

AFRICA CENTER FOR STRATEGIC STUDIES

COORDINATING SECURITY SECTOR RESPONSES TO COUNTER ILLEGAL LOGGING Program Executive Summary

10-14 July 2023

Overview

From 10-14 July 2023, the Africa Center for Strategic Studies convened <u>Coordinating Security Sector</u> <u>Responses to Counter Illegal Logging</u>, a multinational academic program designed for security, justice, and forestry officials to analyze the political economy of illegal logging in Africa and apply that knowledge to enhance cross-border, interagency, and community-level coordination to counter illegal logging in service of citizen security.

The Forum convened 70 officials from 23 African countries and regional organizations with the goals to: (i) expand understanding of challenges that military, law enforcement, judicial, and forestry actors face in countering illegal logging, as well as the strengths and weaknesses of the techniques they are using to address it; (ii) analyze the political economy of illegal logging and the implications for security sector coordination with other state and societal actors; (iii) share peer learning on 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 forest resource management; and (iv) launch an ongoing community of interagency practitioners who identify priority actions that they can pursue together to more effectively counter illegal logging.

The five-day program included a keynote speech by the new Permanent Secretary of the Central African Police Chiefs Coordination Organization (CAPCCO), part of the Central African Economic and Monetary Community (CEMAC), as well as a visit to the Raponda-Walker Arboretum. The program featured six plenary sessions, cross-country small group discussions, and regional guided exercises that helped participants identify steps they could take at home to enhance responses to illegal logging and its security implications. The Africa Center also furthered alumni relations by convening a Gabon community chapter meeting and inviting members to attend the program's opening and plenary sessions. The Gabonese Ministry of Justice sent a representative to attend the opening ceremonies. Officials from multiple countries' parks agencies, defense and security sectors, customs and border agencies, justice sectors, and civil society were part of the academic team.

This document shares some of the participants' principal recommendations that were raised on various occasions by multiple stakeholders during the program. It also summarizes the key insights from the program that emerged throughout the week as participants analyzed the complex challenges associated with coordination to counter illegal logging.

Key Insights

1. There is a strong level of existing commitment, on paper and in practice, to facilitating coordinated efforts to counter illegal logging, especially in the Central African region. However, there is a plethora of only somewhat overlapping regional and continental institutions to do so.

Key institutional pieces of the coordination puzzle on these levels include the Economic Community of Central African States (ECCAS, especially the relatively new Commission on Environment, Natural Resources, Agriculture and Rural Development), the Central African Police Chiefs Coordination Organization (CAPPCO, an entity within the Central African Economic and Monetary Community, CEMAC), the Interpol Regional Bureaus in Yaoundé and Abidjan, the Central African Forests Commission (COMIFAC), the Economic Community of West African States (ECOWAS), the Lusaka Agreement Task Force (LATF), the Organization for the Conservation of Wildlife in Africa (OCFSA, an executing agency of ECCAS), etc.

- 2. Several of these organizations already work across multiple states and with other organizations on key projects, though further coordination and financing is also desired. Many examples were mentioned. Among them were the ECCAS Commission's work on environmental security with relevant partners and member states; CAPCCO's spearheading of the CEMAC states' joint mixed brigades for border security approaches to countering organized crime (coordinating across the Ministries of Integration in Gabon, Cameroon, CAR, Chad, Republic of Congo, Equatorial Guinea), and its robust coordination with Interpol's Regional Bureau for Central Africa; the COMIFAC's Central African Working Group on Governance that convenes stakeholders across the 11 member states (Angola, CAR, Cameroon, Chad, Rwanda, Republic of Congo, Gabon, Equatorial Guinea, Burundi, DRC, Sao Tome & Principe); and the Memorandum of Understanding between LATF and OCFSA. Several of the above organizations are also deeply involved in shaping projects that the European Union's ECOFAC6 regional program, and in pursuing joint projects with organizations like the UN Office on Drugs and Crime (UNODC), World Customs Organization (WCO), and others. Forest Law Enforcement, Governance, and Trade (FLEGT) voluntary partnership agreements are another aspect of existing responses.
- 3. The majority but not the totality of countries represented at the program currently have some form of inter-agency coordination mechanism in place to address illegal logging and related organized crime. There are a range of inter-departmental task forces, multi-stakeholder implementation committees, transnational organized crime units, and inter-ministerial coordination mechanisms or working groups on forest management under the leadership of Ministries of Environment or Forestry in various contexts. In some cases, law enforcement may also take the lead in responding to illegal logging. However, it is not always the case that a there is single inter-agency mechanism for coordinating action and information sharing that includes all of the relevant stakeholders for countering illegal logging in these cases.
- 4. The ways illegal logging is defined, whether it is criminalized, and the penalties that perpetrators of illegal logging can incur vary significantly across countries and regions. These differences in how crimes related to illegal logging are defined, the range of offenses involved, and low coherence across coordination mechanisms can make it challenging in practice. Nevertheless, several cases of success in inter-agency and cross-border coordination on arrest, seizure of illegal products, and prosecution of perpetrators were shared.
- 5. Legislative harmonization on illegal logging is ongoing and could be intensified. Some countries noted the need to increase the sentencing guidelines for perpetrators of illegal logging to further deter the relevant infractions. Others noted the need for the "legal finish" on countering illegal logging to further focus deterrent prosecutorial efforts on kingpins of these activities rather than lower-level offenders and to ensure that prosecutors and their police counterparts have the

requisite flora crimes expertise and capacity to communicate with one another throughout the life of each possible case of infraction. Specialized police units, customs units, and courts were discussed as possible options for taking a more targeted and coordinated approach.

- 6. African states use multiple models to address illegal logging in their diversely classified forested areas. Participants noted that national strategies that are likely to maximize chances of countering illegal logging will be tailored to account for the differing political, social, economic, and security contexts on three types of forested lands: (a) national parks, (b) protected forests, and (c) non-protected forest areas. These three kinds of lands also coincide with several different forms of land tenure: (i) state-owned forests, (ii) privately owned forests, and (iii) community-owned forests. The security sector needs to enhance its understanding of the different tenure systems to deploy its limited resources to counter illegal logging more effectively.
- 7. Many countries' Forestry Departments not only acknowledge the problem of illegal logging, but are also mandated to come up with measures to address it. However, many such departments, agencies, and commissions are increasingly being asked to pursue activities that are designed to achieve sustainable forest management, entailing the establishment of effective forest oversight, and by implication, enforcement of the law.
- 8. Several states in the heart of the Congo Basin have chosen to use their militaries to reinforce the work of forest service agents to counter illegal logging in their national parklands. The Gabonese model of providing ecoguards who work for the National Park Service with military training (with results shown via "Operation Minkebe") is one approach that was discussed. Another was the Democratic Republic of Congo's creation of the Corps for the Protection of National Parks (CorPPN), which is overseen by the Ministries of Defense, Environment, and Tourism and managed by the Congolese Institute for the Conservation of Nature (ICCN). CorPPN members come from the national army, police, specialty security services, and forest guards of the ICCN. Other participating countries also shared the state of the art from their respective contexts.
- 9. However, there is an imbalance in resources and equipment between criminal and violent extremist armed groups engaged in illegal logging and security forces, particularly park rangers. Organized criminal networks are often multibillion dollar enterprises, and some have equipment, weapons, and capabilities that rival those of state militaries in the central African region, much less those of the forest services, some of whom are not equipped with weapons at all. Adequate clarification of interlocking interagency missions for countering illegal logging, as well as providing adequate resourcing for the actors on the front lines once they are determined, is critical. When specialized agencies are created to address illegal logging and related organized crimes, ensuring that these agencies or units are funded sustainably is key as well.
- 10. There is an even wider range of models that different countries are using to manage personnel with responsibilities to protect forests from illegal exploitation. Some countries have a corps of actors whom they call "ecoguards," whereas others do not. For example, some countries do not have ecoguards per se, but do have state or civil society actors who are designated to protect the forest; other countries have "resource guards" who arrest traffickers and report them to police, in other countries, ecoguards are recruited by NGOs; in yet other cases, Water and Forestry agents who double as judicial police with flora related specializations are equipped to surveil parks or do administrative work; and finally, in some contexts, ecoguards are part of the local

population who are selected by communities to work *pro bono*. Given these contextual differences, using the term "ecoguard" in multi-country coordination discussions can confuse issues on which there may be potential for agreement beyond the terminology itself.

- 11. Participants considered the existing gaps in inter-agency and national-to-local coordination to counter illegal logging to be primarily political problems; the technical and financial challenges to coordination on these levels were considered substantial but secondary. Increasing practical literacy about how to combat corruption in national and local governance arenas related to illegal logging is key. Linking military, law enforcement, and forestry sector actors to national and regional anti-corruption commissions and institutions is equally essential. Calls were made for partners to work with security/justice/forestry sectors and civil society to strengthen protections for whistleblowers and include human rights institutions in those discussions. Participants also analyzed the benefits of ensuring community and civil society inclusion in processes related to how logging contracts are awarded, administered, and monitored.
- 12. Various civil society organizations have developed innovative data tracking and information sharing platforms that play key roles for certain states in the above clusters in taking data-driven approaches to coordination. The ENACT Organized Crime Index, TRAFFIC's Africa-TWIX platforms, the Central African Forest Observatory (OFAC), and the satellite data that some countries' state agencies are accessing are cases in point, as are national timber information system platforms that are currently under consideration for use in certain countries. Further, there are notable examples of state-sanctioned "multi-actor working groups" to audit foreignowned forestry concessions in the Congo Basin (ex., through U.S. Forest Service-sponsored teams in Republic of Congo) that are tapping formal and informal knowledge networks including community leaders to enhance locally legitimate forms of oversight. These initiatives could enhance "forest domain awareness," something for which program participants underscored great need.
- 13. Forest domain awareness would also require improvements in how state actors are able to identify the provenance of wood as among the most difficult problems they faced. To be certain about the origin of wood that is shipped across borders requires strong cross-border coordination and control mechanisms, and much illegal forestry crime that takes place across borders involves forgery of its origins. Leveraging emerging technologies effectively to address detection and information-sharing challenges like this one were very much desired by participants offering their expertise on these issues.
- 14. More work with civil society can empower border and forest communities to exercise their rights to have a say in how natural resources and their proceeds are used and managed in conjunction with the security and forestry sectors. This could lead to more compelling alternative livelihood opportunities for these communities and more robust "co-development" approaches on the local level that could reduce illegal logging's attractiveness. Giving communities a share of concession profits, or otherwise allowing them some way to share in and transparently govern the financial benefits of forestry, was identified as key to ensuring that citizens protect forests rather than abet the activities of criminal actors. Several countries offered examples of how their administrations address communities' social and economic incentives to counter illegal logging.

15. Strengthening security and forest sector governance could enhance African states' capacity to capitalize on their existing strategies, laws, policies, and institutions to counter illegal logging. More work of security/justice/forestry actors with parliamentarians could help the latter understand the nuances of forest administration/illegal logging and therefore deepen technical understanding of the need to budget for forest-related security and development. More work devoted to creating checks and balances to counter corruption related to the timber trade and regulation of it could also create more propitious conditions for officials focused on countering illegal logging to avoid situations where political interference keeps them from effectively carrying out their jobs.

Partnership Opportunities Identified by Participants

Participants noted the merits of fostering partnerships that facilitate a range of initiatives related to specific elements of coordination to counter illegal logging. Some key areas of focus include:

Contributing the relevant resources and support to existing initiatives in Central Africa to establish and operationalize regional mixed brigades that could help to counter illegal logging: For example, the Central African Police Chiefs Cooperation Organization (CAPPCO) is currently preparing to train 300 officials (50 from each CEMAC member state (Gabon, Cameroon, CAR, Chad, Republic of Congo, Equatorial Guinea)'s gendarmeries, forestry sectors, customs, public health sectors, etc) to form "mixed brigades" that address cross-border trafficking dynamics to include illegal logging and tap into Interpol databases at border posts. Brigade Commanders will come from Police/Gendarmerie, while Adjuncts to Commanders will come from Customs. CAPCCO has designated 40 "priority corridors" and 30 "secondary corridors" in the CEMAC region where the mixed brigades will focus their work. CEMAC states' Ministries of Integration will make these nominations. They are in active search for programmatic and financial partners for border security technical trainings. Work on environmental security, inter-agency forest management, and cross-border law enforcement coordination by organizations like ECCAS, COMIFAC, and Interpol also have strategic intersections with the CAPCCO mixed brigades initiatives that could be leveraged to amplify the desired outcomes for countering illegal logging in ways that are transparent, legitimate, and accountable across the region. Similar synergies could be sought out for integrated support in the ECOWAS region, based on regional frameworks and current opportunities that participants from ECOWAS countries discussed during the program.

Conducting a holistic, cross-sectoral technical review of key African state and societal stakeholders' roles/responsibilities in countering illegal logging: Diverse participants from current and former regional leadership positions, government sectors, and countries affected by illegal logging called for a unified effort from U.S. government actors to convene a recurring series of joint capacity-building sessions for a wide range of state actors whose mutual understanding of each other's processes (in theory and in practice) is needed: military officials, police, justice officials, customs and border agents, and forest/water officials. Participants asked for these sessions to facilitate a collective, cross-sectoral review of each actor's roles, responsibilities, codes of ethics, and practical procedures for countering illegal logging. These offerings would fill a current gap in partnered programming, given that there is much less practical and academic exchange on countering illegal logging in Africa than on countering fauna crimes.

Countering corruption in the natural resources sector that include defense and security officials with civilian transparency actors: Academic and practical exchanges at the program in Libreville

revealed that both the uniformed and civilian officials involved in protecting forests and ensuring security in forested areas are seriously concerned about the corruption of select high-level government officials, as well as certain local officials, that facilitates the work of the criminal networks perpetrating illegal logging. As program participants conducted political economy analysis of "state-embedded actors" involved in facilitating organized flora crime in their regions, they emphasized the need to empower stakeholders and policymakers to identify and discuss exactly which state embedded actors are involved.

Improving the quality, range, and extent of information sharing to counter illegal logging based on data and research: Participants suggested the creation of **regional and cross-sectoral intelligence fusion centers**, augmenting those already in existence, to create a platform that is both regional and cross-sectoral in scope and scale to enable all relevant actors to better share information and coordinate their activities about the scope and scale of illegal logging. Participants made the observation that between the police, forest services, international NGOs, U.S. organizations like the National Ocean and Atmospheric Agency (NOAA), the Africa TWIX network, INTERPOL, any national platforms for information sharing about timber, and what is available from commercial satellite imagery, there is a lot information about the state of Africa's forests and the actors involved in illegal logging. The problem is that this information is not shared widely or aggregated, and each organization is using the information for disparate purposes.

Consider supporting a "Forest Domain Awareness Program (2024-2030)" that integrates strategic partnerships into its work. This is a program framework that a group of participants began to design and draft during the program based on collective discussions. The program would first involve a summit to convene all relevant stakeholders (including the US, EU, China, and France), and then devise a region-wide strategy, financed by domestic and external resources, to holistically manage the challenge posed by illegal logging in Central Africa. According to the situation model, strategic vision, and desired outcomes that participants identified, its objectives would be to:

- Raise awareness among all relevant state and societal actors of the threats posed by illegal logging, as well as the diverse value of forests (and trees outside forests) in the legal and sustainable production, processing, marketing, and trade for forest products and ecosystem services. Activities include reviewing national laws/regulations (and considering abolishing transactions in cases of illegal logging); adapting and harmonizing laws across countries according to international agreements and relevant regional frameworks on forests; controlling illegal exploitation of forest products; developing an effective system for tracking the cross-border movement of forest products; and using innovative technology to accurately identify timber species being exported.
- Enhance shared domain awareness among all public and private forestry actors, bolstering everyone's knowledge, information-sharing, and communication of actions that affect holistic efforts to counter illegal logging. *Activities include establishing and strengthening online platforms or portals for forest information systems to enable the transparent monitoring of forests and trees at the national and regional levels and the collection, management, and sharing of data and findings across sectors; supporting existing publications or creating new for a to disseminate scientific, technical, and policy knowledge and to exchange experiences on the sustainable use and conservation of all types of forest landscapes in Africa; assessing capacity gaps of local communities in and around forests and protected areas and undertake targeted capacity development for wider community involvement; putting in place cyber monitoring systems to follow up on timber trade and related financial transactions online.*

- Increase the capacity of regional actors to conduct regular operations to deter, detain, and arrest criminal actors involved in illegal logging. *Activities include establishing mixed brigades between and within countries; creating specialized judicial institutions at the regional level; training indigenous people and local communities as community guards and whistleblowers.*
- Make significant progress in enhancing capacity and knowledge on countering illegal logging and associated trades by 2030. Activities include conducting special training (civilmilitary training, law enforcement training, specialized judicial training, forensic, and anti-money laundering techniques, etc); developing and implementing capacity-building strategies and programs at national and regional levels to respond comprehensively to technical and institutional needs for countering illegal logging and associated trades; developing and implementing capacity building strategies for local organizations and communities to participate in sustainable forest management.
- Foster strategic partnerships both technical and financial between government, security sector, civil society, community-based actors, regional and continental organizations, external partners, and the private sector to prevent illegal logging. *Activities include assessing existing capacities, capacity needs and opportunities of institutions and the organizations in the forest sector in support of countering illegal logging and associated trades.*

Practical Recommendations from Participants

Participants also worked in small breakout groups to develop practical recommendations for key stakeholders involved at various levels of intervention to counter illegal logging. Although not exhaustive or comprehensive, the following list summarizes the range of suggestions that participants developed together while immersed in the peer learning process. Many of these are also reflected in the partnership opportunities listed above, but are included below for completeness with respect to levels of analysis during the seminar.

On the National Level:

- Conduct national threat assessments to determine the criminal actors and the scope, nature, drivers and causes of illegal logging;
- Elaborate national strategies for countering illegal logging and for strengthening resilience to organized crime linked to illegal logging, doing so on the basis of evidence-based assessments of the political, economic, and social factors affecting resilience to illegal logging;
- Challenge leaders to develop or modify strategies to combat illegal logging in a way that takes into account the different classifications of land (national park, protected area, unprotected forest) as well as specificities in each local context;
- Adopt specific national legislation establishing a centralized national mechanism for interagency coordination for countering illegal logging and designating lead agencies and actors for response. Such legislation and regulations should resolve the problem of command and leadership of interagency operations, and set out clear areas of coordination, encompassing training, use of common databases, sharing of intelligence and relevant information, rapid intervention, regular exercises, and crime analysis;
- If any security officials (whether ecoguards or otherwise) are assigned to protecting forests, consider ensuring that they are accorded a national status with similar benefits and conditions of service as other agencies, so as to empower them to effectively detect, prevent, intercept, and disrupt forest crimes;

- Ensure that the justice sector, including anti-corruption agencies, are amongst active members of the national coordination mechanism to strengthen prosecutions and conviction of criminal syndicates or consortiums illegally exploiting forests;
- Organize joint patrol missions and joint checkpoints, with a clear designation of lead and supporting agencies and a clear chain of command, to ensure transparency;
- Support the acquisition of resources including specialized materials and equipment for ecoguards, forest rangers, or other relevant officials or citizens designated to serve as the agents protecting and monitoring the forests for illegal activities;
- Pursue holistic investigations with the early involvement of prosecutors and anti-money laundering institutions;
- Consider the potential merits of developing specialized judicial bodies to prosecute those accused of complicity in illegal logging, and calibrate the penalties for offenses related to illegal logging in ways that effectively deter offenses or crimes related to it;
- Clarify procedural, regulatory, and oversight issues related to the transaction process that occurs in some countries when forest guards detect certain violations of the law, often by industrial timber dealers;
- Ensure the existence and use of means of communication between the police and magistrates on the results of prosecutions, and give prosecutors the opportunity to communicate their standards of evidence and treatment of arrested persons in advance of the work of the prosecution;
- Consider establishing national forestry information systems platforms that could provide data to support national bodies charged with coordinating responses to illegal logging, and standing up fusion centers or situation rooms that analyze the data for an inter-agency audience. This can then be a useful set of institutions to facilitate cross-border and regional information-sharing if multiple states adopt such a model. The platform should be operational at all border posts (land, sea, and air);
- Strengthen close collaboration with forest communities and relevant civil society organizations in the management of forest and the protection of the environment;
- Ask political authorities to better budget resources for adequate administration in the area of forest administration and community-based forest management, to include:
 - Helping forest communities that benefit from the legal exploitation of their natural resources to better manage the service delivery and infrastructure creation projects they want to pursue with the money they have generated; and
 - Encouraging policymakers to ensure that for each state-sponsored program intended to counter illegal logging, there is a component that supports forest communities' engagement in co-development and facilitates their access to alternative livelihoods
- Increase and mutualize efforts to combat transnational organized crime related to drugs, wildlife crime, illegal mining, and illicit financial crime, and other forms; and
- Strengthen national commitments to bilateral, cross-country coordination on countering illegal logging, to include implementing joint border control, patrol, and surveillance; adapting cross-border agreements allowing for hot pursuit, cross-border intelligence sharing, and handing-over of suspects; promoting good neighborliness and conflict resolution among border communities to address disputes; establishing cross-border mechanisms for coordination and intelligence sharing.

On the Regional Level:

- Create more synergies between the multiple regional organizations involved in countering illegal logging, so as to mutualize efforts more comprehensively and more effectively mobilize domestic, regional, and donor resources;
- Facilitate more inter-agency collaboration across borders, and thereby establish regional and subregional mechanisms for facilitating cross-country consultations that include the range of domestic agencies involved in countering illegal logging;
- Ratify and ensure effective implementation of regional and subregional agreements such as the ECCAS, CEMAC, and ECOWAS protocols and conventions;
- Harmonize (but not standardize) legislation and procedures for different sectors within different countries to combat illegal logging;
- Regularly organize sensitization events to promote knowledge and implementation of regional and subregional instruments, as well as for the sharing of experiences and good practices;
- Encourage and promote joint field exercises and capacity-building interventions to standardize skills and expertise, and to ascertain readiness capabilities for joint operations;
- Facilitate more sharing of experiences between countries and regions on methods of securing benefits from legal logging for forest communities and engaging forest communities in a legitimate and effective way;
- Ensure that regional or subregional events and operations are conducted in all relevant languages to overcome linguistic barriers to effective coordination;
- Operationalize extradition and mutual legal assistance agreements;
- Pool resources at regional levels to facilitate the material and financial monitoring of the implementation of oversight of the timber trade
- Promote transparency and an ethical code for interagency coordination on countering illegal logging; and
- Adopt regional strategies, action plans and other policy and operational frameworks including model legislations for the domestication of regional and subregional agreements relating to illegal logging.

On the Continental and International Levels:

- Ratify and ensure effective implementation of continental and international instruments relating to illegal logging;
- Review and strengthen the domestication and operationalization of CITES and the CITES recommendations;
- Ensure active implementation of the Lusaka Agreement to enable member states to join the Lusaka Agreement Taskforce, permitting member states to benefit from joint operations, databases, threat assessments, intelligence sharing, and other aspects of coordination;
- To this end, promote the speedy ratification and implementation of the Agreement;
- Domesticate and effectively implement the African Union strategies against wildlife trafficking, illegal logging, and threats to the environment;
- Ensure that work to counter illegal logging also promotes the implementation of the African Union vision for silencing the guns in Africa;
- Support and complement national and regional efforts to counter illegal logging, including the training and capacity-building of national and regional actors;

- Establish a continental and international mechanisms for consultations and coordination;
- Promote intelligence sharing to aid in early warning and early response to illegal logging;
- Contribute to the mobilization of resources at the national, regional, and continental levels for combating illegal logging;
- Fight corruption globally and build effective coalitions to increase transparent governance within states, at national and local levels, to mitigate the roots that underlie these scourges; and
- Enhance cross-country coordination on extradition and mutual legal assistance.