

LIFE
Lynx



LIFE16 NAT/SI/000634



The Handbook for Investigation of Poaching

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Action C8: Establishment of a specialised police investigation unit and other supporting activities for more efficient prosecution of the poaching of wild animals

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Purpose of the document

The Handbook for Investigation of Poaching (hereinafter: The Handbook) is designed to improve the effectiveness and coordination of measures for dealing with criminal offences associated with the illegal killing of wild mammals and birds. It lays out the key jurisdictions, tasks, and measures for field staff (hunters, gamekeepers, forestry workers, representatives of the Slovenia Forest Service, etc.), the police, the Veterinary Hygiene Service, the Veterinary Faculty, the Biotechnical Faculty, the Institute for Nature Conservation, the Slovenian Environment Agency, and other competent legal persons in the detection and investigation of such criminal offences. Appropriate organisation of all competent physical and legal persons improves the detection and prosecution of criminal offences, and reduces the number of illegal killings of wild animals.

List of abbreviations and terms

ARSO – Slovenian Environment Agency

LZS – Hunters Association of Slovenia

VHS – Veterinary Hygiene Service

VF – Veterinary Faculty

ZGS – Slovenia Forest Service

ZRSVN – Institute of the Republic of Slovenia for Nature Conservation

LARGE CARNIVORES – brown bear, wolf, Eurasian lynx

WILD ANIMALS – mammals and birds



Principal measures to take upon finding the carcass of a poached wild animal

1. **Call the police emergency number (113) and share all important information.**
2. **Do not touch the carcass. Do not:**
 - Tamper with the crime scene (relocate or transport the carcass to a different location);
 - Damage the carcass or tamper with it in any way (e.g. by opening the abdominal cavity or gunshot wounds, removing bullets, sampling muscle tissue, pulling out hair or teeth, conducting measurements).
3. **Cooperate with the police in the preparation of the crime scene report and official preliminary record of the event.**
4. **The police may request the deployment of a tracking dog handler in the investigation.**
5. **Recording losses:**

Wild animal species		Responsible legal person	Document or official record for the purposes of recording losses
Wild game		Hunting ground manager	Police document
Protected wild animal species	Large carnivores	ZGS	VF investigation report
		ARSO	VF investigation report
	Other protected wild animal species	ARSO	VF investigation report

Important contacts

Police emergency number (113).

The contacts below are for the general public; the police have direct contact with the relevant legal persons and after receiving an emergency call they may activate the following:

- Hunting ground managers (411 hunting associations and 12 special purpose hunting grounds);
- Inspectorate for Agriculture, Forestry, Hunting and Fisheries: 01 434 57 00;
- The Slovenia Forest Service: 01 470 00 50, i.e. the relevant intervention group (three regional groups);
- The Veterinary Hygiene Service:
 - Ljubljana and Kranj: 01 477 93 53
 - Maribor – Ptuj: 02 749 36 78, 02 749 36 87, or 02 461 31 50
 - Celje: 03 545 10 31
 - Novo Mesto: 07 332 58 01
 - Nova Gorica: 05 338 37 01
 - Murska Sobota: 02 532 14 71
- The Veterinary Faculty: 01 477 91 96 or 01 477 98 47;
- The Slovenian Environment Agency: 01 478 40 00;
- The Institute for Nature Conservation: 01 230 95 00;
- The Golob Wildlife Sanctuary: 02 876 12 85 or 041 518 939;
- Other legal persons.

List of institutions and competent legal persons and a description of the main tasks

FIELDWORK:

- **REPRESENTATIVE OF THE HUNTING GROUND MANAGER** (hunter, gamekeeper, examiner of killed game, hunting association president, hunting association senior member) – notifies the police and records the loss of wildlife based on the received police document.
- **HUNTING INSPECTOR** – notifies the police.
- **REPRESENTATIVE OF THE SLOVENIA FOREST SERVICE** – notifies the police; is present at the scene if the poached animal is a large carnivore.
- **POLICE PATROL** – acts in line with the applicable powers, jurisdictions, and law; notifies other competent legal persons.
- **VETERINARY HYGIENE SERVICE** – collects, appropriately secures, stores, and transports the carcass of the poached animal to the VF.

INSTITUTIONAL WORK:

- **VETERINARY FACULTY** – Conducts forensic investigations of the carcasses of poached wild animals; carries out sampling and measurements prescribed for protected wild animal species; reports to the competent legal persons.
- **BIOTECHNICAL FACULTY** – Cooperates with the VF in carrying out genetic tests as part of forensic investigations of the carcasses of poached wild animals.
- **INSTITUTE FOR NATURE CONSERVATION** – Prepares written opinions, helps identify the species.
- **SLOVENIA FOREST SERVICE** – Aside from conducting fieldwork, the ZGS records the losses of large carnivores. In the event of the loss of a large carnivore suspected of being the result of poaching, the record is completed after the receipt of the VF investigation report.
- **SLOVENIAN ENVIRONMENT AGENCY** – Submits legal instruments required for the culling of protected wildlife species based on a request from the police. Prepares expert reports for the police identifying the species and its conservation status. Records losses of protected species.
- **THE POLICE** – In accordance with their powers, the police conduct investigations of suspected criminal offences. They inform the competent authorities thereof and, if necessary for the investigation of the criminal offence, work with institutions that can provide expert advice. The police inform the public in accordance with the guidelines of their Public Relations Department.

Introduction

The poaching of wild animals is a complex phenomenon that must be understood well in order to create the appropriate legislation and measures to prevent and prosecute poaching. It is necessary to know the causes of poaching and to employ a variety of approaches to reduce such incidents, which not only cause economic damage, but are also often a major conservation problem. There are a variety of reasons why people poach wild animals. Some wild animals are poached for direct gain, either in the form of meat or as a trophy, i.e. for collecting purposes. Other common causes of such criminal offences include negative views, prejudices, misconceptions, and convictions as to the harmfulness of certain species of wild animals. Such sentiments may also be connected with emotions such as fear and disgust, and the inherent evolutionary characteristics of humans. What is more, illegal (international) wildlife trafficking poses an increasingly grave danger to the survival of many species. Data from international organisations shows that poaching is very widespread around the world. Some species are already on the brink of extinction. Some data indicates that illegal wildlife trafficking is the third most lucrative global crime by turnover. Numerous international agreements and EU regulations have therefore been adopted with the aim of preserving populations of wild species and regulating trade. Given that the causes mentioned above are often closely connected with criminal offences that involve protected species and other wildlife, the police and other legal persons play an important role in the detection, prevention, and prosecution of this type of crime.



Photo: Matej Vrančič

Course of action when wildlife poaching is suspected

1. CALL THE POLICE EMERGENCY NUMBER (113)

If you find the carcass of a wild animal that you **suspect may have been poached**, call the police emergency number (113) and provide the following information:

- Who is calling;
- What happened (e.g. a suspected criminal offence);
- The location of the carcass (place, type of road, visible structures nearby, GPS location if possible, etc.);
- When it happened (whether you accidentally found the carcass or were involved in the event);
- Other useful information.



Photo: Tadeja Smolej

Arrival of a police patrol at the scene of the crime.

After receiving the report, the police will take appropriate action and dispatch a patrol to the scene. The officers will have received instructions on how to handle suspected cases of poaching. Do your best to help the police patrol find the scene and cooperate in all subsequent procedures.

The police will turn to the ARSO to inquire whether there may be valid outstanding permits (i.e. a legal basis) to cull species of protected wild animals.

If the poaching of protected mammals or birds is suspected, the police will inform the hunting ground manager as needed; if a large carnivore has been killed, a ZGS representative must be present at the scene and provide expert advice to the police.

When poaching is suspected, the police inform the VHS and, if necessary, the VF.

The person entitled to the carcass (the aggrieved party) will be informed of the police findings on request.

Wild animal species		Competent legal person	Notified immediately	Present at the scene	Notified after the completion of the case
Wild game		Hunting ground manager	✓	✓	✓
		VHS	✓	✓	
		VF	If a necropsy is ordered		
Protected wild animal species	Large carnivores	ZGS	✓	As needed	✓
		Hunting ground manager	✓	✓	✓
		VHS	✓	✓	
		VF	If a necropsy is ordered		
	Other protected wild animal species	Hunting ground manager	✓	✓	✓
		ARSO			✓
		VHS	✓	✓	
		VF	If a necropsy is ordered		

The competent legal persons that the police may contact as needed when poaching is suspected, assuming that they have not been notified or were not present at the scene.

2. DO NOT TOUCH THE CARCASS

Do not touch the carcass until the police arrive. Under no circumstance should you:

- Tamper with the crime scene (relocate or transport the carcass to a different location);
- Damage the carcass or tamper with it in any way (e.g. by opening the abdominal cavity or gunshot wounds, removing bullets, sampling muscle tissue, pulling out hair or teeth, conducting measurements).

Such actions change the original state of the carcass, impede the investigation, and render it difficult or impossible to find the perpetrator.



Photo: Tadeja Smolej

Reporting a suspected poaching incident; gunshot wound on a roe deer carcass.

3. COOPERATION WITH THE POLICE IN THE PREPARATION OF THE CRIME SCENE REPORT AND OFFICIAL PRELIMINARY RECORD OF THE EVENT

A representative of the hunting ground manager, ZGS or the hunting inspector cooperate with the police in the preparation of the report on the crime scene investigation and the official preliminary record of the event. To the best of his or her abilities, the representative should:

- Provide opinions;
- Answer any questions the police may have;
- Assist in preparing a description of the animal carcass
- Assist in describing the circumstances in which the carcass was found (temperature, weather conditions; whether the carcass was exposed to the sun, found in the shade, covered with soil, snow, water, or vegetation, exposed to the elements, etc.);
- Assist in determining the species, sex, and age of the animal;
- Assist in identifying animal tracks;
- Assist in estimating the time and cause of death;
- Assist in describing other factors.



Photo: Tadeja Smolej

Making a report on the police investigation of the crime scene and an official preliminary record of the event.

4. PARTICIPATION OF A TRACKING DOG HANDLER

The police may ask the representative of the hunting ground manager to call a tracking dog handler to the scene to assist in the investigation of the criminal offence.



Photo: Gregor Bolčina

Participation of a tracking dog handler in a poaching investigation.

5. RECORDING LOSSES

In cases involving the suspicion that a wild animal has been poached, a police document suffices to record the loss, while for protected species a VF investigation report is required.

If the poaching of a large carnivore is suspected or confirmed, the VF takes biometric measurements and samples tissue and teeth for genetic analysis and the determination of age. The results are sent to the ZGS.

Wild animal Species		Competent legal person	Document or official record for recording losses
Wild game		Hunting ground manager	Police document
Protected wild animal species	Large carnivores	ZGS	VF investigation report
		ARSO	VF investigation report
	Other protected wild animal species	ARSO	VF investigation report

Competent legal persons and documents required for recording the loss of a wild animal.

6. EXTRAORDINARY EVENT: A CULLED ANIMAL WITH GUNSHOT WOUNDS NOT INFLICTED DURING LAWFUL HUNTING BY A HUNTING GROUND MANAGER

If a hunting ground manager harvests wild game and determines upon inspecting the carcass that the animal has previous gunshot wounds or other suspicious injuries (e.g. stab wounds, bruises, lacerations, fractures) that are not a consequence of lawful hunting by the hunting ground manager, he or she must act in accordance with The Handbook.

In the event of such, the representative of the hunting ground manager must give the police precise information about the incident regarding:

- Own firearms used;
- Calibre;
- Rounds; and
- Shooting position.



Photo: LIFE LUM

Police work and measures

When the police detect criminal offences associated with wild animal species, it is their duty to act in accordance with their powers, applicable authorisations, and the law, with the active participation of other expert institutions and legal persons (ARSO, ZRSVN, ZGS, LZS, the Administration of the Republic of Slovenia for Food Safety, Veterinary and Plant Protection, VF, inspection services (The Inspectorate for Hunting and Fisheries), and others. But since this is a special type of criminal offence, the only way to successfully combat it is if law enforcement agencies are appropriately trained.

In connection with hunting or poaching, the police may investigate three criminal offences: game poaching (Article 342 of the Criminal code - KZ-1), fish poaching (Article 343 of the KZ-1), and the unlawful handling of protected animals and plants (Article 344 of the KZ-1). These instructions are applicable to the investigation of illegal actions associated with wildlife – game poaching (Article 342 of the KZ-1) and the unlawful handling of protected animals and plants (Article 344 of the KZ-1), which are criminal offences committed with intent that may be perpetrated by anyone and are prosecuted *ex officio*.



Photo: Tadeja Smolej

Fieldwork by a police patrol.

The criminal offence of game poaching (Article 342 of the KZ-1) involves: hunting without a permit, unjustified culling, the killing or wounding of a wild animal, hunting in a manner or with means by which game is killed en masse, hunting with the use of a motor vehicle, or hunting with the help of artificial sources of light and night vision devices.

The criminal offence of the unlawful handling of protected animals and plants (Article 344 of the KZ-1) involves: illegally possessing, seizing, damaging, killing, exporting, importing, or trading in protected species of wild animals (living or dead), their parts (trophies, skin, teeth, etc.), or products made from such animals (e.g. meat products).

When the police detect such a criminal offence, they:

- Collect preliminary information (it is necessary to determine who found the animal, what, where, and when the criminal offence allegedly happened, who the perpetrator may be, and any other useful information);
- Examine the crime scene and secure any tracks and evidence;
- Confiscate objects (precautionary measures must be taken for live animals and special measures taken for wounded, sick, or dangerous animals) and vehicles;
- Arrest suspects;
- Notify the appropriate authorities:
 - The VHS regarding transport of the carcass to the VF;
 - The VF Institute of Pathology, Wild Game, Fish and Bees for a necropsy (determining the cause of death) of the carcass;
 - The hunting ground manager in the event of a killed animal or living animal with gunshot wounds;
 - The ARSO when the killed animal is a protected species;
 - The ZGS or the ZGS intervention group for a wounded, shot, or poached large carnivore;
 - The ARSO and ZRSVN (under an ARSO request) for an expert opinion on protected wildlife species;
 - The ARSO and the Wildlife Shelter (Golob, d.o.o.) when a living animal is found;
- Delivery of seized animals to the competent authority for safekeeping or subsequent measures.

It is necessary to inform and educate the public, as this will contribute to raising the awareness of the entire society.

All police measures and activities must be conducted in the shortest possible time and in accordance with the applicable time restrictions, but speed may not undermine lawfulness and professionalism.

Action by the veterinary hygiene service and the veterinary faculty

When the poaching of a wild animal is suspected, the police notify the VHS and, if necessary, the VF, and secure the evidence to prevent tampering with the carcass.

1. VETERINARY HYGIENE SERVICE

- The VHS collects and secures the carcass, and arranges the transportation of and stores the carcass in an appropriate facility (a refrigerator) until it is transported to the VF, where a necropsy is performed.
- The VHS keeps the carcass of an animal suspected of having been poached separately from other carcasses and appropriately labels it.
- Quick action by the VHS and transportation to the VF is required in the event of suspected poaching.



Photo: Diana Žele Vengušt

A forensic investigation of the carcass of an animal suspected of having been poached comprises multiple tests and measurements conducted by specially trained VF experts. The goal of the investigation is to determine the cause of the animal's death.

2. VETERINARY FACULTY

When wildlife poaching is suspected, the VF performs the following based on a police document specifying which service must be performed:

- **FORENSIC NECROPSY** – the basic investigation used to determine the cause of death, injuries, diseases, type of mortality (e.g. unintentional, natural, intentional), and estimated time of death. All injuries or changes to the carcass, organs, and tissues are documented and their causes interpreted along with the results of the investigation with the help of information and evidence collected at the scene.
- **SUPPORT TESTS** such as x-rays, pathohistological, molecular, bacteriological, virological, parasitological, and other tests that veterinarians perform based on the results of the forensic necropsy.

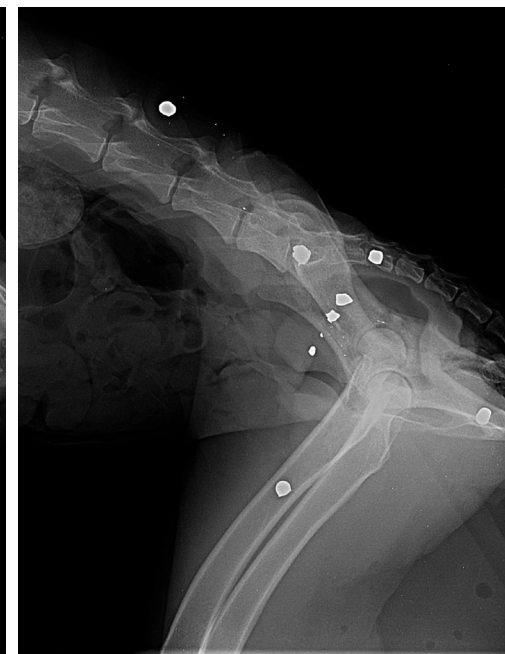


Photo: Gorazd Vengušt

An x-ray is the first in a series of tests that the VF performs when poaching is suspected. The method makes it possible to quickly detect bullet fragments in tissue (left), including fragments not visible to the naked eye. An x-ray image helps determine the location, size, and sometimes type of fragment (right).

- **IDENTIFICATION AND MORPHOLOGICAL TESTS** of collected materials, animals, and carcasses, which includes macroscopic and microscopic tests and/or genetic testing methods.

- **COLLECTION AND STORAGE OF EVIDENCE** for subsequent analysis by other institutions (ballistics, toxicology, botanical tests, etc.) required to clarify the case.

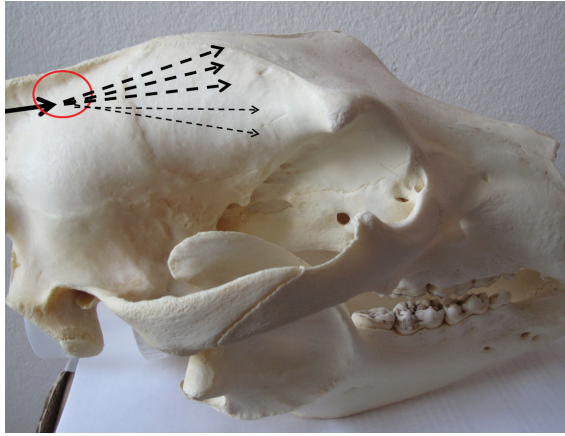


Photo: Gorazd Venguš

Various measurements can also determine the bullet's trajectory in the body (left). When bullet fragments are lodged in the carcass they are collected and submitted for ballistic analysis (right).



Photo: Diana Žele Venguš

Gunshot wounds are the most common type of injury found in cases of suspected poaching. An injury may be clearly visible on the surface of the skin (left). Much more commonly, significant wounds and bleeding are found in the hypodermis (middle) or internal organs (right). Skin is elastic and fragments of bullets often remain lodged in skin tissue, which is why it is important to not tamper with the carcass, to move it as little as possible, and to protect it before it is transported to a testing facility.

- **ADDITIONAL SAMPLING AND TESTS** required for protected species. For protected species of wildlife, the information is submitted to the ARSO, while for large carnivores the information is submitted to the ARSO and ZGS.
- Preparation of a **REPORT ON THE INVESTIGATION**, which is forwarded to the police; in the subsequent investigation, the VF cooperates with judicial authorities.

The legal basis for measures following suspicion of the poaching of a wild animal

In taking measures following the suspicion of wildlife poaching, field personnel (hunters, gamekeepers, forestry workers, representatives of the ZGS, and others), the police, the VHS, the VF, and other physical and legal persons must act in accordance with:

- The Decree on Protected Wild Animal Species (*Official Gazette of the RS, No. 46/04, as amended*);
- The Game and Hunting Act (*Official Gazette of the RS, No. 16/04, as amended*);
- The Criminal Code (*Official Gazette of the RS, No. 50/12, as amended*);
- The Nature Conservation Act (*Official Gazette of the RS, No. 96/04 - official consolidated text, as amended*);
- The Animal Protection Act (*Official Gazette of the RS, No. 38/13 - official consolidated text, as amended*);
- other laws and regulations.



Photo: Matej Vranec

Notes

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