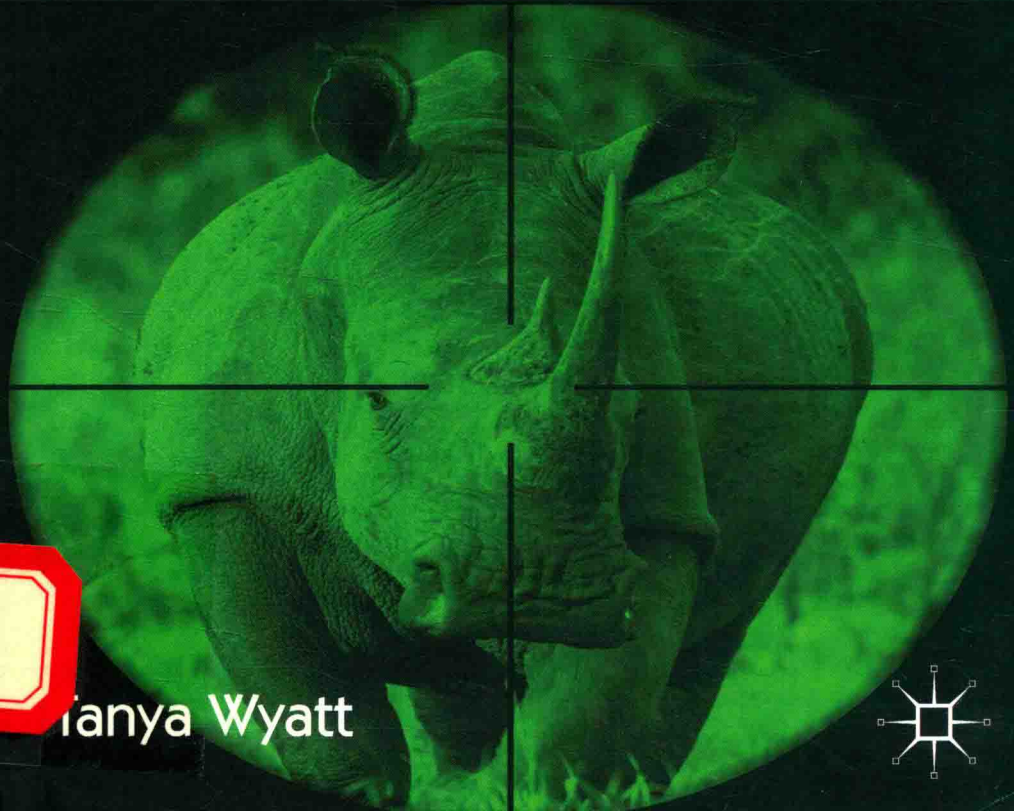


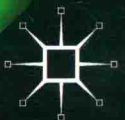
Critical Criminological Perspectives

Wildlife Trafficking

A Deconstruction of the Crime, the
Victims and the Offenders



rianya Wyatt



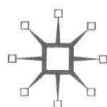
Wildlife Trafficking

A Deconstruction of the Crime, the Victims and the Offenders

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A Deconstruction of the Crime, the Victims and the Offenders

Critical Criminological Perspectives

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Figures

1.1	Illegal items reported to CITES, 1975–2010	10
2.1	Illegal imports and exports reported to CITES from 1975 to 2011	19
2.2	Illegal imports reported to CITES from 1975 to 2011 broken down by region	20
2.3	Illegal exports reported to CITES from 1975 to 2011 broken down by region	21
2.4	Categories of demand	23
2.5	Illegal wildlife products with over 1,000 items reported to CITES from 1975 to 2011	34
4.1	The hierarchy of victims from an anthropocentric framework	74
5.1	The hierarchy of offending	99
7.1	INTERPOL Environmental Crime Programme – National Environmental Security Taskforces – © INTERPOL	161

Preface

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

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

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

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

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

Acknowledgements

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

Acronyms

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

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

Contents

<i>List of Figures</i>	vi
<i>Preface</i>	vii
<i>Acknowledgements</i>	ix
<i>List of Acronyms</i>	x
1 Introduction	1
2 Contemporary Patterns	17
3 Significance	39
4 Construction of Harm and Victimhood	59
5 Construction of Blame and Offending	82
6 The Fight Against Wildlife Trafficking	105
7 Transnational Collaborations	139
8 Reflecting on Wildlife Trafficking	166
<i>References</i>	183
<i>Index</i>	198

1

Introduction

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

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

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

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

Definitions

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

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

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

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

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

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

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

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

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

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

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

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