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How political economy analysis can support corruption risk assessments to strengthen law enforcement against wildlife crimes

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Key takeaways

» The Basel Institute on Governance undertook targeted sector-level political economy analyses (PEAs) in three countries to understand why corruption risks may emerge in investigations and prosecutions of illegal wildlife trade (IWT) cases.

» The experience showed that PEAs can help practitioners better understand corruption risks in a specific context, complementing data from other analysis like corruption risk assessments (CRAs).

» Using these two analytic approaches together helps design and implement mitigation measures that take prevailing political and power dynamics into account, identify windows of opportunity for addressing corruption risks and highlight strategically important stakeholders that may support or oppose the intervention.

The purpose of this practice note

This Targeting Natural Resource Corruption (TNRC) Practice Note has a dual focus. First, it summarizes the value added and key insights gained by complementing the Basel Institute on Governance's corruption risk assessments (CRA) in three countries (Medina et al. 2022) with PEAs.

Second, this note explains the lessons learned from the experience of implementing the analyses and offers practical guidance to natural resource management (NRM) and conservation practitioners interested in incorporating a similar approach in the design of corruption risk mitigation measures.

This note is not, however, a guide for conducting PEAs. Nor does it provide detailed information on the findings of the analyses.[1] Rather, this note shares anonymized and generalized lessons from the experience of the three processes to inform similar efforts elsewhere. A variety of existing

[1] Reports from the analyses were used by the Basel Institute to inform and develop activities to strengthen performance and reduce corruption vulnerabilities in collaborating institutions. By agreement, the findings of the analyses were not made public in order to facilitate cooperation and trust among partners.

detailed guidance on conducting PEAs is available. See for instance the USAID applied political economy analysis, which gives a detailed framework for conducting a PEA from a development agency standpoint. The WWF Strategic Framework for Political Economy Analysis for Conservation Impact provides targeted guidance to conservation practitioners. For a simpler guide to the basics, see the National School of Government International Beginner's Guide to PEA.

Complementing corruption risk assessments with political economy analysis

Effective enforcement against IWT and related crimes is a vital component of wildlife conservation, but corruption within law enforcement agencies can undermine their ability to investigate and prosecute such cases. In recognition of this, the Basel Institute on Governance undertook CRAs in three countries in Africa and Latin America, with a particular focus on corrupt acts that undermine investigations and prosecutions of IWT and related crimes. Although CRAs take many forms, the approach adopted focused on analyzing law enforcement systems and processes via a collaborative mapping of IWT investigations and prosecutions in each country. The map formed the basis of a systematic analysis of the risk of corruption at key points along the process. A previous Practice Note describes the CRA process in more detail.

Informed by "thinking and working politically," the Basel Institute complemented the CRAs with sector-level PEAs, which are the subject of this Practice Note. PEAs are deep dives that can help illuminate the "underlying reasons why things work the way they do and identify the incentives and constraints impacting the behavior of actors in a relevant system" (Rocha Menocal et al. 2018). The sector-level PEAs in this note focused on understanding the influence of prevailing formal and informal political arrangements and power dynamics on the law enforcement chain. This helped to inform

Key concepts

» **Corruption risk assessment**: A tool widely used in the public and private sectors to identify corruption risks in existing business processes, institutional arrangements or other specific contexts. See Medina et al. (2022) for additional details.

» **Corruption risks**: The "weaknesses within a system that may present opportunities for corruption to occur" (UNODC 2020).

» **Informality and informal governance**: The unwritten rules and practices that take place outside of the official rules-based system; the way politics are actually done and power is wielded, regardless of laws, regulations, or other formal rules.

» **Political economy analysis**: "A structured approach to examining power dynamics and the economic and social forces that influence development" (Rocha Menocal et al. 2018). A PEA can have different levels of focus (i.e., country, sector, or issue). It can help explain the level of support for or opposition to a reform, and come up with pathways for more effectively increasing political will to target priorities such as environmental crime and natural resource governance.

» **Political system**: The prevailing formal and informal political arrangements and power dynamics in a country.

» **Thinking and working politically**: A broad approach that includes political analysis (thinking politically), responding to the context, and adaptive program design and implementation (working politically). It acknowledges that measures, including corruption mitigation, should not only be technically sound but also politically feasible. Thinking and working politically can support biodiversity and be integrated into NRM programming.

explanations of why particular corruption risks emerged in investigations and prosecutions of IWT cases.

> ❝ The overarching goal of the CRAs was to map *what and how* corruption risks undermine IWT investigations, and the goal [of] the PEAs was to understand *why this happens*.

In this way, PEAs are an important component of designing anti-corruption interventions that are feasible and politically informed, increasing their likelihood of success. Efforts to tackle other forms of natural resource corruption are equally strengthened by including such a political economy lens, especially in contexts that suffer from systemic corruption, are new to the implementer of the conservation effort, or are undergoing significant political shifts that can upend existing assumptions.

Lessons from the PEAs for assessing and mitigating corruption risks

In many contexts where corruption is systemic, the lines between public and private spheres of power are blurred or non-existent. In one of the case studies, for example, it is common and informally accepted for high-level political elites to engage in supplementary economic trade activities. This is a breeding ground for conflicts of interest and a slippery slope to corruption, which can interfere with anti-IWT goals. Such conditions can translate into weak policy-making, for instance by limiting the mandates or resources of law enforcement authorities and weakening wildlife crime sanctions.

Therefore, recognizing that the Basel Institute's CRAs focused on multi-agency processes in heavily politicized environments, the sector-level PEAs we conducted in the three countries had two themes:

» understanding the implementation gap (gaps between the anti-IWT legal framework and its actual implementation) and

» understanding how formal and informal political arrangements and power dynamics contribute to the implementation gap and impact the IWT law enforcement chain.

While the political context and the IWT law enforcement processes differed in all three countries, a few key lessons emerged from the PEAs.

Inclusion matters

Who defines corruption, and how it is defined, are important points of reflection. Different groups will have different, and perhaps contested, experiences with corruption and with IWT investigations and prosecutions. Practitioners should actively seek to elicit diverse views and perspectives, especially from those groups who are often excluded or who are outside of the political center. Engaging with journalists and grassroots civil society organizations is a great way to start identifying whose views might be missing.

The PEAs identified issues around inclusion that affect conservation efforts. In one country, for example, interviews with grassroots organizations showed that people living in the vicinity of wildlife habitats held diverging perspectives about corruption in IWT-related enforcement. However, their views were not always heard or acted upon because of a lack of political power. As another example, the case studies identified a frequent perception that law enforcement disproportionately targets low-level offenders and offences, while those with money or connections can evade justice. Observations like these can help identify why, for example, people may not want to help IWT investigations and point toward ways to address these dynamics.

Intrinsic risks, and opportunities to address them, can be influenced by the political context

❝ *Intrinsic risks: "a broad category of corruption risk [that] emerges from weaknesses 'built in' to the IWT investigations and prosecutions process. Interviewees often directly related these weaknesses to a lack of resources, resulting in low morale and low pay that incentivizes officers to take a bribe." (Medina et al. 2022).*

Weak capacity leads to under performance and corruption risks. Powerful interests may seek to "build in" weaknesses intentionally as an informal strategy to undermine the law enforcement system. This will inevitably shape the development and implementation of policies.

» In terms of **policy development**, in all three countries, informal political interests in natural resources shape the overall policy space for prevention and enforcement activities in IWT. For instance, in one of the country cases, stronger IWT enforcement around border entry and exit points is politically sensitive because there are informal and corrupt political elite interests in key extractive industries and natural resources (such as forestry and mining) that would be impacted by this.

» In terms of **policy implementation**, in the case study countries, corruption is normalized and official rules are frequently subverted. Equally, IWT regulations that cannot be implemented because of insufficient rules, systems, or human or financial resources themselves have generated permissive structures for law enforcement officers to engage in corrupt acts.

These insights from the PEA were hugely important for the CRA. Interviews conducted for the CRA, therefore, tried to tease out how corruption might be preventing laws and regulations against IWT from translating into concrete action on the ground,

taking into account the levels of informality and informal governance. The findings helped explain the political economy drivers of the identified "intrinsic risks," and aided in understanding at which level to target mitigation interventions.

Political elites can exert undue informal influence to shape the enforcement chain

❝ *Undue influence: "Interviewees in all three countries pointed frequently to risks of external influence being exerted directly on officers or on agency leadership. This includes pressure from powerful actors outside the justice system, including foreign individuals, to divert, delay, or abort the criminal justice process, or to grant bail to a suspect despite being a credible flight risk." (Medina et al. 2022).*

All three countries had recently adopted strong IWT legislation measures which, while important, did not necessarily signal strong political will. The PEAs provided insights on levels of state capture and illuminated how political interference in the formal functions of public offices could informally undermine the enforcement of those measures. In one of the cases, in particular, high levels of state capture were combined with informal but direct control of formal law enforcement institutions by political offices. Formal processes were therefore easily undermined when it concerns the interests of political elites: an important insight for the scope of potential corruption mitigation measures (see below).

Not all corruption risks that are *relevant* to IWT are *specific* to IWT

The CRAs identified key risks involving procedural abuse, evidence handling, and collusion and information leakages in IWT investigations and prosecutions. The PEA research suggested that these corruption risks may have a more systemic explanation. Across the justice system, weak governance and institutions underlie both

corruption and IWT, so a narrow focus on the association between corruption and IWT could limit options for curbing them and even lead to a focus on the wrong priorities. Thus, a PEA mitigates the risk of anti-corruption interventions that only target symptoms rather than causes and result in the corruption just emerging elsewhere.

The PEAs aided in contextualizing the findings of the CRA by characterizing whether identified corruption risks were "IWT specific" or systemic, and at which level interventions should be targeted. In one case country study in particular, the corruption risks were more systemic, and the grouping and filtering of the CRA would have led to incomplete results without the PEAs. This was another key insight in setting realistic expectations for mitigation.

Not all corruption risks may be politically feasible to mitigate

Political feasibility does not show up in the CRA itself, but only in conjunction with a PEA. Without the PEA, mitigation measures that were unlikely to be effective might have been proposed and pursued.

In the case study countries, the researchers kept an eye out for critical stakeholders and considered their interests in the functioning of the law enforcement chain and their expected support for or resistance to interventions. This helped the PEAs identify relevant political scenarios, priorities, allies, opportunities, spaces for reform, and avenues of resistance that informed program design and risk management and mitigation.

Specifically, the PEAs helped support decision-making on which corruption mitigation measures to prioritize by providing information about the following four key factors:[2]

» **Relevance**: targeting the main areas and risks where intervention could have the most impact in terms of strengthening law enforcement against IWT.

» **Feasibility**: aiming to have a reasonably good likelihood of success, balanced against less likely but higher impact options.

» **Do no harm**: carefully anticipating, considering, and seeking to avoid unintended consequences.

» **Sustainability**: fitting the context, working with the grain, adapting, and being tailored to local realities.

" *The PEA provided an opportunity to critically reflect on proposed corruption risk mitigation measures, taking into account feasibility and sustainability. It helped us tackle the difficult challenge of designing anti-corruption interventions that would be impactful and would have less chance of being undermined by powerful political interests and stakeholders.*

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[2] These factors are drawn from the Swiss Agency for Development and Cooperation's Anti-Corruption Guidance.

Tips, tricks, and lessons learned from conducting the PEAs

Various PEA methodologies exist (see the first section of this note), and the lessons from our experience confirm that there is no standard, universal checklist for conducting a PEA. Practitioners should rather think of PEA as a more open, adaptive process to be approached pragmatically and, depending on the context, collaboratively (see box 1).

Take a pragmatic and adaptive research approach

The PEA research took place in three contexts in which law enforcement and corruption are highly politicized and sensitive topics. This led us to take a pragmatic, adaptive, risk-sensitive approach. Based on our experience, we recommend that practitioners:

» **Start with desk research and document analysis**: Online media sources, institutional reports about IWT and corruption, as well as academic literature on the political system of a country are often relatively easily accessible. They provide a general overview of the key issues and should not be underestimated, especially since political arrangements and power dynamics tend to outlive governments of the day. This approach was very useful in the context of the PEA research as the COVID pandemic and various country restrictions complicated in-country data collection.

» **Complement desk research, if possible, by speaking to a variety of people in the know**: Interviews with individuals, institutions, and important stakeholder groups in the respective country can provide insights into political arrangements and power dynamics around IWT that are often hidden, informal, and known only to insiders. Obtaining help from people who can organize such interviews is most important when the field is novel to the practitioner, or when it is not possible for the main investigative team to be physically present. In these cases, it is crucial to identify trusted researchers on the ground who can help mitigate constraints in data collection.

Box 1. Framing the PEA

PEAs are most commonly conducted at the beginning of a project or program (although they are useful all along the project cycle). At the beginning, four questions are essential to framing a PEA:

» What is the **level** of the PEA? The analysis could focus on the broader global or country-level context. It could be more targeted and applied to identify barriers and opportunities at the sector level. Or, most specifically, it could be problem-driven to illuminate policy issues. In our experience, the latter two levels are the most promising for providing in-depth insights to support CRAs.

» What is the **aim** of the PEA? This informs the overall scope and research question(s).

» What are the **themes** of the PEA? Are informal rules of the game, power relations, and understanding gaps in implementation included? Does the PEA relate to a specific government agency, border area, or wildlife habitat?

» What are the **resources, opportunities, and constraints**? These include time, money, ability to conduct in-person interviews, availability of document resources, etc.

The answers to these questions inform the design of a feasible research strategy, a key part of which should be triangulation. This is accomplished by bringing together multiple sources of data collection to verify findings.

» **Triangulate information obtained from desk review and interviews**: Drawing conclusions from the analysis requires bringing together the various pieces of information to minimize bias and illuminate key findings. Triangulation helps to ensure that what is presented comes as close to a balanced representation of the situation on the ground as possible. This is important because conflicting information is not uncommon when collected from different sources, and more marginalized stakeholder groups have views that are crucial to include. For instance, speaking to a government official might be valuable but complicated, while civil society actors, journalists, academia, citizen groups, and others can potentially speak more freely and give important triangulating context to the "official" experience. Of course, ethical considerations matter; practitioners should take care to ensure anonymity and the safe collection and storage of data.

» **Be pragmatic**: Triangulation with multiple methods is ideal but may not always be feasible given resource constraints. There may not be time or funds to look at hundreds of media articles, read every journal article about the political system, and interview everyone in the system. Practitioners should do as much as possible within the project's bounds. If time is limited, this could mean focusing on document analysis only, or if funds are scarce, opting to do more interviews online instead of in person. For example, for the PEA researchers in these three countries, the number of interviews conducted and with whom varied depending on the level of interest, access, and opportunity. An important corollary to this lesson is that, especially when the scope of the research is limited, teams should test and question the conclusions on an ongoing basis, consistently seeking new perspectives as the reform plans are implemented.

» **Manage risks**: Safeguards in data collection, analysis, and presentation need to be prioritized. In one of the PEAs, for example, the research team received a suspicious call that urged the team to "reconsider the research." They decided that the risk of conducting interviews for the participants was too high, and instead relied solely on document analysis. Risk management may also involve thinking through whether the final analysis becomes public or not, considering risks to the project or participants of potential backlashes.

Collaborate to increase the use and value of PEA findings

PEAs can help practitioners not only to "think" politically, but to "work" politically by designing more effective anti-corruption interventions. From the experience of these PEAs, a few lessons emerged that can increase uptake of the information into related anti-corruption programs. We recommend that practitioners:

» **Present information in an actionable way**: Executive summaries or PowerPoint presentations help to highlight key findings and implications. In our case study countries, where political factors are fast-changing and uncertain, we also developed different sets of recommendations for different political scenarios. If space for action against IWT or corruption became more or less conducive, for example, we had differently focused recommendations to maximize their actionability.

» **Think about timing**: A lesson learned from our exercise is to conduct PEAs ahead of more targeted risk assessments, if possible. This ensures that the risk assessment can already take into account the political context, sensitivity, constraints, and risks more carefully while conducting the assessment, including

asking the right people the right questions. In the above example of the warning received during the field research for the PEA, the timing allowed the research strategies for both the PEA and the CRA to be adapted to mitigate risks as much as possible.

» **Optimize collaboration in data collection and analysis**: Overall, PEAs and CRAs look at corruption in complementary but different ways. It requires collaboration for the two analyses to "speak to each other" and make PEAs really useful for practitioners on the ground looking to address a very specific corruption risk. Resources and time permitting, research teams can be integrated, for example by collaborating in data collection and jointly interviewing stakeholders. The PEA team will also find it useful to gain a good understanding of the relevant processes being assessed in the CRA in order to focus their research.

» **Avoid silos**: Where full integration of the PEA and CRA is not possible, joint reflection by PEA and CRA researchers helps illuminate the corruption risks identified, what they mean in light of the political economy, and what can be targeted feasibly in terms of recommendations. In one of the country case studies, the CRA-proposed corruption mitigation measures were reviewed in light of the PEA-identified rapid changes in the political environment. This impacted the overall assessment of feasible entry points for anti-corruption programming.

References

Medina, Manuel, Juhani Grossman, Taradhinta Suryandari, and Monica Guy (2022). "Where are the weakest links in the illegal wildlife trade enforcement chain? Lessons from corruption risk assessments with agencies in three countries." *TNRC Practice Note*: https://www.worldwildlife.org/pages/tnrc-where-are-the-weakest-links-in-the-illegal-wildlife-trade-enforcement-chain-lessons-from-corruption-risk-assessments-with-agencies-in-three-countries

Rocha Menocal, Alina, Marc Cassidy, Sarah Swift, David Jacobstein, Corinne Rothblum, and Ilona Tservil (2018). "Thinking and Working Politically through Applied Political Economy Analysis: A Guide for Practitioners." *USAID DCHA Bureau Center of Excellence on Democracy, Human Rights, and Governance*: https://www.usaid.gov/sites/default/files/documents/1866/PEA2018.pdf

UNODC (2020). "Scaling Back Corruption: A Guide on Addressing Corruption for Wildlife Management Authorities." *United Nations*: https://www.unodc.org/documents/Wildlife/19-08373_Scaling_Back_Corruption_ebook.pdf