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CAPACITY BUILDING FOR ENFORCEMENT AND PROSECUTION

Wildlife trafficking is now the fourth-most lucrative form of transnational organized crime, threatening America's national security and strategic interests by financing criminal groups that destabilize countries and undermine our development efforts overseas. USAID and many other global and local organizations are working to address the issue, using approaches such as community engagement, demand reduction, and building capacity for law enforcement and prosecution. Different approaches to combat wildlife trafficking utilize the strengths of various groups where appropriate, such as local communities, conservation organizations, and law enforcement.

In 2017, USAID's Office of Forestry and Biodiversity released a global call for case studies addressing the questions posed in the Agency's Combating Wildlife Trafficking Learning Agenda. USAID received 49 entries from 37 organizations and 22 countries and regions, and chose twelve winners based on applicability, relevance, value of the lessons presented, and depth of analysis. Winners represent both USAID and non-USAID-funded programs.[1]

Four common approaches emerged among the case study winners:

- Using technology for effective data collection and management, building greater transparency and accountability

- Building effective partnerships among stakeholders

- Fostering local ownership and involvement

- Leveraging outside experts and internal champions

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[1] The information provided in the case study series does not necessarily represent the views or positions of USAID or the U.S. Government.

Case Competition Winners

1. tenBoma, International Fund for Animal Welfare, Kenya

2. Rhino Ranger Incentive Program, Save the Rhino Trust/Minnesota Zoo/Integrated Rural Development and Nature Conservation/Namibian Nature Foundation, Namibia

3. Space for Giants, Kenya

4. Tiger Protection and Conservation Units, Fauna and Flora International, Indonesia

5. FISH-i, Stop Illegal Fishing, East Africa

6. Wildlife Crime Prevention Training, International Fund for Animal Welfare/Wildlife Trust of India, India

7. USAID PREPARED, Tetra Tech/ARD, East Africa

8. Zoological Society of London, Nepal

9. Wildlife Crimes Unit, Wildlife Conservation Society, Indonesia

10. Mesa Técnica, Wildlife Conservation Society, Guatemala

11. Eyes in the Courtroom, Wildlife Direct, Kenya

12. National and Transnational Serious Crimes Investigative Unit, the Protected Area Management Solutions Foundation, Tanzania

Common problems, solutions, and lessons regarding these topics are presented here and are tagged with the number of the winner(s) (see numbered list on page 1).

A common consideration across these four approaches is the importance of local context when designing combating wildlife trafficking efforts. Case studies noted that solutions cannot be one-size-fits-all, but must be carefully adapted to the local context through collaborating with stakeholders to develop relevant approaches. Program teams need to be knowledgeable about local context for any scale, whether for a community scout program or a national-level policy reform. Efforts to incorporate local considerations are noted throughout this synthesis of the case examples.

Members of the Batwa community conduct tourism activities in Mgahinga Gorilla National Park Uganda.

USING TECHNOLOGY FOR EFFECTIVE DATA COLLECTION AND MANAGEMENT

Problem: The lack of timely and accurate information about poaching trends and incidents hampers anti-poaching and anti-trafficking efforts. Without data collection and rapid dissemination, enforcement suffers from a lack of coordination, misplacement of crucial resources, poor prioritization, and an inability to respond quickly and effectively to threats (1,5,7,8,11). Additionally, if data is collected but is not fully analyzed, enforcement is unable to detect spatial and temporal crime patterns in the field, and prosecution is unable to determine if a law is acting as an effective deterrent.

Solution: In response, many combating wildlife trafficking efforts are supporting the development and use of information management systems. These systems are often designed to be used in the field and can synthesize and analyze data from multiple sources in real time, enabling law enforcement to respond rapidly and efficiently to illegal activities. When data are shared openly within the enforcement group, information management systems can support transparency and accountability.

Some program implementers worked collaboratively with stakeholders to design systems that fit their context and needs. The Wildlife Information and Landscape Data (WILD) system (designed with Strathmore University in Kenya) field-tested a beta version of a security framework with rangers, who recommended refinements to improve the final product (7). It is now used by rangers to transmit live data to headquarters where it is shared between organizations. This enables administrators to track the movements of frontline enforcement units and view data spatially, temporally, or by incident.

Most data collection activities in these cases were supported by champions, who ensured that data collection and analysis were adopted throughout their agencies or organizations (1,5,7,8,11). Case studies underscored the importance of ensuring that all staff are able to use the systems. Some programs used experts on organized crime to analyze data to identify trends in poaching or prosecution in order to illuminate the full spectrum of wildlife crime (1,11).

In Kenya, the iCourtroom system (implemented by WildlifeDirect) was used to analyze court data and revealed loopholes and bottlenecks throughout the enforcement chain for wildlife crime (11). This information identified weak points in wildlife crime prosecution such as chain of custody, preservation of evidence, admissibility of evidence, and knowledge of the law. This information was then fed back to the judiciary and used to guide reform efforts. As a

result, WildlifeDirect worked with the Kenyan judiciary to provide enhanced capacity building training to address the weak points identified through iCourtroom.

Case studies noted that effective data collection and analysis platforms had a positive impact on coordination and trust-building across organizations, agencies, and governments. Sharing data supported collaboration between agencies and groups, encouraged transparency and trust, built awareness of wildlife crime issues, connected people in real time, and enabled more nimble responses. Aspects of these platforms that facilitated success included:

- Developing and testing platforms with stakeholders (1,7)

- Presence of strong management capacity to support uptake and review data (7)

- Supporting sustainable technology use through sufficient training (1,7,8,12)

Finally, as with many approaches across the Combating Wildlife Trafficking Case Study series, it is essential that these data platforms are appropriate for the local context, such as having mobile collection capability, being easy to use, and being collaboratively designed (7,8,12).

BUILDING EFFECTIVE PARTNERSHIPS AMONG STAKEHOLDERS

Problem: Organizations that work to combat wildlife crime often struggle to collaborate and communicate with each other about trafficking threats and enforcement efforts. This lack of collaboration can result in a lack of trust between agencies, a failure to recognize the true scope of the wildlife trafficking threat, and a lack of political will to tackle pressing issues (1,4,5,10). Cross-border crime can also lead to political tensions and an unwillingness to take responsibility for crimes (5,10). For example, effective enforcement of fishing laws (the challenge addressed by FISH-i, a regional collaboration between East African countries) is uniquely challenging, as crimes occurring in international waters face unclear responsibility, language barriers, conflicting laws, and bureaucratic complexity (5).

Solution: Case study winners sought to form more effective partnerships characterized by collaboration and communication. These partnerships discussed ongoing criminal investigations, the latest intelligence, lessons learned, and opportunities for improving future collaboration. Effective partnerships can leverage sectoral expertise, achieve scale, and form more effective strategic approaches to achieve a common goal. Cases stated that for partnerships to be effective, they needed to build trust.

Building trust and respect is a time-intensive, iterative process facilitated by personal relationships, especially face-to-face meetings (1,5,6,10). According to the cases, when designing programs it is important to convene, listen, and consider the perspectives of stakeholders and ensure the approaches complement the goals of each group (4).

Every partnership is composed of distinct organizations and agencies with different histories, funding, goals, and capabilities. Partners' diverse skills and strengths should be leveraged effectively for the betterment of the partnership (1,4); this enables more efficient and strategic responses to challenges.

Partnerships can provide technical support: a history of good technical support can build trust (6,9); complementary data sharing platforms can facilitate information exchange (see previous section); joint delivery of trainings can establish trust and build expertise (10); and opportunities for exchange can build capacity and improve relationships (4). Additionally, some cases recommended using memoranda of understanding or other legally binding frameworks to clarify roles and encourage accountability in partnerships (4,11).

Effective partnerships can also inspire new partnerships and influence existing ones. In the Petén region of Guatemala, a cross-border (Guatemala-Belize) civil society partnership inspired the promotion of a similar bilateral government partnership between the two nations (10).

> ### Leveraging International Champions for Program Sustainability
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> While external experts provide valuable expertise to build teams' skills, teams need strong internal leaders who support and encourage combating wildlife trafficking programs. USAID's Planning for Resilience in East Africa through Policy, Research, and Economic Development (PREPARED) program launched a data collection and reporting tool for patrol data (7). The program found best practices with the tool are supported by internal champions who perform quality control of data submitted by platform novices and follow up with further training as needed. Pro-wildlife champions can also help to advocate for additional government support for combating wildlife trafficking programs (9).

FOSTERING LOCAL OWNERSHIP AND INVOLVEMENT

Case studies noted the importance of ownership and involvement in any solutions implemented by governments and local communities. By encouraging local ownership, projects can improve the sustainability and impact of combating wildlife trafficking projects.

GOVERNMENT OWNERSHIP AND BUY-IN

Problem: Without full government acknowledgement and support, combating wildlife trafficking efforts can fail. Government agencies may be *unwilling* to support combating wildlife trafficking initiatives due to a lack of political will or mandate, limited awareness of national poaching and trafficking issues, or corruption. Government agencies may be *unable* to support combating wildlife trafficking due to budget shortfalls, a lack of collaboration and cooperation with other relevant agencies, or inadequate skills and knowledge (10,11).

Corruption

Multiple case studies cited corruption as a significant issue that affects anti-trafficking programs (3,10,12). Identifying and working closely with trusted individuals not suspected of corruption may improve operations (10).

Solution: To build political will for combating wildlife trafficking, programs fostered local ownership and engagement by encouraging partners to play active roles in each stage of the project. When partners are more actively involved, they are more likely to feel ownership over successes and feel that their involvement has had a positive impact on wildlife trafficking (4).

Civil society is an effective partner for encouraging government action and commitment to combat wildlife crime when complementary roles are filled and there is a relationship of trust built. Such programs can increase government agencies' ability to combat wildlife trafficking through the provision of technical assistance and ongoing mentorship and support (9,10). In Kenya, the Eyes in the Courtroom project attributed some of its success to their public-private partnership between Wildlife Direct (a non-governmental organization) and the country's judiciary (11). By partnering with the government, the program was able to fast-track information uptake and enable buy-in and ownership of judicial reform.

COMMUNITY INVOLVEMENT

Problem: Wildlife poaching occurs most frequently near rural communities. Programs that do not involve communities risk a lack of support or even active resistance from residents, undermining efforts and wasting valuable resources.

Media Campaigns to Increase Public Support

Media campaigns and outreach can increase community support and build political will to tackle wildlife crimes (12). Media campaigns may include both traditional media (newspapers, etc.) and digital social media (Twitter, Facebook, etc.). Anti-wildlife trafficking projects have complemented traditional enforcement through such activities as providing stories to journalists to raise public awareness (9) and starting a twitter campaign to pressure the government to catch a prominent trafficker (11).

Solution: Communities are a key partner in the fight against wildlife trafficking; they can work with law enforcement by providing information, patrolling local areas, and encouraging their members to support anti-poaching efforts or to stop poaching. When communities are involved in anti-trafficking or pro-conservation efforts, it increases the value they place on wildlife, helps to stop poaching before it starts, and improves support for anti-poaching efforts. Many programs have established community patrols that work in conjunction with local law enforcement to patrol, collect information, and report to arresting authorities (2,4,8).

In India, Tiger Protection and Conservation Units established by Flora and Fauna International used an integrated patrol team structure that consisted of three community rangers under the leadership of a park ranger (4). The park ranger, as a law enforcement officer, provided arresting authority and connection with the law enforcement community, while community rangers provided access to local information networks. Snare detection increased by an estimated 40 percent in one year as a result of this approach.

Ensuring local ownership over the process can lead to more successful programs. As community support increases, community members are more likely to provide information to authorities and cooperate and comply with enforcement actions. Local ownership can also create social pressure against poaching from within communities.

LEVERAGING OUTSIDE EXPERTS AND INTERNAL CHAMPIONS

Assistance from highly skilled professionals helped projects to enhance enforcement, prosecution, and government capacity and build confidence to address wildlife trafficking issues. Programs most commonly relied on the knowledge of military and intelligence experts and legal experts.

MILITARY/INTELLIGENCE

Wildlife trafficking is an increasingly professional, organized, and transnational criminal industry worth tens of billions of dollars annually. Crime syndicates are often involved in wildlife trafficking in combination with other illegal activities, such as arms dealing, human trafficking, and drug trafficking. To address such networks, anti-trafficking programs require expertise outside the conservation sector, in areas such as intelligence, law enforcement, and the military (1). Multiple projects benefit from the support of highly skilled professionals experienced with countering sophisticated criminal activities (1,9,10,12). In Tanzania, the National and Transnational Serious Crimes Investigative Unit was originally focused on counterterrorism activities, but expanded its mandate to anti-piracy, anti-robbery, and finally anti-trafficking activities (12). Other programs assist national law enforcement by using intelligence professionals to gather and analyze data, and then coordinating with law enforcement to share and act on the intelligence (9,10).

LEGAL

Many countries suffer from a lack of legal professionals skilled in the area of combating wildlife crime. Without expert legal support, suspects arrested for crimes may never be prosecuted, undermining improvements in frontline enforcement. Many cases, therefore, use legal experts to develop rapid reference guides, develop sentencing guidelines, assist in case preparation, advise on legal regulations and evidence, monitor courts, and facilitate collaboration across agencies through the prosecution process (3,6,9,10,11). In these programs, legal experts needed to understand the local context and implement approaches in a relevant manner (3). In India, the Wildlife Crime Prevention Training program employs a lawyer to analyze past wildlife crime case documents to determine the skills of the group. After determining the group's abilities, the lawyer is able to conduct a customized training for the group. The lawyer then remains available for two days per month to assist forest officials in case preparation (6).

ONGOING TRAINING

Many cases complemented the provision of training and tools with intensive mentorship or ongoing training programs. Programs seek to institutionalize new skills by providing personnel to act as mentors and by implementing ongoing training (1,3). In Tanzania, the Protected Area Management Solutions Foundation embedded itself in a government investigative unit to provide wildlife trafficking expertise to provide daily mentoring, capacity building, on-the-job training, and logistics support (12). In India, selected Wildlife Crime Prevention Training program staff are required to undergo three full years of a training program; one-off trainings are not considered to have significant impact on sustainable skills-building (6). In these two examples, continuous or long-term training may also help prepare enforcement and prosecution staff for the dynamic nature of wildlife crime by providing regular updates on new trends and issues (11).

To read more about USAID's combating wildlife trafficking case study series, visit the featured cases page.