

## Wildlife Trafficking and Organised Crime

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### Abstract

*Reporting findings from two recent multi-disciplinary studies of wildlife crime<sup>1</sup>, this paper will explore the patterns and extent of trafficking in wildlife, and locate the different modes of wildlife trafficking within the wider framework of organised criminal activity.*

*The international trade in wildlife is regulated by the Convention on International Trade in Endangered Species of Fauna and Flora (CITES), which is regarded as one of the more successful international treaties in terms of achieving compliance. But the implementation of CITES by member states is problematic and patchy, offering significant opportunities for engagement in a highly lucrative international trade.*

*Trafficking in CITES-listed endangered species remains a high reward/low risk crime, with low detection rates and weak penalties. It is widely believed that these opportunities are being exploited by 'major and organised crime groups' (MOCGs), utilising existing networks and routes developed for other trades – including drugs, arms and human trafficking – to traffic in endangered species, with profound implications for species sustainability. But the involvement of MOCGs in the illegal wildlife trade, though persuasive in theory, is less easily sustained by research evidence.*

*While our research has identified some evidence of linkages between wildlife trafficking and MOCGs, these links are not universally present in all the diverse forms of illegal wildlife trading, and we have developed a typology of wildlife trafficking to reflect this diversity. The typology itself is informed partly by the identification of factors usually associated with 'organised crime' (scale, degree of organisation, international dimensions, hierarchical group involvement, etc.), and also by trade specific features such as requirements for intermediate processing and manufacture, the nature of the markets, and the involvement of legitimate traders and 'front' companies. The five broad types of trafficking which emerge provides a framework for analysis of the seriousness of these illegal wildlife trades, and suggests appropriate enforcement responses.*

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<sup>1</sup> The first conducted for the UK Department for Environment, Food and Rural Affairs and the National Criminal Intelligence Service – see Roberts, et al, 2001. The second conducted on behalf of WWF and TRAFFIC International – see Lowther, Cook and Roberts, 2002; Cook, Roberts and Lowther, 2002; Roberts, Cook and Lowther, 2002.

## **Introduction**

Exactly what do we mean by the wildlife trade? Traded commodities include live animals and plants, which may be destined for the pet trade, for garden centres (e.g. tree ferns), or for specialist collectors. The latter, while a relatively small market, represents the main source of demand for live specimens of rare and endangered species. Dead animals or their parts may be shipped around the world for the taxidermy trade, while skins (especially those of reptiles), furs and fleeces are used to produce luxurious hide and textile products, including alligator skin watch straps and shahtoosh shawls. The ivory carving industry continues to flourish in some parts of the world, generating demand for elephant ivory and often finding markets amongst ignorant tourists. Animal and plant derivatives are also in demand for traditional Asian medicines (TAMs), and some supposedly medicinal commodities, such as tiger bone, musk deer musk glands, bear gall bladders or rhino horn, are derived from some of the world's most endangered species. Some luxury food products also impact on wild species stocks, with caviar supplies now severely restricted by the collapse of sturgeon populations, and a small but increasing trade in 'bushmeat'.

Driven by these luxury consumer markets, the wildlife trade continues to exploit species stocks in all parts of the world, for the most part legally. But luxury markets are sensitive to supply, and where there is limited availability the prices will be high. Traffickers respond to market demand, preferring to trade in the highest value, and therefore scarcest, commodities. And because their illegal operations are outwith the regulatory structures intended to protect endangered species, it is the illegal wildlife trade that has the greatest potential to force species populations below sustainable levels, and precipitate extinction. Furthermore, some wildlife trade activities involve sickening cruelty, and are all the more unacceptable for this.

Understanding the nature of wildlife trafficking and the involvement of organised crime is key to finding effective ways to combat the illegal trade. Organised crime groups are involved in wildlife trafficking, but the picture is made more complex by the existence of a legal and highly regulated trade operating in parallel with the illegal trade. Furthermore, the existence of a legal trade, combined with the relative infrequency with which most consumers may encounter wildlife products, often restricts the effectiveness of demand-side measures to reduce or disrupt markets. Finally, low priorities attached to environmental crime may restrict the resourcing of enforcement efforts.

## **CITES and the Legal Controls on Wildlife Trafficking**

The Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) came into being in 1973, and is seen as one of the more successful international treaties, with the overwhelming majority of nation states now having signed<sup>2</sup>, and with a good record of compliance from parties. Certainly CITES stands out amongst Multi-lateral Environmental Agreements (MEA) as a signal success.

The principle function of CITES is to monitor and control cross-border trade in endangered species, where the listing of species in the Appendices to the treaty constitutes formal recognition of populations at risk. CITES requires party states to enact national legislation to regulate the trade in these 'listed' species, and to designate a Management Authority to

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<sup>2</sup> As of July 2002 there were 158 parties to the treaty.

administer the trade permit system and a Scientific Authority to provide support services such as species identification.

In general, where concerns have been raised about levels of trade through party states, or about the resourcing or efficacy of the CITES infrastructure in parties, responses in the form of trade bans or the threat of trade bans have been sufficient to encourage fuller compliance. The ability to impose bans on non-party trade with party states has further enabled CITES to rein in non-parties where significant trade in endangered species is legal but environmentally damaging. In some cases, non-parties that have experienced or been threatened with trade bans have subsequently become parties. For instance, in the late 1980s large numbers of South American macaws were being laundered through Grenada Zoo with the connivance of the country's Chief Veterinary Officer, who was issuing permits for export to CITES party states (Reeve, forthcoming). A threat to ban all trade in endangered species between Grenada and CITES parties resulted in the Grenadan government discontinuing the issue of permits for bird exports. Subsequently, Grenada became a party to CITES.

Party states are frequently unable or unwilling to implement the legislation, authorities and permit mechanisms required by CITES. Greece, for example, became a Party to CITES in 1993, but was and remains a weakness in the EU's customs controls. Key problems noted by the CITES Secretariat included (Reeve, forthcoming):

- the Greek parliament adopted national legislation in 1993 covering only the species listed under CITES in 1973, and so failed to protect any species listed after 1973;
- Greece failed to formally designate either a Management Authority or a Scientific Authority to implement CITES;
- there were 120 ports of entry – too many for effective customs inspections;
- only one person was issuing CITES permits and certificates, and then on a part-time basis;
- permits and certificates issued were printed in Greek, and therefore difficult for customs officers elsewhere to interpret.

While Greece has improved its controls and enforcement (in part because of stronger EC legislation and the consequent threat of enforcement action from the EC Commission) these remain weak compared to those in force elsewhere in the EU. Thus the customs controls of the EC free trade area, with its lack of internal border controls, are weakened by vulnerable points which undermine the efforts of enforcement agencies in other EU states. Such weak points provide obvious opportunities for traffickers.

Despite local problems, the overall record of CITES in achieving compliance is remarkable, especially given the relative weakness of the sanctions available to the Secretariat. In only a very few states will trade in endangered species represent a significant component of GDP – for the remainder it appears that trade bans influence states through 'naming and shaming' rather than economic impacts.

CITES provides for the creation of state institutions to operate the trade permit system, but does little to shape the development of national enforcement capability. And while CITES remains the primary means of delineating the range of species at risk from trade, it has severely limited capacity to tackle wildlife trafficking directly<sup>3</sup>. This enforcement gap is being

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<sup>3</sup> The CITES Secretariat does have a small enforcement branch, and has recently promoted some co-operative transnational enforcement initiatives (notably the Tiger Enforcement Task Force). The Secretariat also operates a

filled by other agencies, including dedicated wildlife crime intelligence units in the UK<sup>4</sup> and elsewhere, and specialist teams and sub-groups within national customs agencies and international policing organisations<sup>5</sup> (Roberts, et al, 2001). But in contrast to most other types of transnational crime, much of the investigatory and intelligence capacity being brought to bear on wildlife trafficking is derived from non-governmental organisations (NGOs) operating across state borders, including charities such as TRAFFIC International and the Environmental Investigation Agency (EIA).

### **The Seriousness of Wildlife Trafficking**

Economic measures of the value of illegally traded wildlife are inherently difficult to produce, though estimates in the range US\$5-20 billion annually have been made (Holden, 1998; Roberts, 1996). But attempts to demonstrate seriousness through financial comparisons will always appear as trivialisations when compared to the estimated values of the drugs trade (US\$400 billion annually: UN Office for Drug Control and Crime Prevention, 2000) and money laundering (as high as US\$1 trillion annually: Godson and Williams, 1998).

The seriousness of wildlife trafficking is better understood in terms of two of its key features:

1. Its actual and potential threat to biodiversity;
2. Offering opportunities for some transnational organised crime groups to diversify into high profit/lower risk operations.

Where CITES-listed species or their derivatives are in demand, there is a risk of reducing the wild populations to levels where the species cannot reproduce in the wild, and will become extinct. Thus the impact of the illegal trade is inversely proportional to the size of the wild population. The trade in the skins of some moderately endangered reptiles, for instance, may involve the killing of many thousands of individuals<sup>6</sup>, but without significant damage to relatively large and replenishable populations. On the other hand, bird dealers illegally importing live specimens of critically endangered macaws may only handle a few birds, but may risk pushing the species towards extinction in the wild. In the USA, a well-known and respected expert in parrots and macaws was convicted in 1994 of illegally importing South American macaws, including at least 186 specimens of the CITES App. I listed Hyacinth Macaw, of which only about 3,000 individuals remained in the wild (Favre, 1998; US Fish & Wildlife Service, 1994, 1996).

For some species, demand appears insatiable. All parts of the tiger have a market, with bones and other body parts in demand for traditional Asian medicines, and skins for rugs and taxidermy. Despite the highest levels of protection under CITES, tigers continue to be hunted illegally. Poaching pressure is now the primary threat to the survival of tiger species, though what constitutes a sustainable level of poaching – in terms of species ecology – remains a point of some contention (see, for instance, Wickramanayake, et al, 1998).

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limited 'Alerts' service intended to disseminate intelligence to national agencies, though continuing problems with reporting and consistency of format currently limit the number and usefulness of 'Alerts' issued.

<sup>4</sup> The National Wildlife Crime Intelligence Unit, a specialist crime team within the National Criminal Intelligence Service, was launched in April 2002. See Roberts, et al (2001) for the scoping study.

<sup>5</sup> For instance, HM Customs and Excise operate a specialist CITES team, based at Heathrow Airport, that has achieved notable success and, it is claimed, helped to deter traffickers from using Heathrow as a port of entry. Also, Interpol facilitates a Wildlife Crime Sub-Group.

<sup>6</sup> As an example, in 1999 the EU received 181,679 permitted imports of skins of the CITES App. II listed Mississippi Alligator.

The difficulties of establishing ecologically sustainable thresholds for legal trade and/or illegal taking require CITES to adopt the 'precautionary principle' in making decisions on species listing. Thus CITES listings in general reflect a view that there is a *risk* of over-exploitation for a given species. However, CITES trade controls – primarily in the form of trade monitoring or quotas – do allow some level of trade in all but the most endangered species. Setting appropriate 'sustainable use' limits enables range states to generate an economic return and thus provides a justification for species conservation. However, sustainable use implies the maintenance of active legal processing and trading capacity, and so keeps open routes that may be exploited by traffickers, as well as potentially enabling the laundering of illegally taken wildlife commodities into the legal trade, and helping perpetuate markets.

### **The 'Folk Devil' of Organised Crime**

Organised crime has been portrayed as a global threat, often based on rather naïve models of 'major and organised crime groups' (MOCGs - Mafia, triads, etc.). These models assume MOCGs have a triangular, hierarchical business structure, which in fact may reflect the structures of the bureaucracies they are perceived to threaten (Edwards, 1999), and are certainly outdated models of criminal organisations. These simple conceptions are easily reproduced through media stories - a process of reinforcement that has led to organised crime becoming a modern and global folk devil (Edwards, 1999; Hobbs, 1998; Edwards and Gill, 2002). Mythologies of organised crime abound in popular and political discourse, often drawing on 'horror stories' involving extreme violence or (and especially in the developed world) drugs.

The UK National Criminal Intelligence Service (NCIS) defines organised crime in a broader sense as incorporating the following elements (NCIS, 2001):

- it involves at least three people;
- criminal activity is prolonged or indefinite;
- criminals are motivated by profit or power;
- serious criminal offences are being committed.

These features are also common to the definitions used by the Home Office and in European Union reports. The key ingredients here are the seriousness, scale, motivations and the collaborative nature of the offences.

In practice, the 'connectedness' of many organised crime groups may be much less hierarchical, and looser, than the popular model of MOCGs would suggest, relying on flatter structures, with many members of a group (or 'network') knowing only a few other members. Conceptualised as looser networks, these groups may be more difficult to disrupt because they do not rely on an overarching authority for direction and are therefore, "sophisticated and resilient organisational structures" (Godson and Williams, 1998).

Recent discourse around organised environmental crime, and especially trafficking, has tended to follow the popular perception of MOCGs, interpreting the scant evidence for organised crime involvement in terms of the simple hierarchical model and assuming that MOCGs are opportunistically exploiting a low risk activity. The evidence we have seen in relation to the illegal wildlife trade challenges this simplistic interpretation, and suggests that alternative, more complex models are appropriate, incorporating multiple and largely discrete activities (see fig. 1). That is not to suggest that MOCGs are absent from the illegal wildlife

trade - undoubtedly they are present in some illegal trade activities - but they are not perhaps as ubiquitous or as deeply implicated as is sometimes believed.

*Figure 1. The illegal wildlife trades*

Illegal trade	Specimen collecting	Skins, furs, fleeces	Activities linked to drug trafficking
		TAMs	Caviar trafficking
	Degree of organisation and linkages with MOCGs		

## Case Studies

The different organisational characteristics and trafficking strategies in use can best be illustrated with selected case studies. Taking examples from each 'degree' of organisation in figure 1, the vignettes below attempt to flesh out the reality of wildlife trafficking as it is evidenced in well-documented cases where convictions have followed in the UK or USA.

### Specimen Trading

*Raymond Humphrey and others – Thai birds of prey into the UK*  
(Information from Pitt, 2002)

An investigation beginning in 1997 eventually led to the successful prosecution of three people for trafficking endangered birds of prey from Thailand into the UK. After a thirteen week trial, sentences were handed down at Isleworth Crown Court in January 2002, and comprised the most severe penalties yet imposed for wildlife offences in the UK.

Raymond Humphrey, a bird keeper from Norfolk, together with Wayne Standley and Peera Jungthirapanich (a Thai student studying in the UK) collaborated to capture and smuggle rare birds of prey from Thailand. Birds were packed in plastic tubes inside suitcases, and many did not survive their journeys. When arrested at Heathrow, they had 23 birds in a single consignment. Subsequent searches at Humphrey's home discovered a further 54 birds of prey, seven slow loris, five tortoises and a golden-cheeked gibbon, as well as other dead birds and a dead slow loris in his freezer.

Humphrey was found guilty on all 22 counts brought against him, and was sentenced to jail for 6½ years. Peera Jungthirapanich pleaded guilty, and was sentenced to 22 months, half of which was suspended. Wayne Standley was acquitted. Humphrey had 45 previous convictions for a range of offences including burglary and assault, and had previously stolen a golden eagle from a bird-keeper in the UK. During the trial Humphrey assaulted a witness and threatened a police officer.

The formation of Humphrey's network appears to have come about through chance contacts, and represents an opportunistic exploitation of Jungthirapanich's legitimate reasons for shuttling between the UK and Thailand, linked to Humphrey's knowledge of the permit systems and market demand gained from his bird keeping pastime. The characteristics of the crimes meet the wider NCIS definition of 'organised crime', but are far from the popular perception of MOCGs.

### *Harold Sissen – Lear's macaws into the UK*

(Information from Pitt, 2002, and PAW webpage)

Sissen was a well-known figure in the bird collecting field, admired by some as a contributor to conservation through captive breeding, but disliked by others for a cavalier attitude to collecting and keeping birds. In 1998, Customs officers raided his premises, seizing three Lear's macaws and six blue-headed macaws smuggled into the UK in the previous 18 months. The Lear's macaw is a CITES App. I listed species, and is judged to be critically endangered with an estimated 150 birds remaining in the wild at the time of the offence. A breeding pair of Lear's macaws was estimated to be worth over £50,000 on the black market. Over 140 other parrots were seized during the raid.

The trial took place at Newcastle Crown Court in April 2000, with Sissen being prosecuted under the Customs and Excise Management Act. He was sentenced to 2½ years imprisonment and ordered to pay costs of £5,000. It was clear from the evidence presented in court that Sissen had travelled to Eastern Europe with the intention of obtaining the birds and smuggling them to the UK in full knowledge that this was illegal. An appeal, based on technical arguments regarding the validity and applicability of the EC wildlife trade regulation, was rejected, although the sentence was reduced to 18 months because of his age (he was 61).

An asset confiscation hearing in September 2001 made an order in the sum of £150,000, reflecting the amount Sissen is estimated to have made from his illegal trafficking activities. An appeal has been lodged against this order, and further condemnation proceedings are pending in respect of the forfeit birds.

Sissen's activities again illustrate the importance of access to the CITES permit system and to the specialist markets for the specimens. Sissen had a previous conviction for illegal trading in birds, and was widely suspected of continuing his illicit activities over a period of some 10 years. But a tolerant attitude within the trade in general, and amongst specialist collectors in particular, ensured that obtaining sufficient evidence to guarantee a prosecution was especially difficult. Even after his conviction, the tolerant attitude was evident in an editorial published in *International Zoo News*, pleading for Sissen not to be imprisoned and for the return of most of the seized birds, such that his captive breeding programme could be maintained (Gould, 2001).

### *Taxidermy Specimens into the EU*

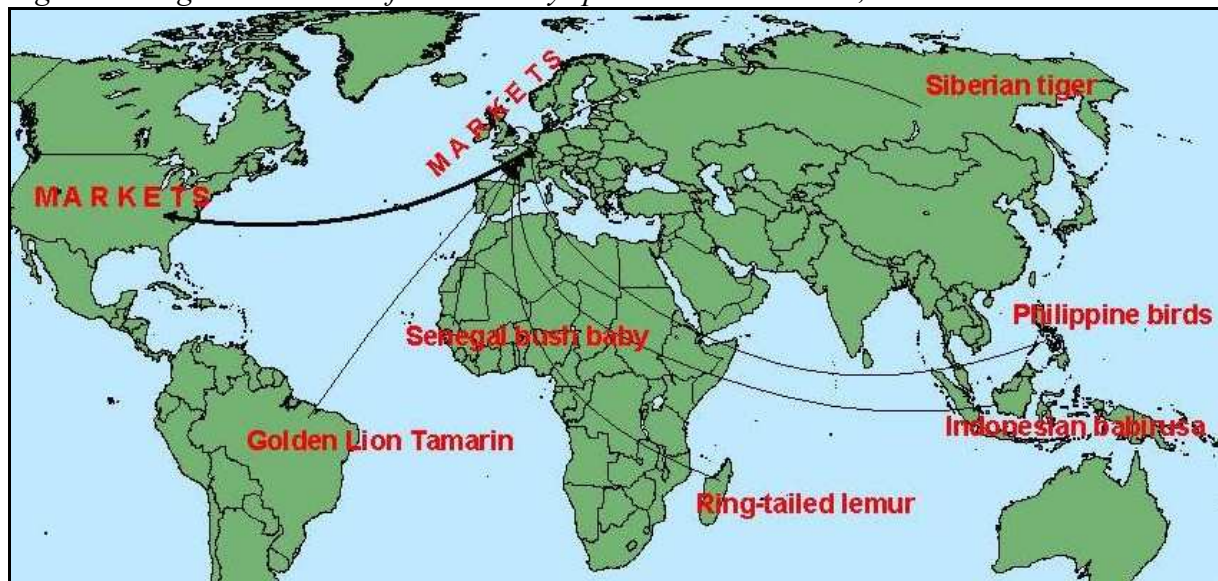
Operating a legitimate business in Wales, Nicolaas Peters had been involved in trading wildlife specimens around the globe for 18 years, mainly for taxidermy and mostly legally. While based in Wales, his main wildlife trading centres were in Belgium and the Netherlands, and he had a string of convictions for wildlife trade offences, including being fined in Germany for trading without permits, and being fined in Australia for smuggling dead birds and insects. Following a tip-off from a taxidermist, HM Customs and Excise raided Peters' house with RSPB and TRAFFIC personnel, and discovered over 700 dead specimens including some highly endangered species. 300 bird specimens had originated from the Philippines and included at least 42 CITES-listed species. Other seized items included a Siberian tiger skull, a blue-naped parrot and a ring-tailed lemur – all CITES-listed.

A further raid in Belgium found a larger stockpile of specimens. Papers discovered at Peters' home revealed his activities in organising the killing and smuggling of birds from the Philippines, including the identification of an official to be bribed. He had also exported many

specimens to the USA, either without licence or under recycled licences issued in Belgium. The global reach of Peters operation is illustrated in the map below (figure 2), and it is clear that Belgium provided a port of entry with relatively lax control enabling this global illegal trade to access EU markets and reach destinations in the UK with little chance that UK customs would detect the trade crossing internal EU borders.

Peters' activities demonstrate an individual operating in an entrepreneurial manner, drawing together sources of specimens and identifying routes and officials who may be bribed. None of the people or organisations with whom Peters dealt were in any sense controlled by him, yet he was able to exploit enterprise networking to obtain and traffic hundreds of specimens of endangered species.

*Figure 2. Illegal trade routes for taxidermy specimens into the EU, UK and USA.*



#### The Shahtoosh<sup>7</sup> Trade

In 1997, the Metropolitan Police seized 138 shahtoosh shawls from The Renaissance Corporation in London, with a value of £353,000. It is estimated that up to 1,000 antelope would be required to provide the wool for these shawls, with some individual shawls measuring over six metres in length and valued at over £12,000. The Renaissance Corporation pleaded guilty and was fined just £1,500 and forfeiture of the shawls (Environmental News Service, 2000).

The shahtoosh trade is a good example of a luxury market, and of the stages through which wildlife is illegally processed from capture to the end market. Shahtoosh wool is produced from the under-fleeces of the Tibetan antelope, a critically endangered species with only an estimated 70,000 animals remaining. Fleeces are traded to India, where some 20,000 people are thought to be employed in workshops producing textile goods (Le Duc, 1996). There are few places in the world where shahtoosh trading is allowed, so the legal trade in pashmina shawls (made from cashmere wool) is used for cover and to transport shahtoosh. Finished shawls are then either sold in small quantities to tourists or shipped to the main consumer states - principally in North America, western Europe, Hong Kong and Japan - in larger consignments. There is evidence that the illegal trade in shahtoosh is increasing, not only with

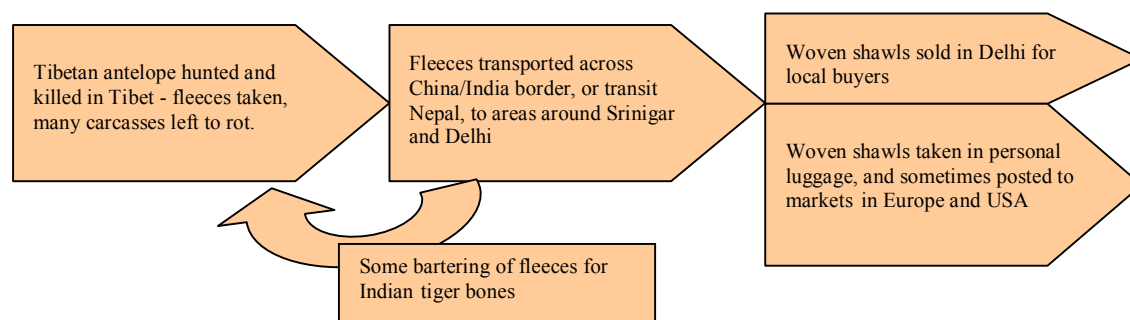
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<sup>7</sup> 'King of wools'.

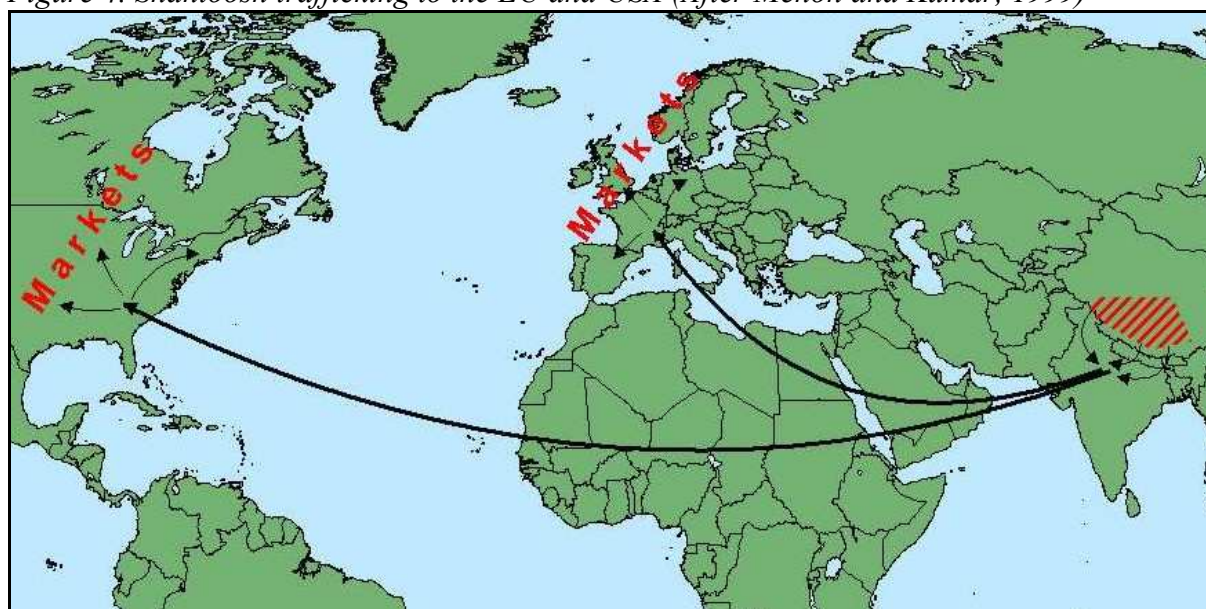


a significant industry in India, but also with the wool from Nepal and Tibet being bartered for tiger bone across the Indian border (Galster, et al, 1994).

*Figure 3. The Chain of Trade for Shahtoosh Wool and Shawls*



*Figure 4. Shahtoosh trafficking to the EU and USA (After Menon and Kumar, 1999)*



### The Caviar Trade

(Information from US Fish & Wildlife Service, 2001)

In 2001, US Caviar & Caviar – one of the USA's largest caviar importers – was fined US\$10.4 million (approx. £6.8 million) for a five year smuggling operation that resulted in the illegal importation of caviar with a market value of approximately US\$7.5 million (approx. £4.9 million).

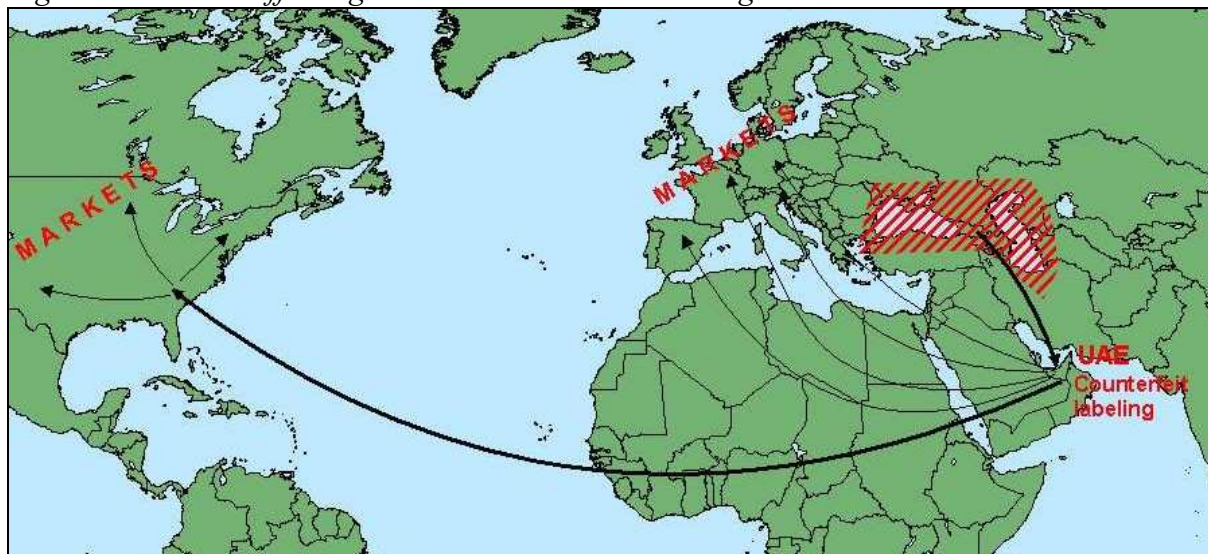
The sturgeon roe was smuggled out of the Caspian Sea area and routed through the United Arab Emirates, where a US-owned caviar export firm provided a legitimate front for the operation. Counterfeit labels printed by US Caviar & Caviar were applied to the caviar tins in the UAE, hiding their original labels. Thus disguised, the caviar was imported to the USA as legitimate Russian produce. In 1998 alone at least 9 tons (US) of caviar was imported by this route, which compares with a total importation of caviar to the USA of 143 tons in 1999.

The fine represents the largest financial penalty ever imposed in a US court for wildlife trafficking offences. In addition, the company's former owner received a 41 month jail term, a

sales manager was sent to prison for 21 months, and the president of the UAE export firm was imprisoned for 15 months.

Just as in the Shahtoosh trade, the caviar trade could not operate effectively without legitimate fronts. But front companies cannot organise the entire trafficking operation. An intermediate destination such as UAE enables the linking of trafficked caviar from the range areas with front companies able to market the commodity. The laxity of controls in UAE is the key to facilitating this trade, which is known to be continuing at high levels. In November 2001, the CITES Secretariat stated they had "*discovered that much of the caviar worth \$25 million that left the UAE during the first 10 months of this year appeared to be of unlawful origin*" (Kirby, 2001).

Figure 5. Caviar trafficking to EU and US markets through UAE



### Enterprise Criminals - a 'dirty' or 'grey' economy?

Where a key figure in the wildlife trafficking business can be identified, their mode of operation can be shown to be similar to that of legitimate business entrepreneurs, facilitating trading links as 'hubs'. The networks within which these traders operate (not control) consist of autonomous individuals or enterprises operating either in range states gathering specimens, in intermediate states facilitating transit, or in market areas acting as wholesalers. Removing one trader will not significantly disrupt the network. For instance, Anson Wong operated a wildlife trading business based in Malaysia, and was engaged in significant illicit trading in parallel with his legal activities (BBC Panorama, 2000). Wong was convicted and jailed, but this did not disrupt the entire network - members of the network were recorded operating in Africa in 2000, long after Wong's incarceration. Wong's operation can be seen to parallel the notion of 'enterprise crime' discussed by Levi (1998), and is clearly distinct from traditional conceptions of MOCs.

The impact of these 'enterprise crime' networks is significant in terms of biodiversity, but they do not represent the threat to global political stability that has been associated with more rigidly organised crime groups. On the contrary, what this 'enterprise' mode of operation demonstrates is how easily the boundaries between the legal and illegal trade can be crossed, where traders use their legal contacts and skills to develop a parallel illegal trade.

Figure 1 suggests MOCGs may be more deeply implicated in caviar trafficking, reflecting the relative low level of expertise required to traffic a compact, tinned commodity. It is clear that the 'Russian mafia' are involved in trafficking caviar, at least into entrepôts such as UAE, where the product may be disguised and laundered into the legal market (e.g. US Caviar & Caviar case) in which specialist market access and distribution is required. In this way, caviar trafficking involves both MOCGs (at the *supply* end) and corporate criminals with legitimate fronts (at the *market* end).

In the case of TAMs and the trade in skins, furs and fleeces, there is a requirement for intermediate processing and manufacturing stages. This helps ensure that trade in these commodities is mainly the preserve of enterprise criminals, in which manufacturing and trafficking is enabled by the existing and legitimate structures that exist for similar but legal trades. For instance, the vast majority of TAMs are produced either from abundant natural wildlife stocks or from farmed specimens, with only a small proportion of products containing<sup>8</sup> derivatives of endangered species.

In the case of the illegal specialist specimen trade, the majority of those involved are legal traders or keepers. Their activities require expertise in identifying and handling the animals and plants, and knowledge and access to the permit systems. They also require access to specialist and limited markets. In this sense they are essentially 'craft' oriented criminal groups (Levi, 1998). The transgression from legal to illegal trading appears to take place in a tolerant environment, associated with obsessive collecting behaviour that is prepared to overlook the origin of specimens, and that may even attach higher value to authentically wild specimens.

The linkages between licit and illicit wildlife trades therefore cast doubt on the stereotypical portrayal of wildlife trafficking as the province of MOCGs such as the 'mafia' and 'triads'. There are clearly divergences between perception and the evidence where organised wildlife trafficking is concerned: for example, in a survey of member organisations of the Partnership for Action Against Wildlife Crime (PAW)<sup>9</sup> (Roberts, et al, 2001), many respondents alluded to a 'parallel' trade maintained by ostensibly legitimate businesses, yet some of those same agencies, at the same time, reproduce the misleading mythologies around MOCGs. Indeed, the term 'Ecomafia' is gaining some currency amongst NGOs involved in combating and campaigning against environmental crime. It is perhaps easier and more comfortable to evoke an 'alien conspiracy theory' (Hobbs, 1998) than to acknowledge that the partners in PAW may include organisations with members involved in the illegal trade. These competing discourses echo the recent analysis by Edwards and Gill (2002) that recognised a dialectic between criminologies of the 'other' (the MOCG discourse) and criminologies of the 'self' (the 'parallel trading' discourse).

One recurring theme in the discourse of MOCGs is that drug 'cartels' are engaged in wildlife trading. This seductive suggestion is bolstered by the co-occurrence of drug producing areas and areas rich in tropical wildlife species. There is some evidence of drug traffickers also

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<sup>8</sup> Or claiming to contain – there are 'fake' medicines fraudulently claiming to contain ingredients such as tiger bone.

<sup>9</sup> PAW includes a wide range of organisations, from police wildlife liaison officers, through NGOs such as WWF, TRAFFIC, the RSPB and the RSPCA, to protest groups such as the League Against Cruel Sports. It also includes 'trade' organisations such as the Ornamental Aquatic Trade Association and the National Association of Private Animal Keepers.

trafficking wildlife for profit as a subsidiary trade, but probably of more significance are other linkages notably:

- the exploitation of wildlife as drug 'mules'
- using wildlife products as a currency to 'barter' for drugs
- the (cashless) exchanges of drugs and wildlife as part of the laundering of drug traffic proceeds.

In one particularly vivid example of exploitation, a shipment of boa constrictors from South America was intercepted in Miami, where the snakes were discovered to have cocaine filled condoms inserted in their rectums, which had been sewn up (Galster, et al, 1994). The majority of the snakes were bleeding 'from both ends' and later died.

More recently, the 'Russian mafia' has been blamed for illegal wildlife trading out of the former Soviet states. While there is strong evidence for involvement in the caviar trade, there is also a tendency to overplay the likely significance of 'Russian mafia' activities, again reflecting a lazy attribution to this emerging folk devil (Rawlinson, 1998).

### **Tackling the Criminals – Tolerance, Deterrence and Shaming**

Tolerance of the criminal activities which constitute the illegal wildlife trade - whether in range states, intermediate destinations, or markets - provides the context within which organised wildlife trafficking can flourish.

- **In range states**, tolerance of poaching levels, and a tacit complicity from sometimes hard-pressed government and public agencies, enables continued species exploitation.
- **In intermediate destinations**, tolerance of trade under the guise of 'free' trade (exemplified by the lax controls in UAE) allows the development of active redistribution and intermediate processing centres.
- **In markets**, tolerance (either as tacit complicity or ignorance) enables illegal traders to continue to make profits.

Effective deterrence of criminal enterprises requires both an increased risk of detection, and an increased cost in terms of penalties. However, the low priority attached to environmental crimes continues to stymie the development of effective enforcement and the application of severe penalties. There is some evidence of improved enforcement effort, notably the UK National Wildlife Crime Intelligence Unit, and some evidence of more severe penalties recently applied in the UK and USA. But these are isolated examples, and even within the UK penalties are not always applied as harshly as in the cases of Sissen and Humphrey.

While increasing the enforcement effort and resource, strengthening laws and handing out tougher sentences may all help, these may only be short-term measures. To permanently change the level of illegal trade, traders must encounter a lack of tolerance - they must feel unwelcome and unwanted. But shaming perpetrators can only work if the prevailing norms provide tolerance levels low enough to demonstrate the deviance and damaging consequences of the criminal activity. For many wildlife trade offences, this is simply not the case.

To change prevailing norms, a framework is needed by which the majority of legal traders can demonstrate their willingness not to tolerate illegal trade. Due diligence schemes provide exactly this framework, acting as a soft regulatory mechanism, and providing formal liaison mechanisms between the trade and law enforcement. Due diligence has been effective in the

antiques trade (e.g. Invaluable.com), and perhaps also in some environmental fields (e.g. Valpak), and in the UK at least the infrastructure already exists for due diligence in the specimen collecting trade (PAW, for instance).

### **Tackling the Crimes - Market Disruption and Range Area Programmes**

Disrupting markets - or reducing markets - removes the opportunity for profit, and so removes the primary motive for illegal wildlife trade. . Awareness schemes to reduce public ignorance regarding the environmental harm associated with caviar trafficking, shahtoosh, some TAMs, etc., all help to reduce the available market. But some markets are intractable. The use of TAMs is a deeply entrenched and culturally significant activity, and changing attitudes here is especially challenging.

The harvesting of species and derivatives from range areas often relies on local hunters, who are usually acting rationally as a response to poverty, and may also act out of ignorance of the real consequences of their actions. Range area programmes aimed at combating local poverty and raising awareness of the value of local biodiversity will reduce the 'risk' of local populations becoming involved in the trade, and so reduce the supply and ultimately reduce market demand for what are essentially luxury goods.

### **Conclusion**

The illegal trade in wildlife continues to degrade biodiversity. It also provides opportunities for low risk profit for some MOCGs (notably Russian gangs operating in the caviar trade), as well as drawing less scrupulous traders into illicit activities. The CITES regulatory framework that permits and regulates the legal trade in endangered species serves two contradictory functions:

- it promotes species protection and enables economically beneficial exploitation by often poorer nations who constitute the species range states;
- in listing species as endangered or rare, it signals their higher value and provides motivation for the illegal trade.

Networks of traders, some of which develop as the result of legal trade, represent the main 'organised crime groups' involved in wildlife trafficking, though discourses within much of the wildlife protection infrastructure continue to focus on simplistic and outdated models of 'mafia' or 'triad' gangs. Efforts to combat the illegal trade must recognise the importance of a combination of strategies which seek to:

- ensure tougher and more effective enforcement of existing regulations;
- reduce tolerance of these seriously damaging crimes;
- reduce the demand for wildlife products;
- reduce the rewards on offer to wildlife offenders, through all of the above.

In order to do this the nature of organised crime within the wildlife trade must be better and more widely understood. While recent developments in enforcement capacity are welcome, these must be accompanied by a wider range of legal, social and economic measures in both market and range areas.

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