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RESPONSES TO WILDLIFE CRIME IN POST-COLONIAL TIMES. WHO FARES BEST?

Ragnhild Aslaug Sollund and Siv Rebekka Runhovde

Wildlife crime is an increasing problem worldwide. Based on empirical research, we examine how the criminal justice systems of Brazil, Colombia, Uganda and Norway perceive and respond to such crime, with Norway as the main case study and basis for comparison. While the general assumption is that Northern countries are more ‘developed’ in their response to environmental problems, we argue that Norway, despite its economic resources and international profile as a supporter of environmental protection, is failing to confront illegal trade in—and protection of—endangered species nationally. We propose that these Southern countries have developed more tools in terms of legislation, enforcement, awareness and wildlife protection and that Northern countries have expectations regarding conservation in Southern countries that they themselves neglect.

Key Words: illegal wildlife trade, green criminology, southern criminology

Wildlife Crime in Colonial and Post-Colonial Times

Wildlife trade has long cultural and historical roots. With the advent of European colonialism and imperialism, the global wildlife trade escalated in the early modern period and in the European colonies, extensive hunting led many species to decline. Felids and birds of paradise were trafficked from Colombia and Indonesia, respectively, for the fashion industry in Europe (van Solinge 2008), parrot tongues were delicacies for the European bourgeoisie (Rodríguez and Garcia 2008) and other species were hunted to become museum exhibits (Thorsen et al. 2013). In East Africa, the demand for ivory expanded rapidly in the 19th century with growth in the manufacture of cutlery, pianos, billiard balls, combs and ornaments (MacKenzie 1988). As the negative impact of hunting and trade in wildlife became apparent, the trade was gradually criminalized during the 20th century (van Uhm 2016). However, conservation efforts were mainly developed to protect the economic interests of the elites (MacKenzie 1988, Makumbi and Manyindo 2000), with the dominant approach being to seal off natural areas and exclude local people through so-called ‘fortress conservation’ (Brockington 2002). Meanwhile, hunting for sport, leisure and trade by Europeans was legal and accepted (e.g. Duffy 2010: 85). Today,

¹By ‘wildlife’, we refer to freeborn animals or their near descendants who are not adapted to live in captivity or a human-dominated habitat. ‘Wildlife crime’ will relate to ‘any harm to (or intent to harm or subsequent trade of) non-domesticated wild animals, in contravention of national and international laws and conventions’ (Harrison et al. 2015).

communities frequently view conservation policies as an illegitimate and oppressive imposition and as a continuation of colonial practices (Siurua 2006; Duffy 2010). The historical and political construction of legitimate ‘hunting’ versus illegitimate ‘poaching’ has been traced back to the luxury hunting safari, a distinctively colonial phenomenon said to have turned white hunters into photographers and African hunters into poachers (Steinhart 2006; Wall and McClanahan 2015). Today, foreigners continue to travel to Africa for trophy hunting of endangered species.

Wildlife trade causes significant harm and incalculable numbers of premature deaths of the animals involved (Sollund 2011; 2019a). Wildlife that is intended for illegal transnational trade invariably comes into the hands of smugglers by an act of ‘poaching’² (Moreto and Lemieux 2015), theriocides (animal murders) (Beirne 2014) or abductions (Sollund 2011). Illegal trade in wildlife increasingly takes place on the Internet in open and closed fora through platforms such as eBay and Facebook (Lavorgna 2014; Harrison et al. 2016; Sollund 2019a).

In 1975, owing to the concern that many species would become extinct because of unregulated trade, and to save species from extinction, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was established (e.g. Hutton and Dickson 2000; Reeve 2002). Today, CITES regulates international trade in nearly 35,000 species, of which 5,600 are animal species, to ensure their survival in the wild (Maher and Sollund 2016). Norway, Colombia, Brazil and Uganda are all signatory countries or ‘parties’ to CITES.

Norway’s International Reputation

Norway enjoys a reputation as a leading country in environmental politics (Underdal and Hanf 2019). For instance, the Norwegian International Climate and Forest Initiative aims to reduce deforestation in countries such as Colombia, Brazil, Indonesia and Tanzania and halt climate change and global warming (Sollund et al. 2019). Norway has an important role in the protection of endangered fisheries, and the Norwegian Government has contributed 39.6 million NOK (GBP 3.72 million) to the United Nations Office on Drugs and Crime with the aim of combating transnational organized fisheries crime and supporting the Interpol Fisheries

² Most of our vocabulary is loaded with speciesist assumptions that legitimize the harms humans do to non-humans. ‘Poaching’ e.g. indicates that the only wrongfulness in killing or abducting a non-human animal is illegality; consequently, killing per se is not morally reproachable. We, therefore, prefer the terms ‘abducting/killing’ (Sollund 2011) and ‘theriocide’ (Beirne 2014). ‘Animal’, ‘wildlife’, ‘livestock’ and ‘fisheries’ are words that also serve to alienate other species. We aim to avoid this, but because any reconceptualizing or replacement tends to be wordy and fails its purpose of avoiding speciesist language, such as ‘animals other than human animals’, we retain the established, speciesist vocabulary herein for simplicity, for which we apologize. However, we attempt to avoid objectifying non-humans by referring to them as ‘that’ or ‘it’ and rather use ‘who’ and ‘whom’ since they are sentient, intelligent beings.

Crime Working group. Norway has committed to combat and reduce plastic pollution of the oceans in partnership with United Nations Environment Program (UNEP) (Norwegian Government 2019) and, for many years, has had a leading position in CITES. However, while the international reputation of Norway suggests great environmental accountability, politics and priorities regarding the environment at the national level show room for considerable improvement.

Throughout the 1900s, Norway caused the near extinction of many whale species through mass slaughter in the Antarctic and, for decades, has contributed considerably to global warming through its oil and gas industry. As a signatory to the Bern Convention: The Council of Europe's Convention on the Conservation of European Wildlife and Natural Habitats (1979), Norway is responsible for protecting its critically endangered large carnivore species—the grey wolf, brown bear, European Lynx and wolverine—but Norway's fulfilment of the convention is the subject of constant debate. A recent example of Norway's double standards arose during the CITES Conference of the Parties in Geneva in August 2019. Norway successfully proposed that UNESCO and CITES should have closer national and international co-operation to prevent countries in the South from losing their World Heritage status through the extinction of valuable and iconic species. Through this agreement, Norway was seen to take a leading role in the protection of endangered species, such as tigers and elephants. At the same time, however, the local board of Hedmark municipality in Norway decided to allow the hunting of 12 grey wolves—a critically endangered species in the country with a total population of just 64–66 individuals. Norwegian concern for endangered species seems not to apply to its own. It is particularly relevant to discuss what protection these critically endangered species have in Norway in light of the demands made upon Southern countries to protect their endangered species. The discussion can also help answer the question of whether Norway's reputation as an environmentally responsible country is transmissible to a national level and whether Norway is fulfilling its obligations as a party to CITES and the Bern Convention.

The assumption that the Northern countries possess the solution to global environmental problems is exemplified by the declaration from the Nordic Council of Ministers³ that the Nordic region has both the ability and the will to lead the green transition that the world must undergo. To contribute at the global, national, regional and local levels, the Council urges the environmental and climate sector in the Nordic countries to show leadership based on its

³ The Nordic co-operation involves Denmark, Finland, Iceland, Norway, Sweden, the Faroe Islands, Greenland and Åland (Sundtoft 2018).

extensive knowledge of climate and environment effects and of instruments and solutions for conservation (Sundtoft 2018). It is a priority of the Nordic region to continue its work on the implementation and development of international environmental conventions and in other forms of international co-operation (Nordic Council of Ministers 2012).

In this article, we explore how wildlife crime is perceived and responded to by the authorities in three locations in the global South and one in the global North: Brazil, Colombia and Uganda versus Norway. While the article aims to measure and discuss the responses in all four countries, Norway is the primary focus to which the three Southern countries are held up to highlight differences. The findings prompt a discussion on whether Northern states like Norway make demands on Southern countries concerning wildlife protection that they themselves refuse to accomplish. The hypothesis we examine is whether dimensions relating to colonialist/neo-colonialist practices have not only caused much of the illegal wildlife trade (IWT) but continue to set the agenda for the global responses to such crimes. The essence of neo-colonialism is that while formerly colonized states appear to be independent, in fact, they are still controlled by outside influences. Instead of using direct military control, as during the colonial era, neo-colonialist control is exercised through economic, political, religious, ideological and cultural means and used for the exploitation rather than the development of the less-developed parts of the world (Nkrumah 1965). We discuss whether Norway's international profile as a supporter of environmental protection is justified and/or whether Norway's actions represent neo-colonialism in seeking to influence the environmental politics of Southern countries in the pursuit of national interests.

Southern and Green Criminology

The colonial times left behind an uneven distribution of political and economic power between the global North and the global South, with mainly the United States and the European Union in charge of outlining legal frameworks. The countries in the South are often forced to comply owing to the superior power of the Northern countries, and any negative environmental consequences in the South are often overlooked (Franko and Goyes 2019). Southern criminology is a relevant theoretical perspective for this article because it is outlined as a transnational criminology that is inclusive of the experiences and perspectives of the global South (Carrington et al. 2016; Hogg et al. 2017).

While Southern criminology acknowledges geographical and social divides between countries in the North and the South, it acknowledges also social divides within a country. This can be,

e.g. between the urban and rural and the majority population versus indigenous populations (Goyes 2017). The concept of South in this context is, thereby, also metaphorical, pointing to discrimination and exclusion harming one part or more parts of the population within a geographical Southern context where some segments of the population may be regarded as privileged 'Northerners'. Relatedly, the global North is predominantly where wildlife is trafficked to consumers and the global South is where wildlife is sourced (Roe et al. 2002; Duffy 2010). However, a considerable amount of wildlife is consumed by the upper classes (or 'the metaphorical North') within the South, such as in China and Vietnam. In addition, some countries are both consumers and range states (producer countries where species are endemic) (Reeve 2002: 9). While Colombia, Brazil and Uganda are primarily range states, Norway is essentially an importer of wildlife.

While we are concerned with the injustices committed when Northern countries make environmental demands on Southern countries that they themselves fail to fulfil, we also incorporate 'Green' criminology into our perspectives. This is a broad field, but most scholars therein concur that it is more holistic than conventional criminology in acknowledging that human-orchestrated harm against nature and animals is a problem that needs addressing, whether the harm is done legally or constitutes a breach of animal welfare or environmental legislation (e.g. Beirne and South 2007; Beirne 2011; Sollund 2011; 2012; Lynch et al. 2015; Sollund and Maher 2015; White 2018). Therefore, this non-speciesist criminology engages with various forms of animal abuse, such as those involved in food production or medicine (Maldonado and Lafon 2017; Goyes and Sollund 2018), the keeping of 'status dogs' (Maher and Pierpont 2011) or abducting wildlife (Wyatt 2013; Sollund and Maher 2015; Van Uhm 2016; Maher and Sollund 2016; Sollund 2019a). Both Green and Southern criminology are concerned with transnational (and eco-global) issues (White 2011; Goyes 2017).

While the above perspectives underpin our research, our intention here is mainly to conduct a comparative empirical analysis of the criminal justice systems' responses to wildlife crime in the four countries, with Norway as the basis for comparison. Next, we outline the research methods used. Then, we present the central findings from the case study locations before turning to a discussion of the findings in view of Green and Southern criminology.

Methodology

The data consists of qualitative interviews with experts and law enforcement agents in each location. In Norway, the main site of investigation, we conducted 35 interviews with

respondents, individually and in groups, from 2010 to 2017. Respondents had different ranks and positions in the police and customs organizations. Respondents also included two veterinarians: one from the Food Safety Authority and the other the former Chair of the CITES Standing Committee, who works for the Norwegian Environment Agency (NEA). We also interviewed five offenders convicted of illegal reptile trafficking.⁴ Furthermore, the research relied on the analysis of 127 customs confiscation reports and analyses of verdicts and police case files. The research in Uganda was conducted intermittently between August 2013 and May 2015; it involved semi-structured interviews with law enforcement officers at 27 locations across the country. Respondents worked for the Uganda Wildlife Authority (UWA), the Uganda Police Force and the Uganda Revenue Authority. In total, 35 interviews were conducted with 64 respondents, with periods of service ranging from three months to 36 years. In Colombia, 15 interviews⁵ were conducted between 2013 and 2018. Interviewees included specialists employed by public environmental authorities, at a university and with conservation Non Government Organisations (NGOs), and included people who work with rescuing/confiscating and rehabilitating wildlife, both Government Organisations (GOs) and NGOs. In addition, we received statistics for rescues/confiscations, rehabilitation and liberations of wildlife trafficking victims. Four interviews were conducted in Brazil between 2013 and 2015, again with environmental authorities, in Sao Paulo state, including with police and public environmental authorities and a rescue and rehabilitation centre for seized wildlife. The data from Brazil also include statistics on seized and rehabilitated wildlife.

Caution is warranted when Northern researchers travel to ‘conduct research’ in countries in the Southern hemisphere. The danger of bringing criticisms and ‘solutions’ tainted by Northern experiences and epistemologies (Goyes 2017) and impose our own categories, concepts and meaning on the reality of the informants and creating bias is a concern (Chambers 2014). In the case of Colombia and Brazil, a Colombian national conducted most of the interviews. Although instructed by a Norwegian, the interviewer was free to pose questions at his own discretion. We believe his familiarity with the country’s culture and customs facilitated rapport and hindered unfortunate bias through the co-production of the basis of data, as well as the dialogical approach taken to the interpretation of the data. Outsider status may also offer opportunities for learning as much as possible about the field and remaining flexible (Scoggins 2014). Many respondents exhibited curiosity and seemed honest and candid in terms of sharing inadequacies

⁴ Between 1976 and 2017, the keeping of exotic reptile species in Norway was generally banned.

⁵ David Rodriguez Goyes conducted 13 of these and the interviews in Brazil.

and challenges related to their work. Thus, cultural differences can yield opportunities as well as obstacles.

Finally, the different models upon which policing is mandated and the distinctive legal, political and social circumstances in which law enforcement is conducted in the four countries prohibit generalization and comparison of findings in any strict sense. However, all four countries are parties to CITES and, therefore, answerable to the same regulatory framework. In addition, the illegal wildlife trade is likely to represent common challenges for law enforcement in different parts of the world (e.g. Maher and Sollund 2016). Therefore, we carefully consider the countries' responses in relation to each other. Next, we provide a brief account of the findings from our research on the protection of endangered wildlife and law enforcement in Norway, Colombia, Brazil (Sao Paulo) and Uganda.

Case Study Findings

Norway and CITES

CITES aims to prolong and secure future trade in endangered species to benefit humans. From a Green criminology perspective, it is critiqued for being an anthropocentric trade mechanism rather than one formed to protect individual non-human animal life (Sollund 2011; 2019a; Goyes and Sollund 2016). This also applies to the Bern Convention and the ways in which Norway interprets its obligations as a signatory (Sollund 2017; 2019b).

Norway signed CITES in 1976. The convention is enforced through a separate administrative decision in the national legislation.⁶ It is the responsibility of Norwegian Customs to ensure that the import and export of protected species comply with the provisions of the convention. However, the detection of wildlife is not a priority when Norwegian Customs inspectors make risk assessments and seizures of wildlife appear accidental rather than planned. No performance measures are set for CITES-related actions. The organizational strategies of customs and the distribution of resources are directed towards other illegal flows, and the inspectors see such cases as complicated and time consuming (Runhovde 2015). When wildlife is seized, the outcome for the victim is usually death (Sollund 2019a) or, if considered sufficiently valuable, the NEA will attempt to rehome the victim in a zoo.

Wildlife trafficking offences usually lead to weak administrative sanctions in the form of fines of around 2,000–6,000 NOK (approximately GBP 185–550). A few cases have been brought to

⁶ Under the Act relating to the Regulation of Imports and Exports and the Act relating to Wildlife and Wildlife Habitats.

court, with the strictest sentence imposed being four months imprisonment in 1998 (Sollund 2019a). Recent sentences have been far more lenient. For example, a collector apprehended for trafficking ivory and found to own more than 10,000 items consisting of stuffed animals and animal parts received a 14-day conditional prison sentence that was suspended for two years and a fine of 15,000 NOK (approximately GBP 1,300). Owing to precedent, the law relating to the Regulation of Imports and Exports rather than the Wildlife Law was applied, limiting both sentencing and the statute of limitations (Istad and Vigane 2016: 40). Consequently, the offender was charged and convicted of importing 28 ivory items rather than the thousands of animals and products he had imported.

Based on information from the police files, there is little visible difference in the prioritization of, and legal consequences of, the illegal possession of CITES species versus non-CITES species (which are not listed, yet may be endangered). Although it often constitutes one of several counts of an indictment, police investigators explained that, because the wildlife offence has little or no bearing on sentencing, it may receive little attention from investigators and prosecutors, reflecting the lenient treatment of environmental crime in the Norwegian criminal justice system (Runhovde 2017). Despite the increased focus on wildlife trafficking in recent years, our data indicate a lack of priority by the judicial system through confusion about which law to apply, leniency of punishments and failure to appeal to the Supreme Court, which could have clarified which laws to apply in such cases.

While Norwegian authorities have officially recognized IWT as a serious and increasing threat (Direktoratet for Naturforvaltning 2010; Politidirektoratet 2013), Norway adheres only to the minimal requirements of CITES, and the rules are easily circumvented, leaving Norway's activities related to the convention inadequate compared with those of other European countries.⁷ In 2018, some amendments were made to the administrative sanctions, i.e. new restrictions on importation, the requirement for an ownership certificate for certain species, and increased penalties (Miljødirektoratet 2018). However, these amendments will have little effect without complete implementation in the criminal justice system with recognition of such crimes as being serious and worth prioritizing.

Furthermore, while keeping exotic pets is under debate and governments of several countries around the world are exploring the possibility of regulating or even banning exotic pets (Pasmans et al. 2017), in 2017, the Norwegian authorities lifted the 40-year long ban on keeping

⁷ The information was obtained in a personal conversation with senior advisor Øystein Størkersen in the NEA in Trondheim on 13 October 2010 and repeated in a telephone conversation in 2014.

reptiles. One argument was that the ban was frequently violated and difficult to enforce. In relation to the arguable importance of both animal welfare and biodiversity conservation, this decision is astounding and defeatist. In countries that permit trading in reptiles, studies have highlighted the difficulties for enforcement agencies in distinguishing between and enforcing regulations pertaining to captivebred versus wild-caught individuals, as well as verifying that the animal exported or imported is in fact of the species stated in the documents (Nijman and Shepherd 2010). The illegal capture and export of reptiles to the European pet market, where animals caught in the wild are sold as captive bred, may have a detrimental impact on wild populations (Altherr 2014). By lifting the ban, the Norwegian authorities show a limited understanding of the problems created by parallel legal and illegal markets in the wildlife trade (Goyes and Sollund 2016; Sollund 2019a).

Norway and the Bern Convention

As a signatory to the Bern Convention, Norway has a particular responsibility for protecting its critically endangered species of wolves, brown bears, lynxes, wolverines and golden eagles. There are currently about 64–66 wolves, 138 brown bears, 323 lynxes, 58 litters of wolverines and about 963 breeding pairs of golden eagles in Norway.⁸ The population goal for these predators is politically determined to resolve social conflicts that arose from the increase in predator populations that followed from Norway signing the convention. Annually, local ‘predator boards’ constituted by politicians decide the number of individuals from each species to be killed legally (Trouwborst et al. 2017; Sollund 2017; 2019b). While the NEA and the Minister of Climate and Environment may overrule these decisions, they generally accept them, even when the hunts undoubtedly affect the ability of the species to develop healthy populations. For example, in 2017, it was decided to kill 24 out of 71 wolves despite the Norwegian wolf population already being threatened by inbreeding and illegal hunting (Liberg et al. 2011). To prevent the populations from growing, they are closely monitored, and large quotas are killed every year in licensed hunts to prevent damage to livestock but perhaps most importantly to prevent protests from rural populations of farmers/hunters and forest owners selling hunting rights. This policy has entailed accusations from NGOs like WWF Norway and NOAH (for animal rights) that the state breaches the Bern Convention and the Nature Diversity Act: accusations that have been tested in court (Sollund 2019b). According to a legal analysis,

⁸ <https://rovdata.no/> (accessed 18 October 2019).

Norway is not fulfilling its obligations and NGOs have made complaints to the Standing Committee of the Bern Convention (Trouwborst et al. 2017).

Colombia

Colombia is one of the most biodiverse countries in the world and it has long traditions of wildlife trading. There is both legal (Sinovas et al. 2017) and IWT in Colombia, but most of the trafficking is domestic as from rural areas to cities following human migration (Sollund 2019a). Other motivations for IWT are cultural, such as food practices; e.g. the endangered *Icotea* turtle is regarded as ‘white meat’ and is, therefore, permitted during Easter, unlike red meat. Colombia became a party to CITES in 1981 and, consequently, implemented a series of 14 laws and decrees to fulfil the requirements of the convention.

To gain control over and decrease the illegal exploitation of wildlife at the regional level, the Interinstitutional Committees against the Illegal Possession and Commercialization of Wildlife (CITECIF) were formed by a series of GOs and authority entities in 2007. While this demonstrates that IWT has been a priority for more than a decade at the state level, it is difficult to establish the success of such co-operative efforts in practice. Large urban centres with populations above 1 million inhabitants have an environmental authority. In Bogotá, the Centro de Recepción y Rehabilitación de Fauna Silvestre (CRRFFS)⁹ receives an average of 4,000 victims a year, and numbers are increasing (Sollund 2019a). For many years, the centre suffered from insufficient resources and unsatisfactory facilities for the animals but, in 2017, it received USD 6 million to improve the facilities. It runs programmes for rehabilitation and repatriation in addition to assisting the environmental police in their work to combat IWT. While in Norway, trafficking victims are routinely euthanized; in Colombia, there are several rescue and rehabilitation centres in place, although less prioritized and with lesser expertise than the one in Bogotá. Repatriating trafficking victims is a lengthy and costly process and often regarded as impossible, e.g. when the animal’s origin is unknown or when the victim is too injured or has lived in captivity for too long. Nonetheless, both the Faculty of Veterinary Medicine at the Universidad Nacional de Colombia in Bogotá (URRAS) and CRRFFS conduct successful rehabilitations and repatriations of animals of many species, including primates, parrots and turtles.

⁹ Under the Secretaría Distrital de Ambiente (The District Secretariat of the Environment).

Confiscations of animals are recorded in the register of environmental offences of the Corporación Autónoma Regional (CARs) central database. Fixed tables establish the level of fines depending on the impact of the crime. In the case of re-offending, or if an endangered species is involved, stricter sanctions can be applied as outlined in the ‘red books’ (concerning the vulnerability of the species) of the Ministry of the Environment.

URRAS receives wild animals who are surrendered to the centre, some of whom have been recently caught/rescued and others who have been in captivity for many years. URRAS has a rehabilitation programme for the purpose of repatriating animals. In addition to trying to save the animals and, if possible, rehabilitate and repatriate them, the Colombian environmental authorities run campaigns to inform the citizens about the harms of IWT in places such as schools and kindergartens, as well as at El Dorado airport in Bogotá. While legislation is in place, there are still few convictions for wildlife trafficking (Sollund 2019a).

Brazil

In Brazil, abducting and keeping wildlife in captivity has been criminalized since 1967. Brazil joined CITES in 1975 as one of the first parties to the convention. There are four main federal laws regarding IWT concerning animal welfare and the protection of wild fauna, which establish that there, as in Norway, wild animals are state property. The laws mandate the protection of nature and instructions for punishment for breaches of these laws. Ley Complementar 140, from 2011, passes the responsibility for fauna to each of Brazil’s federal states.

In Brazil, crimes against the natural environment are a police matter, and the environmental military police of Sao Paulo, with 2,200 police officers, falls under the Secretariat for the Natural Environment. The Secretariat is responsible for matters such as permits and authorizations and enforcing legislation and is authorized to impose fines. The police are well trained in environmental matters, and commanding officers often have masters and PhD degrees in police science. Under the Secretariat of the Natural Environment of Sao Paulo, various sub-sectors have been created to protect the environment and to secure law enforcement. The state of Sao Paulo sees the most animals seized in the country—30,000 individuals annually, mostly birds, such as songbirds, parrots and birds used for fighting, followed by reptiles, especially tortoises and turtles.

It is a problem for the police that they lack the necessary equipment; e.g. vehicles suitable to transport victims who may be suffocating from being packaged as cargo and to transport them

safely to rescue centres. The large majority of birds die, but the gains made from selling the survivors still make it worthwhile for the traffickers (Nassaro 2017).

DeFau—the Department of Fauna—runs centres for wildlife that include both screening and rehabilitation centres, as well as providing permanent places for wildlife that cannot be returned. The government funds the state’s environmental authorities. At the time of the interviews, the main economic resources came from fines imposed for breaches of the environmental legislation, including crimes against wildlife, and there were efforts to have the fines for IWT go directly to those who rehabilitate wildlife. In 2012, the fines amounted to BRL 27 million (GBP 5.4 million).

Although significant in total, each fine is usually small because crimes against animals are regarded as minor offences; the maximum punishment is a fine equivalent to about GBP 152, which may have little deterrent effect. While a person who sells caged animals in the street will have the animals confiscated and go free, huge resources will be used to rehabilitate and, if possible, liberate the animals. Workers for URRAS in Colombia say 70% of the animals they receive are either repatriated or, if this is impossible, sent to zoos. They follow up the releases with field studies of animals who are tagged and claim that, despite some fatalities, many survive and re-adapt to life out of captivity. At Brazil’s DeFau, on the other hand, an interviewee described it as a success if only 3% of the repatriations went well.

The reception and rehabilitation centre in Sao Paulo, DEPAVE, receives about 800 animals per month in the high season in May, June and July and about 150 per month for the rest of the year. In Norway, animals may be passed on to zoos if they are sufficiently rare and cannot be liberated. DEPAVE receives the animal survivors of trafficking, seized not during transportation but from their end destination or from a trafficker’s house. These have far lower mortality rates than the animals seized en route. In Colombia, there are long-held cultural traditions of keeping wildlife at home, resulting in widespread domestic trafficking. The authorities use CITES appendices to determine what should happen to the offender and the victim, meaning less ‘valuable’ species merit less protection and consequently more lenient punishment for the offender, which is speciesist and unjust to the victims.

The interviews revealed several examples of legal trade being used to disguise illegal trade, thus exemplifying the problem of parallel legal and illegal markets (Sollund 2019a). In the Brazilian Amazon, e.g. legal trafficking in ornamental fish for the aquarium industry is exploited by individuals with permits for a hundred individuals who in fact export a thousand. In Brazil, leg rings are used to identify captive-bred parrots for export to the pet market, but the

rings are forcefully placed on wild-caught parrots to make them appear legal, often resulting in amputated legs or death. The re-use of CITES permits is another way in which legal trade is exploited, a practice also witnessed in Norway (Sollund 2019a).

Uganda

Uganda is undertaking a range of promising initiatives to address wildlife crime and has set aside biologically important savannahs and forests as national parks and reserves throughout the country (UWA 2016). Uganda became a party to CITES in 1991 and ratified the Lusaka Agreement in 1996. This is the only existing practical co-operative enforcement instrument assisting the implementation of CITES and other biodiversity-related agreements at the regional level (National Environment Management Authority et al. 2008). However, wildlife crime in Uganda today is extensive and diverse and includes illegal hunting (Harrison et al. 2015), human–wildlife conflict (Cibot et al. 2019) and overfishing (WCS 2016). Among the main drivers of wildlife crime are subsistence, commercial trade, culture (for medicinal or ceremonial purposes) and the influence of local leaders who encourage encroachment. Corruption within government agencies has compromised initiatives (Harrison et al. 2015), and Uganda is a key transit country in the large-scale movement of ivory (Runhovde 2017b).

Uganda’s history as a British protectorate is visible in today’s policing model, which may account for many of the challenges in contemporary wildlife crime policing (Makumbi and Manyindo 2000; Kagari and Edroma 2006). The conventional police in Uganda is a continuance of a colonial-style paramilitary police force developed by the British to suppress the local population, and the line between the police, the military and various security agencies is unclear. As a ‘developing’¹⁰ country, the institutional challenges facing policing agencies in Uganda are numerous. Resource-related challenges highlighted in interviews centred on lacking or outdated equipment and a need for conventional capacity building. Similar to the situation in Norway, wildlife seizures occur somewhat unintentionally through customs inspectors searching for other illegal items.

When rangers come across people inside a protected area carrying snares, e.g. ‘strict liability’ applies, meaning that there is no question of guilt. Usually, the suspect will confess to the crime. The sentence depends on the discretion of the magistrate and is typically based on prior

¹⁰ The concept of ‘developing’ and ‘underdeveloped’ countries are examples of a colonialist vocabulary implying that a goal for all countries is to ‘develop’ economically to a capitalist materialist state that is the ideal and state of affairs in the global North. It neglects the many other parameters against which ‘development’ could be measured, e.g. peoples’ level of literacy and happiness and the ways in which powerless members of society, such as children, the elderly, the disabled and animals, are treated.

convictions. Describing their recent cases, the police interviewees provided a general depiction of the type of offences prosecuted and the level of sentencing: a man apprehended inside a national park with a spear and a dog received a year and a half prison sentence. Another man apprehended while looking for building material was described as ‘not remorseful’ and sentenced to one year of imprisonment. Having been cautioned for illegal hunting previously, a third man carrying the carcass of an antelope was sentenced to two years’ imprisonment (Runhovde 2017a). According to Harrison et al. (2015: 68), offenders are often given the choice between a fine and imprisonment. Those convicted of subsistence-driven wildlife crimes are unlikely to be able to afford fines and are, therefore, imprisoned, which could result in further negative impacts on their livelihoods and those of their families.

While many interviewees stressed the importance of community policing and of building relationships with residents and local leaders to prevent wildlife crime (Runhovde 2017a), the Ugandan Government supports increasing military involvement in conservation and condones repressive measures against suspected wildlife offenders. Uganda reintroduced sport hunting in 2001. While the Government is of the opinion that the policy contributes to sustainable development, other actors, such as NGOs, question its impacts and ethics (Ochieng et al. 2015), highlighting problems with corruption, lack of transparency and accountability and unreliability in animal statistics (Ochieng 2011).

Comparing regulation

In Norway, Colombia and Brazil, the fines imposed for IWT are generally too low to be deterrent. For Norwegian authorities to enforce the separate CITES regulation, transnational trade must evidently have taken place. Proving this requires the investment of additional police resources, and our findings suggest that Norwegian investigators and prosecutors prefer the most straightforward option of charging under the Regulation against the import, sale, or keeping of exotic species instead. Furthermore, to close a case quickly, the use of fines may be easier to administrate than taking the offender to court, even if the circumstances could result in a more severe penalty. While fines issued in Sao Paulo may have a restorative effect by being channelled to the environmental authorities, in Norway, all fines are absorbed by the state treasury.

While in Colombia there are campaigns directed at children and the public, in general, to educate them to desist from buying and keeping wildlife, there is no public campaigning in Norway to inform the public about the harms of IWT or to teach children to respect wildlife.

On the contrary, the NEA recently suggested that economic rewards should be paid to those who taught children and youths to kill the ‘hunnable resources’ constituted by wildlife,¹¹ thus actively counteracting any potential normative effect of the animal welfare legislation, which states that animals have intrinsic value and should not be subject to harm. Furthermore, for general information purposes, in Oslo airport, there is only an insignificant information screen in the Arrival area concerning CITES and no information in Departures to inform travellers that it is illegal to import CITES products from abroad. Likewise, in Brazil, there is little effort to turn people away from cultural traditions involving wildlife trade.

The great number of animals coming to Sao Paulo shows that the state most often receives wildlife. At the time of the interview, DEPAVE had received 53,000 animals, which not only indicates the scale of problems suffered by wildlife in Sao Paulo but also reflects the will of the authorities to help. Although under-resourced, many people work to rescue, save and repatriate trafficking victims. Likewise, in Colombia, thousands of trafficked animals are seized annually; there is increasing competence being built and resources used to rehabilitate them for successful repatriation. In contrast, in Norway, there are no state-run wildlife rescue centres; injured wildlife is invariably killed (Sollund 2019a). Similar to Sao Paulo, statistics indicate that Norway is mainly an importer of wildlife. However, the monitoring of trafficking of wildlife from Norway is poor; given customs’ emphasis on intercepting drugs, inspections are almost entirely directed towards incoming traffic (Sollund 2013; Runhovde 2015) and illegal exports of wildlife may go undetected.

While parties to CITES are obligated to implement and enforce the provisions of the convention, their motivation and commitment to creating awareness and controlling crimes against wildlife may vary. For example, in Uganda, the recognition that wildlife conservation is crucial for continued social-economic development creates political pressure to curb wildlife crime (Runhovde 2017a). The tourism sector, which is largely dependent on wildlife conservation, is a leading source of foreign exchange and a major provider of employment (Ministry of Tourism Wildlife and Antiquities 2014). In Colombia, several interviewees complained that the state loses its ‘biological resources’, such as poisonous frogs from which medicine may be derived (Goyes and Sollund 2018) or macaws who are now bred worldwide as pets after the first birds were abducted from Colombia and Brazil, because CITES was inadequately enforced.

¹¹ <https://tema.miljodirektoratet.no/no/Horinger/Naturmangfold/Tilskudd-for-a-gi-barn-og-unge-okt-forstaelse-for-brukav-utmarksressursene--20192162/>.

Law enforcement bodies in consumer states like Norway may have less incentive to prioritize wildlife protection and regulation of trade unless it is obvious that they have something to gain by doing so or recognize what they stand to lose by not investing in it (see Sollund 2013; 2019a; Runhovde 2015; Maher and Sollund 2016). While nature conservation is central for continued revenue from sources such as tourism and the extraction of medicine in the Southern countries, endangered wildlife provides little in terms of economic resources in Norway. However, conserving predator habitats could have been both an ecological and economic asset in Norway, if tourists were taken to observe wolves, lynxes, wolverines, brown bears or golden eagles in their natural habitats.

Responses to Wildlife Trafficking Seen Through a Post-Colonial Lens

Colonialism and imperialism have played major roles in the exploitation and trafficking of animals from the South to the North and in the regulation of such trade. We suggest this implies a double or perhaps a triple colonization and victimization—of humans, non-human animals and ecosystems. First comes the colonization of the land of indigenous human populations, such as when the Spaniards occupied Latin America and exploited the indigenous people, leading to genocide (Galeano 1972). Second, such colonization and exploitation were followed by the slave trade, when humans were trafficked from African countries such as Ghana to Brazil and the Caribbean (e.g. Lovejoy 1989). Next, colonization consists of land occupancy, when human colonizers bring to the land of non-humans ‘domesticable’ exploitable non-human species such as cattle for the meat industry, which settled and increased in number tremendously, on par with human colonization (Nibert 2013). This is an ongoing form of colonization (Kymlicka and Donaldson 2011), causing the loss of an increasing number of species and anthropogenic destruction (Crutzen 2006; Lynch et al. 2015) owing to habitat loss, representing a third stage of colonization.

The conservation movement has been criticized for promoting an outdated ‘white saviour’ mentality that fails to listen to local people who understand their environment and its wildlife best (Ratcliffe 2018). From an anthropocentric point of view, one can argue that the logic behind CITES is well meant; it is intended to ensure that countries rich in ‘wildlife resources’ should be ‘helped’ to secure them for future generations. However, there are problems with this rationale. For instance, Roe et al. (2002) have highlighted that, while each party to CITES has a vote, it is inaccurate to say that each party has the same voice because the size of delegations and experience with the convention vary enormously. Economically rich industrialized countries in the North can generally afford to send significantly larger delegations than

financially challenged countries in the South and commit ongoing resources to following and influencing the development of the convention's decision-making process. This may lead to less resourceful countries having less influence on decisions, being subject to more scrutiny and, consequently, perhaps being forced to take stricter domestic measures in response to their non-compliance with the convention.

Furthermore, as proposed by Nkrumah (1965) while under the cover of providing 'aid' for development, investment under neo-colonialism is used for exploitation rather than for development, which increases the gap between the North and South. This process can be understood as a form of 'externalization', which is defined as 'exploiting the resources of others, passing on the cost to them, appropriating the profits and promoting self-interest while obstructing, or even preventing, the progress of others' (Lessenich 2019: 12). In the context of wildlife conservation, trophy hunting arguably represents neo-colonialism or externalization in terms of citizens of Northern countries exploiting the wildlife 'resources' in African countries for 'sport'. While this is presented as a community-based conservation approach by its defenders, critics point to negative ecological and economic impacts associated with trophy hunting that hinder the conservation role of the industry (Lindsey et al. 2007; Ochieng et al. 2015). Because continued trophy hunting depends on conserving wildlife and wildlife habitats (for the trophy hunters), Northern countries pressure African countries to obey strict environmental regulations and, simultaneously, promote their own image as environmentally concerned.

The funding provided by Northern countries to combat environmental crimes and harms gives freedom from guilt. What Norway does nationally, such as in relation to carbon emissions caused by its massive oil production and industrial activities in countries in the South, will, thus, receive less attention and not tarnish the environmental reputation of the country. In addition, while local populations in the South are expected to find ways to coexist with predators that threaten livestock, Norway has been brought to court by NGOs for its lack of compliance with the Bern Convention. The Norwegian killing regime, whereby hunters are invited to kill critically endangered predators, stands in contrast to the efforts made in Colombia and Brazil to protect, rehabilitate and repatriate wildlife. One Brazilian interviewee in DeFau gave an example. A citizen reported a problem with a tigrillo (small wildcat) on his property and he was worried about the safety of his children. Rather than killing or forcefully moving the tigrillo, the environmental military police told the man to get used to the presence of the tigrillo, who was in his/her natural habitat. Some Norwegians living in wolf habitats express

concern for the safety of their children but, in this case, the Brazilians did not accept such fears as an argument to take any measures against the perceived¹² ‘threat’.

The disparity between Norway’s environmental efforts at the national and international levels could be partly attributed to the concern that addressing domestic issues would impact particular groups of voters, such as farmers, game keepers and landowners, thus alienating voters, whereas tackling foreign environmental issues would not. Another issue is whether Norway’s overseas spending is effective and invested in projects and initiatives that would be better deployed locally. For example, Norway provides 40% of global funding to protect tropical forests, spending billions of dollars each year on support for countries such as Brazil and, more recently, Colombia. However, the effectiveness of this approach is questioned (Benjaminsen and Svarstad 2018; Sollund et al. 2019) with arguments that it affects local people negatively, but it is unlikely to make much difference and is rather part of Norway’s efforts to greenwash its oil industry. The criticism seems appropriate given that Norway’s sovereign wealth fund also has GBP 109 million invested in Brazil’s largest beef company, JBS, a major Amazon deforester (Watts 2018) and that the livestock sector contributes 14.5% of global greenhouse gas emissions, resulting in warming of the atmosphere (Gerber et al. 2013).

Conclusion

While Northern countries tend to impose environmental policies on countries in the South and perhaps regard themselves as more ‘developed’ in terms of issues pertaining to the environment, our research suggests that countries in the South may have more dedication to wildlife conservation than countries in the global North. For example, in Brazil, Colombia and Uganda, the authorities engage in environmental and victim restoration through trying to save victimized wildlife. In Norway, endangered wildlife are consistently hunted and killed if they are alien victims of trafficking. While Norway appears to be an environmentally responsible country at the forefront of saving the planet’s biodiversity by providing aid for such purposes, it disguises its own malpractices and, thereby, displays a form of double standard. Norway’s international dedication to the environment serves to excuse its own environmentally harmful activities, representing a technique of neutralization (Sykes and Matza 1957), whereby the Norwegian Government appeals to higher loyalties by claiming that oil production is for the greater good and that Norwegian oil pollutes less than German coal. The good consequently compensates

¹² A tigrillo, a relative of the ocelot, is a far smaller animal than a wolf; his fear may, therefore, have been less justified. However, the fear of wolves is mainly shaped by cultural prejudices and superstition because wolves fear humans and do not look upon them as natural prey (Lenth et al. 2018).

for the bad. Following Norway's decision to halt its forest protection subsidies to Brazil owing to President Jair M. Bolsonaro's lack of dedication to stopping deforestation, Bolsonaro referred to Norway's actions as 'colonial criticism' and, in return, emphasized the Norwegian whale slaughter and oil production. He, thus, applied his own technique of denial through the condemnation of the condemners. While a more direct tactic than the neo-colonialist use of economic resources, Bolsonaro's response served to draw an accommodating veil over Brazil's own harmful activities but, with Bolsonaro's regime, there is reason for serious concern also for the future of Brazil's wildlife.

Naturally, Norway's international work and contributions have an important function in helping prevent, address and repair environmental problems and victimization. However, it should not be concealed that an agenda lies behind such international environmental engagement. To summarize: (1) The commitment provides Norway with rich 'environmental capital', securing Norway a good position and reputation globally. (2) It draws attention away from Norway's own deficiencies, e.g. in relation to international conventions, such as CITES and Bern. (3) While formal adherence to international conventions implies compliance, our research suggests that, in reality, policies are adopted mainly symbolically. 4) By pointing to and 'helping' Southern countries with 'their' environmental problems, it also indirectly blames them for failure in a neo-colonialist manner. We recommend that future research examines empirically and comparatively the ways in which Northern versus Southern countries comply with requirements for genuine protection of the environment and international conventions. We invite further theoretical debate about how international environmental policies may be understood and are represented in a relatively new branch of Green, critical, non-colonial and Southern criminology.

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