



A Regional Approach to Strengthening Africa's Wildlife Enforcement Framework

How Africa's Emerging Sub-regional Wildlife Enforcement Networks (WENs) and the Lusaka Agreement Task Force can Collectively Combat International Wildlife Trafficking



Wildlife trafficking between Africa and Asia is brisk, resulting in the ongoing decimation of many species. Criminal syndicates are feeding a continuing demand in Asia for ivory, rhino horn, big cat bones and body parts of other rare and endangered species such as pangolins, by sourcing their supply increasingly from Africa. We need a stronger counter wildlife trafficking (CWT) response in the region. As conservationists and law enforcement organizations study ways to solve this problem, it is worth considering the existing CWT mechanisms within Africa and between Africa and Asia. Strengthening and streamlining these mechanisms – including the Lusaka Agreement Task Force (LATF) and existing and emerging Wildlife Enforcement Networks (WENs) – appears to present the quickest, strongest, and most sustainable solution.

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As African governments begin forming sub-regional WENs, a question keeps arising: what role will WENs play in view of the existing Lusaka Agreement?

The WEN concept, which has taken off across Asia and around the globe, has now come to Africa. After ASEAN-WEN was established in 2006, it was soon followed by others such as the SA-WEN, China-WEN (aka NICE-CG), Central America-WEN (CA-WEN), and Africa's first wildlife enforcement network, the Horn of Africa-WEN (HA-WEN), which has yet to be fully launched, but has secured initial funding from donors. A Southern Africa WEN (WENSA) that was due to be launched in 2015 may soon be underway.

As African governments begin forming sub-regional WENs, a question keeps arising: **What role will WENs play in view of the existing Lusaka Agreement?** For example, some countries that are contemplating membership in the emerging HA-WEN are also members of the Lusaka Agreement, including Kenya and Uganda (Ethiopia is a signatory to the Lusaka Agreement, ratification required). LATF and Lusaka Agreement Member States continue to reach out to all African countries to join the Lusaka Agreement, so this same question is likely to come up in other parts of Africa where WENs are also being considered. Calls have been made during several Heads of States' Summits and Ministerial sessions in Africa urging all African states to accede to the Lusaka Agreement and strengthen its structure.

The Lusaka Agreement Task Force compared to WENs

LATF is continental, while the WENs are sub-regional. LATF is established and experienced, while the WENs are new and less experienced. LATF is more legally established: officers from different countries physically join together to conduct joint operations in one another's

The Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora – the Lusaka Agreement

Purpose: To foster cooperation among states to reduce and ultimately eliminate wildlife crime in Africa.

Introduced: Designed by African conservationists, law enforcement experts and international conservation advisors, it was adopted by governments in 1994 and came into force in 1996 and is Africa's first regional intergovernmental wildlife law enforcement operational framework.

What it is: A Multilateral Environmental Agreement (MEA) registered as UN Treaty Series that is currently a family of 10 states (7 parties, 3 signatories) and is open for accession to all African states. The accession /ratification process is similar to those applicable to other MEAs and in accordance with state policy. The treaty creates a permanent inter-governmental task force for cooperative cross-border wildlife enforcement, the Lusaka Agreement Task Force, or LATF. Under the agreement each party allows this multi-national body to investigate violations of wildlife laws, and physically undertake intelligence and conduct joint wildlife-related, investigations and enforcement actions within and across its borders in collaboration with national agencies through its focal point, the national bureau to the Agreement. LATF, which is the operational arm and secretariat of the Agreement is hosted by Republic of Kenya in Nairobi, while national focal points are dotted throughout Eastern, Central, Western and Southern Africa. National bureaus are mainly wildlife and forestry authorities cooperating with one another and working closely with LATF, police, customs, anti-corruption and anti-money laundering units, NCB Interpol, WCO RILOs, military and state intelligence services, prosecutors and other specialized law enforcement agencies and arms of the judiciary, as well as conservation organizations. LATF and national bureaus report on regular basis to the intergovernmental ministerial policy and decision making body, the Governing Council of the Parties.

Note: LATF has developed strategic partnerships, and proven experienced in fulfilling its mandate at regional, multiregional and international levels. Meanwhile, it has been challenged in terms of growing membership, and – as is the case with many other regional bodies – financially sustaining its operations. These are country driven, and LATF's annual budget and programs are developed with national bureaus and approved by the Governing Council. LATF's administrative and operational costs are mainly met by member states' contributions. This annual financial obligation of parties while permitting full ownership of the process by member states may be the cause of the slow membership expansion of the agreement, and its limited continental network. Nonetheless LATF's activities cover territories of the member and partner states due to its cross-border mandate.

countries, while WENs have no formal structure and rely more on relationship building and electronic sharing of information to support one another's controlled deliveries and other national enforcement actions. In terms of finance, LATF is focused primarily on securing support for ongoing national and regional wildlife law enforcement activities including intelligence exchange, field operations, capacity building programs and running of the secretariat, while WENs prioritize capacity building and national task force development. As will be explained below, these roles are complimentary rather than competing.

WENS Need to be coordinated: The ASEAN-WEN model

Africa's WENs are eyeing ASEAN-WEN as a model. It is well known that ASEAN-WEN has a secretariat, which is called the Program Coordination Unit (PCU). The PCU serves as an administrative hub, organizing annual meetings, working

Wildlife Enforcement Network (WEN)

Purpose: To facilitate cooperation between countries' enforcement officials in a sub-region on wildlife crime.

Introduced: The WEN movement began with the advent and growth of the ASEAN Wildlife Enforcement Network (ASEAN-WEN) since 2006. Each of the 10 ASEAN member countries has a national multi-agency task force or WEN. The ASEAN-WEN Secretariat is physically located in and partly subsidized by the Government of Thailand. Member countries sponsor their own WENs, but have yet to subsidize the ASEAN-WEN Secretariat.

What it is: A WEN establishes national focal points in subscribing countries' agencies which work directly with one another, or through their regional secretariat, to create a multinational network that confronts transnational wildlife crime by sharing information, developing joint training, and conducting concurrent/synchronized operations. It typically includes police, customs and CITES officials, and is designed to also include prosecutors, financial intelligence units and links to INTERPOL National Central Bureaus (NCBs). WENs are relatively easy to form and join, since membership does not require accession process through national legislation.

Note: ASEAN countries have utilized ASEAN-WEN to build bridges with African countries primarily through communication with LATF. For example, ASEAN-WEN, South Asia-WEN (SA-WEN) and China have organized joint trainings and operations with LATF since 2009, including up to 17 African and 12 Asian countries in Operation Cobra 1, Cobra 2, and Cobra 3 (2013-2015), which led to successful cross-continental law enforcement actions that netted elephant ivory and rhino horn trafficking rings, among others. More recently, Southeast Asian and African law enforcement agencies have cooperated through ASEAN-WEN and LATF in an effort to jointly dismantle a cross-continental elephant ivory trafficking syndicate. These recent efforts have revealed the usual challenges in efficient use of Mutual Legal Assistance Treaties (MLATs), but ongoing hand-to-hand experience is serving as useful networking, training, and learning experience that will make each party more effective in tracking and dismantling cross-border syndicates.

groups, and multilateral capacity building events. The PCU was financed by Thailand and USAID from 2007 through 2014, with plans for ASEAN countries to absorb the USAID share by 2016. Thailand provides an office and support staff. However the 10 member countries have yet to pick up the annual US\$150,000 tab for the PCU's other core costs.

But it is less well known that ASEAN-WEN also has a Law Enforcement Extension Office (LEEO) that serves as the network's critical regional law enforcement intelligence exchange and support hub. The LEEO acts as ASEAN-WEN's police agency connector and chairs the WEN's investigation working group, which is called the Special Investigation Group (SIG) on wildlife trafficking. The ASEAN-WEN secretariat is therefore bifurcated in order to separate sensitive law enforcement matters from administrative ones. At ASEAN's Senior Officers Meeting on Transnational Crime (SOMTC) in 2015, wildlife crime was adopted as one of their focal issues of concern. Following this lead is ASEAN's police network, known as ASEANAPOL, which is now developing a relationship with ASEAN-WEN via the LEEO.



Traffickers are networking across Africa and with Asia, law Enforcers must do the same. Photo: Royal Thai Customs

LATF can be the Continental Coordination Agency for Africa WENs

Africa's WENs should ideally be coordinated to operate at full capacity. Fortunately, there is no need for them to spend time, effort and resources on creating a coordination office similar to LEEO for ASEAN-WEN, because LATF is already a seasoned law enforcement intelligence exchange and support hub. Therefore, **LATF could serve as the continental Coordination Agency ("LEEO") for all WENs in Africa.** LATF already maintains memorandums of understanding (MoUs) including with Interpol, WCO, CITES, COMIFAC and RECSA, and a sound working relationship with ASEAN-WEN, which strengthens its role as a regional inter-governmental law enforcement support hub.

Just as ASEAN-WEN countries are beginning to budget support for their PCU and LEEO, Africa's WENs could allocate funds to LATF, helping it discharge its coordination

role and strengthen WEN-to-WEN connectivity.



Ivory seized in Uganda during the trans-continental wildlife crime sting Operation Cobra II in 2015. Photo: Freeland

An Optimal Combination

The enormous wildlife conservation challenges in the African continent need wildlife law enforcement approaches both at a regional level (LATF), and at a sub-regional level. Both LATF and the WENs bring different and complementary CWT benefits to African states.

LATF can play a *mentor* and *support role* to WENs and provide:

- Continental links among sub-regional WENs. For example, if Horn of Africa-WEN wishes to cooperate with a Southern Africa-WEN, LATF as a neutral agency could play a facilitative role.
- A legal mandate. LATF could serve as the LEEO for all WENs.
- A continental focal point for other regional WENs. Asia's WENs are already working with LATF. If they need support in developing new lines of communication or joint activities with Africa's emerging sub-regional WENs, they can look to LATF for support and guidance.
- Training and advisory support. Africa's new WENs will need specialized training and guidance based on decades of lessons learned from national, regional and cross-continental operations. LATF and its international partners develop and conduct tailored training programs. Experience and expertise on cross-border enforcement operations and fostering inter-agency collaboration.
- Technical support on capacity needs in terms of specialized equipment and enforcement units.
- A developed criminal and intelligence database. LATF continues to build a wildlife criminal and intelligence database to support enforcement actions and information sharing with countries and WENs.

WENs can provide:

- Quick accessibility to countries in the network and instant networking benefits.
- Capacity building within sub-regions.
- Information sharing within sub-regions.



Representatives from ASEAN member states regularly meet for information exchange on wildlife crime activity and trends in their respective territories. The same could be done with the emerging African WENs and the LATF. Photo: Freeland

Flexibility and Discretion

The sub-regional WENs (HA-WEN, WENSA, etc) can choose if and when to include LATF in their events (and information sharing), based on practical need. LATF can do the same with WENs. For example, HA-WEN can expand its reach to other countries in Africa either by expanding membership and becoming an East Africa-WEN, or by teaming up with LATF. The LATF can sign MOUs with WENs to guide them on the modalities for sharing information and undertaking joint programs of mutual interest, as well as reciprocal participation in each others' events.

Under any scenario, WENs and LATF can and should co-exist and maintain synergistic, mutually beneficial relationships with one another, as well as with the World Customs Organization, CITES, UNODC, and Interpol.



Kenyan wildlife officer participating in ASEAN-WEN training.

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