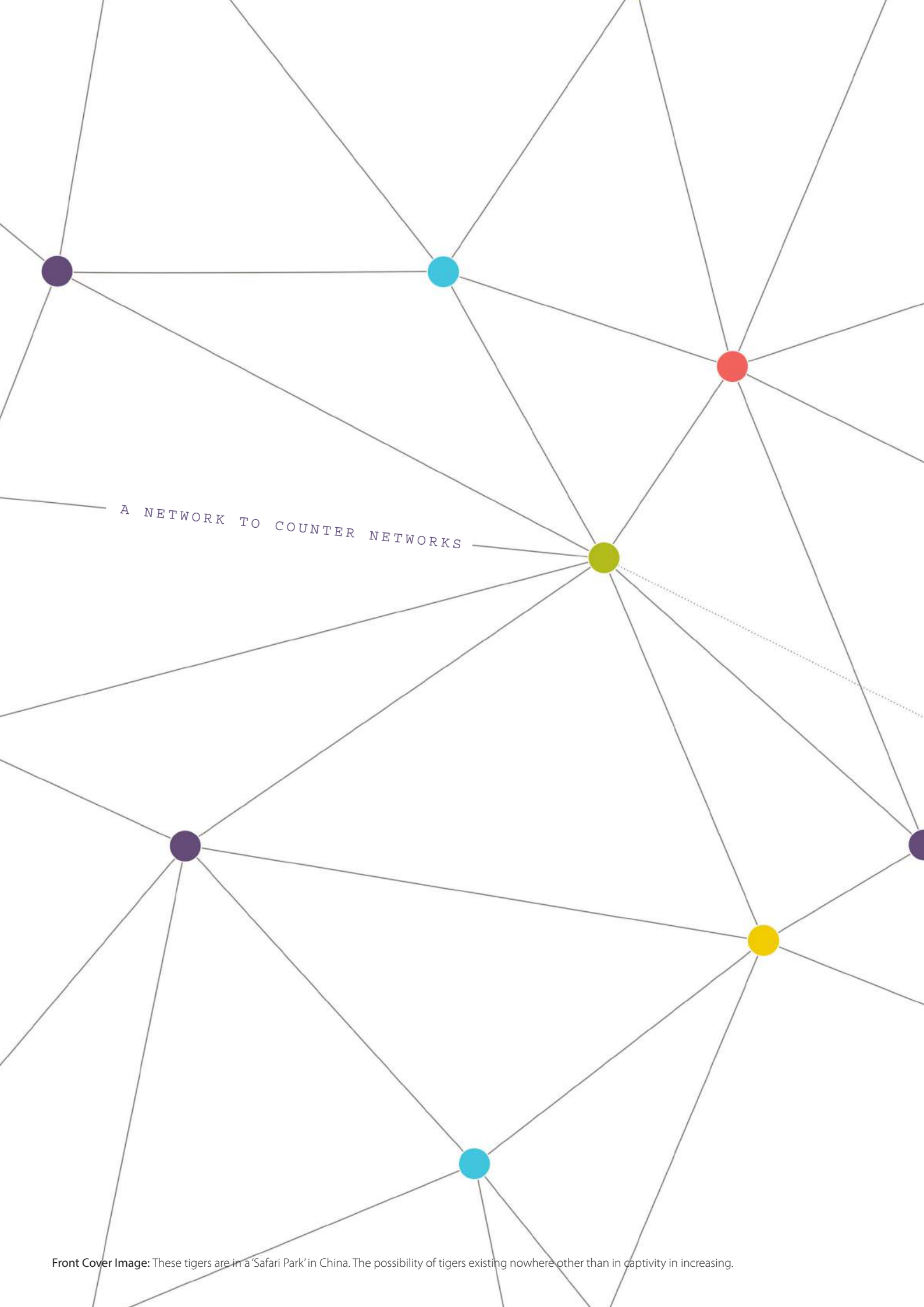


THE GLOBAL INITIATIVE  
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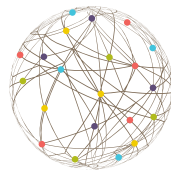
## **Policing the Trafficking of Wildlife:** *Is there anything to learn from law enforcement responses to drug and firearms trafficking?*



A Research Paper  
February 2014



A NETWORK TO COUNTER NETWORKS



# POLICING THE TRAFFICKING OF WILDLIFE:

**Is there anything to learn from law enforcement  
responses to drug and firearms trafficking?**

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**Part of the Global Initiative against Transnational Organized Crime  
series on Environmental Crime**

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February 2014

## Appreciation and Acknowledgements

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The author of this work is John M. Sellar, who also provided the photographs.

The Global Initiative gratefully acknowledges the range of experts from the Global Initiative Network who have given up their time to contribute to the development of this report, and for the financial support of the Government of Norway.

## About the Author

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John M. Sellar OBE FRGS was engaged in law enforcement for almost four decades, initially in the Police and then the United Nations. As a Detective, he investigated murders and other serious crime but also dealt with human rights abuse in Scotland's maximum security prison. Before transferring to the UN, he was Officer-in-Charge of a police area where royal security and anti-terrorism matters featured significantly.

In 1997 Mr. Sellar moved to Switzerland, handling anti-smuggling, fraud and organized crime issues for the Secretariat of the Convention on International Trade in Endangered Species (CITES), ultimately becoming Chief of Enforcement. During 14 years with CITES he conducted 234 missions to 66 countries, assessing enforcement in the field and designing strategies to tackle wildlife trafficking. He was instrumental in establishing the International Consortium on Combating Wildlife Crime in 2010, a partnership of CITES, INTERPOL, UN Office on Drugs and Crime, World Bank and World Customs Organization. He has lectured extensively worldwide and his book on combating international wildlife crime will be published in early 2014.

He formally retired in 2011 but remains active in both a voluntary and consultancy manner and sits on the International Association of Chiefs of Police Environmental Crimes Committee. In June 2013, in recognition of his UN activities, he was appointed by the Queen as an Officer of the Order of the British Empire.

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## About the Global Initiative against Transnational Organized Crime

The Global Initiative ([www.globalinitiative.net](http://www.globalinitiative.net)) is a network of prominent law enforcement, governance and development practitioners who are dedicated to seeking new and innovative strategies and responses to organized crime.

### Nature of the challenge

The problem of organized crime is not new, but the scope, scale and spread of the phenomena is now unprecedented. It affects all countries, developed, middle-income and developing, as well as states beset by political instability and conflict. The impacts can be diverse, but the common feature is that organized crime negatively affects the life chances of ordinary people: it undercuts key institutions, damages the environment, distorts or impedes economic growth and it fuels conflict.

While there is growing consensus as to the rapid evolution and detrimental impact of organized crime, there is much less agreement around what constitutes an effective response.

### Catalyzing a new approach

The Global Initiative was born from a series of high-level, off the record discussions between mainly (though not exclusively) law enforcement officials from both developed and developing countries, hosted by the International Peace Institute in New York in 2011-12. At these meetings, the founding members of the Global Initiative, many of whom stand at the front line of the fight against organized crime, illicit trafficking and trade, concluded that the problem and its impacts are not well analyzed; they are not systematically integrated into national plans or strategies; existing multilateral tools are not structured to facilitate a response and existing forms of cooperation tend to be bilateral, slow and restricted to a limited number of like-minded states.

The result was a decision to create a new initiative: the Global Initiative against Transnational Organized Crime, which would seek to provide a platform to promote greater debate and innovative approaches as the building blocks to an inclusive global strategy against organized crime.

### Analysis, Strategies and Response

Launched formally in New York in September 2013, the Global Initiative comprises a network of close to 100 independent global and regional experts working on human rights, democracy, governance and development issues where organized crime has become increasingly pertinent.

The Global Initiative, now registered as an international civil society organization, has an office in Geneva, Switzerland, a core Secretariat and a high-level advisory board. Through a range of channels, the Global Initiative seeks to project the expertise of its Network members outwards and to make it available to a broader range of stakeholders.

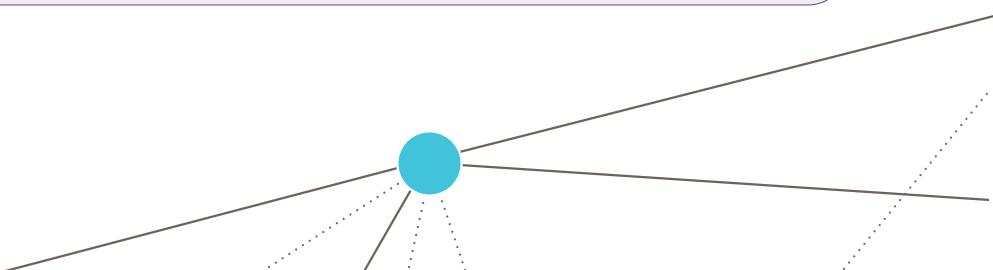
For more information please visit our website at [www.globalinitiative.net](http://www.globalinitiative.net) or contact the Secretariat at: [secretariat@globalinitiative.net](mailto:secretariat@globalinitiative.net).



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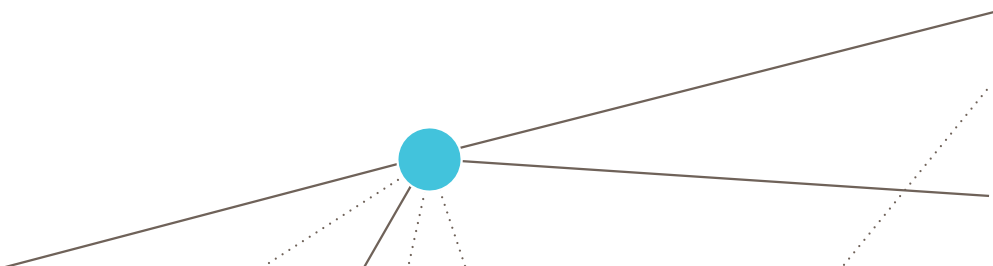
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## Acronyms and Abbreviations

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Acronym	Extension
ATF	Alcohol, Tobacco, Firearms and Explosives Agency (USA)
ATT	Arms Trade Treaty
CARICC	Central Asian Regional Information and Coordination Centre for Combating Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and their Precursors
CCP	UNODC / WCO Container Control Programme
CCPCJ	United Nations Commission on Crime Prevention and Criminal Justice
CND	Commission on Narcotic Drugs
CoP	Conference of the Parties
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
DEA	Drug Enforcement Agency (DEA)
EC	European Commission
ETIS	Elephant Trade Information System
EU	European Union
EUROPOL	EU Law Enforcement Agency
GCCI	Gulf Center for Criminal Intelligence
GRASP	Great Apes Survival Programme
ICCWC	International Consortium on Combating Wildlife Crime
IGO	Inter-Governmental Organizations
INCB	International Narcotics Control Board
INTERPOL	International Criminal Police Organization
IUCN	International Union for Nature Conservation
MIKE	Monitoring of Illegal Killing of Elephants
NEST	National Environmental Security Task Forces
NGO	Non-Governmental Organization
PATROL	Partnership Against Transnational crime through Regional Organized Law enforcement
RILO	Regional Intelligence Liaison Office Network (WCO)
TOCTA	Transnational Organized Crime Threat Assessment
UNEP	United Nations Environment Programme
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organized Crime
WCO	World Customs Organization
WEG	Wildlife Enforcement Group (New Zealand)
WEN	Wildlife Enforcement Networks
WWF	World Wildlife Fund





## Introduction

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**"If we win the war against environmental crime but discover that by the time we do so there are no tigers left, this will be a hollow victory."**

***John M. Sellar, Former CITES Chief of Law Enforcement  
Global Initiative launch September 2013***

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The "tipping point" on wildlife crime is fast approaching: the extinction of key species and irreparable damage to the environment are both imminent possibilities in the near future. Growing demand for wildlife products in key markets has triggered a professionalization and aggression in poaching which is unparalleled. Armed with advanced weaponry, surveillance equipment and facilitated by extensive corruption, the criminal market in wildlife crime is now one of the most

significant illicit markets in the world. Key species such as the rhino are being slaughtered at record levels. Lesser known animals are traded at a scale that is almost incomprehensible. This is no longer just a criminal act: it is warfare.

The law enforcement community, at national and international levels, has long been engaged in what are described as 'wars' against narcotic and firearm trafficking. These two forms of criminality



share many of the same features as those of wildlife trafficking, particularly as all three involve: the harvesting or acquisition of material or products in one State; usually require illicit export from the same State; the subsequent clandestine movement of the material or products across further national borders (regularly many borders and also intercontinentally); illicit import to the State of destination; and final delivery to customers and consumers.

This paper is not an attempt to determine whether battles have been lost or won in each of these wars. Rather, it seeks to describe some of the strategies adopted by individual nations and international alliances to respond to drug and firearms trafficking, the manner in which they have rallied their troops, and examines whether illegal trade in wildlife can be thought of as a 'common enemy' and, thus, addressed in a similar fashion.

The assessment and findings presented in this report are drawn from the extensive experience of the author, a law enforcement professional with over four decades of experience. The author held the role of Chief of Law Enforcement for CITES, and during 14 years with CITES he conducted 234 missions to 66 countries, assessing enforcement in the field and designing strategies to tackle wildlife trafficking. Thus while this study may not draw upon comprehensive research, it nonetheless presents an unparalleled expert perspective of the global state of affairs.

## Evolving Markets

Organized criminal activity is characterised by its innovation and rapid evolution both into new commodities, territories and markets. All three crime-types have experienced alterations in the nature of the commodities being trafficked, as well as the means of production, transit and sale. Some of these modifications have significantly changed the nature of the criminal flow. This has implications for both day-to-day enforcement responses and the design of responses.

This ever-evolving scenario places considerable burdens upon the law enforcement community and, if nothing else, demonstrates the necessity for

constant monitoring, collation of information and data, and its dissemination through channels such as annual drug reports and operational intelligence bulletins and alerts.

Many of the fauna and flora species being illicitly trafficked have been in demand, for one purpose or another, for centuries. However, some demands appear, and then reduce or evaporate, in an almost fashionable manner. Who, for instance, could have predicted that rhino horn might suddenly (and erroneously?) be viewed as an effective treatment for cancer, as it apparently is in some places today?

In the early 2000s, considerable attention had to be devoted to combating illicit trade in caviar, which was occurring in very substantial quantities. By 2013, caviar seizures tended to be of small amounts and, regrettably, the reductions appeared to be largely due to poachers being unable to find enough sturgeons in the wild, rather than the success of enforcement efforts.

Countries of origin also alter, as criminals seek out new harvest sources. For example, pangolins and lion bones are now trafficked from Africa because of the difficulty in obtaining similar animals, pangolin or big cat, in the wild in Asia.

As with the emergence of different forms of amphetamines, wildlife law enforcers and border control staff have to cope with an almost bewildering array of animals, plants and products as new demands emerge or as species are added to the CITES Appendices. In late 2013, for example, it emerged that geckos were being removed from the wild in Bangladesh and smuggled to neighbouring countries for medicinal purposes, a demand that had seemingly gone unnoticed previously.

The enforcement community has certainly learned that it must be adaptable to emerging trends and desires. But a seemingly never-ending and ever-increasing burden is being placed upon that community. And sometimes unreasonable expectations may be made of it. For instance, border control staff in the developing world cannot be asked to regulate trade in a particular newly-listed

species, if the only way to identify it once it is in trade is through DNA profiling.

CITES' expansion into controlling cross-border movements of marine species brings with it capacity building and training impacts for fishery regulation agencies, many of which will have had little prior knowledge of the Convention. And many national government agencies, historically tasked with CITES implementation because of their nation's involvement in, for example legal hunting, now find themselves struggling to cope with a massive assortment of species for which they have no in-house knowledge. This is one reason why several CITES Parties have designated multiple Management Authorities but this brings its own collaboration and coordination problems. Indeed, it is not unknown for separate arms of national government to have different, and sometimes diametrically opposed, views in relation to whether particular species should even be regulated under the Convention.

If there is confusion, lack of clarity or disagreement among those who are meant to know the subject, imagine how problematic it must become for a Customs or Police officer. It is essential that the implications for enforcement be taken fully into account when fresh listing proposals are prepared and debated. The expectations placed on enforcement agencies must be practical, realistic and achievable.

## Mounting a Response

Given these commonalities, and especially since it is now seems popular for the media and others to place drugs, arms and wildlife in some form of league table of levels of significance, it appears logical to reflect upon the enforcement community's response to the first two crime-types and identify lessons that might be learned when responding to wildlife crime. Given that wildlife trafficking is estimated to have reached values of somewhere near 10 billion dollars a year (see later remarks), it certainly seems that it is a crime area worthy of greater attention. But values aside,

it also deserves notice since it is bringing several species, including some of the world's most iconic, to the very brink of extinction.

This paper seeks to identify a range of issues, common to all three crime-types, which have previously been responded to in relation to drug and firearm trafficking, and examines whether similar steps are being taken, or could be taken, in relation to the trafficking of fauna and flora.

Perhaps the first lesson one wishes to learn must be, 'How does one win?' Since the wars against drugs and arms remain ongoing, it seems likely that the answer continues to elude enforcement and, indeed, may likely not be achievable by enforcement agencies alone.

With regard to the emergence of new forms of illicit trade or new source countries, the enforcement community must be provided with as much early warning as possible. Unfortunately, in respect of the three crime-types, the community always seems to be struggling to catch up with the criminals.

The illicit transportation and trade in drugs, arms and wildlife will, not infrequently, require a degree of processing and manufacturing, altering the initial material or product to make it best-suited for subsequent use or consumption, at one or more stages between its first being acquired and its ultimate supply. These stages may occur in the country of origin, the country of destination or, less commonly, en route.

There are a number of elements that are required to ensure that a law enforcement response to any organized crime will be successful. These extend across the range of actors that would also be required, beyond the immediate security institutions: policy makers, donors, civil society, analysts and researchers, among others. And with the transnational nature of the vast majority of organized crimes, there needs to be a mobilization and sharing of responses across international, regional and national agencies and networks.

Elements of a response include:



The paper begins by addressing the legal and institutional structures under or within which responses are being coordinated at present. It then examines current strategies, what efforts are made to evaluate them, and asks whether sufficient information is available to enable that to take place

effectively. Thereafter, it looks at the wide range of support that is potentially available, its delivery, and considers if assistance is being used sufficiently wisely and widely. Lastly, on-the-ground practical responses to crime are considered and an effort made to learn lessons.



**Ivory Sale:** Unlicensed trader in a popular market in Beijing.

## Legal Frameworks

It clearly does not simplify matters for enforcement officials if manufacture, sale and consumption of a substance are legal in one place but illegal in another. This may be difficult enough in neighbouring countries and even worse when it occurs in different parts of the same nation. There are many examples of this in relation to narcotics.

The very same scenario exists in relation to the restrictions placed upon the sale and ownership of firearms or the type of firearm that may be sold or possessed.

Whilst this state of affairs is replicated in the case of wildlife, too, it perhaps has additional implications with respect to consumers and risks causing confusion and misunderstanding that may be less likely to occur with regard to drugs and arms.

With some country-specific exceptions, few members of the public, be they residents of a country

or visitors to it, will encounter 'hard drugs' or firearms openly on sale. In the case of the latter products, it will be normal for them to realize that some form of control exists, especially in relation to taking such items out of the country. It would be only the most reckless of tourists, finding that a handgun could be purchased no-questions-asked, who would attempt to buy one and take it home. Similarly, any 2014 British sightseers in Colorado should know better than to purchase cannabis and arrive back at Heathrow Airport with it in their luggage.

On the other hand, how are visitors to China, Thailand or Zimbabwe to discern that the ivory carving on sale in a shop there cannot be taken out of the country or, even more confusingly, that the carving from Zimbabwe actually can be, but only if they apply for an export permit? How is the tourist in Moscow, discovering a range of tins of caviar on offer, to know that any of them in excess of 125g



cannot leave Russia? To expect the consumer to also be conscious of whether (a) the product is of a legal origin and (b) the trader is licensed, may be both unreasonable and unrealistic.

The following lays out the key features of the different international legal instruments in place to govern the comparative crimes of drug trafficking and arms trafficking, and attempts to learn lessons as to how these have succeed or failed.

## Drugs

At the domestic level, many countries, especially those in the developed world, have had laws in place to regulate the supply and use of narcotic substances for decades. It is perhaps only more recently that countries have enacted legislation specifically addressing the misuse of drugs and intended to combat criminal exploitation of narcotics. For example, it was through the Drugs (Prevention of Misuse) Act 1964 that the United Kingdom of Great Britain and Northern Ireland first responded to illicit activities relating to amphetamines. Britain has since enacted and amended various other statutes, with new substances being added to controls and the level of control for some drugs being altered.

At the international level, the United Nations adopted its Single Convention on Narcotic Drugs in 1961, the Convention on Psychotropic Substances in 1971, and, most recently, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances in 1988. There are currently 188 Parties to the last of these treaties.

## Arms

Most countries have national legislation which addresses the possession and sale of firearms and ammunition. However, to a significant extent, such law is often regulatory in nature and commonly was not drafted in terms intended to specifically combat illicit trade in weapons. Indeed, arms trafficking,

although significant in some parts of the world, is not perhaps viewed as being particularly prevalent globally and many national enforcement agencies will seldom be called upon to deal with this type of crime. Indeed, most Customs and Police officers will probably never encounter arms trafficking, although they will undoubtedly regularly face drug-related crime and some will regularly encounter firearms-related crime.

This is perhaps reflected in the international response too. In 2001, the United Nations adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition but it did not enter into force until 2005 and currently has 107 Parties.<sup>1</sup> Some very significant States, such as the Russian Federation and United States of America, have yet to sign, ratify or accede to the Protocol. In April 2013, in recognition of the critical importance that illicit arms are playing in conflict zones, the General Assembly adopted the landmark Arms Trade Treaty (ATT), regulating the international trade in conventional arms, from small arms to battle tanks, combat aircraft and warships. Despite its young age, the treaty already has 116 signatories and 9 ratifications, and it is hoped that it will provide a genuine step towards stopping the destabilizing flows of illicit arms.<sup>2</sup>

## Wildlife

Most nations have adopted domestic law in relation to fauna and flora. Studies, such as those conducted under the National Legislation Project of the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), have shown that a good deal of this law is outdated, was initially intended to regulate hunting or penalize subsistence harvesting, and is inadequately-framed to combat organized wildlife trafficking. Although many Parties to CITES have enacted legislation to better equip them to

1 As of 6 February 2014, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition had 107 states parties and 52 signatories. The protocol can be found here: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-c&chapter=18&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-c&chapter=18&lang=en)

2 As of 6 February 2014, the Arms Trade Treaty has 116 signatories and 9 ratifications. The ATT can be found here: <http://www.un.org/disarmament/ATT/>



implement the Convention, little of it is intended to enable enforcers and prosecutors to respond to serious criminal exploitation of fauna and flora.

CITES is the international community's means of controlling trade in animals and plants and the Convention has 179 Parties at present. Whilst its appendices list significant numbers of fauna and flora species (30,000+), the Convention does not apply to all wildlife and its focus is one of sustainable regulation of transnational trade. Although Parties are legally bound to penalize violations of CITES, the Convention was drafted in 1973 and, hence, its wording does not reflect the existing significant and serious levels of sophisticated and organized trafficking. It is acceptable, for instance, for Parties to respond to violations by way of administrative, as opposed to criminal, penalties.

## Organized Crime

Comparatively few nations have enacted specific legislation that addresses 'organized crime' but the majority have statutory or common law crimes that can address these matters, such as those dealing with 'conspiracy' or 'racketeering'.

The United Nations adopted its Convention against Transnational Organized Crime (UNTOC) in 2001, along with protocols relating to trafficking in persons and smuggling of migrants. There are currently 179 Parties to UNTOC.<sup>3</sup>

It is important to note that the wording of UNTOC may restrict its application in the case of wildlife trafficking. Article 2 of the UNTOC contains the following definitions:

**(a)** "Organized criminal group" shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;

**(b)** "Serious crime" shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty;

Whilst it is highly likely that many instances of wildlife trafficking would fall within what is described in (a), many of the Parties to CITES, as noted earlier, may not have implementing legislation providing penalties that would match what is expected in (b).

## Lessons Learned

The international treaties described above, whilst legally binding upon their Parties, are not in themselves self-executing and individual criminals, or groups of criminals, who violate their provisions cannot be brought before a court of justice. The Parties must enact national legislation to implement the conventions and, as had been noted in the case of CITES, individual nations may address this in widely differing ways and may adopt widely differing penalties.

On 26 April 2013, the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ) adopted a revised draft resolution on "Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora". The resolution encourages Member States to make illicit trafficking in wild fauna and flora a "serious crime", clearly with the intention that such crimes could be dealt with under any organized-crime-related legislation that countries have enacted, or will enact.

However, perhaps it may be time to consider whether the nations of the world, presumably through United Nations' processes, should draft and adopt a protocol, to supplement UNTOC, relating to illicit trafficking in wild fauna and flora. UNTOC and its protocols, although requiring national implementing legislation, set out standards and provisions that are specifically intended to target organized crime; both in general and in certain of its particular forms. Thus, they benefit from drawing upon the experience of

<sup>3</sup> As of 6 February 2014, had 179 states parties and 147 signatories. The UNTOC Convention can be found here: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12&chapter=18&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&lang=en)

enforcers, investigators, prosecutors and judges and are, to a significant extent, based upon best-practice from around the world.

There is, at present, no similar internationally-recognized guidance in relation to the combating of wildlife trafficking. Although meetings of the Conference of the Parties (CoP) to CITES have, on several occasions, adopted Resolutions and Decisions intended to provide guidance regarding possible responses to illicit trade in fauna and flora, particularly species-specific violations of the Convention, these are not legally binding upon the Parties. By contrast, UNTOC protocols are legally-binding.

It deserves to be borne in mind that CITES is an international trade treaty and its signatory parties tend not to send appropriately legally-qualified or enforcement-experienced delegates (or a sufficient number of them) to its meetings and conferences. It is questionable, therefore, whether CITES offers the best forum for either the discussion or adoption of enforcement-related matters. Whilst great care would need to be taken to ensure that any protocol would not conflict with the provisions of the CITES Convention, there appear to be many potential advantages in having a standalone Protocol on Illicit Trafficking in Wild Fauna and Flora.

The preparation, adoption and coming into force of such a protocol would, however, be a lengthy process and is unlikely to offer short- or mid-term support in the existing war against wildlife trafficking. Whilst it ought to be possible for the UN Office on Drugs and Crime (UNODC) to gauge international interest for such a move in the near future, through the CCPCJ (which meets annually), it will not be until its next meeting in 2016 that such interest on the part of the CoP to CITES could be assessed.

Whilst a protocol seems appropriate, its preparation and adoption should not interfere with or be seen as an alternative to the urgent action that needs to be taken on-the-ground. But it does offer considerable long-term benefits.

What is much more difficult to assess is whether territories that either legalize, or have less restrictive controls on, drugs and arms face reduced trafficking and, so, it is difficult to draw lessons from approaches to these commodities. It seems likely that many other factors will have influence beyond enforcement or legislative policies and strategies. This also seems to be the case with wildlife where, for instance, China and Japan both have legal domestic trade in ivory. The former has become the most significant destination for ivory trafficking, whilst the latter is relatively insignificant.

In terms of 'success', it appears that public awareness of the controls on drugs and arms are at a much higher level than those relating to wildlife. However, it seems more likely that this is due to 'general knowledge' than specific initiatives. There would, therefore, appear to be scope for increased or improved awareness-raising for wildlife.

A general lesson that seems capable of being drawn from drugs and arms is that it appears highly improbable that a worldwide policy in relation to their licit trade and consumption will ever be adopted. It may, therefore, be fruitless to engage in calls for globally-aligned policies with regard to wildlife or particular wildlife products. Similarly, whether 'lax' or 'tight' controls are in place for drugs and arms, neither approach appears to eliminate trafficking entirely, which seems to confirm that enforcement only plays one part in any effective response to society's ills.



African grey parrots have always been, and continue to be, one of the most commonly-smuggled birds. These are on sale in Qatar.

## Monitoring, Oversight and Advisory Bodies

In response to other crimes, national, regional or international monitoring, oversight and advisory bodies have been established to inform common policy and responses. While there are some efforts at the national or sub-regional level, by contrast, within the realm of wildlife crimes, there remains no single international body to monitor the illicit trade, though a number of law enforcement committees and civil society watchdog initiatives have sprung up, and in the absence of internationally mandated efforts, have gained considerable credibility.

This section examines the various oversight instruments that have been used, and attempts to draw lessons as to their efficacy in monitoring the trade and catalyzing an effective response.

### Drugs

Especially in developed nations, it is common for governments to have established parliamentary, statutory or multi-agency (sometimes incorporating civil society) committees and groups to assess and advise upon national drug strategies. Similar groups may exist at provincial and regional levels, or within large cities and urban areas, to determine such matters as the best delivery of support services to drug users and appropriate local-level government and enforcement approaches.

Such national governments may also have appointed scientists and other relevant experts to provide advice in relation to which narcotic substances should be included in drug misuse laws



and the legislative category, normally associated with penalties, into which they should be placed.

It is also common, in countries with representative bodies for senior Police management, for those bodies to have working- or sub-groups devoted to drug misuse and trafficking issues. Such bodies frequently have considerable influence in relation to national strategies and governmental policies.

Particularly in recent years, very considerable divergence of opinion has emerged in relation to how best to respond to drug misuse. It is not unknown for neighbouring countries, or even neighbouring states in federal government systems, to adopt diametrically different approaches to this subject; to the point where use of a particular drug in one jurisdiction is a criminal offence, whilst being legal 'next door'. It is, however, both important and intriguing to note that there appears to be a very widespread international intolerance of drug trafficking. This even applies in some countries which permit, for example, recreational use of cannabis but in which there is limited, and apparently insufficient, domestic production.

At the international level, two significant bodies operate under the auspices of the United Nations. The first of these is the Commission on Narcotic Drugs (CND), composed of UN Member States, which serves as a policy-making body with regard to drug-related matters, including the monitoring of the global trends of illicit drug trafficking and abuse. It is also the monitoring mechanism for the UNODC. The second is the International Narcotics Control Board (INCB), comprising a small group of independent specialists who monitor implementation of the UN drug-related conventions, assess international narcotic-related data and provide advice. This is a very influential group.

The UNODC provides reports to both of the above bodies and the issue will also feature in discussions by related fora, such as the CCPCJ. However, none of these bodies, and none of the related treaties, contain any non-compliance measures.

## Arms

There appear to be few, if any, countries that have established permanent bodies to monitor or provide

guidance on this crime-type. Most governments address the issue through *ad hoc* committees and seek guidance from the representative bodies of their national law enforcement agencies. The United States of America's federal Alcohol, Tobacco, Firearms and Explosives agency (ATF) may be the only enforcement body in the world that has arms trafficking as part of its specific remit and mandate.

At the international level, monitoring of illicit arms trafficking falls within the remit of the CoP to UNTOC, as it takes account of the protocols to the Convention, and this will be reported upon by the UNODC. As with narcotic trafficking, the subject may be brought, from time to time, before ancillary and relevant meetings of such bodies as the UN CCPCJ. No non-compliance measures exist in relation to arms trafficking.

The UN's General Assembly is also reported to, with regards to small arms matters, by the UN Office for Disarmament Affairs. However, as its name suggests, this office focusses on the political matter of removing arms from ex-combatants and others, rather than specifically arms trafficking.

The absence of specific monitoring mechanisms for arms trafficking may, in part, be explained by the fact that several major politically- and economically-important States engage significantly in the commercial production and sale of small arms and, thus, are sensitive in relation to any potential international oversight. Additionally, there is considerable political sensitivity with regard to the manner in which some governments, both in the past but also currently, have supplied weapons to either other governments or particular groups, often politically-motivated groups. There seem more than reasonable grounds to regard some of what has taken place as arms trafficking, albeit sanctioned by governments, and that some of it might violate international treaties or agreements. Wildlife

Here too, it has tended to be governments in developed countries which have established specific mechanisms in relation to this subject. For example, oversight in the United States is provided for through the House Committee on Natural Resources, whilst a similar function is undertaken by the Environmental

Audit Committee, a Commons Select Committee in the UK Parliament. Both of these committees have specifically considered wildlife crime matters and the response of their countries to such crimes.

The CCPCJ, in recent years, has discussed wildlife trafficking but has yet to undertake any significant monitoring or oversight. It has, however, drafted several resolutions encouraging that greater attention be devoted to the subject and noting ongoing activities, such as those of the International Consortium on Combating Wildlife Crime (ICWC).

The UN General Assembly and Security Council have both noted the significance of wildlife trafficking, and especially poaching of endangered species, but this has been on an *ad hoc* basis and neither has engaged in specific monitoring or oversight.

INTERPOL established a Wildlife Crime Working Group many years ago and it meets on an annual basis. It is composed of representatives of police and specialized wildlife law enforcement officials from around the world. However, its membership has tended to lack continuity. Aside from encouraging multi-national, species-specific enforcement projects (discussed in further detail later), the Group has had an advisory role that has particularly taken the form of producing capacity-building materials. More recently, INTERPOL has created an Environmental Compliance and Enforcement Committee, intended to bring together relevant 'executive-level' officials from agencies dealing with a range of issues aside from wildlife trafficking. It is presumed that this is expected to be a strategy-setting body, but it seems too early to assess the level of achievement.

The General Secretariat of INTERPOL reports to relevant meetings, such as its General Assembly, on the subject of wildlife trafficking, and the Assembly has adopted resolutions on the subject, but there is currently no meaningful monitoring or oversight mechanism. INTERPOL has no non-compliance measures.

The World Customs Organization (WCO) has an Enforcement Committee which takes account of wildlife-related issues. The Committee, the WCO and its Secretariat have devoted significant attention over many years to CITES-related matters. Although

the WCO Secretariat and the WCO Enforcement Committee report to the overseeing body of the Organization, the Customs Co-operation Council, no formal monitoring or express oversight occurs in relation to wildlife trafficking. The WCO has no non-compliance measures.

It has been left, primarily, to CITES to undertake international-level monitoring and oversight of illicit wildlife trafficking. As mentioned previously, this has been both in general terms but also, very often, on a species-specific basis. CITES bodies, such as its Standing Committee and Conference of Parties have, in the main, relied upon the CITES Secretariat to provide enforcement-related reports but have also sought information from conservation bodies such as the International Union for Nature Conservation (IUCN) and TRAFFIC (a wildlife trade monitoring non-governmental organization operating under IUCN and the World Wide Fund for Nature (WWF)).

On two occasions in the past decade, the CITES CoP has sought input from the CITES Enforcement Expert Group; composed of national enforcement agency officials with experience of combating wildlife crime and representing different parts of the world, together with relevant Inter-Governmental Organization (IGO) representatives. The Group has been used by the CITES community to access guidance on enforcement-related matters but its remit has very deliberately avoided any issues relating to compliance by individual Parties to the Convention.

In relatively striking contrast to most IGO secretariats, the CITES Secretariat is mandated in the text of the Convention with a monitoring and advisory role. It has a long history of *in situ* assessment and verification of implementation, either in a general manner or species-specifically. It is regularly, and repeatedly, called upon by the Conference of the Parties to undertake such work. It is through such in-country missions that the Secretariat is able to report to the CITES Standing Committee and CoP, and make relevant recommendations.

As described elsewhere, the Secretariat also has a mandate to review the domestic legislation of CITES Parties, to assess its adequacy in relation to implementation of the Convention.

CITES has very well-established and well-used non-compliance measures and sanctions. These have been employed on many occasions in relation to high levels of illicit trade emanating from specific Parties but also in relation to a failure by specific Parties to enact adequate implementing legislation within deadlines established by the CoP.

## Lessons Learned

There appears considerable scope for those bodies dealing with drug and arms trafficking to learn some lessons from CITES. On the other hand, as mentioned elsewhere, CITES mechanisms may not, currently, benefit from sufficient involvement from the enforcement community and, therefore, may not be best-prepared or equipped to either assess or advise in relation to criminal wildlife trafficking. It must also be acknowledged that wildlife trafficking is not restricted to solely species listed in the appendices of CITES.

Instead, the establishment of some body, similar or equivalent to the Commission on Narcotic Drugs or International Narcotics Control Board, might prove beneficial. The advantages of a comparable body would be that it could be composed of appropriate experts who may not, at present, be part of CITES processes and would, additionally, be able to address matters beyond the trade-focussed mandate of CITES and its supervisory mechanisms.

Rather than create a completely new body or process, consideration might be given to allocating any monitoring, oversight and advisory role to the International Consortium on Combating Wildlife Crime. The Consortium, established in 2010, brings together the CITES Secretariat, INTERPOL, the UN Office on Drugs and Crime, the World Bank and the World Customs Organization in an initiative to support nations in combating wildlife trafficking. It offers a multi-agency collaboration and coordination that has never been attempted before. ICCWC would, however, have to be re-structured and considerably enhanced, were it to take on such activities. It would not seem appropriate or productive, however, for ICCWC to adopt any non-compliance assessment or monitoring role whatsoever in relation to Parties implementation of CITES; that should remain firmly within the remit of existing CITES processes.

An alternative may be to establish a CITES Enforcement Committee, to sit alongside the existing Standing, Animals and Plants Committees, but the existing difficulties of bringing the appropriate people to the table might continue.

Before moving on, it is worth acknowledging that UNODC, on behalf of CITES and ICCWC, is currently engaged in the preparation of performance indicators in relation to wildlife law enforcement. If such indicators are subsequently adopted by CITES Parties and member countries of the Consortium partner agencies, they will presumably play a significant role in both monitoring and oversight.





Elephant mother and calf, Zimbabwe

## Data Collection and Analysis

Data collection and analysis plays a critical role in ensuring a timely, effective, and ideally proactive response to organized crime. In the case of wildlife crime, where the most critical harm is undertaken at the point of the crime, the need to move towards a proactive preventive approach is critical. Effective data collection and sharing is essential to ensuring the capacity to monitor and predict global trends.

This section examines those data collection and analytical tools and initiatives that are currently in place in response to other crimes, including an examination of how that data is then channelled into the international, regional or national policy setting and law enforcement response bodies..

### Drugs

At the national level, most countries maintain detailed and accurate records relating to enforcement

actions regarding drug misuse, abuse and trafficking. These will relate to in-country seizures, interceptions at borders and arrests and prosecutions of drug users and dealers. Many countries supply some, if not all, of this information to relevant international governmental organizations. That supply may be on a case-by-case basis, as annual statistical data, or a mixture of both. Some of the data communication will be national government to IGO, whilst relevant enforcement agency channels, i.e. national Customs to the WCO Secretariat, will also be used.

Each year, the UNODC publishes a very comprehensive 'World Drug Report'. This document provides an overview of current and emerging trends, importantly seeks to measure the scale of illicit drug production and assesses the impact that trafficking is having in the various regions of the world. It also addresses human health issues, a matter that the



general law enforcement community tends not to examine. The INCB also publishes an annual report which assesses the state of play for the illicit drug trade, including a review of major seizures, trends and emerging areas of policy.

The WCO also publishes an annual report relating to drugs. Once again, it provides a comprehensive summary, and detailed statistics, regarding enforcement actions taken by the world's Customs authorities over the previous year. It does not, however, seek to address some of the matters covered in the UNODC document, as these are understandably probably of lesser significance to this specialized Customs audience.

INTERPOL's data collection role, in relation to drug trafficking, appears to be of a more operational and intelligence-led nature. Whilst it will receive national police information regarding major seizures, or significant traffickers and trafficking groups, it does not seem to actively seek the statistical overview of those of UNODC and WCO. Whilst mention will be made in INTERPOL's annual report of the various anti-drug trafficking operations it may have helped coordinate during that year, no separate or specific INTERPOL publication is presented on this subject, which mirrors those of UNODC and WCO.

## Arms

The specific collection of data relating to arms trafficking at national levels seems limited, unless nations have created some body such as the United States ATF agency. Arms-related crime will undoubtedly be recorded as part of general crime statistics but it seems that few countries address this crime-type particularly and separately.

This situation does appear to be changing, however. Europol and the European Commission (EC) have recently been giving greater attention to this subject and, as recently as October 2013, the Commission issued guidance entitled, 'Firearms and the internal security of the European Union: protecting citizens and disrupting illegal trafficking'. Europol's efforts to obtain relevant data from its Member States have had limited success, though, with a significant number of countries not reporting. It is unclear

whether this reflects a lack of data at national level or whether it reflects a lack of arms trafficking in non-reporting States.

An NGO research body, called the Small Arms Survey, which is based in Switzerland, receives financial support from a number of governments to monitor trade in these products, both legal and illegal, and it produces both annual and specialized reports. The research group examines a wide range of issues related to small arms and does not concentrate solely on trafficking.

UNODC reports to the CoP of UNTOC on matters relating to the implementation of the Firearms Protocol. It does not, at present however, publish any global overview in the manner of its World Drug Report. UNODC has, though, devoted a chapter to firearms in its 2010 'The Globalization of Crime' report which takes an analytical look at a variety of global criminal flows.

The WCO does not appear, at present, to undertake specific reporting in relation to arms trafficking.

INTERPOL has published a Firearms Programme Strategic Plan 2013-2015 but does not, currently, prepare any general overview reports or documents in relation to arms trafficking. As with drugs, the organization's focus tends to be on providing operational or practical support to its member countries. In 2006, Interpol was working on a study in collaboration with International Criminal Court, to launch a pilot project comprising of data collection and information analysis concerning primary figures involved in illicit arms brokering, but is unclear where the results of this effort now stand.

## Organized Crime

There are a growing number of organized crime threat assessments being produced on a national and regional basis, including, for example the annual EUROPOL Transnational Organized Crime Threat Assessment (TOCTA). In 2010, the UNODC published the first Global TOCTA, which was in many ways a landmark document looking at global flows of illicit goods and organized crime activity. These reports, while they may highlight environmental



or wildlife crimes, rarely originate in the countries where species are most at threat. And while they may serve to increase awareness and catalyze policy, generally wildlife crimes are overshadowed by drug trafficking or other forms of crime in terms of scale and urgency. Furthermore, they are not a continual, proactive source of data and trend analysis that would be required to genuinely ameliorate the effectiveness of a coordinated response.

## Wildlife

Relatively few countries specifically collect data relating to wildlife trafficking. Those that do tend to be nations with dedicated enforcement agencies in this field, such as the U.S. Fish and Wildlife Service. Many countries will have some relevant data in, for instance, their central Customs seizure records but may not seek to treat or analyse it as a distinct crime-type. The supply of such data to relevant IGOs tends to be somewhat haphazard and incomplete.

Several countries in the developing world use computer software systems to record anti-poaching activities and these will contain data related to poaching incidents. These are, however, of limited benefit in attempting to gauge general wildlife trafficking at the national level.

The European Commission has introduced EU-TWIX, which attempts to capture wildlife-related seizure data from Union Member States. The database is currently maintained by a non-governmental organization (NGO) and, thus, is restricted in the degree of confidential information that can be stored. Regular analyses of EU-TWIX data are prepared for the EU Wildlife Trade Enforcement Group.

The Lusaka Agreement Task Force (LATF), a small multi-national wildlife law enforcement grouping based in Kenya, recently adopted the WEMS (Wildlife Enforcement Monitoring System) to store relevant data from its Member States.

The World Customs Organization's Central Enforcement Network database contains information regarding wildlife-related seizures around the world, alongside other contraband seizure records. Relatively few national Customs authorities, in terms

of the overall WCO membership, report consistently, however. Several authorities, though, especially those in Europe, regularly submit illustrated bulletins or alerts describing significant seizures or new smuggling methods. These are publicized via the WCO Environet, a secure and restricted-access Web-based communication channel, and also through the CITES Secretariat's similar Web-based Enforcement Authority Forum.

INTERPOL receives data relating to significant seizures, incidents, arrests and traffickers, either directly to its secure I24/7 intelligence database or via the Ecomessage format it prepared to facilitate data submission. It has shared the WCO experience, however, of few countries submitting data consistently or regularly.

Neither WCO nor INTERPOL regularly publish analyses of their data, since its incomplete nature would probably produce skewed results. Both agencies have, in the past, undertaken targeted analysis of particular information, usually related to species-specific operations or projects. Parts of the WCO's RILO network (Regional Intelligence Liaison Office) have undertaken similar geographically- and species-specific analyses, or efforts to capture national data, but it appears impractical to attempt any global analyses at present.

In 1997, the CITES Secretariat instigated a database designed to capture information relating to significant cases of wildlife trafficking. However, the inconsistent supply of information, and insufficient human resources in its office, led to the system being abandoned in the mid-2000s.

Regarding data, CITES benefits from two distinct systems; Monitoring of Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS). The former attempts to collate information regarding elephant poaching, whilst the latter seeks to collate information regarding illegal trade in ivory and, especially, seizures of ivory. Since 1989, eighty-nine countries have supplied information to ETIS and the database now holds over 18,000 records

Whilst ETIS has, on the face of it, been highly successful, the system has its limitations. The information is not

supplied real-time. Most countries either submit information as a bundle of forms every few months or supply it in a computerized data format once a year. Because it is being supplied to an NGO (the database is maintained for CITES by TRAFFIC), countries do not fill up the part of the form that asks for details about any person involved in the seizure. This is confidential information about an individual, which should only be provided to a law enforcement agency. These two elements mean that this incredible source of knowledge cannot be mined for criminal intelligence purposes. Additionally, when the ETIS data is fully analysed every two years or so, for meetings of the Conference of the Parties to CITES, the picture of illegal trade in ivory that emerges is historical, may thus be out of date and is of limited use for the law enforcement community. Analyses of MIKE data suffers from the same time restrictions and its ability to act as some form of early warning for increases in elephant poaching is limited.

The United Nations Environment Programme (UNEP) Great Apes Survival Partnership (GRASP) programme Secretariat has recently announced the intention of creating a database relating to illicit trade in great apes.

Several international NGOs, some national NGOs and some academics, either regularly or project-specifically, attempt to collect data relating to wildlife trafficking. However, much of this is species-specific and many of the figures or values quoted in documents and media articles may not even warrant the phrase 'estimates' but are, rather, often 'guesstimates'.

## Lessons Learned

It is abundantly clear that data collection, analysis and utilization in respect of drugs trafficking is almost light years ahead of that of wildlife crime.

Indeed, it seems reasonable to state that there is, at present, no meaningful or accurate overview of wildlife trafficking whatsoever. This seems generally true in most nations but is definitely the case internationally, aside perhaps from the illegal trade in ivory. This massive gap means that the international community is at a considerable

disadvantage when it comes to designing response strategies, identifying priorities or assessing existing measures in combating trafficking of fauna and flora. Plugging this gap would appear to warrant the highest priority.

Whilst not suggesting that there is an element of 'failure' in what is happening with drug trafficking data, there does appear to be considerable potential for duplication in both UNODC, INCB and WCO producing annual reports.

If the issue of data collection is to be addressed in relation to wildlife trafficking, it would appear logical for one international agency to take responsibility, albeit the specialized expertise of other relevant agencies should be sought with regard to designing any database, the collection of data and its subsequent analysis and dissemination.

To be used to best effect, it would also seem sensible for data to be submitted and collected in as real-time a manner as possible. Analyses would also require being undertaken more regularly than happens with existing databases. In a similar vein, 'nominal' information, i.e. data relating to the individuals, companies or groups involved should be submitted and collected, so that crime intelligence analyses can be conducted most effectively. This will, of course, mean that the collating agency will require to be a recognized law enforcement body, with appropriate data protection protocols and authority.

That said, however, data typically collected within the law enforcement community is then only available to use within a very restricted and tight-knit community, which arguably prevents it playing the catalytic role in policy agendas, or to those who are at the programming hub of development response, or to trigger early warning preventive policy-making. Furthermore, law enforcement typically collects data that is predominantly based on seizures and flow levels, which may not capture the extent of the impact that the crime may be having at a local level or on the environment. In some contexts, even small quantities can cause irreparable damage to local ecosystems. In general, therefore, there is a need for data collection and analysis to be contextualised and nuanced with more qualitative metrics.





Transporting low-quality logs and firewood, near Khulna, Bangladesh.

## Specialized and Dedicated Enforcement Responses

In many countries and parts of the world there is usually a unit dedicated to serious and organized crimes, which will carry the onus of the response for investigation of illicit flows including in drugs, arms and environmental products. However, there is an emerging trend towards increasing specialization in law enforcement and prosecutions, including the creation of dedicated and specialised units created for one specific organized crime type. Whilst this undoubtedly has advantages, it may also have disadvantages in discouraging sensitisation amongst regular forces, and reducing the propensity towards inter-agency collaboration and cooperation.

### Drugs

There can be few national Customs and Police authorities that do not, today, have officers working solely on this field of enforcement as part of a Drug Squad or Narcotics Unit. Many nations have incorporated such units into national crime agencies or have multi-agency (although primarily Customs and Police) task forces focussing on drug crime, either full-time or on an *ad hoc* basis. Few countries have gone so far as the United States, however, in replicating its DEA.



## Arms

Aside from the U.S. ATF, it is difficult to find examples of specialized units targeting arms trafficking, these will typically be included in the remit of organized crime departments.

## Wildlife

It is perhaps not easy to determine exactly what should be regarded as a dedicated national response to wildlife trafficking. For example, the Kenya Wildlife Service and the U.S. Fish and Wildlife Service, whilst incorporating significant human and other resources dedicated to wildlife law enforcement, both have extensive remits well beyond that subject alone. Similarly, although the UK's National Wildlife Crime Unit has violations of CITES as part of its mandate, its staff spend considerable amounts of their time on purely domestic matters, such as persecution and poaching of native species.

On the other hand, when the UK's Her Majesty's Customs and Excise (now UK Border Agency) established the Heathrow Airport CITES Team many years ago, this might reasonably be viewed as the creation of a unit dedicated to combating wildlife trafficking. Several other European Customs authorities now have specialized wildlife units, often also stationed at major air transport hubs, but these (like that at Heathrow) tend to be made up of just a few dedicated and highly-trained officials.

Another good example, in recent history, was that of New Zealand's Wildlife Enforcement Group (WEG). This three-person unit drew together experienced investigators from Customs, the Ministry of Agriculture and Forestry (now the Ministry of Primary Industries) and the Department of Conservation. Established in the 1990s, it had an excellent track record in combating wildlife smuggling in and out of New Zealand and worked collaboratively and very effectively with Customs and Police agencies elsewhere in the world.

A particular focus for WEG was the protection of New Zealand's reptiles, several of which were in high demand from collectors overseas as they could be found nowhere else in the world, and some of which

were much closer to extinction than 'megafauna' such as tigers or rhinoceroses.

WEG demonstrated how much could be achieved by a small and dedicated band of experienced officers, bringing the experience and resources of their 'home agencies' to bear, and without the requirement for a particularly large operating budget. It was the multi-agency approach that perhaps gave WEG an advantage over its European Customs-only counterpart units.

It appears, however, that the New Zealand Government is re-structuring its approach to this subject and that WEG, as a separate and dedicated entity, may no longer exist.

The Russian Federation's approach to tiger conservation was considerably enhanced with the creation, in the 1990s, of Tiger Brigades. These units consisted of a number of individuals, with a variety of backgrounds ranging from professional hunters, ex-forestry officials, ex-military to ex-Militia (police), who focussed on combating the poaching and illegal trade of tigers in far east Russia. They evolved into Inspection Tiger, which expanded the original remit to include a number of environmental crime matters. Although still apparently active, Inspection Tiger may not enjoy the degree of governmental support that it once did.

Perhaps the most recent national example is India's Wildlife Crime Control Bureau, which is a statutory body and multi-agency. It seems that some neighbouring countries, such as Bangladesh and Nepal, are also in the process of establishing similar bodies.

At the regional and sub-regional level, the North American Wildlife Enforcement Group brought relevant agencies together from Canada, Mexico and the United States. The Wildlife Trade Enforcement Group in Europe, consisting of CITES Management Authority, Customs, Police and Wildlife Inspectorate personnel, was established by the EU wildlife trade regulation and is chaired by the European Commission. These two groups have tended to focus on strategic and capacity building matters, although they have facilitated networking in the operational combating of trafficking.



Wildlife Enforcement Networks (WEN), such as those in Southeast Asia, South Asia, the Horn of Africa and Central America, were initially intended to be more operational in nature and whilst they have certainly encouraged more enforcement activities at the national level and greatly assisted capacity building, there appears to still be room for increased cross-border joint operations and regular exchange of intelligence. It also seems that some WEN member countries struggle to gain full multi-agency collaboration at the national level. Where a lack of multi-agency engagement exists, this may result from CITES Management Authorities often taking the lead, even where such bodies may lack adequate enforcement expertise. This may deter Customs and Police authorities, which may regard themselves as better-qualified to guide or coordinate responses to crime, from full or active participation.

Considerable donor aid has been allocated to some WENs. As referred to earlier, some of this has been directed through NGOs and this may not be the most logical or appropriate manner in which to determine enforcement-related support. Much of this aid has, however, had very considerable positive results in relation to building capacity. It is presumed, though, that the priority of any enforcement 'network' should be enhanced communication, cooperation, collaboration and coordination among its members and this ought to be achievable without significant or specific financial assistance.

The Lusaka Agreement Task Force, based in Kenya, consists of officers seconded from its member States of Congo, Kenya, Lesotho, Liberia, Uganda, the United Republic of Tanzania and Zambia. This ambitious initiative, whilst being able to claim considerable capacity-building success and several significant operational achievements, has suffered from shortages of funding, since several of the member countries have been unable to pay the annual contributions expected of them. The Task Force has, therefore, had to rely at times very much on external donor support.

Experience has shown that the Lusaka Agreement may not be a model to be followed elsewhere in the world.

The CITES Secretariat, INTERPOL, UNODC and WCO have all engaged, in differing degrees, with WENs and the other existing regional groups.

One last matter to be considered under this heading is perhaps the emergence of INTERPOL's National Environmental Security Task Forces (NEST) initiative. A NEST, to quote the INTERPOL website, is "a national multi-agency cooperative formed from police, customs, environmental agencies, other specialized agencies, prosecutors, non-governmental organizations and intergovernmental partners."

It seems too soon to assess the effectiveness of this approach, especially as few NESTs appear to have been created. The manual that INTERPOL has prepared to guide countries on establishing such a structure would seem to suggest that existing collaborative groups or committees, such as a national WEN group, would be incorporated into the NEST. Whilst the NEST concept appears logical and has commendable aspects, it seems ambitious, given the significant number of agencies that may have a role to play in some countries with regard to the whole realm of environmental crime. It is also ambitious in terms of past experience in bringing a smaller number of agencies under the umbrella of a national WEN.

There seems, too, the risk that NESTs may be viewed as being too police-focussed, just as WENs may be seen as too CITES-driven.

## Lessons Learned

One clear lesson would seem to be that there can be no one-size-fits-all approach. Although it may be tempting to imagine that much will be determined, and dictated, by such national issues as: the existing levels of crime related to wildlife trafficking, existing expertise, available resources (human and logistical; and, particularly, available finance, this is too simplistic.

While it may appear that there are a sizeable number of dedicated units being created to respond to wildlife crime, this perhaps overstates the extent of the response. Firstly, most of these efforts are nascent, and their efficacy is yet to be proven.

Secondly, unlike their counterparts in the drug trade, specialized law enforcement units in the environmental area typically have minimal budgets, little access to advanced technology, equipment or weaponry that makes them largely toothless in what is becoming and increasingly sophisticated and violent war.

Another clear lesson is that the go-it-alone approach does not work. Even comparably large agencies like the U.S. DEA, the U.S. ATF or the U.S. Fish and Wildlife Service can never hope to have sufficient in-house resources to respond single-handedly. But human, logistical and financial resources are not the central issue. One agency simply cannot host within it the array of expertise that is required to respond to organized crime effectively. And it would seem wasteful and counter-productive to attempt to create such an agency.

Many of the most successful enforcement operations conducted by, for example, the U.S. Fish and Wildlife Service have involved its Special Agents and Wildlife Inspectors working in a collaborative and coordinated fashion with State Fish and Game Departments, the Federal Bureau of Investigations, the Department of Homeland Security (especially Immigration and Customs Enforcement), State and local police departments, etc. And such operations have inevitably benefited throughout from regular interaction with U.S. Department of Justice prosecutors.

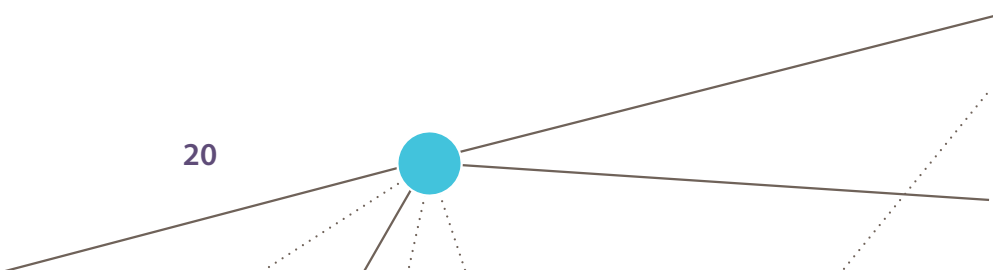
The New Zealand WEG, albeit on a much smaller scale, illustrated the success of collaboration and coordination too.

If there is a lesson to be learned from drugs and arms 'failures', it is probably that those wars are

hard enough without introducing to them battles relating to 'turf'. Time after time, it is inter-agency tensions that have slowed or inhibited progress. One very useful positive lesson from the field of wildlife responses is offered by the UK's Partnership for Action against Wildlife Crime, where this national coordinating body is co-chaired by the head of the CITES Management Authority and a Chief Constable.

It is often said "Everyone wants coordination. But nobody wants to be coordinated." If wildlife trafficking is to be combated effectively, a considerably larger national, regional and international inter-agency response must be achieved than exists at present.

What the war on drugs does appear to show is that whilst deploying dedicated and specially-trained officers is an effective enforcement response, they need not, indeed must not, operate in some standalone form. It may be tempting to establish specialized units but doing so may not make the best use of existing resources; the necessary specialization and expertise may already be present but not operating in a joined-up manner. What may be much more important will be to ensure that a management-level, multi-agency overview and coordination is in place, to ensure that each agency is providing and obtaining the support it needs to and from its counterparts. That said, it is certainly evident that multi-agency and multi-disciplinary task forces, coming together in a flexible manner as and when required and appropriate, have shown themselves to be highly effective. This also appears to be a most cost-effective response, compared with trying to create, train and equip dedicated units from scratch.







Confiscations: Shanghai Customs storeroom – the old and the new – elephant tusks alongside thousands of smuggled cigarettes.

## Investigations

Legislation, strategies, capacity and support structures all have important roles to play in an effective response to wildlife crime. However, day-to-day, effective responses to crime also depend upon frontline officers deploying appropriate and relevant skills to identify who has been responsible for any crime and gathering the evidence to demonstrate that to a court of law.

### Drugs

It is in the field of drug enforcement, again especially when linked with organized crime, that one sees the fullest range of investigative techniques employed by the law enforcement community. This begins with the acquisition of intelligence, including employing the most modern approaches to informant targeting, recruitment and tasking. Thereafter, every stage of the trafficking chain is, where appropriate and possible, profiled and targeted. As mentioned

earlier, surveillance of both contraband and persons is extensively employed. So, too, is the widest range of legislation and not just drug-related law.

Given the rapid evolution of the field of organized crime, and in particular that of drug trafficking, what were once innovative and imaginative approaches have become routine, particularly following-the-money at various stages. This facilitates the identification of those involved, particularly those behind-the-scenes, and also subsequently enables asset recovery and money-laundering processes to be undertaken. Indeed, it is seeking out money-laundering that has, on several occasions, first disclosed trafficking and those responsible.

But it is in multi-agency collaboration and coordination, at national, regional and international levels, that the most significant successes have been achieved.



## Arms

Although there may be fewer readily-identifiable examples than those of narcotics, it appears that the very same investigative methods are being employed in this arena. But, as with drugs, this results from the fact that enforcement is being conducted by 'mainstream' Customs and Police authorities, which usually have the relevant and necessary experience and resources.

## Wildlife

This is perhaps the field where wildlife law enforcement falls most dramatically behind. And primarily because fauna and flora trafficking has yet to be regarded as mainstream crime. Consequently, the necessary resources and attention are not being deployed against it and, in too many places, specialized wildlife law enforcement bodies, such as parks, forestry and wildlife authorities, wholly ill-equipped and inadequately-trained and resourced, are struggling to respond to a level of criminality that their governments and societies never intended or expected them to tackle.

But their national enforcement counterparts are also, in too many places, failing abysmally in providing sufficient support. There are many reasons for this but political will and lack of direction from policy-makers and senior management are regularly significantly absent.

That said, both the specialized and wider law enforcement community are, too often, failing miserably to exploit the opportunities with which they are presented. Major interceptions of contraband are not followed-up effectively. Information and intelligence is not exchanged, at national and international levels. Suspects and detainees are not questioned effectively. Some prosecutors lack imagination in guiding enforcement agencies and lack commitment in bringing cases to court.

## Lessons Learned

Unless and until the techniques which are day-to-day brought to bear against drugs and arms trafficking are similarly deployed to combat illicit trade in fauna and flora, there seems little cause for optimism or reason to predict improvement in the present situation. Many of the current responses within the law enforcement community are entirely unprofessional and the lack of communication, cooperation, collaboration and coordination is often appalling.





Seized ivory in Harare.

## Capacity Building

Awareness, understanding and technical capacity to recognise organized crimes within the law enforcement community is a critical component to whether or not a response will be mounted.

There seems little doubt that all Customs and Police officers are conscious of the important links between firearms and crime. However, the nature and significance of arms trafficking is probably less well-known, aside from in those nations that may be directly affected by it. Similarly, it seems largely utterly unimaginable that any Customs and Police officer, of whatever rank, would not appreciate the significance of drug trafficking, however whether they perceive it as a priority challenge, or feel the onus to respond to the crime differs significantly from jurisdiction to jurisdiction.

Whilst specialized enforcement agencies, such as national parks and forest departments, will probably

be only too conscious of illegal harvesting and poaching of fauna and flora, their appreciation of wildlife trafficking at the global level may be more limited. Indeed, it is often difficult for officers in one nation to see the 'bigger picture' and have a good understanding of how their nation features as a country of origin, transit or destination.

In countries of rich biodiversity, an additional factor may be that enforcement officials, used to seeing 'rare' fauna and flora in their neighbourhoods, and perhaps having been used to commonplace subsistence consumption or use of natural resources, may not appreciate the endangered status of animals and plants and the need for their protection and strict regulation.

Within many Customs and Police communities there does not appear to be an adequate appreciation of the significance of wildlife trafficking and, especially,

the involvement of organized crime. Some of these agencies also regard responding to such matters as being outside of their remit, the task of specialized agencies or as being of low priority. Therefore, the extent and nature by which and to whom sensitization and capacity building efforts are targeted will impact how effective and holistic a response can be.

## Drugs

The scourge of narcotic trafficking and drug misuse is so widespread that this subject is addressed in the basic curriculum of almost every Customs college and Police academy in the world. Most Customs and Police officers will also encounter drug-related issues whilst undertaking their normal duties and most nations' law enforcement and border control authorities routinely produce guidance, bulletins, alerts, etc. circulating information on drug use trends, new forms of narcotic substances, novel concealment techniques (used in cross border smuggling but also national drug dealing), current market prices, etc.

UNODC offers a range of capacity-building materials related to drug trafficking, has engaged in relatively extensive computer-based training (with a range of specialized modules) for national agencies, law enforcement and border control, and has ongoing projects intended to support countries in their combating efforts. It has also provided a range of technical and practical assistance through donor-funded projects, which have incorporated institution-building such as Drug Control Agencies in Central Asia, intelligence centres (CARICC for the Central Asian States and GCCI for the Gulf States), together with the provision of vehicles, technical equipment, etc.

Whilst INTERPOL has undertaken some investigative training for national drug enforcement agencies, in line with its approach to many forms of crime, it focusses primarily on operational support, in general terms and in specific operations, rather than widespread capacity building.

WCO has also developed computer-based training modules but, unlike those of UNODC, these can be accessed remotely to enable extensive on-line training by Customs officers from around the world.

## Arms

Although many countries include firearms-related issues in the basic training of their law enforcement agencies, arms trafficking as a specific subject does not appear to be routinely addressed. The United States ATF agency has a range of useful materials but these are intended primarily for other enforcement agencies in that nation.

UNODC is currently developing a training curriculum on firearms control. However, it has guides available at present on enacting relevant law and implementing the UNTOC Firearms Protocol.

INTERPOL has a number of firearm-related training materials but most focus on firearms identification and firearms-related crime, as opposed to trafficking of arms.

Although some of WCO's on-line learning modules may be relevant to combating arms trafficking, with regard to risk-assessment, targeting and profiling, the organization does not appear to have specific capacity building materials for this subject.

## Wildlife

Few countries provide any focussed training on this subject, although many Police academies may address national legislation relating to illegal hunting and fishing during basic training. It is increasingly common, however, for Customs colleges to include references to multi-national environmental agreements, including CITES, in the training delivered to new recruits.

Specialized wildlife law enforcement agencies, such as national parks and forest departments, seldom have the resources or expertise needed to train their personnel to respond adequately to today's sophisticated and organized criminality and law enforcement is often a very small module within basic training. Much will depend upon historical approaches and country- or agency-specific needs. Basic training in one nation may contain a significant anti-poaching focus, whilst another may concentrate on inspections or habitat management.



Historically, in many of the national authorities responsible for wildlife law enforcement, for example in forest departments, enforcement has been just one of many issues its officials are tasked with. Consequently, as a result of enforcement being seen as an ancillary duty to the main role of forest personnel, the budget allocated to such work was often insufficient to provide for adequate training or the necessary equipment. Similarly, district forest offices and the national forest or park headquarters seldom had the infrastructure or logistics that would commonly be associated with the premises of a law enforcement agency. For instance, there would often be an absence of holding cells, interview rooms, armouries, and computers or other facilities to cope with intelligence-gathering, crime-analysis or other data storage.

Forest personnel often struggled to obtain anything other than the most basic of training in relation to their enforcement activities and those who did acquire expertise in this field were subject to transfers or promotions that might take them away from where their skills might be most badly-needed. And since effectiveness in enforcement was seldom a prerequisite for promotion, especially to higher levels of management, there was little to motivate career-minded officers to focus on this area. The deployment of forest department staff is, understandably, into rural areas but this, in itself, creates another hurdle to be overcome, since today's offences are often coordinated by criminals based in major cities and the illegally-harvested wildlife will be processed or traded in urban centres. Thereafter, live or dead fauna and flora or products from them, will be smuggled out of the country at border points where either forest personnel are not present or, if they are, are ill-equipped to engage in border control and the necessary passenger, vehicle, vessel or cargo screening.

This traditional scenario also results in senior management seldom having adequate understanding of, or expertise in, enforcement-related matters and leads to an almost self-perpetuating circle of poor capacity at all levels.

Very significant amounts of capacity building have been delivered at national and sub-regional level by the NGO community. However, some of

this has tended to be uncoordinated and is often donor-driven, which may not produce the most effective and collaborative approaches. It also risks ignoring, for political or other reasons (sometimes as simple as language), countries or agencies that desperately require capacity building. Additionally, the enthusiasm of some individuals in non-governmental organizations is not always matched by sufficient enforcement-related expertise.

It is also worth noting that the majority of donors, whether governments, foundations or aid agencies, have historically adopted policies of refusing to provide firearms or ammunition to national enforcement bodies. Many, because in restrictions in the source of funds which typically come from development budgets, rather than security, may be unable to pay for training in the use of weapons. Whilst this may be understandable, and changing these policies may be unlikely and perhaps undesirable, the harsh reality is that it is this very form of capacity building that many anti-poaching units so badly need. Since some national governments may not be in a position to provide modern weaponry and relevant training, it is difficult to see how this capacity gap can be plugged.

WCO has a CITES-related module within its electronic learning programmes. Historically, much of its work in this field has been targeted at implementation of the Convention; for example, inspection of shipments and permits. Whilst fraud has been addressed in the past, it is only in more recent years that the WCO has given special attention to trafficking and combating it. This has, on occasions, been linked to specific initiatives, such as Project GAPIN (targeting illegal trade in great apes), rather than a general or wider capacity building effort.

In recent years, INTERPOL has also engaged in more regular and focussed wildlife crime-related training. Like the WCO, it sometimes does this in conjunction with, or in advance of, specific projects. It is worth noting, however, that the specifically-targeted capacity building work of INTERPOL and WCO is, to a very significant extent, only possible because of external funding that has been received from



donors. There is little, if any, core budget allocation by either organization to this field of work.

UNEP has been active in raising environmental crime awareness among prosecutors and the judiciary. Interestingly, though, a lack of such awareness, or low priority for the subject, is one of the most common complaints levelled at the judicial system by national enforcement agencies and also the NGO community on occasions. It seems, therefore, that much remains to be accomplished in this field.

UNEP has also engaged in capacity building and awareness raising through its Green Customs initiative but this addresses a number of environmental issues and goes much further than wildlife.

CITES authorities around the world, and especially the CITES Secretariat, have long engaged in capacity building efforts; through materials, manuals, on-line, and face-to-face training. The Secretariat has also undertaken significant enforcement-related capacity building, both alone and in partnership with agencies such as INTERPOL and WCO. A number of specialized manuals have been produced by the three bodies working together and some of these are available in all six working languages of the United Nations. A good deal of CITES capacity building has relied upon donor funding and, like its counterparts, the Secretariat's activities have sometimes been dictated by donors, as opposed to being part of a CITES community strategy.

## Lessons Learned

It does not appear that capacity building in relation to drugs and arms offers particular lessons for that to be delivered in relation to wildlife. That said, it is noticeable that UNODC appears to be the only organization that regularly undertakes mid- and long-term capacity building. However, this probably reflects its approach of raising funds to engage in country or regional programmes, intended to be delivered over several years. UNODC also tends to deliver to a wider audience, sometimes across the entire enforcement and judicial systems. It is also one of the few agencies to regularly have training materials translated into local languages, although the CITES Secretariat has made some efforts in this field.

In comparison, with a few exceptions, NGOs, INTERPOL, WCO and CITES tend to deliver short, tightly-focussed courses. Although these approaches are probably imposed upon these groups by limited human and financial resources, this surely cannot be the most effective or efficient way to deliver capacity building. It is noticeable, too, that these groups have a tendency to deliver mainly in English.

It does seem that, in all three crime areas, capacity building is very much donor-driven and this sometimes leads to sporadic, haphazard and occasionally duplicative efforts. Whilst agencies delivering, for example training, may understandably have different and specific audiences, there appears to be substantial scope for a more coordinated and collaborative approach. There also appears to have been not nearly as much multi-agency preparation of materials, manuals, etc. as might be desirable.

The awareness of drugs and arms trafficking has perhaps benefited from a 'general knowledge' appreciation and, thus, there has been limited need to engage in specific awareness-raising (albeit there does seem scope for more in relation to arms).

In comparison, although much depends on the specific country, there appears to be considerable need for substantial awareness-raising in relation to wildlife trafficking. Relatively few Customs or Police officers, for example, will personally encounter wildlife-related crime and, consequently, may have little, if any, appreciation of how widespread this has become, how attractive it has turned out to be for organized crime groups and the very considerable illicit profits which can be gained. Like their wildlife law enforcer counterparts, they may also be unaware of the significance of their nation in global fauna and flora trafficking.

This lack of knowledge has significant implications at the senior management and command levels of 'mainstream' enforcement agencies. Whilst Customs and Police commanders may meet regularly, and thus gain an understanding of each other's challenges and priorities, it is much less likely that they will encounter the heads of anti-poaching bodies and appreciate the supporting role they can play. Many wildlife enforcement agencies are not regarded by their counterpart bodies as being

part of the enforcement 'community' and this has considerable negative implications.

There is an urgent need for much more work to be done in this field. The recent suggestion that a United Nations Special Envoy for Wildlife Crime be appointed seems to have considerable merit.

Evaluation post-capacity building seems poor or limited too. While it is relatively easy for donors to assess matters such as the materials produced, courses organized and number of attendees, it is much more difficult to determine what changes have been effected, whether skills have improved and if on-the-ground results are being achieved. This may need to be built into future project evaluations more than at present.

There seems scope to target specialized training more effectively. A national parks officer, with limited legislative authority and resources, does not require training in countering money-laundering but countries affected by wildlife crime need such suitably-trained personnel in relevant agencies as part of their overall response. Enforcement officers learn the skills they need from on-the-job training, as well as attending relevant courses, and especially through their regular exposure to dealing with crime and, very importantly, learning from experienced colleagues. In the absence of appropriately skilled and experienced colleagues, the newly-trained official will struggle to achieve competence. Some organizations, such as the U.S. Fish and Wildlife Service, have attempted to 'embed' experienced agents in agencies abroad for several months, so that they can deliver on-the-job training and monitoring. Many governments have, in a similar manner, seconded or deployed experienced or retired drug enforcement officials to provide in-the-field support to relevant nations and there seems scope for more of this in relation to wildlife crime.

Anti-poaching and patrol staff, in most cases, do not require to be investigators and trying to train them to be so may not be efficient or cost-effective.

Similarly, investigators do not need to learn anti-poaching skills.

It is relatively easy to teach Customs or police officers what they need to know to combat wildlife trafficking. It is considerably more difficult to teach a wildlife warden or forest guard to become a Customs or police officer. One takes seasoned Customs and police officials and places them in Drug Squads; one does not attempt to teach those in the pharmaceutical industry to become law enforcement officials. Training and capacity building may need to be better targeted in future.

Since it holds, to a very significant degree, the purse strings that will decide what capacity building is likely to be available, the donor community must act in a more coordinated and collaborative manner than at present. It should also seek expert guidance as to what is needed, and where and how best it might be delivered, more regularly than it seems to do at present.

Finally, it is utterly essential that countries receiving capacity building, especially in relation to training, play their part in identifying the most suitable recipients and that they make the utmost use of new or enhanced skills. There appear to have been occasions when a lack of political will or priority for wildlife trafficking has led to capacity building being rendered ineffective. It is, unfortunately, not uncommon to find that: recipients of training are, relatively soon thereafter, moved to other duties; training is delivered (through no fault of the providing agency) to persons whose duties do not make them suitable to subsequently utilize new skills; training is not disseminated further; or that materials are not absorbed into ongoing or regular in-country training curricula. The latter of these implications sometimes seems to occur even when train-the-trainer sessions are conducted. Training or capacity building efforts, which are held other than in-country, appear particularly prone to attracting inappropriate or unsuitable participants.





Patrol: Anti poaching patrol base, Sandarbans, Bangladesh

## International Intervention

It is now relatively commonplace for major nations, often but not exclusively from the developed world, to attach liaison officers to the personnel of their embassies and missions located around the world. These will frequently include a security attaché, or a legal attaché, with a portfolio of responsibilities that range from monitoring security threats to their nationals in the host country; monitoring issues of domestic threat and facilitating and supporting international and regional cooperation. Such officials will usually be experienced enforcement officers or agents of national crime agencies or Customs and Police authorities.

When this policy was first developed, it was initially intended that such officials would liaise with their counterparts in the host nations to support their law enforcement efforts, particularly with the intention of preventing contraband, including illegal migration, from reaching the major nation, however, given the

range of transnational threats, these will now often have a much wider range of responsibilities.

### Drugs

It is in relation to narcotic trafficking that these efforts have really consolidated, and consequently, the weight of deployment of these officers tend to concentrate in drug-producing countries or significant transit nations. The aim was to undertake activities that would either block, or reduce, the flow of drugs towards consuming nations well before their own borders were reached. Around these liaison officers has built a number of networks to coordinate and share information, and sometimes also to promote consistent policy and joint operations.

This enforcement method appears to have been highly successful and more and more countries now have officers based overseas. Aside from drugs, they

target issues such as visa fraud, human trafficking, migrant smuggling, paedophiles, sex tourism, fugitive location and a range of crime-types.

The above aside, the overseas intervention of the U.S. DEA is an almost standalone initiative due to its large scale and is not matched by anything done by other nations. The DEA has agents and officials in numerous offices around the world and the US Government has a track record of devoting human and financial resources to drug interdiction abroad in an unprecedented manner.

It is perhaps also worth noting, at this point, that several North American and European governments have provided considerable aid to countries, particularly those with histories of drug cultivation, to enable or encourage alternative livelihoods for those engaged in cultivation. There appear to have been some successes, but also failures, in such efforts.

## Arms

It has not been possible to assess whether this approach is being used, specifically, as a counter measure to arms trafficking but it seems reasonable to predict that some liaison officers will address the subject, even if only on an *ad hoc* basis. The U.S. ATF agency does, however, have agents stationed overseas.

## Wildlife

Although there are examples of liaison officers from North America, Europe and Oceania, based for example in embassies in Asia, undertaking some activities in relation to wildlife smuggling on a limited number of occasions, this does not appear to be a priority for these officials and is certainly not one of their core responsibilities.

## Lessons Learned

It seems unlikely that there will be many wildlife trafficking countries of destination where import levels have become sufficiently serious enough to justify the deployment overseas of enforcement officials tasked solely with addressing this issue. There does, though, seem considerable scope for existing liaison officers to be briefed on wildlife trafficking and for them to incorporate the subject into their routine activities.

Experience has shown that liaison officers develop highly effective working relationships with their host country counterparts, but also their counterpart liaison officials from other nations. This engenders very efficient communications, exchanges of intelligence and the facilitation and coordination of transnational operations targeting specific crime types and criminals. Much more use should be made of this network of officials around the world to counter wildlife trafficking.

There may, however, be exceptions to the general remark above regarding dedicated wildlife liaison officials. For instance, with regard to the current serious level of crimes directed at rhinoceroses, it may be worth (if not already in place) considering a liaison officer from Viet Nam being posted to its embassy in South Africa and *vice versa*. Another exception might be China, given its significance as probably the world's most important destination for wildlife smuggling. The Government of China might consider posting a dedicated liaison official to one of its embassies in Africa, to work regionally with national counterparts. Indeed, China has perhaps already adopted this approach, as it is understood it is posting an official to work with the Lusaka Agreement Task Force.





Skin Trade: Big cat skins are incorporated into the traditional 'Chuba' jackets worn by males in Tibet.

## Scientific and Technical Support

The days of the 'Beat Bobby' setting out to fight crime armed with a notebook, whistle and wooden truncheon are long-gone. The range of assistance that enforcers and investigators can now draw upon has expanded in a manner unimaginable to their predecessors. But is that assistance widely enough known, available or used? Furthermore, are the technological resources that have been developed to fight organized crime being deployed where they are most needed?

### Drugs

The majority of nations now have either dedicated forensic laboratories or other institutes capable of analysing substances suspected of being controlled drugs and of providing relevant evidence to courts. In many countries, Customs and Police officers have ready access to field kits or testing machines, either at border posts or carried in patrol vehicles, which

provide a sufficiently accurate initial determination of a substance's characteristics to justify detention or arrest, with confirmation being provided by a laboratory in due course, if needed.

The detailed examination of the narcotics themselves can help identify particular manufacturing methods which can, in turn, demonstrate linkages to particular countries of origin, crime groups or trafficking networks.

UNODC has prepared substantial guidance for scientists in relation to forensic laboratory standards and analytical techniques but also general advice in relation to crime scene preservation and examination. Its own laboratory maintains reference collections of drugs and precursors, which can be made available to national agencies.

The WCO has a scientific sub-committee and the organization has published a Customs Laboratory Guide.

INTERPOL maintains databases that store information on DNA profiles of individual criminals, and profiles extracted from samples relating to specific crimes and crime scenes, together with fingerprint records of criminals and finger impressions from specific crimes. The organization also makes available its expertise in these fields in relation to victim identification after major crime incidents or natural disasters. It organizes symposia on a regular basis where experts come together from around the world to share experience and best practice on these subjects.

Many of the day-to-day forensic science and scene of crime techniques deployed against 'mainstream' crime can equally well be used with regard to drug trafficking. For example, the detection, preservation and examination of latent finger impressions on, for instance packages of narcotics or documents, can help identify those involved in manufacturing, smuggling and dealing. Handwriting comparisons, matching tools with impressions caused during packaging or concealment, the transfer of fibres or human DNA and the examination of illicit manufacturing premises are all methods capable of linking individuals with various stages in the trafficking chain.

Although not perhaps truly scientific or technological, sniffer dogs have long been used to detect the presence of a range of drugs in premises, vehicles and baggage and the accuracy and sensitivity of a detector dog's nose has been accepted in many jurisdictions as being 'probable cause' or 'reasonable grounds/suspicion' in relation to enforcement search powers. Several major airports around the world are equipped with machinery that is capable of detecting drug residues on swabs drawn across the surface of suspect's hands, clothing, luggage and even currency.

It is, however, in the field of drug enforcement (particularly where links to organized crime are suspected) that agencies have pushed the boundaries of technology and especially relating to surveillance. Many of today's techniques, such as electronic communication interception, wire-tapping, remote tracking of people and contraband,

listening and voice-recording devices, night-vision equipment, unmanned aircraft (drone) monitoring, satellite imagery etc. would once have been thought of as restricted to military and counter-espionage work but are now almost commonplace in some policing bodies. So, too, has been the courts' acceptance of the necessity to use the full range of technology, within proper boundaries, in responding to organized crime. Many nations also have specialist officers trained in human surveillance, on foot and in vehicles, which is an art in itself.

## Arms

The science of ballistics has long featured prominently in law enforcement and there are now systems, particularly those developed by the U.S. ATF agency, which combine electronic scanning, measurement and examination equipment with computer databases. This allows for recovered bullets and cartridge casings to be quickly studied, so as to identify their calibre and, very importantly, possible links with the same weapon having been used previously, its presence at other crime scenes and with a firearm found in the possession of a suspect or detainee.

This support is primarily intended as a resource for firearms-related crime, as opposed to arms trafficking. It does, though, have implications for wildlife matters. As with drugs, standard scene of crime examination methods can assist greatly in identifying those responsible for trafficking and in demonstrating this to courts of law.

## Wildlife

The Clark R. Bavin Wildlife Forensic Laboratory, operated by the U.S. Fish and Wildlife Service, is the only forensic laboratory in the world dedicated solely to wildlife crime matters. Although its services are primarily reserved for Federal and State enforcement agencies of the United States, it has entered into a Memorandum of Understanding with the CITES Secretariat whereby it will also provide support to any Party to the Convention. Over the years, surprisingly few Parties have sought to benefit from this.

Indeed, in 2002 the Laboratory and Secretariat agreed to establish an International Repository for Ballistic Evidence. This sought to make best use of the forensic capabilities of the laboratory, its specialized equipment, and its access to the ATF database described above, so that countries around the world could have access to the most advanced ballistic technology. Not a single CITES Party appears to have made use of this offer, which was free of charge.

However, several countries are able to access the services of their national Customs and Police forensic laboratories and many have done so effectively. Many nations also make widespread and regular use of various research and scientific institutions, particularly in relation to the identification of species when animal and plant specimens, and especially their parts and products, are the subject of controls or investigations.

Expert guidance from scientists has also been beneficial in identifying fraud and nowhere was this better illustrated than in the major mis-declaration of caviar shipments during the early 2000s, where DNA profiling enabled the accurate determination of which sturgeon species processed eggs had come from.

In more recent years, DNA profiling is playing great importance in determining the geographic origin of trafficked goods, such as ivory and rhino horn, and other techniques are also being employed to determine the age of seized specimens.

An ICCWC workshop on science and ivory, hosted by UNODC in December 2013, is a very welcome development to bring international expertise and different perspectives to bear.

Relatively few nations, especially those which are home to many of the most criminally sought-after species, have ready access to such scientific support, however, and the cost involved is also a major hurdle for both the developed and developing world. Even the deployment of suitably trained sniffer dogs may be too expensive for many wildlife law enforcement agencies.

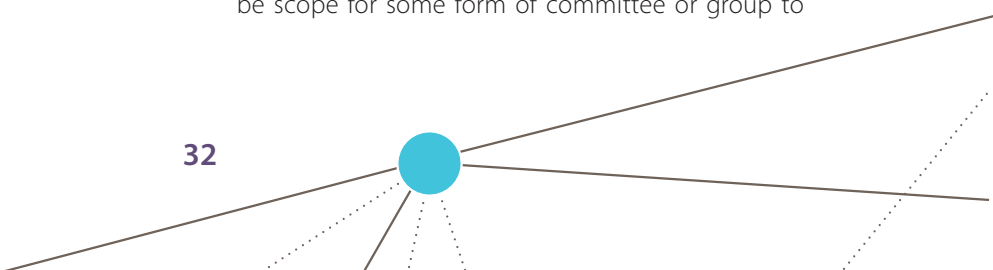
## Lessons Learned

Although some countries now regularly treat poaching sites as scenes of crime, examine them accordingly, collect and preserve evidence and submit it to appropriate laboratories or institutions for examination, this is not as widespread as it ought to be. That it is not appears to reflect a lack of awareness, training and capacity but, perhaps most importantly, also a lack of law enforcement priority and political will.

But national action alone will not be sufficient and neither is the collation and storage of forensic science data by just one country. The cross-border nature of wildlife crime, both in the movement of wildlife products and many poachers who harvest them, illustrates the need for international repositories of evidence or data, as envisaged by the U.S. and CITES Secretariat with regard to ballistics.

It may be worth noting that many of the forensic techniques which have evolved to support drug and other crime enforcement efforts did so through various forensic systems and as a result of specific research and development by forensic scientists. In comparison, several of the techniques being harnessed today to combat wildlife trafficking evolved through species research or conservation efforts. This does not make them any less valuable but it may lay them upon to challenge in the courts in relation to forensic science standards and it is essential that this be taken into account. It is to be welcomed, therefore, that the Clark R. Bavin Laboratory and other dedicated groups, such as the TRACE Wildlife Forensic Network and the Society for Wildlife Forensic Sciences, are encouraging and providing guidance regarding appropriate protocols. The Society has also developed a certification process for those persons wishing to be recognized as qualified wildlife forensic scientists.

Another vital role for forensic science networks and societies should be to share information regarding research and development, since the resources currently available are too few and precious for them to engage in duplicated efforts. There appears to be scope for some form of committee or group to





undertake oversight, collation and dissemination of best practice and emerging techniques.

Aside from poaching sites, there appears considerable opportunity for scenes of crime examinations and relevant follow-up to be conducted on the occasions of major contraband interceptions and searches of premises where manufacturing, processing and sales of illicit wildlife have taken place. As with other forms of investigation, much more imaginative and innovative (in terms of wildlife) techniques must be brought to bear, to ensure that today's forensic science is used to its full potential. It is understood that ICCWC has done some work in promoting, publicising and encouraging forensic science awareness and this should be expanded.

It may not be necessary to train and deploy sniffer dogs solely to combat wildlife trafficking and consideration should be given to identifying such canine assets, already engaged in other law enforcement or border control duties, whose

olfactory skills can be expanded to include fauna and flora. Alternatively, agencies might share the costs involved in training and deploying detector dogs that could seek out multi-contraband targets.

In terms of technology, there appears to be ample room for much wider use of remote sensory devices, be that to detect, capture and transmit images or sound, to both reveal and deter poaching. Unmanned aircraft (drones) and satellite imagery may also have a role to play, but much will depend upon the nature of the terrain. For example, satellites may be excellent for monitoring antelopes on the Tibetan Plateau but are much less likely to be of use in tracking forest elephants in central Africa.

Surveillance technology deployed against wildlife criminals and contraband deserves to become much more commonplace but its acquisition and use is not a simple matter and will have considerable capacity building and training implications.





Jambiya dagger shop in Sana'a - Rhino horn has traditionally been used in the best-quality dagger handles worn by males in Yemen.

## Intergovernmental Organizational Support

Aside from the capacity building and training support described earlier, there are several examples of direct IGO programming, of a specialized nature in the area of law enforcement, capacity development and coordination which warrant attention, as they substantively contribute to the international law enforcement efforts to counter transnational organized crime, either in reference to a specific flow, or in a region. Their efforts in some cases complement those of law enforcement, and in other cases have sought to fill a void in the institutional responses.

### Organized Crime

For example, the UNODC-WCO Container Control Programme (CCP) was launched in 2003 and aims to assist governments to create sustainable enforcement structures in selected sea ports in order to minimize the risk of shipping containers being exploited for

illicit drug trafficking, transnational organized crime and other forms of black market activity.

Twenty-four countries have benefited so far from this initiative and it has resulted in very significant seizures of drugs and other contraband. Although the programme has required considerable donor funding, it operates in a long-term manner and new potential countries and ports are constantly being identified.

### Drugs

AIRCOP (the Airport Communication Programme) is a multi-agency, anti-trafficking initiative which strengthens detection, interdiction and investigative capacities of participating airports in illicit drug source and transit countries. The overall objective is to disrupt the illegal networks that are disseminating drugs and other illicit products at source and transit points through smarter, more effective, well-connected, intelligence led counter-narcotic activities. Seventeen

countries in Africa, Latin America and the Caribbean have benefited from this support, which is coordinated by INTERPOL, UNODC and WCO.

In 1996, UNODC established the concept of Border Liaison Offices in a limited number of countries in Southeast Asia whereby neighbouring countries could exchange strategic information relating to narcotic trafficking. This has evolved into PATROL (Partnership Against Transnational crime through Regional Organized Law enforcement), which has expanded to cover illegal movement of people, environmental crimes and drug trafficking. UNODC is supported by UNEP, TRAFFIC, Freeland Foundation and has received assistance from relevant agencies in Australia and the United States and from the CITES Secretariat. Five nations in Asia participate in this programme.

## Arms

It has not been possible to identify specific support programmes focussing on arms trafficking. However, seizures of firearms have taken place during operations conducted under the CCP and AIRCOP programmes.

## Wildlife

As noted above, PATROL now incorporates wildlife trafficking. Wildlife contraband has been seized during CCP and AIRCOP operations but such interceptions have been incidental to the main focus. Only one CCP location, Panama, has received specific training input in relation to wildlife trafficking.

Operation GAPIN started in 2010 and is led by the WCO, with funding from the government of Sweden. It initially involved 15 countries and consisted of capacity building, followed by a two-week trans-regional targeting of illicit movements of wildlife, particularly great apes. The Operation has since expanded and distribution of awareness-raising material has been incorporated. The WCO has received assistance from the CITES Secretariat during the operation's phases. Operation GAPIN looks set to continue but it remains primarily a programme involving Customs authorities alone.

WCO RILOs have regularly engaged in environmental crime-related operations or analysis of seizures but, as with GAPIN, these are Customs-only initiatives.

INTERPOL has established several projects under which various operations have been conducted: Project Predator (Asian big cats), Project Wisdom (ivory and rhino horn), Project Leaf (illegal logging) and Project Scale (fisheries). The related operations have ranged from specifically targeted and coordinated actions to simply set periods of time during which participating countries are encouraged to pay particular attention to specific species. As with the WCO operations, several of these operations have tended to be, albeit understandably, police-focussed.

Europol has recently begun to undertake crime analyses focussing on wildlife trafficking, as well as wider environmental crime.

Whilst not falling within the true definition of intergovernmental organization (IGO), it is worth noting here too the very considerable financial support that has been provided by both US AID and the US State Department. In particular, millions of dollars were devoted to establishing ASEAN-WEN and the subsequent and related ARREST programme (Asia's Regional Response to Endangered Species Trafficking). To date, however, other parts of the world have not attracted such a level of attention or financial assistance.

A very different form of IGO support has recently emerged in the form of the International Consortium on Combating Wildlife Crime's 'Wildlife and Forest Crime Analytic Toolkit'. This extensively-detailed and comprehensive document is intended to assist countries in assessing their preparedness to respond to wildlife crime. To date, only two countries (Bangladesh and Peru) have undergone the analytical process so it may be too early to assess its usefulness. It does, however, seem promising and, importantly, should be of long-term benefit. Not only does it offer advantages to nations but it has the potential to enable donor and other external support to be delivered in a prioritized, structured and targeted fashion; something that has not always happened in the past.



## Lessons Learned

Since CCP and AIRCOP have both led to interceptions of wildlife contraband, it seems logical for wildlife trafficking to be incorporated into the current risk-assessment, profiling and targeting associated with these programmes, particularly as new air and seaports are added.

Given the way in which some IGOs have come together in the past, for example for CCP and AIRCOP, it is perhaps both surprising and disappointing that, to date, there seems little matching collaboration with regard to wildlife trafficking. Although ICCWC has engaged in a number of capacity building, training and species-specific events, the Consortium does not as yet appear to have provided collaborative input to on-the-ground operations in a strategic or supportive manner. Indeed, some ICCWC partners do not appear to be actively seeking to engage with the full range of enforcement agencies when conducting national or regional projects and operations.

Whilst it is understandable, and sometimes appropriate, for IGOs to engage solely with their own specific 'communities' and 'audiences' this may not set a good example if they are, at the same time, encouraging countries to adopt a multi-agency approach. It also misses utilizing the different expertise of each and every partner IGO during planning and evaluation phases.

As is the case in capacity building, it can be difficult to measure the success or long-term benefit of some of these IGO support programmes. Press releases at the conclusion of specific operations are often impressive and encouraging, quoting large numbers of arrests and seizures. It is also common for contraband other than wildlife to be intercepted and confiscated. What is less clear is how many follow-up investigations and prosecutions subsequently occur and few IGOs appear to issue any detailed assessments afterwards. It is also known that 'successes' may be claimed as being part of an operation when, in fact, they occurred purely by chance.

The significance of ICCWC's creation must not, however, be underestimated. This is a remarkable and almost unprecedented coming-together of relevant IGOs to tackle a specific crime-type. It is, therefore, essential that it receive the fullest support, especially from within its own structure.

Whilst it may be churlish to call into question the efforts IGOs are making, it is surely sensible for some form of oversight or critical evaluation to take place, so that future operations and projects can be structured drawing upon lessons learned. It is also essential that wildlife law enforcement be seen more as a routine activity, to be conducted 24 hours a day, 365 days each year, and not as part of some special project or time-limited operation.



Fishing: Part of the fishing fleet, Chittagong Harbour, Bangladesh.

## The Way Forward

Few of the lessons the author believes may be drawn from the wars against drug and arms trafficking are startling or ground-breaking. And yet many of them do not seem to have been widely learned, appreciated, understood or implemented. Frustratingly, several of them are easily implemented. But their implementation depends upon political will and, especially, commitment on the part of the whole law enforcement community, at national, regional and international levels.

One of the most depressing lessons is that the wars against drugs and firearms have been, and seem likely to continue to be, long. Several of the world's most endangered species cannot afford the war against wildlife trafficking to be anything other than short-term. If the current battles finally result in success, but tigers, elephants or rhinos are lost along the way, the final victory will surely be a very hollow one.

But that lesson also offers opportunities. Although species cannot be manufactured or replaced in the manner that drugs and arms can be, unlike drugs and arms, where the place of manufacture may not always be known, we do know where the tigers, elephants and rhinos are located. The law enforcement community, or specialist parts of it, has opportunities to undertake *in situ* protection and deterrence in a manner unavailable in relation to drugs and arms.

Whilst it is vital to combat each and every link in the wildlife trafficking chain of criminality, it is utterly essential to firstly safeguard sought-after fauna and flora in their natural habitats. Every time a tiger skin crosses a border, a skirmish has been lost. Every time an elephant ivory carving is illicitly sold, a battle has

been lost. Every time a rhino horn is ground down, a fight has been lost.

This overview has identified sufficient themes requiring attention without seeking to address matters such as prevention or demand reduction, which are massive subjects in themselves. It does not, however, mean that they are thought of as being at all insignificant. Those issues may be just as, if not more, important than enforcement.

Indeed, several studies suggest that the millions, if not trillions, of dollars and other currencies spent by many governments in recent years and decades have done relatively little to stem drug trafficking. This document does not seek to enter into such a debate. Instead, it takes the view that criminality (regardless of its nature) deserves a response and that response should be as professional as possible.

No attempt has been made to address corruption either, as it is also a subject worthy of a dedicated focus. Suffice to say, wherever significant levels of crime are found in the world, significant levels of corruption may be present too.

Law enforcement is not rocket science. The presence or absence of the four 'Cs' – communication, cooperation, collaboration and coordination – will determine success or failure.

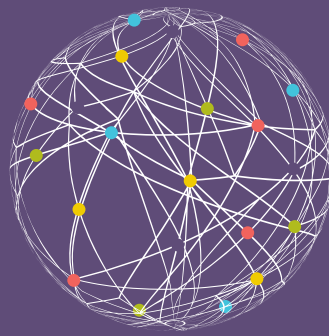
There **are** chances to win the war against wildlife trafficking that are not present with regard to narcotics or weapons. If we combine them with lesson-learning opportunities, and still fail, we have no one to blame but ourselves.



# Summary of Lessons Learned

<b>Legal Frameworks</b>	<i>It is time to consider a new legal instrument dedicated to the fight on wildlife trafficking.</i>
<b>Monitoring, oversight and advisory bodies</b>	<i>An effective international overview, assessment and response strategy-design in relation to wildlife trafficking is badly needed. ICCWC appears to be best-suited to take on this role.</i>
<b>Data collection and Analysis</b>	<i>A central receipt, collation, analysis and dissemination of wildlife trafficking data needs to be established as a matter of the highest priority.</i>
<b>Specialized and dedicated enforcement responses</b>	<i>Don't view units as the panacea. Multi-agency collaboration may be more effective.</i>
<b>Investigations</b>	<i>Talk to the right audience and get the message across urgently. Broad sensitization is required.</i>  <i>Be imaginative. Don't waste opportunities.</i>
<b>Capacity building</b>	<i>Current approaches need to be critically reviewed. The donor community should assess whether it is contributing in the most effective manner.</i>
<b>Intervening abroad</b>	<i>Much more use should be made of overseas enforcement personnel.</i>
<b>Scientific and technological support</b>	<i>Spread the word. Coordinate forensic assistance and make it accessible.</i>
<b>Intergovernmental organization support</b>	<i>Lead by example.</i>





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