The Palgrave Macmillan Wildlife Trafficking

A Deconstruction of the Crime, the Victims and the Offenders

Tanya Wyatt

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Wildlife Trafficking

A Deconstruction of the Crime, the Victims and the Offenders

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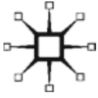

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Preface

I have been engulfed in the world of wildlife trafficking for nearly nine years now. I remember the moment that I realised this is what I should be devoting myself to. I was a United States Peace Corps Volunteer in Ukraine working at a women's NGO that was trying to prevent the trafficking of people. I had just completed an MA in Criminology, having written a thesis about human trafficking. In one of the hundreds of magazines and books I read during that two-year period, there was a *National Geographic* article about jaguars and how they were being poached and trafficked. A brief search for scholarly work in this area quickly revealed this was a new avenue for research and one that I immediately felt passionate about and dedicated to.

I have always been an environmentalist. I attribute this to being born and raised in Oregon, one of the greenest states in the US in terms of politics and nature. The view of the Three Sisters snow-capped mountains outside the window of my childhood home certainly contributed to my passion for the planet. My Saint Bernard/Husky mix companion spawned my love of animals. My sister's role as 'Recycle Girl' for Tumalo Grade School undoubtedly engrained the obsession to produce as little waste as possible. This led me to a degree in biology, which was supposed to have led to a career in zoology or forensics, but the former never materialised and the latter seemed too boring after hours of labs. So I went for hands-on law enforcement instead and was a police officer for nearly five years. I thought this would be a meaningful way to assist people, but became disillusioned that this wasn't the way to help. This – and a terrible economy in 2002 – led my husband and me to the Peace Corps, where I had my revelation.

I began my research into wildlife trafficking at the University of Kent where I had the good fortune of being supervised by two different schools: the School of Social Policy, Sociology and Social Research, where Criminology sits, and the Durrell Institute of Conservation and the Environment. It was the perfect blend of my experiences and passions – justice and the environment. Here I learned about Green Criminology, for which I have become a strong

advocate. My research introduced me to many of the stakeholders that are active in combatting wildlife trafficking. Upon graduation, it was disappointing to find that academic departments by and large were uninterested in Green Criminology and my research. Whilst looking for work, I volunteered and worked part time at various NGOs and for the US Federal Government, looking for a way to contribute to the debates on environmental policy and the illegal wildlife trade. When the job announcement for Northumbria listed Green Criminology as a speciality, I knew that I needed to apply. And that brings me to my current situation, where I am an active member of an international Green Criminological community that researches both wildlife trafficking and a range of other invisible green crimes and harms that plague our planet.

This book is the compilation of the years of research I have conducted, the thousands of articles and media reports that I have read and the hundreds of conversations that I have had with police, NGOs and academics over the last nine years. It is intended to provide a wide overview of wildlife trafficking, to move forward the conceptualisation and understanding of victims and offenders, to further the direction of how prevention strategies and policy interventions should be approached, and to advocate for more political will to end this urgent threat to many of the species of the globe.

Acknowledgements

My thoughts and understanding have been shaped by a variety of people over the years and I would like to thank them: Dr Majid Yar, Professor Larry Ray, Professor Stuart Harrop, Dr Alison Rosser, Professor Nigel South; Crawford Allan and the staff of TRAFFIC North America, who let me spend a summer with them doing research; Michael Zwirn and the staff of Wildlife Alliance, who brought me on as a volunteer; Senator Jeff Merkley and his Capitol Hill staff, who gave me an internship and taught me the inner workings of the US government; David Higgins and the staff of INTERPOL's Environmental Crime Programme, who let me spend a week interviewing them; Professor Lorraine Elliott and colleagues at the Transnational Environmental Crime Project, who let me spend a wonderful sabbatical at Australian National University. Thank you to the many other people in the police, customs, border agencies, intergovernmental organisations, CITES and NGOs in Russia, the US, the UK, Australia and many countries in Europe and Asia for taking the time to talk with me. A final thank you to my husband for changing his career. This allowed me to begin mine and has given us a lifestyle where we can continue travelling the world together.

Acronyms

ACRES	Animal Concerns Research and Education Society
ALERT	Australasian Environmental Law Enforcement and Regulators Network
ARREST	Asian Regional Response to Endangered Species Trafficking
ASEAN–WEN	Association of South East Asian Nations–Wildlife Enforcement Network
CAWT	Coalition Against Wildlife Trafficking
CITES	Convention of the International Trade in Endangered Species of Fauna and Flora
EIA	Environmental Investigation Agency
ENV	Education for Nature Vietnam
FFI	Fauna and Flora International
GRASP	Great Ape Survival Project
ICCAT	International Commission for the Conservation of Atlantic Tunas
ICCWC	International Consortium on Combatting Wildlife Crime
IFAW	International Fund for Animal Welfare
INTERPOL	International Criminal Police Commission
IUCN	International Union for the Conservation of Nature
LRA	Lord's Resistance Army
MAFF	Ministry of Agriculture, Forestry and Fisheries
NEST	National Environmental Security Taskforce
NGO	Non-Governmental Organisation
RENCTAS	National Network Against the Trafficking of Wild Animals
SAWEN	South Asia Wildlife Enforcement Network
SSN	Species Survival Network
TRAFFIC	Trade Records Analysis of Flora and Fauna in Commerce
UNEP	United Nations Environment Programme

UNESCO	United Nations Educational, Scientific and Cultural Organization
UNODC	United Nations Office of Drugs and Crime
USAID	United States Agency for International Development
USFWS	United States Fish and Wildlife Service
WCO	World Customs Organization
WWF	World Wildlife Fund

1
Introduction

Trading wildlife is not a new phenomenon. Humans have been reliant on wildlife for food and shelter throughout history. It could be said then that the use of wildlife – both non-human animals and plants – is engrained within human cultures. This relationship with wildlife has led and is currently connected to the overexploitation of species. Historically, there is evidence of this overexploitation. For instance, in the US in the 1800s, both Atlantic Sturgeon and Shortnose Sturgeon were hunted for meat and caviar to such levels that by the early 1900s the populations had dropped severely and fishing was greatly reduced (Sweka et al. 2006). Populations began to recover and by 1980 commercial fishing operations of Atlantic Sturgeon were again at high levels (Sweka et al. 2006). This only lasted until 1996 when populations again fell, and a moratorium was placed on commercial and recreational fishing (Sweka et al. 2006). Fishing of the Shortnose Sturgeon only lasted until 1967, when it was listed on the Endangered Species Preservation Act (American Museum of Natural History 2010). Similarly, in New Zealand with the arrival of Europeans in the 1830s, pervasive logging of the native Kauri trees led to their populations greatly dwindling (Terra Nature 2003). Local construction, the exporting of logs, clearing for agriculture and fires have resulted in less than 1 per cent of the original forests surviving (Terra Nature 2003). Yet despite the clear loss of these forests, Kauri trees were not protected until 1973 (Terra Nature 2003).

Regulations and laws to curb such destruction of wildlife have been in existence for hundreds of years, although in the examples above, none were put into place until quite late (Lyster 1985). Even with

these laws though, humans continue to threaten the survival of other species, largely through consumption. As Lyster (1985) argues, a critical juncture has been reached where humans now have the capability to decimate entire populations of wildlife and because of this destructive capacity, more intense initiatives at the international level must be undertaken. As will be detailed, measures to protect species from extinction are being taken, but regardless of this, consumption of wildlife thwarts the restrictions and still threatens the survival of many species. This book will explore the intricacies that the illegal trade in wildlife encompasses and the current international efforts to stop this devastating green crime.

To begin, this introductory chapter provides the background information regarding the illegal wildlife trade and the green criminological perspective that sets the foundation for the entire text. First, the issue of definition is addressed detailing all the aspects of the smuggling operation, that is poaching, harvesting, collecting, transporting, exporting, importing, processing and selling. An overview of what has been and is being trafficked is given as well as the estimated numbers that are trafficked. The list will include, but is not limited to, live non-human animals and plants, and their products and derivatives. This leads to a discussion of the challenges in estimating both the scale and the profit of the illegal wildlife trade due to the differing value of the 'commodity' along the smuggling chain and the particular dynamics of the dark figure of this crime. The green criminological context in which the book is framed is then laid out. The introduction concludes with an outline of the entire book, with brief details of the contents of each chapter.

Definitions

The illegal wildlife trade is a multi-stage smuggling operation which encompasses numerous activities that will each be defined here. Wildlife is taken to comprise all non-human animals and plants that are not companion or domesticated animals. This means that 'pets' are not wildlife, nor are livestock, but that zoo animals and others that are being farmed, yet are not truly domesticated, are also wildlife. This would include bears and tigers, for instance, which are now the focus of farming initiatives. Wildlife does include all plants and trees as well as propagated individuals.

In the illegal wildlife trade, wildlife is first poached, collected or harvested. Poaching is the act of killing the non-human animal to use it in one of the various ways that will be detailed below. The killing is accomplished in a variety of ways, depending upon the species of the non-human animal. Poaching of game meat, such as deer, sometimes involves the use of dogs to flush out the prey so that it can then be shot. Other non-human animals are also killed by guns. For instance, elephant and rhinoceros poaching often involves weapons, though in some instances rather than rifles or shotguns, tranquiliser guns are used to only subdue the individual animal and then the tusk or horn is taken while it is still alive. Poaching can also involve snares and traps that either kill the animal or hold it until it can be killed. This is the case when poaching fur-bearing mammals and ungulates for traditional medicines. Pits are also used to capture and then transport or kill terrestrial non-human animals. Fish and marine mammals are obviously caught with nets and hooks. There are undoubtedly other means by which wildlife is poached in addition to those listed here.

However, not all non-human animals are killed within the illegal wildlife trade. The collection of wildlife occurs when non-human animals or plants are taken alive, again to be used in various ways. Often the live wildlife is captured with nets or traps and then transported or smuggled further along the smuggling chain. For some species, the young or eggs are targeted for ease of capture and smuggling. For some non-human animals, like the pangolin, being kidnapped is unfortunately quite simple as they roll into a protective ball to escape predators. If that predator is a human, they can easily place the pangolin in a sack to be transported to the market or restaurant to where they are bound. Plants too are taken alive and then smuggled to their final destination. Harvesting refers to the routine killing of non-human animals or plants in order to supply both the legal and illegal markets. Harvesting is often the term used when trappers hunt furbearers. It is also the language used when cutting timber – trees are harvested, both legally and illegally, to be used for building houses and furniture, for fuel etc.

The language defined here is the terminology typically seen in texts and heard in the media. Arguably though, the words chosen desensitise the listener or reader from the harm that is taking place. Non-human animals are 'killed' or 'harvested' rather than 'murdered' – a word reserved only for human victims. Non-human

animals are also ‘collected’ or ‘captured’, but as Sollund (2011) proposes, this is akin to kidnapping and can certainly be referred to as such. The vocabulary employed immediately sets non-human animals and plants apart from people and makes them the ‘other’, thus detaching them from humans. To avoid this distancing, insensitive or ‘othering’ terms will not be used if possible. This is also the reason for using the term ‘non-human animal’. After all, humans are animals too and adopting this term is intended to remove the separation that humans have created between themselves and other species.

This defines only the first point of the smuggling operation. Once taken, either alive or dead, the wildlife is then transported further towards the market and final buyer. This may be directly to a market, or for wildlife that is used to make products, to a processing place, which will be discussed shortly. In either case, the transportation may take place internally within one country, transnationally between adjacent countries or internationally between countries long distances from each other. The transnational and international transportation is where the smuggling occurs, as the wildlife is secreted across borders, avoiding proper Customs and Borders inspections. If headed for a market or for a processing facility, either way, depending upon the tactics employed, this may involve fraudulent documentation. One aspect of this may be to mis-label the species, so documentation shows one species that is allowed to be traded when in fact the actual wildlife is another similar species. In these and other instances with fraudulent documentation, what is actually illegal then gets transferred into the legal sphere. This means that the wildlife is then not physically hidden, but made to appear legitimate.

In international instances of smuggling, the forged documentation must account for either or both the export and the import of the wildlife. This is particularly the case when this involves a species listed within the appendices of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES), which requires an export permit for Appendix II species and an export and import permit for Appendix I species. Therefore, the country of origin of the wildlife must allow the export of the wildlife, and for Appendix I species, the destination country must also have given permission for the wildlife to be imported. In cases of transiting through a country, CITES species will need a re-export permit indicating it has been transferred between countries. For the domestic wildlife trade,

the documentation required varies greatly by country and in some cases may not be required at all. Many countries, though, require hunting permits for non-human animals to be killed. This is also often the case for cutting trees on public land; some government agency most likely has to give permission for the trees to be taken.

When forged or fraudulent documentation is not the tactic employed, the smuggling will entail much more involved means of secreting the wildlife during their journey. Again, this is largely species dependent, but these tactics are known to be used: secret compartments on planes, trains, boats and vehicles; mixed in with other cargo; hidden on people's bodies or within their luggage; and sent in diplomatic post that is not subject to Custom's inspections.

Links to drug trafficking are clear at this point in the chain as numerous law enforcement agencies have confiscated wildlife with drugs. For instance, Colombian and Mexican drug cartels have been stopped at the US border with shipments of wildlife products mixed in with drugs (UN 2002). The Colombian groups are even known to put the smuggled cocaine inside of boa constrictor snakes (UN 2002). Elephant tusks have been confiscated with hashish inside and exotic birds have been in shipments of methamphetamine pills (Wyler and Sheik 2008). Methamphetamine has also been linked to the poaching of abalone in South Africa (Schoofs 2007). According to the Brazilian National Network Against the Trafficking of Wild Animals (RENCTAS 2001), 40 per cent of the wildlife smuggling rings in Brazil, which are thought to number around 400, are suspected of trafficking drugs as well. There is then a connection to drugs within the smuggling aspect of wildlife trafficking. Connections to other crimes will be explored later.

The above list of smuggling tactics is most likely not a complete list of strategies; as the illegal wildlife trade operates in the 'underworld' there are undoubtedly techniques for smuggling that have yet to be uncovered. It can be seen, though, that how the smuggling takes place is largely determined by whether the wildlife is alive or dead. Live wildlife is much more difficult to smuggle and perhaps more conducive to the use of fraudulent paperwork.

As mentioned, for some of the products that are obtained from wildlife, a processing stage takes place. Processing is the alteration of the wildlife into a saleable product. This might involve grinding down rhinoceros horn to make medicine or carving ivory into a

dagger or decorative item. Furs and leathers must be dried or tanned and sewn into fabrics, clothing, accessories, etc. Timber must be cut and sawn into boards. Again, this is very species dependent and it is also regionally dependent. For example, elephant tusks are taken in Africa, but will be carved in the Middle or Far East. Fur is poached in Russia and also dried and made into clothing there, so the processing place varies with the species that is being trafficked and therefore may occur before or after smuggling. Again, the language typically used here is very telling. Wildlife is 'processed' into 'products' removing their individuality and sentience and placing them as material objects on the capitalist market.

More of the intricacies of this process will be teased out as examples and explored throughout this book, but needless to say it is a complicated process with many factors at play. After being smuggled to the destination, the wildlife or wildlife product is then sold to the final buyer, who may have in fact made a specific order for a particular species, or the wildlife will be put up for sale at a market. This may be a physical location or a website online. The International Fund for Animal Welfare (IFAW) in the UK conducted a study in 2005 that found selling of illegal wildlife through the Internet to be significant. Their one week online intensive survey of websites found over 9,000 wild non-human animals and their products for sale from over 122 traders (IFAW 2005). Most of the species for sale were protected by law (IFAW 2005). Auction sites are difficult to regulate and that, coupled with the low concern over wildlife crimes, has meant that little effort has been made to police these websites (IFAW 2005). In 2007, eBay, probably the most popular online auction website, agreed not to allow international sales of products made from ivory (Greenemeier 2008), but a further investigation by IFAW (2008) found that eBay was responsible for 83 per cent of online ivory sales and 63 per cent of online wildlife trade. eBay acknowledged that in trying to allow legal domestic trade and preconvention CITES specimens, stopping the illegal portion of the trade was impossible (Greenemeier 2008). It has promised to crack down in the same way as it has tackled drugs and pornography in the past (Greenemeier 2008).

The illegal wildlife trade or wildlife trafficking is this complete process from killing and kidnapping of wildlife, through alteration into products if necessary, then smuggling within or between countries, and selling to the final buyer in person or online. It is an intricate

web with many commonalities, yet incredibly diverse in its structure due to the range of species and the products made from them. This is occurring on a significant worldwide scale that is threatening the survival of numerous species around the globe.

Scale and scope

CITES, referred to above, is *the* international convention that governs the trade of wildlife. It was brought into force in 1975 and since then, it has tracked the amount of trade and illegal activity that has been reported to the Secretariat in Geneva from the member countries. The scope and accuracy of the information about illegality will be discussed in the next section. As of November 2011 there were 5,457 non-human animals listed in the CITES appendices – 625 Appendix I, 4,685 Appendix II and 147 Appendix III (CITES 2012a). Additionally, there were 29,525 plant species – 301 Appendix I, 29,105 Appendix II and 119 Appendix III (CITES 2012a). This means there are 34,982 species that are monitored by the convention and 926 of those are threatened with extinction. These numbers have increased with the March 2013 Convention of the Parties, although at the time of writing, CITES had not updated their website. As is evident, even though it is estimated that there are several million species on the planet of which only 15 per cent are thought to have been discovered (Sweetlove 2011), there is a significant amount of species whose survival is threatened.

The 178 member countries each create a Management Authority to oversee the permit process and a Scientific Authority to advise on the status of species that are traded. Through discussion and collaboration, species are listed within the three appendices so that each contain species facing varying levels of threat and require a different set of permits to be legally traded. Appendix I includes those species that are highly endangered and are only traded within limited circumstances, such as for breeding or scientific purposes. Again, these transactions must have an import and an export permit. Appendix II species are facing less of a threat, but are subject to quotas as to how many individuals can be traded. Export permits must accompany these trades. There is also an Appendix III, which is essentially a way to indicate that a species may be approaching the Appendix II threshold. Parties can request that specific species be

placed in Appendix III because they have concern over the survival of local populations.

The non-human animals traded are mammals, birds, reptiles, amphibians, fish and invertebrates. The plants include the range of trees, shrubs, orchids, cacti, vascular and non-vascular plants. The legal trade is worth billions of dollars annually and includes millions of individual wildlife (CITES 2012b). The WWF (n.d.a) estimates a yearly total of USD 160 billion. As indicated above, a portion of this trade is live non-human animals and plants. These fill the demand by zoos, circuses and laboratories as well as for private collections, gardens and as companion animals. There are also derivatives or processed goods made from wildlife. This is incredibly diverse, ranging from food to medicine to clothing to decorative objects. CITES keeps track of 104 different forms in which wildlife is traded. This includes parts, such as baleen, bark, bones, carapaces, claws, feathers, flowers, fruit, gall bladders, genitalia, scales, shells, skins, skulls, tails, teeth and tusks. The trade also includes live non-human animals and plants, eggs and raw coral. Additionally, there are products simply labelled as derivatives and extracts. Belts, leather products (small and large), handbags, carvings, ivory carvings and pieces, trophies, garments and rugs are some of the products that could be decorative items or souvenirs. For a sense of the immensity of the trade, the World Wildlife Fund (WWF) (2002) reports that 25,000–30,000 primates, 2–5 million birds, 10 million reptile skins, 7–8 million cacti and 500 million tropical fish are traded each year. This is just a glimpse of the legal trade. The full scope of both the legal and illegal trade is difficult to truly calculate, but as will be argued throughout this book, is occurring on a scale and in such a way that it must be challenged.

The dark figure of wildlife trafficking

The legal trade then is vast, encompassing hundreds of millions of individual wildlife from the entire spectrum of species diversity. Even exact figures of the legal trade are hard to quantify due to the shear scale and inconsistencies in measuring. Documentation can be by individual non-human animal or plant, by the kilogram, by the unit or by some other measure of weight. So it is nearly impossible to place an exact figure on the scale of the legal trade. This difficulty is

amplified when trying to determine the amount of illegal wildlife that is traded, which is actively being kept out of the public and criminal justice realms. Thus it could be argued there is a particularly large dark figure, or unknown amount of criminal activity. Estimates of wildlife trafficking typically appear as the profits earned from the black market. The estimate converged upon by most experts is thought to be between USD 10 and USD 20 billion, which does not include fisheries or timber, so the number could be much higher (CAWT n.d.; Wyler and Sheikh 2008; McMurray 2008; Fison 2011). Such high profits means that wildlife trafficking ranks as one of the most profitable crimes in the world behind drugs and weapons (Fison 2011). Yet it remains on the fringes of both academia and policy.

The United Nations Environment Programme's (UNEP) Wildlife Conservation Monitoring Centre hosts the CITES Trade database, which is the collection of data that has been reported back to CITES from the Parties. Illegal transactions that are found are also reported to the Secretariat and can be searched on the database. In searching for all the illegal trades from CITES' entire history until the last full years of data, it is possible to gain some insight into the trends surrounding the illegal wildlife trade. Figure 1.1 shows the number of illegal items that were reported to CITES each year between 1975 and 2010. This does not include data that was reported to CITES by kilogram or other weight measure. This data unfortunately had to be excluded in order to be able to have a consistent unit of measurement for analysis. In the first years as the convention gained prominence numbers were low, but these steadily increased. This probably has more to do with the increasing sophistication and capacity of law enforcement to uncover illegal wildlife and better reporting mechanisms to CITES than an increase in the actual amount of illegal wildlife being traded.

Noticeably, there is a peak of illegality in 1998, a dip in reports in 1999 and 2000 and then a very large drop in reported illegal items in 2001. Presumably, the significant decrease in 2001 could be connected to the September 11 World Trade Centre bombings in New York and the fact that law enforcement resources were pulled from all areas, including environmental and wildlife law enforcement, to address concerns with terrorism. This would result in fewer wildlife traffickers being detected rather than an actual decrease in wildlife trafficking. For the next several years after 2001, reporting

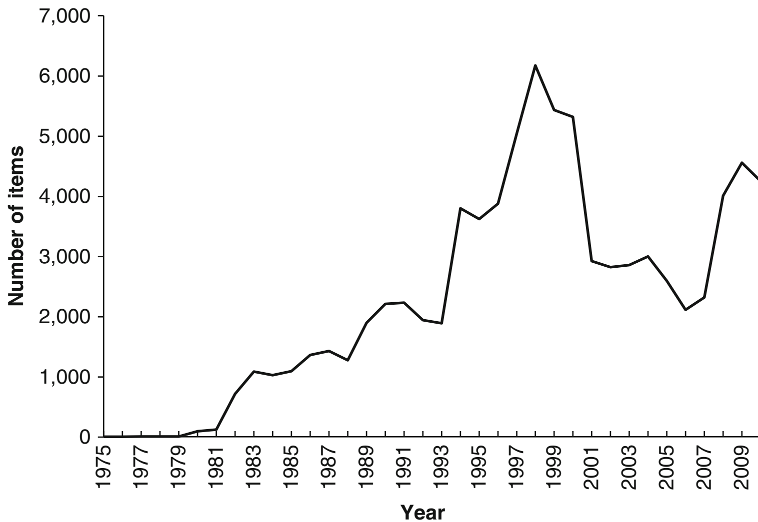

Figure 1.1 Illegal items reported to CITES, 1975–2010

continues to stay low or drop with an eventual upswing beginning in 2007. Whilst this may show more about law enforcement efforts and reporting patterns of Parties, it does show to some degree the global engagement with the illegal wildlife trade and provides some insight into what is being trafficked as well as where, which will be discussed in Chapter 2.

There are four main reasons why a more accurate picture is difficult to obtain. In conjunction with the legal trade, the sheer scope of the illegal trade is the first challenge in calculating and discovering the actual amount of illicit transactions. There are varying estimations as to the proportion of the legal trade that is illegal. It is thought that within the tens of thousands of wildlife trades a percentage of these are actually illegal, but have been laundered or blended into the system in one of the various ways described above. For instance, groups in Russia have placed the percentage of timber that is illegally passing unchallenged across the Russian–Chinese border at between 20 and 30 per cent (EIA and Telepak 2001). In other parts of the world, researchers believe 50 per cent (Brack 2007) or even 100 per cent of trees felled are taken illegally (Seneca Creek and Associates 2004). Overall, though, it is difficult to say and there are likely