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MASTER'S THESIS

**TOWARDS AN EFFICIENT INTELLIGENCE COLLABORATION
BETWEEN LAW ENFORCEMENT AND NGOs IN TACKLING
WILDLIFE TRAFFICKING**

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Abstract

By the beginning of the 21st century, wildlife trafficking had started to be considered by the international community as more than a global environmental issue. Rather it was increasingly understood as a multifaceted and complex security challenge interwoven with links to organized crime, conflict, extremism, and even terrorism. A decade later, more illegal transactions were recorded than ever before. Public interest in the subject is at an all time high, and at the same time of writing this thesis, governments, international agencies, and NGOs are charged with developing intelligent strategies to protect the world most endangered species. This environmental crime, which including fisheries and timber, has become the fourth largest global illegal trade after narcotics, the arms trafficking, and human trafficking. Among the solutions that are currently debated in the international arena, one of the most defended ones is the urgent need for improvement in intelligence collaboration between law enforcement agencies and international conservation organizations and charities. Focusing on this specific discussion, the paper will mainly focus on the necessity of enhancing law enforcement and non-governmental organizations (NGOs) intelligence working dynamics when combating wildlife trafficking. To achieve this objective, apart from analyzing the current situation of wildlife trafficking activities, the paper will focus on the intelligence approaches known as intelligence-led policing and community-based approach, which are believed to be beneficial for both actors, and a series of future steps that both should follow to efficiently achieve the increasingly necessary holistic intelligence collaboration between them.

Keywords: *wildlife trafficking, intelligence, NGOs, collaboration, law enforcement, CITES.*

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Table of Abbreviations

AFRICA-TWIX	Central Africa Trade in Wildlife Information eXchange
CHIS	Covert Human Intelligence Sources
CIA	Criminal Intelligence Analysis
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora.
C4ADS	Center for Advanced Defense Studies
EAL	Elephant Action League
EC	European Commission
ECP	Environmental Crime Programme
EEN	Environmental Enforcement Network
EFFACE	European Union Action to Fight Environmental Crime
EP	European Parliament
ESA	Endangered Species Act
ESAAMLG	Eastern and Southern Africa Anti-Money Laundering Group
EU	European Union
EUROPOL	European Union Police Office
EU-TWIX	European Union Trade in Wildlife Information eXchange
FCA	False Claims Act
FCPA	Foreign Corrupt Practices Act
FFW	Fondation Franz Weber
GPMS	Government Protective Marking Scheme
HUMINT	Human Intelligence
ICCWC	International Consortium on Combating Wildlife Crime
IFAW	International Fund for Animal Welfare
IGO	International Governmental Organization
INTERPOL	International Criminal Police Organization
INTERPOL NCB	INTERPOL National Central Bureaus
IUCN	International Union for Conservation of Nature
IUCN SULi	International Union for Conservation of Nature Sustainable Use and Livelihoods Specialist Group

LOAs	Letters of Agreement
MLATs	Mutual Legal Assistance Treaties
NCIS	National Criminal Intelligence Service
NEST	National Environmental Security Taskforce
NGO	Non-governmental organization
NIM	National Intelligence Model
OSCE	Organization for Security and Co-operation in Europe
OSINT	Open Source Intelligence
RAIN	Ranger Analytic Intelligence Network
RCMP	Royal Canadian Mounted Police
RSPCA	Royal Society for the Prevention of Cruelty to Animals
SEPRONA	Servicio de Protección de la Naturaleza (Guardia Civil)
SHERLOC	Sharing Electronic Resources and Laws on Crime
SMART	Spatial Monitoring and Reporting Tool
TOR	Terms of Reference
TRAFFIC	Wildlife Trade Monitoring Network
UCOMA	Environmental Central Investigation Unit (Guardia Civil)
UN	United Nations
UNEP	United Nations Environment Programme
UNODC	United Nations Office on Drugs and Crime
USAID	The United States Agency for International Development
U4	U4 Anti-Corruption Resource Centre
WCI	Wildlife Crime Initiative
WCO	World Customs Organization
WCWG	Wildlife Crime Working Group
WENs	Wildlife Enforcement Networks
WWF	World Wildlife Fund

Intelligence report

Overview

With wildlife trafficking turned as the fourth largest global illegal trade after narcotics, arms trafficking and human trafficking, the international community, now acknowledging the relevance of this crime, is currently trying to achieve better intelligence working dynamics between law enforcement and non-governmental organizations (NGOs). Nevertheless, although different approaches, such as the intelligence-led policing (ILP) and community-based approach, are expected to have good results in the middle-long term, it is firstly necessary to increase the coordination, cooperation and collaboration between law enforcement and NGOs. Necessary steps that above all will only be successful if both actors increase their confidence in one another and see each other as important supporting elements. A situation that nowadays does not take place and therefore can be considered as a factor that hinders the resolution of wildlife trafficking.

Key issues

If the launch in 1973 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the only treaty that foresees specific violations related with illicit activities, was a major success, it was not until the 21st century when this crime was conceived as more than a global environmental issue. In this way, now that wildlife trafficking, defined by the World Wildlife Fund (WWF) as “any environment-related crime that involves the illegal trade, smuggling, poaching, capture or collection of endangered species, protected wildlife, derivatives or thereof”, has started to receive more attention, important improvements have started to take place. Among others: the launch in 2010 of the International Consortium on Combating Wildlife Crime (ICWC); the WWF and TRAFFIC’s Wildlife Crime Initiative (WCI) launched in 2014; Europol’s biggest international law enforcement collaboration operation, known as Operation Cobra III; and the progressive incorporation of technological innovation such as the use of the Cloud or whistle blowing mechanisms. Nevertheless, more improvements are still needed.

Due to NGOs long time involvement in the fight against wildlife trafficking, organizations such as the International Criminal Police Organization (INTERPOL), are currently trying to find a way where NGOs align intelligence working practices to those compliant with that of government intelligence and law enforcement. An objective that cannot be achieved without law enforcement increasing too its confidence in their new partners and being proactive when working together. There are certain measures and approaches, which are believe to be capable of achieving this objective, and that have been addressed by professionals and organizations involved in the cause: the ILP and community-based approach.

The ILP approach has assumed, during the last years, great relevance in the policing criminal intelligence field. According to the Organization for Security and Cooperation in Europe (OSCE), ILP is “a management framework for criminal intelligence and planned operational police work, in which intelligence is the foundation for defining priorities, strategic and operational objectives in the prevention and suppression of crime and other security threats”. Among its key characteristics stand out that it is proactive, allows to identify and address risks, and has well established communication and cooperation paths between its main actors i.e. the environment, the criminal intelligence analyst, and the police decision maker. Nevertheless, although certain improvements have taken place in relation to its implementation, due to its still newness and lack of implementation in certain organizations, more time is needed to evaluate its success.

The development of an efficient community-based approach is currently the position that certain actors within the international community have started to defend, such as the European Union with its Wildlife Action Plan 2016-2020. The participation of part of the local communities in this activity due to the corruption, insecurity and lack of development existing within their countries is seen as an opportunity to detect, report and prevent wildlife trafficking activities more successfully. In this way, this approach in which NGOs currently play an important role due to its proximity with local communities, is an opportunity to increase the number of existing intelligence reserves within this field. Nevertheless, nowadays, considering the daily situation of these newcomers to the fight against wildlife trafficking, their participation will only take place if they receive incentives. A practice that is already taking place but as certain researches, like the one

from Dilys Roe and Francesca Booker's demonstrate, the rewards for intelligence need to be much more developed.

Executive Conclusion

This environmental crime, with its different causes – well organized criminal groups, porous borders, poverty or cultural traditions – and its consequences within the environmental, security, political, economic and development field, has started to be increasingly understood as a multifaceted, transcontinental and complex security challenge. Nevertheless, if apart from considering the information obtained from a diversity of reports produced by the involved international organizations and mass media, it is also considered the information obtained from interviews carried out with people related with NGOs, law enforcement and governments, the main conclusion that is drawn is that there is still much work to be done. Highlighting among the different conclusions, the necessary improvement in intelligence and in the current deficient working dynamics between law enforcement and NGOs.

Way forward

Considering that the effective implementation of the ILP and community-based approach are long term projects and not easy to achieve, there are possible next steps that could be followed and are currently taken into account by professionals in the field. Firstly, try to ensure that certain NGOs do not commit illegal actions in order to not hinder important intelligence operations. Secondly, achieve a collaborative culture of intelligence sharing. An objective that according to Robert Fahlman and William Magrath, among others, can be achieved by: implementing a Global Partnership Strategy; implementing a National Standard Intelligence Collection Plan and National Standard Intelligence Evaluation Report forms; and achieving too the implementation of an Intelligence Requirements Management System. Thirdly, try to develop a direct and secure communication tool between law enforcement and NGOs. And lastly, improve law enforcement and NGOs' training in wildlife trafficking and intelligence.

According to consulted sources, there are already NGOs trying to transform themselves into intelligence agencies. However, these for now have not had success, and probably won't until they achieve a better relationship with law enforcement and achieve some of these steps.

1. Introduction

Wildlife trafficking, has progressively increased its importance in the international, regional and national arena over the last ten years. According to the World Wildlife Fund (WWF) in 2017, the scale of this illegal activity is assessed to be increasing in certain countries, like Malaysia or Indonesia. Rhino and elephant poaching by sophisticated criminal groups has increased substantially with some species already becoming extinct and others that will soon become as a consequence, i.e. the western black and white rhino or the African elephant.

The magnitude wildlife trafficking has risen to during this century, is currently estimated between \$7 billion and \$23 billion. The diversity of factors that determine it, mean that it is a significant challenge that needs to be fought. Considering its negative impact on the economic, social development, security and governance, and its linkage with other crimes such as corruption, money laundering and fraud, wildlife trafficking, as well as fisheries and forest crime, should currently be considered a transnational and transcontinental organized crime.

Even taking account of this situation, wildlife trafficking still needs to raise more awareness both in law enforcement, governments and the public. It was not until 2014, when Janez Potočnik, European ex-Commissioner for Environment, stated at the Expert Conference on the European Union (EU) approach against wildlife trafficking in 2014: “Looking at the list of participants, I think we can safely say that we have already achieved one of our main objectives for this conference: Reaching out beyond the circle of environmental experts” (Potočnik 2014). Now, although with all the interest and debate about global warming, exemplified with the Paris Summit 2015, the importance of wildlife crime is becoming better understood, it is still considered by certain governments as an environmental issue, i.e. a low priority in certain government’s agendas

Nevertheless, there have been important improvements since the most relevant and the only treaty that foresees specific violations related with illicit activities, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), was launched in 1973. For example, in 2010 the International Consortium on Combating

Wildlife Crime (ICCWC) was launched achieving a complete collaboration between the World Bank, World Customs Organization (WCO), United Nations Office on Drugs and Crime (UNODC), International Criminal Police Organization (INTERPOL) and CITES. This was followed by the creation of the National Environmental Security Taskforces (NEST) model, which increased collaboration between NGOs, law enforcement and governments, among others, and a long-term collaborative initiative between the WWF and TRAFFIC, the Wildlife Crime Initiative (WCI), in June 2014, that was mainly focused on deeply investigating wildlife crime at a transnational scale. Moreover, in 2015, Europol operation Cobra III, the biggest international law enforcement collaboration operation to tackle wildlife trafficking, was a total success.

In this way, the 21st century, was a big change for wildlife trafficking as it started to receive more attention by the international community. Several projects started with the main objective of pursuing a much more cohesive and collaborative approach between the involved parties. For now, the most successful ones are widely considered to be the WCI, mentioned previously, and the United Nations Office on Drugs and Crime (UNODC) four-year global project launched on 2014. But now, international organizations, law enforcement agencies, and NGOs are trying to go a step further. Law enforcement agencies, which traditionally have been reluctant on sharing intelligence with NGOs, have seen in these organizations an extremely important assistance instrument for more specialized and field information. On the other side, NGOs such as the WWF and TRAFFIC, with the help of law enforcement could start to improve their current methods for collecting, storing, analyzing and disseminating intelligence. Indeed, this objective of finding a way to strengthened the intelligence collaboration between these two actors is an on-going debate that the INTERPOL is coordinating and trying to find a solution to it.

To reflect these issues in a methodical and logical way the paper will be structured in three parts. The first part will explain the current status of wildlife trafficking, studying the improvements and the still needed changes that are required to reduce this illicit activity in broad terms and also the current relationship status of the two main actors analyzed in the paper, NGOs and law enforcement. The second part of the paper, will be focused on the case study i.e. analyzing a way to enhance the working dynamics between NGO's and law enforcement by defending the necessary implementation of two

intelligence approaches that still need to acquire much more acceptance among the experts fighting this crime: the intelligence-led approach and the community-based approach. The last part of the paper, will address several steps that should be followed to enhance the coordination and collaboration between NGOs and law enforcement, i.e. to push a way to combat more efficiently wildlife trafficking.

1.1. Objectives

Considering all the factors that have been mentioned briefly in this introduction, it can be stated that the main objective of this essay is, apart from raising awareness of the wildlife trafficking problem and the intelligence issues within it, to try to find how it could be solved in a more efficient way in order to try to reduce adverse consequences. Thus, under the objective of explaining a way in which the intelligence system within the wildlife trafficking field can be improved, it will also be possible to achieve a better comprehension of an underestimated crime activity, such as wildlife trafficking is, and the intelligence problems that evolve around it. Two objectives that should be considered the main motivational drivers on the preparation of this paper.

Nevertheless, although objectives like the mentioned ones give a more coherent structure to the work presented here, the main objective of this thesis is explaining the current relation between NGOs and law enforcement within wildlife crime. This work will try to demonstrate and explain why this relationship is currently one of the most relevant within the intelligence sector and why it is so important to improve it. Hence, in the end, an underpinned objective that exists within all this structure is demonstrating how NGOs, although problematic in certain ways, have transformed into actors of great help within the intelligence sector. A situation that maybe in the future will go beyond environmental crime and change certain assumptions that have been ruling the intelligence mechanisms.

1.2. Motivations

With these objectives in mind it could be said that one of the main motivations to develop this work has been the desire to make the reality behind this less visible crime known. Explain not only why intelligence is so relevant and why it's methods should be improved

in this field, but also to try to raise awareness of its main causes and dramatic consequences. Moreover, it was considered necessary to develop a work that tries to introduce one of the main debates that is currently taking place at an international level, i.e. finding ways to strengthened the coordination and collaboration between NGOs and law enforcement trying to remove the obstacles preventing this goal.

1.3. Methodology

Despite not having yet the desired impact that this crime requires, due to the work done by international organizations, law enforcement agencies and specially NGOs, there is an extensive bibliography related to wildlife trafficking. Reports from the INTERPOL, UNODC, the WWF and CITES, among others, have been the main bibliographic elements used in this essay. Nevertheless, considering the utility of being able to count on information obtained from people that are currently implicated in this issue, the essay also contains statements and observations that have been gathered by developing several interviews. Thus, the essay contains both open source intelligence (OSINT) and human intelligence (HUMINT) gathering sources.

When doing a paper of an academic nature it is essential to use academic resources. Hence, it has been essential to address in the paper several academic ideas and theories that could enhance the presented ideas. In this way, Grant Pink's and Rob White's ideas on wildlife trafficking; Jerry H. Ratcliffe's ideas on intelligence-led policing; J. O'Flynn and Wanna's ideas on collaborative working dynamics; Ruben Arcos and Joan Anton's theory on Intelligence Reserves; and Robert Falhman and William Magrath's networked intelligence-led strategy at national, regional and international level have been the main theories and ideas used for this specific case study.

2. State-of-the-art

As this thesis will be focused on intelligence in the wildlife trafficking field, especially in the relation between law enforcement agencies and NGOs, it is essential to briefly address what do we understand by the main concepts that conform this work as well as the different ideas and data that already have been explained in this field.

2.1. Wildlife trafficking

When analyzing the term wildlife trafficking, firstly it is fundamental to address two definitions: environmental crime and transnational crime. The first term is important because illegal wildlife trafficking is another type of illicit activity that can be included within the term environmental crime. Figure 1, presented below, although representing environmental crime priorities for certain countries surveyed by the INTERPOL in 2016¹, shows clearly the different categories of crimes in which environmental crime is divided. According to White (2011), other crimes that are included are the ones related with toxic waste or illegal transport of radioactive and nuclear material. Even more, as he affirms, if it is considered the green criminology categories of environmental crime such as transgressions harmful to humans, environments and flora and fauna; and harms to the environment facilitated by states and corporations, the quantity of activities that are considered a crime is higher. So, considering the different definitions for this concept and aligned with Grant Pink and Rob White's ideas (2016), "environmental crime" could be understood as illegal environmental activities and harms. Moreover, in this essay environmental crime is going to be addresses as a transnational crime, i.e. as "a crime that involves the trading and smuggling of plants, animals, resources and pollutants in violation of prohibition or regulation regimes established by multilateral environmental agreements and/or in contravention of domestic law" (Forni 2010, p.34).

¹ According to the INTERPOL and UNEP report, the surveyed countries were INTERPOL's member countries. Nevertheless, it is important to remark in this case that the data presented in their report just shows the answers made by 98 countries, i.e. a 36% response rate among the member countries. In this way, as the organizations remark it is important to keep in mind that the results are not extremely objective.

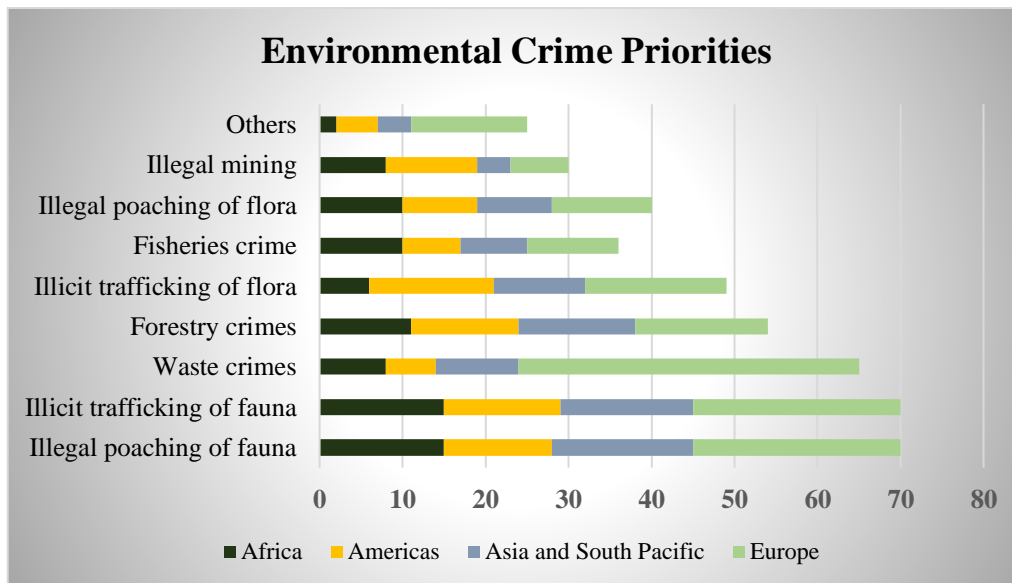


Figure 1. Environmental Crime Priorities for INTERPOL's surveyed countries. Reprinted from *Strategic report of the INTERPOL and UNEP on Environment, Peace and Security* (p. 22) by INTERPOL and UNEP 2016. Copyright 2016 by INTERPOL and UN Environment.

According to the UNODC there is no universally accepted definition for the term “*illicit wildlife trafficking*”. Countries present big differences when protecting wildlife, although most of them are part of CITES. There are species not protected by this convention that some countries have decided to regulate while others do not. Other countries have certain cultural values that make the definition of this term even much more complex. Hence, although this does not mean that wildlife trafficking is not protected at an international level, even the most important legislative instrument, CITES, does not have a definition of the term. Considering this, it is easy to believe that there is no universal strategy for all countries when tackling with wildlife crime. However, just to make sure every concept is clear, it is believed that the definition from the WWF (2012) is one of the most suitable to define the concept: “any environment-related crime that involves the illegal trade, smuggling, poaching, capture or collection of endangered species, protected wildlife, derivatives or products thereof” (p.9).

2.1.1. Wildlife trafficking in numbers. Following a European Parliament's Directorate General for External Policies's study (2016), the annual trade of wildlife trafficking is worth between EUR8 billion and EUR20 billion. Nevertheless, just as this crime is extremely complex to analyze in terms of magnitude, it is also difficult to assure

the real value of it. As Edward van Asch, ICCWC Support Officer at CITES Secretariat affirms, there is little conclusive research on the real value of wildlife trafficking because, among other factors, there was only, until recently, one document, the UNODC's *World Wildlife Crime Report (2016)*, that gathered information supplied by countries. Now, since October 2017, countries must send CITES information in order to be analyzed and to be more visible when demonstrating the real size of this crime in the reports that CITES will present annually from now on (personal communication, December 8, 2017). Therefore, depending on the organization that investigates it, it is common to see that the value varies between EUR7 billion and EUR23 billion a year (Table 1). A value that it is important to remark that usually does not include fisheries and timber mainly due to the fact that illegal fishing and logging, just as wildlife trafficking, are another category of environmental crime (Pink and White 2016). Illegal fisheries alone on 2015 had a value of up to USD11-30 billion while illegal logging was estimated around USD30-100 billion. Hence, in total, with these numbers in mind, it is estimated that the value of transnational organized environmental crime is between USD70 billion and USD213 billion (Hong Kong Wildlife Trade Working Group 2015).

According to John E. Scanlon (World Economic Forum 2017), Secretary - General of CITES, in three years 10,000 elephants were killed remaining in 2017 around 400 African and 400 Asian elephants in the planet. When talking about rhinos, the Secretary General remarks that there are currently 25,000 rhinos left in Africa and 3,000 in Asia, with just one white rhino still alive in the planet, called Sudan, that is safeguarded 24 hours a day in Kenya. Other animal that has become extremely affected by these illicit activities is the pangolin. This scaly mammal, has become during the last years the most affected among all animals, reaching the level of poaching hundreds of thousands just to consume its meat in restaurants and its scales for traditional medicine or tonics. And flora is affected too, with the trafficking of corals, for example. Following these lines, the list of endangered species in flora and fauna could still increase as well as the risks and damages that our ecosystem suffers.

GLOBAL ILLEGAL WILDLIFE TRADE VALUES (US\$)	
Source	Value
2011	
<i>Mellanie Wellsmith, European Journal on Criminal Policy and Research</i>	\$9 billion to \$11 billion
2012	
WWF and Dalberg Global Development Advisors	\$7.8 billion to \$10 billion
Stephen F. Pires, <i>Global Crime</i>	\$8 billion to \$10 billion
Victoria Rossi, InSight Crime	\$20 billion
2013	
UNEP, CITES, IUCN, TRAFFIC	\$5 billion to \$20 billion
Congressional Research Service	\$7 billion to \$10 billion
Natalie Southwick, InSight Crime	\$15 billion to \$20 billion
UNEP and INTERPOL	\$15 billion to \$20 billion
Office of the Director for National Intelligence	\$17 billion
IFAW	\$19 billion
Stimson center	\$19 billion
2014	
TRAFFIC	\$5 billion to \$20 billion
African Wildlife Foundation	\$10 billion
Sarah Morrison, <i>The Independent</i>	\$12 billion
IFAW	\$19 billion
Hugh S. Wilkins, <i>Environmental Policy and Law</i>	\$20 billion
C4ADS	\$23 billion
2015	
Kevin Xie, <i>Harvard international Review</i>	\$7 billion to \$10 billion
Royal United Services Institute	\$7 billion to \$23 billion
U4	\$10 billion to \$20 billion
David Sheldrick Wildlife Trust	\$15 billion to \$20 billion
2016	
UNEP	\$23 billion

Table 1. Global Illegal Wildlife Trade Values (US\$). Reprinted from *Transnational Crime and the Developing World* (p. 111), by Global Financial Integrity, 2017. Copyright 2017 by Global Financial Integrity.

2.1.2. Wildlife trafficking main causes. Like other types of crime, wildlife trafficking takes place due to a diversity of main causes: well organized groups, porous borders or poverty that compels people to participate in these activities just to earn the living. Nonetheless, in comparison to other kind of illicit activities, wildlife crime is sustained by certain factors that not all crimes share. The main one is the low risk-high profit relation. As WWF's President and CEO, Robert Carter (2012) stated "unlike other illicit trades, killing and selling parts from rhinos, tigers and elephants holds advantages for criminals: the product is poorly protected at its source, its trade is poorly regulated and wildlife crime is poorly investigated and lightly punished". For instance, just as the WWF (2012) affirmed "the price of rhinoceros' horns has increased to around US

\$60,000 per kilogram - twice the value of gold and platinum - and it is now more valuable on the black markets than diamonds and cocaine” (p.11).

In a globalized world where borders somehow appear to be erased, criminals engaged in wildlife trafficking have seen an opportunity to follow through on their activities. As stated previously, wildlife trafficking is better understood as a transnational crime. The main movements of this crime’s commodities do not only take place transnationally but also transcontinentally (INTERPOL and UNEP 2016).

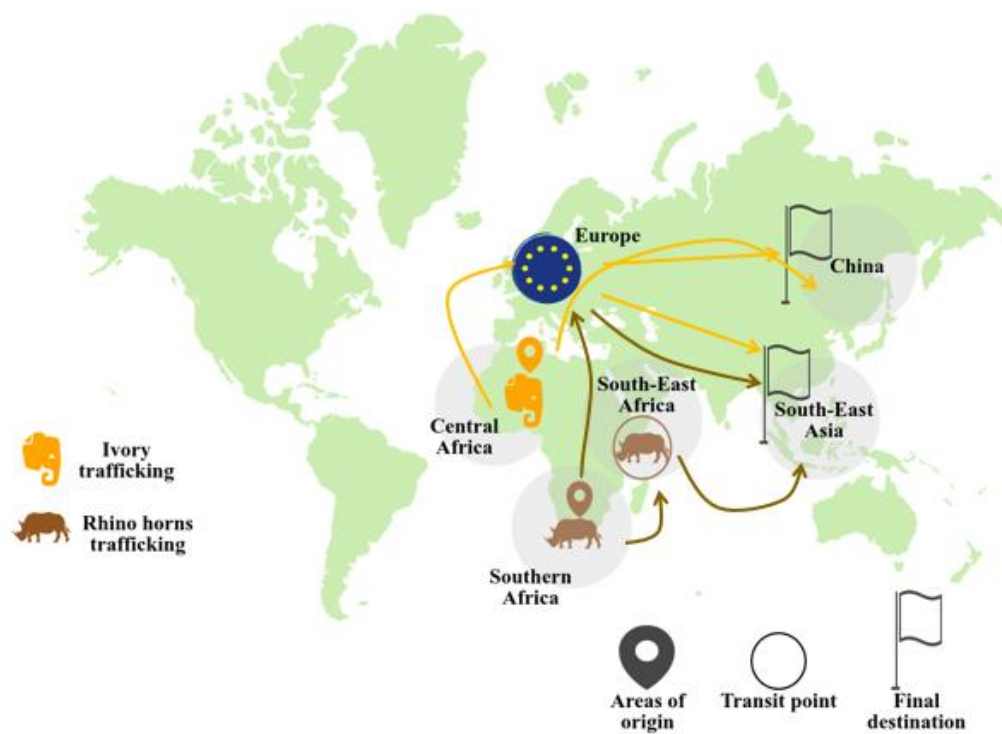
Although it is true that the routes or flows vary depending on the product, there are certain patterns that can be identified. Normally, Africa is a source continent of biodiversity and as well as Asia and Latin America is source of natural resources. The main transit territories that have been identified are²: Tanzania, Uganda and Kenya in Africa; Hong Kong and Singapore in Asia; Belgium, Germany and the Netherlands in Europe; and the United States in North America. Territories that are used as transit destinations that receive these products via airports or seaports, depending on the product, and that are mainly destined to Asia and in a minor percentage to North America and Europe (INTERPOL and UNEP 2016). To illustrate these movements, the following maps (Figure 2) represent the main routes that currently exist, but in this case, with the European Union (EU) as one of the main points.

² The smuggling routes on illegal wildlife that the INTERPOL and United Nations Environment Programme (UNEP) identified (2016) take place in specific locations within the mentioned countries. In Africa: Dar es Salaam and Zanzibar (Tanzania), Entebbe (Uganda) and Kenyatta and Mombasa (Kenya). In the case of Europe: Antwerp (Belgium), Hamburg (Germany) and Rotterdam (the Netherlands). In North America: San Diego and Houston (United States).

EU AS FINAL DESTINATION MARKET



EU AS TRANSIT POINT



EU AS EXPORTING REGION



Figure 2. Wildlife trafficking routes with EU as role actor. Reprinted from *The EU Approach to Combat Wildlife Trafficking* by the European Commission's Directorate General for Environment, 2017. Copyright 2017 by European Commission. Retrieved from: http://ec.europa.eu/environment/cites/infographics_en.htm.

Considering the distances that wildlife products go through, criminal organizations have developed a complex logistic that, from time to time, is varied in order to reduce the probability of being detected (Bell and Congram, 2013). The main means used to transport the products are planes or ships, hiding the products on companies' shipments that appear to be legitimate, mixing the illegal products with legal ones or using fake licenses. Hence, airports and seaports have been converted on the main transit instruments, just like the Hong Kong port with its free port status that with the Chinese government project "Belt and Road Initiative" could be transformed in one of the main transit as well as destination points in the world (Hong Kong Wildlife Trade Working Group 2015). This is why it is extremely necessary in the short-term to increase the efficiency of security in the borders.

However, as the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG 2016) state, this necessary improvement is somehow affected by two factors

that are closely interrelated and are also considered main causes of wildlife trafficking growth: poverty and corruption.

Firstly, if we take into consideration some of the principal source countries of illegal wildlife products already mentioned, it can be assumed that wildlife trafficking is often fueled by poverty (ESAAMLG 2016). Elements of the communities in such countries may see the exploitation of wildlife as a low risk alternative to poverty - and local criminal organizations exploit this to their advantage; a scenario difficult to alter when we consider the divergent world that currently exists in economic and social terms. This is why initiatives such as boosting well-managed wildlife-tourism are having a favorable reception in local communities. According to John Scanlon in an article he wrote for The Guardian (2017) “The UN World Tourism Organization estimates that 7% of world tourism relates to wildlife tourism, growing annually at about 3%. [...] A WWF report shows that 93% of all natural heritage sites support recreation and tourism and in 91% provide jobs”. This is widely considered to be a feasible solution that could reduce corruption not only in source and demand countries, but also in the those used as transit junctures.

Corruption, as stated previously, is a factor that is often closely linked to poverty. As the WWF states (2012), countries where a weak government rules and are few economic opportunities, is where high levels of corruption are more visible. Considering the high profits that wildlife trafficking generates, governments and law enforcement agencies end facilitating these illicit activities across countries. “Criminal organizations and exporters have a lot of money and they can pay rangers, customs officers and police officers to receive false documents certifying the legal provenance and make sure the products do not get stopped at the borders” (WWF 2012, p.14). In the end, this situation also contributes to countries institutions’ reluctance on implementing more severe sentences and on trying to take advantage of all the legislative gaps that exist in instruments such as CITES.

Nevertheless, although corruption is considered one of the key wildlife trafficking drivers, it is extremely important to realize that this crime will not have reached such harmful levels if it were not for the high levels of demand for wildlife and wildlife products that exist in its majority in Asian countries and to a lesser extent in the US and

Europe (ESAAMLG 2016). Wildlife consumption is strongly associated with culture and social and economic development. Firstly, medicine and social status purposes are the main drivers of demand specially in Asia. Mainly Asian countries use wildlife and wildlife products for traditional medicinal purposes, religious icons or collectibles (ESAAMLG 2016). As the CITES Management Authority of China affirmed (2012) “In recent years, the collection of arts and crafts, jewelry and antiques, including ivory carvings, has become fashionable and the price of those items has increased significantly”. Considering the high price that some of these products have nowadays in the blackmarket, it can be assumed that wealthy consumers or those who have seeing their wealth increase, can access easily to the products once arrived to their final destination.

With all these main key drivers or causes that have tried to be analyzed, it can be seen that wildlife crime mechanisms are determined by a virtuous cycle that is necessary to break at some point. It is true that corruption must be tackled, but maybe as the CITES Chief Enforcement Support, Ben Janse van Rensburg defends (WWF 2012) it would be easier and more effective if potential issues such as illegal wildlife and wildlife products consumption and national exportation are addressed as effectively as the other elements of the supply chain (Figure 3). Veríssimo et al. (2012) come to the same view: “It is perhaps time to reframe our view from wildlife trade from a supply-centric perspective to a demand-centric one and thus put the consumer at the heart of our strategies” (p. 49).

Maybe, with this change, the virtuous cycle can be converted into a cycle where, after increasing local investments, national and international social awareness campaigns and achieving a more well-managed tourism, local producers will be interested in protecting wildlife because they will benefit from it (González and Scanlon 2016). A solution that considering it will diminish illicit activities due to a certain reduction of corruption and poverty, for now seems one of the most suitable.

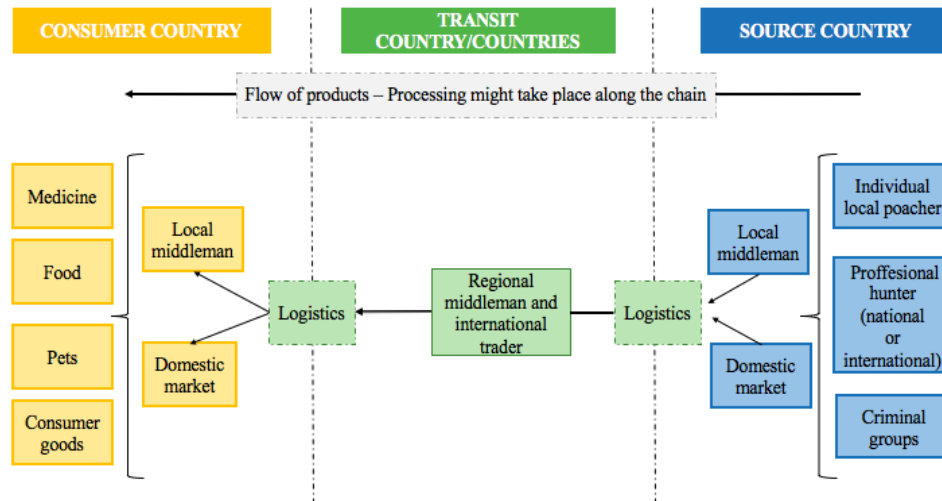


Figure 3: The generic illegal wildlife trade value chain. Reprinted from *Fighting Illicit Wildlife Trafficking* (p.11) by WWF, 2012. Copyright 2012 by WWF/Dalberg.

2.1.3. Main consequences of wildlife trafficking. As it has been addressed previously, one of the main consequences of wildlife trafficking is the progressive reduction of biological diversity. There are a high number of flora and fauna species not listed by CITES that are currently harvested by illegal means and traded internationally (UNODC 2016). However, the fact that these species are not listed by CITES does not necessarily imply this is the reason why they are commercialized. Those species that are listed, due to their illegal nature and rarity have become increasingly valuable and demanded (UNODC 2012). Rhinoceros and elephants are an example of this situation. In this way, when combating wildlife trafficking it is not only necessary to address those species that are not protected by CITES but also the ones that supposedly are protected, as inadvertently, a cause and effect process has been created.

It is important to keep in mind that when we talk about flora and fauna normally there are several species within each specific type of living creature. Taking the pangolin as an example, there are currently in the world eight types of this animal: four in Africa and four in Asia. Of the four species that exist in Asia, two were classified as critically endangered by the International Union for Conservation of Nature (IUCN), while the other two were categorized as endangered (UNODC 2016). Besides, in 2000 a zero-export quota for exports of the four Asian pangolins was established (TRAFFIC 2016). On the other hand, the four African species were classified as Vulnerable. The problem with this categorization was that before the eight species were listed on CITES Appendix

I³ on 2016 (WCS 2016), buyers, apart from still demanding the Asian pangolins, started to demand the ones original from Africa due to their lack of protection both in the Asian countries and internationally (UNODC 2016). A situation that lead to a complete increase in consumption of this animal. Therefore, when talking about a kind of living creature, it does not necessarily refer to one unique specie but a wide diversity of them and with different levels of protection.

Nevertheless, wildlife trafficking has other dramatic consequences that should be taken into account too. Firstly, and linked with the transnationality and transcontinentality of this crime, wildlife trafficking has led to a significant reduction of security. As it is a type of crime that currently does not encounter too many risks and the derivative profits thereof are high, criminals have increasingly become attracted to it. It has expanded to such a level that during the last years wildlife trafficking has increased its links with other types of criminal activity such as money laundering, drugs and firearms trafficking (European Commission 2016). This is, as the Guardia Civil UCOMA⁴ Captain José Manuel Vivas Prada affirms, commonly known as linking between crimes (Figure 4⁵). An issue that although it has facilitated the increase of sanctions and their severity, it has also increase the complexity of this crime (J.M. Vivas, personal communication, September 26, 2017). In this way, as the United States Agency for International Development (USAID 2017)

³ Following the explanation of the UNODC (2012) CITES contains three Appendices: Appendix I lists extinction endangered species which commercialization is not sustainable or appropriate (its commercialization requires prior permits from the importing and exporting country and certification for the re-exportation); Appendix II lists species that are not under risk of extinction but that can be soon considered as endangered (it is necessary to present an export permit when commercializing); and Appendix III lists the species that each of the 183 parties or signatory countries can select or list to protect them under their legislation (If the State has included the specie in the last Appendix, The Management Authority of the country that exports has to issue a permit, while if it is another country, a certificate of origin is required). (p.15)

⁴ The Unidad Central Operativa Medioambiental (UCOMA) is the central organ of the Guardia Civil Nature Protection System (known in Spanish as SEPRONA). SEPRONA started in 1988 and its principal novelty is that it has been the first police force in Spain dedicated to environmental investigation. Currently, there is a SEPRONA official working in Europol.

⁵ Although Figure 4 does not represent the crime convergence of wildlife trafficking with other types of crime, it is useful to see the study results that the INTERPOL and UNEP achieved when analyzing the crime convergence that the surveyed countries believed that exists between environmental crime, of which illegal wildlife trafficking is part of, and other crimes.

affirms “protecting wildlife from poaching and illegal trafficking helps secure our global heritage and fights against the criminal networks that exploit humans and nature and thereby threaten national security and rule of law”.

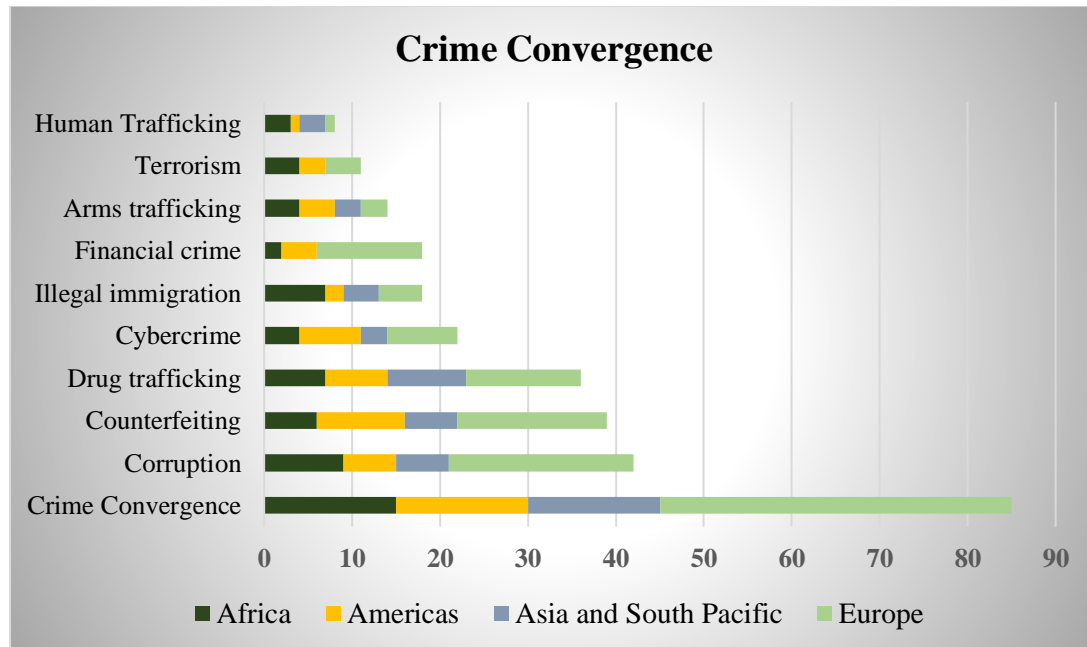


Figure 4. Environmental crime convergence with other crimes according to INTERPOL’s surveyed countries. Reprinted from *Strategic report of the INTERPOL and UNEP on Environment, Peace and Security* (p. 23) by INTERPOL and UNEP 2016. Copyright 2016 by INTERPOL and UN Environment.

Criminal organizations that work on this illicit activity vary in their logistics depending on the wildlife or product they are trafficking. In other words, each specie is commercialized following certain mechanism and routes. To further complicate the task, in order to not be detected, these organizations vary on their routes and mechanisms from time to time (Bell and Congram 2013). Mechanisms that have developed more easily, with the consequences of the development of Internet, e-banking and efficient infrastructures and transports (UNODC 2013). Hence, the merger of these three factors has provided a reduction of international security, and an opening of new routes.

As stated in the previous section, wildlife trafficking is linked with poverty and corruption. Although it is true that wildlife trafficking can have short term benefits to people in impoverished communities, as the European Commission (2016) affirms “wildlife trafficking can have a devastating effect on livelihoods and local economies –

especially in developing countries. Communities are deprived of jobs and incomes from tourism, for example, and governments are deprived of the taxes they rely on” (p.5). Therefore, although it can be affirmed that certain local people can benefit from these activities, it is in a minor percentage as African countries that are sources of wildlife products rely on tourism activities, on legal wildlife products commercialization and on wildlife as a nutrition source. This is why, initiatives such as a well-managed tourism, currently very defended, have become even stronger.

In this way, although considered as the main negative consequence of wildlife trafficking, this crime goes beyond a reduction of biodiversity. It does not only cause a reduction of security due to the link between crimes, its possible linkage with militia groups⁶, or the high number of risks rangers face everyday⁷, but also has dramatic consequences for local communities. Several consequences that further indicate why wildlife trafficking needs to be tackled with extreme urgency.

2.1.4. Improvements in combating wildlife trafficking. For the moment, considering the points treated along the previous sections, it could be stated that the convention commonly known as CITES is one of the principal improvements that can be highlighted within the wildlife trafficking field. Although up until now there is no specific treaty that addresses the numerous aspects of wildlife crime in an integral way, CITES is, among the rest of legislative instruments, the most relevant when controlling and regulating international trade in wildlife (UNODC 2012).

Coming into force in 1975, after an agreement was reached in 1973 in a meeting in Washington with 80 countries’ representatives, CITES main aim has always been to improve the international cooperation on protecting those species that are over-exploited and hence, in many cases, under extinction. Countries join to this legislative instrument

⁶ Although the United Nations Security Council affirmed this in its resolution 2134 (2014) and 2136 (2014), this affirmation needs to be far more investigated.

⁷ According to TRAFFIC and WWF (2016, p.10), rangers put everyday their life at risk as a high percentage of them do not have the necessary equipment, training and even basic life insurance. A situation that becomes even more dramatic if it is considered that every year more than 100 rangers are murdered (Willmore 2016).

voluntarily. For now, 183 countries are part of it. Nevertheless, as CITES (2017) explains, “Although CITES is legally binding on the Parties – in other words they have to implement the Convention – it does not take the place of national laws. Rather it provides a framework to be respected by each Party, which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level”.

As explained previously, the Convention categorizes the protection of species in three different appendices. According to CITES, currently, there are approximately protected by the Convention 5,800 species of animals and 30,000 species of plants. All of them distributed along the three mentioned appendices. When looking at Table 2⁸ (CITES 2017.b), it can be confirmed that the majority of species are protected by Appendix II. Nevertheless, it is quite alarming that in total there are around 1,000 species and 42 subspecies that need to be protected by Appendix I. This means they are over-exploited and threatened with extinction and that nearly 5,000 species could sooner or later become threatened species too.

CITES PROTECTED SPECIES			
	Appendix I	Appendix II	Appendix III
FAUNA			
Mammals	318 spp. (incl. 13 popns) + 20sspp. (incl. 4 popns)	513 spp. (incl. 17 popns) + 7 sspp. (incl. 2 popns)	52 spp. + 11 sspp
Birds	155 spp. (incl. 2 popns) + 8 sspp	1278 spp. (incl. 1 popn) + 4sspp.	27 spp.
Reptiles	87 spp. (incl. 7 popns) +5 sspp	749 spp. (incl. 6 popns)	61 spp.
Amphibians	24 spp.	134 spp.	4 spp.
Fish	16 spp.	107 spp.	24 spp. (incl. 15 popns)
Invertebrates	69 spp. + 5 sspp.	2171 spp. + 1 sspp.	22 spp. + 3 sspp.
FAUNA TOTAL	669 spp. + 38 sspp.	4952 spp. + 12 sspp.	190 spp. + 14 sspp.

Table 2: CITES protected species. Reprinted from *The CITES species* by CITES 2017.b. Copyright 2017 by CITES. Retrieved from: <https://www.cites.org/eng/disc/species.php>

⁸ On Table 2, a timetable similar to the one presented by CITES, the abbreviation “spp.” means species; “sspp.” refers to subspecies; “var” is used to refer to varieties; and “popns” for populations.

Apart from the Convention, it is important to highlight the commonly known as Conference of the Parties (CoP). The 183 signatory countries that have adhered to CITES, meet once every three years at this meeting. In comparison to the rest of conferences that have taken place, the CoP17 that was celebrated from the 24th of September to the 5th of October of 2016 in South Africa, was a total success. “The CITES CoP17 was the largest ever meeting of this kind with 152 governments taking decisions on 62 species-listing proposals submitted by 64 countries. In total, over 3,500 people attended the meeting, which also recorded the highest number of side events and intense media interest from every region in the world” (CITES 2017.c). A conference that has managed to promote relevant changes for the future of wildlife. For example, the 8 species of pangolins that since the CoP are located in Appendix I; a dedicated set of measures for improving the conservation of lions; or taking decisions for the first time on issues such as cybercrime, captive breeding or demand reduction.

Although as it will be analyzed in the following section, CITES needs to go through considerable reforms, it is an instrument that should always be in hand. However, it is not the only one.

International political actors have achieved certain improvements too. Firstly, the 23rd of November of 2010, the ICCWC was established, and by a Letter of Understanding, the five organizations that conform it i.e. the World Bank, World Customs Organization (WCO), UNODC, INTERPOL and CITES, agreed to collaborate to support national law enforcement agencies in their fight against transnational wildlife crime (Scanlon and Farroway). The UNODC started in 2013 the four-year (2014-2018) Global Programme for Combating Wildlife and Forest Crime, which main aim is to provide technical assistance activities to prevent wildlife trafficking (UNODC 2016). On 2014, was launched the WCI, i.e. the “long-term collaborative initiative between WWF and TRAFFIC to help tackle the unprecedented surge in large-scale, transnational organized wildlife crime” (TRAFFIC AND WWF 2015). Between the 12th and 19th of April of 2015, the 13th United Nations (UN) Congress on Crime Prevention and Criminal Justice called on states to try to increase their efforts on combating illegal activities on wildlife – issuing, in the end, the Doha Declaration (TRAFFIC and WWF 2015). On the 15th of March of 2016, the United for Wildlife Transport Taskforce organization signed de

Buckingham Palace Declaration⁹ (United for Wildlife 2016). The 8th of July of 2017, the G20 leaders, by presenting the G20 Leaders Declaration, reaffirmed their commitment on combating wildlife trade by focusing mainly on ending with corruption – a necessary change that was raised too in the CoP17 (European Commission 2017) and that has ended, as Edward van Asch affirms, in the elaboration by CITES of its first corruption legislation (personal communication, December 8, 2017). Lastly, one of the most recent events is the one that took place the 12th of September 2017, when the 193 member states of the UN signed a United Nations General Assembly (UNGA) Resolution on combating wildlife trafficking which also focuses on its main consequences beyond wildlife: threat to health, security, governance, etc. (CITES 2017.d)

At the regional level, initiatives like the EU Action Plan (2016-2020), launched by the European Commission in 2014, are one of the most remarkable. With the aim of contributing to the Sustainable Development Goals set under the 2030 Agenda, this Plan aims to increase collaboration and coordination between members.

On the security field there have been improvements too. Firstly, the INTERPOL, i.e. the international policing body established to ease the exchange of intelligence focused on crime within national borders, although not having policing powers has held an important role when combating wildlife trafficking: in 1992 it established an Environmental Crime Committee; between 1993-1994 it established a Wildlife Crime Working Group (WCWG); in 2008 it established an Environmental Crime Programme (ECP); and in 2012 it formed the NEST model¹⁰ in order to improve collaboration between parts and the way decisions are taken. All of them, measures where wildlife trafficking has played a major role.

⁹ “The Buckingham Palace Declaration is a landmark agreement committing to take real steps to shut down the routes exploited by traffickers of the illegal wildlife trade moving their products. The declaration takes steps to remove the vulnerabilities in transportation and customs to tackle the criminals currently exploiting them” (United for Wildlife 2016).

¹⁰ According to INTERPOL (2014), NEST “brings together appropriate representation from agencies identified as necessary to address environmental crime. NEST can ensure national level communication, coordination and cooperation between agencies and, through the INTERPOL NCB, act alongside other NESTs at the regional and international levels”

One of the major successes that have taken place within wildlife crime has been the commonly known as Operation Cobra III. As a continuation of other two operations, “Operation Cobra III was the largest-ever coordinated international law enforcement operation targeting the illegal wildlife trade. And the most successful - with 300 arrests worldwide” (TRAFFIC 2015, p.19). Among other INTERPOL’s projects, it should be highlighted: Project Scale¹¹ in 2013, Project Predator¹² in 2016, and Project Leaf¹³ and Project Wisdom¹⁴ in 2017. A wide diversity of projects that, with the establishment of Wildlife Enforcement Networks (WENs)¹⁵ at a regional scale, and the involvement of business companies in projects such as Green Light and its aim of finding a sustainable mechanism that could induce businesses in cooperating against wildlife trafficking, have enriched the fight against this global problem.

Last but not least, improvements in the technological field have taken place too. The Spatial Monitoring and Reporting Tool (SMART) technology has been one of the key successes. This technological tool that is open source and freely available, achieves a combination between software and training materials that “provides protected area authorities and community groups with the ability to empower staff, boost motivation, increase efficiency, and promote credible and transparent monitoring of the effectiveness of antipoaching efforts”. (SMART 2016, p.3). Focused not only on wildlife but also in crimes such as logging or any that threatens biodiversity, this tool is currently the most advanced and leading law enforcement tool. International organizations have also developed technology tools. For example, ENVIRONET, launched in 2009 by the WCO as a real-time communication tool in order to facilitate the communication between customs and the standard reporting format that was developed by INTERPOL in the 90’s called Ecomessage (UNODC 2012); or the Sharing Electronic Resources and Laws on

¹¹ Project scale is an INTERPOL project to control fisheries crime. (INTERPOL 2017)

¹² Project Predator is an INTERPOL project to keep alive Asian big cats and other species. (INTERPOL 2016)

¹³ Project LEAF (Law Enforcement Assistance for Forests) is an INTERPOL project against illegal logging. (INTERPOL 2017.b)

¹⁴ Project Wisdom is an INTERPOL Project to combat illegal ivory

¹⁵ Wildlife Enforcement Networks can be defined as a network conformed by several agencies and governments within a region in order to tackle wildlife trafficking within its jurisdiction. There are a high number of WENs such as ASEAN-WEN, COMIFAC, HA-WEN, SA-WEN, etc. (Freeland 2017)

Crime (SHERLOC) developed by UNODC to disseminate more effectively the UN Convention against Transnational Organized Crime (UNODC 2017).

Now, the last innovation that has come out within the wildlife field is the Cloud. This tool that is starting to be used in a wide diversity of fields has started to be used by the WWF to combat wildlife trafficking. As Tarateta (2017) explains “the system allows users to input seizure information, observations of illegal products in the marketplace, tip offs, information from field sites, and other data, all of which gets collected and analyzed by experts who can present actionable items to law enforcement in the various countries”. An innovation that with all the improvements that have been explained along this section, hopefully, will overcome the several obstacles that are still faced when fighting against this global crime. Obstacles that before addressing the case study, need to be briefly explained.

2.1.5. The necessary improvements. When analyzing the improvements that are still necessary to effectively combat wildlife trafficking, it will be taken into account the ideas stated by the UNODC in its report *World Wildlife Crime Report 2016*. According to the UNODC, when tackling wildlife trafficking there are mainly three gaps that must be addressed: informational, legislation and regulation, and operational.

Although in the last years important improvements have taken place, still one of the major disadvantages that exist is not the lack of information, as we are living in a world dominated by an overload of it, but the misuse of it. Apart from the lack of communication that exists both in the intra-governmental and inter-governmental level, many countries and organizations still need to see improved their technical skills and capabilities to work properly with the received information. This is why study cases such as the one that will be analyzed in the next sections, have started to arise within the wildlife trafficking field. Governments, law enforcement agencies and international organizations, among others, have realized the necessity to change this problem in order to effectively transform information into intelligence. Improvements such as the mentioned previously had started to bring solutions to this problem. Nevertheless, the study case will show in more detail what is currently necessary to achieve to reduce this gap.

The legislation and regulation gap is far more complicated. Firstly, although legislation such as CITES, has achieved the commitment of the majority of countries, in the end, these rely on their national legislation. Depending on the country, cases on wildlife trafficking are penalized according to the protection that the country believes this crime should have. This has led to a situation where national legislation, although essential to combat wildlife trafficking is extremely weak as, in comparison to other crimes, it is poorly developed and its legal frameworks are too wide. Normally, Asian countries are the ones that stand out when addressing this problem. “The current reality, however, shows that less than half of CITES Parties have adequate domestic legislative, regulatory and institutional measures that effectively implement CITES” (UNODC 2012, p.28).

Overall, although national legislation could be strengthened by a far stronger international legislation, in the end, the success of international instruments, such as CITES, depends on the potential of national laws. Hence, this lack of strong legislation both at international and national level, has resulted in maintaining wildlife crime’s status quo. Therefore, one of the first steps, and for now the only one that should be taken due to the complexity of the situation, is achieving the commitment of all signatory countries to make changes in their national laws to try to establish a more uniform international legislation and regulation. A step that maybe can be addressed faster by reducing the number of reservations that CITES allows or by pushing countries to enact specific legislation to implement the Convention. Measures extremely difficult to achieve but necessary to accomplish as fast as possible to achieve an effective international legislative system in the wildlife trafficking field.

The last level that must be addressed, the operational one, is together with the informational gap, the one that is going to be studied in depth in the following sections. The increase in the capabilities and resources of law enforcement is nowadays the decisive factor. There needs to be a coordination and collaboration between national agencies in source, transit, and destination countries. However, this change will not be effective if the communication and collaboration between agencies and between law enforcement and rest of actors in the field is not improved. This is why this gap relies primarily in reducing the informational gap too.

According to UNODC (2016), among the several improvements that need to be reached it should be highlighted the better training and equipment of customs, better species identification with the enhancement of forensic capacity, maintaining wildlife reserves or using of audit and oversight techniques on officials. As stated previously it is also necessary to enhance better communication and collaboration between actors. However, currently, the international community is focusing on a specific relationship. i.e. law enforcement and NGOs.

2.2. Law enforcement agencies and NGOs dynamics

2.2.1. Role of NGOs. Contrary to law enforcement agencies, which are commonly known as the organizations whose main task is enforcing law, due to the existing wide diversity of NGOs it is difficult to find a definition that brings together all their characteristics. Nevertheless, the European Union Action to Fight Environmental Crime's (EFFACE) definition gathers its core elements: "an organization that people or public sector issues to establish norms, influence policy and participate in global governance." (Smith and Klaas 2014, p.17).

According to Rob White's (2012) study of environmental regulation, during the last years third parties have become fundamental actors in the fight against wildlife trafficking, being the most important among them, NGOs. These organizations that are commonly known for their activism and their purpose on changing the failures that take place in society, have become an essential part for the development of effective policy acting. Hence, as Nurse (2016) affirms, "within wildlife trafficking discourse NGOs are able to monitor the actions and effectiveness of environmental enforcers and regulators and provide support and alternative enforcement and policy strategies where statutory regulators are seen as ineffective" (p. 54)

Although NGOs do not usually get involved in law enforcement activities, in the case of wildlife trafficking the situation is different. Due to these organizations extreme engagement in their investigations about wildlife crime and their desire to fight against it, they have been able to amount a high quantity of data. On the contrary, considering that until now wildlife crime was considered a minor crime, law enforcement agencies

until recently had only recorded crime data on an ad-hoc basis (Conway 1999). Hence, it is right to affirm that in general terms law enforcement has just recently become more active in this field.

In view of this situation, NGOs have traditionally better understood the main dynamics that evolve around illicit wildlife trafficking. “This gives NGOs considerable influence in directing the law enforcement agenda to their areas of specific interest and areas in which they have acquired considerable expertise” (Nurse 2016, p. 56). An example of this relevance that they have achieved is TRAFFIC, the leading NGO that is currently considered the main international collector, collator and monitor of illegal wildlife trafficking activities. Working through its different offices located around different geographies, its main mission is to try to devise innovative solutions to wildlife trafficking processes (TRAFFIC 2017).

There are other wildlife NGOs that have stood out too during the last years. These NGOs can be classified based on certain factors such as the NGO’s main mission or its usual activities and scope of action. In the first case, according to the European Commission’s Directorate General for Environment (2016), NGOs can be differentiated between campaigning NGOs, such as WWF; NGOs that ensure law is enforced, such as the Royal Society for the Prevention of Cruelty to Animals (RSPCA); and political lobbying NGOs whose main aim is exerting influence in policy decision making, for example, Wildlife Link. In the second case, following Smith and Klaas ideas (2014), NGOs are classified as operational and advocacy NGOs. Operational NGOs, with the main aim of achieving small changes by offering services or certain kind of projects, design and implement their own programs and activities. On the other hand, advocacy NGOs are mainly focused on collecting information and raising awareness by relying on the media and mass participation to try to achieve a social change. An NGO classification that powers even more the idea that, although necessary, including NGOs on the long list of actors that determine an effective collaboration in terms of intelligence, is a complex challenge.

Taking into account the described situation so far, it can be stated that nowadays law enforcement agencies still do not have the necessary training and expertise required to fight wildlife crime in an efficient way. As the European Commission’s Directorate General for Environment (2016) affirms in one of its latest reports on wildlife trafficking,

there are currently several challenges that need to be addressed to enforce wildlife law: limited resources destined to this crime field, lack of specialized knowledge within law enforcement agencies and the still existing consideration of wildlife crime as an environmental issue.

NGOs can contribute to reduce much of these challenges. With their expertise, they not only are capable of training law enforcement agencies on wildlife, but also when collaborating with them, they can increase the amount of resources available to be operative. Nevertheless, there is much to be done if an effective collaboration is the primary goal to achieve.

2.2.2. Looking for collaboration. Collaboration is in some way the essence of this paper. The case study that will be developed below is mainly determined by this term: intelligence collaboration between law enforcement and NGOs. But, what do we mean by it?

Firstly, it is fundamental to keep in mind that each of the actors that conform a collaborative relationship is going to be determined by a series of mandates which in the end shape its functions and powers. Hence, in the case of the environmental field, both law enforcement, international governmental organizations (IGOs) and NGOs, among others, have their own mission and vision. A reality that makes collaboration between these actors sometimes complicated and therefore demonstrates that before reaching the highest level in terms of working together, the “collaboration” level, there are previous steps i.e. networking, coordinating and cooperating. Other ways of working together that represent different level of engagement and that according to O’Flynn and Wana (2008) are usually not well distinguished from the term collaboration.

According to O’Flynn and Wana’s (2008) definitions of these terms, networking is the exchange of information between more than one actor to achieve a mutual benefit. Coordinating would be the same kind of relationship but adding an alteration of certain activities in order to carry more effectively the exchange of information, while cooperating, the next level, would also imply sharing resources. All these ways of working, if successful, lead in the end to collaboration, i.e. exchange of information,

altering activities, sharing resources and increase the capacity of the other[s] for mutual benefit and according to a common purpose (Figure 5). A way of working together where “the parties share risks, responsibilities and rewards, they invest substantial time, have high levels of trust and share common turf” (p. 186).

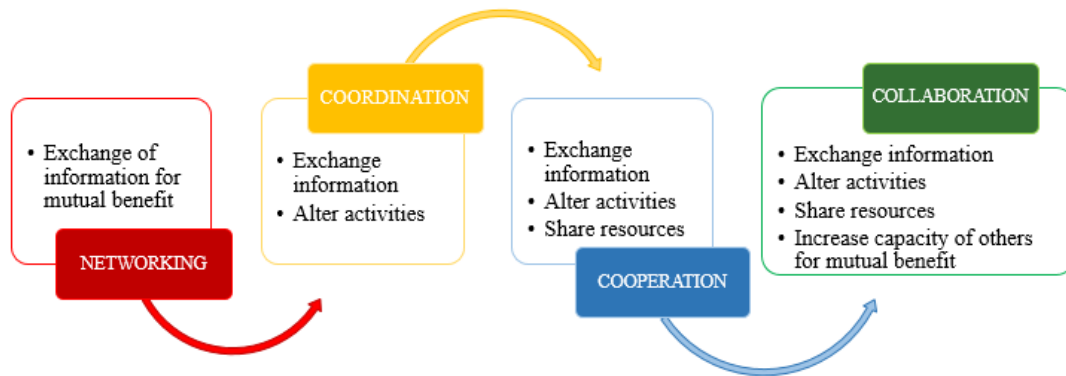


Figure 5. Working together mechanisms. Adaptation from *Collaborative Governance: A New Era of Public Policy in Australia* in *Elusive Appeal or Aspirational Ideal? The Rhetoric and Reality of the “Collaborative Turn” in Public Policy*, by O’Flynn, J and Wanna, J. (eds) O’Flynn (2008). Canberra: ANU E-Press, pp.181-196.

Considering the diversity of factors that determine wildlife trafficking, it can be confirmed that an effective collaboration needs to be achieved between all its main actors. To achieve this, not only there should be established common objectives but also a strengthened trust between the different actors and a willing to share resources and information (Pink and White 2016). Besides, considering this work is mainly focused on intelligence within wildlife trafficking field it is even more important to achieve a settled collaboration. As Mausolf states (2010) “collaboration and coordination, based on communication and trust, lead to an increased intelligence flow which increases analytical output and quality and subsequently the effectiveness’s of the law enforcement responses” (p.21).

In the case of wildlife trafficking, which as stated previously is interlinked with other types of crime and takes place in parallel with other illegal activities, the complexity of achieving an effective collaboration in intelligence terms is extremely difficult due to the diversity of actors that need to participate in the fight against this crime. Pink (2013) lists the following: mainstream law enforcement agencies – police, customs/port authorities;

environmental agencies; intelligence agencies; prosecuting bodies; and financial agencies. A series of actors which increase in number with the growing relevance of NGOs and the work done by IGOs on combating wildlife crime for long time ago.

The way these actors currently work together will determine the speed in which an effective collaboration between them, and above all, between law enforcement and NGOs will take place. It is therefore necessary, before addressing the study case, to analyze which are the current working dynamics between them.

2.2.3. NGOs and law enforcement “collaboration” status. Due to the recent relevance that wildlife trafficking has received it still does not exist a system with well consolidated inter and intra relationships between actors. In the previous sections, it has been addressed the fact that law enforcement agencies, which until recently did not dedicated the means and relevance that wildlife crime required, still need to see their resources, techniques and knowledge improved. Nevertheless, with the growing relevance that NGOs have started to assume, it is somehow expected that by working side by side with law enforcement, it will help this latter actor to increase its expertise and efficiency faster.

NGOs main mission is rising social awareness to the public, government and institutions, and exert pressure on governments or any other kind of decision-making actor (European Commission Directorate General for Environment 2016). Hence, in the case of NGOs relationship with governmental actors, it can be affirmed that these former actors have been able to establish themselves as powerful sources of influence. An example of this as Smith and Klaas (2014) explain is the relevant change that took place when after a campaign developed by the Environmental Investigation Agency (EIA), WWF and TRAFFIC, the UN Economic and Social Council adopted on July 2013 the resolution on *Crime Prevention and Criminal Justice responses to illicit trafficking in protected species of wild fauna and flora*.

However, as NGOs have been the main actors within the wildlife trafficking field, they have been capable of develop other kind of activities that have widen their scope of action. As Smith and Klaas (2014) affirm there are certain NGOs that have undertaken

investigations and have in the end prosecuted environmental crimes. Others have participated in investigations and prosecutions contributing both formally or informally to criminal enforcement. Greenpeace, one of the most relevant NGOs in the field, is for Smith and Klaas, an example of organization that although working independently of law enforcement officials, in the end, its investigations to strengthened its´ campaigns are in many cases used by authorities, although it is not its´ command.

Other examples of the current improved working dynamics between law enforcement and NGOs in the wildlife crime field are NESTs, previously mentioned, or Environmental Enforcement Networks (EENs). In the case of NESTs, which involve multiple kind of actors such as governmental organizations, IGOs and NGOs, they have the capacity to “provide *eyes on the ground* as well as *birds-eye view* of commodity chains and criminal networks, and the community contexts within which activity occurs” (Pink and White 2017, p.39). These successes are achieved by outstanding working dynamics between its main actors and even more with the involvement of NGOs. Along the same line of working, EENs, which can operate at all levels and gathers a wide variety of actors, can improve cooperation between the actors and enhance the intelligence interchange within them.

This success in the involvement of NGOs is extremely important in the environmental field, and much more is its increase participation in law enforcement activities. Vivas remarks (personal communication, September 26, 2017) that one of the main successes of NGOs is their improved internal and external organization during the last years, but among all, their contribution, on a legal level as they exert pressure to reduce the probability of cases being archived. Anna Mulà, an NGO lawyer interviewed for this paper, is an example of it. Moreover, the UCOMA Guardia Civil Captain highlights three benefits of NGOs contribution with law enforcement. Firstly, in comparison to law enforcement, NGOs can camouflage themselves. Secondly, NGOs due to the former benefit can reach certain limits which, as long as it’s always through legality, law enforcement agencies cannot reach. And thirdly, NGOs use a different approach from law enforcement bringing better objectivity to the whole investigation process.

As Pink and White state (2016), there is no doubt that the working dynamics between NGOs and law enforcement have improved. However, although law enforcement

agencies have started seeing the benefits on working side by side with NGOs, there are still certain issues that need to be removed. One of the most debated ones is the NGOs' tendency, although not extremely frequent, of acting through illegal means to achieve better results in their investigations (White 2012). A situation that has resulted in more complexity when categorizing and evaluating NGOs because as Mercedes Núñez Román, National Coordinator of the Deputy Directorate for Foreign Trade Inspection, Certification and Technical Assistance of the Spanish Secretary of State of Trade, and Antonio Galilea, Spain CITES Management Authority within the Secretary of State of Trade, affirm, when talking about NGOs, generalization should be avoided. There are many kinds of NGOs, each one of them defending different issues and with different means. This makes IGOs and law enforcement agencies being more cautious when studying which NGOs should they collaborate with.

Nevertheless, one of the most important issues that needs to be addressed is, as the Royal Canadian Mounted Police (RCMP) ex-Intelligence Director General, Robert Fahlman, states:

“Most organizations, whether governmental or non-governmental are highly reluctant to share sensitive information (or may not be able to under privacy legislation especially in the sharing of nominal information) without an established relationship of mutual trust developed, or in the case of sensitive intelligence, without the establishment of Mutual Legal Assistance Treaties (MLATs) or at minimum, Letters of Agreement (LOAs). The most problematic is in situations involving multiple countries and agencies where no established lines of cooperation have been established” (personal communication, September 25, 2017).

This is one of the current debates that exists when analyzing the current situation of intelligence in the wildlife trafficking field. Following the affirmations from Mercedes Núñez Román and Antonio Galilea Jiménez, although this collaboration between NGOs and law enforcement agencies somehow exists and it is important to maintain and improve, it is extremely difficult to set the limits of confidentiality between both actors. Because, in the end, by no means can a wildlife trafficking prosecution operation be affected by a lack of confidentiality of the involved actors (personal communication, October 30, 2017).

Although in the intelligence field it is an extremely complex issue, this reluctance to share information needs to be reduced. This factor can be considered one of the main causes of the lack of success in collaborative terms between law enforcement and NGOs. Considering the different types of working together dynamics previously explained and information provided by consulted sources, it can be stated that currently there only exists a minimum percentage of successful relationships in the highest level of involvement, i.e. collaboration. Networking has been achieved, but the problem starts to arise in the coordination and cooperation phase where actors need to alter their activities and share resources. This is why it is necessary to find a system in which NGOs and law enforcement agencies find the correct path towards collaboration.

However, according to several consulted resources, this path towards an enhanced coordination and collaboration between both actors must tackle with extremely important issues that are complicating the project: the illegal activities of certain NGOs; the need of training NGOs in ways to manage and communicate more effectively sensitive information; law enforcement necessary training on wildlife and wildlife trafficking; and the lack of trust that law enforcement agencies still have on NGOs due to the confidentiality that their operations require. Issues that will be analyzed in greater depth in the last section of this paper when trying to present what steps could be followed in the future to try tackle them.

3. Achieving a collaboration between law enforcement and NGOs

In order to achieve a whole comprehension of the case study and to follow an orderly explanation, it will be used the 5 W's and 1 H technique. A staged process that will contribute to address the main question that wants to be analyzed in greater depth: how to achieve an efficient collaboration between law enforcement and NGOs.

As addressed previously the case study tries to analyze the important role that NGOs have, on intelligence terms and law enforcement collaboration, when combating wildlife crime. There are already studies that try to defend different kind of systems that can be

established to achieve an efficient fight against wildlife trafficking. Indeed, as Edward van Asch affirms, finding a way to efficiently collaborate with NGOs is an ongoing project that the INTERPOL is developing (personal communication, December 8, 2017).

This study case has been addressed for three main reasons. Firstly, to demonstrate that it is necessary to effectively combat a crime that is progressively increasing by trying to enhance a good collaboration between all relevant actors (Figure 5). Secondly, to demonstrate the extremely important role that NGOs exert, in relative terms, specifically in this crime. And thirdly, because it is important that this type of crime starts to be more linked with the intelligence field and with the need of sharing and cooperating, as it can be seen in Figure 6¹⁶.

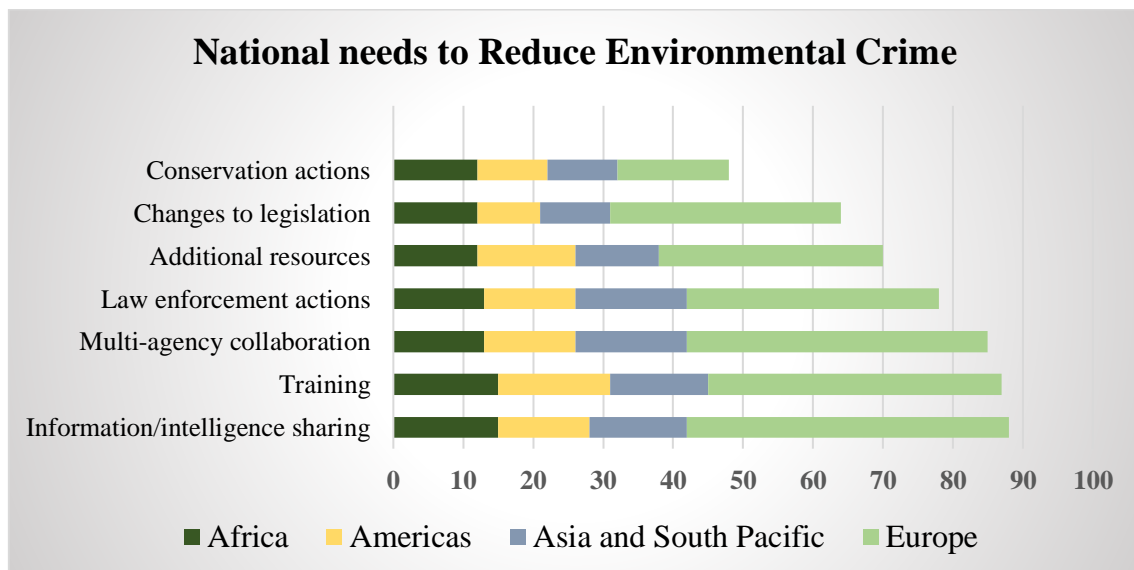


Figure 6. National needs to Reduce Environmental Crime for INTERPOL's surveyed countries. Reprinted from *Strategic report of the INTERPOL and UNEP on Environment, Peace and Security* (p. 24) by INTERPOL and UNEP 2016. Copyright 2016 by International Criminal Police Organization (ICPO) – INTERPOL and UN Environment.

When addressing this study, it should be taken into consideration that it addresses both a transnational and transcontinental problem. Wildlife trafficking is carried out by Transnational Organized Crime (TOC). John Conklin (2009) defines TOC as following:

¹⁶ Figure 6 represents the results of a study made by the INTERPOL and UNEP when analyzing the needs that the surveyed countries demanded the most to reduce environmental crime. Wildlife trafficking, as addressed previously, is part of this crime.

“Criminal activity by an enduring structure or organization developed and devoted primarily to the pursuit of profits through illegal means [...] organized crime has the characteristics of a formal organization: a division of labor, coordination of activities through rules and codes, and an allocation of tasks in order to achieve certain goals. The organization tries to preserve itself in the face of external and internal threats” (p.79).

The UN differentiates between five models of TOC: core group, criminal network, standard hierarchy, regional hierarchy and clustered hierarchy. Currently, there is one that is standing out among the rest and that represents the example of the globalization that TOC is suffering: the criminal network (Bell and Congram 2013). Following these authors’ ideas and if the previously mentioned characteristics and working dynamics of the criminal organizations in the wildlife trafficking field are taking into account, it brings together the core characteristics of this type of TOC: slightly organization; high adaptation to new circumstances; fluid communication and networks that are created and re-formed considering the situation; and individuals that are purposely distanced between them in order to hinder much more law enforcement and intelligence analysts duties (Figure 7). A very complex type of TOC that currently takes place in every type of crime due to the globalization phenomenon.

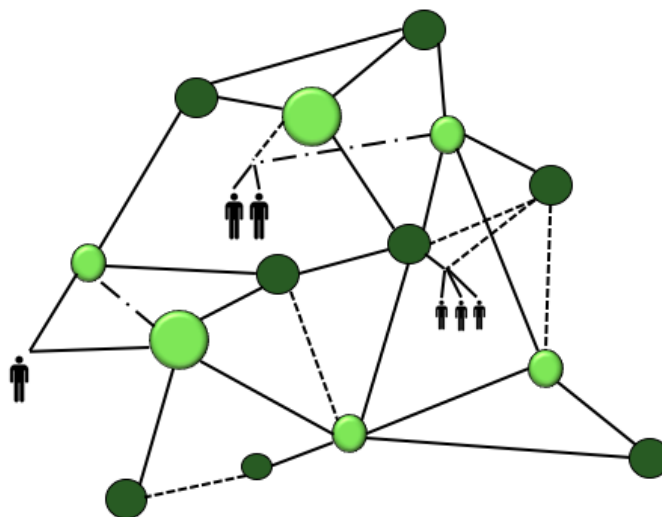


Figure 7: The criminal network TOC model. Reprinted from *Results of a Pilot Survey of Forty Selected Organized Criminal Groups in Sixteen Countries* (p.41) by United Nations, 2002. Geneva: United Nations Office on Drugs and Crime. Copyright 2002 by United Nations.

In this way, all the mechanisms that will be explained in this case study are intended to address the problem at an international scale. However, as it will be shown, the role that the national, regional and local level play normally in TOC is so important that it is extremely necessary to work also at these levels. And more, if we are talking about intelligence and the necessary collaboration between NGOs and law enforcement.

3.1. Benefits and challenges of Intelligence in wildlife trafficking.

One of the core elements of this paper is intelligence. In this way, it is essential to firstly address briefly what can be understood by this concept and what benefits and challenges does it suppose within the wildlife trafficking field.

If there is a concept that has multiple definitions depending on the context, country, cultural values etc. is the concept of intelligence. Generally, as the Organization for Security and Co-operation in Europe (OSCE) affirms (2017), intelligence is simultaneously understood as a methodology, a structure, a process and a product. Hence, the definitions can vary according also to this categorization of the concept.

To make the conceptualization of intelligence simpler, it is useful to understand intelligence as a process (Figure 8). To understand it as this, it is essential to analyze several concepts that in the end shape it and can help to have a clear idea about it: data, information, and knowledge. These three concepts, as will be explained below according to the OSCE's (2017) definitions, by following a transformative progressive process, finish in the elaboration of intelligence, understanding it as a product. The first of these concepts and the one that makes the intelligence elaboration process start is data. "Data are raw and uninterpreted observations and measurements" (p.16). When this data is "put in context and empowered with meaning, which gives it greater relevance and purpose" is transformed into information (p.16). This information, similar to data, can already be found or can even be created while the intelligence process is functioning and by progressively being interpreted and understood it becomes knowledge. Hence, following the process and reaching its final stage, intelligence can be defined as "data, information and knowledge that have been evaluated, analyzed and presented in a decision-making format for action-oriented purposes" (p.16).

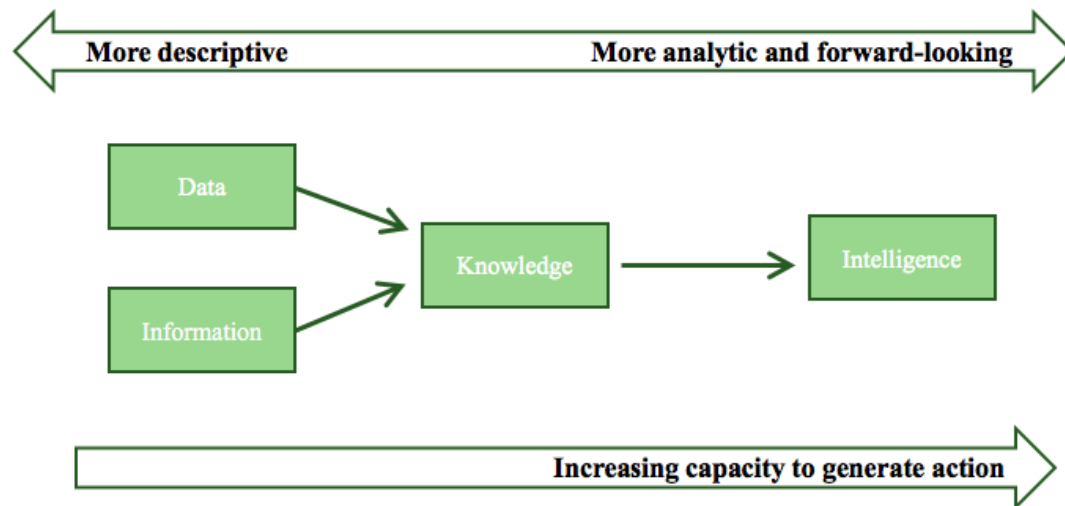


Figure 8. Intelligence as a process. Reprinted from *Intelligence-Led Policing* (p. 72) by Ratcliffe, 2016. 2nd Edition. Routledge: London. Copyright 2016 by Ratcliffe, Jerry H.

In order to achieve the process that has been explained and shown in the figure, i.e. achieve the elaboration of intelligence, an intelligence process, commonly known as intelligence cycle, must take place. Although in this case the paper addresses the concept of criminal intelligence¹⁷, where law enforcement is its main advocate, the intelligence cycle is similar. The only difference, as the OSCE states (2017) is that the criminal intelligence process is conducted on several different levels and does not only work with the intelligence cycle. “In addition to the cycle, there might be a need for a wider and more constant process of strategically assessing intelligence requirements. This ongoing assessment identifies extant and emerging threats and intelligence gaps, and is carried out in accordance with strategic priorities, policies and goals” (p.29).

¹⁷ Considering the definition of intelligence, crime intelligence can be defined as the data, information and knowledge linked to crime and criminals that are evaluated and assessed with the main objective of being presented to a decision-maker.

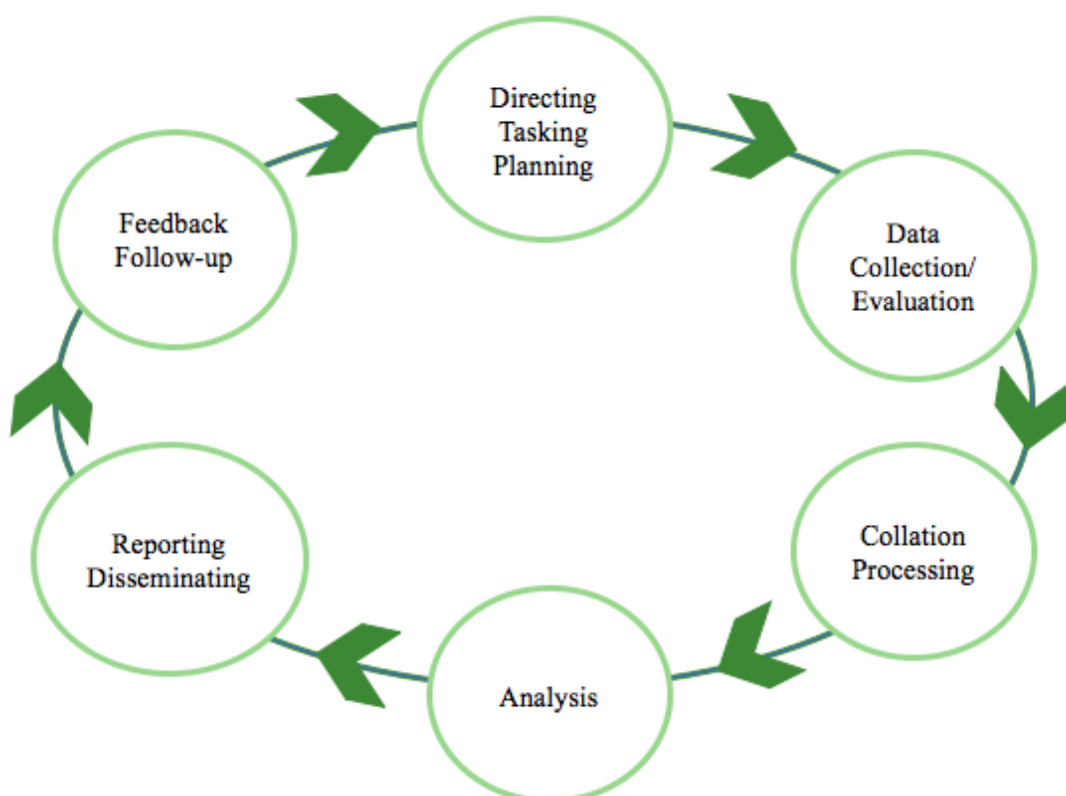


Figure 9. The criminal intelligence cycle. Reprinted from *OSCE Guidebook Intelligence-Led Policing* (p.17) by OSCE 2017. TNTD/SPMU Publication Series Vol.13. Copyright 2017 by OSCE.

As shown in Figure 9, the intelligence cycle in crime intelligence is made up of six different phases. As the OSCE remarks (2017), it is important to highlight that these are part of a dynamic process, where the steps are interlinked and generally analysts tend to move back and forward while it is in progress. The first phase is tasking and planning, i.e. when a management decision takes place and by presenting the terms of reference (TOR) and the strategic assessment, the decision-makers specify the objectives that must be achieved within a certain time. Once the TOR have been received, the data collection and evaluation process can start continuing to the collation and processing phase. Once this step and the analysis process has been reached, is the moment of preparing the intelligence report and disseminate it to the decision-maker(s). Generally, after it is disseminated, the decision maker(s) should feedback analysts on the results. Nevertheless, this is a step that as well as in other intelligence fields, in criminal intelligence has not been done as often as required.

One of the most relevant phases of the intelligence cycle is analysis. It is in this phase where all the data and information that was gathered, after being interpreted and becoming knowledge, is transformed in the end into intelligence. Criminal intelligence analysis (CIA) is therefore the central core of crime intelligence. As the UNODC (2011) defines it:

“Criminal Intelligence Analysis (CIA) is a philosophy which sets out how we can approach the investigation of crime and criminals by using the intelligence and information that we have collected concerning them. It provides techniques that structure our natural deductive and thought processes, “the natural intuition”, which proficient investigators use subconsciously all the time. It also provides us tools that help us understand the information we collect, and to communicate that understanding to others” (p.7).

CIA has therefore many benefits. Not only it contributes in helping law enforcement to address more efficiently with their cases, both in strategic, operation and tactical terms, but also can help to tackle cases in a timely manner. It is an extremely important tool that nowadays with the overload of information that exists, is even much more needed, and that also needs to be modified, as it will be addressed below, in order to be more effective and efficient.

Like other crimes, when combating wildlife trafficking, intelligence is fundamental and as it has been addressed previously (Figure 6), countries need to see it improved. Tackling TOC has become an extremely hard task (Bell and Congram 2013). The complexity of these groups, their dynamism and their link with other types of crime has made not only a much more strengthened coordination and collaboration between involved actors at all levels necessary, but also an increase in number of intelligence professionals in their staff.

CIA is necessary for tackling wildlife trafficking. It is essential not only to support law enforcement with uncertainty and the investigated cases, improving intra and inter-multiagency collaboration, but also to try to bring proactivity and prospective so that wildlife trafficking can start to be tackled in a timely manner. However, there are still certain issues that need to be tackled to effectively implement it. Following Ratcliffe’s ideas (2007), first, lack of sharing information and intelligence between different units and between areas specialized on a certain crime. Secondly, the need to improve proactive

investigations reducing in this way reactive ones, this can be achieved by increasing the number of intelligence analysts in the units. And lastly, develop training programs for law enforcements, IGOs and NGOs, both in intelligence analysis and wildlife trafficking issues.

3.2. Criminal intelligence models

Programs such as the UNODC Global Programme on wildlife, has among their main objectives strengthening data gathering, analysis and reporting, and enhancing international cooperation among the involved actors. Many initiatives with similar characteristics are currently developing as mentioned in previous sections. However, there are many steps ahead to achieve an efficient intelligence collaboration system between the involved parties. This case study will address several mechanisms or elements which are believed to currently be the most effective ones to complete the objective that is desired to be achieved, i.e. an enhanced collaboration between NGOs and law enforcement. The elements that will take part of the case study and that will be addressed individually are: intelligence-led policing approach and the community based approach. The two are elements that although explained individually, given their certain complexity, need to be visualize in the end as a whole i.e. conforming a unique system that merges all of them.

3.2.1. The Intelligence-Led Policing approach. There are several law enforcement methodologies, each of them with their particular benefits and disadvantages. Normally these are break into five policing models: traditional policing; community-oriented policing; problem-oriented policing; computer statistics problem; and lastly, intelligence-led policing (OSCE 2017).

The Intelligence-Led Policing (ILP) approach has assumed, during the last years, great relevance in the policing criminal intelligence field. Law enforcement agencies have started to study this approach more deeply in order to achieve a more efficient policing system where intelligence assumes a much bigger role. In this way, it could be stated that there has been a change from investigation-led intelligence to intelligence-led policing.

The improvement of technology, the growth of TOC and the failure of traditional policing have been some of the main drivers of this relevant change. Nevertheless, it was the 9-11 terrorist events the main driver that definitely established ILP into the policy field along the planet (Ratcliffe 2016).

In order to see why the ILP approach has assume such a bigger role, it is firstly necessary to see the main characteristics that the OSCE (2017) highlights from the rest of policing models. The traditional policing model in comparison to the ILP, and similar to the problem-oriented policing, is reactive i.e. is driven by incidents and therefore it never takes the lead. Community-oriented policing, has been one of the most defended systems along the last years. This model defends a system which main aim is trying to create effective communication mechanisms between police and the public, where the latter feels confident and safe. This is an approach, that, although called by a different name, will be addressed hereunder as it is believed that makes a good combination with ILP. Lastly, computer statistics model defends addressing crimes by focusing mainly on the minor crimes, as the reduction of these will lead progressively to a reduction of major ones.

Considering these models' characteristics, and that ILP is neither information-led policing nor investigation-led intelligence, what do we understand by it? According to the Organization for Security and Cooperation in Europe (OSCE 2017), ILP is:

“A management framework for criminal intelligence and planned operational police work, in which intelligence is the foundation for defining priorities, strategic and operational objectives in the prevention and suppression of crime and other security threats. It also includes making the appropriate decisions on operational police work and actions, the rational engagement of available human resources and allocation of technical and material resources” (p. 19).

The ILP follows a top-down model where decision making and management takes place. Nevertheless, one of its main advantages is that communication works both as within a top-down and a bottom-up model. According to Ratcliffe (2016), ILP uses both crime analysis and criminal intelligence. But, the main revolutionary element in this approach

is that it uses covert information as intelligence that can be used as a resource for strategic means instead of using it as a means to develop evidence.

There are other advantages that should also be remarked to comprehend the relevance of the ILP approach. Following the OSCE (2017) statements, one of the key advantages that makes this approach so valuable is that it is proactive and it allows to identify and address risks. Secondly, it incorporates an organized structure where effective cooperation and communication paths are well-established.

As any other kind of system, actors play a specific role. In the case of ILP, there are three main actors involved: the criminal environment, the criminal intelligence analyst and the police decision maker. This three-actor's interaction within the system known as 4-i model (Figure 10) is so important that for it to be successful all the actors and relations between them must take place.

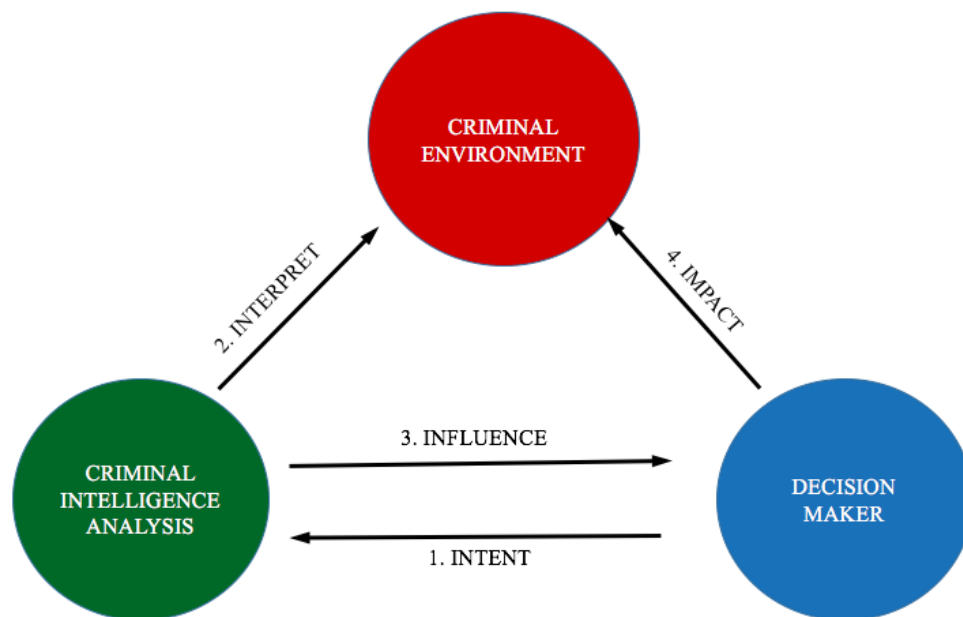


Figure 10. The 4-i model: intent, interpret, influence and impact. Reprinted from *Intelligence-Led Policing* (p. 83) by Ratcliffe, 2016. 2nd Edition. Routledge: London. Copyright 2016 by Ratcliffe, Jerry H.

Although during the last years it has progressively received more attention, this approach still needs to be further developed. Before trying to achieve an international ILP system it would be essential to firstly have achieved a well-established national approach. For states to be successful on this objective, the OSCE (2017) recommends certain steps: have

a clear legislative framework aligned with international law which ILP can be adapted to; create a structure where strategic and co-operation effectively take place; have technology that facilitates sharing information between the involved actors; build analytic support for law enforcement; and have a well-established collaborative culture of intelligence sharing.

In conclusion, as Ratcliffe (2016) affirms it is still soon for starting to evaluate the ILP approach. There are many that still have not tried to apply this approach at national level. Moreover, in the case of environmental crime there is very little information about the results of its implementation. Nevertheless, there are already some cases that have begun to give good results in the environmental field. Firstly, the previously mentioned Ecomessage platform designed by INTERPOL, which facilitates the exchange of information between law enforcement and intelligence agencies to achieve an effective implementation of ILP at an international scale. Secondly, as William Moreto (2015) explains in his research report, the Uganda Wildlife Authority (UWA) has implemented an intelligence-driven approach. The UWA combining an Intelligence-led conservation approach and an operational model named Ranger Analytic Intelligence Network (RAIN) has been capable of reducing the caveats that were found in its organization: lack of intelligence analysts and a holistic organizational framework. Two positive outcomes that hopefully, if changes are made in the short-middle term, will soon belong to a long list of successes.

3.2.2. The community-based approach: the path towards an intelligence reserve. As it was explained in previous sections, the main causes and consequences of wildlife trafficking go beyond the low income-high risk relation or harming the environment. This crime is currently at top of the conservation agenda, but also it should be in the development agenda, due to its economic consequences, and on the security agenda, due to its association with TOC (Booker and Roe 2017).

According to Wright et al. on their World Bank Report (2016), between January 2010 and June 2016 over US\$1.3 billion were donated to combat wildlife trafficking, which is the equivalent to US\$190 million a year. Among the donors, the top five were the European Commission, Germany, the United States, the World Bank Group and the

Global Environment Facility, accounting all them for \$1.1 billion, i.e. the 86% of the total funding. A 46% of the total funding went to protected area management, and a 19% to law enforcement, where intelligence and transnational coordination were one of the key points. This year, again Germany, the EU and UK have been one of the main donors by funding the ICCWC USD20 million (CITES 2017.e) and by donating the EU €30 million into the fight against poaching and wildlife trafficking in Southern and Eastern Africa and the Indian Ocean (CITES 2017.f)

Due to recent worldwide concern on this issue, to fight wildlife trafficking it is still necessary to design and apply different mechanisms. It is true that law enforcement and the consumer's side is extremely relevant, however, there is an important element that has not been taken into consideration until recently – the engagement of local communities in tackling this crime (IUCN SULi 2011). Initiatives such as the EU Wildlife Action Plan 2016-2020, which include as one of its main objectives the engagement of rural communities are an example of this change. As explained previously, their proximity to wildlife, their knowledge, and the lack of economic development in the main source regions, has made local people participate in wildlife trafficking activities. Nevertheless, this dramatic situation can also mean that due to their proximity to it, they are capable of detecting, report and even prevent it (IUCN SULi 2011). A situation that for now would only take place, considering the political, social and economic situation in most of the involved countries, if local people receive incentives.

There is still much more development needed on the design of approaches to achieve an efficient involvement of local communities. According to the research made by the International Institute for Environment and Development, (Booker and Roe 2017), on January 2017 only forty-nine examples of community-based initiatives within the wildlife crime field were identified. One of the main reasons for this small number of initiatives is, apart from the lack of general awareness about its relevance, that much of them have not been documented or published for open access. Indeed, of the forty-nine identified initiatives, only twenty-five were specifically design for wildlife trafficking issues.

Following Booker and Roe's (2017) research, of the forty-nine community-based approach initiatives, the most common strategy in the majority of them was the direct involvement in anti-poaching activities. From those forty-nine initiatives, twenty-two

included the introduction of alternative livelihoods, where tourism developments, as has been defended in previous sections of this paper, was the most common form. In conclusion, all these initiatives, used many different kind of strategies (Figure 11), but in the end, the most common one in all of the forty-nine are, anti-poaching activities, alternative livelihood initiatives, social benefits and the development of tourism in order to benefit and involve local communities in wildlife conservation.

Types of community engagement strategies employed

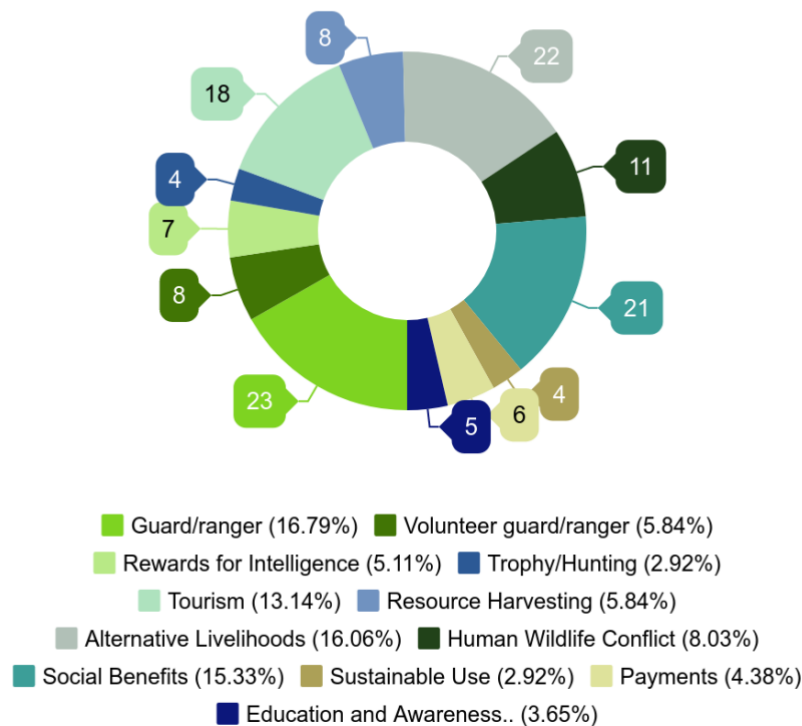


Figure 11. Types of community engagement strategies employed of the forty-nine identified initiatives. Adaptation from *First line of defence? A review of evidence on the effectiveness of engaging communities to tackle illegal wildlife trade* (p.14-15) by Booker and Roe, 2017.

It is extremely important to involve local communities. But for this kind of initiatives to be successful it is necessary that they are locally driven, i.e. local communities must participate in defining the solutions according to their local context. Considering this, as Booker and Roe (2017) affirm in relation to the forty-nine analyzed initiatives “case study authors highlighted the importance of third party project implementers such as conservation NGOs having long term relationships with local people based on shared objectives, trust and reciprocity” (p.27).

NGO's, mainly in corrupt under developed countries are often nearer the local people than government agencies due to a trust issue. By developing their activities in their respective territories, they are capable of not only engaging the people on legal and conservation activities but also capable of obtaining information that is later transformed in intelligence. As it was shown in Figure 11, still the rewards for intelligence are not much developed. In this way, it would maybe be useful to progressively device more and better incentives for local communities to collaborate in terms of intelligence. And above all, NGO's acting as intermediaries, always through legal means, should always been taking into account in these device strategies.

There are several initiatives that have started to involve civil society in collaborating with NGO's and law enforcement agencies in intelligence terms. Tools such as the National Whistleblower Center's (NWC) Global Wildlife Whistleblower Program are an example. This initiative's main aim is to foster the education of potential U.S and international whistleblowers, on the existence of certain laws, such as the U.S Lacey Act¹⁸, the U.S Endangered Species Act (ESA)¹⁹, the U.S False Claims Act (FCA)²⁰, and the U.S Foreign Corrupt Practices Act (FCAP)²¹ which specify, among other, their right to receive a monetary reward due to the risks they entail when reporting crime. Not until recently, these weren't effectively publicized by law enforcement agencies, although they have existed for long. Nevertheless, as the Director of the NCW, Steven Khon, affirms (2016), much improvement is still needed as there are still many debates on certain issues such as the minimum and maximum percentage of quantity reward the whistleblowers should receive or the timeliness in paying for the reward. In this way, as Kohn (NWC 2017) states "Our innovation is to marry whistleblower reward laws with whistleblowers around the globe and NGOs that support them. [...] By taking that concept of whistleblowing reward and bringing transnational for to protect wildlife, it will have a revolutionary

¹⁸ The Lacey Act is a U.S. law that forbidden trafficking in illegal wildlife.

¹⁹ The Endangered Species Act (ESA) is one of the U.S environmental laws that in line with CITES protects the wildlife.

²⁰ The Federal False Claims Act is a legislative tool which main aim is combating fraud against the federal government. Enacted during the U.S Civil War, this is considered as the most effective legislative tool.

²¹ The Foreign Corrupt practices Act is a U.S law focused on transparency requirements and bribery of foreign officials.

impact”. His statement is based on the results that this reward laws have had in combating other types of crime such as fraud, which has made whistleblower reward laws the most important source of all fraud detection in the U.S.

Another example of whistleblowing initiatives is the EAL’s project known as WildLeaks. This Tor-based online platform, which is the first one to be entrusted with the collection and evaluation of a wide diversity of anonymous information on wildlife and forest crime, is an example of how an effective collaboration can take place between all the involved actors within this crime, including the civil society as one of them. The success of this EAL’s non-profit project is mainly due to the help that it receives from a wide diversity of actors, such as NGOs, lawyers, legal and criminal justice experts and former law enforcement officers, among others. Indeed, the 29th of March of 2017, the EAL joined forces with the NCW to promote whistleblowing around the globe (EAL 2017). An initiative where mainly, civil society is again the key objective. This, as knowing the information they will attach will be under condition of anonymity, are much more motivated to share information. But, as Anna Mulà, a lawyer specialized in environmental law and law and animals that works in the Fondation Franz Weber (FFW), (personal communication, November 12, 2017), affirms “these anonymous reports made by the citizenry are much more efficient due to the possibility of making them through NGOs”.

The community-based approach has achieved such a relevance that it has started to be linked with intelligence-led policing approaches. Going back to the 4-i model (Figure 10) explained previously, it can be appreciated how the arrow from the intelligence analysis actor runs to the criminal environment actor. According to Ratcliffe (2016), normally within crime intelligence a *push model*, i.e. analysts send out requests of information and wait to receive them, has been defended due to its efficiency in theory. Nevertheless, as he defends a *pull model* is much more efficient due to the fact that the structure of law enforcement agencies is extremely bureaucratic and does not advocate for information and intelligence communication. A *pull model* would imply analysts constantly communicating with contributors in order to gather as much information as possible. An approach that in the end is promoting the involvement of NGOs and local communities, among others, within the intelligence field. Following William D. Moreto’s (2014) ideas when talking about the importance of intelligence in addressing wildlife trafficking:

“[...] Given the complexity of the issue, the international community needs a more holistic approach – One that fully integrates all resources beyond law enforcement and security apparatuses and included information that can be obtained from community-based initiatives. By doing so, intelligence-led conservation initiatives can be implemented more effectively and organized criminal syndicates can be weakened”

This approach with the necessary inclusion of NGOs could be considered as part of the theory explained by Rubén Arcos and Joan Antón in their work titled *Intelligence Reserves: toward an augmented Intelligence Community* (2010). Without going into too much detail, in their work, the authors state that during the last years there has been a tendency on forming what is known in the intelligence field as intelligence reserves – people which, although not being part of the Intelligence Community, collaborate with them by producing intelligence and share their ideas from their respective fields such as civil, military, public, private, etc. This collaboration is not passive, on the contrary, it allows the people that collaborate temporarily with the Intelligence Community, to actively participate in the collection, analysis, dissemination and evaluation phases of the intelligence cycle²². Nevertheless, the process takes place with an activity that the authors define as *analytic outreach*, i.e. the action of engaging someone external to the Intelligence Community to collaborate with it within the existing rights and the rule of law. Therefore, it is necessary that the Intelligence Community recalls for the specific contribution.

With the process of globalization, security has become a globalized issue too. Now, countries, as the authors defend, do not only have to focus on their national security but also on the rest of countries to reduce their own risks and the ones at an international level. This is a current factor that can be demonstrated with crimes such as the one that is being analyzed in this work, where TOC has made wildlife crime not only a transnational problem but a transcontinental one too. In this way, considering the overflow of information to which the Intelligence Community is exposed to, it has started to need people external to their environment to provide new ideas or just receive more support on

²² Although much debate takes place on the number of phases the intelligence cycle has, in this report the process is formed by the following: planning, collection, analysis, dissemination and evaluation.

their work. As we have seen until now, among all the actors involved in the fight against wildlife trafficking, NGOs and civil society, mainly local communities, have started to assume a greater role in intelligence terms. Law enforcement agencies, have seen in these actors an important support element. Different initiatives, such as the ones that have been mentioned along the whole paper, have been device, among other reasons, to facilitate the inclusion of both NGOs and local communities. In this way, although much work is needed, it can be affirmed that in the globalized age NGOs and civil society have become fundamental actors in the fight against wildlife trafficking through intelligence means, consequentially augmenting the Intelligence Community.

4. Way forward

Lastly, once has been confirmed the necessary inclusion of NGOs within the intelligence field and the necessary implementation of the ILP and community-based approach, it may be useful to consider several steps that could be follow in the short-middle term, and in parallel to the implementation of these two approaches, to achieve better intelligence working dynamics between the involved actors. As was stated previously, before achieving efficient collaborative working dynamics, NGOs and law enforcement need to improve coordination and cooperation between them. Improvements have already taken place in this respect, however there is still much more to do. This is why, according to consulted sources, the INTERPOL is currently analyzing ways in which this relationship can be strengthened.

The proposed steps that are developed below are based on the different points that have been addressed along the whole paper, but mainly they are focused on tackling with the several challenges that the NGO's and law enforcement's relationship faces nowadays. Steps that for the most part have been based on the recommendations made by NGOs, IGOs, and law enforcement through secondary sources, and the primary sources used in this paper.

The next steps that law enforcement and NGOs need to address in order to face the different challenges in their collaborative working dynamics are:

- **Ensuring that certain NGOs do not provide information that has been achieved through illegal means to law enforcement.**

As Rob White's (2012) affirms, certain NGO's, without generalizing, commit illegal actions in support of a cause. Actions that in the end make the collaboration between these and law enforcement extremely complicated, or even impossible.

According to consulted sources, although without NGOs, which were the only actors involved in wildlife trafficking matters before the 21st century, wildlife trafficking would not be nowadays as relevant as it is, it is necessary to raise awareness that times have changed. The progressively involvement of IGOs and law enforcement in wildlife trafficking has drastically changed the situation as NGOs are not alone. In this way, they must be aware that acting through illegal means only can diminish the effectiveness of law enforcement when developing their operations, mainly because the information they provide cannot be used.

As addressed along the paper, law enforcement needs to improve its commitment to share intelligence or at least try to increase its trust in other actors that can give a hand. Nevertheless, as consulted sources affirm, this also needs to be done by NGOs. These, need to trust the newly incorporated actors and understand that if they do not collaborate with them by acting only through legal means wildlife trafficking will never be erased effectively. Confidence on this new situation is a next step that must be accomplished, always without diminishing the relevance that NGOs still exert.

Another possible next step could be the necessity of strengthening the legislation in countries. As we have seen along the paper, national legislation is still extremely deficient in relation to wildlife trafficking matters. Hence, not only it would be necessary for states to try to enhance the legislation on wildlife trafficking, but also to try to find ways in which some of the corrupted actions of NGOs and law enforcement within their jurisdictions are somehow more controlled maybe in legislative and judicial terms.

- **Achieve collaborative culture of intelligence sharing. Avoid the dismantling of wildlife trafficking operations due to a lack of communication and coordination between NGOs.**

To address this challenge, it is essential to consider Robert Fahlman and William Magrath's (2015) ideas in their report *Elephant crime intelligence system assessment* in which they devise a networked intelligence-led strategy at national, regional and international level to prevent the extinction of the African elephant.

Among some of the measures that both authors propose, they affirm the necessity of finding a way to establish a Global Partnership Strategy both at national, regional and international scale. As it was addressed when applying O'Flynn and Wana's (2008) ideas on working dynamics to wildlife trafficking, it could be stated that currently NGO's and law enforcement have already achieved a good networking system but, when it comes to coordinate and cooperate between them, the expectations of achieving an effectively collaboration begin to become more uncertain. Therefore, trying to find a way in which the different barriers that exist in communications between these actors is essential, at least to start improving coordination and cooperation working dynamics.

Once this system is established other steps that Fahlman and Magrath address in their report should be considered too. First of all, achieving a National Standard Intelligence Collection Plan, which could improve too the reduction of certain NGOs' illegal activities, and National Standard Intelligence Evaluation Report forms, such as the 5x5x5, which will be developed below as one of the main training requirements for NGOs. States still need to see enhanced their legislative, operational and informational mechanisms inside their jurisdictions. But mainly, countries need to establish several mechanisms that assure that the involved actors, in this case NGOs and law enforcement, act and communicate the information in the same way, as this is a common error that still exist at national, regional and international scale.

Secondly, establish an Intelligence Requirements Management System. When analyzing the six steps that form the criminal intelligence cycle, it was affirmed that it is necessary to enhance the requirement of receiving feedback once the decision-maker(s) have used the intelligence product. Robert Fahlman and William Magrath

(2015) defend with these idea that it is essential to have at national level “a database set up to track all finished intelligence assessments with the client base that received the assessments to measure client satisfaction levels and quality assurance” (p.38). A mechanism that not only improves the relationship between the intelligence staff and the decision-maker(s) but also that can improve the supervision of NGOs activities. This tool, if well implemented, could later be developed too at a regional and international scale.

- **Need to keep the pace with the development of new technologies but always keeping confidentiality safe.**

In an era in which technology is developing at a fast pace and cybersecurity threats are becoming extremely important, all the previously proposed steps can not be developed successfully unless technology is improved to facilitate information sharing. According to consulted sources, nowadays, tools like European Union Trade in Wildlife Information eXchange (EU-TWIX) or AFRICA-TWIX, which facilitate the exchange of information between enforcement officers within the region they work, are considered to be essential tools to fight wildlife trafficking. As it has been addressed when analyzing the improvements that have already taken place when fighting wildlife trafficking, online tools such as SMART or ENVIRONET have supposed a great change, as among all, both have contributed to increase coordination and cooperation between the involved actors.

Considering some of these innovations, it will be useful to try to develop a tool in which law enforcement and NGOs can achieve secure communications and where NGOs, till certain extent, can be kept updated on law enforcement actions. This is an extremely difficult issue because confidentiality must be maintained, especially in law enforcement’s operational and tactical field. NGOs cannot work in operational and tactical intelligence terms as it is very risky for law enforcement and governments to share this kind of intelligence. According to consulted sources, it is true that the lack of communication between both actors has ended in the dismantling of important law enforcement and governmental operations, but when trying to enhance this necessary communication mechanisms in order to increase coordination, certain limits should be established on the kind of information that can be shared.

- **Law enforcement necessary training on wildlife and wildlife trafficking matters and NGO's necessary training on intelligence matters.**

Due to NGO's long time involvement in wildlife trafficking, their knowledge on this field is much greater if it is compared with the one that law enforcement has. As Anna Mulà affirms "law enforcement still needs to train its skills and knowledge about wildlife and wildlife trafficking" (personal communication, November 12, 2017). In this way, it is essential to establish training courses so that law enforcement has greater capacity to effectively and efficiently fight wildlife trafficking at national, regional and international scale.

But law enforcement is not the only one that needs to improve its skills and knowledge. If NGOs want to increase their relevance in wildlife trafficking it would be very useful that they know certain basic ideas on intelligence dynamics. With ideas such as the ones defended by Robert Falhman and William Magrath, NGOs can strengthened their skills much more, but firstly, it is essential for them to get used to the main basic ideas of this discipline. Issues such as ethics in intelligence, collection and evaluation methods, protection of sources, or dissemination of information, are basic steps that NGOs must control before being more included in law enforcement's communication and cooperation tools. If this is achieved, not only NGOs could increase their relevance when fighting wildlife trafficking but also law enforcement will maybe start trusting these actors more, as the information they would provide can be of even greater use than nowadays.

One of the core elements that NGOs should be able to control is the 5x5x5 system of standarising intelligence reporting and storing sensitive data, mentioned previously as one of the key solutions to improve communication between NGOs and law enforcement. This is an intelligence assessment method introduced under the National Intelligence Model (NIM)²³ and commonly used in UK policing (National Criminal

²³ According to the National Criminal Intelligence Service (NCIS) in its report of 2000, the "NIM is the product of work led by the NCIS on behalf of the Association of Chief Police Officers. [...] The Model provides the picture that drives effective strategy, not just about crime and criminals, but for all law

Intelligence Service 2000). In comparison to the commonly used 4x4 and 6x6 system, this method evaluates the source and data validity, but also the handling sensitivity. The individual aspects of the 5x5x5 report are the following: Government Protective Marking Scheme (GPMS)²⁴; the reporting member of staff and date time of report; person providing information (Source); source evaluation; information/intelligence evaluation; the information content and the handling codes. (National Police Library 2005). This is a method that NGOs should control and use when communicating information to law enforcement. Not only because they will become part of the creation of a common culture of intelligence but also because they will start dealing with one of the most important elements in intelligence: Covert Human Intelligence Sources (CHIS).

With all these next steps, it can be concluded that it is extremely necessary to establish a common culture of intelligence both at national, regional and international scale. A common intelligence strategy is far more complex, as there are many interests involved. Nevertheless, this is not a reason to discard the design and implementation of an effective culture of intelligence where all the involved actors can communicate in a common language and with common standards and mechanisms.

5. Conclusions

The relevance that wildlife trafficking has acquired during the last ten years has been very significant. The complexity and scope of its main causes and consequences started to make a relevant change within the international community. NGOs, mainly the only actors that were involved in fighting this crime until very recently, are already not alone. Law enforcement and IGOs have started to link this crime beyond the environmental field as the security and economic development agendas have gained prominence.

enforcement needs from organized crime to road safety. [...] The model has been designed to impact at three levels of business: local, cross border and serious and organized crime” (pp.7-8)

²⁴ When the report contains information, it needs to have a protective marking. There are five levels: protect, restricted, confidential, secret and top secret. The last one is not included in the 5x5x5 report. (National Library 2005, p.3)

Nevertheless, the involvement of these actors and the coordination with the already existing ones i.e. NGOs, is urgent, as all the time that has passed has made wildlife and in consequence, the planet, be at greater risk. Besides, wildlife trafficking is sometimes still considered an environmental or low priority issue by certain governments and law enforcement agencies.

The existence of CITES since 1973 was a major success, however, it has needed a lot of time to start seeing results in the involvement of its Parties. As it has been addressed along the paper, to this day other tools and mechanisms have progressively been devised and implemented by IGOs, law enforcement and NGOs to effectively fight wildlife trafficking. But the international community, has realized that to fight this crime with more effectiveness and efficiency it is necessary to progress much more.

Among the solutions that are currently debated in the international arena, currently one of the most studied ones is the improvement in intelligence coordination and collaboration between law enforcement agencies and international organizations. Above all, on the necessity of enhancing law enforcement and NGOs intelligence collaboration working dynamics. NGOs, although having specialized and deep knowledge in the field, need to change and align intelligence working practices, to those compliant with that of government intelligence and law enforcement agencies. On the other hand, law enforcement needs to start increasing its confidence in its new partners and be proactive and pragmatic when working with them.

Intelligence approaches such as ILP and community-based approach, where civil society gains relevance, have started to be more accepted within the intelligence community. Both, once implemented in a generalized way, can start strengthening the weight that law enforcement and NGOs exert in this field and the working dynamics between them. Instead of just being capable of achieving a well-developed networking, as the one that exists nowadays, law enforcement agencies and NGOs could start progressing in ways in which they can coordinate, cooperate and collaborate at a national, regional and international scale. The Intelligence Community, within this field, could be far more strengthened with the incorporation of new intelligence reserves. Nevertheless, as it has been addressed, there are several issues and next steps that need to be taken in parallel with the implementation of these two approaches.

Law enforcement and NGOs collaboration is important. NGOs are indispensable actors in the fight against wildlife trafficking. However, NGOs, need to start being more aligned with law enforcement ways of working. One of the main obstacles that exists in the relation between these two actors is the tendency of some NGOs to commit illegal activities. Although it can not be overlooked that there are cases too of corrupted law enforcement and governments. This not only diminishes the probability of success in the efforts of improving NGOs and law enforcement relationship, but also, and more important, diminishes the effectiveness of the fight against this crime. On the other hand, law enforcement needs to start increasing its trust on NGOs. The need to preserve confidentiality is still the main reason why this actor does not rely completely in NGOs. And certain actions of these, as has been remarked, make it harder. Mechanisms such as devising a Global Partnership Strategy or and effective Culture of Intelligence can contribute to these necessary changes. The Community of Intelligence needs to be widen and further strengthened. For now, it seems, that to further strengthened intelligence capabilities, the ball is in the NGOs' court. Nevertheless, in order to help NGOs align their activities and become effective intelligence reserves, they need to see, not only truly committed law enforcement agencies, but also proactive and decisive. In short, they need to become fundamental supporting elements.

According to consulted sources, certain NGOs are trying to transform themselves as solely intelligence organizations. This could be a promising idea, however, is very risky, even more considering the challenges that law enforcement and governments are currently facing when working with NGOs. These can not collaborate with law enforcement and governments in their operations because the possibilities of dismantling them are very high. They need to stand aside and realize that their collaboration, for now, can only be possible in strategical terms. And more importantly, those intelligence organizations created by NGOs are only going to be effective if they trust in law enforcement and governments, and vice versa. There should be no competition between both actors. Who knows if in the future NGOs will be able to completely collaborate with law enforcement by transforming themselves in intelligence organizations. The idea has started to spread. But for now, there is much work to do before this NGO's ideal can firmly settled.

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