



Wildlife Justice
Commission

Wildlife crime: The soft underbelly of organised crime

October 2020

Purpose

This briefing paper serves to highlight how intelligence analysis can be leveraged to better understand the convergence of wildlife crime with other forms of organised crime, and the need for a more coordinated global law enforcement response to address these crimes. Here, the **Wildlife Justice Commission** will demonstrate the value intelligence analysis can bring to transnational, organised and complex criminal investigations.

Background

Over the past two decades, wildlife crime has become a form of transnational organised crime, generating billions of dollars annually and affecting almost every country. The Wildlife Justice Commission has been committed to addressing wildlife crime since 2015. One of the key elements to its success is the use of intelligence analysis, which gives the Wildlife Justice Commission a unique edge and valuable insight into wildlife crime.

Although intelligence analysis is commonly used in response to other forms of serious and organised crime, it is virtually absent from the wildlife crime enforcement toolbox. Intelligence analysis is an incredibly important force multiplier where resources are low and the problem is vast, as it allows for investigations to remain focussed on the greatest criminal threat. Therefore, intelligence must form part of any overarching strategy to tackle wildlife crime. Yet, the lack of both technical and human capacity is a major obstacle to the widespread use of intelligence analysis, and as a result, there are major gaps in the global intelligence picture of wildlife crime.

Through its intelligence-led approach, the Wildlife Justice Commission has documented the convergence of wildlife crime with other forms of transnational organised crime. It has uncovered evidence of criminal networks that are dealing in wildlife alongside other illicit commodities such as drugs, human trafficking networks that are opportunistically engaging in wildlife crime, and links between wildlife crime and fraud, corruption, and money laundering. The Wildlife

Justice Commission's encounters have shown that wildlife criminals are often not as operationally savvy as other types of organised criminals, and wildlife crime laws in some countries provide law enforcement powers that do not exist for other offences. As such, the cross-cutting nature of wildlife crime can present a potential opportunity for law enforcement agencies to infiltrate networks that may be engaging in multiple forms of organised crime.

To illustrate, the Wildlife Justice Commission worked a prominent Vietnamese broker during a three-year investigation. By 2019 he had asserted his position as one of Vietnam's top wildlife criminals and lead broker for a sophisticated criminal network responsible for trafficking vast quantities of elephant ivory and rhino horn from Africa to China via Vietnam. However, Nguyen Van Nam was arrested in Hanoi on 30 September 2019 in connection with the illegal trade of 204 kg of ivory. On 16 July 2020 he was convicted and sentenced to 11 years in prison.¹ Our investigative findings clearly portray Nguyen Van Nam as neither particularly intelligent nor criminally savvy. He regularly displayed poor criminal tradecraft; he continued to use the same phone number and requested payments to the same bank accounts throughout the entire investigation. This serves as a reminder that wildlife criminals can present an easier entry point for the investigation of organised crime.

¹ <https://e.vnexpress.net/news/news/204-kg-ivory-haul-lands-three-traders-in-jail-4132021.html>



Crime Convergence



In 2016, research conducted by Interpol² found that 84% of the responding countries reported convergence between environmental crime and other types of serious crime. Yet, four years later the nature of this relationship remains largely undocumented. The Wildlife Justice Commission intends to publish an analytical report in December 2020 to describe where its wildlife crime investigations have converged with other types of serious and organised crime through a description of several case studies.

² Interpol (2016), Environment, Peace and Security: A convergence of threats.

Operation Apex: A Transnational Crime Convergence

In September 2020, a multi-agency law enforcement operation targeted and shutdown an international syndicate that was allegedly engaged in trafficking shark fins from Mexico to Hong Kong, drug trafficking in the United States, and money laundering. The indictment³ in Operation Apex charged 12 defendants and two businesses with Mail and Wire Fraud Conspiracy: Drug Trafficking and Money Laundering Conspiracies.

The conspiracy began as early as 2010, when members of the network submitted false documents and used sham businesses and dozens of bank accounts to hide millions of dollars in proceeds from their criminal activities. Members would deposit the proceeds from wildlife trafficking and drugs into third-party business accounts that dealt in gold, precious metals, and jewels, located in the United States, Mexico, and Hong Kong, to hide the illegal activities.



200,000 shark fins seized by police in Ecuador, bound for Asia markets

Shark fins worth up to \$1.5m discovered after raids on nine properties in the port city of Manta



▲ Hundreds of shark fins seized by the police in Manta, Ecuador. Photograph: Ecuador's Attorney General/AP

Shark finning is the practice of catching sharks at sea, cutting off their fins and throwing the injured shark back into the ocean to die. Shark finning supplies demand for shark fin soup, an Asian delicacy.

Shark fins are among the most expensive seafood products

Global trade in shark fins is estimated to generate between USD 540 million – 1.2 billion per year

Shark finning accounts for around 73-100 million shark deaths per year

³ <https://www.justice.gov/usao-sdga/press-release/file/1313441/download>

A Global Supply Chain

As alleged in the indictment, conspirators in multiple locations in the United States, Hong Kong, Mexico, Canada, and elsewhere, were involved in the transnational criminal organisation that engaged in wildlife trafficking, shark finning, drug trafficking and money laundering.

Inter-Agency Collaboration

Initiated by the U.S. Fish and Wildlife Service and the U.S. Drug Enforcement Administration, Operation Apex brought together multiple agencies under the umbrella of the Organized Crime Drug Enforcement Task Force (OCDETF). This case clearly demonstrates the transnational nature of wildlife trafficking and its convergence with other forms of serious and organised crime, and the need for multi-agency coordination to address it effectively. This also then offers up a suite of alternative legislation that can be applied to the criminal scenario, thereby illustrating the added value of using non-wildlife legislation to tackle transnational, organised wildlife crime.

How can intelligence and analytical techniques add value when managing the threat from organised crime?

The Wildlife Justice Commission manages the threat from organised crime through a risk assessment process it applies to measure and classify the criminal means and motivations of each subject based on several criteria⁴. This assessment helps to determine the level subjects are operating at to ensure resources are allocated proportionately in response to the identified threat. This methodology also seeks to understand the impact that the removal of one or two individuals will have upon the operations of the network, for crime disruption purposes.

Crime is highly connected, and analysis suggests that syndicates facilitating the transnational trafficking of large-scale shipments are utilising the same nodes along the supply chain, which are shown to have a high level of interconnectivity. To demonstrate, the smuggling of ivory combined with pangolin scales was found to be rising rapidly, doubling in number of shipments and tripling in volume between 2017 and 2018⁵. Increasingly, these combined shipments contain a greater proportion of pangolin scales than ivory, which suggests there has been a change in the preferred commodity type by the criminal networks.

Crimes series are defined as incidents that demonstrate at least one commonality in the method. Such observed characteristics allow for the attribution of several crimes which may fit the series to one offender or a network of offenders.

⁴ The Wildlife Justice Commission's subject rating system gives a score of 1 to 5 according to factors such as the subject's role in the network, modus operandi, geographical range, and conservation impact, among others.
A Level 1 subject is the lowest level threat, for example a poacher or courier, and Level 5 is the highest, or the "kingpin".

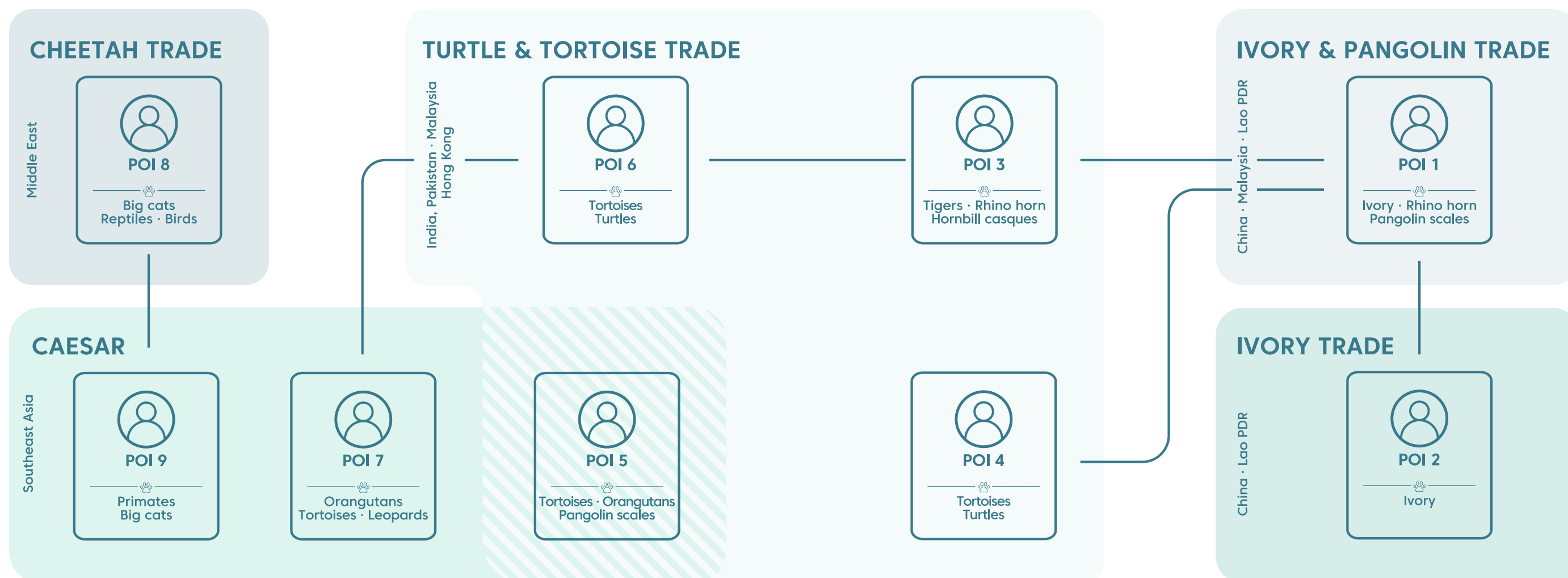
⁵ https://wildlifejustice.org/wp-content/uploads/2019/09/WJC_Ivory-Smuggling-Snapshot-Analysis_September.pdf

Given that such a relationship exists between the smuggling of ivory and pangolin scales, applying analytical techniques such as crime pattern analysis to identify crime series will provide more insight as to how such crimes may be further linked. These analyses highlight the presence of organised criminal networks exploiting a downturn in the profitability of ivory, while identifying an opportunity in the form of pangolin scale trafficking.

Through its investigations, the Wildlife Justice Commission can further demonstrate where wildlife crime networks do converge, as demonstrated in the chart below.

This highlights the limitations of examining transnational, organised wildlife crime through a species-specific lens, as such an approach may mean that intelligence and investigative opportunities are missed.

Another valuable analytical technique that can increase insights about organised crime driven by high-value commodities (such as rhino horn or narcotics) is the examination of the flow of commodities. Tracing the flow of narcotics / ivory / shark fins in a trafficking network may allow for the identification of those involved in the importation and distribution of the commodity. A flow chart is a useful tool in a criminal business profile which can illustrate business and financial processes.



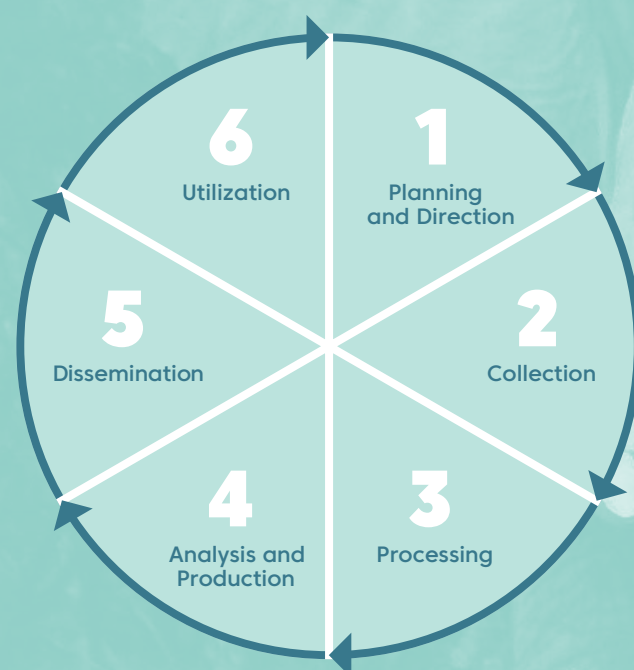
Conclusion

The collection of information is one of the early stages of the Intelligence Cycle. However, too much emphasis is placed upon this, and not enough on the analytical stages, which should aim to extract meaning from information. **Analysis is the key step in synthesising information** yet remains hugely under resourced in the response to transnational organised wildlife crime.

Furthermore, the value of intelligence diminishes when it is neither actioned nor shared, therefore the sharing and dissemination of **intelligence products is paramount**.

This paper intends to inform law enforcement with **different mandates and investigative powers** to strengthen their alignment of resources to tackle crime problems in a more **coordinated and complementary manner**.

THE INTELLIGENCE CYCLE



**Law enforcement and legal
experts fighting transnational
organised wildlife crime.**



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