

They suggest replacing penalties with imprisonment, leaving out conditional releases, and forfeiting weapons and vehicles to the Okhotzooptom. These amendments may be adopted by the end of 2019.

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Photo courtesy of the Committee for Forestry and Fauna

Three thousand of saiga antelopes have died in three years from poachers in Kazakhstan. According to experts, they are then smuggled abroad. According to the Ministry of Agriculture of Kazakhstan, one kilogramme of saiga antelope horns cost 2 thousand euro in the black market.

Poachers are usually equipped better than inspectors of Okhotzooptom and they are just more in numbers. Today Kazakhstan has 220 game wardens. And more than a half of equipment of territorial inspections needs to be written down.



The vehicle of inspectors. Photo courtesy of the Ministry of Agriculture of the Republic of Kazakhstan

Moreover, now game wardens have limited powers. For example, once the inspector finds any fact of violation, they may not detain the violator at once or draw up an administrative protocol.

According to the procedure, they must hand over the administrative case to the police, which should find out if the actions of the violator contain the elements of a criminal offence or not. Sometimes it takes more than a month. Only after the interior affairs department enters a judgement of *nolle prosequi*, the inspector may hold the violator administratively liable.

However, by this time it's almost impossible to find the latter.

A group of deputies of the mazhilis of parliament of Kazakhstan has offered a range of

measures to toughen up the nature conservation law. They offer to eliminate the conditional release option for poachers from the Criminal Code, and to replace the fine with a real imprisonment in order to counter illegal hunting. They also offer to toughen up responsibility for the repetition of the same offence.

“Currently, the wildlife protection law is obsolete. The mafia works here, poachers have already established the business of horn collection and sales abroad. We need to have the standards of obligatory forfeiture of instruments of crimes, including the vehicles used for the purpose of poaching,” vice speaker of the mazhilis **Vladimir Bozhko** said.

According to him, a standard, which allows handing over all equipment forfeited from poachers to inspectors of Okhotzoprom for their use, has been introduced to the parliament. The poachers are suggested to be disqualified from driving for life.



Roman Kim. Photo: CABAR.asia

“I think we should adopt practices of neighbouring countries. For example, in Uzbekistan, the cabinet of ministers in its decree of 2014 ordered to pay bonuses at the rate of 30 per cent of the compensation payment and penalty to all people who detected violations of the fauna and flora protection law. Kyrgyzstan also has such standards,” **Roman Kim**, a deputy of the mazhilis of parliament of Kazakhstan, said.

In 2017, the deputies of mazhilis introduced such amendments for consideration, but the government didn't second the amendments. Two years later, the issue has been raised again.

Loyalty to poachers

According to the interior ministry, 539 criminal cases were initiated on the charges of poaching in the last two years, but only 28 people were punished. 90 per cent of all judicial judgements provide for conditional punishment. Experts say the analysis of law enforcement practice speaks for its loyalty to poachers.

According to the estimates of Prosecutor-General's Office, the damage from poaching for three years has amounted to 3.6 billion tenge (9.48 million dollars). Every ninth registered illegal hunting case comes to trial.

According to the head of Okhotzooptom state enterprise, **Yerzat Alzakov**, the reasons for dismissal are impunity and poor performance of officers of interior affairs departments:

In Chundzha district of Almaty region, we detained three poachers for killing a goitered gazelle. We registered the case, handed it over to Uigur ROVD [district department of interior affairs] and gave testimony, respectively. We learned that the case came to trial but some fourth person, who was not even in the steppes, was brought to trial. Some local shepherd, who was paid 500 thousand tenge (1,305 dollars), pleaded guilty. Such cases happen often. Only in the last four years, 15 law enforcement and nature conservation officers have been detained. Those people who are influential in the society go with impunity.

However, the head of the nature conservation police of the Administrative Police Committee of interior ministry of the Republic of Kazakhstan, **Aibek Uskenbaev**, said such cases are rare.

“Law enforcement bodies regularly check their officers. They don’t help poachers. Those who help are most probably ex-officers already,” he said.

Over a hundred of dead critically endangered animals

In the last three years, poachers have attacked nature conservation officers 10 times, but only one case came to trial.

This January, inspectors found 5 shot saiga antelopes in the territory of Nurinsky district of Karaganda region during raids. Two game wardens pursued six poachers, but they struggled and beat the inspectors. One of them, wounded Yerlan Nurgaliev, was delivered to the hospital of Nur-Sultan only 12 hours after the event. He fell into a coma and died two days later.



Yerlan Nurgaliev. Photo: Ospan Ali/Facebook.com

The same situation happened in East Kazakhstan region. Two months ago, 10 poachers attacked two forestry inspectors. The incident occurred in the area of Lake Zhaisan.

In Karaganda region, a police officer turned out to be a poacher. This January, 30 carcasses of saiga antelopes were found in the shed of a local police officer. It was found out that he was helping poachers and receiving interest in the last five years. The result of the illegal hunting was over a hundred of dead critically endangered animals.

19 websites offering saiga antelope horns have been blocked in Kazakhstan recently. Key words have been blocked on the most popular websites; yet it's not a problem to find a seller of saiga antelope horns.

The new draft law on amending the nature conservation law and the Criminal Code also suggests the creation of the single database of poachers and repeat offenders and the reduction of the area rate per inspector, which is now 2.5 million hectares. According to the head of the central regional branch of Okhotzoooprom state enterprise, **Yerlan**

Abdrakhmanov, the document also provides for the pay rise to game wardens and improvement of their equipment.

“Now their salary is 50-60 thousand tenge (130-157 dollars). Also they will receive bonuses at the rate of 30 per cent of all penalties being paid today by poachers. It will be an incentive for them since few people want to work as inspectors today,” Abdrakhmanov said.

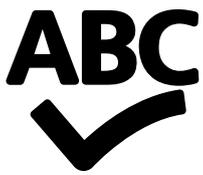
Moreover, the parliamentarians suggest creating a zoological park where all saiga antelopes could be placed. It will appear in the vicinity of the village of Korgalzhyn in Akmola region.



Yerlan Abdrakhmanov. Photo: CABAR.asia

The mazhilis has already approved amending the law in two readings and submitted it to the upper house of parliament. The draft law is going to be passed before the end of the year.

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