



**TACKLING TIGER
TRAFFICKING
FRAMEWORK**



TACKLING TIGER TRAFFICKING FRAMEWORK

AUGUST 2022

Written by Sarah Ferguson and Pauline Verheij (Ecojust) (consultants) with Environmental Investigation Agency, Flora and Fauna International, Panthera, Salvatore Amato Consulting, TRACE Wildlife Forensics Network, TRAFFIC, Wildlife Conservation Society, Wildlife Justice Commission, Wildlife Protection Society of India, Wildlife Trust of India and WWF



ACRONYMS

| | |
|---------|---|
| ACAMS | Association of Certified Anti-Money Laundering Specialists |
| AML | Anti-Money Laundering |
| APG | Asia Pacific Group on Money Laundering |
| CCPCJ | Commission for Crime Prevention and Criminal Justice |
| CITES | Convention on International Trade in Endangered Species of Wild Fauna and Flora |
| CoP | Conference of the Parties |
| CRA | Corruption Risk Assessment |
| FATF | Financial Action Task Force |
| GFAS | Global Federation of Animal Sanctuaries |
| GTF | Global Tiger Forum |
| GTRP | Global Tiger Recovery Programme |
| ICCWC | International Consortium on Combating Wildlife Crime |
| IUCN | International Union for the Conservation of Nature |
| IWT | Illegal Wildlife Trade |
| MLA | Mutual Legal Assistance |
| NEST | National Environmental Security Taskforce |
| NGO | Non-Governmental Organisation |
| NTRP | National Tiger Recovery Plan |
| PACI | World Economic Forum Partnership Against Corruption Initiative |
| RASCO | Remote Air Sampling for Canine Olfaction |
| ROUTES | Reducing Opportunities for Unlawful Transport of Endangered Species |
| SEAJust | Southeast Asia Justice Network |
| SHERLOC | Sharing Electronic Resources and Laws on Crime |
| TRC | Tiger Range Country |
| TWIX | Trade in Wildlife Information eXchange |
| UfW | United for Wildlife |
| UNCAC | United Nations Convention Against Corruption |
| UNESCAP | United Nations Economic and Social Commission for Asia and the Pacific |
| UNODC | United Nations Office on Drugs and Crime |
| UNTOC | United Nations Convention Against Transnational Organised Crime |
| TNRC | Targeting Natural Resource Corruption |
| WAZA | World Association of Zoos and Aquariums |
| WEN | Wildlife Enforcement Network |
| WTI | Wildlife Trust of India |
| WWF | Worldwide Fund for Nature |

CONTENTS

| | |
|--|----|
| Acronyms | 2 |
| Contents | 3 |
| Executive Summary | 7 |
| 1. Introduction | 8 |
| 2. Theory of Change | 12 |
| 3. The Framework | 14 |
| 3.1 Laws and policies | 15 |
| 3.2 Criminal justice system capacity | 17 |
| 3.3 Cooperation | 26 |
| 3.4 Private sector engagement | 30 |
| 3.5 Tools | 34 |
| 3.6 Political will and good governance | 38 |
| 3.7 Monitoring | 41 |
| Annex 1 Components of political will | 43 |





Tiger and other wildlife trafficking is facilitated by corruption, weak or poorly implemented laws, inadequately capacitated law enforcement, and a lack of political will, among other things. While the required response may sometimes feel overwhelming, many resources are already available for improving efforts to stop tiger trafficking, wildlife trafficking, or trafficking more broadly.



© WWF-Nepal / Akash Shrestha





© Gordon Congdon

EXECUTIVE SUMMARY

The illegal trade in tigers, tiger parts and their derivatives drives the poaching of wild tigers and undermines conservation efforts throughout their range. This is heightened by the continued existence, and even growth, of tiger farms - facilities breeding and keeping captive tigers which put them, and their parts and products, into trade.

2022 is the Lunar Year of the Tiger, which offers a renewed opportunity for increased focus by tiger range countries, who are expected to commit to needed conservation actions for the new Global Tiger Recovery Programme, and for political momentum behind tiger conservation as a whole. To support this, a number of partners involved in tiger conservation have inspired the development of a comprehensive framework aiming to address the illegal trade in tigers and their parts and products, both from wild and captive sources: the Tackling Tiger Trafficking Framework. The Framework sets out solutions that are known to be effective, based on best practices in tackling the trafficking of tigers and other wildlife species, and in combating other serious crimes, such as human, weapons and drugs trafficking.

For the scope of this Framework, tiger trafficking is defined as the illegal trade of tigers and their parts and products after the poaching of the animal, or from a captive source, and all points along the illicit supply chain to the end consumer market.

Illegal tiger trade is a complex system from poaching, to trafficking and ending in consumption. This Tackling Tiger Trafficking Framework looks at the tiger trafficking aspect, as defined above, focusing on the enforcement actions that sit between poaching and consumption. Tiger and other wildlife trafficking is facilitated by corruption, weak or poorly implemented laws, inadequately capacitated law enforcement, and a lack of political will, among other things. While the required response may sometimes feel overwhelming, many resources are already available for improving efforts to stop tiger trafficking, wildlife trafficking, or trafficking more broadly. This Framework does not attempt to “reinvent the wheel”, but rather seeks to pull together currently available, effective and relevant resources and information from other crime areas and provide context as to their application towards tackling tiger trafficking. As such, this Framework aims to provide governments of tiger range countries and other countries

affected by illegal tiger trade with the guidance needed to implement a comprehensive and effective approach to address the complex issue of tiger trafficking, which can be used in developing national tiger trade strategies.

The Framework focuses its interventions around four core pillars:

Laws and Policies: to address the illegal trade in tigers and their parts and derivatives, it is imperative to have strong/ stringent, clear laws and policies in place.

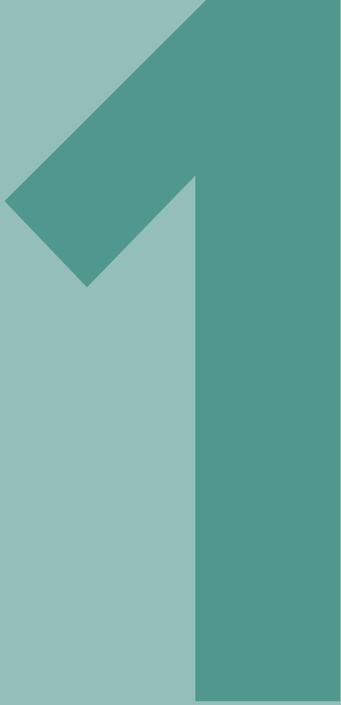
Criminal justice system capacity: an effective criminal justice response to tiger trafficking requires adequate enforcement powers for law enforcement agencies tasked with fighting wildlife crime; sufficient resources; expertise; and integrity of law enforcement officers, prosecutors and judges.

Cooperation: tiger trafficking is a networked, associative, transboundary crime, whose response requires multidisciplinary, multi-jurisdictional interventions. Thus, national, inter-agency, regional, and international cooperation is crucial to tackling tiger trafficking.

Private sector engagement: engaging the private sector to support government efforts to tackle tiger trafficking would encourage political will, facilitate intelligence gathering and sharing, and help find novel approaches to solving complex problems in tiger trafficking.

Underpinning these pillars are the cross-cutting pillar, **Tools**, and two foundational requirements, **Political will and good governance** and **Monitoring**.

While governments are the primary audience for this Framework, international organisations, the private sector, NGOs and other stakeholders are urged to provide technical and/or financial assistance where needed.



INTRODUCTION

Tigers are a keystone species that need large, biologically diverse habitat and an abundance of prey to survive, and thus, the presence of a tiger reflects the health of the landscapes in which they live and indicates the integrity of the ecosystem as a whole.



Tigers are a keystone species that need large, biologically diverse habitat and an abundance of prey to survive, and thus, the presence of a tiger reflects the health of the landscapes in which they live and indicates the integrity of the ecosystem as a whole. Likewise, the loss of a single tiger can have negative/detrimental effects on landscapes and the livelihoods of local communities, as wild boar and deer, the tiger's prey species, invade farmlands and destroy agricultural crops.¹

Unfortunately, wild tiger populations are severely affected by myriad threats, including habitat loss and degradation exacerbated by climate change, encroachment and human-tiger conflicts, the loss of tiger prey, and illegal trade. The illegal trade in tigers, tiger parts and their derivatives drives the poaching of wild tigers and undermines conservation efforts throughout their range. This is heightened by the continued existence, and even growth, of tiger farms - facilities breeding and keeping captive tigers which put them, and their parts and products, into trade. By 2010, the population of wild tigers had crashed to as few as 3,200 from an estimated population of 100,000 at the beginning of the 20th century.

Tigers are listed under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), generally prohibiting international commercial trade. In 1994, Resolution 9.13 addressed the *Conservation of and Trade in Tigers*, subsequently repealed and eventually expanded to become Resolution Conf. 12.5 (Rev. CoP18), also including the trade in other Asian big cats. Concerns over the continued decline of wild tigers ignited a renewed push by CITES Parties to step up efforts against tiger trafficking and address intensive breeding of tigers in farms. This was started at CoP14 (The Hague, 2007) with the adoption of Decisions 14.65–72 which required Parties to report on their implementation of Resolution Conf 12.5 (Rev CoP18) at the 57th and subsequent meetings of the Standing Committee and at CoP15 (Decision 14.65). Decisions 14.66-69 emphasised the need for increased enforcement effort and international cooperation, and on reducing intensive breeding operations to a level supportive only of the conservation of wild populations. CITES Tiger Missions² have identified the challenges and opportunities and further contributed to elevating the issue politically.

At the first Global Tiger Summit in 2010, the 13 tiger range countries (TRCs) adopted the Global Tiger Recovery Programme (GTRP) 2010-2022, developed around their National Tiger Recovery Plans (NTRPs). The GTRP identified seven

1 Johnson (2019). The power of the tiger: how one species can change the lives of farmers. Accessible at: <https://environment-review.yale.edu/power-tiger-how-one-species-can-change-lives-farmers>

2 The CITES Secretariat conducted a series of technical and political missions in 1993 and in 1999, a mission in Thailand in 2002, and China in 2007 (pre-CoP14). CITES Tiger/Asian Big Cat Task Force (2005) looked predominately at the skin trade and two substantive reviews further elevated the issues politically. Decisions 17.229 and 18.108 directed the Secretariat to undertake further missions to TRCs with captive tiger facilities of concern, but the missions have not yet happened, in part due to COVID-19 travel restrictions.

priorities to achieve the overall goal of doubling the global wild tiger population by 2022, the realisation of which has been coordinated by the Global Tiger Forum (GTF) since 2015. One of seven priorities the TRCs committed to was to “eradicate poaching and the illegal trade in tigers, their parts and derivatives”.³

While the combined efforts under the GTRP and NTRPs have had some impact, with recorded tiger numbers increasing to around 4,500,⁴ progress has not been consistent across the tiger’s range. Since 2010, tiger populations in three of the 13 tiger range countries - Cambodia, Laos and Viet Nam - have been eliminated, in large part as a result of poaching to supply the illegal trade in tiger parts and derivatives.

2022 is the Lunar Year of the Tiger, which offers an opportunity for renewed focus for the next 12 years by the tiger range countries, who are expected to commit to needed conservation actions for the new Global Tiger Recovery Programme, and for political momentum behind tiger conservation as a whole. A key focus for the next 12 years must be to take a zero-tolerance approach to trade in tigers, their parts and derivatives through the dismantling of poaching and trafficking networks and the elimination of demand.

To support this, a number of partners involved in tiger conservation have inspired the development of a framework aiming to address the illegal trade in tigers and their parts and products, both from wild and captive sources: the Tackling Tiger Trafficking Framework. The Framework sets out solutions that are known to be effective, based on best practices in tackling the trafficking of tigers and other wildlife species, and in combating other serious crimes, such as human, weapons and drugs trafficking.

TACKLING TIGER TRAFFICKING

For the scope of this Framework, tiger trafficking is defined as the illegal trade of tigers and their parts and products after the poaching of the animal, or from a captive source, and all points along the illicit supply chain to the end consumer market.

Tigers and their parts and products are trafficked globally as pets, ornaments, fashion items, food, medicine and talismans, and nearly every part of a tiger may be used, including skin, meat, claws, teeth, and bones. While some research has found that medicinal product and meat consumers prefer tigers sourced from the wild over captive bred tigers, it is almost impossible for consumers to differentiate between teeth, claws, meat, and bones derived from wild and captive animals, and law enforcement requires specialised forensic equipment to determine the difference. Recent seizures and corresponding market research have shown that demand for tiger parts and products is driving trade in other big cat species whose parts and products, including teeth, claws, and bones, resemble those of tigers and that can be sold as such. This has included leopards, snow leopards, clouded leopards, jaguars, and lions.⁵



Tigers and their parts and products are trafficked globally as pets, ornaments, fashion items, food, medicine and talismans, and nearly every part of a tiger may be used, including skin, meat, claws, teeth, and bones.

³ Global Tiger Recovery Programme, 2010-2022. Accessible at: <https://documents1.worldbank.org/curated/en/874191468331048098/pdf/732050WP00Box30110Final0Version0Eng.pdf>

⁴ IUCN (2022). Migratory monarch butterfly now Endangered - IUCN Red List <https://www.iucn.org/press-release/202207/migratory-monarch-butterfly-now-endangered-iucn-red-list>

⁵ UNODC World Wildlife Crime Report, 2020. https://www.unodc.org/documents/data-and-analysis/wildlife/2020/WWLC20_Chapter_6_Big_Cats.pdf; The Legal and Illegal Trade in African Lions, SC7054.1 <https://cites.org/sites/default/files/eng/com/sc/70/E-SC70-54-001.pdf>



Illegal tiger trade is a complex system from poaching, to trafficking and ending in consumption. The Tackling Tiger Trafficking Framework will focus on the tiger trafficking aspect, as defined above, focusing on the enforcement actions that sit between poaching and consumption. Alongside this Framework it is proposed that separate frameworks focus on the important efforts to tackle wild tiger poaching and consumer demand for tigers. The target audiences within governments for wildlife law enforcement along the trafficking chain are sometimes different to those for site-based protection, as well as for demand reduction efforts. Therefore, separate core frameworks are under discussion, and it is essential that there will be strong alignment between them, including enhanced collaboration between law enforcement agencies working along the illegal trade routes and those working in protected areas, and trends seen in law enforcement informing demand reduction efforts.

Tiger and other wildlife trafficking is facilitated by corruption, weak or poorly implemented laws, inadequately capacitated law enforcement, and a lack of political will, among other things. The response to tackling tiger trafficking includes countering these issues by identifying gaps and loopholes in wildlife-related legislation, closing those gaps, and codifying wildlife trafficking as a serious crime to ensure deterrent

penalties; training and providing adequate resources and mandates to law enforcement, including identifying and developing tools to support law enforcement through intelligence analysis and sharing; investigations; multi-agency, multi-disciplinary, and multi-jurisdictional cooperation; and engaging the private sector.

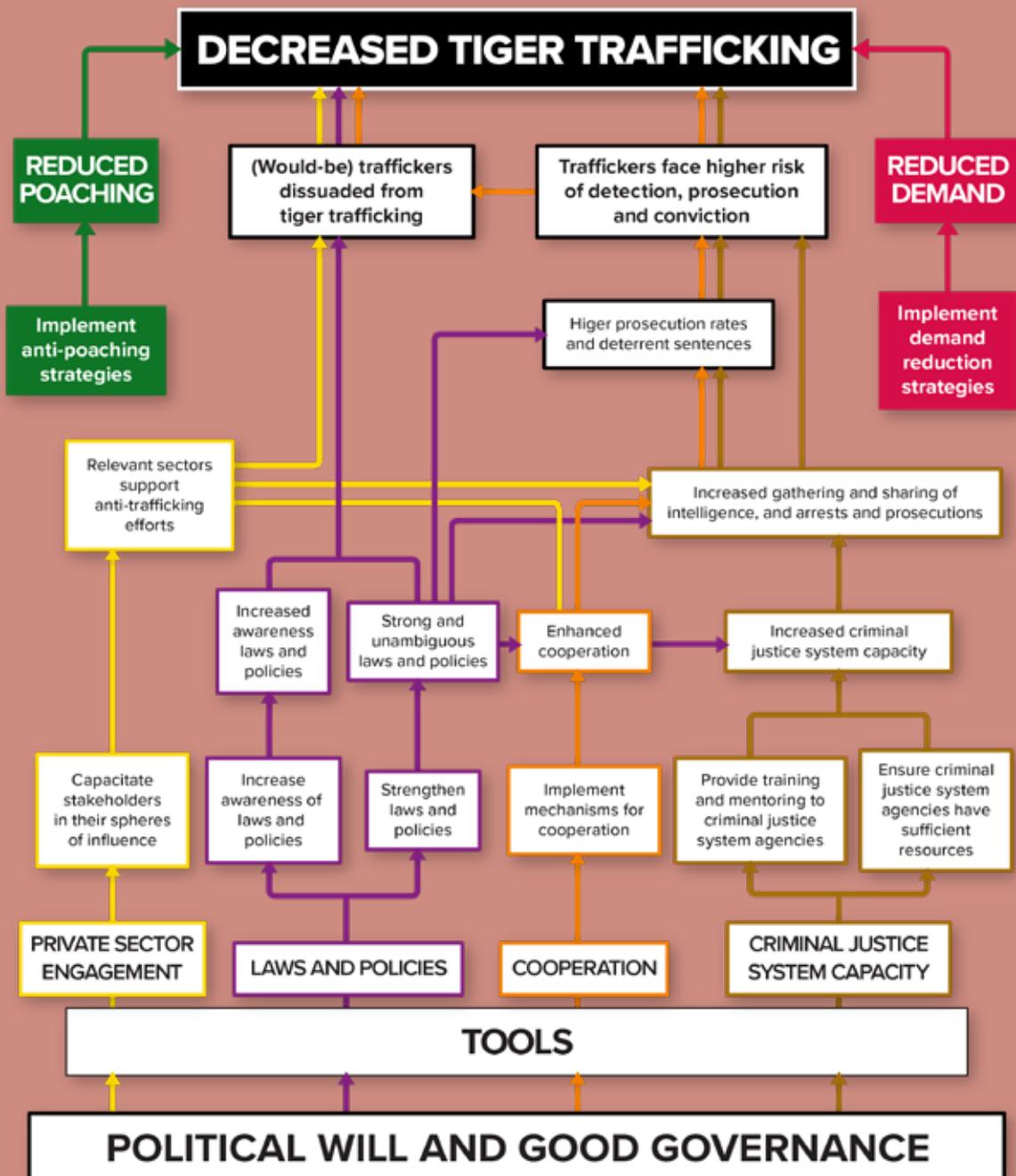
While the required response may sometimes feel overwhelming, many resources are already available for improving efforts to stop tiger trafficking, wildlife trafficking, or trafficking more broadly. This Framework does not attempt to “reinvent the wheel”, but rather seeks to pull together currently available, effective and relevant resources and information from other crime areas and provide context as to their application towards tackling tiger trafficking.

As such, this Framework aims to provide governments of tiger range countries and other countries affected by illegal tiger trade with the guidance needed to implement a comprehensive and effective approach to address the complex issue of tiger trafficking, which can be used in developing national tiger trade strategies. While governments are the primary audience for this Framework, international organisations, the private sector, NGOs and other stakeholders are urged to provide technical and/or financial assistance where needed.



THEORY OF CHANGE

The Tackling Tiger Trafficking Framework proposes the below theory of change, based around four core pillars, one cross-cutting pillar and two foundational requirements.



To support the Framework, the theory of change operates around the following assumptions around the approaches and mechanisms related to tiger trafficking:

IF *laws and policies* are strengthened and unambiguous awareness of laws and policies is increased; **AND** the *criminal justice system*⁶ is capacitated, including provision of training, mentoring and sufficient resources; **AND** mechanisms for *cooperation* are implemented and collaboration among stakeholders is occurring; **AND** the *private sector* is engaged to capacitate stakeholders in their spheres of influence; **AND** *effective tools* are employed to detect, intercept and analyse trafficking and share information; **AND** opportunities for corruption are reduced; **THEN**, would-be traffickers will be dissuaded from tiger trafficking; traffickers will face a higher risk of detection, prosecution, and conviction; tiger trafficking network operations will be disrupted; and tiger trafficking will decrease.

Therefore, the four core pillars are:

- Laws and Policies
- Criminal justice system capacity
- Cooperation
- Private sector engagement

Underpinning these pillars are the cross-cutting pillar, **Tools**, and two foundational requirements, **Political will and good governance** and **Monitoring**. Regular monitoring is needed to measure government and private sector progress in responding to tiger (and other wildlife) trafficking through approaches proposed in the four core pillars. All the pillars, and indeed success in tackling tiger trafficking, rely almost entirely on the existence of political will and good governance.

⁶ The criminal justice system pillar refers to the collection of institutions charged with the detection, investigation, arrest, prosecution, and adjudication of tiger traffickers.

3

THE FRAMEWORK



How to use the Framework

The Tackling Tiger Trafficking Framework (TTTF) is designed so that information on available resources and tools for tackling tiger trafficking can be readily accessible and easy to employ. The TTTF provides background and guidance for implementation, and while the Framework is intended for government use, it is applicable for non-government actors, including intergovernmental agencies, NGOs, and the private sector. The TTTF is meant to promote collaboration and learning across sectors and can be used in developing national tiger trade strategies. The narrative provided in each section can help the reader to conduct a gap analysis to understand what is needed to tackle tiger trafficking, and what resources are available to fill any identified gaps. Utilisation of these resources may necessitate cooperation with other stakeholders, and collaboration is key. The resources listed are not an exhaustive list, and there may be instances in which new resources or tools must be developed or improved upon to fit the user's specific needs. This is provided for in the document. Non-government actors can provide technical and/or financial assistance to the implementation and monitoring of actions recommended in this Framework, and partnerships (for example with NGOs, the private sector) should be created under the process where appropriate to strengthen (or establish) cooperation.

The four Pillars

3.1 Laws and policies

To address the illegal trade in tigers and their parts and derivatives, it is imperative to have clear laws, policies and penalties in place. Private individuals and businesses should seek to understand and minimise their exposure risk to illegal tiger trade, and responsible government agencies should employ a robust legal framework to effectively implement and enforce laws.

Legal assessment to identify gaps and weaknesses

In many jurisdictions, laws and regulations pertaining to wildlife trafficking and to other aspects of the wildlife and forest sector are poorly developed and frequently suffer from significant gaps and loopholes. Elements of criminal offences are sometimes not clearly articulated or defined.⁷ This often hinders effective investigation and prosecution. Where corrupt state officials are involved in wildlife trafficking, diplomatic immunity can hinder their prosecution and conviction.⁸ Furthermore, in some jurisdictions, the authorities and officers in charge of enforcing wildlife trafficking offences lack necessary enforcement powers.⁹

To determine whether existing national laws and policies are adequate, it is recommended to conduct an assessment (and/or review and update, if necessary, any existing assessments) of the legal framework pertaining to wildlife protection as well as provisions in other relevant laws such as anti-money laundering law, the criminal law and criminal procedural laws that bear relevance for tiger trafficking. Such an assessment should identify gaps

7 https://www.unodc.org/documents/Wildlife/Toolkit_e.pdf

8 See e.g. Lemieux and Clarke (2009). The International Ban on Ivory Sales and its Effects on Elephant Poaching in Africa; Environmental Investigation Agency (EIA), WWF and TRAFFIC (2013). Wildlife and Forest Crime: CCPCJ22. Joint Briefing. 21 April.

9 <https://www.unodc.org/e4j/en/wildlife-crime/module-3/key-issues/challenges-for-law-enforcement.html>.

and weaknesses and provide guidance on how to close loopholes. The United Nations Office on Drugs and Crime (UNODC) and other partners in the International Consortium on Combating Wildlife Crime (ICWC) have developed helpful tools that can be used for this purpose. The ICWC Wildlife and Forest Crime Analytic Toolkit (Second Edition 2022) and the Indicator Framework for Combating Wildlife and Forest Crime assist governments in conducting a comprehensive analysis of the strengths and weaknesses of preventive and criminal justice responses and other measures related to the protection and monitoring of wildlife and forest products.¹⁰ To date four TRCs (Bangladesh, Lao PDR, Nepal and Viet Nam) have implemented the Toolkit and Indicator Framework assessments, and two TRCs (Thailand and Bhutan) have initiated the process.¹¹

Another valuable tool is the UNODC's Guide on Drafting Legislation to Combat Wildlife Crime.¹² The Guide is intended as a technical assistance tool to aid States in reviewing and amending existing legislation and adopting new legislation against wildlife crime in line with the UN Convention on Transnational Organized Crime (UNTOC) and the United Nations Convention against Corruption (UNCAC). The guide, among other things, includes model provisions for aspects of wildlife crime that should be regulated.

Governments can conduct these assessments themselves or enlist assistance from the UNODC, law firms, NGOs or other organisations with expertise in this field. Naturally the assessment is only the first step: it requires actions to implement recommendations made therein.

Types of provisions that should be in place

This section briefly examines the different types of provisions that should be in place to address tiger trafficking.

Management and control of tigers in captive facilities

Governments should promulgate laws and policies in line with CITES Resolution Conf. 12.5 (Rev. CoP18)¹³ and relevant CITES Decisions related to the management and control of captive tigers in order to prevent and deter illegal trade.¹⁴

Resolution Conf. 12.5 (Rev. CoP18) urges, among other things, that Parties and non-Parties in whose territories

there are facilities keeping tigers and other Asian big cat species in captivity, ensure that adequate management practices and controls are in place and strictly implemented, including for the disposal of Asian big cats that die in captivity, to prevent parts and derivatives from entering illegal trade from or through such facilities.

More detail was added to this provision by CITES Decision 17.226, adopted at CoP17 (Johannesburg, 2016). The Decision requests Parties in whose territory there are facilities keeping Asian big cats in captivity to:

- review national management practices and controls that are in place for such facilities, to ensure that these are adequate to prevent Asian big cat specimens from entering illegal trade from or through such facilities;
- ensure strict application of all management practices and controls implemented to regulate the activities of facilities that keep Asian big cats in captivity, including with regard to the disposal of specimens from Asian big cats that die in captivity; and
- report to the Secretariat on progress with regard to the implementation of this Decision.

Another key element of the CITES framework related to the management and control of tigers in captive facilities is Decision 14.69, adopted at CoP14 (The Hague, 2007). Directed to CITES Parties, especially Appendix-I Asian big cat range States, this Decision instructs Parties with intensive operations breeding tigers on a commercial scale to implement measures to restrict the captive population to a level supportive only to conserving wild tigers. It furthermore states that tigers should not be bred for trade in their parts and derivatives.¹⁵

The following guidelines can aid in the implementation of the above-mentioned CITES provisions related to management and control of tigers in captive facilities:

- The Standards For Felid Sanctuaries developed by the Global Federation of Animal Sanctuaries (GFAS)¹⁶
- The IUCN Species Survival Commission Guidelines on the Use of Ex situ Management for Species Conservation.¹⁷
- The international and regional tiger studbooks managed by the World Association of Zoos and Aquariums (WAZA) that hold relevant data on captive

¹⁰ ICWC Wildlife and Forest Crime Analytic Toolkit: https://www.unodc.org/documents/Wildlife/Toolkit_e.pdf; ICWC Indicator Framework for Combating Wildlife and Forest Crime: https://www.unodc.org/documents/Wildlife/Indicator_Framework_e.pdf

¹¹ https://cites.org/sites/default/files/EST/ICWC_Toolkit_implementation_table-revJan22.pdf

¹² UNODC (2018). Guide on Drafting Legislation to Combat Wildlife Crime https://www.unodc.org/documents/Wildlife/Legislative_Guide.pdf

¹³ <https://cites.org/sites/default/files/document/E-Res-12-05-R18.pdf>

¹⁴ An overview of the CITES Decisions related to the illegal trade in Asian big cats can be found here: <https://cites.org/eng/dec/index.php/42047>

¹⁵ <https://cites.org/eng/dec/index.php/42069>

¹⁶ <https://www.sanctuaryfederation.org/wp-content/uploads/2018/02/FelidStandardsFebruary2018.pdf>

¹⁷ <https://portals.iucn.org/library/sites/library/files/documents/2014-064.pdf>



individuals of the six tiger subspecies (Amur Tiger, South China Tiger, Indochinese Tiger, Malayan Tiger, Sumatran Tiger and Bengal Tiger).¹⁸

Prohibitions covering all stages in the tiger trafficking supply chain

Legal prohibitions should address all aspects of tiger trafficking from sourcing through to consumption, such as: poaching; breeding; processing; possession; transportation; import and export; use for commercial gain and sale; keeping for sale; offering for sale; sale; purchase; offer to purchase; and use/consumption of tiger parts and derivatives, including from captive bred specimens. Criminalising the act of offering for sale is especially important in tackling cyber enabled tiger trafficking as it allows law enforcers to pursue and arrest individuals engaged in online sales of tiger parts and products without needing to prove, for example, authenticity, possession or the actual sale or purchase of the part or product.

Importantly, in accordance with CITES Resolution Conf. 12.5 (Rev. CoP18) and Resolution Conf. 9.6 (Rev. CoP16), prohibitions concerning the trade in tiger parts and products must include *products labelled as, or claiming to contain, specimens of native and non-native Asian big cat species*. This alleviates the burden of proof for law enforcement officers faced with such products in trade, as the label itself, or the marketing claims, provide grounds for confiscation and prosecution, regardless of whether the product actually contains tiger.

It is not just labelling that is critical, however - often tiger bone glue/wine/other processed/worked products (tiger bone bracelets, tiger meat) are not labelled as containing tiger but are advertised/marketed/promoted/claimed to be tiger. CITES Resolution Conf. 9.6 (Rev. CoP16) has confirmed that “the term ‘readily recognizable part or derivative’, as used in the Convention, shall be interpreted to include any specimen which appears from an accompanying document, the packaging or a mark or label, *or from any other circumstances*, to be a part or derivative of an animal or plant of a species included in the Appendices, unless such part or derivative is specifically exempted from the provisions of the Convention”.¹⁹ This should be adequately reflected in domestic legislation.

Disposal of confiscated specimens

The disposal of confiscated specimens (live, parts and products) also needs to be regulated. CITES Resolution Conf. 17.8 on *Disposal of illegally traded and confiscated specimens of CITES-listed species* provides recommendations to Parties on available disposal options of live and dead specimens. The Resolution urges Parties to establish an action plan on seized and/or confiscated live specimens (see the guidelines in Annex 3 of the Resolution).

Relevant to tigers is the Resolution’s recommendation that Parties dispose of confiscated and accumulated *dead specimens of Appendix-I species, including parts and derivatives, only for bona fide scientific, educational, enforcement or identification purposes, and save in storage*

¹⁸ <https://www.waza.org/priorities/conservation/waza-international-studbooks/>

¹⁹ https://cites.org/sites/default/files/document/E-Res-09-06-R16_0.pdf

or destroy specimens whose disposal for these purposes is not practicable.²⁰ Auctions of confiscated tiger parts and derivatives are not in line with this resolution and furthermore undesirable, as these can provide a mechanism for illicit specimens to enter back into the trade chain.

Guidance for dealing with *confiscated live tigers* can be found in the CITES guidelines for the disposal of confiscated live animals contained in Annex 1 to Resolution Conf. 17.8. The guidelines elaborate on the following options for disposal: 1) maintenance of the individuals in captivity; 2) returning the individuals in question to some form of life in the wild; and 3) euthanasia.

Recognising the high costs involved in tiger care, donors and civil society should offer financial and/or technical assistance to help governments care for confiscated tigers, e.g. by providing housing in rescue centres and/or zoos where they will not be handled by visitors, bred or sold.²¹ Governments should consider the possibility of making convicted tiger traffickers pay for the care of confiscated tigers through criminal or civil litigation.²² If the penal law allows, courts could require individuals found guilty of tiger trafficking to contribute to the costs of caring for confiscated tigers by imposing a fine to be paid as redress for the damage they have inflicted. For example, in Namibia, the Controlled Wildlife Products and Trade Act 2008 (section 5(3)) allows the court to impose an additional fine or make a compensation order in favour of the State, for all costs relating to the care or medical treatment of live specimens and the disposal thereof.²³

If no rescue facility can be found and tigers cannot be rehabilitated and returned to a wild habitat, euthanasia should be considered. According to the CITES guidelines, this option may often prove the most appropriate and most humane. Some governments are reticent to consider euthanasia, however, on ethical grounds and/or out of fear for public backlash. Education of the general public, e.g. through the media, can help to increase understanding of the difficult choices that need to be made in dealing with confiscated tigers.

Associated crimes, including money laundering

The crime of tiger trafficking often breaks many different laws in addition to wildlife related legislation: bribes may be paid to avoid detection and prosecution; threats and violence used to facilitate poaching and trafficking; documents may be forged or falsified to create the semblance of legality; those earning an income from illegal activity may commit tax evasion; money laundering occurs to either conceal or disguise the source, movement and ownership of criminal proceeds from tiger trafficking; and these offences are often committed through participation in an organised criminal group. These associated crimes need to be properly governed by law to allow for an effective criminal justice response to tiger trafficking (see section 3.2).

With regard to corruption, countries that have ratified the United Nations Convention against Corruption (UNCAC) need to ensure adequate implementation. UNCAC contains provisions concerning preventive measures; criminalisation of corruption; law enforcement; international cooperation; asset recovery; and information exchange. The Convention covers many different forms of corruption, such as bribery, trading in influence, abuse of functions, and various acts of corruption in the private sector.²⁴ The UNODC's Legislative guide for the implementation of the United Nations Convention against Corruption provides guidance for policymakers and legislators in States on how to most effectively implement the Convention provisions into domestic laws (see link below under 'Resources').

Importantly, to allow the use of money laundering laws in tackling tiger trafficking, governments need to ensure that wildlife trafficking is recognised as a *predicate offence*, in accordance with UN General Assembly Resolution 73/343 of September 2019. This resolution called for all members "to amend national legislation, as necessary and appropriate, so that offences connected to illegal wildlife trade (IWT) are treated as predicate offences for money laundering".²⁵

20 CITES Resolution Conf. 17.8 on Disposal of illegally traded and confiscated specimens of CITES-listed species: <https://cites.org/sites/default/files/document/E-Res-17-08.pdf> Annexes 1 and 2 to the Resolution provide guidelines for the disposal of confiscated live animals and plants, respectively, while Annex 3 contains guidelines for the development of an action plan on seized and/or confiscated live specimens.

21 For guidance, see GFAS' Standards for Felid Sanctuaries: <https://www.sanctuaryfederation.org/wp-content/uploads/2018/02/FelidStandardsFebruary2018.pdf>. It should be noted in some jurisdictions amendments to legislation may be required to enable competent, genuine sanctuaries and rescue centres to be established and licensed. E.g. in Thailand, only government-run rescue centres can take in confiscated specimens.

22 The website of Conservation Litigation provides examples and resources on the use of liability lawsuits to demand that those who cause harm are held responsible for providing remedies: <https://www.conservation-litigation.org/>

23 Analytical Centre of Excellence on Trafficking (2020). Making wildlife traffickers finance wildlife recovery. Available at: https://www.freeland.org/uploads/1/3/6/2/136275344/english_version.pdf

24 For further information and the text of the convention, please see UNODC <https://www.unodc.org/ropan/en/AntiCorruptionARAC/united-nations-convention-against-corruption.html>

25 UN General Assembly Resolution 73/343, full text available at: <https://undocs.org/en/A/RES/73/343>

Example: India

In 2012, India amended its Anti-Money Laundering (AML) law, removing a value limitation applicable to wildlife crime predicate offences. Prior to this change (2002), only wildlife crimes estimated at or above 30 lakh rupees (USD 39,400 - April 2022 currency exchange rates) could be treated as predicate offences. Under the amended law, there is no monetary threshold. This has increased the applicability of India's AML law to a broader range of wildlife crimes. This includes offences related to low-value poaching/trafficking activities, many instances of which may have fallen below the previous threshold.²⁶

Penalties reflecting that illegal tiger trade is a serious crime

Penalties for tiger trafficking and associated crimes need to be sufficiently deterrent and reflect that tiger trafficking is considered a serious crime in accordance with article 2, subparagraph (b) of UNTOC.²⁷ This means tiger trafficking and associated offences must be punishable by a maximum prison sentence of at least four years or a more serious penalty.

Criminal liability of legal persons (corporate criminal liability)

Wildlife crimes can be committed by individuals as well as business entities with a legal personality (legal persons). In fact, criminal groups often use complex corporate structures to conceal the identities of human actors in wildlife crime, including both organisers and clients. Laws should therefore allow for liability of legal persons for wildlife crimes and associated crimes. This is also in line with UNTOC (Article 10), which requires States to adopt such measures as necessary to establish the liability of legal persons for participation in serious crimes involving an organised criminal group.

While liability for legal persons may be criminal, civil or administrative, given the serious nature and impacts of wildlife crimes it is recommended that legislators introduce *criminal liability* of legal persons for wildlife crimes, including tiger trafficking. Criminal liability of legal persons allows for high levels of potential sanctions, has the potential to cause costly reputational damage to the



entity and may therefore deter legal persons from engaging in unlawful conduct.

Example: Viet Nam

Viet Nam's Penal Code of 2015 (amended in 2017) introduced a criminal liability for corporate legal persons for 33 crimes against regulations on economic order, environmental protection, and public order and safety, specified in article 76. Corporate legal persons found guilty of committing crimes in violation of regulations on protection of endangered, precious and rare animals under article 244 of the Code (including tigers) may face a fine of between VND 1 billion and VND 15 billion (USD 43,500 and USD 653,000 - April 2022 currency exchange rates), operation suspension for between six months and three years, or permanent shutdown.²⁸

Mandates and investigative techniques

Relevant laws also need to provide sufficient mandates for law enforcement agencies tasked with the detection and investigation of tiger trafficking, including the authority to carry firearms (if appropriate); powers of arrest, search and seizure of illicit wildlife and other criminal assets; physical and technical surveillance; use of informants; undercover operations; controlled delivery; interception of phone and internet communications; and conducting financial investigations. Given the rise in cyber enabled tiger/wildlife trafficking, the law should allow law enforcement officers to monitor and investigate cyber enabled wildlife trafficking.

26 Wingard and Pascual (2018). Following the Money: Wildlife crimes in anti-money laundering laws. Legal Atlas. Available at <https://www.legal-atlas.com/legal-atlas-publications.html>

27 The notion of serious crime in the United Nations Convention against Transnational Organized Crime. Note by the Secretariat, 12 September 2012 https://www.unodc.org/documents/treaties/organized_crime/COP6/CTOC_COP_2012_CRP/CTOC_COP_2012_CRP4.pdf

28 https://vietnamlawmagazine.vn/penal-liability-of-corporate-legal-persons-for-wildlife-related-crimes-27313.html#_ftn2



© WWF-Myanmar

Example: Vanuatu

The Vanuatu's Police Powers Act 37 of 2017²⁹ is an example of a law that allows police and customs to investigate offences (including wildlife crimes) using advanced investigation techniques. The purpose of the Police Powers Act is to introduce special investigative powers for the Vanuatu Police Force in order to strengthen law enforcement capabilities to combat money laundering, terrorism financing and other serious and organised crime. The act allows the Commissioner to authorise undercover operations, surveillance warrants (intercepts, a computer warrant or renewal of a computer warrant), and controlled delivery of property for specified offences, which is defined to include any offence against the law of Vanuatu for which the maximum penalty is minimum 12 months imprisonment. The use of controlled deliveries is available for any specified offence (section 19). Complementary provisions are found in the amended Customs Act to enable Customs officers to lawfully participate in controlled delivery.

17.8 on Disposal of illegally traded and confiscated specimens of CITES-listed species.

RESOURCES

- ICCWC Wildlife and Forest Crime Analytic Toolkit https://www.unodc.org/documents/Wildlife/Toolkit_e.pdf
- ICCWC Indicator Framework for Combating Wildlife and Forest Crime https://www.unodc.org/documents/Wildlife/Indicator_Framework_e.pdf
- Global Federation of Animal Sanctuaries (2018). Standards For Felid Sanctuaries <https://www.sanctuaryfederation.org/wp-content/uploads/2018/02/FelidStandardsFebruary2018.pdf>
- FATF (2020). Money Laundering and the Illegal Wildlife Trade <https://www.fatf-gafi.org/media/fatf/documents/Money-laundering-and-illegal-wildlife-trade.pdf>
- UNODC (2018). Guide on Drafting Legislation to Combat Wildlife Crime https://www.unodc.org/documents/Wildlife/Legislative_Guide.pdf
- UNODC (2012). Legislative guide for the implementation of the United Nations Convention against Corruption https://www.unodc.org/documents/treaties/UNCAC/Publications/LegislativeGuide/UNCAC_Legislative_Guide_E.pdf

RECOMMENDED ACTIONS

- Conduct an assessment (and/or review and update, if necessary, any existing assessments) of relevant laws and policies to identify gaps and weaknesses, including in the implementation of CITES resolutions and decisions specific to tigers.
- Develop and implement a plan to address gaps and weaknesses identified.
- Communicate (enforcement of) laws and policies to key target audiences, e.g. through a media campaign.
- Establish an action plan on seized and/or confiscated specimens in accordance with CITES Resolution Conf.

LINKS WITH OTHER PILLARS

Laws and policies are a prerequisite for a strong criminal justice response, therefore this pillar is linked to the Criminal justice system pillar. It is also linked to the Cooperation pillar as multi-agency/intergovernmental cooperation requires laws and policies that support such cooperation. Lastly, it is linked to the Political will pillar, as political will is needed to strengthen relevant laws and policies.

²⁹ https://parliament.gov.vu/images/Bills/2nd_Extra_2017/English/Bill_for_the_Police_Powers_Act_No._of_2017.pdf



3.2 Criminal justice system capacity

While there are diverging definitions of the term ‘criminal justice system’, in this Framework criminal justice system is defined as the collection of institutions charged with the detection, investigation, arrest, prosecution, and adjudication of tiger traffickers: i.e. law enforcement agencies, the prosecution service and the judiciary. Law enforcement agencies mandated to detect and investigate tiger/wildlife traffickers may include customs; forestry/environmental inspectorates; various police agencies (including generalist units like criminal investigations departments, or specialised units such as forestry/environmental police, border police, traffic police, etc.); anti-money laundering agencies (e.g. Thailand’s Anti-Money Laundering Office); and, in some countries, the military.

The criminal justice system has a crucial role to play in tackling tiger trafficking. This was recognised in CITES Resolution Conf. 12.5 (Rev. CoP18) on Conservation of and trade in tigers and other Appendix-I Asian big cat Species. This resolution, among other things, urges governments, especially range and consumer States, to introduce innovative enforcement methods (e.g.

anti-money laundering approaches, forensic analytical techniques, intelligence-led enforcement and working with internet and transportation companies); and, as a matter of priority, to strengthen enforcement efforts in key border regions, and develop or improve implementation of regional enforcement networks.³⁰

An effective criminal justice response to tiger/wildlife trafficking requires political will; adequate enforcement powers for law enforcement agencies tasked with fighting wildlife crime; sufficient resources (including equipment, training and salaries) and expertise for law enforcement agencies as well as prosecution services and courts; coordination and (international) cooperation between the relevant law enforcement agencies; and integrity of law enforcement officers, prosecutors and judges.

In places where wildlife crimes persist, these crucial components are lacking to a greater or lesser extent.

Other factors that hamper countries’ criminal justice response to wildlife crimes include:

- Focusing on low level actors, such as poachers and smugglers, instead of the key players in organised criminal networks that drive the illegal trade and profit the most.

³⁰ <https://cites.org/sites/default/files/document/E-Res-12-05-R18.pdf>

- A tendency for law enforcement to react to trafficking activities rather than proactively disrupting them.
- Limiting law enforcement effort to seizing illicit wildlife specimens rather than investing time and effort in criminal investigations to map out and collect evidence against the complex criminal networks involved.
- Focusing mainly on typical wildlife offences and neglecting associated crimes, such as fraud, corruption and money laundering, which would raise the profile of the criminal case and result in significantly higher punishments.
- Failing to consider and treat wildlife crime as a serious crime.
- In relation to all the above, failing to apply special investigative techniques (including financial and forensic investigations) to identify and investigate the key players, which would result in more impactful law enforcement interventions.
- It should also be noted that capacity building efforts by different entities including international organisations, foreign governments and NGOs are rarely coordinated. There is little consistency in the materials, no certification to ensure the material is teaching best practice, and law enforcement agencies very often receive multiple training courses in the same subjects by different organisations. In addition, many training efforts are not based on an advance assessment of training needs. The result is duplication, waste of limited funding and overburdening of the training recipients who are stretched thinly already.

As a result, in many jurisdictions tiger/wildlife traffickers are able to operate with relative impunity.

It should also be noted that capacity building efforts by different entities including international organisations, foreign governments and NGOs are rarely coordinated.

Following the money - FATF Recommendations on financial investigations and asset recovery

Financial investigations are a key component of efforts by law enforcement to investigate and prosecute money laundering (ML). They can also deprive criminals of their illicit proceeds and instrumentalities by helping to determine where those assets originate, how they are moved, and how they are used. The Financial Action Task Force (FATF) in its Recommendations 30 and 31³¹ requires law enforcement and investigative authorities to have the necessary responsibilities and powers to carry out parallel financial investigations, and to be able to use a wide range of techniques for investigating ML and associated predicate offences (e.g. undercover operations, intercepting communications, and controlled deliveries). Wherever possible, in line with FATF Recommendations 4 and 38, jurisdictions investigating wildlife crime should, as a priority, identify, freeze, seize and confiscate associated assets. Unfortunately, in many jurisdictions the number of financial investigations conducted into wildlife trafficking offences as well as asset recovery efforts is not commensurate with its scale, cross border nature, and the volume of proceeds associated with such crimes. In its 2020 report on Money laundering and Illegal Wildlife Trade, FATF provides guidance to law enforcement and Financial Intelligence Units (FIUs) to enhance their capacity to carry out and support financial investigations into IWT, by drawing on good practices from across the FATF Global Network.³²

Efforts to strengthen countries' criminal justice system capacity with the aim of increasing the risk for tiger traffickers to be detected, prosecuted and convicted should ensure:

- **Relevant law enforcement agencies** are adequately resourced and incentivised (in terms of staff and equipment); have adequate law enforcement powers and the expertise required to disrupt organised crime groups engaged in tiger trafficking by collecting and analysing intelligence; conducting in-depth criminal investigations that result in strong evidence to facilitate strong prosecutions; identifying and seizing assets; and arresting criminal actors, with a focus on high-level players.

31 The FATF has issued 40 Recommendations which set out a comprehensive and consistent framework of measures which countries should implement in order to combat money laundering and terrorist financing, as well as the financing of proliferation of weapons of mass destruction <https://www.fatf-gafi.org/publications/fatfrecommendations/documents/fatf-recommendations.html>

32 FATF (2020). Money Laundering and the Illegal Wildlife Trade <https://www.fatf-gafi.org/media/fatf/documents/Money-laundering-and-illegal-wildlife-trade.pdf>

- **Prosecution agencies** are adequately resourced and public prosecutors understand the scale, nature and impacts of tiger trafficking and are motivated to treat tiger trafficking cases as serious crime; target high-level traffickers and networks rather than lower-level offenders; leverage not just wildlife laws but also the laws that criminalise offences associated with wildlife trafficking, such as money laundering, tax evasion, fraud and corruption; and by doing so, strive to obtain adequate penalties in the adjudication of the crimes prosecuted.
- **Judges** charged with adjudicating wildlife crimes understand the scale, nature and impacts of tiger trafficking and administer appropriate, deterrent criminal sanctions to punish tiger traffickers brought to court.

It is also necessary to address possible corruption risks within criminal justice system agencies, as these can undermine their ability to investigate and prosecute tiger/wildlife crime cases. Corruption risks may be generic and apply to the entire criminal justice system, and they may also be specific to illegal wildlife trade, such as the risk of officials accepting bribes to facilitate activities of wildlife traffickers. A Corruption Risk Assessment (CRA) can help to identify, analyse, evaluate, prioritise, and mitigate corruption risks at various levels in both the public and private sectors. The Targeting Natural Resource Corruption (TNRC) initiative offers useful guidance and tools.³³ The UNODC has developed a tool specifically for wildlife management authorities: the Guide on addressing corruption for wildlife management authorities.³⁴

Example: how China brought down a major ivory trafficking network

In December 2020, the Guangzhou Intermediate People's Court in China convicted 17 members (16 Chinese nationals and one Malaysian national) of a criminal network that was responsible for smuggling at least 20.22 tonnes of elephant ivory from Nigeria to China between 2013 and 2019. A further two Chinese nationals who were fugitives at that time have since been arrested and are currently facing trial. The sentences ranged from two years up to life imprisonment with the confiscation of all personal assets, and individual fines up to RMB 5,000,000 (USD 770,273). To achieve this result, Chinese law enforcement authorities carried out extensive, in-depth investigations into the Chen Organised Crime Group over several years, including big data analysis as well as lifestyle and financial investigations, enhanced by international cooperation. They targeted not only the network members located in China, but also Chinese nationals who were committing crimes in other countries, and foreign nationals committing crimes in China. The Wildlife Justice Commission analysed this case and highlighted the factors that made this approach a blueprint for success.³⁵



© Edward Parker / WWF

33 See e.g. <https://www.worldwildlife.org/pages/tnrc-where-are-the-weakest-links-in-the-illegal-wildlife-trade-enforcement-chain-lessons-from-corruption-risk-assessments-with-agencies-in-three-countries>

34 UNODC (2020). Scaling back corruption. Guide on addressing corruption for wildlife management authorities https://www.unodc.org/documents/Wildlife/19-08373_Scaling_Back_Corruption_ebook.pdf

35 WJC (2022). Bringing down the Dragon: An analysis of China's largest ivory smuggling case <https://wildlifejustice.org/a-blueprint-for-success-what-it-takes-to-bring-down-a-global-ivory-trafficking-network/>

Best practice: including women in enforcement teams

It is recommended to include women in law enforcement teams dealing with wildlife crime, as research shows this increases law enforcement effectiveness and decreases incidents of violence. Firstly, having women on enforcement teams means they are available to search female suspects – a task that men are often culturally prohibited from doing, and should not be doing anyway. The Uganda Revenue Authority has reported that having female enforcement officers has increased its capacity to undertake covert intelligence missions where the suspects are female, and then to conduct searches of those suspects. Research has furthermore shown that women are more effective community liaisons than male peers in enforcement domains and produce enforcement outcomes with less force. Women generally have high levels of interpersonal communication skills, which translates into more effective practices in the field: they are found to have a calming effect on male partners in high stress and dangerous assignments, resulting in fewer police deaths; are less likely to use force, use excessive force, or be named in a lawsuit than male officers; and are more successful in defusing violent or aggressive behaviour.³⁶

investigative techniques in criminal investigations (including undercover operations, intercepting communications, accessing computer systems and controlled delivery); online monitoring and investigations; best practices in the investigation and prosecution of organised (wildlife) crime. It is good practice for relevant training modules to cover key ethics principles and promote integrity, including by adhering to the United Nations Code of Conduct for Law Enforcement Officials (see link below under 'Resources').

- Allocate sufficient resources (equipment, staff and salaries) to law enforcement agencies, the prosecution service and judiciary.
- Increase law enforcement capacity to collect, analyse and disseminate intelligence in a timely manner, including by providing intelligence databases; and to undertake cell phone extraction and analysis.
- Rotate staff of law enforcement agencies every three years (in a staggered manner to avoid losing experience) to stimulate innovation and discourage corruption.
- Conduct a Corruption Risk Assessment to identify corruption risks and implement recommendations from the assessment to mitigate these risks.
- Enhance (international) coordination and cooperation between relevant law enforcement agencies as well as between prosecutors and investigators (see cooperation pillar).
- Consider the establishment of specialised “green courts” to enhance adjudication of environmental/wildlife cases.³⁷
- Promote networking between prosecutors on national and international levels, either through existing prosecutor networks (e.g. SEAJust³⁸), or by establishing a new, regional/TRC wildlife/tiger crime prosecutors network.
- External entities engaged in capacity building of agencies tasked with fighting tiger/wildlife crimes are called upon to coordinate their efforts to maximise limited time and resources of all parties involved. In this respect it is worthwhile considering the compilation of an open source tiger/wildlife crime training curriculum that criminal justice system actors and those supporting them can tap into.
- The Financial Action Task Force (FATF) and its regional

RECOMMENDED ACTIONS

- Conduct an assessment of the country’s criminal justice system response using the ICCWC Toolkit (unless this has been recently conducted already, in which case the assessment can inform future capacity building efforts - see next recommendation).
- Based on this assessment, design and provide tailor-made and consistent (multi-agency) training, e.g. on tiger/wildlife crime dynamics; relevant laws; intelligence collection and analysis; tiger forensics; detecting and intercepting suspicious shipments; financial investigations and asset recovery; use of special

36 Source: Seager, J. 2021. Gender and illegal wildlife trade: Overlooked and underestimated. WWF. Gland, Switzerland. https://cdn.genderandiwat.org/Gender_IWT_WWF_Report_FINAL_with_lang_options_bb2c8d37d8.pdf

The website <https://genderandiwat.org/> provides further insights, including a toolkit that provides practical guidance on gender integration in illegal wildlife trade.

37 Such courts have been established, for example, in Bangladesh, the People’s Republic of China, India, Indonesia, Korea, Pakistan, the Philippines and Thailand. The intent is to have judges with specialised expertise in the area of environmental and natural resource law adjudicate cases with the aim of strengthening implementation, compliance, and enforcement. See e.g. Mulqueeny, Kala and Bonifacio, Sherielysse (2010). Asian Judges: Green Courts and Tribunals, and Environmental Justice. Asian Development Bank, Law and Policy Reform, No. 1 (April 2010).

38 Established in March 2020, the South East Asia Justice Network (SEAJust) is a UNODC supported judicial cooperation network that serves as an informal platform facilitating direct contact and communication between central authorities for mutual legal assistance in criminal matters. The members of the network are nationally appointed contact points in 12 countries: Australia, Brunei Darussalam, Cambodia, Lao PDR, Malaysia, Maldives, Myanmar, Singapore, the Philippines, Thailand, Timor-Leste and Viet Nam. See more: <https://www.unodc.org/unodc/en/organized-crime/SEAJust/index.html>



bodies such as the Asia Pacific Group on Money Laundering (APG) are called upon to include IWT as a priority issue when conducting mutual evaluations of countries' levels of implementation of the FATF Recommendations. Concretely, in every mutual evaluation that involves a source, transit or destination country for illegal tiger trade and/or other forms of illegal wildlife trade, assessors should raise the issue of FATF Recommendation 30 and how it applies to IWT investigations. Failure to demonstrate concrete action in this area could or should lead to a failure of the Rec.30 outcomes, and subsequent referral of the country to FATF review and possible blacklisting.

RESOURCES

- UNODC E4J University Module Series on Wildlife Crime <https://www.unodc.org/e4j/en/wildlife-crime/module-3/index.html>
- FATF (2020). Money Laundering and the Illegal Wildlife Trade <https://www.fatf-gafi.org/media/fatf/documents/Money-laundering-and-illegal-wildlife-trade.pdf>
- ICCWC Wildlife and Forest Crime Analytic Toolkit https://www.unodc.org/documents/Wildlife/Toolkit_e.pdf
- ICCWC Indicator Framework for Combating Wildlife and Forest Crime https://www.unodc.org/documents/Wildlife/Indicator_Framework_e.pdf
- TNRC Guide to Identifying Corruption Risks Along Natural Resource Supply Chains <https://www.worldwildlife.org/pages/tnrc-nrm-supply-chain-corruption>

- UNODC (2020). Scaling back corruption. Guide on addressing corruption for wildlife management authorities https://www.unodc.org/documents/Wildlife/19-08373_Scaling_Back_Corruption_ebook.pdf
- Messick, Richard and Sofie Schütte (2015). Corruption risks in the criminal justice chain and tools for assessment. U4 Issue no.6 <https://www.u4.no/publications/corruption-risks-in-the-criminal-justice-chain-and-tools-for-assessment.pdf>
- The United Nations Code of Conduct for law enforcement officials: <https://www.ohchr.org/en/instruments-mechanisms/instruments/code-conduct-law-enforcement-officials>
- The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials: <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-use-force-and-firearms-law-enforcement>

LINKS WITH OTHER PILLARS

Efforts to enhance criminal justice system capacity are linked to actions under all other pillars: enhanced Cooperation and availability of innovative Tools are needed for criminal justice system actors to be more effective; strong Laws and policies are a prerequisite for a strong criminal justice response; building criminal justice system capacity requires Political will and good governance; and continuous Monitoring is needed to measure progress and be able to make adjustments where needed.



3.3 Cooperation

Tiger trafficking is a networked, associative, transboundary crime, whose response requires multidisciplinary, multi-jurisdictional interventions. Thus, national, inter-agency, regional, and international cooperation is crucial to tackling tiger trafficking. While many actors need to be involved in tackling tiger trafficking, the key is to obtain buy-in, agreement, and communication among the relevant actors.

Stressing the value of cooperation in combating transboundary crime, the UN Convention on Transnational Organized Crime (UNTOC) states that its purpose is to “promote cooperation to prevent and combat transnational organized crime more effectively”³⁹. The UNTOC in its text goes on to state that it is “strongly convinced” that the UNTOC “will constitute an effective tool and the necessary legal framework for international cooperation in combating, inter alia, such criminal activities as money-laundering, corruption, illicit trafficking in endangered species of wild flora and fauna”⁴⁰ highlighting the level to which cooperation is deemed crucial to tackling tiger trafficking.

Many agencies may have jurisdiction over different aspects of tackling tiger trafficking, as well as a variety of limitations and capacities, and thus cooperation among the pertinent actors is crucial. Relevant institutions for cooperation include but are not limited to: government agencies (law enforcement, ministries, prosecution service, judiciary, Financial Intelligence Units); aviation security; seaport authorities; academia; embassies; e-commerce and social media platforms; intergovernmental organisations; NGOs; zoos and wildlife rescue/ rehabilitation centres.

The benefits of interagency collaboration are many and include increasing deterrence by applying different regulations and authorities/powers; overcoming regulatory weaknesses by choosing the most effective laws; overcoming jurisdictional boundaries between agencies; sharing knowledge and experience; reducing the dominance of certain agencies and sectoral competition; and reducing the potential for internal corruption and fraud. International cooperation shares these benefits, and includes joint investigations, controlled deliveries, extradition of transnational criminals; mapping trade routes and hotspots; and intelligence and information sharing for dismantling transnational criminal networks.

The importance of intelligence sharing cannot be overstated, and as such, a number of options for formal cooperation mechanisms are available, although in some cases and where possible, informal cooperation may also be effective as a means of communication between key actors. Third-party actors, such as NGOs or academia, may serve as a useful bridge between agencies who otherwise may not communicate or collaborate, although there may be restrictions as to the level of involvement with government activity that is possible, especially related to the role of NGOs, which vary from country to country. NGOs and academia can help to link law enforcement agencies and provide information exchange through less-formal tools and databases that also supply information on rescue centres, training opportunities, open-source tiger crime incident information and identification manuals necessary to support law enforcement actions and intelligence sharing.

³⁹ UN Convention on Transnational Organized Crime. https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf

⁴⁰ *Id.*



EXAMPLE: TRAFFIC Connecting National Enforcement Agencies across Europe and Africa

TRAFFIC created online tools to facilitate information exchange and international cooperation between law enforcement agencies in Europe and Africa, known as the Trade in Wildlife Information eXchange, or TWIX. In addition to containing information on wildlife seizures and being accessible to law enforcement agents, the TWIX platform provides the opportunity for information exchange among relevant law enforcement officers, provides information on ways to locate and connect with wildlife rescue centres, identification guides, as well as training manuals and the latest resources to assist with law enforcement cases. TWIX are so far available in Europe, Africa, Southern African Development Community, and Eastern Africa (respectively EU-TWIX, AFRICA-TWIX, SADC-TWIX and Eastern Africa-TWIX).

However, where informal cooperation is not possible, or where it is necessary to create a formal working relationship for the purposes of relevant legal structures, a number of mechanisms for cooperation are available.

Mechanisms for cooperation

National-level multi-agency taskforces (sometimes referred to as **National Environmental Security Taskforces, or NESTs**) are generally made up of experts

from different national law enforcement agencies responsible for enforcing environmental or wildlife laws. By bringing these agencies together, a NEST can utilise the different mandates of each agency and ensure communication, cooperation, and collaboration at all levels to facilitate stronger, more coordinated and more effective multi-agency actions against environmental crime. A NEST may also have an information exchange at an international level if it is related to an INTERPOL National Crime Bureau.

EXAMPLE: the India Wildlife Crime Control Bureau⁴¹

The Wildlife Crime Control Bureau brings cooperation through a mandate that coordinates the actions of enforcement officers, government agencies, and other relevant wildlife authorities in India to combat organised wildlife crime in the country. The authorities associated with the Bureau develop intelligence on wildlife crime through their own source networks, from sister agencies and field visits and disseminate the intelligence to government and other enforcement agencies for immediate action to apprehend the criminals. The Bureau was developed by Statute, and is a multi-disciplinary body established by the Government of India under the Ministry of Environment and Forests.

41 Wildlife Crime Control Bureau, Ministry of Environment, Forests and Climate Change <http://wccb.gov.in/>



© Emmanuel Rondeau / WWF-US

EXAMPLE: International Cooperation - Financial Action Task Force

Recognising that criminals do not respect borders, the FATF organisation makes international co-operation a major priority of its Standards and assessment process. FATF Recommendations 36-40 relate to various aspects of international cooperation, covering implementation of international instruments, mutual legal assistance, extradition, confiscation, and other forms of international co-operation such as between Financial Investigation Units, financial supervisors and law enforcement. When implemented effectively, these Recommendations ensure: countries are providing constructive and timely assistance when requested by other countries; competent authorities assist with requests to locate and extradite criminals; and, competent authorities identify, freeze, seize, confiscate and share assets and provide information related to money laundering, terrorist financing or associated predicate offences. The FATF Recommendations also require competent authorities to seek international co-operation from other countries to pursue criminals and their assets.

Crime (UNTOC), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the United Nations Convention Against Corruption (UNCAC)⁴², form the basis for compliant national legal frameworks, and cooperation between countries.

Mutual Legal Assistance (MLA) is a form of cooperation, often an agreement or treaty, between different countries generally for collecting and exchanging information for purposes of law enforcement. Where no specific bilateral or regional MLA exists, the **UNODC Mutual Legal Assistance Request Writer Tool (MLA Tool)** is a useful online tool that has been developed to assist states in drafting appropriate requests.

SHERLOC (Sharing Electronic Resources and Laws on Crime) is an online portal on the implementation of UNTOC. It contains a case law database of jurisprudence on a range of transnational organised crimes, including wildlife and forest crime, and a database of legislation which lists national laws relevant to the provisions of UNTOC.

Wildlife Enforcement Networks (WEN) have been created on regional, national, and even local levels, and pull together relevant government actors in wildlife trafficking for information exchange, capacity building and collaboration. It is important for a well-functioning WEN to include a clear focal point to bring forward ideas and ensure effective collaboration, as well as sustained funding and support to secure sustainability.

Relevant international frameworks, including the **United Nations Convention Against Transnational Organized**

42 The UNCAC in its preamble recognizes the need for international cooperation and cooperation across sectors to tackle corruption, stating “*Bearing in mind that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, if their efforts in this area are to be effective*” https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf



EXAMPLE: United States-Viet Nam Partnership to Combat Wildlife Trafficking⁴³

Recognizing that the illegal trade and consumption of wildlife and wildlife products are threatening the world's irreplaceable biodiversity and adversely impacting communities and economies around the globe, the United States and Viet Nam signed a bilateral agreement to combat wildlife trafficking. The two countries agreed to take a comprehensive, whole-of-government and multi-sectoral approach to addressing wildlife trafficking, including to collaborate with the private sector, NGOs, academia, the scientific community, and other local and international partners. The two countries plan to cooperate actively through joint training, technical exchanges, information sharing, and public education and demand reduction campaigns, specifically to:

- Reduce Consumer Demand for and Consumption of Illegal Wildlife and Wildlife Products;
- Strengthen Wildlife Law Enforcement and Prosecution;
- Improve and Implement the Legal Frameworks for Wildlife Crime;
- Bolster International Cooperation.

RECOMMENDED ACTIONS

- Consider tiger trafficking incidents (including seizures as well as physical and online trade observations), including geographic spread; gaps in knowledge, capacity, or discipline, and agencies or organisations that can best fill those gaps for cooperative opportunities.
- Find ways to work informally where possible, and use NGOs or academic partners to help provide links through databases and information sharing tools, where possible.
- Identify and use tools and resources available to support cooperation and information sharing.

RESOURCES

- Financial Action Task Force (FATF), Money Laundering and Illegal Wildlife Trade Report (June 2020) <https://www.fatf-gafi.org/media/fatf/documents/Money-laundering-and-illegal-wildlife-trade.pdf>
- United Nations Convention Against Transnational Organised Crime (UNTOC) <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>
- UN Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) <https://cites.org/eng>
- United Nations Convention Against Corruption (UNCAC) <https://www.unodc.org/unodc/en/treaties/CAC/>
- UNODC Mutual Legal Assistance Request Writer Tool (MLA Tool) <https://www.unodc.org/mla/>
- SHERLOC (Sharing Electronic Resources and Laws on Crime) <https://sherloc.unodc.org/cld/en/st/home.html>
- TWIX <https://www.traffic.org/what-we-do/projects-and-approaches/supporting-law-enforcement/twix/>

LINKS WITH OTHER PILLARS

Cooperation is linked to actions under all other pillars due to its multidisciplinary and multi-jurisdictional reach: Strengthening laws and policy requires cooperation and communication across agencies; Capacitating law enforcement requires a multi-stakeholder approach; Private sector engagement enhances cooperation; and cooperation across sectors for development and use of Tools brings needed innovation for criminal justice system actors to be more effective. Effective cross-sectoral, multi-agency Cooperation will increase Political will; and continuous Monitoring is needed to measure progress and be able to make adjustments where needed.

⁴³ Joint Announcement of the United States- Vietnam Partnership to Combat Wildlife Trafficking. 2016. *US Embassy & Consulate in Vietnam*. <https://vn.usembassy.gov/joint-announcement-united-states-vietnam-partnership-combat-wildlife-trafficking/>



3.4 Private sector engagement

Engaging the private sector to support government efforts to tackle tiger trafficking would encourage political will, support financial and expert capacity, facilitate intelligence gathering and sharing, and help find novel approaches to solving complex problems in tiger trafficking. While ‘private sector’ is a broad term describing a wide-ranging group of actors and organisations working within their own set of policies and institutions, there are streamlined ways in which collaboration with private sector actors can be encouraged and capitalised upon that can bring mutual benefit to tiger conservation and private sector promotion.

Working with the private sector means working within established structures, developing trust, and relationship building. However, it is also essential to remember that the private sector partner is a business that may be beholden to shareholders, and thus it may be necessary to identify and communicate what the private sector partner will take away from the partnership, in terms of sustainable business practices, how the partnership will mitigate risk to the business, and how the business will benefit from this partnership over others. Individual motivations of private sector partners may (or may not) be to conserve tigers; motivations may reflect more neutral or publicity purposes, and it would be to the advantage of those seeking to engage in a partnership with the private sector to identify and communicate these corporate advantages to their potential partners. Despite the motivation, the expertise and other advantages gained from private sector partnerships can be of great benefit to tackling tiger trafficking.

The private sector can help to open doors and play an influencing role to support political will, as certain private sector actors or sectors may have a relationship with governments that NGOs or the conservation sector may not. These may include the likes of legal, transport, tourism, traditional medicine, e-commerce, and financial sectors. Each sector or company may have different opportunities and motivations to help tackle tiger trafficking and these need to be understood to ensure partnerships are effective and targeted where they can be most impactful.

Example: China

In tackling wildlife/tiger trafficking, it is recommended to look not only at offenders, but also at entities that facilitate them, knowingly or unknowingly. An example can be found in China: in 2021, China’s Supreme People’s Procuratorate, the highest national agency responsible for legal prosecution, issued a “Suggestion” to the State Post Bureau, copying twelve ministries including the Ministry of Transportation and Ministry of Commerce, which called for enhanced regulation of the logistics and express delivery sector. This Suggestion is not a compulsory policy but provides guidance to the entities addressed. The Suggestion highlighted illegal shipping of protected wildlife and its products along with drugs and firearms as priorities. Based on feedback from the State Post Bureau and related entities, this Suggestion may be much more effective in tackling wildlife trafficking using the transport sector than the wildlife protection law.⁴⁴

44 The introduction of the Suggestion (in mandarin) can be accessed here: https://www.spp.gov.cn/xwfbh/wsfbt/202111/t20211125_536338.shtml#1

Certain sectors, such as the transport or financial sectors, may be at the front lines of gathering actionable information that can be passed on to law enforcement. When considering private sector partners, it is important to consider both the mission and aims of the planned partnership, and to stick with that mission, and the elements and skills of the potential private partner, or partners. If working with the conservation or NGO sector, a collaboration among the NGO or conservation partners may help to bring trust to the overall partnership. However, due to corporate policy or legislation that protects customer confidentiality, information sharing with the private sector, especially the banking sector, may by necessity be one way. Therefore, it is suggested that indicators to measure private sector engagement and information sharing beyond specific feedback from partner engagement be established.

The private sector's role in tackling corruption

Corruption occurs at every level of the wildlife trafficking supply chain, hindering investigations and prosecutions, and is one of the key drivers enabling the illegal transnational trade in protected wildlife and its devastating impact, according to UNODC.⁴⁵ The private sector has a role to play in addressing corruption and promoting anti-corruption measures internationally. Corruption is often complex and falls under the radar and may not come to the attention of relevant authorities without the cooperation of private sector entities, especially the financial sector. As such, Article 12 of the Convention against Corruption (UNCAC) directly addresses the importance of engaging the private sector in the fight against corruption. This includes encouraging Parties to partner with private sector entities and to help develop corporate anti-corruption safeguards, prevent conflict of interest, and promote transparency within the private sector. Article 39 of UNCAC encourages cooperation between companies and investigating and prosecuting authorities, in particular by reporting allegations involving corruption. The Convention also promotes the protection of whistle-blowers, witnesses, experts, and victims (Articles 32 and 33).⁴⁶

EXAMPLE: World Economic Forum Partnership Against Corruption Initiative (PACI)

In 2004, a coalition of 90 businesses, NGOs, and other interested parties related to the World Economic Forum founded the Partnership Against Corruption Initiative (PACI) based around three pillars aimed at supporting private sector's role in fighting an increase in government corruption and related crimes:

- 1) Responsible leadership- CEOs to take the lead in designing the partnership.
- 2) Public private cooperation- business and government leaders partner to address corruption across supply and demand.
- 3) Technological advances to address emerging technologies such as blockchain, AI, and e-governance.

The coalition has encouraged members to share best practices and has given a voice to members to provide transparency and hold governments accountable. Through its very existence, PACI sends a powerful signal that the world's leading companies have zero tolerance for corruption and are ready to work collectively across sectoral boundaries to curb it. In June 2022, to prevent or interrupt illicit financial flows, PACI launched a Unifying Framework for private sector intermediaries, known as "gatekeepers", which was developed in partnership with the Forum's Global Future Council unifying network against illicit financial flows and leaders from the private sector.⁴⁷

Types of private sector partners to consider

- **Transport sector** can help to gather intelligence about the transport and smuggling of tiger parts and products.
- **Finance sector** can help identify suspicious companies, individuals and financial transactions linked to tiger trafficking through anti-money laundering indicators.

45 Bertrand, A. (2021). The Link Between Corruption and Illegal Wildlife Trafficking. *Wildlife Justice Commission*, <https://uncaccoalition.org/corruption-and-illegal-wildlife-trafficking/#:~:text=Corruption%20is%20used%20to%20facilitate,is%20moving%20easily%20through%20customs>

The London Declaration on Illegal Wildlife Trade (London, 12-13 February 2014) was the first high level commitment on tackling illegal wildlife trade, and referenced corruption as a crime associated with wildlife trafficking and called on governments to take a zero tolerance approach to corruption https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/281289/london-wildlife-conference-declaration-140213.pdf. In the Kasane Statement on Illegal Wildlife Trade (Kasane, 25 March 2015) official reiterated government's zero tolerance approach https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/417231/kasane-statement-150325.pdf, and in the Hanoi Statement on Illegal Wildlife Trade (Hanoi, 17-18 November 2016) officials took the message one step further and called corruption a "key enabler" of wildlife trafficking <https://www.traffic.org/site/assets/files/2808/hanoi-statement-on-illegal-wildlife-trade.pdf>

46 <https://www.unodc.org/unodc/en/treaties/CAC/>

47 World Economic Forum. <https://www.weforum.org/agenda/2021/12/the-private-sector-is-key-to-fighting-corruption/>

- **Law firms** can help identify and close gaps or loopholes in laws and policies.
- **Technology companies** and information management companies can support technology tools, database, and intelligence-sharing development and use.
- **eCommerce and social media companies** can target illegal ads and posts on their platforms that sell tigers, their parts and products and block them from being posted, referring significant suspected offences to law enforcement. They can help inform their billions of users globally to report tiger trafficking when they suspect it.
- **Tourism sector**, such as travel agencies, can regulate tour guides and operators to promote sustainable and responsible tourism and ensure guides do not take travellers to shops that sell tiger and other illegal wildlife products.
- **Traditional medicine** doctors, practitioners, pharmacies, and manufacturers can work with patients to promote healing products that do not contain tiger or other products containing threatened wildlife species, and support changes to traditional pharmacopoeia to replace tiger and other threatened wildlife species with sustainable alternatives.
- **Media** can help disseminate information about successful law enforcement and prosecutions to deter future traffickers and corruption.

Example: Reducing Opportunities for Unlawful Transport of Endangered Species (ROUTES)

The ROUTES Partnership (2015-2021) brought together transport and logistics companies, government agencies, development groups, law enforcement, and conservation organisations to eliminate wildlife trafficking from the air transport supply chain. While law enforcement bears responsibility for investigation and arrest of wildlife traffickers, there are thousands of air transport staff operating along the supply chain (e.g. cabin crew, baggage screeners, cargo booking agents and others), who are uniquely placed to support law enforcement by identifying and reporting any suspicions of wildlife trafficking, and industry leaders can help to champion this and other solutions by integrating wildlife trafficking prevention into policies, strategies and practices, for long-term action to combat wildlife trafficking. The ROUTES project supported the transport industry to identify and report illicit activity through gap assessments, a dashboard, training, sectoral policy reform and tools.

Example: Coalition to End Wildlife Trafficking Online

Internet trade has put some of the world's most endangered species under threat, including tigers, which are trafficked online as live cubs and, for their fur, claws and teeth for amulets, and bones to be used in traditional medicines. Advances in technology and connectivity combined with increased purchasing power, have increased the ease of exchange from poacher to consumer, and, as a result, a largely unregulated online market has allowed criminals to sell illegally obtained wildlife products across the globe. For this reason, the world's biggest e-commerce, technology, and social media companies joined forces to shut down online marketplaces for wildlife traffickers. The Coalition to End Wildlife Trafficking Online brings together companies from across the world in partnership with wildlife experts at WWF, TRAFFIC, and IFAW for an industry-wide approach to ending wildlife trafficking online.

Ways to engage the private sector

When considering a private sector partner, consider the mission of the partnership, as well as the sector and expertise of the private sector partner, and work within these established structures. Keeping the mission in mind, it may be most effective to outline the problem and allow the partner, through their understanding and expertise, to identify the solution. Consider what has been done elsewhere in other areas or types of criminality and private sector expertise and apply lessons learned to tiger trafficking. Solutions law enforcement, government, or NGO actors may not consider may be something that the private sector deals with as a part of their corporate structure. Consider a local or regional approach when working with the private sector, as while multinational corporations may have more influence with governments, regional or local private sector companies may be more specialised and manageable and can report on instances of illegality more directly. Consider working with or developing a working group of private sector experts to study short and long-term solutions.

Example: The United for Wildlife (UfW) Financial Taskforce

The UfW Financial Taskforce is a working group convened in 2018 that consists of members of the financial sector and NGOs committed to sharing resources and intelligence with a goal towards disrupting the illegal income generated from wildlife trafficking. Among other things, the Taskforce has developed a risk assessment methodology specific to anti-trafficking AML using a framework that looks to identify: the inherent exposure of; residual exposure once controls have been assessed and implemented; and the opportunity to identify further controls that could be implemented to further reduce the residual risk. A full risk assessment enables organisations to determine whether they require additional controls to be implemented to meet their own risk appetite.

[Materials.pdf](#)

- United for Wildlife Financial Taskforce <https://unitedforwildlife.org/projects/financial-taskforce/>
- Targeting Natural Resources Corruption (TNRC) <https://www.worldwildlife.org/pages/tnrc-targeting-natural-resource-corruption>
- TCM Alternatives to Wild Animal Preparations (TAWAP) <https://www.tawap.org/>

LINKS WITH OTHER PILLARS

Private sector engagement links to all other pillars: the private sector, such as the legal sector, can support Strengthened laws and policy; the financial sector can capacitate and resource Law enforcement to support identification of instances of money laundering and financial crime; Tools can be developed by the technology and information management sectors; and private sector engagement can support Cooperation mechanisms. The private sector, as a lobbying group, can help to increase Political will and good governance; and they can support Monitoring to measure impact.

RECOMMENDED ACTIONS

- Consider collaborative engagement with the private sector as a means to identify new, innovative solutions to address tiger trafficking, and to support and bring political will and positive action from the government, law enforcement, NGOs and the public.
- Consider inclusion of tiger trafficking relevant policies as a priority in laws and policies, as per Pillar 3.1, above, and company regulations. Once prioritised then training and other measures should follow.
- Consider a regional approach to private sector engagement, which may be more specialised, focused, and manageable than global engagement. Regional private sector actors may be more connected specifically to local NGOs and local issues/ trafficking events, which reduces the uptake and trust building time.

RESOURCES

- Buckingham Palace Declaration <https://unitedforwildlife.org/the-buckingham-palace-declaration/>
- Coalition to End Wildlife Trafficking Online www.endwildlifetraffickingonline.org
- IWT Financial Flows Toolkit <https://themisservices.co.uk/iwt-toolkit>
- ROUTES Partnership <https://routespartnership.org/>
- UNODC Toolkit of Private Sector Outreach Materials https://www.unodc.org/documents/corruption/Publications/Toolkit_of_Private_Sector_Outreach_Materials/Toolkit_of_Private_Sector_Outreach



© naturepl.com / Vivek Menon / WWF



Cross cutting pillar

3.5 Tools

Tools support and are integrated into all other pillars and can be used to tackle tiger trafficking by increasing efficiency, effectiveness and impact of the criminal justice system. Tools can facilitate access to information, including detecting new avenues for online trade, supporting intelligence or information sharing, helping identify and apprehend criminals and building an evidence base for prosecution. Tools can support law enforcement efforts and enhance capacity, for example, by reducing the need for human-centred solutions to problems that the human brain cannot process, or cannot process as rapidly. Tools can also better connect enforcement efforts and create intelligence networks that can lead to disruption along the entirety of an illegal trade chain, and are becoming increasingly necessary to analyse financial flows from illicit activities in an increasingly online world.

While there are a number of tools available to tackle tiger trafficking, technology and criminality are constantly advancing, and with that comes the need to understand how to develop or improve tools to keep up with those advancements. Tools require testing and modification to keep up with criminals who seek to elude law enforcement, gaps in technology may become clear in the course of

investigations, and technological advancements and changes to law and policy may mean adjustments to tools become necessary. People also must be trained on how to gather information and effectively use tools and technology. Whatever the purpose for which the tool is being developed, it must be populated with data and tested to make sure that the results are effective, correct, and actionable. Developing and understanding the use of tools requires patience and a great deal of manpower, but overall the results can save time, money, and provide information beyond what could be gathered by individuals alone. They can also allow for near real-time information sharing to aid law enforcement, conduct international operations, and gather evidence for prosecution.

There are several types of anti-trafficking tools currently available.

Forensic and tiger identification tools

It may be difficult to identify tiger parts and products or distinguish a captive-bred tiger from a wild-caught tiger. There are a number of identification tools, such as guides and manuals, available that can help law enforcement to identify whole tigers as well as parts and products. Forensic identification, however, is more specialised and is generally performed to the species level and can support investigations and evidence gathering for some court cases by demonstrating that the seized item is a

tiger. In some cases, tigers can be individually identified via genetic analysis, and parentage testing can be carried out. These applications could potentially be used to match illegally trafficked tigers or tiger parts to their source, and to help monitor breeding activities to ensure compliance of captive facilities.

- **TigerBase** is a global tiger DNA and photo database developed by TRACE Wildlife Forensics Network that was first introduced at the 16th meeting of the Conference of the Parties to CITES (2013). TigerBase can facilitate monitoring of captive tiger breeding, tracing seized tiger samples back to individual tigers and captive facilities, and linking evidence through individualization tests (e.g. matching blood on a knife to a tiger carcass). The database requires samples at an international scale to populate an extensive genetic database, which requires regular sampling of new cubs. Utilizing TigerBase at a national level requires staff training to sample captive tigers and perform DNA analysis, database maintenance, access to wildlife forensic laboratories and data sharing agreements, but the blueprint is already operational.
- **STRIPES Database**, developed by the Wildlife Institute of India, is a database that collects images of tigers from captive breeding, seizures, and camera traps that can allow for stripe pattern identification. CITES Resolution Conf. 12.5 (Rev. CoP18) urges the sharing of images of seized tigers and skins with any TRC with a photographic identification database, although implementation of this action rarely occurs. It is encouraged that such databases be utilised.

EXAMPLE: Viet Nam

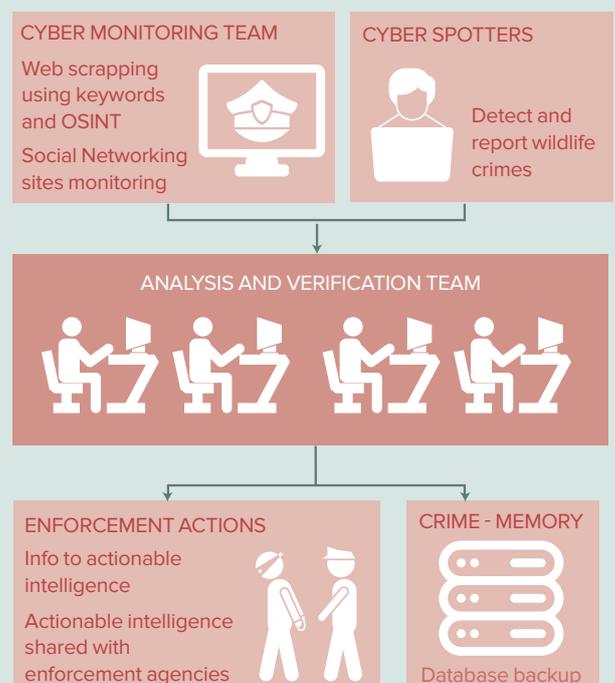
The forensic laboratory capacity of the Viet Nam CITES Scientific Authority, the Institute of Ecology and Biological Resources (IEBR), was supported by TRACE Wildlife Forensics Network, who collaborated to provide quality assured DNA analysis and reliable results to benefit the work performed by law enforcement agencies through a grant with USAID. The grant provided IEBR with the necessary infrastructure, protocols, and training to conduct wildlife forensic analysis, as well as to allow TRACE to embed a staff member in the IEBR to provide mentorship and on-going training. The laboratory officially opened at the end of 2019, and in 2020 IEBR was able to address 183 requests for DNA testing in support of wildlife trafficking cases.

Online tools

Tigers and/or their parts and products offered for sale online may be listed under a variety of names and across myriad platforms, often to closed or specialist groups, hindering law enforcement action against online sales. “Web scraping” tools, such as bots or crawlers, automatically search the internet or a specific platform for keywords or images that can then be downloaded and stored in a centralised database. These tools can greatly alleviate the burden on law enforcement by searching across the internet continuously and using numerous keywords at once, freeing up manpower to investigate and follow up on crimes. Online intelligence analytic tools can help enforcement officers identify connections between crimes and suspects, as well as patterns and trends, and can create evidence packages and timelines to support meaningful prosecutions.

EXAMPLE: Monitoring illegal online wildlife trade - Tiger Bot, India

The Wildlife Trust of India (WTI) works with over 100 “Cyber-Spotters” across India, volunteers who search for illegal tiger products online and work with law enforcement to pass on actionable information. Using information gathered by the Cyber-Spotters, the WTI created the Tiger Bot, a web crawler and deep search engine that gathers information and intelligence nearly continuously using key words and is learning to identify images. The Tiger Bot has found information from websites that volunteers can’t access at an 85% accuracy rate.



Jose Louies, Wildlife Trust of India

General investigative/analytical tools for law enforcement

Tools are integral to intelligence gathering and coordinated investigation, which includes:

- **Sniffer dogs:** Sniffer dogs have a highly sensitive sense of smell and are capable of picking up traces of illicit wildlife products in shipping containers, airports, stores and in the field. Added to this, new technologies, such as Remote Air Sampling for Canine Olfaction (**RASCO**)⁴⁸, work by suctioning air from a targeted high-volume shipping container through filters to concentrate smells, a previous logistical challenge for sniffer dogs.
- **goCASE:** goCASE is an integrated investigative case management and analysis tool for government law enforcement, investigative, intelligence and prosecution agencies of UN Member States developed by UNODC. The goCASE software, as well as other products in this family, are part of UNODC's strategic response to crime, particularly serious and organised crime. <https://gocase.unodc.org/>
- **IBM i2 Analyst's Notebook** is an example of intelligence analysis software that can find potential hidden connections and patterns in data to help identify, predict and avoid criminal activities. <https://www.ibm.com/downloads/cas/QNGO6RNA>

Data Analytics

Databases and data analytics can be used by governments, NGOs, the private sector and other actors to increase knowledge and understanding of the nature, scale, and scope of trade, and to highlight vulnerabilities in legal markets and supply chains, such as risk profiling of ports. This can aid better decision making, strategic design of interventions and resource allocation.

Key wildlife trade databases include the:

- **CITES Trade Database** holds over 13 million records of trade in wildlife, over 34,000 scientific names of taxa listed in the CITES Appendices, and adds around a million records of trade in CITES-listed species of wildlife reported annually. <https://trade.cites.org/>
- **UNODC World Wildlife Seizures (WorldWISE) database** contains seizure data from existing data sources across the world. https://www.unodc.org/documents/data-and-analysis/wildlife/WLC16_Chapter_2.pdf
- **TRAFFIC Wildlife Trade Portal** is an interactive tool that displays TRAFFIC's open-source wildlife seizure and incident data. <https://www.wildlifetradeportal.org/#/login>

EXAMPLE: India's TigerNet⁴⁹- Official Database of the National Tiger Conservation Authority

In response to inconsistent or conflicting reporting of tiger deaths in India hindering law enforcement efforts, the National Tiger Conservation Authority of India created the TigerNet website, a consolidated database on mortality and poaching related to tigers and other protected species within tiger reserves. The database allows enforcement officers to record information on tiger mortalities, to monitor patterns of poaching incidents, and to use this information to strengthen anti-poaching efforts. The information is available in the public domain, while relevant enforcement agents are required to input information on tiger-related issues. Automatic reminders are sent to official staff to upload details surrounding any tiger mortalities, including the findings of post mortem examinations. The database has simplified and brought transparency to the tiger death reporting system and has allowed a more accurate picture to be generated of poaching and other threats facing India's tiger population.

Communications platforms

The transnational nature of wildlife crime makes communication between law enforcement units more important than ever. These communications platforms facilitate the global coordination of enforcement officers:

- **World Customs Organisation Customs Enforcement Network Communication Platform (CENcomm)** is a web-based communication system allowing a closed user group of officers to exchange messages securely, in real time, for the duration of an operation or project. A modernised application enables users to work offline, from their mobile devices if applicable, and to chat to each other if they wish to share information rapidly. <http://www.wcoomd.org/en/topics/enforcement-and-compliance/instruments-and-tools/cen-suite/cencomm.aspx>
- **INTERPOL I-24/7** databases are searchable by national police in real time as part of their investigations through a secure global police communications system. The databases contain millions of records with information on individuals such as names and fingerprints; stolen property such as passports and vehicles; and weapons and threats such as firearms. <https://www.interpol.int/en/How-we-work/Databases>
- **Trade in Wildlife Information eXchange (TWIX)** is a communication and intelligence sharing platform

48 The Sniffer Dogs Fighting Wildlife Crime, WWF. <https://www.wwf.org.uk/updates/sniffer-dogs-fighting-wildlife-crime>

49 www.tigernet.nic.in

that connects law enforcement officials with data on wildlife seizures. EU-TWIX was the first wildlife trade information exchange to be launched by TRAFFIC, which has recently set up three more programmes for Africa (see also example in section 3.3). <https://www.traffic.org/site/assets/files/3792/africa-twix-leaflet-2021-en-1.pdf>

Knowledge management and capacity building

- **The Association of Certified Anti-Money Laundering Specialists (ACAMS)**, provides certified anti-money laundering specialist training dedicated to enhancing the knowledge and skills of financial crime detection and prevention. <https://www.acams.org/en>
- The **TRACE Wildlife DNA Sampling Guide** is a free downloadable training guide to accompany wildlife DNA sampling kits. The guide supports the collection of forensic samples from crime scenes. https://www.tracenetwork.org/wp-content/uploads/2012/08/Wildlife_DNA_Sampling_Guide_web.pdf
- **Tools and Resources to Combat Illegal Wildlife Trade** is a resource from the World Bank published with support from members of the Global Wildlife Programme. It is the result of a survey of experts, police, customs, forestry officers, policy officials, and legal personnel in 17 countries about best practices in tackling wildlife crime. Recommendations were then given on how to strengthen strategies against illegal wildlife trade. <https://openknowledge.worldbank.org/handle/10986/29542>

RECOMMENDED ACTIONS

- Understand and research which tools or resources are available that fit specific needs, how these tools are being used and whether they are being used effectively and how to support/promote more effective use.
- Support the development of new or updated tools, including assisting to populate databases or key word searches.
- Follow through on commitments to send information, such as photographs and samples, to databases as evidence which will support global learning processes and tiger crime law enforcement.
- Take advantage of learning opportunities for new tools and resources, such as forensic sample gathering, data analysis, and teach others to support capacity development and raise awareness regarding new and existing tools.

RESOURCES

- ACAMS <https://www.acams.org/en>
- CITES Trade Database <https://trade.cites.org/>
- Coalition to End Wildlife Trafficking Online Owlet

- <https://www.endwildlifetraffickingonline.org/owlet>
- Conservation International Wildlife Trafficking Detection Tools https://www.conservation.org/docs/default-source/publication-pdfs/ewcl_wrg_report_web.pdf?sfvrsn=65de9491_2
- EIA Global Environmental Crime Tracker <https://eia-international.org/global-environmental-crime-tracker/>
- IBM i2 Analysts Notebook <https://www.ibm.com/downloads/cas/QNGO6RNA>
- INTERPOL I-24/7 <https://www.interpol.int/en/How-we-work/Databases>
- Oxpeckers WildEye <https://wildeye.oxpeckers.org/>
- ROUTES Dashboard <https://www.routesdashboard.org>
- TRACE Wildlife DNA Sampling Guide https://www.tracenetwork.org/wp-content/uploads/2012/08/Wildlife_DNA_Sampling_Guide_web.pdf
- TWIX (Africa) <https://www.traffic.org/site/assets/files/3792/africa-twix-leaflet-2021-en-1.pdf>
- TWIX (EU) <https://www.eu-twix.org/>
- TRAFFIC Wildlife Trade Portal <https://www.wildlifetradeportal.org/#/login>
- UNODC goCASE <https://gocase.unodc.org/>
- UNODC WorldWISE Database https://www.unodc.org/documents/data-and-analysis/wildlife/WLC16_Chapter_2.pdf
- Wildlife Protection Society of India (WPSI), Database on Tiger Poaching http://www.wpsi-india.org/projects/poaching_database.php
- World Bank Tools and Resources to Combat Illegal Wildlife Trade <https://openknowledge.worldbank.org/handle/10986/29542>
- World Customs Organisation CENComm <http://www.wcoomd.org/en/topics/enforcement-and-compliance/instruments-and-tools/cen-suite/cencomm.aspx>

LINKS WITH OTHER PILLARS

The Tools pillar supports integrated actions under all other pillars: enhanced Cooperation is possible with increased information and intelligence sharing and improved communications; availability of intelligence gathering, forensic, and analysis tools are needed for Criminal justice system actors to be more effective; mutual legal assistance and information sharing tools are available for Strengthening laws and policies, which are a prerequisite for a strong criminal justice response; Tools can be developed by the technology and information management sectors to support Law enforcement action; and continuous Monitoring is needed to measure progress and be able to make adjustments where needed, sometimes facilitated by the establishment of tools.



Foundational requirements

3.6 Political will and good governance

There is no doubt political will is the key prerequisite for any effort to address a societal issue. This certainly applies to tiger/wildlife trafficking: all other pillars of this Framework depend on the existence of sufficient political will.

Unfortunately however, political will is a highly elusive, catch-all concept, which is used often without clearly defining what it entails. Hamner characterised political will as “*the slipperiest concept in the policy lexicon*”.⁵⁰ In a similar vein, Roberts described it as the political equivalent of the Force in the Star Wars movies. “*It explains everything and nothing*”.⁵¹

It is important therefore to determine what constitutes political will in the context of this framework.

Post et al. have defined political will as “*the extent of committed support among key decision makers for a particular policy solution to a particular problem*”.⁵²

They have outlined four components of this definition: 1. A sufficient set of decision makers; 2. With a common understanding of a particular problem on the formal agenda; 3. Is committed to supporting; 4. A commonly perceived, potentially effective policy solution. Ideas by *Post et al.* about how to operationalize and assess these components are included in Annex 1.

Since 2009, senior government and political figures of tiger range countries and other countries have made a series of high-level commitments in various fora to address wildlife crime/illegal wildlife trade in general and tiger poaching and trafficking specifically. Examples include:

- The 2009 Manifesto on Combating Wildlife Crime in Asia, adopted in Pattaya, Thailand;
- The 2010 Hua Hin Declaration on Tiger Conservation adopted at the first Asian Ministerial Conference on Tiger Conservation in Hua Hin, Thailand;
- The 2010 St. Petersburg Declaration on Tiger Conservation;
- The Global Tiger Recovery Programme adopted in St. Petersburg, 2010;
- The National Tiger Recovery Plans adopted in St. Petersburg, 2010;
- The 2014 London Declaration on Illegal Wildlife Trade;

50 Linn Hamner, 1998. “Political Will, Constituency Building, and Public Support in Rule of Law Programs.” Available online at http://pdf.usaid.gov/pdf_docs/PNACD023.pdf

51 David Roberts, 2017. “What is “political will”, anyway. Scholars take a whack at defining it”. Vox, Dec 24, 2017. Available online at <https://www.vox.com/2016/2/17/11030876/political-will-definition>

52 L.A. Post, E.D. Raile and A.N.W Raile. Defining political will. *Politics & Policy*, Volume 38, No. 4 (2010): 653-676. Available online at: https://www.researchgate.net/publication/229903315_Defining_Political_Will

- The 2015 Kasane Statement on Illegal Wildlife Trade;
- The 2016 Hanoi Statement on Illegal Wildlife Trade;
- The 2016 New Delhi Resolution on Tiger Conservation adopted at the third Asian Ministerial Conference on Tiger Conservation;
- The 2018 London Illegal Wildlife Trade Conference Declaration;
- The 2021 Resolution on Tackling illicit trafficking in wildlife adopted by the United Nations General Assembly (UNGA). This Resolution reaffirmed and built upon other Resolutions on this topic adopted by the UNGA in 2015, 2016, 2017 and 2019;
- The 2022 Kuala Lumpur Joint Statement adopted at the 4th Asia Ministerial Conference on Tiger Conservation.

These high-level statements and declarations come on top of obligations entered into as part of States' membership of CITES and other international conservation treaties such as the Convention on Biological Diversity and the Convention on the Conservation of Migratory Species of Wild Animals. Furthermore, government commitments have been made under the auspices of governance and crime conventions, such as UNCAC, UNTOC and the Commission for Crime Prevention and Criminal Justice (CCPCJ).

Some countries, including India, Nepal and most recently Malaysia, have established national tiger conservation committees, which incorporate all ministries and agencies pertinent to tiger conservation. Headed by the Prime Minister, these committees have helped to enhance political will on tiger conservation through high-level oversight.

Yet, tiger trafficking remains an issue of concern. Therefore, it would seem more is needed to translate the numerous

commitments made over the years into tangible action to significantly decrease tiger trafficking.

INDICATORS FOR POLITICAL WILL TO TACKLE TIGER TRAFFICKING

Based on the definition put forward by Post et al, proposed indicators for the presence of political will to tackle tiger trafficking include:

- A combination of key decision makers agrees that tiger/wildlife trafficking is a problem; has a common understanding of the scale and nature of tiger trafficking and actions needed to tackle it; and agrees that it requires urgent government action. Key decision makers should ideally include the Head(s) of State (Prime Minister/President), and the relevant Ministers responsible for wildlife conservation and justice/security; and the heads of key law enforcement agencies.
- One or more key decision makers make credible, binding and timebound statements about their intentions to tackle tiger trafficking, and how they intend to do so. It is suggested that a Minister or Prime Minister signing up to a ministerial/head of state level declaration in itself does not qualify as a credible, binding statement.
- Key decision makers use the Tackling Tiger Trafficking Framework to develop national tiger trade strategies and take measures needed to implement components that may not already be in place (including those listed below).
- Key decision makers adopt and/or strengthen laws and policies to support an effective criminal justice



© Gordon Congdon

response to tiger/wildlife trafficking (see pillar Laws and policies).

- Key decision makers provide the technical and financial resources required by criminal justice system actors to detect, investigate, prosecute and adjudicate tiger/wildlife trafficking as a serious, organised crime, equal to resources committed to the fight against other serious, organised crimes such as narcotics and human trafficking.
- Key decision makers take credible steps to implement commitments relevant to tackling tiger trafficking made in the past.
- Criminal justice system actors are held accountable when key performance targets defined at a national level, e.g. in the National Tiger Recovery Plan (NTRP) and/or other national anti-tiger/wildlife trafficking strategies are not achieved.

Example: Nepal

Nepal's efforts to tackle tiger poaching provide an example of political will in the context of tiger conservation. In 2010, the country committed to double its number of tigers as part of the global commitment made at the 2010 Global Tiger Summit in St. Petersburg. Since then, several Prime Ministers, including the incumbent Rt. Hon. Prime Minister Sher Bahadur Deuba, chair of Nepal's National Tiger Conservation Committee, have publicly reaffirmed this commitment.⁵³ To achieve the goal of Tx2, Nepal applies both preventive and reactive approaches. The Nepal Army has been deployed to combat poaching in national parks and wildlife reserves. In addition, the government has established buffer zones with the objective of making local communities self-reliant on forest products through community forestry, while also creating opportunities for sources of livelihood for them. Moreover, a legal provision has been made to allocate revenues generated through ecotourism to buffer zone development activities.

Nepal's commitment to tiger conservation has yielded results. On Global Tiger Day, 29 July 2022, Nepal declared its tiger population has reached 355, up from 121 in 2009. Nepal has therefore nearly tripled its number of tigers. The focus is now on maintaining this number and reducing the growing human-tiger conflict.⁵⁴

GOOD GOVERNANCE

Like political will, good governance underpins any efforts to prevent and tackle criminality, including tiger trafficking. Good governance is the process of decision-making and the process by which decisions are implemented (or not implemented). It can be used in several contexts such as corporate governance, international governance, national governance and local governance. To help identify what constitutes good governance, the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) has identified eight major characteristics: good governance is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimised, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society. For further detail on these eight characteristics, please refer to the guidance document developed by UNESCAP.⁵⁵

RESOURCES

- L.A. Post, E.D. Raile and A.N.W Raile. Defining political will. *Politics & Policy*, Volume 38, No. 4 (2010): 653-676. Available online at: https://www.researchgate.net/publication/229903315_Defining_Political_Will
- United Nations Economic and Social Commission for Asia and the Pacific. What is Good Governance? <https://www.unescap.org/sites/default/files/good-governance.pdf>

LINKS WITH OTHER PILLARS

Political will and good governance is a cross-cutting pillar which forms the foundation for all other pillars: Private sector engagement; Laws and policies; Cooperation; Criminal justice system capacity; and Tools.

53 <https://ntnc.org.np/news/global-tiger-day-2021-celebrations-prime-minister-ntnc>

54 <https://www.iucn.org/news/202207/nepal-achieves-global-commitment-double-tiger-1>

55 United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). What is Good Governance? <https://www.unescap.org/sites/default/files/good-governance.pdf>



3.7 Monitoring

For governments to understand and monitor their progress in responding to tiger (and other wildlife) trafficking it is crucially important to conduct regular monitoring. Assessments can provide the insights needed to understand what is going well and where adaptations, including shifts in resources or policies, may be needed. It helps to facilitate accountability of government agencies for implementing commitments they have made and allows them to communicate the results they have achieved.

For example, assessments can examine the extent to which agencies cooperate in criminal investigations; the adequacy of laws and policies; the sufficiency of resources allocated to criminal justice system agencies; the level of expertise required to tackle tiger trafficking in criminal justice system agencies; the availability and use of innovative tools to detect, analyse and share information on tiger trafficking; the application of special investigative techniques; the inclusion of associated crimes in criminal cases against tiger traffickers; prosecution rates and sentences applied; the corruption risks associated with specific nodes of the illegal tiger trade; etc.

For each assessment, it is essential to use a standardised approach that suits the data and format needs of the different government agencies and other stakeholders, using a monitoring framework which includes:

- Clear, measurable, and time bound objectives to be achieved;

- Verifiable indicators for each objective which will show change in status;
- A baseline against which to assess change;
- Agreement on roles and responsibilities for information collection, analysis and application, with the resources to implement these functions.

It is recommended the frequency of monitoring should match the needs in understanding the effectiveness of the deployed law enforcement response, which may, for example, be annual or every 24 months.

As mentioned above in sections 3.2 and 3.3, the ICCWC partners have developed two robust frameworks that can be used for the assessment.

Firstly, the ICCWC Wildlife and Forest Crime Analytic Toolkit (ICCWC Toolkit) provides a technical resource for countries to complete a national assessment of the main issues related to wildlife crime in the country. The ICCWC Toolkit helps analyse national preventive and criminal justice responses to wildlife crime and identify technical assistance needs.

The ICCWC Indicator Framework for Combating Wildlife and Forest Crime (ICCWC Indicator Framework) has been developed to work alongside the ICCWC Toolkit and provide an additional self-assessment tool for use at a national level. While the ICCWC Toolkit provides the means for a comprehensive analysis, the ICCWC Indicator Framework allows for a more rapid assessment of a national law enforcement response to wildlife crime. It also provides a standardised framework to monitor any changes in national law enforcement capacity and effectiveness

over time. The ICCWC Indicator Framework provides a set of 50 indicators arranged against eight desired outcomes of effective law enforcement to combat wildlife crime. It is in the form of a self-assessment framework, which is best completed through a collaborative process involving all relevant national law enforcement agencies. A practical, step-by-step guide is included for conducting an assessment using the ICCWC Indicator Framework.

Using the ICCWC Toolkit and Indicator Framework, countries can assess their progress in tackling tiger and other wildlife trafficking, including the implementation of recommended actions under the Laws and Policies, Cooperation, Criminal Justice System Capacity and Tools pillars of the Tackling Tiger Trafficking Framework.

While the Indicator Framework includes some indicators reflective of political will, it is recommended to also refer to the indicators of political will to tackle tiger trafficking listed in section 3.6.

It is recommended to include indicators for actions specific to tackling tiger trafficking included in this Framework, such as the implementation of CITES Resolution Conf. 12.5 (Rev. CoP18) and relevant CITES Decisions. For example, currently, CITES Decision 17.226 on the management and control of tigers in captive facilities in order to prevent and deter illegal trade in captive bred tigers and CITES Decision 18.103 on the sharing of images of seized tigers and skins with Parties that have photographic identification databases for cross-comparison both relate to actions included in this Framework.

As for actions under private sector engagement, indicators should be developed among the partnership at the outset, including for measures that address alignment of goals, effective communication between partners, clear decision-making practices, and adaptability.

RECOMMENDED ACTIONS

- Reach high-level, interagency agreement (involving all relevant criminal justice system agencies) on establishing a process for regular assessments of the country's progress in tackling tiger and other wildlife trafficking. This includes allocating the resources needed to conduct the assessments.
- Using the ICCWC Toolkit and Indicator Framework as a basis, and including specific measures related to tiger trafficking, as discussed above, design and implement an assessment procedure which is built around four phases: planning; data collection; analysis and recording; and review. To ensure proper implementation, identify the lead agency responsible for coordinating the assessments and establish an inter-agency project team to provide oversight to the assessment process and evaluate assessment results.
- Ensure (outcomes of) the assessments are shared with all relevant government agencies, including law enforcement agencies, to inform their efforts to tackle tiger trafficking and allow for adaptive management of approaches where needed.

RESOURCES

- ICCWC Wildlife and Forest Crime Analytic Toolkit https://www.unodc.org/documents/Wildlife/Toolkit_e.pdf
- ICCWC Indicator Framework for Combating Wildlife and Forest Crime https://www.unodc.org/documents/Wildlife/Indicator_Framework_e.pdf

ANNEX 1

COMPONENTS OF POLITICAL WILL

Post et al. have defined political will as “*the extent of committed support among key decision makers for a particular policy solution to a particular problem*”.⁵⁶ They have outlined four components of this definition: 1. A sufficient set of decision makers; 2. With a common understanding of a particular problem on the formal agenda; 3. Is committed to supporting; 4. A commonly perceived, potentially effective policy solution.

Post et al have provided the following suggestions about how to operationalize and assess these components.

1. A sufficient set of decision makers: there needs to be a combination of decision makers that intends to support the policy. Decision makers are generally defined as individuals or groups capable of approving, implementing, and enforcing public policies in a geographic area. However, there can also be other actors technically residing outside the official policy-making framework, who can apply pressure or serve as threats that severely constrain the official policy makers and implementers (so-called veto players).

2. With a common understanding of a particular problem on the formal agenda: the decision makers agree that a particular issue or condition has reached problem status; agree on the nature of the problem; and agree that the problem requires government action. An issue becomes a “problem” when there is a belief that the government must take action in relatively short order. An issue then typically obtains a place on the “formal agenda” or the “list of items which decision makers have formally accepted for serious consideration”. Importantly, effectively addressing a problem on the formal agenda requires a common understanding of the problem. Fundamentally different views of a problem suggest fundamentally different solutions.

3. Is committed to supporting: while the subjective term commitment may be difficult to measure, there are various indirect signals that can help to determine the preferences of decision makers and their intention to act on those preferences. These include: the allocation of resources; the willingness to apply effective sanctions; and the incentives and disincentives for decision makers to adopt a particular position. Another indication of commitment appears when decision makers make credible, binding statements or undertake actions of a similar nature. Other indirect signals are the sources of pressure weighing on decision makers and the position they advocate, such as (transnational) corporations, NGOs, and international organisations, but also negative motivators that can constrain and punish political actors such as criminal organisations or (in some countries) the military or religious organisations.

4. A commonly perceived, potentially effective policy solution: this means, firstly, that the relevant decision makers share a perception about the type of policy outcome necessary. Secondly, and much trickier, is the requirement that the proposed policy solution be potentially effective. Rather than trying to predict whether a policy will be “effective” by certain evaluative standards, Post et al suggest to look for behaviour that undermines political will. Examples of such “false” political will include: supporting policies that are known short-term “fixes”; studying an issue “to death” to provide the illusion of action whilst preventing real movement on the issue; approving a policy without providing adequate funding and/or the bureaucratic capacity (administrative resources and personnel) required to implement it. In other words, to assess whether key political actors are intentionally trying to implement a nonsolution or to undermine a policy by denying appropriate capacity for its success.

⁵⁶ L.A. Post, E.D. Raile and A.N.W Raile. Defining political will. *Politics & Policy*, Volume 38, No. 4 (2010): 653-676. Available online at: https://www.researchgate.net/publication/229903315_Defining_Political_Will





