learn about wildlife crimes from CA staff, and to teach CA staff about correct criminal procedure. In this light, the consultant team would like to thank the PRM of Sofala for offering, without being asked, to help train GNP staff in criminal procedure as well as public relations.

The staff team also notes the new SPEED+ initiative to train judges in the CWC Manual as a very positive step.

COMMUNITY RELATIONS

SUMMARY OF THE SITUATION

GNP, NNR, and concessionaires in the NNR all suffer, to some degree, from conflict and misunderstanding with local populations. There are claims and counterclaims (see Text Box 4). What is important is not so much who is right in such disagreements; rather, it is the existence of persistent claims, counterclaims and civil conflict that shows the sub-optimal engagement between the two sides. Recommendations here speak to engagement monitoring and techniques, drawing on best practices from the International Finance Corporation and its 2012 Performance Standards, widely considered to be the gold standard for corporate social responsibility.

The aforementioned Casa Banana area in GNP seems to be wrought with conflict. The local population claims that they are being evicted from their crop fields in the buffer zone, while the rangers showed the study team satellite maps and images clearly indicating that people were opening crop fields inside GNP. The rangers stated that for many years the ranger force did not have the capacity to patrol the Casa Banana. Therefore, community members became accustomed to their own sense of the limits of the GNP, coming into conflict when GNP expanded its patrol range and began to enforce the boundaries of the park.

It is impossible for the study team to determine exactly where the truth lies amid these allegations. Fortunately, it is unnecessary to do so; the point being that in terms of stakeholder engagement, the CA and the population are on opposing sides of volatile issues.

TEXT BOX 4: CLAIMS AND COUNTERCLAIMS

Some local leaders claim the NNR restricts their activities without explanation, prohibiting them from fishing, mining and expanding crop fields. The population claims that reserve rangers are slow to respond and defend crop fields from elephants and buffalos and that they receive little support from the NNR.

NNR is currently in the final phase of creating and approving a General Management Plan, which would support information flow to the population about what they are allowed to do inside the reserve. Local leaders claim they have not seen this plan, nor were they consulted.

Rangers in the NNR complain about poaching and, until recently, community involvement in international elephant poaching syndicates. More recently, with the intervention of the Special Forces, this problem has disappeared. However, problems associated with local poaching and illegal artisanal mining remain.

With respect to the concessionaires in the NNR, the complaints are more severe. With the exception of Marire, which local people look to as an exemplary concessionaire who is trying hard to work with them, the local population claims that concessionaires treat them badly. The problem appears to begin with the award of concessions via tender. According to the new Law and Regulations for the Conservation and Sustainable Use of Biodiversity, community rights to wildlife and non-wildlife resources are guaranteed as long as they are used for subsistence and such use is not in conflict with CA objectives. These rights presuppose some sort of negotiation and agreement with the incoming concessionaire. However, community leaders claimed that ANAC never formally presented the incoming concessionaires to them and, as a result, opportunities for these initial negotiations were never established.

Some district officials' side with the population, claiming that concessionaires were not introduced to them either, and that in many cases the population has complained of extrajudicial force being used.

Why is this a problem for the B2B process? Some significant effects include the following:

1. A population's lack of understanding of the reasons for a CA or lack of support for its existence actively works against its rangers; they will tend to poach more and overload the system to a greater degree than a population that largely agrees with the existence of the conservation area.
2. Local leaders who are sympathetic to the CA can support rangers, participate and cooperate with law enforcement activities, cooperate with investigations, track offenders, participate in alternative sentencing and in general reduce the workload of the other stakeholders in the B2B process. Community leaders generally hold the only registry of who resides in their villages at any given time; they keep tabs on people in a way that no other actor can. Their cooperation not only reduces workload but makes life easier for all concerned. Involving local leaders also encourages an inclusive, "one team" environment, which, as mentioned previously, is essential for securing support and buy-in by key stakeholders.
3. CA staff themselves are blamed for the existence of CAs. Better communication, particularly environmental education, could help the population understand that CAs are declared by and prioritized by the state, and thus are the responsibility of all government agencies, not just rangers. Better information on how and why CAs are established could also help to reduce the perception that CAs are foreign entities entirely run by and existing for foreign investors and individuals.
4. A population that understands and receives benefits from a CA will defend the image and resources of the CA, instead of actively harming the CA by, for example, cooperating with poachers.

RECOMMENDATIONS

CA managers should recognize that their community problems need to be addressed. This admission may be particularly hard in CAs where staff has expended considerable effort and expense to generate positive community engagement.

Lines of communication with local communities and their representatives must improve. Community leaders emphasized this in every community meeting and validation workshop. Communities want to be in constant dialogue with the CA. They would like to participate in and have their concerns incorporated into management planning and see greater direct benefits from CAs. They assert that neither management plans nor community benefit activities should be developed without community involvement. Overall, communities want to be active participants in the management of the CA landscape. They do not merely want to be beneficiaries of projects (particularly when the benefits are often few and far between). A sense of local ownership is key to securing local community support.

Community meetings should be regular, public and recorded. Much experience in Mozambique shows that meetings that are not recorded can be misunderstood or twisted by *agents provocateurs* in communities. **Voice recordings and video recordings of all community meetings should be kept on file to reduce the possibility for such abuse.** In addition, **when rangers are arresting or engaging in investigative acts, they should be accompanied wherever possible by police or at least independent witnesses such as community leaders.** Of course, the latter is possible only after establishing good relations.

Rangers said it was often difficult to communicate important occurrences to community leaders, including those in Text Box 5. Community leaders countered that they could be kept informed via cell phone. The recommendation of the study team is that **community leaders should be supported with cell phones and a small amount of monthly credit, so that a WhatsApp group for community leaders, police and rangers could be established to keep leaders informed of current developments that affect them.** This is a different group than the WhatsApp group for enforcement professionals described previously.

TEXT BOX 5: HELP US BRING OUR SONS HOME

Community leaders report often seeing people return after arrest and not knowing how the returnee had been released. The leaders said they want to be officially informed about the release of “their sons” so they would know if the person was declared innocent, was convicted with sentence served, or had escaped. They acknowledged that released prisoners receive an official statement of release, but they also wanted to hear directly from authorities about the person’s status so they could take appropriate action: either inform authorities that an escaped criminal was in the village or, in the case of a legal release, advise “their son” on how to avoid problems in the future and reintegrate into the village.

Communities should be motivated and mobilized through better benefit sharing. CAs should not depend solely on the legislated 20 percent of benefits allotted to communities but should work with donors and other partners to create other benefit streams. Obvious funding sources for these benefit streams include WCS for NNR and the Carr Foundation/Gorongosa Project for GNP. Other donors, such as BIOFUND (Foundation for the Conservation of Biodiversity) or NGOs already active in CA districts, are also options. Specific benefits that community leaders mentioned as important include:

1. Improved and expanded crop field defense, including having rangers sleep among the villages in and around the CA during the cropping season, particularly when crops are coming ripe. In return, communities claim to be prepared to create groups of community rangers to work alongside the rangers defending the crop fields.
2. Greater provision of game meat for occasional ceremonies.
3. Providing greater clarity regarding zoning and where and when communities are permitted to use various resources.
4. Investment in agricultural products that have a market and market chain, possibly executed through suitable agricultural development agencies, whether NGO or private.
5. Support for alternative livelihoods activities that have vibrant markets.

Note that, in many cases, CAs are working on these themes to some extent.

In return for better communication and benefits, communities claim to be prepared to contribute to the following community enforcement recommendations:

1. **Leaders should educate the population about CA rules and regulations,** so everyone is clear about what is allowed and what is not and is encouraged to follow the rules.
2. **Communities should participate actively in monitoring the apprehension of suspects.**

3. **Communities should participate in investigations.** Community leaders were willing to participate, but also noted that the CAs needed to be clear and consistent if they wanted their help in enforcement activities. They especially appreciated the study team taking time to explain why various conservation rules, such as no hunting in the core zones of GNP, exist.

Communities' needs include: better communication, to be involved in management planning and decision-making, to have meetings recorded so words cannot be twisted later by individuals with their own agendas, and clear benefit streams. In other words, they have to be true partners who are accepted at all levels.

CAs may need to rethink their organizational structures to allow for more community engagement staff. **CAs should invest in training rangers to be educators and communicators, as well as enforcement officials.** The police universally acknowledged receiving specific training on how to deal respectfully with the public while upholding civil and constitutional rights. They suggested that they could provide rangers with this training.

CONSERVATION FRAMEWORK, CONSERVATION LEGAL FRAMEWORK AND INFORMATION FLOW

SUMMARY OF THE SITUATION

Issues relating to conservation legal frameworks include the following:

1. The new penal code was consolidated in 2014 and bound into one volume that judges and prosecutors use as a basic reference. This has been referred to as the Ministry of Justice's "bible." However, most current conservation legislation, including the Law of Conservation and Sustainable Use of Biodiversity and its regulations, as well as the Regulations on the Commercialization of Protected Species, have been in place since 2014. Printed copies of this legislation are circulated within the Ministry of Justice, whose staff thus have one large bound book (the "bible") and piles of papers (the newer legislation). In many cases, prosecutors and judges carry around the "bible," but disregard the papers, meaning key legal considerations may be omitted from reasoning, such as aggravating factors for crimes committed inside a conservation area. This can lead to substantial variations in charging and sentencing.
2. Many individuals involved with the B2B Process Chain are not aware that the CA has the right to compensation for lost future benefits from animals poached, much like a business or individual can claim loss of future benefit if someone causes them damage. This compensation is in addition to any penalties the law may impose. Imagine the case of a dairy cow killed by a drunken driver. The state will impose penalties on the driver for reckless driving and drunkenness, which may include jail time, loss of driver's license, and a fine. In addition to the present value of the cow, the farmer also has the right to claim loss of benefits such as the milk that would have been produced and any would-be offspring, according to the animal's breed, health and age at the time of death. This increases the driver's actual liability. This is relevant not only at sentencing, but also during bail proceedings, because the amount of bail is related to the potential liability of the offender.

In the case of CAs, prosecutors and ANAC are within their rights to insist on payment for loss of future benefits to the conservation area through animals that are killed. This value can prove to be

substantial. It is widely estimated in southern Africa that the tourism value of elephants is upward of \$1 million each. When you add to it the loss of the value of a female elephant's future offspring, plus aggravating factors of killing within a conservation area, the potential liability to the accused is exorbitant and the judge has no choice but to set prohibitive bail. This keeps the accused from skipping bail and changing his or her name – something that is easy currently, as many individuals do not have identity documents. It also means that members of poaching syndicates will not be able to be freed when their friends or supervisors pay low bails, something that CA staff report to be distressingly common.

3. Unfortunately, current charge sheets are centered only on the crime of illegal hunting, overlooking other important crimes. Senior ANAC officials say this is a gap. In many cases, law enforcement is dealing with organized crime, where criminals act as a network. Their crimes include hunting illegally, transporting, opening companies and bank accounts or running operations as a kingpin. Therefore, accusations should not focus solely on the poacher since a large network must be dismantled.
4. There is no effort by law enforcement (non-ANAC and CA enforcement) to seize vehicles and other property involved in or resulting from poaching. Prosecutors do not usually promote the seizure of vehicles, real estate, other assets, bank accounts, etc. These items should revert to State possession to discourage criminal practices.
5. The Regulations on Commercialization of Protected Species (Decree 34/2016) are little known within ANAC, except at the most senior level. These regulations are relevant for capturing people who are transporting protected species, such as pangolins or elephant tusks, and their aggravating factors provisions add high levels of liability.
6. Communities generally claim to be unaware of CA regulations regarding borders, use zones, seasons for hunting, areas where crop fields may be opened and other information that is relevant to communities. Some conservation area staff claim that they have told communities about these important regulations, but again, this is the word of conservation area staff versus the word of the community, and the rangers' reputation becomes eroded due to resulting squabbles.
7. Currently, the NNR is operating on a long outdated management plan (from 2007) and is in the process of finalizing a long overdue new one. This creates uncertainty for all and lead to a reduced level of information available to communities.
8. Open questions remain about the degree to which communities participated in the elaboration of management plans for both areas, and whether legitimate community concerns have been included in the management plans. Communities claim they were not consulted, while some conservation area staff claim the opposite. Again, two parties are in conflict with little documentary evidence that could be used to satisfactorily resolve the conflict.

Issues related to inter-agency information flows include:

1. Interagency information flows are complicated by several issues, cited earlier. These include the separation of tasks, as required by law, to defend constitutional and civil rights; a lack of teambuilding and spirit of cooperation; the actual physical distances involved and the difficulties of moving around; communications issues related to distances; and lack of communications equipment.

2. Work overload often prevents CA staff from making time to do enough outreach. Most are overloaded and react to events rather than getting ahead of situations and building networks. Without some additional input, it is difficult to see how to build good working networks. This support would consist of interim staff and HR support to allow for re-tasking of particularly the CA Administrator, so s/he could spend more time networking. Once the CA has been reconfigured and strong networks built, the interim support could be eliminated (see section on change management planning, below).
3. At least two examples, one in Niassa and one at the national level, involve law enforcement staff coming together to create WhatsApp groups to share information about activities, cases and offenders, as well as to coordinate joint actions.
4. Although individual agencies have made several attempts to maintain databases, neither GNP nor NNR maintains a complete database of crimes, captures, legal processes, sentencing, punishments and offenders. This is due partly to a lack of equipment and materials, such as computers and communications, partly to the dispersal of responsibility among various institutions and partly to sheer overload of the individuals concerned.

RECOMMENDATIONS

1. **ANAC should prepare an annex to the “bible,” bringing recent relevant legislation into one adjustable binder, then producing copies to be distributed by ANAC staff to other stakeholders involved in the B2B process.** The ideal moment for this would be during the quarterly summit meetings, also an ideal time to teach about the relevant legislation. Ministry of Justice staff will be more likely to carry and use this documentation in their daily activities. The annex should be freely available to all CAs.
2. **ANAC should work with the police and the Ministry of Justice to prepare a Ranger Manual with guides on public interactions (as police is trained to do) and on the procedural intricacies of the penal code (such as not entering houses without a warrant from a judge).** Manuals can be updated regularly as new legislation comes out, particularly if using binders to facilitate the addition of new pages and removal of those that are outdated.
3. **During quarterly summit meetings, the issue of compensation for loss of present and future benefits should be raised and discussed, with the legal foundation for this shared with all. A broad agreement should be reached about how to calculate present and future benefits.** This may reduce conflicts between rangers and other parties in the criminal justice system, particularly prosecutors and judges, when setting bail and sentencing. This does not take away the judge’s prerogative to set bail and determine sentences on a case-by-case basis, an important part of the justice system. Each case is different and needs consideration on its own merits. Rather, it creates a starting point from which judges can raise or lower values as they see fit. For example, if broad agreement exists that the present and future value of an elephant to a conservation area should be \$500,000 in Mozambique, where tourism is not yet as strong as in neighboring countries, the judge and prosecutor can start from that value and add or subtract according to individual circumstances that are either aggravating or attenuating. The decision is thus transparent and less likely to create conflict among B2B Process Chain team members.

4. **The Regulations on the Commercialization of Protected Species should also be taught to everyone**, perhaps by ANAC staff from the central level during quarterly summits in each CA.
5. **A written brochure on CA rules should be created for communities that neighbor CAs, using diagrams, simple wording and perhaps even local languages.** Local leaders and communities should receive this brochure and be trained on how to use it. The training should be recorded to avoid future allegations that some people never received it.
6. Teambuilding activities, described earlier in this document, are essential to overcome problems related to information flow.
7. **Two Mobile App alert groups per CA could be established:** one for rangers, police, prosecutors and judges and the other one for ANAC staff, police and community leaders.
8. It will be difficult to overcome the lack of databases on offenses and offenders, as people can and do change identity easily and multiple under-resourced institutions are involved. Database creation and maintenance over time would require at least two permanent staff positions for each CA, representing a substantial recurrent cost. Furthermore, issues relating to changes of abode and identity will remain unresolved. Best practice for now may mean maximizing community involvement, Mobile App groups, and quarterly teambuilding summits, as recommended, leaving database establishment for a later date.

Specific recommendations for Police, SERNIC, prosecutors, and judges include:

9. **In general, prosecutors should promote detention, not bail.** In the case of bail, they must apply for large amounts, perhaps using the logic described above (the dairy cow analogy), where applicable. This would greatly increase bail and thus discourage accused criminals from running away. **Charges should expand beyond specific wildlife crimes to include related (often downstream) crimes, to attack crime networks beyond the arrest of individual poachers.**
10. **Judges should understand the implications of providing low bail to suspects who can change identity, location and appearance with relative ease**, given the societal conditions (semi-nomadic population, low prevalence of identify documents, etc.) around CA's, and avoid low bail amounts whenever it is possible to do so.
11. **All law enforcement partners need to place a higher priority on downstream investigation, for the purpose of disrupting criminal gang activity.** Criminal gangs represent a threat to the sovereignty of the state. Wildlife trade gangs may represent an even greater threat than drug smugglers, as they are armed with military grade weapons; the communities near the Massingir dam are an example of a situation where criminal gangs have compromised, to a large degree, the rule of law in this Mozambican territory. Investigations should not end with the capture of poachers, but should also include trafficking in wildlife products, opening companies and bank accounts for movement of illegal gains, money laundering, and/or running operations as a kingpin. The goal should be to dismantle criminal networks. The current ANAC initiative to create a Wildlife Crimes Unit (with SPEED+ support), should be seen as a response to a wider threat to the Mozambican sovereignty, rather than a large response to a small sub-category of criminal activity.
12. **It almost goes without saying that the impoundment of all equipment used for poaching must be effective immediately.** The State has the right to impound vehicles as well

as all other property used for poaching and trafficking. The impoundment of these items would not only discourage poachers, but it would also put a stop to some of these anti-wildlife crime self-financing efforts.

- 13. Prosecutors and judges must immediately begin to use the new conservation legislation as a basis for charging and sentencing.** There really are no other options. This is the law and it must be enforced.

PRISONS AND PUNISHMENT

SUMMARY OF THE SITUATION

A consistent complaint by USAID's IPs and CA staff is that convicted poachers can be found several months later moving freely in communities or being arrested while poaching again. Many say their release did not come from a judge, but rather from prison authorities.

Meanwhile, prison authorities say prisons are overcrowded by up to eight times their capacity. Furthermore, they mention that they do not consistently receive sufficient food to feed the prisoners. They are faced with a moral dilemma: illegally release some prisoners or allow them to die in custody. Both CAs reported that they give food to prisons on a regular basis.

In choosing who to release, authorities may believe that perpetrators of "victimless" wildlife crimes are less threatening than prisoners who committed other crimes.

There is almost no oversight to confirm that sentences are served, or fines paid. No one investigates whether prisoners have completed their sentence. A draft parliamentary legislation mandates judicial oversight of sentencing,⁵ but no clear mechanism or mandate currently exists for this process.

A provincial judge noted that the Mozambican legal framework mandates alternative punishments for prisoners who are serving less than three years and are first-time offenders. However, alternative punishments are universally noted by all respondents to be unworkable. Either follow-up is absent and punishments are not carried out or the host agency that is supposed to receive and supervise the alternative punishment does not have the required resources to feed, supervise and pay a small stipend to the prisoner. GNP staff note that when they attempted to implement alternative punishments for people who were convicted of crimes in the GNP, the conditions they provided (food and a small stipend) were so attractive to the local population that the park was inundated with people carrying snares, hoping to be arrested. It is difficult to manage a situation when punitive conditions for prisoners are better than what community members face at home.

Several attempts have been made to overcome the lack of space in prisons. The GNP has assisted the prison system to build a small prison in Gorongosa District. The NNR intended to build a prison in the Mecula District capital, although this was never realized. Prison system authorities are eager for others to

⁵ Before draft (*Anteproyecto*) of the Code of Execution of Sentences and Privative and Non-Privative Measures of Freedom.

build additional prisons, promising management, administration and staffing budget lines if the prisons are actually built.

RECOMMENDATIONS

CAs should continue to provide support to the local prison systems to allow them to function, at minimum ensuring the provision of food. Construction of prisons and holding cells would be a second step. District officials and law enforcement officials were clear that it would reduce resentment of the CA if any prisons constructed would serve all prisoners, not just those convicted of wildlife crimes. This seems to be a non-issue; the Ministry of Justice reported that most crimes judged in Gorongosa (80 percent) and Mecula (95 percent) districts were wildlife crimes.

With respect to alternative punishments, an interesting line of thought emerged from an NNR experiment with the use of community structures for first-time offenders and those convicted of less severe crimes. Instead of involving the district's formal justice system, NNR delivers offenders, at its discretion, to local leaders so that punishment can be designed and enforced at the community level. **It may be possible to integrate such community workarounds into the formal justice framework. A working group might be set up in Mecula District, where the pilot effort is occurring, and a dedicated sitting judge could champion the process.** The working group would include district administration, the champion judge, interested community leaders, a central level ANAC representative and a provincial level judiciary member (the provincial judge is another champion of the B2B process), and perhaps a consultant to assist with documentation and advice. **This team could be tasked with working out innovative and cost effective approaches to alternative sentencing, and with documenting them for wider evaluation and consideration.**

Alternative sentences should include community work such as school or latrine construction, or work in direct service to the CA. One participant in the National Dissemination Seminar who participated in a Gorongosa alternative sentencing pilot, noted that even though there was a spike in offenders, there was eventually a decline, because the alternative punishments at Gorongosa included environmental education, and this seemed to have some effect.

GENERAL RECOMMENDATIONS

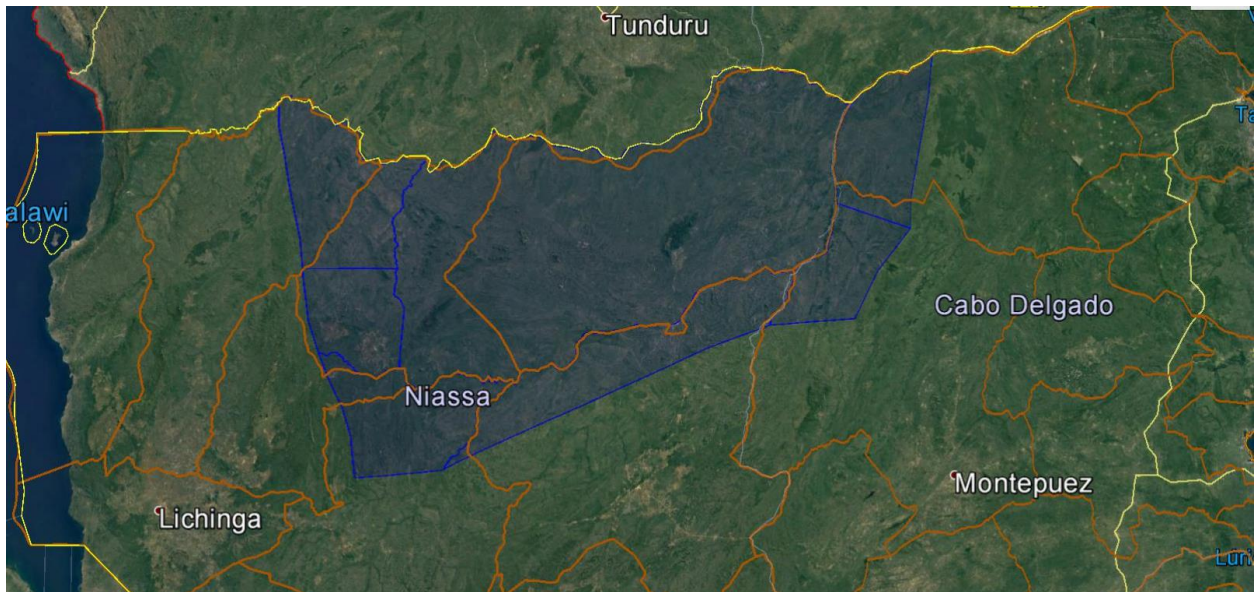
In addition to the recommendations relating to each theme, the following crosscutting recommendations are important in changing B2B process dynamics as they exist presently:

1. **To reduce jurisdictional conflicts, a special jurisdiction may be set up in each CA to take in and process wildlife crime suspects in any component district.**

There is a best practice example in the neighboring South Africa, where poachers are taken to the nearest court within the CA, regardless of where they were caught. This is a solution which may be adopted. The other solution is to name specific judges who have been previously trained to deal with wildlife crime who would be moving around courts and conduct the judgements. Significantly, during the B2B dissemination event, the Supreme Court General Secretary said in his formal intervention that the idea was welcome and any studies to implement such initiative would be most welcome.

A special jurisdiction in the Niassa Reserve might look something like the map below. There are 8 districts in the reserve and buffer zone. Arrested accused could be tried in any district, not just the one where the crime occurred. The district court of Montepuez, for example, is not only about 200 kms from the reserve on poor quality dirt roads, it is also in another province. If a poacher arrested in the reserve could be tried at a closer court, say in Mecula, which is only 35 or so kms away from the Montepuez border, this would be a great saving of time and effort.

FIGURE 3: PROPOSED MAP FOR THE SPECIAL JURISDICTION IN THE NIASSA RESERVE



2. Best practice for CAs is to hire a staff lawyer and support local partners through the B2B Process Chain

Another overall observation was that staff in both CAs are stretched to their limit by the scope and breadth of their enforcement activities. It is one thing for a consultant to say what should be done, and quite another to implement a new strategy while trying to keep up with the daily emergencies of a conservation area life. Therefore, the team has three additional recommendations for each CA:

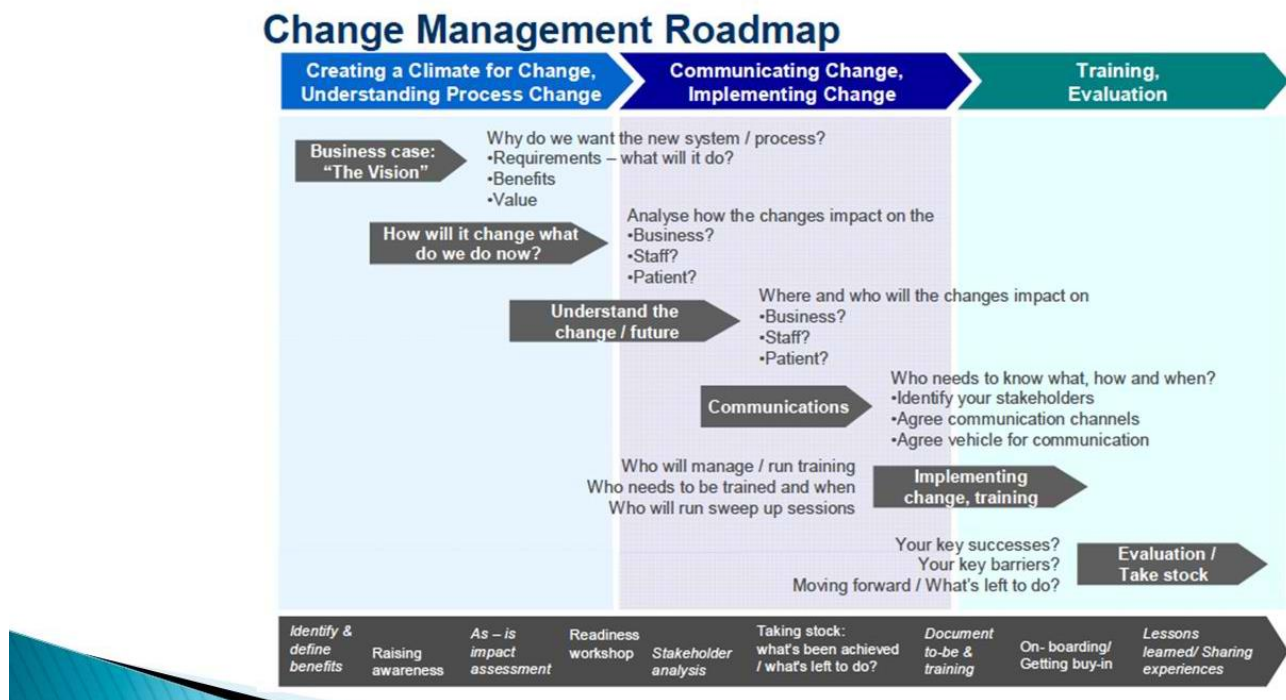
3. Develop a Change Management Plan based on the Theory and Reality maps and the recommendations in this report to guide improvements on enforcement and wildlife management activities. This can help each CA advance from where they are now (the Reality Map) to as close to the ideal situation as possible (the Theory Map). Outside the support from consultants, other experts may help prevent task overload for CA teams. This change process might take two to four years and would include assistance for the CA to build and train its internal staff, as well as build supportive networks as described throughout the recommendations proposed in this report; and training and providing logistical, material and communication support to partners, per the recommendations. The Change Management Plan would also include stakeholder engagement planning and implementation and neutral moderation where required.

There is much written on the internet about Change Management Planning, how and why to design one, use it, and monitor it. One of the best resources is:

<https://www.smartsheet.com/expert-guide-writing-effective-change-management-plan>

The following roadmap shows the type of thinking that goes into Change Management Planning. The example is from the health sector, but the underlying strategies are useful for a wide range of corporate endeavors⁶.

FIGURE 4: SAMPLE OF THE ROADMAP TO CREATE A CHANGE MANAGEMENT PLAN



Source: [The Global Community of Information Professionals \(AIIM\); www.aiim.org](http://www.aiim.org)

Working through a partial example of better inter-institutional cooperation, the business case would be something like: **we need better communication and understanding among enforcement stakeholders to increase our success rate.**

How will it change what we do? **We will meet together every three months in the CA, and will exchange ideas, train each other, track current cases and coordinate future activities.**

Understand the change; who will be impacted by the changes? **CA administrators will need to have changed job descriptions, and perhaps changed job titles to allow/account for**

⁶ Accessed 8.5.2019. <https://www.examples.com/business/change-management-plan.html>

better stakeholder engagement. Chief rangers will need to take over more management. Prosecutors will need to help rangers preparing *Autos de Noticia*, so chief rangers can have more time for management. Rangers will need to produce better *Autos de Noticia*. Everyone will need to prioritize communications and partnerships.

Note that in order for CA staff to adopt these changes, there will be an interim period of overload. During that interim period, additional resources will be necessary.

4. With this plan in place, CAs should receive an interim level of increased material and human resource support to allow the implementation of a Change Management Plan.

For example, chief rangers may be challenged to spend more time building relationships with partners, supervising and training rangers. They already know they should be doing this, but they are so busy trying to follow cases in court and preparing documents that they have little time for any other aspect of their job description. The idea is not to load chief rangers with more work but offer them support so they can transform their daily work life into what it should be, instead of continuing to put out figurative fires, as they are doing now. Thus, a Change Management Plan and additional interim support are required during the time needed to put it into practice. At the end of the transition, good relationships will be built with moments and mechanisms (such as the quarterly summit meeting) in place to maintain them, and transitional support will no longer be necessary.

5. As a broader recommendation, for ANAC as well as for NNR and GNP, stakeholder engagement plans should be formally included in general management planning. The way to ensure this would be to include chapters on stakeholder engagement, with appropriate guidelines for planners, in the official ANAC outline for general management plans (one chapter for communities and one for institutional partners).

SUMMARY: ANSWER TO THE LEARNING QUESTION

The summary response to the overall learning question is as follows.

The conditions under which increased detection of environmental crimes leads to prosecution and punishment are:

1. Arrest accused perpetrators of wildlife crimes and collect evidence within the parameters of the Mozambican Law, especially the Code of Criminal Procedure.
2. Ensure that all stakeholders (CA staff, police, prosecutors, judges and state administration) understand the importance of CAs, CA legislation, and their roles in enforcement.
3. Develop strong collaborative relationships between the above institutions through training, joint operations, unified commands (where possible), communication and mutual technical, material and logistical support.
4. CAs should make sure that communities fully share the benefits and responsibilities of living with wildlife and participate fully in CA management.

5. Use strategic and targeted stakeholder engagement to plan, develop and monitor CA relationships with all relevant stakeholders, including communities.
6. Use strong institutional relationships to resolve individual performance issues.
7. Ensure that CAs have in-house lawyers to support partners and CA chief rangers.
8. Support the prison system to increase incarceration capacity as well as develop alternatives to detention (if the previous seven conditions are fulfilled, the rate of wildlife crimes should decline).
9. Create a special jurisdiction within each CA to enable arrest and processing of wildlife crime suspects in any component district, regardless of the site of the crime (per South African practice).

An additional legislative action is already underway:

10. **Clearly assign responsibility for the supervision of detention within the Mozambican legal framework. A bill to this effect has been tabled in Parliament.**

ANNEX I: SCOPE OF WORK FOR THE B2B STUDY

I. BACKGROUND

USAID's Biodiversity and Tourism (BIOTOUR) project includes two activities that have much in common: they are implemented through a collaborative Global Development Alliance (GDA) approach, they apply integrated approaches to conserve important biodiversity, and they focus on critical Mozambican CAs. The Integrated Gorongosa Buffer Zone (IGBZ) activity (led by the Carr Foundation) focuses on Gorongosa National Park (GNP); the Alliance for Ecosystem Conservation Systems, Markets and Tourism (ECO-SMART) activity (led by Wildlife Conservation Society with three NNR concessionaires) focuses on Niassa National Reserve (NNR.)

As part of the learning component of the BIOTOUR Project Activity Document Monitoring, Evaluation and Learning Plan (PAD/MEL, soon to be drafted), staff from USAID (US and Mozambique), IGBZ, and ECO-SMART gathered to identify a critical learning question, the answer to which would enhance the ability of implementing partners (IPs) to have significant conservation impact. This was accomplished through a Cross-GDA workshop held in GNP in March 2018. Several important issues arose in the three-day workshop, of which a single question (with sub-questions) was deemed appropriate to pursue further with USAID funding and IP support. USAID will use its monitoring, evaluation and learning mechanism, the Mozambique Monitoring and Evaluation Mechanism and Services (MMEMS) contract, for this purpose. This scope of work provides specifics on that study.

2. STUDY PURPOSE, RATIONALE, AND USES

The results of the study will help USAID's implementing partners (IPs) better understand and operate successfully within Mozambique's criminal justice system, from wildlife criminal apprehension, through trial and conviction and successful sentencing – from “Bust to Bars.”

To IPs, this information is critical, as they often feel that after all their hard work to catch and apprehend environmental criminals, those perpetrators avoid prosecution, sentencing or fines and jail time. In fact, the same men (it is almost all men) return to the very areas they were apprehended to engage in the same anti-conservation, anti-security issues. The sense of impunity emboldens these and other potential environmental criminals instead of effective law enforcement acting as a deterrence. Currently, the IPs have little engagement in the Bust to Bars process after handing off perpetrators to authorities, beyond sometimes being called as witnesses to court. From their perspective, the process is opaque, and appears to be inconsistently applied. More clarity in understanding would help them anticipate the process and intervene appropriately. It is the final piece need to magnify the impact of all law enforcement efforts, particularly deterrence. And investments in law enforcement are high in both GNP and NNR.

The IPs can use the information generated by the study to be more strategic in their efforts and can also share this information with judicial and law enforcement officials to reinforce the norms of the process. One of the challenges to successful monitoring and enforcement of wildlife crimes is a lack of cooperation and trust between conservation partners, local police, and other agencies involved in judicial procedures. The study can serve as an entry point for increased cooperation and relationship building between the IPs and local law enforcement related to CAs. The study can also be a tool that IPs use to support their case for increased Government of the Republic of Mozambique (GRM) support for improved law enforcement in the regions of Niassa and Gorongosa.

3. LEARNING QUESTION AND SUB-QUESTIONS

The study will answer the following learning question, arising from the Cross-GDA workshop:

Under what conditions does increased detection of environmental crimes lead to prosecution and punishment?

This question should be addressed via the following sub-questions:

1. How should the criminal justice system for environmental crimes in CAs (CA) work, including the interactions between the CA administration, co-management partners, police, district criminal justice, and provincial criminal justice?
2. How does the system (described in #1) actually work? Where are the break downs? What are the cultural and administrative norms? What are the incentives, both positive and perverse, that reinforce or disrupt the intended system, respectively? How does the enforcement of environmental laws and policies fit into judges', prosecutors' and police officers' overall "political economy"?
3. How can conservation partners (ANAC and its co-management partners) best work within the existing system – including not only the formal laws, but also how they are applied through procedural issues evidence collection and case management – to achieve their goal (a greater proportion of potential illegal activities avoided or deterred)?
4. What can conservation partners do to improve accountability in the system (both on the CA side and on the justice system side)?

As feasible, findings should be disaggregated by, and compared across, conservation area (CA), district, province, type of crime, and whether the detection and apprehension were made inside or outside of the CA (including buffer zone).

Answers to this question are meant to help increase the ratio of punishment of offenders to apprehensions.

4. METHODOLOGICAL APPROACH

The study is focused on realities faced by conservation, law enforcement, and judicial professionals working in and around protected areas with a view to identifying actionable recommendations that BIOTOUR IPs can take to affect more busts that result in bars.

The team will examine carefully the experiences in the areas in and around Gorongosa National Park (GNP) and Niassa National Reserve (NNR) to understand how to improve environmental justice. The overall approach, at its simplest level, follows the following steps:

- A. Develop a "Theory Map" to describe the process from apprehension, through prosecution, sentencing and paying fines and/or serving jail time as it is supposed to be followed, consistent with Mozambique's legal and law enforcement standards. This should provide a useful objective guide to all those involved of appropriate practices. This should consider very practical issues, such as the limited time permitted to present evidence to court – even when criminals are caught over a day's travel from the formal system.

- B. Contrast this with what often happens in reality in the greater GNP and NNP CAs, experiences that may stray from those norms for whatever reason, and lead to perpetrators going free, only to repeat crimes. Applying the example above, the team should consider the practical challenges of literal compliance – such as how-to bring evidence to court in a timely manner. This will constitute a contrasting “Reality Map” and could include such information as what leads to differential sentences for the same crime and how execution of sentences is monitored, especially community work and fines.
- C. For Items (1) and (2), above, distinguish between what applies to Parks and Reserves;
- D. Inject the understanding – from a 360-degree perspective – of the law enforcement, judicial, and conservation professionals, of why things diverge from theory to reality – and don’t work. Interviews will collect practical solutions these practitioners have found to resolve vexing issues. This would include analyzing cases that have not led to maximum sentencing understand blockages. The team should also describe the dynamics of communication and mutual understanding between judicial and park/reserve authorities and how it can be improved.
- E. Combine this learning through systematic analysis to make practical recommendations for changes conservation professionals could make directly to improve outcomes and what they could do to support law enforcement and judicial officials so that better outcomes could be achieved.
- F. Share draft study findings with key Stakeholders (those working in the conservation, law enforcement, and judicial sectors) through separate workshops in GNP and NNR – many of whom will have already provided information to the them – to feedback the learning and information gathered to those interviewed, to validate the findings, and to engage in a discussion on what could be done differently by the different parties involved.
- G. Finalize the study based on those inputs and share it widely via a forum in Maputo, in the hopes that lessons learned will apply elsewhere, and to increase understanding in the law enforcement and judicial sectors of central government of what occurs in the field. It is possible that greater linkage with, and political pressure from, Maputo may facilitate success in the provinces.

4.1 DATA COLLECTION

Although there will be some quantitative analysis, most of the data collected will be qualitative, as follows:

- Understanding of the correct process (Item 1, above) will be achieved through reviewing relevant legislation and practice, supplemented by expert knowledge of the team, supplemented by key informant interviews with the IBGZ lawyer and with judicial experts, as needed to clarify issues;
- Data to understand how this theory relates to local reality will be obtained through separate field trips to Gorongosa District (for GNP) and two districts in NNR (to be identified in the team planning meeting in consultation with the NNR team), where the team will review case records and conduct individual key informant interviews and group interviews with Stakeholders, using the product from Step 1 to help orient the discussion. The intent of the interviews – conducted in confidentially to promote openness and protect subjects – is to:
 - Understand what actually happens in the Bust-to-Bars process by compiling the experiences of those involved in the process on a daily basis through interviews with Stakeholders (Step 2, above);

- Understand the personal perspectives of those same Stakeholders to better understand the incentives, frustrations, and motivations in the system (leading to Step 3, above).
- Based on analysis of these findings, conduct workshops with GNP and NNR Stakeholders to fine tune findings and gain additional insights and recommendations (Step 5, above).

Formal instruments, based on the Theory Map, will guide group and individual interviews. Data from interviews will be stored systematically in WORD documents.

Results of the workshop will be stored via a note taker and by recording conclusions and recommendations recorded on flip charts. The plenary proceedings will be recorded to ensure data accuracy.

4.2 ANALYSIS METHODS

Data will be sorted primarily via the Theory and Reality Map framework, both graphically and via tables and text. Analysis (Step 4, above) will begin during the data collection phase and continue until final report drafting. It will focus on points of convergence and divergence at the action points along the maps. This will commence immediately, as the team is conducting interviews, so that they can investigate factors that reinforce behavior consistent with the Theory Map, and those that seem to promote divergence. The team will identify the points of divergence, and actively seek solutions that practitioners have found to address frustrations.

A perceptions and attitude schema will be created to understand inter-Stakeholder perceptions, and the roots of those concepts. The team will use these emerging ideas to probe subjects for ideas about how to build on positive feelings and erode any perceptions and attitudes that seem likely to impede progress. All analysis will consider the impact of gender.

The team will communicate periodically with MMEMS' Senior Evaluator Officer to share their emerging conclusions and hypotheses and to receive feedback on them.

In the cases above, the team will develop its conclusions and suggestions on the way forward based on triangulating data from the different sources. Emerging theories of improved ways forward will be shared with informants to further brainstorm solutions.

The effort will always be to move past blockages to seek legally acceptable, logistically practical, politically viable, and interpersonally sound solutions.

Draft conclusions and recommendations will be tested in the workshops (Step 5, above), and modified as warranted from the discussions.

4.3 DISSEMINATION

The team will use the analysis to develop a presentation and draft report targeted to Stakeholders. The presentation will provide a consistent way to share the results of the analysis with Stakeholders in and around the CAs as a way to share and ground truth the findings as well as to provide a forum for discussion among those working locally in conservation, law enforcement and the judicial sector. The events are likely to have two stages:

- I. The authors will present the findings of their study in a way that is easy for the diverse audience to understand, permitting questions for clarity, to be followed by;

2. A set of small-group sessions where participants can apply the learning to their conditions, provide feedback to the authors, and consider what changes could be made locally – based on the findings – to achieve better results.

The authors will prepare a separate report summarizing the results of the two workshops, so that participants in one workshop can also learn from the other.

The authors will use the results of these workshops to improve the draft report, producing a final report in Portuguese, with a five-page Executive Summary in English and Portuguese (Step 6).

This will be followed up by a final meeting in Maputo, where the report will be presented (Step 6.)

5. LOGISTICS

MMEMS will provide office, transportation, material, and other logistical support to the team. IGBZ and ECOSMART staff will support – but not pay for – practical logistical arrangements in their areas during study team visits in and around the CAs and will provide guidance to help target interviews. IGBZ and ECOSMART will contribute some staff time to provide information requested by the study or to be interviewed.

6. RECOMMENDED COMPOSITION OF TEAM

The following team will be required:

- **NRM/Environmental Lawyer.** A lawyer (most likely Mozambican) familiar with Mozambican law, policies, and – especially – legal practices, as they apply to ensuring the sustainable protection of Mozambican wildlife resources. S/he will focus on detailing the legal/regulatory/law enforcement dimensions of the study and should have expert knowledge of the country's Conservation Law and recent amendments and regulations (2017). S/he may also collaborate with lawyer working on cases for GNP and NNR.
- **Wildlife/CBNRM/NRM Law Enforcement Expert.** A Mozambican professional experienced in understanding how wildlife laws are enforced, from both GRM and NGO perspectives. S/he will participate in data collection and analysis and drafting portions of the report. S/he will be particularly responsible for ensuring all products adequately include perspectives from field practitioners, including scouts in Gorongosa and Niassa.
- **Team Leader.** One of the two individuals above, will also serve as the Team Leader. In addition to meeting the requirements above, s/he will also lead the study technically, lead the analysis, and ensure product quality throughout, including of the workshop and final written products. S/he will have prior experience leading studies of similar scale in Mozambique.
- **Portuguese/English/Portuguese Translator(s).** An individual capable of simultaneous oral translation in both directions as well as translating written Portuguese into English (or, possibly vice versa, depending on the ultimate team composition.) It is possible that two individuals will be required to meet these requirements.

- **Research Assistant(s).** He/she will help with logistical planning, drafting, note taking, analytic support, and other support, as needed.
- **Study Oversight** (MEMS Senior Evaluation Officer). An international professional experienced in managing USAID studies will be responsible for the overall client management, provide quality assurance and technical oversight.

7. PERIOD OF PERFORMANCE; EXPECTED LEVEL OF EFFORT

The task is designed for a 6-7-month period, starting August 2018.

The estimated level of effort by the evaluation team is be as follows:

Position	Number of days of labor (LOE)
Wildlife/CBNRM/NRM Law Enforcement Expert	64
NRM/Environmental Lawyer	64
Portuguese/English/Portuguese Translator(s).	8
Research Assistant(s).	6
Study Oversight	8

7.1 DELIVERABLES

The following deliverables are expected from this effort:

1. Team planning meeting (TPM)
2. Work Plan, and related methodology schedule and interview instruments
3. Weekly progress reports throughout the study
4. Findings, conclusions, and recommendations matrix, or similar analytic framework
5. Summary of findings in Portuguese and English
6. Draft report and presentation to be shared with USAID and IPs, as feasible.
7. Findings validation workshops (up to one day each) in NNR and GNP, conducted bilingually
8. Thirty-page (plus annexes) final report that is frank but not “name and shame”, intended for a public audience, but likely read by a smaller audience (in English and Portuguese)
 - a. Includes process map that details the criminal justice process from detection to the end of punishment
 - b. Highlights steps in the process that are particularly problematic, and focuses on why these problems exist (analysis of issues, norms, incentives, and other drivers)
 - c. Includes recommendations for both “work arounds” and “pressure points” to increase accountability
9. Five-page summary report to be more widely distributed (in English and Portuguese)

10. Facilitate a workshop in Maputo to share the findings and discuss implementation adaptations (half-day)
11. A report summarizing the results of the two workshops in the CAs.
12. A one-page summary of the assignment, suitable for sharing publicly, using the MEMS standard format.

ANNEX II: LIST OF INFORMANTS

Lists of Study Participants

Organization	Person Surveyed	Position	Mobile contact	Date of Interview	Observations
Maputo					
ANAC	Mateus Mutemba	Director, ANAC	82 438 0030	26/11/2018	Surveyed; data in Fulcrum
ANAC	Leovigildo Jose	Lawyer, ANAC	84 303 0905	22/11/2018	Surveyed; data in Fulcrum
ANAC	Carlos Lopes Pereira	Chief of Fiscalização	823223310/ 844925153	19/11/2018	Surveyed; data in Fulcrum
PRM	Pedro Phiri	Comandante Polícia Ambiental	844756003	28/11/2018	Surveyed; data in Fulcrum
Gorongosa Project, CARR Foundation	Mike Marchington	Director of Operations	823343084	22/11/2018	Surveyed; data in Fulcrum
WCS	James Brampton	Director, WCS	822507360/ 863532743	19/11/2018	Surveyed; data in Fulcrum
Additional Informants not formally surveyed					
Tribunal Supremo	Dra Paula Machatine	President Advisor	823112750	27/11/2018	Interviewed, not surveyed
Procuradoria	Dr. Amâncio Zimba	Attorney Focal Point Fauna	828950950	27/11/2018	Interviewed, not surveyed
USAID	Olivia Gilmore	Environment Officer	853304170	21/11/2018	Interviewed, not surveyed
Speed+ Trophy Custody Chain Study Team	Holly Dublin	Team Leader and Independent Consultant	+254 701 948662	14/11/2018 and 27/11/2019	Interviewed, not surveyed
Speed+ Trophy Custody Chain Study Team	Tom Milliken	TRAFFIC, Elephant and Rhino Programme Team Leader	tom.milliken@traffic.org	14/11/2018 and 27/11/2019	Interviewed, not surveyed
Speed+ Trophy Custody Chain Study Team	Robert Olivier	Independent Consultant	robolivier2017@gmail.com	14/11/2018 and 27/11/2019	Interviewed, not surveyed
Sofala Province					
Governor's Office	Juvêncio Afonso José Mutacate	Provincial Permanent Secretary	Juvenio.mutacate@sofala.gov.mz	29/10/2018	Courtesy call not surveyed.
High Court of Sofala Province	Dra Ana Paula Manheue	Provincial Chief Judge	823717880	29/10/2018	Surveyed; data in Fulcrum
Prosecutor's Department	Dra Carolina Azarias	Provincial Prosecutor of Sofala	823020878 844901965	30/10/2018	Surveyed; data in Fulcrum
PRM	Dr Macuacua	Relacoes Publicas do CPPS	849126706	30/10/2018	Surveyed; data in Fulcrum
Gorongosa District					

Organization	Person Surveyed	Position	Mobile contact	Date of Interview	Observations
District Administration	Manuel Jamaca	District Administrator	823830540	31/10/2018	Surveyed; data in Fulcrum
Tribunal	Leonildo Muhate	District Judge	845951000	31/10/2018	Surveyed; data in Fulcrum
Prosecutor's Office		District prosecutor	843783445	31/10/2018	Surveyed; data in Fulcrum
PRM	Rosário Miquitai Singano	PRM and Prison	849566398	-	Refusal because interviewee awaited authorization from Maputo which he never received
GNP	Pedro Muagura	Administrator GNP	823034974	30/10/2018	Surveyed; data in Fulcrum
GNP	Quizito Cadete	Lawyer GNP	829625315	30/10/2018	Surveyed; data in Fulcrum
GNP	Tsuere Castro	Ranger representative, GNP	827577171	2/11/2018	Interviewed, not surveyed
Gorongosa Project	Rui Branco	Conservation Director	826110684	2/11/2018	Surveyed; data in Fulcrum
CSO partners	Escola Primária De Vinho	Teacher and Principal's Substitute	Interviewed at sight	1/11/2018	Surveyed; data in Fulcrum
Community	Comunidade de Vinho	Community Leaders	Interviewed at sight	1/11/2018	Surveyed; data in Fulcrum
Niassa Province					
Governor's Office	Rodrigues Artur Ussene	Provincial Permanent Secretary	861623600	5/11/2018	Courtesy call not surveyed.
High Court of Niassa Province	Leonardo Mualia	Provincial Chief Judge	850580181	27/11/2018	Surveyed; data in Fulcrum
Prosecutor's Department	José Santos	Provincial Prosecutor of Niassa	826622880	6/11/2018	Surveyed; data in Fulcrum
PRM	Arnaldo Chefo	Provincial Commander of the PRM	868713080	5/11/2018	Surveyed; data in Fulcrum
MITADER	Izidine Opressa	Provincial Director, DPTADER	845221416	6/11/2018	Surveyed; data in Fulcrum
Mecula District					
District Administration	Armindo Alberto Bindo	District Administrator	822903174	9/11/2018	Surveyed; data in Fulcrum
Tribunal	Kan Atumane Insabar	District Judge	845818812/848230106	8/11/2018	Surveyed; data in Fulcrum
Prosecutor's Office	Hermínio Manhique	District prosecutor	862980598	8/11/2018	Surveyed; data in Fulcrum

Organization	Person Surveyed	Position	Mobile contact	Date of Interview	Observations
PRM		PRM and Prison		8/11/2018	Surveyed; data in Fulcrum
NNR	Baldeu Chande	Administrator NNR	861238292	7/11/2018	Surveyed; data in Fulcrum
NNR	Sitoe	Ranger representative, NNR		10/11/2018	Feito e lancada no Fulcrum
WCS	Nilton	WCS Coordinator	824265616	7/11/2018	Surveyed; data in Fulcrum
Community	Comunidade de Mecula	Community Leaders		10/11/2018	Surveyed; data in Fulcrum
Marrupa District					
District Administration	Angelina Nguirezi	District Administrator	871650140	12/11/2018	Surveyed; data in Fulcrum
Tribunal	Claudia Barros	District Judge	824949930	12/11/2018	Surveyed; data in Fulcrum
Prosecutor's Office	Fidelix	District prosecutor	825338699	13/11/2018	Surveyed; data in Fulcrum
PRM		PRM and Prison		13/11/2018	Surveyed; data in Fulcrum
WCS	Nilton Cuna	WCS Staff	840193183		Surveyed; data in Fulcrum
Private sector partners, such as hunting concessionaires	Keith	Mariri Concession	0027282549484	22/11/2018	Surveyed; data in Fulcrum
Private sector partners, such as hunting concessionaires	Derek	Luwiri Concession	823257360	20/11/2018	Surveyed; data in Fulcrum
Community	Comunidade de Marrupa	Community Leaders		14/11/2018	Surveyed; data in Fulcrum

ANNEX III: SURVEY INSTRUMENTS

SEMI-STRUCTURED INTERVIEW GUIDANCE QUESTIONS FOR COMMUNITY LEADERS

1. Tem boas relações com o parque/ reserva?

2. Se sim, porquê?

3. Se não, porquê?

4. Com quem tem tido mais relacionamento, entre as entidades do parque/ reserva (Administrador, fiscais, trabalhadores do parque/reserva)?

5. Tem ido ao parque/ reserva?

6. Se sim, com que frequência?

7. Se não, porquê?

8. Colabora com o parque/ reserva na denúncia de caçadores furtivos?

9. Para além de denunciar, apoia como testemunha em caso de ida ao tribunal?

10. Há casos de ameaça ou intimidação por parte de caçadores furtivos em relação aos líderes comunitários?

11. Há casos de caçadores furtivos condenados, que depois circulam nas comunidades?

12. Nos casos da pergunta anterior, costuma informar as autoridades? Se sim, quais?

SURVEYS FOR VARIOUS INFORMANT GROUPS

There are some common questions and some individual questions for each target group. To achieve the 360-degree perspective, all respondents will be asked about their own institution with regards to performance, conflicts (internal and external) and skills and knowledge. They will also be asked the same about the other stakeholders.

SURVEY, CA ADMINISTRATORS

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva é um problema.	Não Concordo Concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Quais são as espécies mais procuradas?	Listar 1 2 3 4 5 6
4	Têm feito detenções?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
5	Existe algum procedimento específico no caso de detenção de caçadores furtivos? Descreve.	Resposta aberta
6	Existe algum procedimento específico no caso em que são encontrados animais mortos, despojos abandonados ou outras evidências de caça furtiva, sem que se saiba o autor do dano?	Resposta aberta
7	O Parque é assistido por um advogado?	Sim/ Não
8	Quantos processos contra caçadores furtivos são abertos por mês?	0-5 6-10 11-15 16-20 21+
9	Tem participado nos julgamentos?	Sim/ Não
10	Se sim, em que qualidade?	Resposta aberta
11	Com que frequência estabelece contactos profissionais com os órgãos da Administração da Justiça (TRIBUNAL, PGR, PRM)?	Diariamente Semanalmente 2 vezes por mês Mensalmente Trimestralmente

No.	Questão	Resposta
12	Os contactos que estabelece com o TRIBUNAL, PGR, PRM é sempre profissional ou é também informal (incluindo relações de amizade)?	R A
13	Os furtivos que actuam no Parque/ Reserva são membros das comunidades locais?	R A
14	O Parque/ Reserva tem programas de consciencialização ambiental para os membros da comunidade? Descreva	R A
15	As relações com as comunidades são boas? Descreva	R A
16	Quais são os benefícios que as comunidades têm proveniente do Parque/ Reserva?	R A
17	O Parque/Reserva tem um Conselho do Parque/Reserva, e outros órgãos de ligação conforme a legislação?	Sim/Não
18	Este órgão tem sido útil?	Sim/Não
19	Porque ou porque não (com exemplos).	R A
20	No caso de apreensão de armas de fogo que suspeitam ser da polícia, como procedem?	
20	Eu sinto-me seguro contra vinganças dos acusados e condenados, e seus colegas e familiares.	Concordo Não concordo 1 2 3 4 5
21	Explique a sua resposta	R A
22	O relacionamento com outros órgãos de Administração da Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5
23	Há problemas de relacionamento? Com quem?	Listar 1 2 3 4 5 6
24	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
25	Se há problemas internos, quais instituições tem?	Listar 1 2 3 4 5 6

No.	Questão	Resposta
26	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5
27	Quem recebeu?	Listar 1 2 3 4 5 6
28	Que tipo de apoio?	Resposta aberta (R A)
29	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
30	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
31	Se não, quem precisa de mais informação/ formação?	Listar 1 2 3 4 5 6
32	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
33	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
34	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
35	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
36	Quais factores influenciaram estes dois casos?	
37	Tem informação estatística sobre caça furtiva no Parque/Reserva?	

No.	Questão	Resposta
38	Tem outros comentários que achas relevante?	

SURVEY, RANGERS

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva e um problema	Concordo Não concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Quais são as espécies mais procuradas?	Listar 1 2 3 4 5 6
4	Têm feito detenções?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
5	Quando fazem as detenções, onde ficam os infratores?	Resposta aberta (RA)
6	Em caso de detenção abrem um auto de notícias?	Sim/ Não
7	Em caso afirmativo, quem elabora o auto de notícias?	Resposta aberta (RA)
8	No caso de detenção, quanto tempo depois os arguidos são apresentados perante a polícia/procuradoria?	Mesmo dia 24 horas 2- 3 dias Uma semana Mais do que uma semana
9	Aquando da detenção, sempre apreendem elementos de prova. Explique a sua resposta	Concordo Não concordo 1 2 3 4 5 _____

No.	Questão	Resposta
10	Que tipo de provas são apreendidas?	Listar 1 2 3 4 5
11	Como e onde é que essas provas são conservadas?	Resposta aberta (RA)
12	Quando o arguido é presente em tribunal, quem o acompanha para lá?	Resposta aberta (RA)
13	Quando o arguido é levado a tribunal, sempre se leva com ele os instrumentos de prova.	Concordo Não concordo 1 2 3 4 5
14	Não existem casos de caçadores furtivos que são detidos e voltam a aparecer no Parque a caçar.	Concordo Não concordo 1 2 3 4 5
15	Se a resposta à pergunta anterior é sim, com que frequência?	1ª vez por ano 5 vezes por ano Mensalmente Constantemente
16	Quando furtivos reincidentes, em liberdade condicional ou já condenados, mas que estejam livres, são encontrados, qual é o procedimento que seguem?	Resposta aberta (RA)
17	Tem participado dos julgamentos, por exemplo como testemunha?	Sim/ Não
18	E quais são os crimes de que os furtivos são geralmente acusados?	Listar 1 2 3 4 5
19	No caso de apreensão de armas de fogo que suspeitam ser da polícia, como procedem?	Resposta aberta (RA)
20	Eu sinto-me seguro contra vinganças dos acusados e condenados, e seus colegas e familiares.	Concordo Não concordo 1 2 3 4 5
	Explique a sua resposta	R A
21	O relacionamento com outros órgãos de Administração Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5

No.	Questão	Resposta
22	Se há problemas de relacionamento, com quem?	Listar 1 2 3 4 5 6
23	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
24	Se há problemas internos, quais instituições tem?	Listar 1 2 3 4 5 6
25	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5
26	Quem recebeu?	Listar 1 2 3 4 5 6
27	Que tipo de apoio?	Resposta aberta (R A)
28	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
29	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
30	Se não, quem precisa de mais informação/ formação?	Listar 1 2 3 4 5 6

No.	Questão	Resposta
31	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
32	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
33	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
34	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
35	Quais factores influenciaram estes dois casos?	
36	Tem informação estatística sobre caça furtiva no Parque/Reserva?	Sim/Não
37	Tem outros comentários que achas relevante?	

SURVEY, DISTRICT ADMINISTRATORS

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva é um problema.	Concordo Não concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Tem boas relações com o administrador do Parque/Reserva?	Sim/ Não
4	Têm feito detenções?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
5	Existe algum procedimento específico no caso de detenção de caçadores furtivos? Descreva	Resposta aberta
6	Tem visitado o parque?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
7	Tem recebido queixas/reclamações por parte do parque?	Sim/ Não
8	Tem recebido queixas/reclamações por parte das comunidades?	Sim/ Não
9	Tem resolvido conflitos relacionados com o parque?	
10	Quantos processos contra caçadores furtivos/ crimes de fauna são abertos por mês?	0-5 6-10 11-15 16-20 21+
11	Os furtivos que actuam no Parque/ Reserva são membros das comunidades locais?	R A
12	Eu sinto-me segura contra vinganças dos acusados e condenados, e seus colegas e familiares.	Concordo Não concordo 1 2 3 4 5
13	Explica a sua resposta	R A
14	O relacionamento com outros órgãos de Administração Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5

No.	Questão	Resposta
15	Se há problemas de relacionamento, com quem?	Listar 1 2 3 4 5 6
16	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
17	Se há problemas internos, quais são as instituições que os têm?	Alistam 1 2 3 4 5 6
18	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5
19	Quem recebeu?	Listar 1 2 3 4 5 6
20	Que tipo de apoio?	Resposta aberta (R A)
21	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
22	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
23	Se não, quem precisa de mais informação/ formação?	Listar 1 2 3 4 5 6

No.	Questão	Resposta
24	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
25	Se não, quem precisa de mais informação/ formação?	Listar 1 2 3 4 5 6
26	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
27	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
28	Quais factores influenciaram estes dois casos?	
29	Tem informação estatística sobre caça furtiva no Parque/Reserva?	Sim/Não
30	Tem outros comentários que achas relevante?	

SURVEY, POLICE AND OTHER ENFORCEMENT BODIES

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva é um problema.	Concordo Não concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Quais são as espécies mais procuradas?	Listar 1 2 3 4 5 6

No.	Questão	Resposta
4	Têm feito detenções?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
5	Existe algum procedimento específico no caso de detenção de caçadores furtivos? Descreva	Resposta aberta
6	Existe algum procedimento específico no caso em que são encontrados animais mortos, despojos abandonados ou outras evidências de caça furtiva, sem que se saiba o autor do dano?	Resposta aberta
7	Tem bom relacionamento com o parque?	Sim/ Não
8	Quantos processos contra caçadores furtivos/ crimes de fauna são abertos por mês?	0-5 6-10 11-15 16-20 21+
9	Tem recebido solicitações por parte do parque?	Diariamente Semanalmente 2 vezes por mês Mensalmente Trimestralmente
10	Conseguem sempre atender às solicitações do parquet?	R A
11	SE não, porque motivo?	Listar 1 2 3 4 5 6
12	Tem tido algum apoio por parte do parque?	
13	Os furtivos que actuam no Parque/ Reserva são membros das comunidades locais?	R A
14	O Parque/ Reserva tem convidado os membros da PRM para programas de consciencialização ambiental ou capacitações no combate de crimes contra fauna bravia? Descreve.	R A
15	Eu sinto-me seguro contra vinganças dos acusados e condenados, e seus colegas e familiares.	Concordo Não concordo 1 2 3 4 5
16	Explique a sua resposta	R A
17	O relacionamento com outros órgãos de Administração Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5

No.	Questão	Resposta
18	Se há problemas de relacionamento, com quem?	Alistam 1 2 3 4 5 6
19	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
20	Se há problemas internos, quais instituições tem?	Listar 1 2 3 4 5 6
21	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5
22	Quem recebeu?	Listar 1 2 3 4 5 6
23	Que tipo de apoio?	Resposta aberta (R A)
24	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
25	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
26	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6

No.	Questão	Resposta
27	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
28	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
29	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
30	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
31	Quais factores influenciaram estes dois casos?	
32	Tem informação estatística sobre caça furtiva no Parque/Reserva?	Sim/Não
33	Tem outros comentários que achas relevante?	

SURVEY NGO PARTNERS

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva e um problema.	Concordo Não concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Qual é a natureza de actividade da ONG?	Listar 1 2 3 4 5 6
4	Têm feito detenções?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente

No.	Questão	Resposta
5	Existe algum procedimento específico no caso de detenção de caçadores furtivos? Descreva	Resposta aberta
6	Nas actividades que desenvolvem existem temas relacionados com o maneio comunitário de recursos naturais?	Resposta aberta
7	Existem programas conjuntos com o Parque?	Sim/ Não
8	Quantos processos contra caçadores furtivos/ crimes de fauna são abertos por mês?	0-5 6-10 11-15 16-20 21+
9	Recebem de alguma forma o apoio do parque?	Sim/ Não
10	Como acha que se podia melhorar a relação com o Parque?	Resposta aberta
10	Os furtivos que actuam no Parque/ Reserva são membros das comunidades locais?	R A
11	Eu sinto-me segura contra vinganças dos acusados e condenados, e seus colegas e familiares.	Concordo Não concordo 1 2 3 4 5
12	Explica a sua resposta	R A
13	O relacionamento com outros órgãos de Administração Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5
14	Se há problemas de relacionamento, com quem?	Listar 1 2 3 4 5 6
15	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
16	Se há problemas internos, quais instituições tem?	Listar 1 2 3 4 5 6
17	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5

No.	Questão	Resposta
18	Quem recebeu?	Listar 1 2 3 4 5 6
19	Que tipo de apoio?	Resposta aberta (R A)
20	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
21	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
22	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
23	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
24	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
25	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
26	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
27	Quais factores influenciaram estes dois casos?	
28	Tem informação estatística sobre caça furtiva no Parque/Reserva?	Sim/Não
29	Tem outros comentários que achas relevante?	

SURVEY JUDGES

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva e um problema.	Concordo Não concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Quais são as espécies mais procuradas?	Listar 1 2 3 4 5 6
4	Quanto tempo leva o processo desde a acusação ao julgamento/condenação?	
5	Existe algum procedimento específico no caso de detenção de caçadores furtivos? Descreva	Resposta aberta
6	Existe algum procedimento específico no caso em que são encontrados animais mortos, despojos abandonados ou outras evidências de caça furtiva, sem que se saiba o autor do dano?	Resposta aberta
7	Os réus pedem liberdade condicional?	Sim/ Não
8	A Liberdade provisória é sob que medida?	
9	Quantos processos contra caçadores furtivos/ crimes de fauna são abertos por mês?	0-5 6-10 11-15 16-20 21+
10	Há casos de réus em Liberdade que reincidem?	R A
11	No caso afirmativo, qual tem sido a prática nestes casos?	
12	Há casos de condenados que não cumprem a pena?	R A
13	Em que circunstâncias tal acontece?	R A
14	Os furtivos que actuam no Parque/ Reserva são membros das comunidades locais?	R A
15	Quais são os crimes de que os furtivos são geralmente acusados?	R A
16	Os juízes intervêm na execução da pena, exercendo controlo sobre reclusos condenados?	R A
17	Há casos de soltura de condenados por crime contra a fauna bravia sem conhecimento ou à revelia do juiz?	
18	Nos casos afirmativos à pergunta anterior em que circunstâncias tal acontece?	

No.	Questão	Resposta
19	Tem havido uma boa colaboração com a Polícia?	R A
20	Tem bom relacionamento com o Parque? Com as estruturas do parque? (Administrador, chefe da fiscalização, e advogado)?	Sim/Não
21	Tem visitado o parque?	Sim/Não
22	Porque ou porque não (com exemplos).	R A
23	Tem aberto processos por crime contra a fauna bravia, por sua iniciativa?	
24	Para além da legislação penal, qual é a outra que mais usa nas infracções que julga?	
25	Eu sinto-me segura contra vinganças dos acusados e condenados, e seus colegas e familiares	Concordo Não concordo 1 2 3 4 5
26	Explica a sua resposta	R A
27	O relacionamento com outros órgãos de Administração Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5
28	Se há problemas de relacionamento, com quem?	Listar 1 2 3 4 5 6
29	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
30	Se há problemas internos, quais instituições tem?	Listar 1 2 3 4 5 6
31	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5

No.	Questão	Resposta
32	Quem recebeu?	Listar 1 2 3 4 5 6
33	Que tipo de apoio?	Resposta aberta (R A)
34	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
35	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
36	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
37	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
38	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
39	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
40	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
41	Quais factores influenciaram estes dois casos?	
42	Tem informação estatística sobre caça furtiva no Parque/Reserva?	Sim/Não
43	Tem outros comentários que achas relevante?	

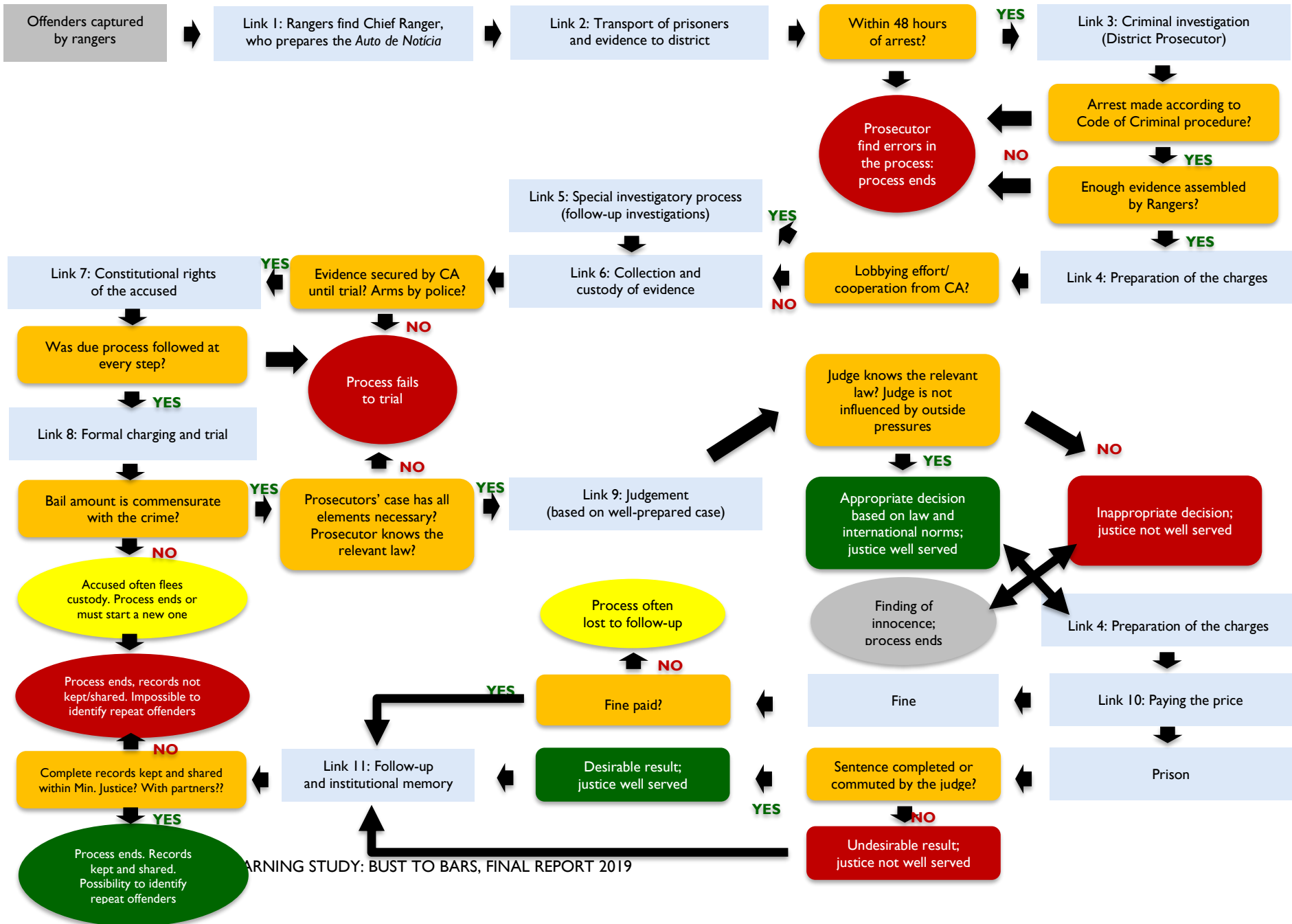
SURVEY PROSECUTORS

No.	Questão	Resposta
1	A caça furtiva e comércio ilegal de produtos de fauna bravia no Parque/ Reserva e um problema.	Concordo Não concordo 1 2 3 4 5
2	A caça furtiva e comércio ilegal de produtos de fauna bravia acontecem com que frequência?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
3	Quais são as espécies mais procuradas?	Listar 1 2 3 4 5 6
4	Têm feito detenções?	Diariamente Semanalmente Mensalmente Trimestralmente Anualmente
5	Existe algum procedimento específico no caso de detenção de caçadores furtivos? Descreva	Resposta aberta
6	Existe algum procedimento específico no caso em que são encontrados animais mortos, despojos abandonados ou outras evidências de caça furtiva, sem que se saiba o autor do dano?	Resposta aberta
7	Temos casos de réus em liberdade provisória?	Sim/ Não
8	A Liberdade provisória é sob que medida?	
9	Quantos processos contra caçadores furtivos/ crimes de fauna são abertos por mês?	0-5 6-10 11-15 16-20 21+
10	Há casos de réus em Liberdade que reincidem?	R A
11	Há casos de condenados que não cumprem a pena?	R A
12	Em que circunstâncias tal acontece?	R A
13	Os furtivos que actuam no Parque/ Reserva são membros das comunidades locais?	R A
14	Quais são os crimes de que os furtivos são geralmente acusados?	R A
15	Nos casos em que os furtivos são surpreendidos na posse de armas de fogo que pertencem a outras autoridades como procedem?	R A
16	Tem havido uma boa colaboração com a Polícia?	R A
17	Tem bom relacionamento com o Parque? Com as estruturas do parque? (Administrador, chefe da fiscalização, e advogado)?	Sim/Não

No.	Questão	Resposta
18	Tem visitado o parque?	Sim/Não
19	Porque ou porque não (com exemplos).	R A
20	Tem aberto processos por crime contra a fauna bravia, por sua iniciativa?	
20	Para além da legislação penal, qual é a outra que mais usa nas acusações que faz?	
21	Eu sinto-me segura contra vinganças dos acusados e condenados, e seus colegas e familiares.	Concordo Não concordo 1 2 3 4 5
22	Explique a sua resposta	R A
23	O relacionamento com outros órgãos de Administração Justiça e/ou Segurança e sempre bom.	Concordo Não concordo 1 2 3 4 5
24	Se há problemas de relacionamento, com quem?	Listar 1 2 3 4 5 6
25	Outros órgãos de Administração, Justiça, e/ou Segurança não têm conflitos entre eles.	Não Concordo Concordo 1 2 3 4 5
26	Se há problemas internos, quais instituições tem?	Listar 1 2 3 4 5 6
27	Outros órgãos de Administração, Justiça e/ou Segurança tem recebido muito apoio da minha instituição.	Não Concordo Concordo 1 2 3 4 5
28	Quem recebeu?	Listar 1 2 3 4 5 6
29	Que tipo de apoio?	Resposta aberta (R A)

No.	Questão	Resposta
30	Eu domino as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
31	Meus colegas na minha instituição também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
32	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
33	Pessoal dos outros órgãos de Administração, Justiça e/ou Segurança também dominam as Leis, Regulamentos, e procedimentos relevantes a caça furtiva e comércio ilegal de produtos de fauna bravia.	Não Concordo Concordo 1 2 3 4 5
34	Se não, quem precisa de mais/ informação/ formação?	Listar 1 2 3 4 5 6
35	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente boa no passado?	
36	Lembra-se de um caso ligado com crimes de fauna bravia que correu excepcionalmente mau no passado?	
37	Quais factores influenciaram estes dois casos?	
38	Tem informação estatística sobre caça furtiva no Parque/Reserva?	Sim/Não
39	Tem outros comentários que achas relevante?	

ANNEX IV: THE REALITY MAP



ANNEX V: FINDINGS, CONCLUSIONS & RECOMMENDATIONS MATRIX

REVIEW OF LEARNING QUESTION AND SUB-QUESTIONS

The study will address the following overall learning question:

Under what conditions does increased detection of environmental crimes lead to prosecution and punishment?

This question will be addressed via the following sub-questions:

1. How should the criminal justice system for environmental crimes in conservation areas (CA) work, including the interactions between the CA administration, co-management partners, police, district criminal justice, and provincial criminal justice?
2. How does the system (described in #1) actually work? Where are the break downs? What are the cultural and administrative norms? What are the incentives, both positive and perverse, that reinforce or disrupt the intended system, respectively? How does the enforcement of environmental laws and policies fit into judges', prosecutors' and police officers' overall "political economy"?
3. How can conservation partners (The National Agency for Conservation Areas - ANAC and its co-management partners) best work within the existing system - including not only the formal laws, but also how they are applied through procedural issues, evidence collection, and case management - to achieve their goal (a greater proportion of potential illegal activities avoided or deterred)?
4. What can conservation partners do to improve accountability in the system (both on the CA side and on the justice system side)?

As feasible, findings will be disaggregated by, and compared across, conservation area (CA), district, province, type of crime, and whether the detection and apprehension were made inside or outside of the CA (including buffer zone). Gender issues will also be considered; though most offenders are men, women are involved in the enforcement side, and perhaps in offering shelter and succour to offenders.

Answers to this question are meant to help increase the ratio of punishment of offenders to apprehensions.

ANALITICAL STEPS RELATED TO STUDY QUESTIONS 1 AND 2

- A. Develop a "Theory Map" to describe the process from apprehension, through prosecution, sentencing and paying fines and/or serving jail time as it is supposed to be followed, consistent with Mozambique's legal and law enforcement standards. This process is called the 'B2B Theory Map' for purposes of this study and is directly related to Study Question
- B. Investigative Tools were then developed to collect information and create the B2B Reality Map, to be compared and contrasted with the Theory Map of the B2B Process Chain. The B2B Reality

Map highlights what really happens in the greater GNP and NNR conservation areas during the B2B Process Chain, experiences that may stray from the theoretical B2B Process Chain for whatever reason, and lead to perpetrators going free, only to repeat crimes.

The B2B Reality Map was constructed based largely on the information in the “Findings” and “Conclusions” columns of the FCR matrix below, as the Reality Map is not based on recommendations. Rather, it is a visual representation of the current state of affairs vis-à-vis the B2B process chain, which is described in these two columns.

ANALYTICAL STEPS RELATED TO STUDY QUESTIONS 3 AND 4.

Study questions three and four are derived from the same set of findings and conclusions. Study Question Three speaks to how best to work within the existing system, including laws, as well as procedure and management issues to achieve the goal of a greater proportion of illegal activities avoided or deterred. Avoiding and deterring implies both the creation of a ‘dis-enabling environment’ for wildlife crimes (which is more than just a ‘pro-enforcement’ environment but also includes the development of the good name of the conservation area in question, and good stakeholder engagement, for example).

Study Question Four focuses on elements of the system that can be improved, or new elements of the system that can be developed, to improve accountability. This includes not only avoiding the negative side, which includes the efficient identification of poor individual or organizational performance, but also the positive side of identifying and recognizing particularly good individual or organizational performance and sharing for the benefit of other stakeholders in CAs.

The basis for the development of recommendations in the FCR matrix are the conclusions of the study, as well as a literature search for best practice activities and strategies, and the experience of the authors working in the wildlife crimes enforcement sector in Mozambique. The source of each recommendation will be referenced at the end of each recommendation.

Because recommendations for Study Questions Three and Four are both based on the same literature search and primary data collection, which resulted in the findings and conclusions, a separate FCR matrix has not been created for each Study Question. Instead, recommendations for study questions three and four are both found in the Recommendations column, identified through colour coding as to which Study Question they refer.

The FCR matrix, unless otherwise noted, all findings are based on more than five sources.

THE FCR MATRIX

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
<i>Link 1, Writing the 'Auto de Notícia/ Denúncia'</i>			
There is a transversal dynamic that very often the best guards in the field, the ones with the best field skills, lack literacy skills.	All	1.1. The NNR and GNP practice of teaming of rangers in units that contain both experienced “bush men” as well as literate rangers has gone some way to overcome the problem of getting the ‘Auto de Notícia’ written as per Mozambican legal requirements, though many times outside assistance is needed, often from Chief Rangers. Chief rangers may therefore find themselves in task overload (F1.1, F1.2, F1.3)	1.1. The NNR and GNP should continue and reinforce the practice of teaming of rangers in units that contain both experienced “bush men” as well as literate rangers. This can be considered one element of best practice to be recommended throughout Mozambique’s conservation areas. (C1.1).
Both NNR and GNP team rangers in units so that a literate ranger is nearly always nearby to prepare the necessary documents.	NNR, GNP	1.2. It can be difficult to comply with time limitations as the rangers often need help in preparing <i>Autos de Notícia</i> , and they usually get it from Chief Rangers which leads to difficulties with time limits for turning accused criminals over to the Justice system. (F1.3, F2.1, F2.2, F2.5, F2.5.1, F2.6, C1.1)	1.2. Coordinate and build relationships with the relevant District Prosecutor’s Offices so that they provide direct assistance to the literate rangers on filing the <i>Auto de Notícia</i> . This way time is not lost looking for the Chief Rangers, getting their help, and only then going to the District to turn over offenders and processes. (C1.2, authors’ experience).
Despite this teaming in both CAs, ranger patrols routinely bring all captured poachers to headquarters for help in preparing the ‘Auto de Notícia’. This was not explicitly stated, but it appears that literate rangers do not have skills enough to prepare complete <i>Autos</i> .	NNR Concessions	1.3. NNR concessionaires have not yet overcome the problem of getting the ‘Auto de Notícia’ written as per Mozambican legal requirements, and this fact will sometimes affect their ability to comply with the 48-hour rule for getting cases and suspects	1.3. Concessionaires around conservation areas, and particularly in the NNR, should finance training of additional rangers for the NNR, who could then be detailed to the concession (assigned officially to support the concession, yet with a direct line of supervision to the NNR, and will be able to write ‘Autos de Notícia’ as per Mozambican legal requirements. (C1.2, C1.3, C1.5, authors’ experience).

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
		turned over to the police. The problem is worse for concessionaires as their rangers may only prepare <i>Denúncias</i> (F1.3, F1.4, F2.1, F2.2, F2.3, C1.2)	
Non-state actors in the B2B process are not allowed to prepare the <i>Auto de Notícia</i> . They are only able to prepare a <i>Denúncia</i> , denouncing the criminal act.	All	1.4. A possible solution is for concessionaires to finance training of additional rangers for the NNR, who will then be detailed to the concession, and will be able to write ' <i>Autos de Notícia</i> ' as per Mozambican legal requirements, eliminating a large hurdle for themselves and freeing up resources. (F1.3, F1.4, F1.5, C1.2)	1.4. ANAC should be widely trained to use the correct form for the <i>Auto de Notícia</i> and <i>Auto de Denúncia</i> as found in the CWC Manual (F1.9, C1.6).
The concessionaires around the NNR have more difficulties in preparing the necessary documents, as their rangers are not legally empowered by the state to do so. They generally must drive to NNR headquarters, so these documents can be prepared by the Chief Ranger (see 1.4 above).	NNR Concessions	1.5. The criminal process whether by <i>Auto de Notícia</i> or by <i>Auto de Denúncia</i> sometimes does not conform to the specifications set out in Article 9° do Decreto-Lei 350007, dated 10/13/1945. (F1.1, F1.4, F1.8).	
One of the concessionaires reacted well to the suggestion that they finance training of additional rangers for the NNR, who would then be detailed to the concession, to ameliorate this issue, and noted that this was not a new idea.	NNR Concessions	1.6. The overall conclusion is that this is a severely limiting factor in the B2B process chain, but which could be corrected with straightforward, and low-cost interventions, especially partnership building. (C1 -C5)	
The concessionaires' ranger forces apprehend suspected	NNR Concessions		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
criminals and to deliver them to governments forces, either police or NNR rangers. This is legal when the poacher is caught ' <i>em flagrante delicto</i> '.			
Often the <i>Auto de Notícia</i> is poorly written, without the proper indication of the facts and circumstances in which the crime happened, and often without proper evidence gathering.	All		
The correct form for the <i>Auto de Notícia and Auto de Denúncia</i> is found in the CWC Manual			
<i>Link 2, Security and transport of prisoners and evidence</i>			
The sheer size of the NNR, as well as GNP and buffer zones, means that it is sometimes difficult to comply with the 48-hour time limit between capturing wildlife criminal suspects and delivering them, the <i>Auto</i> and/ or <i>Denúncia</i> , and the evidence, to District Police.	NNR, GNP	2.1. Legal limitations (especially distance and time constraints) are a constraint to the B2B process, especially for NNR and its concessionaires, but also for GNP. (F2.1, F2.2).	2.1. Joint actions should be organized and coordinated between NNR and police station or GNP and police station and concessionaires whenever possible. This can only successfully take place by establishing a relationship based on communication, and mutual respect for each other's competencies and limits. (C2.3, various informants, authors' experience).
It is even more difficult for concessionaires to comply with the 48-hour rule, as they must often first go to the NNR, and then return to the appropriate district police station.	NNR Concessions	2.2. Delays result in more processes not being pursued. (F2.3, C2.1).	2.2. The long-term solution for transport and jurisdiction issues is to create a Special Wildlife Crimes Jurisdiction for the CA (and Buffer Zones), composed of all the Districts within the CA. In this way any court can receive any wildlife crime committed within the Special Jurisdiction. Precedents exist within South Africa and Kenya. The recommendation is to visit South Africa and replicate this system in Mozambique. (C2.1, C2.2, C2.4, C2.5, authors' experience).
The process described in F2.2 above does not always occur, and some poachers remain in Mecula when they should be returned to the district where the crime	NNR Concessions	2.3. Joint actions, when possible, between police and GNP/ NNR staff resolve transport issues for the police as well as the 48-hour	2.3. CAs must continue to provide transport assistance to their colleagues in the justice system. (C2.5, C2.6).

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
was committed. This results in the process being transferred to the original district, and then to Lichinga, which often means the process is extended beyond the limits established by law, and the NNR is unable to follow-up the process.		problem for the CA. (F2.4).	
Sometimes there are joint actions, between police and GNP/ NNR staff which means greater access to vehicles and more rapid processing.	All	2.4. Multiple administrative jurisdictions mean that suspects must be sent to the District Capital in which the crime occurred. (F2.5, F2.5.1).	2.4. Transport may be relieved by involving concessionaires in transport of wildlife criminals, using their own vehicles. Waiting for the NNR armoured car creates an overload. (C2.6, C2.7, C2.9).
All areas suffer from the problem of mixed administrative jurisdiction. There are multiple districts in/around each of the conservation areas, and this leads to a number of problems listed in the following sections.	All	2.5. Wildlife criminal suspects in GNP have learned to “play the system” of multiple jurisdictions to their own advantage. (F2.5.2).	
There are sometimes conflicts over where wildlife criminal suspects should be taken. One specific issue is if the crime was committed in one district, but the wildlife criminal suspect is from a neighbouring district. Particularly in GNP, district officials will argue that criminal suspects should be returned to their home district, so their families can bring them food and visit them while they are awaiting trial or serving sentences.	GNP	2.6. The Police would have a more difficult time completing their responsibilities without access to CA vehicles. (F2.6, F2.7, F2.8).	
Criminal suspects captured in GNP have learned that the issue of multiple jurisdictions can be used in court, to plead for relocation of a trial. They	GNP	2.7. The number of vehicles is not sufficient for to handle peak workloads in either CA, neither for supporting the police nor for the	

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
claim to have been brought to the wrong district for trail. This means that legal time limits can sometimes be exceeded.		CA's own use. (F2.6 - F2.9).	
Transport is a challenge for most state actors in the criminal justice process. The problem is particularly acute, because in many cases, the size of the potential fines or jail sentences means that cases must be transferred to provincial courts. This creates a transport issue, but also a security issue. Due to distances involved, this problem is worse in NRR than in GNP.	All	2.8 Implementation of recommendations 1.2 and 1.3 above, will alleviate to some degree the problems of transport faced by CA's. Rangers will lose less time looking for Chief Rangers and CA's spend less time transporting prisoners back and forth. (C2.1)	
The NNR has purchased a secure vehicle solely for the transport of wildlife criminals and evidence. This vehicle is shared freely with PRM and district stakeholders. All interviewed say that this is a good solution to the problem, yet one vehicle cannot handle the full load of work.	NNR	2.9 Implementation of recommendations 1.2 and 1.3 above will nearly eliminate the problem of poachers being handed in to the incorrect district. Improved coordination means that less time is lost going from District to District. (C2.2, C2.4).	
In Gorongosa, there is a police station inside the Park. The police there have access to GNP vehicles.	GNP		
Even in Gorongosa, there are not enough vehicles to handle the full load of work; when there are simultaneous crimes, the system gets overloaded.	GNP		
<i>Link 3, Criminal Investigation</i>			
The criminal investigation is conducted at the scene of the crime initially, with some follow-up investigation, such as tracking criminal suspects	All	3.1. Follow up investigation of someone's home can only be legally done with a warrant from the	3.1. Rangers should get a written warrant from the courts before searching a home, which process can be facilitated by good telephone

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
back to their homes, questioning of neighbours, etc. also done at the same time.		judge. (F3.1, F3.1.1, F3.1.2).	communications and cooperation with the court. (F3.1)
Rangers will sometimes investigate the homes of wildlife criminals without getting a warrant from the judge. This results in evidence collected being thrown out of court later.	NNR	3.2. It is most secure to investigate someone's home accompanied by police and or an agent of the court. Rangers may have rights to do this without police and within CA boundaries, but the law is not clear. (F3.1, F3.13)	3.2. Best practice is to have a permanent police presence within the CA, even if it is just some officers detailed there. (F2.8, F3.2, authors' experience).
GNP was warned by courts about this, and they have discontinued the practice and improved coordination with the Courts.	GNP	3.3 Efforts to reach out and support partners leads to better institutional relationships. (F3.2 – 3.5, inclusive).	3.3. As the law is not clear, it is most secure to investigate someone's home accompanied by police, and by a representative of the court, with a warrant. (C3.1, C3.2)
The law is not clear who actually has the right to investigate someone's house, whether rangers can or whether they must be accompanied by police. It is assumed that rangers can investigate the house as long as they have a warrant and are in the CA or Buffer Zone, but it is not stated clearly.	All	3.4. Good institutional partnerships may be leveraged to resolve performance issues of individuals. (F3.6, F3.7)	3.4. ANAC must make it a priority to develop good and supportive relationships with key partners at the institutional level, (material, technical and logistical support, dialogue, communication, etc.) so these may be used for the resolution of individual performance issues. (C3.3, C3.4, C4.3)
Most informants noted that there have been gradual and steady improvements in inter-institutional cooperation during the criminal investigative process, particularly improvements in relations between the PRM and ANAC forces.	All	3.5. Turnover of staff is a large problem and impediment to institutional relationship building as well as promoting competent and informed performance of duties. It is inherent in Ministry of Justice and PRM practices that each individual has the right to be transferred. (F3.8, F3.9)	3.5. GNP and NNR should support performance of Ministry of Justice staff, which can also encourage them to stay in the CA districts. This may include provision of computers, generators, and internet, provision of communications such as cellphones and credit, and others. Provision of phones and internet will improve links with the CA's. (C3.5, C3.6, C4.3).
Some of this improvement in relationships was attributed (by most	GNP, NNR	3.6. However, nothing impedes ANAC from incentivizing Ministry of	3.6. There are two recommendations for how to deal with new Ministry of Justice Staff:

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
informants) to ANAC staff making conscious efforts to reach out and develop collaborative and even friendship relations with their colleagues in other institutions.		Justice personnel to stay, as long as incentives fall within the conditions of Mozambican law. (C3.5, above).	3.6.1. Immediately upon arrival, the CA staff (Administrator, Chief Ranger, and Lawyer, if existing) must have an induction seminar with the incoming staffer to familiarize him/her with the CA, offer copies of the relevant legislation, talk through some case studies, and harmonise procedures of cooperation. A visit to appreciate the CA and why it is important for Mozambique, as well as some education about how CA's actually create more livelihoods for communities through the spill over effect, is essential. (C3.7, C3.8, C4.3, authors' experience)
Some of this improvement in relationships was attributed by most informants to ANAC making sure to offer some tangible support to its partners, such as transport support.	GNP, NNR	3.7. Training of prosecutors is effective in improving their performance. At the least, it improves their knowledge levels and attitudes towards conservation. (3.10).	3.6.2. Every quarter, the CA should convoke a Summit Meeting of all Ministry of Justice Staff at CA HQ, or some other relevant place, to serve as a moment for further training, orientation of new staff by already existing ones, exchange of ideas, and troubleshooting. (C3.7, C3.8, C4.3, authors' experience)
Another factor that informants noted as leading to improved relationships was training of partners and even joint trainings together with partners.	GNP, NNR	3.8. It is likely to be too costly to train all prosecutors in the country 'en masse', as well as all incoming prosecutors. (F3.11)	3.7. All CAs and concessions should make sure to share/generate/create benefits for local communities. They should not depend on the legislated 20%, but rather create other benefit streams. This can prevent poor relations and revenge poaching. This might include community tourism and cooking to generate direct revenue. Ibo Island in the Quirimbas, for example, has a home-stay programme. (C3.9, C3.10, Authors' experience).
Within the overall picture of improving support, there were notable individual problems with particular elements of the PRM and other enforcement bodies. These were reportedly due to corruption issues or sometimes lack of interest.	All	3.9. Negative community relations can lead to increased levels of wildlife crimes, and positive relationships can decrease them. (F3.12-3.14, F3.17- 3.19).	3.8. Concessionaires in Marrupa should immediately begin with benefit sharing through other means, as per recommendation 3.7 above. (C3.12).
There was one recent notable case in which a relatively senior enforcement official was successfully removed due to	NNR	3.10 Conservation areas that do not solely depend on the 20% payments, but also have other community	3.8. ANAC should work with its partners to institute a process of 'Official Community Notification' of prisoner release. This process might include the following steps:

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
inter-institutional cooperation between ANAC, the District Prosecutor’s Office, and the District Administration.		benefit projects, have better community relationships. (F3.16, F3.17).	<p>a. Prisoner is formally ‘returned’ to community leaders by Justice or ANAC staff.</p> <p>b. Community is informed that his debt to society has been paid.</p> <p>c. Ex-prisoner shows his Release Warrant (an official document within the existing legal system).</p> <p>NB: If a WhatsApp group is created with community leaders (as per recommendations to follow), much of this can be done via WhatsApp, including circulation of a photo of the individual and the Release warrant to all community leaders.</p> <p>In this way communities will know who is released and who escaped justice and can assist ANAC and partners accordingly. (C3.11).</p>
Another contributing factor, cited by nearly all informants, to unsteady levels of support was a high turnover in terms of transfers, generally among government staff, so good relationships that were developed were not necessarily continued over time. Every time a new individual came on, particularly in a supervisory a responsible position, the relationship building process had to begin again.	All	3.11. Communities would like to be better informed and participate more in prison and penal processes. They would like to know who is released legally, and who has returned to the community through extra-legal means. They would also be open to monitoring released prisoners. (F3.18, F3.19)	3.9. When there are poaching crises, the Special Forces should be called in to stabilize the situation. However, in the NNR, it will be difficult to remove the Special Forces given the fact that the frontier is very close and unguarded. Experience in Botswana shows that removal of Special Forces results in an immediate and dramatic increase in poaching. Therefore, the Special forces should maintain a permanent present in NNR. (C3.13, authors’ experience, experience of Botswana).
By law, prosecutors and judges have the right to be transferred every three years.	All	3.12. Marrupa District has particularly high levels of poor community relations. (F3.16.1)	3.10. CAs should adopt some of the tools of Stakeholder Engagement to manage and monitor their relationships with communities, to avoid ‘he said, she said’ situations. The fact is that, in terms of community relations, community perception that rangers are mistreating them is as important as whether the rangers actually are mistreating them (C3.14, C3.15).
In two cases, that of Marrupa and Mecula, the team noticed immediate implementation by	NNR	3.13. The Special Forces (<i>Unidade de Intervenção Rápida - UIR</i>) were more effective than all	

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
prosecutors of information taught in the SPEED+ and partners-sponsored trainings for prosecutors.		other sorts of interventions previously tried in stopping the poaching crisis in Niassa. (F3.21, F3.22).	
This training included only selected prosecutors, not all, for reasons of cost and logistics.	NNR	3.14. It is nearly impossible for the study team to see where the truth actually lies with respect to complaints about mistreatment of the population, and civil disturbance. However, trying to apportion blame misses the point. The fact is that the population perceives a conflict, and resents the CA's, whether they are mistreating the population or not (F3.14- 3.16.1, 3.23- 3.28, inclusive).	3.11. Rangers should avoid putting themselves into situations where any conflict will come down to their word against that of the population. This means more integration with other forces and agencies (like police). See earlier recommendations on good partnership building ((C3.14, C3.15, C3.16).
Community relations can also influence success of criminal investigations. ANAC and NNR concessionaire interviewees particularly noted that community relationships were fundamental.	All	3.15. Resentment of the CAs has increased to such a level that rangers are challenged to perform their duties in some areas (F3.23- 3.28, inclusive).	3.12. The PRM could offer training to rangers on how to interact respectfully with the public, and also follow the Code of Criminal Procedure (C3.14, C3.15, F3.23- 3.29, inclusive).
In their turn, communities noted that relationships were generally improving with both GNP and NNR.	GNP, NNR	3.16. Constant conflicts and rumours that cannot factually be disproved, coupled with a lack of planned stakeholder engagement, and perceived disparities in benefits, leads to resentment of rangers by the population, and compromises somewhat their status as law enforcement officials. (F.23-F29, inclusive).	3.13. CAs should constantly be training rangers on how to educate communities about benefits and rules of the CA. (C3.14, C3.15, F3.23- 3.29, inclusive).
The Communities did not view the concessions	NNR Concessions	3.17. Community leader willingness to become	3.14. All areas must establish their Management Councils as prescribed by

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
around NNR as favourably, some of them being viewed quite negatively. The communities perceived that “the owners were always changing and not keeping their promises”.		involved in enforcement is an unused resource.	law, and guarantee their functioning, again as per Law. (C3.14, C3.15, F3.23-3.29, inclusive).
Bad community relations and a lack of community benefits create the phenomenon of “revenge poaching”.	NNR	3.18. ANAC is not doing enough to supervise its hunting concessionaires (F3.16.1, F3.31).	3.15. CAs should develop a moderation/conflict resolution capacity over time. (R3.20).
Bad community relationships are also created because the official benefits system (the famous 20%), does not work, for many reasons, and it is beyond the capacity of the CA’s and concessionaires to make it work. Residents assert that money collected rarely returns to the communities as it should.	NNR		3.18. The proportion of ranger and scientific staff versus community relations staff may need to be re-evaluated and adjusted. (C3.14, C3.15, F3.23- 3.29, inclusive).
Community leaders consulted in Marrupa had high levels of dissatisfaction with the NNR concessionaires present in their district. Validation with Marrupa District officials confirmed this.	NNR		3.19. Community leaders around each CA need to be brought onto the enforcement team, first by improving community relationships, and then by building a WhatsApp and working group with them. They may need to be provided with cellphones and some megabytes of data per month, using the same type of agreements as recommended for other stakeholders (prosecutors, etc.). (C3.17).
In areas where other community projects were being implemented (not depending on the 20%), communities appeared to be more content.	All		3.21. Monitoring of hunting concessions and hunts needs to be strengthened. Furthermore, reporting and communication around issuance of authorizations for hunting in defence of people and property needs to be improved (C3.18).
There was however one interesting community engagement practice implemented by the Judge in Marrupa. When a community member was freed, the Judge would	NNR		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
officially 'return' them to the community, so the community would know that the poacher had served his sentence. In this way, if prisoners returned without this, the community would know that justice had not been carried out.			
Communities in GNP also (and independently) asked for the practice stated in 3.18, and also that freed wildlife criminals be given a certificate. The communities wanted to aid the park in enforcement by identifying those who escaped from justice and assisting those who served their penalties to re-integrate.	GNP		
In mid-2018, the Special Forces (<i>Unidade de Intervenção Rápida - UIR</i>) were deployed to assist with antipoaching efforts in the NNR. With the arrival of the Special Forces, criminal investigation has become very strong, to the point where there is a marked drop in elephant poaching throughout the NNR. No elephants have been killed in NNR since May 2018.	NNR		
Several informants noted that other forces, such as the Police for the Protection of Wildlife and Natural Resources, had been previously deployed, but their efforts did not make a difference in poaching levels and investigative success.	NNR		
Although there are various forces present in NNR,	NNR		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
they work together under a single command.			
Community leaders complained about illegal searches and rough handling (aggressive language and threats) both in the GNP and the NNR concessions. Marrupa officials confirmed this during validation.	GNP, NNR Concessionaires		
A nearly unanimous observation about the GNP Rangers is that they are well prepared physically but are not well prepared professionally. Specifically, they are not trained to interact respectfully with the population, nor are they taught how to educate the population as to the GNP rules and regulations.	GNP		
The Sofala Police noted that PRM officers receive training on how to interact respectfully with the public and that this training should be extended to GNP rangers.	GNP		
The northern area of GNP, the Casa Banana area had a severe conflict (shots being fired) with the GNP Rangers during the validation visit.	GNP		
Rangers claim that the population was opening new crop fields at the instigation of the <i>Chefe de Posto</i> . They showed satellite data to prove their point. The population claims that they were outside the GNP and that furthermore they were being impeded from going to their homes.	GNP		
The NNR also had a severe civil disobedience event just prior to the validation visit,	NNR		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
in which people protesting the reserve's rules forced district officials to flee.			
Rangers claim that they are not as respected as other enforcement officials, such as police.	GNP		
Community leaders repeatedly stated that they were willing to engage in enforcement cooperation, but this was dependent on improved relationships and clear understanding created between the CA's and the communities.	All		
There is a type of poaching that is characterized by NNR staff as "legalized illegal hunting" that is not generally addressed. This is when an operator plays the system to acquire extra quotas and trophies in addition to those granted by law. The operator may use the "hunting in defence of people and property" clause of the Conservation Law or may suborn officials to alter quotas or turn a blind eye.	NNR		
<i>Link 4, Preparation of the charges</i>			
National-level informants noted that the Conservation Law (5/2017) and its regulations (Decree 89/2017) were published very shortly after's the revision of the Penal Code (<i>Código Penal</i>). That means that they were not included in this Code, which can be likened to the "Bible" for the Justice Department in Mozambique. Judges and prosecutors rely on this book heavily and use it all	ALL	4.1. Prosecution of wildlife crimes is hindered by the fact that its legislative components are not included in the <i>Código Penal</i> , and in fact are scattered across several separate pieces of legislation and international convention—CITES. (F4.1 to F4.3.3, inclusive)	4.1. ANAC should produce an annex to the "bible" that brings together all the wildlife-related legislation (as well as relevant portions of CITES) that is not in the <i>Código Penal</i> into one brochure. CAs should be given copies to distribute to Ministry of Justice personnel/ PRM during quarterly summit meetings described in Conclusion 3.6.2 above, and at other convenient moments. This brochure should be updated and re-distributed whenever new legislation is passed. Updating might be facilitated by using ring or spiral binders so pages can

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
the time. However, the Conservation Law and its regulations are separate documents that are not included in this book. Some prosecutors and judges either forget or do not know where to find this legislation, and do not appear to know when it should be applied.			be added or removed as necessary. (C4.1, C4.3).
The list of protected species is also not included in the Conservation Law and its regulations, but rather is spread between the earlier Regulations for Forests and Wildlife (Decree no. 12/2002), Appendix II; the <i>Regulamento de Caça Desportiva</i> (Decrees 82 e 83/2017); and in the <i>Regulamento da Pesca Recreativa e Desportiva</i> (Decree no. 50/1999). It can be challenging to know where to find the list of protected species.	All	4.2. Many members of ANAC are not aware of their own role in implementing the Regulations on Commercialization of Protected Species (Decree 34/2016), though there is some evidence that the top tier of ANAC does, because airport sniffer dogs were received by Senior ANAC officials during the course of the study. (F4.4.3).	4.2. ANAC should train its own staff on the Regulations on Commercialization of Protected Species (Decree 34/2016). (C4.2).
The Regulations on Commercialization of Protected Species (Decree 34/2016) are also separate to both the Conservation Law and the prior law of forests and wildlife. This separation of different laws may cause confusion;	All	4.3. There is uneven application of the law across different jurisdictions within each CA, due to differences in knowledge and attitudes of Ministry of Justice personnel/ PRM. (F4.4 – F4.4.2).	Please see earlier recommendations on dealing with jurisdictional issues. (C4.3).
This law also suffers from being published after the publication of the Penal Code, so it is also separate from the Mozambican legal “Bible”.	All	4.4. There is no easily available and user-friendly source of information on repeat offenders. (F4.5).	4.3. In the short term, CA’s, concessionaires, PRM, and Justice Officials should organize confidential WhatsApp groups between themselves to share information on arrests, convictions, and related information. This will be possible if previous recommendations on improving communication and providing communication tools to partners are implemented as per previous sections. (C4.4, C4.5)

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
The further difficulty with this law, as well as the new <i>Lei de Conservação</i> is that they refer to the CITES Categories I and II.	All	4.5. In the absence of an easily available and user-friendly source of information on repeat offenders, the use of WhatsApp has proven useful to one group of enforcement officials at central Level, and another in Niassa. (F4.6, F4.6.1).	4.4. The permanent solution is to create a database (with photos and complete information) that is maintained by the CA (or another entity supported by the CA, with a user-friendly interface and easy access by Min. Justice and PRM Stakeholders. However, the team feels that the priority should be on improving communications for the time being, given problems with identification and semi-nomadic agriculture. (C4.4, C4.5).
Although ANAC is administratively responsible for the implementation of this law, and invokes the scientific authority, no one surveyed or interviewed mentioned that they were aware of this.	All	4.6. Communities around NNR and its Concessionaires resent that they are cut of from traditional benefits and are not receiving new ones. This resentment is increased because they do not understand the new rules and how they benefit communities. (F4.7 - 4.12, inclusive).	4.5. CAs and concessions must define hunting quotas and zones, or meat allotments, so that communities can fulfil their traditional ceremonies. For national parks, these can be in buffer zones. All must be supervised adequately by staff. (C4.6).
As noted earlier, both CAs suffer from the problem of mixed administrative jurisdiction. There are multiple districts in/around each of the conservation areas, and this leads to a number of problems.	ALL	4.7. The problem is made worse because the outdated management plan has not yet been updated and finalized. NNR cannot communicate clearly about the NNR's rules because they do not have this plan. (F4.7 – 4.12, inclusive).	4.6. NNR must produce an updated management plan in the near future. In the meantime, they should prepare a short brochure on community regulations, and divulge this widely among local population. This should include explanations of the new regulations; why, for example, it is good to prevent hunting in certain places and fishing at certain times (to allow for spill over effect and reproduction, respectively). (C4.7).
Districts are not always consistent in the preparation of charges, due to knowledge or information levels. Some prosecutors may refer to the <i>Código Penal</i> , without realizing that most of the legislation they are to be using is actually found separately, as noted earlier.	All	4.8. There is as open question as to why many informants mentioned rhino poaching, when to the best of our knowledge, no rhino exists either in GNP or NNR.	
Different levels of cooperation may be found	All		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
in different districts as well, due to corruption or lack of interest. ANAC staff noted that certain districts were famous for bad prosecution, while others for much better prosecution. In many cases, these were individual issues, linked to the character and interest of individual prosecutors.			
Another issue relating to the preparation of charges is that of repeat offenders. Repeat offenders are frequently not identified as such, either through poor record-keeping, poor personal identification of people (which is endemic in Mozambique) or a lack of communications between different district jurisdictions.	All		
The National <i>Chefe da Fiscalização</i> has a WhatsApp group where he shares information about poachers with other forces (including South Africa).	National level		
A group of MITADER rangers in Niassa have also organized a WhatsApp group for mutual support.	Niassa Province		
Informants revealed that there are in general four categories of poaching. The first is poaching for bushmeat, and it is usually carried out by local families, generally not using firearms. The second is commercial poaching for parts for export, such as elephant tusks, as well as lion parts. Many informants also mentioned rhino horn. Then there is revenge poaching and legalized illegal	Largely NNR and NNR Concessionaires		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
hunting, both mentioned earlier.			
Bushmeat poaching often supported or tacitly accepted by local authorities. Authorities may issue weapons to the local hunters to hunt for meat for ceremonies or national holidays. There is also a certain amount of sympathy within the justice system and district administrations for people who hunt for meat.	All, but especially NNR and especially NNR Concessionaires		
Communities around NNR and especially in the concessions complain that there is no hunting quota for them nor allotment of meat for them on holidays.	NNR and NNR Concessionaires		
Communities in NNR complain that they are frequently told to stop fishing because 'this is a <i>período de defesa</i> '. They believe that this is an arbitrary decision by the NNR staff, and that NNR staff change the rules when they want to.	NNR		
The communities also complain that they are prohibited from many activities like trapping and hunting etc., without being offered alternative benefits.	NNR and NNR Concessionaires		
The NNR does not have an updated management plan that defines when fishing ' <i>periodos de defesa</i> ' must be implemented.	NNR and NNR Concessionaires		
<i>Link 5, Special investigatory processes (these are further investigations arising from the capture of the original poachers, such as going after a Poaching ringleader)</i>			
Current charge sheets are centred only on the crime of illegal hunting, leaving	All	5.1. There is little done in the way of special investigatory processes,	5.1. Charges should expand beyond specific wildlife crimes, to include other related (often downstream) crimes as a

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
aside other important crimes.		especially follow-up to capture criminal gangs, etc. (F5.1, F5.2, F5.3).	way to attack crime networks, beyond the individual poacher captured. (F5.1, F5.2, C5.1).
It is unfortunate that generally the focus is on the crime of illegal hunting. Senior ANAC officials state that is a big mistake and actually a huge gap. Because in many of these cases we are dealing with organized crime, in which criminals act in a network; some who hunt illegally, others transport, others open companies and bank accounts, and other run the operations as kingpins. Therefore, the accusations should not be limited to the poacher, because there is a large network that must be attacked and dismantled.	ALL	5.2. Two factors seem to be involved. The first is that the responsibility for follow-up investigations passes from ANAC staff to the PRM, SERNIC. (F5.4).	5.2. One must attack the kingpins of the crimes by charging them for money laundering, by freezing bank accounts, etc. The CWC Manual should be used for best reference. (F5.1, F5.2, C5.1, authors' experience).
There is no effort to seize vehicles and other property involved in or resulting from poaching. Prosecutors do not usually promote the seizure of vehicles, real estate, other assets, bank accounts, etc., which should revert in favour of the State as a way to discourage criminal practices.	NNR	5.3. The second is that prosecutors are not currently supportive of these follow-up special investigatory processes, and their support is needed for issuing warrants for vehicles, bank accounts, real estate, etc., which should be captured and revert to the state, when used with or gained as a result of, criminal acts. (F5.3).	5.3. The CWC Manual should be included in the Brochure Annex to the <i>Código Penal</i> mentioned earlier and should be referenced and taught (in-service reviews) during the Quarterly Summit Meetings mentioned in earlier recommendations. (R4.1, above).
ANAC informants were clear that special investigatory processes were not within the purview of the individual conservation area staff. What happens is that when the poacher is originally captured his documentation is turned over to the PRM. The PRM, SERNIC, is then responsible for following up	All	5.4. The lack of follow-up by PRM may be due to lack of interest, or knowledge, or cooperation with ANAC and prosecutors, or lack of resources, or any/ all of the above. (F4.4.2, F5.5, F5.6).	5.4. It is necessary to train judges, prosecutors, lawyers and SERNIC agents involved in the proceedings so that they can attack these crimes in their fullness. This is an important tactic to discourage criminal practices. (C5.4, C5.5).

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
and doing any additional investigation required.			
The team observed that officials of SERNIC, in fact, have very few resources.	All	5.5. In at least one case, a strong outreach by ANAC resulted in the capture of a famous and wanted international wildlife criminal. (F5.7).	5.5. SERNIC agents at district level should receive support, including computers, telephones, etc. WhatsApp groups must also be created, to share relevant information related to wild life crimes and criminals, increase team spirit and cooperation and also exchange of experiences. (F5.7, C5.4, C5.5).
As a result of reasons listed above, very little effort is actually put into going after poaching ringleader's or the capturing of gangs. ANAC often finds itself pushing for additional investigation to occur yet this does not happen.	All		
There was, however, one recent case of a famous poacher being caught, and that involved close cooperation between ANAC officials and SERNIC (Investigative department of the PRM), and the prosecutors department, and even the Tanzanian police.	NNR		
<i>Link 6, Collection and custody of evidence</i>			
Evidence is collected almost exclusively by ANAC or concessionaire staff.	All	6.1. Even though the law mandates it, weapons are not secure in police storage, and thus frequently are found being used for poaching again. (F6.3, F6.4, F6.5).	6.1. It is probably not feasible nor a priority to introduce forensic capacity into ANAC at this time. Emphasis should remain on improving inter-institutional relationships and cooperation. (F6.1, F6.2)
Evidence is collected not only when poachers are captured but also at crime scenes discovered in the bush, such as carcasses or snares. When evidence is collected without poachers being captured, the arrest	All	6.2. ANAC storages in NNR and GNP are more secure for all kinds of evidence, even for weapons, than PRM warehouses. (F6.5, F6.6).	6.2. Placing a police station in the conservation area, is a good start to close collaboration with respect to security of evidence. However, security of weapons is still not guaranteed. See recommendation immediately below. (C6.1, C6.2, C6.3).

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
rate is almost zero. Several informants lamented the lack of any forensic ability (such as fingerprinting) within ANAC that might allow for an improvement.			
Animal products and trophies, and other poaching equipment remain in the custody of ANAC, as mentioned earlier. However, weapons must be turned over to the police. In terms of Article 97 of the <i>Regulamento da Lei de Armas</i> , captured weapons must be documented and turned over to the police.	All	6.3. Trophies are more secure in the GNP and NNR warehouses than in other stores. (F6.4, R6.1).	6.3. There should be an additional locking system within the GNP and NNR warehouses for captured guns (a gun safe within the warehouse, or a chain and lock system), and the key for this additional locking system should remain with the police, while the key for the warehouse remains with ANAC responsible party. In this way, weapons can be in the ANAC warehouse, yet in the custody of the police. (R6.1, R6.2).
ANAC informants universally stated that arms returned to the police were often found being used once again for poaching within very short periods of time, sometimes less than one or two months.	All	6.4. The law is clear that ANAC is the evidentiary custodian for all items but weapons (which go to the police) and money and vehicles (which are retained by the court) but this is not always what is practiced in the areas around GNP and NNR. (F6.4-6.8, inclusive).	6.4. All evidence should return to GNP and NNR storerooms after trial and should remain in ANAC control. Guns should be handled as per R6.2 and R6.3, above. (C6.3, C6.4).
The police generally do not have good weapons stores, which leads to the disappearance of weapons in their custody.	All	6.5. There is not a standardized system in place across all involved parties for maintaining the chain of custody for trophies, poaching instruments, and arms. (F6.8, R6.4).	6.5 One of the first jobs for the Quarterly Summit Meetings will be to create consensus as to how to handle these custody chains. (C6.4, C6.5).
With respect to security of evidence, both NNR and GNP have secure storage facilities within the conservation area.	GNP, NNR		
Storage facilities in other areas, especially in the provinces, where many cases must be tried, can be	NNR		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
insecure. One provincial storeroom was found to have a large hole and all evidence had been stolen, presumably removed through this hole.			
Informants expressed some confusion about who has actual custody of evidence <u>during investigation and trial.</u>	All		
<i>Link 7, Constitutional rights of the accused</i>			
A contentious issue cited by many respondents within ANAC was the right to parole. Once parole was given to captured suspects, they frequently never returned.	All	7.1. It was found that the judges establish low bail, which lead to the defendants being released and committing new crimes. This creates a sense of impunity, and inefficiency of the judicial system. (F7.1).	7.1. Prosecutors should promote detention, not bail. In the case of bail, they must apply for large amounts. This would make the value of the bail very high and thus discourage accused criminals from running away. (C7.1).
Rural jails frequently do not have budgets to provide such basic human rights as food. ANAC staff reported that they frequently had to contribute food to the jail so that prisoners could remain incarcerated awaiting trial. When such day was not forthcoming, officials had little choice but to let prisoners go free on their own recognizance until the time of trial.	All	7.2. Is is not realistic to expect prisons always to be able to feed prisoners, given the state of budgets and length of supply chains. (F7.2, F7.3).	7.2. Best practice would be to support the prisons with food, when possible. (C7.2).
A few informants noted that both NNR and GNP staff as well as police sometimes conduct searches in houses at night.	All	7.3. GNP and NNR have conducted overnight searches and detentions in residences that are a violation of law, leadings to the release of the accused. (F7.3, F7.4).	7.3. ANAC staff must be trained so and Chief Rangers vigilant over investigation and capture protocol. While capture of poachers and investigations away from residences may continue to be done at any time, investigations of residences can only be done during the daytime, and staff and police must be sure to follow this practice. A judicial warrant must be issued, and the search must be done during day time. (C7.3).

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
Art. 203 of the Criminal Procedure Code states that searches in an inhabited house or its dependencies cannot be carried out before sunrise or after sunset without the consent of the owner of the house. Detaining people at their homes is not allowed overnight. It would be a violation of law, which leads to the release of the accused.	All	7.4. Detention without 'flagrante delicto' and without a warrant issued by a judge invalidates the arrest and leads to the release of the defendant. (F7.5, F7.6)	7.4. Detention must always be made in 'flagrante delicto' or out of flagrante delicto by means of a judicial warrant issued by a criminal investigation judge. ANAC staff must be trained so and Chief Rangers vigilant over this issue. (C7.4).
There are cases of detention of poachers or persons involved in trade in wildlife products that occur outside of 'flagrante delicto'.	NNR	7.5. Excessive force can lead the courts to invalidate the charges. (F7.7)	7.5. Rangers must avoid use of excessive force during arrests (as per <i>Artigo 255 e 261 do Código de Processo Penal</i>) and suspects should not be compelled or coerced into testifying or making a statement. (C7.5).
According to the law, detention can only be made out of flagrante <i>delito</i> or by means of a judicial warrant issued by a criminal investigation judge.	NNR, mostly	7.6. A confession only is not a secure basis upon which to bring charges, due to judges' discretionary powers. (F7.8, 7.9).	7.6. Best practise is to bring together both evidence and confession whenever possible.
A general caution for all rangers is that only 'reasonable force' shall be used when making arrests.	All		
After an arrest is made, sometimes the investigation can focus too closely on obtaining a confession. Sometimes corroborating evidence is not sought, once a confession is achieved.	All		
Under Mozambican law, a confession is not necessarily proof of the commission of a crime. Judges are free to consider it so, or not, according to the law (judges have discretionary powers with regards to confessions).	All		

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<i>Link 8, Formal charging and trial</i>			
According to the Mozambican criminal process, the district courts visited are only competent to judge crimes with sentences of up to 8 years. Therefore, in the case of crimes with a sentence of more than 8 years, the case must go to Provincial court. This can make follow up by CA staff difficult due to the time and distance needed to follow up in the provincial capital.	All	8.1. Too many cases are lost to follow up due to the challenge of following up in provincial court at some distance from the CA. (F8.1).	8.1. In the case of GNP, hiring a lawyer helped in case follow up in provincial court. The same solution must be adopted in the Niassa Reserve. (C8.1).
There is a general tendency to incriminate the defendant and to demand only the condemnation for the practice of the crime of poaching committed, without requesting due compensation for damages.	All	8.2. There is currently an unexploited opportunity to recover costs and to increase the severity of punishments visited upon convicted wildlife criminals. Conservation areas have the right to bring civil claims for damages (loss of future benefits) against those convicted of engaging in acts which actually damage the conservation area, such as poaching. (F8.2, F8.3).	CAs must always make a claim for compensation in favour of the State, because in case of conviction and the defendant pays, the amount reverts in part to the conservation area. But being unable to pay, compensation is commuted to years of imprisonment, thereby aggravating the offender's penalty. The claim for compensation also forces the bail amount higher, lessening the change of the defendant being able to meet the bond. (C8.2)
Under articles 29 and sgts of the CPP, in conjunction with article 21 and 26 of the Environmental Law, civil damages may be filed by any person who has been harmed or who has seen his or her fundamental right to the environment violated.	All		
<i>Link 9, Judgement</i>			
Many ANAC respondents spoke of the need for educating judges as well as	All	See previous conclusions. All has been covered previously.	See previous recommendations. All has been covered previously.

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
prosecutors, as did some of the other stakeholders.			
The fact that the body of legislation relating to protected species and conservation areas has not yet been included in the revised Penal Code also contributes to judges not knowing what penalties must be applied.	All		
Many judges have a sympathy with very poor individuals who engage in bushmeat poaching. After all, hunting is a traditional activity, and hunger is a real issue in rural Mozambique. This sympathy sometimes overwhelms the broader understanding of the importance of a national park in preserving hunting species so that they might be available in the future.	All		
For the above reasons, sometimes sentencing can be extremely lenient, such such as building a toilet for a school as community service instead of a prison sentence, rather community service.	All		
<i>Link 10, Paying the price (fines or prison)</i>			
There is little to no follow-up done within the justice system to see whether condemned wildlife criminals actually serve their sentences. ANAC staff frequently reported that condemned poachers would be found poaching again within periods of time is short as one month.	All	10.1. There are individual performance issues with respect to corruption and honesty within the prisons system. (F10.3).	10.1. There is a relevant law regarding supervision of sentences, the <i>Anteprojecto do Código de Execução de Penas e Medidas Privativas e Não Privativas de Liberdade</i> which is under discussion in the Mozambican Parliament. Since there is already a proposed law, its approval is urgent. ANAC at central level should track the progress of this law, urging the Minister to lobby as well. CA's should lobby their relevant parliamentarians. And when approved, this law should form part of the trainings and seminars mentioned in earlier sections. (F10.10).

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
<p>Similar problems were encountered with respect to payment of fines. There is little oversight of fine payment. ANAC staff and other stakeholders were unclear whether fines were actually being paid or not. This was frequently contrasted with timber criminals, whose vehicles are impounded. This impoundment leads to high levels of compliance with respect to the payment of fines.</p>	<p>All</p>	<p>10.2. This is a transversal issue all throughout the country; all prisons are overcrowded. (F10.4.)</p>	<p>10.2. The problem with these fines is that the money goes directly to the <i>Orçamento Geral do Estado</i>. And there is no any instrument which regulates the distribution of the money in order for it to reach the beneficiaries of the fines, so rangers and informants are not receiving their percentages as mandated by law. To resolve this, is important to approve a “<i>classificador econômico</i>” by the Ministério das Finanças, that will allow tracking of these fines. In the meantime, it is suggested that this is an area that the CA lawyers should monitor.</p>
<p>Many informants reported that it was easy to pay one’s way out of prison, or for a criminal gang ringleader to pay for his field operatives to be released from prison. It must be noted that this aligns with the experience of team members elsewhere.</p>	<p>All</p>	<p>10.3. The NNR experiment should be closely monitored, to see if cooperation with community leaders can work, as a method for developing alternatives to jail for small and first-time offenders (F10.6).</p>	<p>10.3. As for earlier individual performance issues, it is noted that development of a strong institutional relationship means that joint action can address individual performance issues. (C10.3).</p>
<p>Another issue is overcrowding. Several informants indicated that prisons are truly overcrowded, with up to eight times more prisoners incarcerated than the jail could accommodate. Because of overcrowding, some prisons adopt the policy of releasing criminals before their fines are served, to make space for incoming prisoners. Apparently, prisoners serving time for wildlife crimes are among those released early. It was not clearly articulated by anyone why this should be, but the clear implication was that perhaps the prison service does not take</p>	<p>All</p>	<p>10.4 Alternative punishments should not be more attractive than life at home but should also somehow not violate law nor the convict’s civil rights. (F10.7 - F10.9, inclusive).</p>	<p>10.4. Prison’s system staff recommended construction of jails. They claim to be willing to staff and offer recurrent expenditure line items to support the new jails. They do stipulate, however, that jails should be used for all criminals, not just wildlife criminals, so that resentment against the CA will not increase. (C10.4).</p>

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
wildlife crimes as seriously as other crimes.			
The GNP has built a jail in Gorongosa district, which the B2B stakeholders have appreciated.	NNR		10.5. If cooperation with community leaders works in Niassa, a dialogue with the formal justice system should be opened to see if this system can be incorporated. (C10.5).
The NNR is experimenting with working directly with community leaders to implement alternative punishments.	All		
There is a directive within the Ministry of Justice that for first offenders with less than 3 years' sentence, alternative punishments be implemented.			
However, to date, no formula for effective alternative punishments has been found.			
One issue with alternative punishments is that, because food and a small stipend must be provided (by law), informants claimed that offenders find alternative punishments attractive and this actually increases poaching, as people wish to be caught.			
There is a law that says judges should implement and supervise sentences. However, this Law, which is Decreto Lei nr. 26643 of 1936, has never been implemented. Although prosecutors have the right to go to jails and check the legality of the execution of sentences, including conditions of imprisonment, it is not their duty to make sure that prisoners are in fact serving their time. That should be done by a judge,			

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
but the above law has never been implemented. (F10.1).			
According to Article 141 of Decreto 98/2017, of 20 th December (which is the Regulations of the Conservation Law), the fine must be divided like this: 50% of the money of the fines is for the Fiscais, members of local communities, or any citizen who intervened in the apprehension of the infractor; 30% goes to the Orçamento do Estado; and 20% goes to ANAC. The fine has to be paid at <i>Recebedoria da Fazenda da Direcção da Área Fiscal</i> . However, due to lack of follow-up, no one in the CA's is clear as to whether fines are being paid.			
<i>Link 11, Follow-up and institutional memory</i>			
One inherent problem with record the maintenance throughout the Mozambican justice system is the large number of institutions and separate entities that are involved, which include the courts, the prosecutors, and the prison service, which are each further separated into district and provincial delegations. With respect to the NNR and GNP, yet another set of institutions have to be added, which are the conservation areas themselves, as well as ANAC.	All	See previous conclusions. All has been covered previously.	See previous recommendations. All has been covered previously.
Record-keeping within each of these individual institutions is difficult, as often records are kept on	All		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
paper, due to lack of computerization and/or electricity on site. Security of records can also be an issue.			
The complexity of sharing records with other institutions, or even within the same institution at district and provincial levels, can often overwhelm available technological, logistical, and communications capacity.	All		
As mentioned before, the fact that many rural area residents do not have personal identification of any sort, means that keeping records on a particular individual can become very difficult. Nothing stops the wildlife criminal with a record from moving to another district, changing his name, altering his appearance slightly and continuing with his activities.	All		
Several cases were cited by informants where family networks facilitated the movement of criminals from one place of refuge to another.	All		
The fact that government, including ANAC, personnel, can be transferred frequently is a challenge for institutional memory and record-keeping.	All		
The lack of any forensic capacity within ANAC, and specifically within GNP and NNR, also limits its ability to keep records on the criminals they capture.	All		

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
<i>Additional issues, uncategorized</i>			
No informant at any time mentioned gender as an issue in wildlife crimes. Wildlife criminals are almost exclusively male. Gender did not seem to be an issue on the enforcement side either, as no gender issues came out during any discussion.	All	12.1. Gender is not an enforcement issue with respect to wildlife crimes. (F12.1)	12.1. While gender is not an enforcement issue, it remains a widespread and critical issues throughout the country. In this respect, GNP efforts to assist with the education of girls through giving scholarships and special support is to be lauded and should be replicated whenever possible. (C12.1).
The GNP has employed a lawyer, via the Gorongosa Project, to support all activities associated with the B2B process chain. By all reports, this is an effective way to cover more of the links in the process chain. These include criminal investigation, preparing of the charges, special investigatory processes, custody of evidence, formal charging, judgment, paying the price, and follow-up and institutional memory. This seems to be a strategy with a broad cross-cutting positive effects.	GNP	12.2. The presence of is a lawyer in the GNP has increased successful prosecution of wildlife crimes. (F12.2).	12.2 Best practice for conservation areas is to have a lawyer on staff and to support local partners through the bust to bars process. (F12.2 to F12.4, inclusive, C12.2).
Both GNP and NNR, by contrast, have attempted other solutions, including hiring lawyers on an as-needed basis or on a retainer basis. These solutions proved to be ineffective and expensive. What works cost effectively is a full-time staff lawyer.	GNP, NNR		
The NNR will in the near future hire a lawyer to assist them as well, based on their own prior experiences and the positive experience of the GNP.	NNR	Other conclusions and recommendations as per previous sections.	Other conclusions and recommendations as per previous sections.

Findings	C A affected	Conclusions (numbers of relevant findings shown in parentheses)	Recommendations and Lessons learned (SQ 3 in orange, SQ 4 in blue)
<p>All ANAC interviewees noted that community attitudes also exert a broad cross cutting influence on PRN and Justice Department attitudes and approaches. ANAC senior staff emphasized that this was one reason why ANAC places a strategic priority on community outreach and livelihoods assistance.</p>	<p>All</p>		

ANNEX VI: DOCUMENTS REVIEWED/CONSULTED DURING LITERATURE REVIEW

RELEVANT LEGISLATION

Code of Criminal Procedure of Mozambique

Decree/Law no. 35007, dated 10/13/1945)

Environmental Law (Law n.º 20/97 of 1 October)

Government 5 Year Plan (Parliamentary Resolution 12/2015, of 14 April)

Law n.º 5/2017 of May 11, *Lei de Protecção, Conservação, e UsoSustentável da Diversidade Biológica*

Lei de Terras (Land Law), (Lei No. 19/97 de 01 de Outubro)

Regulamento sobre a Inspeção Ambiental - Decreto n.º 11/2006, de 15 de Junho

Regulamento sobre o Processo de Avaliação do Impacto Ambiental - Decreto n.º 54/2015, de 31 de Dezembro

Regulations of Law n.º 16/2014, of June 20, the *Lei da Protecção, Conservação e UsoSustentável da Diversidade Biológica, alterada e republicada pela Lei n.º 5/2017, de 11 de Maio*

Regulations on Commercialization of Protected Species (Decree 34/2016)

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