

Call for Stronger Wildlife Law Enforcement and National NGO Engagement Critical in the Fight Against Illegal Wildlife Trade in the Congo Basin



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Submission: September 09, 2019; **Published:** September 26, 2019

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Congo Basin Government's Struggle to Address Illegal Wildlife Trade (IWT)

The Congo Basin forests form the second largest block of rainforest in the world after the Amazon and support the livelihoods of about 75 million forest dependent peoples. The forests are extremely rich in flora and fauna and have the largest number of plant species per unit area in the world with a wide distribution of animal species (including 552 mammals, 300 fish, 460 reptiles and 1000 bird species). The international wildlife trade includes hundreds of millions of plant and animal specimens, estimated at billions of dollars annually. Grand scale illegality in the forest sector, poaching, ivory trade, illegal trade of bush meat and protected species, represent significant threats not only to forests, wildlife and ecosystems, but to regional development and security. The increasing globalization of trade and the advances in technology are double-edged blades when it comes to ensuring the trade is legal and maintained within sustainable levels [1].

The Illicit supply chains involving IWT can undermine legal and sustainable practices in the countries in question, as well as the rule of law and national security. According to the UNEP, the combined estimates from the Organization for Economic Cooperation and Development (OECD), the United Nations Office on Drugs and Crime (UNODC), UNEP and INTERPOL place the monetary value of all environmental crime at between US\$70 and US\$213 billion each year. These crimes include logging, poaching and trafficking of a wide range of animals, illegal fisheries, illegal mining and dumping of toxic waste [2]. Congo Basin countries grappling with the challenges of forest illegality are equally ill-equipped to respond to the challenges of wildlife trafficking and organized crime. Inadequate responses can be linked to a range of factors: inadequate legislation for wildlife offences; lack of

recognition of wildlife crime as a priority crime leads to absence of strategic, tactical or operational focus; poor understanding of demand for and actors involved in the trade of illicit wildlife products; and lack of trained staff with the expertise and skills in specialist investigation techniques. This is exacerbated by porous borders and ineffective border controls; inadequate collaboration and information sharing between enforcement agencies; inadequate systems for intelligence gathering, analysis and use; lack of effective cooperation at local/ national/ regional/ international levels in information/intelligence exchange; grand and petty corruption in the agencies, and weak law enforcement management and monitoring capacity. The complexity of the challenges related to fighting forest and wildlife crimes call for investment in innovative actions geared towards strengthening of law enforcement systems.

Policy options for addressing IWT in the Congo Basin

It is clear that IWT is becoming an important issue on the agenda of governments and policy makers worldwide [3]. Regulatory and non-regulatory options are crucial for addressing the issues in the Congo Basin.

Regulatory policy responses

Historically, most of the policy responses adopted by governments to the problem of IWT have been regulatory. This may involve many policy choices like the introduction of new or more rigid legislations, the establishment of more trade controls, joining CITES, lobbying and using more diplomatic power to include and/or impose more protective measure on certain endangered species through CITES lists. Not to mention, of course, investing more in stronger law enforcement to face this problem. It is still important to address the existing gaps in

the legislations, as well as to enhance the cooperation between different law enforcement agencies, nationally, regionally and internationally to stop IWT. Most of the law enforcement agencies and judicial institutions, especially in source countries, lack the necessary skills and awareness to deal with IWT crimes. In the Congo Basin, interministerial coordination is key and linkages between officials from ministries of wildlife, forests and traditional law enforcement agencies such as policy and judiciary must be strengthened if there is any hope to address the issue [4]. This is why conducting capacity building programs for these agencies can help in reducing these crimes [5]. Sanctions meted out by the judiciary system must be dissuasive enough to discourage investment in illicit actions.

Non-regulatory solutions

However, it has been clear that regulatory solutions are never enough to face IWT, especially with contextual factors, such as the rising demand on high-value wildlife species and commodities, as well as the increased poverty of the local communities in source countries. Therefore, policy makers have been trying to come up with different policy alternatives beyond stronger law enforcement and/or legal actions. In these proposed solutions, civil society organizations can play a key role. These include many possible measures

Enhancing Evidence- Based Research on IWT

The true extent, impact and volume of IWT is still not fully understood. Therefore, it is important to improve knowledge on all aspects of this phenomenon, including its scale, impacts, and drivers. It is also important to explore it from all different perspectives: environmentally, socially and economically. On the same note, sharing experiences of good practices on effective mechanisms for reducing IWT should also be put forward as a policy priority. Another important regulatory area is to develop new and advanced forensic techniques to investigate and detect IWT.

Advocacy

Some of the CITES members, especially source countries, still do not perceive IWT as a serious crime. This is why it is important for civil society organizations, locally and internationally, to launch advocacy campaigns to put pressure on these governments. The aim is not just to make these governments acknowledge IWT as a serious crime worth investing money to fight it, but also to address gaps in legislations, and to ensure serious and strict penalties are imposed on violators, which is necessary for deterrence.

Managing Demand

Other than thinking about the livelihoods of local communities, some studies strongly believe that IWT will significantly decline if both governments and NGOs worked on managing the demand side. For example, demand on rare types of amphibians as exotic pets has significantly dropped down in

the USA and Europe after strong awareness-raising campaigns. However, while working on managing demand, it is important to understand social and cultural sensitivities around the issue, in order to be able to effectively change the behavior of the illegal wildlife consumers. This requires an in-depth research effort into consumer preferences, beliefs social norms and lifestyles, in order to develop interventions that are more appropriate.

Engagement with the Local Communities and National NGOs

Engagement with local communities is a key area of intervention that civil society organizations must consider, whether to raise their awareness of the new laws and negative impacts of IWT, or to think creatively about creating alternative and sustainable livelihoods for the local communities, as well as managing demand on IWT species and derivative products. As mentioned, raising awareness about legislations and negative impacts of IWT on the local communities is far from enough. It is equally important to promote incentives to abandoning wrong practices. It is also crucial to create enabling conditions for local communities to manage their natural resources responsibly and sustainably. Therefore, civil society organizations can collaborate with the local communities and empower them to do that. On that front, there is plenty of room to support local economy, and to creatively think about alternative livelihoods. What we find in the Congo Basin is very strong presence of international wildlife conservation agencies and very scant engagement of national civil society organizations. Strengthening bottom actions by national civil society with better understanding of national realities complemented by sustainable partners with internationally backed agencies could yield stronger monitoring and enforcement outcomes than is simply the case. Building the absent middle of local sectors could provide the so far missing link in the fight against IWT. There are lessons to be learnt from strong national NGOs engaged in the fight against illegal logging [6] that can be explored and applied in the area of IWT. Drawing on experience of the (Eco Activists for Governance and Law Enforcement) Eagle Network [7] and Conservation Justice [8] working with the University of Wolverhampton's Centre for International Development and Training [9] the following actions have proven effective in the fight against IWT.

Joint investigations

Investigators, undercover agents and informers gather precise information so that major wildlife traffickers can be arrested in the act, producing concrete evidence for the courts and prosecution. We create linkages between IFM officers and local network of informants and investigators within the eagle network.

Arrest operations

The eagle team technically assists the national wildlife authorities and the forces of law and order to arrest wildlife criminals in the act, through sting operations, including

channeling offense statements to the courts. The EAGLE team closely supervises operations in the field against corruption [10]. This requires significant trust building and complementarity between NGO actors and government forest and law enforcement agencies.

Legal Follow Up

The eagle Network has a legal team in each country that assists in the administrative procedures of prosecuting the legal cases arising from these operations. They follow the process from the police report through the entire court's procedure and on to the monitoring of prisoners serving sentences, intercepting and combating corruption attempts as required. This approach ensures that illegal wildlife traffickers can be brought to court and sanctioned.

Media coverage and communication

Promote and publicize the results, raising public awareness that wildlife law is being actively enforced; via newsflashes in national TV and radio news, publicity on the web, social media and the written press. Complimented by direct communication with targeted individuals, focus groups and partners. The

objective is to name and share illegal traffickers and create a dissuasive normative effect.

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