GUIDANCE DOCUMENT

Approaches to prevent wildlife crime in Mozambique & South Africa/Great Limpopo Transfrontier Conservation Area (GLTFCA)
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# Table of Contents

**Background** ................................................................................................................................. 4

**Foundational Concepts** .................................................................................................................... 4

- Criminology ........................................................................................................................................ 4
- Behavioural Economics ....................................................................................................................... 4
- The ‘Human condition’ ....................................................................................................................... 5
- Governance ........................................................................................................................................ 5
- Law enforcement .............................................................................................................................. 5

**Wildlife crime prevention strategies** ................................................................................................. 7

- Change the narrative ........................................................................................................................ 7
- Refocus law enforcement appropriately ............................................................................................... 7
- Strengthen local governance ............................................................................................................. 8
- Implement community-based crime prevention .................................................................................... 9

**Concepts to incorporate in intervention implementation:** ................................................................. 9

- The Social License to Operate ........................................................................................................ 9
- Collective Action, ............................................................................................................................... 9
- An emergent process ........................................................................................................................ 10

**Conclusion** ...................................................................................................................................... 11

**About Khetha** ................................................................................................................................... 11
Background

WWF South Africa, through its Khetha Programme supported by the United States Agency for International Development (USAID), assessed wildlife crime prevention approaches in the Mozambique and South Africa landscape of the Great Limpopo Transfrontier Conservation Area (GLTFCA) ('the Khetha landscape'). This guidance document provides a conceptual framework and strategy to reduce wildlife trafficking in the Khetha-landscape. The guidance document is informed by a literature review of crime prevention approaches to high-value wildlife crime and draws on lessons from criminology, behavioural economics, and psychology, as well as ideas from governance and law enforcement.

Foundational Concepts

Criminology: Crime is not caused by outright poverty, but rather by income inequality and by a breakdown in social norms and values (anomie). Actions to tackle crime are often based on deterrence, which is grounded in rational choice theory and the concept that humans can be dissuaded if the costs of certain behaviours are increased. However, rational choice theory often falls down as it does not take into account unmet social and emotional needs.

Contested illegality, where a behaviour that is defined as illegal but is not viewed as negative by all sectors of society, applies to high-value poaching in this landscape. Linked to this, there is increasing animosity towards conservation areas as a result of human-wildlife conflict and militarised anti-poaching efforts. Finally, evidence from the field of conflict resolution shows that peace-building and mediation processes work most effectively when they are complex, multi-faceted and bottom-up.

Behavioural economics: Humans are often irrational and prone to errors of judgement in their decision making. However, humans are consistent in our irrationality. Programmes attempting to change behaviour should be developed using behavioural economics principles so that they account for and work with these irrationalities and errors of judgement.

Key lessons are: 1) behavioural economics research shows that promoting new knowledge and beliefs through education and awareness-raising is unlikely to lead to long-term behaviour change, 2) people act in their self-interest, so incentives should be structured to encourage people to act in particular ways, e.g. people do not need to understand or support conservation goals, they may choose to change their behaviour for other benefits, and 3) if possible, focus programs on nudges and choice architecture that are more conservation-friendly. Evidence suggests that bottom-up engagements to fully understand the needs and values of program recipients and to solicit solutions from them, which could then be implemented using behavioural economics principles to address ‘rationality’, are most likely to result in behaviour change.
The ‘Human condition’: An ecological understanding of human development indicates that crime is not perpetrated by ‘bad people’. Rather, humans all have the propensity for good and bad actions. Criminal behaviour becomes more likely when people are exposed to more risk factors and fewer resilience factors. Evidence shows that key risk factors for individual criminality are: 1) income inequality, 2) financial and emotional insecurity, 3) exposure to violence and trauma, 4) limited opportunities, 5) frustration, and 6) disrupted social structures. Conversely, the more resilience factors a person is exposed to, the less likely they are to engage in criminality. Resilience is increased when people are: 1) able to access employment and educational opportunities, 2) live in a functional society, 3) do not experience violence, 4) have strong social bonds, and 5) are socially & emotionally invested in their own lives and the future of their community.

Governance: As part of creating a functional society and reducing crime, people need to experience society as well-governed, just and functional. An important component to this is a swift, fair and certain criminal justice system – which are the key conditions for deterrence to work to prevent criminal behaviour. However, criminal justice systems tend to be slow, inconsistent and arbitrary – rendering them unlikely to deter criminal behaviour. This is made worse in weak states where governance systems are under-resourced or dysfunctional, or where criminals actively corrupt the criminal justice and governance systems. These factors erode peoples’ sense of living in a functional or just state, and weaken the state’s legitimacy and the rule of law, which feeds back to make criminal behaviour even more likely.

Law enforcement: Effective and just law enforcement is an important component of a functional criminal justice system, and an ordered and moral society. However, the combination of contested illegality related to poaching and the militarised anti-poaching response are eroding the legitimacy of conservation law enforcement in the GLTFCA. Addressing this requires 1) a deeper understanding of the costs and benefits of using coercive violence in law enforcement, and 2) a re-evaluation of the social contract between citizens and law enforcement authorities and the use of militarised methods in law enforcement. There also needs to be a broader shift to building cases against the organised criminal networks that drive poaching, traffic wildlife products and corrupt officials. These networks are often involved in broader organised criminal activities that are damaging society.

In summary: High-value poaching is driven by social and economic inequality, a breakdown in society and failures in governance and law enforcement. At the same time, the rule of law is being eroded by corruption, contested illegality and law enforcement methods that undermine legitimacy.
Wildlife crime prevention strategies

Addressing wildlife crime in the GLTFCA landscape requires multi-faceted approaches that engage with governance, corruption and law enforcement on the one hand and the lived experience of poor people living in or around conservation areas on the other. Criminology, psychology and behavioural economics inform us that humans are not rational, that there is not only one factor that causes crime, and that a nuanced understanding of the ‘human condition’ leads to a risk and resilience model of crime prevention. Based on this, the following four strategies are recommended:

**Change the narrative:** The current wildlife crime narrative focuses almost exclusively on poachers and the physical act of poaching and ignores poaching as the first act in a much larger chain of transnational criminal behaviours. It results in the criminalisation and marginalisation of the sector of society most likely to be recruited as poachers – who are typically already marginalised and have limited opportunity. The narrative needs to be re-oriented to view poaching as a small part of transnational organised crime. Organised crime damages society by recruiting vulnerable people as poachers, corrupting officials, actively undermining the rule of law, playing a role in the trafficking of multiple illicit products and negatively impacting social and economic development.

At a national or regional level, the public conversation would be more effective if it focused on the factors that enable poaching and the broader negative impacts of poaching and associated crimes on society. For example, there could be more focus on the organised criminals and the need to strengthen law enforcement capacity to effectively investigate and prosecute these criminals to, 1) protect the rural poor who are being exploited and criminalised, 2) prevent corruption, 3) protect wildlife and other resources, 4) prevent other crimes that these groups are involved in or graduate to, and 5) improve the rule of law and governance which will improve all sectors of society’s access to services and opportunity.

Secondly, the conversation with those living in and around the GLTFCA should move away from talking about rhino and elephant poaching to talking about criminality, organised crime, trafficking, corruption and the long-term negative impacts that these have on society and personal safety and security. Further, it is worth considering moving the conversation away from conservation itself and focusing on the issues that local people want to talk about related to the environment to hear the issues coming from the ground up rather than the narratives that conservationists prioritise.

**Refocus law enforcement appropriately:** 1) re-establish legitimacy through more transparent and enforced rules of engagement around the use of coercive violence, 2) re-establish the social contract of law enforcement by addressing the militarisation of conservation law enforcement and make it more legitimate in the eyes of all citizens, and 3) build capacity to dismantle and disrupt the organised criminal networks that drive wildlife crime.
Firstly, the legitimacy of conservation law enforcement needs to be rebuilt at least in part in an open and transparent process. This requires a deeper understanding of the costs and benefits of using coercive violence in law enforcement, and an understanding of how to rebuild legitimacy after a period of using violence to address a crisis. This will likely lead to an evaluation and possible revision of protocols, operating procedures and codes of conduct.

Secondly, the law enforcement approach needs to broaden from its current focus on stopping poaching and interrupting the poaching networks to an investigation and prosecutions-based approach that aims to broadly disrupt and dismantle the networks that are engaged in poaching, trafficking of wildlife products, corruption, other criminal activities, trafficking of other illicit products and facilitation of criminal activities. A model for how to achieve this already exists. It has been implemented successfully in numerous other African countries, e.g. Malawi, Namibia, Tanzania, Uganda, Zambia and Zimbabwe. This model involves a local organisation accessing flexible donor funding and supporting a trusted law enforcement unit to build and prosecute cases against organised criminal networks. Key parts of this model include: 1) a small national organisation that can attract and manage flexible international donor funding but is also trusted by national law enforcement entities, 2) a trusted law enforcement unit (which can be a vetted unit in some instances) with the mandate to investigate and build cases against organised criminal networks, 3) a mechanism to collect, manage, analyse and distribute intelligence to the trusted law enforcement unit, 4) a relationship with trusted prosecutors who will present the key cases, and 5) networking across these trusted units in neighbouring and regional countries to share information, intelligence, lessons learned and to broaden the impact against criminal networks – who typically exploit transnational differences in governance and law enforcement capacity.

Strengthen local governance: Effective local governance makes society resilient to crime by giving individuals access to employment and educational opportunities, and by giving people a sense that they live in a functional and just society. Inefficiency and corruption in local government undermine effective criminal justice and social and economic development. Low-level actions to strengthen local governance should include: 1) building capacity for civic engagement in local government, 2) improving understanding of local corruption issues and implementing activities to tackle corruption (e.g. using a risk-based approach to prioritise, amnesties, improving leadership and organisational culture, therapeutic interventions, targeted investigations and prosecutions), and 3) supporting improved service delivery through the mediation of conflicts, promoting civic engagement and tackling corruption.
Implement community-based crime prevention: Community-based crime prevention engages local community residents and resources in preventing crime. This approach recognises that the residents of an area have resources and knowledge that outsiders do not and that if harnessed correctly, they may be most effective at preventing crime in their surrounds. It focuses on the broader concept of safety, rather than security, and looks to mobilise local resources to address crime in specific locations. Community-based crime prevention can take many forms, e.g. neighbourhood watches, information gathering programmes, neighbourhood clean-ups or support groups for young people who may become involved in criminal activity.

**Key principle:** Many local community members around the GLTFCA are not supportive of conservation and feel that rhinos receive far more attention and support than they do. Local community support is essential to improve governance and for successful community-based crime prevention. For this reason a recommended key principle is that it is not about the rhino, or even conservation.

Shifting the focus away from rhinos, or conservation, allows the problems to be reframed around broader issues, such as criminality, governance and corruption. Using conservation to motivate for changes in behaviour is unlikely to be successful. However, conservation goals can be pursued if they are aligned with priority local issues such as safety, criminality, improving governance, tackling corruption and service delivery.

Concepts to incorporate in intervention implementation:

The Social License to Operate (SLO) refers to the social approval or support that a community may give to (or withhold from) a project or business. The term comes from the mining industry and recognises that beyond a legal license to operate, local community support and approval is required for operations to function effectively. This concept provides a framework to operate within, enabling conservationists to understand how to proactively engage with local communities to obtain social approval and support for conservation efforts. It clarifies how to move from a transactional benefit-sharing relationship through approval, acceptance and trust.

Collective Action, also referred to as collective impact or systems-level change, is an approach for addressing complex problems by changing multiple factors simultaneously to change the system as a whole. This comes from the recognition that multiple problems often co-occur, and that solutions need to address multiple factors simultaneously. Typically multiple organisations and approaches are aligned to work together towards a shared goal. This collection or group of organisations and approaches work collaboratively and in parallel.
An emergent process is an approach to program design where the program is developed bottom-up, through a process of consulting with various stakeholders and intended recipients. Development programmes that are developed top-down may not have community buy-in, and may not address the needs and priorities of the recipient community. There are various methodologies for developing programs in an emergent way, all of them focus on enabling program recipients to describe their needs, develop a list of problems and priorities and then develop solutions. Emergent processes create trust and buy-in as they progress and can be useful to mediate and resolve key conflicts that can otherwise undermine implementation. Finally, as they are developed by the intended recipients they are more likely to address relevant local problems and priorities.

In the GLTFCA high-value wildlife crime has become a wicked problem. Efforts to tackle it should use an emergent process that informs Collective Action and operates within the ‘social license to operate’ framework. This work should be underpinned by key principles and a conceptual framework. There are a clear set of activities that can be implemented in the first six months to initiate these processes. This will then give rise to long term programmatic implementation of activities that should result in community-based wildlife crime prevention to address high-value poaching in the GLTFCA.

It is also helpful to have a good understanding of programs that have been successful elsewhere, in similar scenarios, and that may be of value in the GLTFCA. Table 1 below lists a set of strategies or techniques that may be effective to tackle high-value wildlife crime in the GLTFCA, and that can be discussed as a starting point during the initial emergent process of programmatic design.

**Table 1: Types of interventions successfully used in other similar scenarios**

<table>
<thead>
<tr>
<th>Governance and Social Cohesion</th>
<th>Community-Based Crime Prevention</th>
<th>Education and Economic Opportunities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dialogue / mediation on specific conflict issues</td>
<td>Community safety officers</td>
<td>Job creation &amp; employment programs</td>
</tr>
<tr>
<td>Building capacity for civil engagement in local government</td>
<td>Information-gathering on crime to better prioritise &amp; focus safety activities</td>
<td>Education &amp; work-readiness training</td>
</tr>
<tr>
<td>Improving understanding of local corruption &amp; targeted activities to tackle corruption</td>
<td>Developing safety responses</td>
<td>Conservation agriculture</td>
</tr>
<tr>
<td>Improved service delivery through civic engagement, mediation &amp; tackling corruption</td>
<td>Village game scouts</td>
<td>Direct benefit-sharing</td>
</tr>
<tr>
<td>Co-management</td>
<td>Support groups for vulnerable young people</td>
<td>Entrepreneurship, small business development</td>
</tr>
<tr>
<td>Social License to Operate</td>
<td>Neighbourhood clean-ups</td>
<td></td>
</tr>
</tbody>
</table>
Conclusion

Lessons from criminology, crime prevention and behavioural economics suggest that law enforcement responses alone will be insufficient to reduce high-value wildlife crime in and around the GLTFCA. The significant anti-poaching and law enforcement efforts to date have succeeded in reducing poaching but have not stopped it. While these responses are needed in the short-term, they are insufficient as a stand-alone response. In the long-term, community crime prevention, socio-economic improvement, conflict resolution and behaviour change interventions, informed by evidence-based approaches that address the social, economic and societal drivers of wildlife, are needed.

This guideline suggests a long-term approach to reduce wildlife crime in the GLTFCA. The vision is to address and mitigate the long-term structural drivers and inequalities that underpin wildlife crime, build community resilience and improve the rule of law.

About Khetha

The WWF South Africa Khetha Programme, with support from USAID, aims to reduce the impact of wildlife crime on key populations of rhino and elephant in the GLTFCA, and the people who live in and around the GLTFCA. The Programme does this by working with partners to test and implement community-based and wildlife crime prevention approaches to address key drivers of wildlife crime; improve law enforcement to prevent, detect and prosecute wildlife crime; and improve the coordination, communication and learning in the Khetha landscape.