

# Coordinating Security Sector Responses to Counter Illegal Logging

**SYLLABUS** 

July 10-14, 2023



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#### ABOUT THE AFRICA CENTER

Since its inception in 1999, the Africa Center has served as a forum for research, academic programs, and the exchange of ideas with the aim of enhancing citizen security by strengthening the effectiveness and accountability of African institutions, in support of U.S.-Africa policy.

#### **VISION**

Security for all Africans championed by effective institutions accountable to their citizens.

Realizing the vision of an Africa free from organized armed violence guaranteed by African institutions that are committed to protecting African citizens is the driving motivation of the Africa Center. This aim underscores the Center's commitment to contributing to tangible impacts by working with our African partners – military and civilian, governmental and civil society, as well as national and regional. All have valuable roles to play in mitigating the complex drivers of conflict on the continent today. Accountability to citizens is an important element of our vision as it reinforces the point that in order to be effective, security institutions must not just be "strong," but also be responsive to and protective of the rights of citizens.

#### **MISSION**

To advance African security by expanding understanding, providing a trusted platform for dialogue, building enduring partnerships, and catalyzing strategic solutions.

The Africa Center's mission revolves around the generation and dissemination of knowledge through our research, academic programs, strategic communications, and community chapters. Drawing on the practical experiences and lessons learned from security efforts on the continent, we aim to generate relevant insight and analysis that can inform practitioners and policymakers on the pressing security challenges that they face. Recognizing that addressing serious challenges can only come about through candid and thoughtful exchanges, the Center provides face-to-face and virtual platforms where partners can exchange views on priorities and sound practices. These exchanges foster relationships that, in turn, are maintained over time through the Center's community chapters, communities of interest, follow-on programs, and ongoing dialogue between participants and staff. This dialogue—infused with real world experiences and fresh analysis—provides an opportunity for continued learning and catalyzes concrete actions.

#### **MANDATE**

The Africa Center is a U.S. Department of Defense institution established and funded by Congress for the study of security issues relating to Africa and serving as a forum for bilateral and multilateral research, communication, exchange of ideas, and training involving military and civilian participants. (10 U.S.C 342)

#### Introduction

Illegal logging is a growing feature of transnational organized crime in Africa. African countries are estimated to lose \$17 billion each year to illegal logging. High-value timber species are in global demand, with the United Nations Office on Drugs and Crime reporting that Africa's share of rosewood exports to China rose from 40 percent in 2008 to 90 percent in 2018. These trends have major security implications for the various African countries supplying rare hardwoods to global markets. Illegal logging has numerous negative environmental effects that weaken human security. Deforestation in the world's second largest carbon sink, the Congo Basin, is an urgent example. Yet even beyond environmental degradation, timber trafficking affects national security. It amplifies threats posed by organized criminal groups and violent extremist organizations. It also entrenches systemic corruption that undermines accountable governance, a key ingredient of peace and security.

Dismantling transnational organized crime (TOC) networks that perpetrate illegal logging often requires joint actions by military, law enforcement, and justice officials, in concert with communities, security strategists, and relevant regional bodies. African security and justice officials may therefore have an interest in intensifying their comparative learning about the range of coordination efforts underway, as well as the strengths and weaknesses of coordination initiatives for countering illegal logging across contexts: on the cross-border level, on the national level across agencies, and on the citizen and community level.

This five-day, in-person program seeks to provide a forum for senior-level, military and civilian officials from the defense and security sector, as well as the justice and forestry sectors, to share lessons learned, innovative approaches, good practices, and ongoing challenges that they face in coordinating responses to counter illegal logging in their contexts. Participants will have a chance to learn from African academic and practitioner experts on various aspects of this topic, convene in small multi-country discussion groups to compare and contrast experiences, and work in regionalized groupings to brainstorm ways forward on strategic solutions. Thanks to the multi-country and multi-regional nature of the program, participants will have different political, contextual, and technical viewpoints to share that will enrich the discussions and debates.

#### **Program Objectives**

The objectives of the program are to:

- 1. Expand understanding of challenges that the military, law enforcement, judicial, and forestry actors face in countering illegal logging in Africa, as well as the strengths and weaknesses of the tools and techniques they are using to address it.
- 2. Analyze the political economy of illegal logging in Africa and the implications for security sector coordination with other state and societal actors to counter it.
- 3. Share peer learning about how security sector officials can work on the cross-border, interagency, and community levels to counter illegal logging in ways that enhance citizen security through transparent, effective forest resource management.

4. Integrate program participants into an ongoing community of interagency practitioners who identify regional or inter-regional priority actions that they could pursue together to more effectively counter illegal logging in their contexts.

#### **Academic Approach**

The program will seek to facilitate cross-country and cross-regional networking, as well as catalyze peer learning and experience-sharing from different sectoral actors who are involved in designing and implementing whole-of-society and people-centered solutions to counter illegal logging. The strengths, weaknesses, threats, and opportunities for the coordination of security sector responses with responses from other sectors and actors who are key to successful responses will be considered throughout. The program will thereby include:

- a) Practical academic content in this syllabus to provide fodder for debate, discussion, and innovative exchanges during the forum;
- b) Plenary sessions that reinforce peer learning and experience sharing about common challenges and notable successes on various aspects of African efforts to counter and prevent illegal logging and the roles of security sector officials in the process;
- c) Small group discussions between military, law enforcement, justice, and forestry officials from different countries and regions that reinforce the learning objectives, helping participants exchange lessons and share ideas about the subject matter;
- d) Region-specific self-assessment exercises about coordinated efforts that include the security sector as a lead or supporting set of actors in countering illegal logging, which will inform presentations about steps that participants from each region they can take upon return home to enhance local, national, and supra-national responses.

The forum will be conducted in English, French, and Portuguese. A strict policy of non-attribution applies to the entirety of the program's proceedings. These rules are binding during and after the seminar. We encourage you to share the insights you gain from this seminar with your colleagues, but not to name your fellow participants in relating what you learn. We hope that this will allow you to freely address the sensitive issues under discussion. All program documentation will be posted on the Africa Center website.

#### **Syllabus**

This syllabus is an educational document intended to expose participants to various perspectives to help them take full advantage of the program; it does not reflect the views or official position of the Department of Defense or U.S. Government. It provides an overview of key ideas, debates, and policy issues related to parliamentary involvement in defense and security sector oversight, as well as defense and security sector contributions to good security sector governance.

For each session listed in the syllabus, we provide learning objectives and an introduction to the theme of the plenary session. We also list <u>questions that participants should be prepared</u> to <u>answer in the subsequent discussion groups</u>. Finally, we include a selection of recommended readings. Please consult them before the sessions for which they are listed.

The primary purpose of the recommended readings is to help frame the stakes and the challenges of security-justice coordination within the context of available scholarship, empirical evidence, and policy documentation. We encourage you to share questions and suggestions about the materials and the forum, as it will enhance the quality of our programs and the learning experience for all. We are eager to discuss specific topics with you.

The lion's share of expertise and knowledge about these topics comes from you. We heartily encourage you to share your experiences and knowledge with each other, to challenge and debate ideas that are raised at the forum, and to use the forum as you wish to build additional networks

that might be useful to you professionally.

#### **Preparation for the Program**

Before each session of the program, we ask that you:

- 1. Review the relevant portion of the syllabus and consult the recommended readings.
- 2. Think about the relevant session's discussion group questions and consider what experiences from your work you might share with your colleagues.
- 3. Read the guided exercises in advance and be prepared to share your thinking on them with a region-specific group into which you will be placed.
- 4. Be ready to participate in discussion groups and guided exercises by sharing and interacting with other participants.

#### Session 1: The Political Economy of Illegal Logging

**Format:** Plenary Session (Monday, July 10, 2023, 1100-1230) Discussion Group (Monday, July 10, 2023, 1530-1700)

#### **Objectives:**

- Examine recent continental and regional trends in illegal logging in Africa, including the criminal actors involved in it, state and societal vulnerabilities to it, and factors shaping their resilience to it
- Learn the political economy approach to analyzing and responding to transnational organized crime: identifying the range of actors involved in illegal logging, understanding those different actors' incentives, and using that knowledge to find contextually effective ways to reshape those incentives

#### Background:

Illegal logging is a growing feature of transnational organized crime in Africa. Characterized as the harvest, transport, purchase, or sale of timber in violation of the law, illegal logging is often facilitated by the collusion of senior officials with criminal networks, it amplifies existing governance problems, feeding into serious national security challenges and increasing risks of violence. Illegal logging refers to a significant range of illicit activities related to the cutting, processing, and exporting of various species of rare hardwoods that are common in Africa and in high demand globally. These acts have wide-ranging security implications for the African countries supplying rare hardwoods to global markets. Illegal logging has numerous negative environmental effects that weaken human security, including deforestation in the Congo Basin forest, one of the world's largest carbon sinks and a source of livelihood and development for many people. Timber trafficking also affects national security, because it amplifies threats posed by organized criminal groups and violent extremist organizations operating on the African continent. Illegal logging also entrenches particular forms of systemic corruption, which undermines accountable governance, itself a key ingredient of peace and security.

To effectively counter illegal logging, African security sector leaders must understand not only the patterns of criminal activity that characterize this form of transnational organized crime, but also the root causes and core drivers of these illicit activities and the flows that result from them. Devising appropriate responses to these trends also requires leaders to have a clear sense of who the key actors involved in illegal logging are, how their context shapes their motivations and incentives, and what kinds of opportunities and constraints they are responding to in the political, legal, and institutional context in which they are operating. Leaders can gain proficiency in these elements by taking a **political economy approach** to analyzing illegal logging. Political economy is "the study of rational decisions in the context of political and economic institutions," which shape various actors' incentives to behave in certain ways.<sup>2</sup> Thus, political economy approaches seek to identify the factors shaping the incentives of strategic actors to make decisions that can, in aggregate, either foster or discourage illegal logging.

There are many factors spanning the security, development, and governance arenas that shape people's everyday life circumstances, as well as the incentives that they may (or may not) have for involvement in the licit and illicit parts of the economy that are connected to trafficking and smuggling. Some prominent ones are the availability of alternative livelihoods to those that

involve some element of illegal logging, how much citizens perceive illegal logging to be a viable endeavor despite its illegality, how legitimate the state is, and how the transparency and accountability of security, justice, and forestry sectors affect those perceptions of legitimacy.

One example of a political economy framework for understanding illeal logging comes from the Organized Crime Index Africa 2019 (and updated for 2021) by the ENACT Consortium, a grouping that consists of INTERPOL, the Institute for Security Studies-Africa, and the Global Initiative against TOC.3 According to the *Index*, organized crime is perpetrated in Africa by **four primary** criminal actors: state-embedded actors, criminal networks, foreign actors, and mafia-style actors. One of the most prominent patterns related to TOC across African countries is the collusion and interdependence between state-embedded actors and criminal networks to perpetrate TOC. The complicity of certain high-level state actors in the corruption facilitating organized crime is documented notably in the UN Economic Commission for Africa's Report of the High-Level Panel on Illicit Financial Flows from Africa.4 The Index also discusses African state vulnerabilities to TOC and tracks the presence and intensity of ten different criminal markets, including the one for flora crimes. Finally, the *Index* suggests twelve factors likely to affect African **state resilience** to TOC: political leadership and governance, government transparency and accountability, international cooperation, national policies and laws, judicial capacity, law enforcement, anti-money laundering, economic regulatory capacity, victim and witness support, prevention, non-state actor involvement in response, and territorial integrity.<sup>5</sup>

Judging by these resilience factors, it appears that coordination across various parts of the security sector, justice sector, and forestry sector, may hold some potential for African government officials and civil society actors seeking to counter illegal logging. A political economy approach to coordination will require understanding who the different actors are, what kinds of strategies they may adopt based on African states' criminal markets and vulnerabilities, and how resilience factors can change high-level actors' incentives to facilitate illegal logging in particular places.

#### **Discussion Questions:**

- Given your own knowledge and experiences related to countering illegal logging in your country and region, what do you hope to learn through this seminar?
- Which kinds of criminal actors and criminal markets mentioned in the ENACT Organized Crime Index are most strategically relevant in your country or region for the perpetration of illegal logging and timber trafficking?
- What kind of work is your country or region doing on countering illegal logging that relates to the twelve resilience factors that the ENACT Organized Crime Index highlights for Africa?
- What sorts of incentives do the relevant state and non-state actors in your country or region have to address illegal logging? How does this incentive structure affect the options that security, justice, and forestry sector leaders have to respond?

- Caden Browne, Catherine Lena Kelly & Carl Pilgram, "<u>Illegal Logging in Africa and its Security Implications</u>," Spotlight, Africa Center for Strategic Studies, 12 August 2022.
   "<u>L'exploitation forestière illégale en Afrique et ses implications sécuritaires</u>, » Eclairage, Centre d'Etudes Stratégiques de l'Afrique, 12 August 2022.
- 2. "Key Findings," <u>Africa Organized Crime Index 2021 Evolution of Crime in a Covid</u> World, Global Initiative Against Transnational Organized Crime, pp. 14-26.
  - To find the report on your country, visit: Data Analysis Portal for Organised Crime Index Africa 2021, <a href="https://ocindex.net/">https://ocindex.net/</a>
  - « Principales conclusions, » <u>Indice du crime organisé en Afrique 2021 : Evolution de la criminalité dans le contèxte du Covid 19</u>, Global Initiative Against Transnational Organized Crime, pages 16-26.
    - o Pour trouver le rapport sur votre pays, visitez : Portail d'analyse des données du Organized Crime Index Africa 2021,
- 3. African Union, "African Strategy on Combating Illegal Exploitation and Illegal Trade in Wild Fauna and Flora in Africa," May 2015.
  - Union Africaine, "St<u>ratégie Africaine sur la lutte contre l'Exploitation Illégale et le</u> Commerce Illicite de la Faune et de la Flore Sauvages en Afrique," mai 2015.
- 4. Benoit Blarel, "The real cost of illegal logging, fishing, and wildlife trade: \$1 trillion to \$2 trillion per year," World Bank, October 2019.
  - "Le cout reel de l'exploitation illegal de ressources naturelles se chiffre entre 1000 et 2000 milliards de dollars par an," World Bank, October 2019.

#### Session 2: Security Sector Roles in Countering Illegal Logging

**Format:** Plenary Session (Monday, July 10, 2023, 1330-1500) Discussion Group (Monday, July 10, 2023, 1530-1700)

#### **Objectives:**

- Take stock of the ways that the security sector has been involved in countering illegal logging in different African contexts and their records of effectiveness
- Compare and contrast the mandates that different types of security sector officials have to prevent and deter illegal logging
- Assess where there are any gaps between security sector actors' roles on paper and in practice in addressing illegal logging in their countries and regions

#### **Background:**

A variety of defense and security actors are involved in detecting and responding to different aspects of transnational organized crime (TOC) related to illegal logging. In several countries, the military assigns high-level officials to work with the national park service to address transnational aspects of illegal logging and other flora crime activities that take place in protected areas. Military responses may also be considered when illegal logging crimes are being perpetrated by non-state armed groups that pose threats to the territorial integrity of the state. Police services are also increasingly engaged in efforts to address illegal logging, including through some countries' creation of specialized forestry crime units. In addition, "tax evasion, corruption, violent crime, fraud and money laundering, and even the hacking of government websites to obtain permits, are commonplace in the forestry crime landscape." As a result, customs and border security officials, prosecutors and magistrates, financial intelligence experts, forestry officials, and independent anti-corruption institutions are also critical actors with whom defense and security officials cooperate.

Coordination between security sector actors and their counterparts in the justice and forestry sectors to counter illegal logging is one particularly critical component of building resilience to those illegal logging activities that constitute TOC. **Resilience** is defined as improving the ability of leaders, institutions, systems, and citizens to deal with TOC in ways that are adaptable, mitigate harm, and reduce future vulnerabilities. Coordination is the process of trying to make different parts of a system and various organizations work together more effectively. Coordination can be a precursor to effective cooperation for achieving national security goals. When it is done well, it can minimize competition and enhance complementarity among the entities involved. This can help to solve problems that no single institution or agency could address as well alone.

Security, justice, and forestry sector coordination to address flora crimes like illegal logging and timber trafficking also hinges upon African state actors having a similar understanding of what organized crime is in the first place. Regrettably, there is no consistently agreed-upon definition of organized crime, but the UN Convention on Transnational Organized Crime (Palermo Convention) – which a majority of African countries have ratified – defines "organized criminal groups" as consisting of three or more people, existing for a period of time, that act together with the aim of committing at least one crime punishable by four years' incarceration. To qualify as organized criminal groups, members must be acting together to commit those crimes in order

to obtain a financial or other material benefit, whether directly or indirectly.<sup>10</sup> Often, these pursuits are fueled by the use of violence and/or corruption.<sup>11</sup> Organized crime is transnational when relevant activities cross official political borders, and are thus are "planned, prepared, committed, or have significant consequences in multiple states," as per the Palermo Convention.

One challenge to the security sector mounting an effective response to illegal logging is that timber trafficking networks quickly adapt to evade African states' efforts to detect and punish them. To build African state resilience to illegal logging, state security, justice, and forestry actors will need to anticipate these possibilities for adaptation and put mechanisms and practices in place to respond nimbly to timber traffickers' evolution and behavior. Here again, coordination can come in handy. Several different aspects are useful: (i) **interagency and interministerial coordination** on the national level, within and across different levels of the bureaucratic hierarchy; (ii) **cross-border coordination** between different countries' security, justice, and forestry actors; and (iii) **state-society coordination** that is inclusive of a diverse cross-section of citizens and communities and is rooted in people's knowledge, perspectives, and experiences related to illegal logging and the illicit timber trade.

#### **Discussion questions:**

- What do you think are the main challenges to coordinating military, law enforcement, justice, and forestry efforts to counter illegal logging, given the roles and responsibilities of these actors and the nature of illegal logging challenges in your country and region?
- What are some of the approaches that you and your colleagues have used to coordinate the state's work to counter illegal logging on the interagency level, the cross-border level, and the subnational (community) level?
- What aspects of state responses to illegal logging are useful for the security sector to be the lead agency in fashioning? What aspects of response are better for the security sector to be a supporting agency?
- What are the areas of intervention in countering illegal logging in which security sector actors add the most value? What does the security sector need to better understand about the work of other ministries and agencies involved in addressing the issue?

- 1. Dr. Catherine Lena Kelly, "<u>An Introduction to Coordination of Security and Justice Responses to Countering Transnational Organized Crime</u>," Africa Center for Strategic Studies
  - « <u>Coordonner les réponses de sécurité et de justice à la criminalité transnationale organisée: une introduction</u>, » Centre d'Etudes Strategiques de l'Afrique
  - "Coordenação de Respostas de Segurança e Justiça à Criminalidade Organizada Transnacional: Introdução"
- 2. « Responding to timber trafficking in a context of criminal consortia, » in Hassoum

- Ceesay, Laurent Kadima Mavinga, Jackson Miller, Oscar Nkala, Riana Raymonde Radrianarisoa, Tuesday Reitano, Babar Turay, <u>"Razing Africa: Combatting criminal consortia in the logging sector,"</u> Research Paper 6, ENACT, December 2018.
- 3. "Forestry Crime: Targeting the Most Lucrative of Environmental Crimes," Interpol, 14 December 2020.
  - « <u>Criminalite forestire</u> : <u>la plus lucrative des atteintes a l'environement en ligne de mire</u>, » Interpol, 14 decembre 2020.
- 4. « Executive Summary : Enhancing Security-Justice Coordination to Counter Illegal Logging, » Africa Center for Strategic Studies, 9 February 3 March 2021.
  - « <u>Document de synthese</u>: <u>Renforcer la coordination securite-justice pour lutter contre la criminalite transnationale organisee</u>, » 9 fevrier 3 mars 2021.
  - « <u>Sumario executivo</u>: <u>Otimizar a coordenacao entre a seguranca e a justica para combater o crime organizado transnacional</u>, » 9 de fevereiro 3 de março de 2021

#### Session 3: Security Sector Coordination with Ecoguards and Rangers

**Format:** Plenary Session (Tuesday, July 11, 1330-1500) Discussion Group (Tuesday, July 11, 1530-1700)

#### **Objectives:**

- Explore different examples of how park rangers and ecoguards are working to counter illegal logging in their countries and regions
- Analyze the successes and challenges that security sector officials and ecoguards have had in coordinating their responses to prevent and counter illegal logging
- Identify measures that security sector officials and ecoguards can pursue ensure that their joint work (on community-based prevention and on deterrence) is effective at providing citizen security while responding to illegal logging

#### **Background:**

In many African countries where illegal logging is or has been prevalent, agents of the security sector and the forestry sector have needed to work together collaboratively to implement states' strategies to address timber trafficking. In countries where illegal logging is occurring in areas where the state has established national park reserves or protected areas, park rangers or "ecoguards" who work for the forestry ministry are often on the front lines of the state's efforts to counter and prevent a wide range of flora and fauna crimes, including illegal logging. Efforts to enhance security, justice, and forestry sector coordination therefore require careful strategic thinking about the extent to which rangers and ecoguards take on military-like roles, and the extent to which they assume more community-based conservation roles instead.<sup>13</sup>

A growing body of research shows that rangers and ecoguards in African parks and protected areas face a double-edged sword in their everyday work. On the one hand, ecoguards are increasingly endangered in their work by the violent activities of non-state armed groups – whether locally based armed militias, regional rebel groups, insurgents, or violent extremist groups looking to finance themselves through taxing or engaging directly in the flora and fauna trade who operate in or near parks and protected areas, and in forested communities more broadly. This has led several African states to "militarize" the training and equipment that ecoguards are offered to fulfill their roles to monitor, protect, and maintain rule of law in the areas where they work. In some cases, militaries have also been called in to work alongside ecoguards to arrest traffickers in areas with high frequencies of flora and fauna trafficking. This is intended to help reduce the number of deaths that ecoguards experience in their work and to deter heavily armed adversaries from overcoming the state officials charged with protecting rangelands and the communities around them.

On the other hand, ecoguards are also more likely to be effective in fulfilling their missions if they retain the trust and respect of the citizens who live and work in the communities around parks and protected areas. Yet in some cases, the militarization of rangers and ecoguards has also created fear and mistrust of them and other agents of the state by local populations. Studies also show that many ecoguards deeply regret this dynamic and understand why it can be detrimental to their professional and ethical missions. Under conditions of trust and legitimacy vis-à-vis local communities in the areas where they operate, rangers and ecoguards have the potential to contribute to the human security of citizens in forested areas and to amplify the intended positive

effects of community-based management of forest lands, including in ways that may mitigate incentives for illegal logging. When community members are willing to share information and provide early warning to ecoguards about potential trafficking activities in their areas, they too can help the ecoguards counter organized flora crimes. Finding ways to mitigate civilian harm during counter illegal logging operations and to communicate any checks and balances that ecoguards and their security sector counterparts have in place to consider local community safety and security during those operations could go a long way towards enhancing coordinated responses. Supporting community forestry schemes that are designed in an inclusive and transparent manner could also help.

However, additional measures to design systems that build confidence between ecoguards, the security sector, and the citizens and communities they are meant to serve may also deserve some consideration. In some cases where national parks and their officials are heavily punitive towards local community members who commit minor infractions, the judicial police and other officials involved in bringing them to justice are perceived as decreasingly legitimate. This may particularly become the case if the actors apprehending people from local communities for minor infractions are overly harsh in their physical treatment of those suspects. When state officials are not pursuing the kingpins behind illegal logging are not being pursued but minor offenders are punished heavily, and when these interactions coincide with a local context in which there are pre-existing grievances about "boundaries of the park,...land appropriation, and the regulation and use of natural resources," the jobs of rangers and ecoguards can become even more challenging, even if they have sympathies that align with the concerns of the affected communities. Ongoing, coordinated work with local civil society groups, government officials in the security and justice sectors (particularly those knowledgeable about community policing, civil affairs outreach of the military, and people-centered justice and alternative dispute resolution) may therefore help rangers and ecoguards who are committed to their missions provide human security effectively and with the community-based trust that they need.

#### **Discussion questions:**

- What is the legal and professional status of ecoguards in your country? Are they formally members of the security sector, part of the forestry administration, or professionally organized in another way?
- What are the strengths and weaknesses of how those in different parts of the security sector (whether in the military, police, or forestry and parks sector) leverage the different roles that ecoguards can be asked to play in countering illegal logging?
- Are there interagency coordination mechanisms in place to counter illegal logging that includes the ecoguards in your country? If so, how are these mechanisms designed and to what extent have they been useful in coordinating with the security and justice sectors to respond to timber trafficking?

#### **Recommended Readings:**

1. Wole Ojewale, "<u>Terrorists and Poachers Take Aim at the Congo Basin's Guardians</u>," ISS-Africa Today, 10 October 2022.

- "Terroristes et braconniers s'en prennent aux gardes du Bassin du Congo," ISS-Afrique Today, 10 October 2022.
- 2. Judith Verweijen & Esther Marijnen, "Why Rangers in the Congo's Virunga National Park are Under Attack," The Conversation, 14 January 2021.
  - Judith Verweijen & Saidi Kubuya Batundi, "<u>Parc National de Virunga: Mettre fin a la "conservation policiere" de la nature</u>," The Conversation, 18 juin 2019.
- 3. Denis Mahonghol, Paulinus Ngeh, and Hin Keong Chen, "<u>Module 5: Le role des forces de maintien de l'ordre (police et gendarmerie) dans l'application de la loi forestiere,"</u> in *Manuel de Formation en Legislation Forestiere et Controle*, 2016.
- 4. "Rangers- the unsung heroes of wildlife conservation," United Nations Environmental Program, 30 July 2019.
  - "Les gardes forestiers- heros oublies de la conservation de la vie sauvage," ONU Programme pour l'environment, 30 juillet 2019.
  - "Guardas-florestais: os herois invisivies da conservação da vida selvagem," ONU Programme pour l'environment, 30 de julho 2019.
- 5. Jessica Graham, "<u>Can Women Rangers Help Decrease Corruption Rates?"</u> Targeting Natural Resources Corruption blog, WWF, April 2021.

#### Session 4: Security & Justice Coordination to Arrest, Investigate, and Prosecute

Format: Plenary Session (Wednesday, July 12, 0900-1030) Discussion Group (Wednesday, July 12, 1100-1230)

#### **Objectives:**

- Understand existing strategies, policies, institutions, and programs in place to coordinate
  the work of law enforcement and judicial actors in the criminal justice chain who have
  complementary roles in deterring illegal logging through the process of arrest,
  investigation, and prosecution
- Analyze the successes and challenges that security sector and justice sector officials have had in working together to mount effective responses to illegal logging operations during the arrest, investigation, and prosecution stages of deterrence
- Identify measures that security sector and justice sector officials can officials can pursue to ensure that their interdependent work in the criminal justice chain is effective at providing citizen security while responding to illegal logging

#### Background:

Developing stronger working relationships between state security, justice, and forestry actors is a core element of helping to counter illegal logging. Some of the national-level coordination mechanisms may be **interagency** (streamlining the work of agencies in the same department or ministry), while others are **inter-ministerial** (streamlining the work of different departments or ministries). Implementing strategies to counter illegal logging will vary but are likely to include **horizontal coordination** between government bodies, as well as **vertical coordination** between national and subnational level officials within security, justice and forestry agencies.<sup>14</sup>

Some examples of measures that certain countries have taken to enhance national coordination to counter illegal logging include: the collaboration of forestry, customs, and border security officials to investigate tax fraud and corruption of entities suspected of timber trafficking; creating specialized coordination mechanisms for anti-corruption institutions and judicial institutions within the criminal justice chain to focus on hardwood trafficking; and arranging joint deployments by ministries of defense, interior, and environment to ensure a reliable presence on the ground in areas of a country where timber trafficking is common. The success of coordination depends on government initiative to make those structures work, as well as the commitment of individuals to participate fully within them. <sup>15</sup>

When strategizing coordination to counter illegal logging, leaders should consider both the positive and negative potential aspects of it. When done well, security, justice, and forestry coordination will be based on clear definitions of roles and responsibilities and can thereby facilitate long-term problem solving. <sup>16</sup> A certain degree of specialization in training and responsibilities related to illegal logging may be desirable for swift and impactful responses; for example, Gabon's establishment of a Special Correctional Tribunal in Libreville in 2019 was seeking to respond to this need for specialized attention to address illegal logging offenses in the local context. At the same time, certain degrees of overlap between different agency and ministry roles and responsibilities for particular aspects of response can help to ensure that states take a holistic approach to countering illegal logging. <sup>17</sup> Too much coordination, or the wrong kind of coordination, can also be damaging. Striking an appropriate balance in one's

own context is central.

#### **Discussion questions:**

- Are there interagency coordination mechanisms in place for your country to address illegal logging and timber trafficking? If so, what do these mechanisms look like, and if not, what kinds of coordination mechanisms do you think would be most useful in countering illegal logging?
- What areas of inter-agency coordination could be strengthened by further joint training or experience sharing within and across the military, police, customs, justice, and forestry officials?
- What are the current strengths and weaknesses of how security and justice officials in your country jointly address illegal logging?

- 1. United Nations Office on Drugs and Crime, "Transnational Crime Units," West Africa Coast Initiative, <a href="https://www.unodc.org/westandcentralafrica/en/west-africa-coast-initiative.html">https://www.unodc.org/westandcentralafrica/en/west-africa-coast-initiative.html</a>
  - "Unités de lutte contre la criminalité transnationale organisée," Initiative côtes de l'Afrique de l'Ouest, <a href="https://www.unodc.org/westandcentralafrica/fr/west-africa-coast-initiative.html">https://www.unodc.org/westandcentralafrica/fr/west-africa-coast-initiative.html</a>
- Gaisekaangwe Ace Peke, Biola Shotunde, and Serigne Assane Dramé, "Fostering National-Level Interagency Coordination to Counter Transnational Organized Crime, » February 16, 2021,
  - https://www.youtube.com/watch?v=sKWTofjoXds&feature=emb\_title
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  - « Promoção da Coordenação Interagências de Nível Nacional para Combater a COT, » 16 février 2021, https://www.youtube.com/watch?v=UEYC\_uNBvJY
- 3. United Nations Environmental Program, "<u>Strengthening Legal Frameworks for the Licit and Illicit Trade in Wildlife and Forest Products</u>," 2019.
  - « <u>Renforcement des cadres juridiques liés au commerce licite et illicite des espèces sauvages et des produits forestiers : leçons tirées des secteurs de la gestion des ressources naturelles, de la réglementation du commerce et de la justice, » 2019.</u>

## Session 5: Enhancing External Coordination: Regional, Continental, and International Levels

Format: Plenary Session (Thursday, July 13, 0900-1030) Discussion Group (Thursday, July 13, 1100-1230)

#### **Objectives:**

- Take stock of the international conventions, AU-level strategies, and regional plans in place to counter and prevent illegal logging
- Analyze the different ways that African states can engage with partners on and off of the continent to address illegal logging and manage Asian and Western demand for rare hardwoods in ways that protect citizen security and preserve legal logging livelihoods
- Identify measures that security sector officials can take with their counterparts across national borders to more effectively coordinate on information-sharing, joint patrols, shared strategic planning, and other ways to help counter illegal logging

#### Background:

Illegal logging is a phenomenon that ignores political boundaries and legal jurisdictions. It frequently involves criminal networks that cross official political borders and that concern multiple national governments. For this reason, cross-border coordination between different countries' militaries, law enforcement agencies, water and forest agencies, and state judicial systems is desirable. The people who perpetrate illegal logging work together to exploit cross-border differences in economics and policies, which fuel the illicit markets behind timber trafficking and illegal logging. Criminal networks take a pragmatic approach to making profit, adapting to local conditions and shifting between different markets or locations as needed. When done well, coordination can help African states mobilize resources in ways that minimize competition and enhance the complementarity of different countries' security and justice institutions. Coordination can also help those countries become more swift and agile in countering criminal actors, who take advantage of states that are slow to respond collectively.

Regional Economic Communities (RECs) spearhead certain kinds of coordination; in some cases, there are regional policies and plans to counter illegal logging or organized crime related to flora and fauna specifically. RECs may also be a vehicle for enhancing the implementation of regional action plans and efforts to harmonize national legislation to facilitate mutual legal assistance and extradition. For instance, in 2008, the Central African Forests Commission established a subregional agreement involving the environment and forestry ministries of eight countries to facilitate law enforcement coordination on timber-related production and trade. The agreement emphasizes cross-border and interagency coordination between security, justice, and forestry officials. These harmonized forest management practices are also promising in Southern Africa. Bilateral coordination as well as inter-regional and continental coordination mechanisms are critical.

Some initiatives in these domains are already underway regionally and continentally. AFRIPOL, the African Union's institution for police cooperation, is established to "facilitate the prevention, detection, and investigation of transnational organized crime in coordination with national, regional, and international police institutions." Member states could further shape the organization's focus on illegal logging if they so desire. On a cross-REC level, there are also

instruments like the Lusaka Agreement Task Force (LATF), a voluntary agreement about cooperative enforcement operations directed at the illegal trade in wild flora and fauna, which currently has ten African states engaged (Republic of Congo, Kenya, Liberia, Uganda, Zambia, Lesotho, Tanzania, Ethiopia, South Africa, Eswatini). For the states that have ratified the agreement, a multinational body from the LATF is allowed "to investigate violations of wildlife laws, 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." Forestry services, prosecutors, police, military, anti-corruption and anti-money laundering units are included.<sup>21</sup>

On the REC level, the Southern African Development Community (SADC) developed a holistic strategy to counter transnational organized crime in 2021, so as to develop common approaches to countering criminal networks involved in multiple types of organized crime.<sup>22</sup> Information-sharing across specialists on specific types of criminal activities here is key, and platforms like Africa-TWIX are prime tools to use. The Central and Eastern African Police Chiefs Cooperation Organizations (CAPCCO and EAPCCO) have taken steps to work together on similar issues, since illegal logging is part of a supply chain that includes a wide range of source, transit, and destination countries spanning the continent and the globe. The Inter-Governmental Authority on Development (IGAD) also has a criminal intelligence sharing network that includes forestry crimes in its remit for enhancing law enforcement and prosecutorial coordination.<sup>23</sup>

On the judicial side, mechanisms like the Great Lakes Judicial Cooperation Network (GLJC) are designed to help central authorities address international judicial cooperation on criminal issues and to facilitate faster joint action even in the absence of formalized mutual legal assistance agreements.<sup>24</sup> The West Africa Network of Central Authorities and Prosecutors (WACAP), supported by the United Nations Office on Drugs and Crime (UNODC), also holds potential to facilitate enhanced coordination on illegal logging cases that cross regional borders. In addition, there are a range of international and regional agreements, protocols, and non-binding declarations that form the basis of further coordinated action, to include the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).25 Although CITES is a binding agreement, its implementation depends on good faith efforts to adopt relevant domestic legislation and policies. Parties have sought to enhance CITES implementation through the joint creation of forestry strategies and declarations. For instance, the Southern African Development Community Protocol on Forestry requires signatories to commit resources to harmonizing legislation, implementing community forestry programs, sharing information, and building capacity.<sup>26</sup> Nonbinding instruments like the Zanzibar Declaration and the Accra Declaration also signal countries' intent to honor commitments.27 However, effective implementation requires credible enforcement mechanisms.

#### **Discussion Questions:**

- What successes and challenges has your country had in working with neighboring countries to counter illegal logging? With RECs (like ECCAS, EAC, ECOWAS)? With the AU and INTERPOL?
- What challenges and successes in the implementation of international agreements like CITES or the Palermo Convention has your country had?

• What are some of the strengths and weaknesses of the strategies, declarations, or projects underway in your region that are intended to counter illegal logging? What kinds of formal and informal actions can be taken to enhance regional response?

- 1. Lusaka Agreement Task Force, "Cross-Border Cooperation and Coordination to Combat Illegal Wildlife Trade: A Case Study of the Lusaka Agreement Task Force (LATF)," 2022.
- "Déclaration de Kinshasa sur le renforcement de la coopération judiciaire dans la région des Grands Lacs," Reunion des Ministres de la Justice des Etats Membres de la Conference Internationale sur la Region des Grands Lacs, 16 juin 2022.
- 3. Wole Ojewale, « <u>Nigeria and Cameroon Must Confront Timber Trafficking Together</u>, » *ISS-Africa Today*, 15 July 2021.
  - « <u>Le Nigeria et le Cameroun doivent faire front commun contre le trafic illicite de bois</u>, » *ISS Afrique Today*, 15 juillet 2021.
- 4. « <u>Trade in Wildlife Information Exchange : Promoting Information Sharing and Cooperation to Reduce Illegal Wildlife Trade in Africa,</u> » TRAFFIC, 2021.
  - « <u>Promouvoir le partage des informations et la cooperation pour reduire le commerce illegale d'especes sauvages en Afrique centrale, » TRAFFIC, 2021.</u>

### Session 6: Engaging Border and Forest Communities in Coordinated Response

Format: Plenary Session (Thursday, July 13, 1330-1500) Discussion Group (Thursday, July 13, 1530-1700)

#### **Objectives:**

- Consider the security, development, and governance factors that shape how illegal logging affects the lives of citizens living in forest and border communities
- Analyze the current types of work that community leaders and local civil society are doing
  with state security, justice, and forestry officials to prevent and counter illegal logging, as
  well as areas in which there are natural tensions in the approaches that state actors and
  civil society to addressing illegal logging
- Explore ways that the work of security, justice, and forestry actors can be enhanced by further coordination with communities and civil society to build resilience to organized crime and illegal logging in particular

#### **Background:**

Countering illegal logging through citizen-centric coordination requires strengthening various state entities' ability to act in ways that are responsive to people's everyday life, realities, experiences, problems, and needs. Security, justice, and forestry actors, as well as national security policymakers, must attend to the underlying factors that may embed specific communities into economic and political networks that are reliant on timber trafficking for survival or stability. Alternative local livelihoods, the perceived legitimacy of illicit commerce, and levels of popular trust in the state are just some of the factors that shape different local actors' incentives and perspectives as they relate to timber trafficking and state responses to it.28 Harnessing expertise on these issues – including from women, youth, and politically marginalized groups – is necessary for addressing the range of factors driving illegal logging. Furthermore, state actors must be open to privileging people-centered approaches to addressing these issues. Such approaches often involve local stakeholders themselves taking the lead in devising ways to address illegal logging. On the local level, non-state actors have looked to a variety of livelihood generation, civic advocacy, forestry audit, and security provision mechanisms to address timber trafficking, both amongst themselves and in partnership with state and international organizations.

Countering illegal logging requires dismantling the high-level criminal networks driving illegal logging and stopping the government-embedded actors who facilitate it. Oversight and accountability are therefore vital. The roles that border and forest communities themselves play in addressing underlying incentives or disincentives for the engagement of state-embedded actors and criminal networks in illegal logging are therefore central. Civil society is a prime set of channels through which communities seek to be engaged in developing and implementing solutions to illegal logging that promote legal forms of livelihood in the forestry sector and ensure that the interests of forest communities and marginalized groups in forest communities are represented and accounted for in strategies and policies to counter illegal logging. There are many ways that civil society and community engagement in countering illegal logging can help to address the institutional challenges that African states have in responding.

First, local engagement in seeking solutions to transnational organized crime related to illegal

logging can help to identify approaches that take into account the local economic and social realities of how the illicit trade works. In Tanzania and DRC, local actors have been key in enhancing community control over land management and have made legal livelihoods in the logging sector more feasible.<sup>29</sup> Uganda's afforestation projects have also helped to coordinate national responses to the effects that specific forest communities are feeling.<sup>30</sup> Civil society engagement has also enabled legal forestry and facilitated other economic alternatives to illegal logging. In Gabon, civil society has advocated for greater transparency in logging contracts.<sup>31</sup> In Cameroon, it has facilitated independent monitoring of forest regulations through the Standardized System of External Independent Observation.<sup>32</sup> In several countries, strategic litigation cases have aimed to preserve forests. In Ghana, independent journalism has also amplified demands from people to curtail the illegal transport of rosewood.

Forest communities and their leaders have also been essential components of fostering rule of law as it relates to key activities in the timber industry. For example, the U.S. Forest Service has supported work with security, justice, and forestry experts in the Republic of Congo who have established an interagency task force that works with customary and other local leaders in forest communities to facilitate forest audits in six different areas with foreign timber concessions in the country. Respecting community and individual rights to forested land and integrating those rights bearers into security-focused solutions to counter illegal logging is another critical and challenging element. Various African states have attempted to pursue forms of community-based forest management (on village lands) and joint forest management (on government reserve lands). These initiatives, when designed carefully and legitimately in local context, have potential to improve biodiversity and promote alternative livelihoods to illegal logging, while allowing local communities to "capture benefits from the forest they manage and improve their living conditions." <sup>33</sup>

Finally, civil society and community engagement is critical to fostering stronger accountability mechanisms for the high-level criminal networks driving illegal logging and the government-embedded actors who facilitate it. Empowering civil society to exercise independent oversight of the state can help combat government corruption and promote the state's transparency and accountability to citizens. Security, justice, and forestry actors can assist by helping their peers understand the importance of oversight institutions, and by advocating as they can for relevant reforms. They can also contribute by building trusting and rights-respecting relationships with civilians in their work to counter illegal logging.

#### **Discussion Questions:**

What aspects of development and governance must security and justice actors take into account as they seek to coordinate with citizens, communities, and civil society to address illegal logging?

- What do community leaders and civil society groups in your area think about state security and justice efforts to counter illegal logging? Do perspectives differ by gender, age, religion, ethnicity, or any other aspect of identity?
- What can be done to ensure the meaningful inclusion of citizens in strategy development, coordination, and policymaking on countering illegal logging, as well as effective civil society oversight of implementation?

- 1. Dr. Alison Hoare et al. "<u>Forest Sector Accountability in Cameroon and Ghana</u>," Chatham House Research Paper, October 2020
  - "<u>La redevabilite dans le secteur forestier au Cameroun et au Ghana</u>," Chatham House Papier de recherche, octobre 2020.
- 2. "African Leadership in Climate Action and Forest Governance," Chatham House webinar, 10 May 2023.
  - « <u>Le leadership des Africains dans les actions de combattre le changement climatique et</u> la gouvernance forestiere, » webinaire du Chatham House, 10 mai 2023.
- 3. Gerard Butoud et Jean-Claude Nguinguiri, « <u>L'association des acteurs a la politique et a la gestion des forets</u>, » dand Butoud et Nguinguiri, eds., *La gestion inclusive des forets : Passer de la participation au partage des pouvoirs*, CIFOR, 2016, pages 3-16.
- 4. « The Evolving Nature of CBFM in Africa with Emphasis on Mozambique, » webinar with Milagre Nuvunga, Yale University Forest Forum, 4 March 2021.
- 5. Mohamed Daghar and Crystal Moniz, "<u>Uganda's reforestation plan cuts illegal logging</u>," ENACT Observer, 2 March 2021.

<sup>&</sup>lt;sup>1</sup> Further analysis along these lines can be found in Catherine Kelly, Carl Pilgram, and Caden Browne, "Illegal Logging in Africa is a Threat to Security," *The Conversation*, 19 April 2023.

<sup>&</sup>lt;sup>2</sup> Allan Drazen, *Political Economy in Macroeconomics* (Princeton University Press, 2000), p. 4, citing James Alt & Kenneth Shepsle, eds. *Perspectives on Political Economy* (Cambridge University Press, 1990).

<sup>&</sup>lt;sup>3</sup> Global Initiative Against Transnational Organized Crime, *ENACT Global Organized Crime Index* 2021, <a href="https://globalinitiative.net/wp-content/uploads/2021/09/GITOC-Global-Organized-Crime-Index-2021.pdf">https://globalinitiative.net/wp-content/uploads/2021/09/GITOC-Global-Organized-Crime-Index-2021.pdf</a>; Global Initiative Against Transnational Organized Crime, ENACT Organized Crime Index Africa 2019, <a href="https://enact-africa.s3.amazonaws.com/site/uploads/2019-09-24-oc-index-2019.pdf">https://enact-africa.s3.amazonaws.com/site/uploads/2019-09-24-oc-index-2019.pdf</a>

<sup>&</sup>lt;sup>4</sup> United Nations Economic Commission for Africa, "Illicit Financial Flows: Report of the High Level Panel on Illicit Financial Flows from Africa," 2015, <a href="https://repository.uneca.org/ds2/stream/?#/documents/0ca955c2-2e56-5120-a605-9e8a7566c7d3/page/1">https://repository.uneca.org/ds2/stream/?#/documents/0ca955c2-2e56-5120-a605-9e8a7566c7d3/page/1</a>, p. 43.

<sup>&</sup>lt;sup>5</sup> Organised Crime Index Africa 2019, op.cit.

<sup>&</sup>lt;sup>6</sup> "Forestry Crime: Targeting the Most Lucrative of Environmental Crimes," Interpol, 14 December 2020.

<sup>&</sup>lt;sup>7</sup> US Agency for International Development, "Building Resilience to Recurrent Crisis: USAID Policy and Program Guidance," 2012, p.5, https://www.usaid.gov/sites/default/files/documents/1866/Policy%20%26%20Program%20Guidance

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- <sup>8</sup> B. Guy Peters, "The Challenge of Policy Coordination," *Policy Design and Practice* 1:1, 2018, 1-11, https://www.tandfonline.com/doi/full/10.1080/25741292.2018.1437946
- <sup>9</sup> Peters, *op.cit*; Leilani DeWitt & Bob Dillinger, "Whole-of-Government Teaming Through Collaborative Construction: NRO/NSA Synergy," *InterAgency Journal* 6:3, summer 2015, 32-38.
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- <sup>11</sup> Mark Shaw, "Africa's Changing Place in the Global Criminal Economy," ENACT Continental Report 1, September 2017, p. 4.
- <sup>12</sup> Stephen Ellis & Mark Shaw, "Does Organized Crime Exist in Africa?" *African Affairs* 114:457, October 2015, <a href="https://core.ac.uk/download/pdf/43502813.pdf">https://core.ac.uk/download/pdf/43502813.pdf</a>, p. 511.
- <sup>13</sup> Judith Verweijen & Esther Marijnen, "<u>Why Rangers in the Congo's Virunga National Park are Under Attack</u>," The Conversation, 14 January 2021.
- <sup>14</sup> United Nations Security Sector Reform Task Force, "SSR Integrated Technical Guidance Notes: Transnational Organized Crime and Security Sector Reform," 2016, <a href="https://www.unodc.org/documents/organized-crime/SSR\_TOC\_ITGN\_2016\_WEB.pdf">https://www.unodc.org/documents/organized-crime/SSR\_TOC\_ITGN\_2016\_WEB.pdf</a>; "Vertical Coordination," Inclusive Policy Lab, United Nations Economic, Social, and Cultural Organization, <a href="https://en.unesco.org/inclusivepolicylab/policy-marker-social-inclusion-inclusive-policies/vertical-coordination#a-3">https://en.unesco.org/inclusivepolicylab/policy-marker-social-inclusion-inclusive-policies/vertical-coordination#a-3</a>
- <sup>15</sup> Peters, op.cit., p.6.
- <sup>16</sup> DeWitt & Dillinger, op.cit.
- <sup>17</sup> Peters, *op.cit.*, pp. 8-9.
- <sup>18</sup> Commission des Forêts d'Afrique Centrale, Accord Sous-Régionale sur le Contrôle Forestier en Afrique Centrale, 2008, <a href="https://comifac.org/images/documents/Accord-sous-regional-sur-le-controle-forestier-en-afrique-cetrale.pdf">https://comifac.org/images/documents/Accord-sous-regional-sur-le-controle-forestier-en-afrique-cetrale.pdf</a>
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- <sup>21</sup> Lusaka Agreement Task Force, "<u>Cross-Border Cooperation and Coordination to Combat Illegal Wildlife</u> <u>Trade: A Case Study of the Lusaka Agreement Task Force (LATF),"</u> 2022, p.1.
- <sup>22</sup> "Spotlight: A new SADC strategy to combat organized crime in Southern Africa," *ISS Today*, 3 March 2021, <a href="https://issafrica.org/impact/spotlight-a-new-sadc-strategy-to-combat-organised-crime-in-">https://issafrica.org/impact/spotlight-a-new-sadc-strategy-to-combat-organised-crime-in-</a>

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