The Illegal Wildlife Trade and Deep Green Criminology: Two Case Studies of Fur and Falcon Trade In the Russian Federation

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PhD Thesis

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Abstract

The illegal wildlife trade is a prevalent crime that has not been explored by criminologists, who could contribute to the exploration of its impacts and its perpetration and thus recommend ways to reduce it. Traditional criminology has been legally positivistic, which ignores environmental structural harms that remain within the norm of the legal sphere. The emerging field of green criminology, keeping with the critical tradition in criminology, considers harms, but this is applied in an anthropocentric or speciesist manner. Using two case studies of wildlife trafficking in Russia Far East (fur and falcon), this research seeks to expand these limited concepts. This enhancement is accomplished through the development of a new perspective called deep green criminology that can be applied to other green crimes as well. With this ecocentric stance that recognizes the intrinsic value of all species and their right to humane treatment and a life free from suffering, other beings and the harms against them and the environment become visible as subjects of criminological inquiry. In this research this means exploration not only of activities defined as crimes (illegal trade of endangered species), not only of environmental harms which affect humans and certain species singled out by humans (poaching and capturing of charismatic fauna), but also includes harms that fall outside of these distinctions (inhumane trapping/capturing and treatment whether legally or illegally obtained, and the associated use of animals for clothing and sport). Additionally, this paper presents the three structural harms that are problematic in regards to wildlife trafficking; the danger to the environment; the cruelty to animals; and the threat to national and human security through the connection to corruption, transnational crime, organized criminal networks, and terrorism. By exploring who is involved, how it occurs, and where it takes place for each of these trades, typologies are created that provide a basis for further examination of the trade in illegal wildlife. Solutions are offered to improve the policies and enforcement that affect the illegal wildlife trade, as are recommendations for addressing the economics of supply and consumer demand for illegal wildlife and wildlife products. The conclusions that result from this thesis tempered the proposed deep green criminological perspective to a more pragmatic approach.

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Introduction

Throughout history, humans have used the resources available in the environment, specifically the wildlife, as a means of survival and a source of capital. The trade of such products is as ancient as the civilizations around the globe. The immense value of some wildlife and wildlife products has led and is leading to the overexploitation of those populations of plants and animals. Currently, such actions are a source of concern for conservation in conjunction with the call for sustainable use. This issue must also now receive attention from criminologists because of the criminal and structurally harmful elements of wildlife trade, for which evidence will be given throughout this paper.

In order to decrease these destructive activities, governments have drafted some national legislation criminalizing certain aspects of wildlife trade, and have become members of international treaties such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which manages the trade of threatened and endangered species, and/or monitoring species' populations for trade purposes. The legislation and treaties have had some impact, but a huge worldwide illegal trade in wildlife and wildlife articles is flourishing. Whereas this black market has and continues to receive focus from a conservation and biological aspect, there has been little research into the criminological aspect or structural harm of this trade, specifically the causes, profiles (little is known of the traffickers and if they form syndicates or act opportunistically), and motivations of the perpetrators, and the political, social, and cultural context influencing this crime (and related harms) (Warchol et al, 2003: 7). This crime also does not receive political scrutiny or media attention and therefore has not been the subject of public alarm or concern, but this lack of coverage in no way makes its impact less than other more well-known forms of trafficking, such as drugs and weapons (Naim, 2005; 158). "Perhaps a reason that this set of trades has garnered less critical attention is because they so clearly link to the insatiable consumer demand of wealthy countries...Luxury furnishings, clothes, accessories are the motor of the endangered species business" (Naim, 2005: 174). This possibly intentional oversight must be broached because of the large-scale impact that wildlife trafficking directly can have on our planet and the species involved, let alone the further political and economic issues it can affect through its connectedness with state corruption, terrorism, transnational, and organized crime, and other forms of illicit trade.

Research Aims

Wildlife trafficking is a prevalent crime that criminology has failed to examine. Outside of a small number of academic articles, there is no literature addressing this black market. This paper attempts to fill part of this gap in knowledge regarding the criminal aspects of the wildlife trade by providing two case studies from the Russian Far East - one of the illegal trade of Russian furs, and the other of the illegal trade in raptors used in falconry, while also presenting an expanded perspective from which to examine this and other green crimes. So the goal of this thesis is two-fold. First, as will be detailed in Chapter 1, a new perspective that departs from the anthropocentric mainstream, which contributes to the perpetuation of environmental degradation and wildlife suffering and exploitation, is developed. Second, in regards to the Russian illegal wildlife trade examined, this paper seeks to 1) illuminate who is involved, how it is occurring, and which countries are participating, culminating in the creation of typologies for wildlife trade markets; and 2) Provide evidence as to why wildlife

trafficking is also structurally harmful because of its impacts on the environment, animal wellbeing, and human and national security through its connections to corruption, organized crime, transnational crime, and terrorism. The overall aim is to add information to the existing yet small foundation of knowledge about this crime, in order to give others grounds for further research into the ignored topic of wildlife trafficking, as well as highlighting the structural harms it encompasses that makes it essential that this crime be examined more thoroughly. Additionally, by creating a new perspective, I hope to further the dialogue in order to place green issues in a prominent place on the criminological agenda (South, 1998b).

The black market trade of wildlife is an immense, diverse, global business full of complexities and intricacies that could not completely be described within one paper. The research conducted for this paper is a case study focused on two distinct illegal wildlife trades occurring in Russia Far East: the illegal fur trade, and the illegal raptor trade. These are only some aspects of the illegal market, and certainly not isolated to this region of the world. Before the history and specifics of each of these black markets are detailed in their separate chapters, the further sections of this introduction will provide an overview of the global wildlife trade, including a brief history of this trade, the wildlife that is involved, and the locations in which it is occurring. This is followed by a discussion of pertinent issues surrounding the legal trade of wildlife and wildlife products, and also how these issues contribute to the existence of the illegal trade. Finally, the scope of the black market in wildlife will be explored.

The Wildlife Trade

In order to describe the entire scope of the problem of wildlife trafficking, the specific terms used need to be defined. Wildlife is defined as any wild plant or animal, whether it is indigenous or exotic, and any derivative thereof (Burgener et al, 2001). Trade is defined as the collection, harvesting, possession, processing, acquiring, or transporting of wildlife for the purpose of purchasing, importing, exporting, selling, bartering, or exchanging (Burgener et al, 2001). Vasquez (2003: 67) states the need for such definitions is to aid in enforcement, and provide a framework for wildlife crime in the context of the following three categories: 1) violations of permit conditions; 2) actions outside of the regulatory provisions; and 3) acts illegal regardless of regulations. The concept of examining actions outside of what is legally defined as a crime will be explored more thoroughly in the first chapter about green criminology. Wildlife crime in this paper is the phrase used to describe different kinds of criminal acts such as poaching, the illegal capture and/or collection of wildlife from the wild, smuggling, possession, and illegal import, export or transport of endangered species and/or wild flora and fauna (which would include permit and regulation violations) (Kendall, 1998). Wildlife trafficking or the illegal wildlife trade is the specific name of the wildlife crime that involves the trade of endangered species, legally protected wildlife (including animals or plants that are subject to harvest quotas), derivatives, or products thereof. In terms of the research into the fur trade, a broader definition of furbearers is taken than may be found in other contexts. Trade in fur includes marine mammal species (otter, seal, and walrus), mammals traditionally thought to be furbearing animals (fox, sable, mink, rabbit etc), but also encompasses, which is where some difference might be contained, small and big cats, (Amur leopard cats, tigers and snow leopards), wolves, and bears. The specific species breakdown will be given in a later section in Chapter 4, which outlines the fur trade in more detail. In regards to the trade of raptors, the phrase falcon trade is used, but it refers not only to birds that are classified taxonomically

as falcons, but also to any bird of prey, such as hawks and eagles, that are used for hunting. The sport of hunting with birds of prey is referred to as either falconry or hawking.

The History of Wildlife Trade

The trade of wildlife and its derivatives is certainly not a new phenomenon. Nor are human laws of ownership and trade. Wild animals under ancient Roman law were *res nullius* or belonging to no one, so they were not owned, but free to move about and be taken by man (de Klemm, 1993: 59). This concept gained universal acceptance, which overrode the previous societal view of collective ownership (de Klemm, 1993: 59). Wildlife laws were also in existence in 1900 BCE in ancient Babylon, and later in the 3rd century BCE in India where there was a ban on the killing of certain animals (Lyster, 1985). Currently, the perception of wildlife has changed in some nations, which now claim State ownership over it. This is true in China, Benin, Congo, Zaire, Zambia, Brazil, Colombia, and Mexico (de Klemm, 1993: 59). Western states in Europe, the United States, and Canada manage the hunting of wildlife and some people have adopted a view of nature and its creatures as part of their natural heritage (de Klemm, 1993: 59). In areas with property rights, the landowners also own the plants upon the land unless there is a special law addressing this issue (de Klemm, 1993: 60). Although wildlife trade and animal exploitation have been present throughout history, a critical juncture has been reached, where international treaties with importance and force are necessary because humans pose a particularly volatile threat to the environment due to our capability to devastate entire populations of wildlife (Lyster, 1985). Treaties will be discussed in more detail later, but now the wildlife that makes up the trade will be explored.

The Wildlife

Without detailing all of the traded species that are protected as endangered or threatened throughout the world (since this is tens of thousands of species), the following is a brief summary of the 30,000 species listed in the CITES Appendices (CITES, 2007d): live animals such as birds, elephants, tigers, primates, reptiles, fish, lesser cats, insects, and sharks; and live plants such as orchids, cacti, medicinal plants, and timber. CITES regulates the trade in parts and derivatives as well which may include: furs, pangolin scales, deer antlers, bears' gall bladders for bear bile, shahtoosh wool (from dead Tibetan antelope), rhinoceros horns, tiger parts, frog legs, reptile skins (snakes, turtles, crocodilians), cat skins (tigers, leopards, lesser cats), ivory products (African, Arctic and Indian origin), musk, shark fins, caviar, dried sea horses, corals, and bush meat (CITES, 2007d; Misra, 2001; WWF, 2002). The demand for wildlife and wildlife derivatives is partly based on their curative properties and also the "demand for exotic cuisine, clothing, trophies and accessories" (IBRD, 2005: v). Cook et al (2002) divide the illegal trade into the following five categories: 1) specialist specimen collecting; 2) skins and furs, and traditional Asian medicines; 3) activities linked to drug trafficking; 4) caviar trafficking; and 5) timber trade. Each of these categories can have substantial effect on wild populations. For example, partly due to the specimen collection for the illegal pet trade of parrots, one-third of all parrot species are under the threat of extinction in the wild (Youth, 2003). These specialized categories above have their own methods and characters for perpetration, and varying levels of organization by the criminals involved (Cook et al, 2002). The global numbers of trade can be surprising - wildlife traders export 25,000 to 30,000 primates, 2 to 5 million birds, 10 million reptile skins, 7 to 8 million cacti, and 500 million tropical fish each year in order to fill the demand for wildlife (WWF, 2002). Since

the trade includes live animals and their products, timber, and fish, these data are merely estimates and the exact scope or value are unknown (Broad et al, 2003).

The Location of the International Wildlife Trade

Countries that are the source of wildlife and wildlife articles are generally located in Africa, North, South and Central America, and Asia. Destinations or so-called consumer countries are typically in Europe, North America, the Middle East, and the Far East (Japan, China, and Korea). The World Resource Institute states that the US, Europe and Japan are the 3 biggest markets for the wildlife trade (Momii, 2003: 3). There are those countries such as Russia, Canada, and Australia that are both sources and destinations. The illegal wildlife trade affects all parts of the globe, be it as a source, a destination, a transfer point, or any combination thereof. The criminal activities differ from country to country depending on the local wildlife. Steve Trent in London divides the poaching portion of the trade into those people who are subsistence poachers and those who are serious poachers (Ecoworld, 2004). There are also serious collectors who will go to extremes to buy rare species or their products and there are those people such as tourists who unintentionally buy prohibited products (Melkion, 2003). In both of the upcoming case studies, when answering the research aim question of who is involved, all of these possibilities will be explored. In the year 2000, 8,000 prohibited products were identified at customs in London including wild meat, skins/furs, reptile skins, preserved insects, primate babies, rare and exotic birds, fish, reptiles, plants, tortoise shell products, ivory carvings and trophies (Melkion, 2003). The traditional Chinese medicines that were confiscated were purported to contain leopard, tiger, bear, and musk parts (Melkion, 2003). Other items included seahorses, giant clams, rhinoceros horn, corals, and orchids (Melkion, 2003), so the trade is truly global with wildlife products from distant regions reaching consumers on the other side of the world.

The Legal Trade

How the legal trade in wildlife should be managed is a discussion that has been taking place for nearly four decades, since before the inception of CITES in 1975 (CITES, 2006a). This discussion not only pertains to endangered species protected by international treaties, which will be detailed later, but also wildlife that is traded with regional permits and is subject to national harvest quotas. "Trading wildlife without permits, and exploiting wildlife beyond stated quotas, is adding additional stress on wildlife numbers. Consequently, because of limited baseline data, weak capacity, and poor enforcement, much of the nominally legal trade contributes to the demise of wildlife" (IBRD, 2005: vi). Such legal activity that can constitute a structural environmental harm will be questioned within the case studies. For instance, monkeys are legally part of the pet trade in the United States and as a particular species becomes popular "poachers and smugglers will undoubtedly further decimate the remaining wild population" (Green and CPI, 1999: 117) in order to fulfill the unquestioned demand. This highlights the two (oftentimes conflicting) propositions for the management of wildlife, regardless of its conservation status. On one side, there are those who wish to continue using wildlife as a sustainable resource (often developing nations in the South). On the other side, there are those that advocate the stricter protection of wildlife (often developed nations in the North). In the above example of monkeys in the pet trade, the United States and other nations extend the national domestic protective measures banning trade of threatened and endangered species to nonnative species. "Removed from the stream of legal commerce, these species are, it's

hoped, less vulnerable to those who might exploit them for profit" (Green and CPI, 1999: 117). Other terms that are used are countries that have anthropocentric legislation (humans sustainably using wildlife until there is indisputable scientific evidence that exploitation is damaging or leading to extinction), and ecocentric legislation (protection should err on the side of caution and limited utilization – the precautionary principle) (Momii, 2003). Again, these concepts will be detailed further in Chapter 1 when discussing green criminology.

These differences may evolve from a variety of sources, but are oftentimes cultural or religious in origin. For some, conservation is viewed as a means to preserve resources that are economically valuable and for others humans should protect the environment because we are its stewards (Momii, 2003). Opinions regarding animal welfare also stem from cultural and religious beliefs. As Harrop (1997: 288) states, in regards to the protection of endangered species, there is an undeveloped morality associated with the belief that animals are less capable of pain. There is certainly no international consensus due to differing cultural beliefs (Harrop, 1997).

A more detailed discussion of culture and religion in regards to wildlife trade is beyond the scope of this paper, so culture aside, "The issue is whether this form of use [trade] might itself be turned into an instrument for long-term and biodiversity conservation: can sustainable wildlife utilization be translated into incentives for broad-based biodiversity conservation" (Hanson, 1999)? For those people living in developing areas, where a majority of the traded wildlife exists, bans are not a constructive approach to conservation (Hanson, 1999). It would be more beneficial to employ a 'trade control mechanism', which would aim to stamp out damaging, unsustainable trade while promoting other trade (Hanson, 1999). "In sum, with the increasing recognition that the criminalization of consumptive values does not halt the general decline of wildlife species, the conservation movement has instead shifted to a model of 'sustainable utilization'" (Hanson, 1999). But those people advocating trade bans argue that poor, corrupt nations do not have the resources to regulate trade, and by allowing it, protection of their threatened species becomes more difficult (Ginsberg, 2002). There seems to be no definite answer to this debate, but the stance that is now taken is as W. Adams (1996: 96-97) recommends: "conservation is not about preserving the past, but about handling change and the transition between that past and future, not about trying to stop human impact on nature but about negotiating that impact". This will become more apparent in Chapter 1 when the foundation for the ethical perspective is outlined. International treaties are the legislative approach adopted by nations to address specific aspects of wildlife trade. An overview of these treaties will be given later, culminating in an exploration of CITES – a treaty designed specifically to regulate wildlife trade.

The Illegal Wildlife Trade

The legal trade management tools outlined above are not only controversial for their effect on indigenous and other people in developing nations who wish to sustainably use wildlife, but also for their possible criminological effect. The reason for the existence of this black market trade in wildlife and wildlife products is part of this debate. The question whether legitimate trade facilitates, or decreases illicit trade or if complete bans enable or curb illicit trade, is an enigma that has been and continues to be a topic of contention among conservationists and members of CITES. For example, Misra (2003: 84) states that in India there are four presumptions that are made in regards to the illegal wildlife trade: 1) trade opens the illegal floodgate; 2) blanket bans are better than regulation; 3) law enforcement will get better; and 4) the law keeps pace with the times. Making such

assumptions without a factual basis can lead to the implementation of regulations that do not accomplish what they were intended to. Suspensions of trade in one area can alter the global or regional framework of the trade. If one country bans the export of a particular specimen, traffickers can potentially go to another country to obtain their product. Alternatively, another species altogether could be found to substitute for the specimen for which the market has been closed (e.g. using water buffalo horn instead of rhinoceros horn), and possibly risk endangerment to that species (Morgan, 2003). Possibly more critical to the survival of some species is that trade bans worsen the situation in corrupt countries if the demand remains high, as they raise the value of the product, which can lead to an increase in power of corrupt officials who do nothing to protect the species (Oldfield, 2003), or an increased temptation for poaching or capturing on the part of the local people (Ginsberg, 2004). As Nichol (1987: 2) states, "with the advent of CITES the whole proposition suddenly became much more attractive. Animals that had previously been cheap suddenly became expensive, and animals that had been expensive became unobtainable, so a new generation of animal smugglers started to bring a variety of species to Europe and America from their countries of origin". Also, if it is known that there is a CITES or other national ban approaching, before an animal is listed as endangered there is often a rush to import before the deadline (Green and CPI, 1999). Conversely, where there is no trade this could signal to the market that the species is not valuable and therefore not worth conserving (Ginsberg, 2004).

Additionally, black markets might exist in part because the illicit aspects of a legal trade are not penalized and the protective laws are not enforced. Moyle (2003: 46) illustrates this by saying "If the risk of being caught in violation of the regulations is not credible, then banning trade can promote wildlife decline". Brack (2003: 165) would agree with this assessment in his research to determine which factors drive black markets. He found three such factors. First, there needs to be a demand for products for which there are no substitutes, and from an environment for which there is very little concern, thus the cost value differential will be quite high. Second, a market where there is regulatory failure to determine or protect property rights. Last, an environment where there is enforcement failure from: lack of funding, resources, or infrastructure; corruption; lack of political will or disruption; or methods of enforcement that are out of sync with what is needed (Brack, 2003: 165). These conditions for the existence of a black market will be returned to in the theoretical foundation relevant to the illegal wildlife trade, and again in the case study chapters, but initially it can be noted that there is very little attention paid to wildlife trafficking financially or publicly. Many citizens of the world living in wildlife source areas have no property rights and therefore no claim to the wildlife that is upon the land they live on (and therefore no incentive to conserve it (Vasquez, 2003)), and law enforcement in many places is suffering from limited funding, resources, and infrastructure; it may be corrupt, have no political will, or the country is undergoing some kind of massive change. Wildlife is a valuable commodity and black markets develop around such areas where profitable consumption is possible (Carrabine et al, 2004). With these conditions and the amounts of profit, it seems clear that there would be a black market trade running rampant in wildlife and wildlife products.

Two sources provide insider views into how wildlife trafficking is perpetrated, and an additional in-depth study of the ivory trade by Naylor (2004) also is illuminating. Domalain (1977) was himself a trafficker in the late 1960's and early 1970's and after experiencing a complete change of heart, writes a detailed description of how animals are obtained and reach the final buyer. Nichol (1987) writes about his observations of the animal

trade while filming a documentary about the subject. From these enlightening accounts, it is possible to chart from where the animal is taken in the wild, through whose hands it passes before its arrival at its final destination. First, the wildlife is collected, captured, or harvested from the wild typically by people living in the area, though Domalain (1977) himself did organize and partake in expeditions to capture certain species. Domalain (1977: 22) believes that the collector of the wildlife is "the least blameworthy" person in this chain of events, but acknowledges that "for them [the collectors] an animal represents first and foremost such and such number of pounds of meat, or a means of locomotion, an implement" and that "In whatever context, animals arouse neither respect nor pity. They are exploited to the utmost". Nichol (1987: 150) would agree that the, "peasant sees no reason to object". For this to be legal the animal must not be protected and hunters or trappers must have permits and licenses and comply with open and closed seasons. Naylor (2004) relates that the suppliers of ivory, at least, are quite diverse and it is possible that other wildlife trades are equally so.

> "They may be peasant farmers to whom some species are pests and a threat to their family's livelihood. They may be trophy hunters eager to hang a monument to their testosterone levels on their office walls. They may be professional poachers operating purely for profit. They may be moonlighting game wardens, motivated by their low pay and inferior status in the hierarchy of the government for which they work. They may even be, as has occurred in some instances in southern Africa and Asia, insurgent armies who traffic in wildlife to finance the purchase of weapons. Penuriousness or macho pride, individual avarice or logistical need, the motives vary" (Naylor, 2004: 262).

Collectors then take their stock of animals and/or plants to middlemen. This often requires traveling over long distances, and in the case of live animals the conditions are abhorrent with tight overheated cages without food or water. This leads to deaths of some of the animals before arrival at the middleman's storage facility (Domalain, 1977). In order for this portion of the operation to be legal, the middleman too must have the appropriate authorizations and follow international regulations such as quarantine cages, isolation areas for carnivores, and veterinarian certificates regarding rabies etc. The middleman will then house the collected live animals and wildlife products until he has enough stock to transport to the exporter.

Again, this transport to the exporter possibly involves a significant amount of travel where the live animals are subjected to terrible conditions of cramped, filthy boxes and no access to food or water (Domalain, 1977). There are even more losses of life before the shipment reaches the exporter. Domalain (1977: 34) describes one of the exporters that he knew. This man,

> "Like all his fellow traffickers, keeps 2 quite separate establishments, one legal, and the other in which he houses prohibited species. Because of the risk of informers his premises are located in the depths of the country, a long way from the capital, and to avoid attracting attention they all look unimpressive and occupy a minimum of space".

The exporter should be licensed and up to date on all certificates, including veterinarian, and all this documentation should correspond to the actual shipment. When smuggling wildlife this is accomplished through means of concealment, misdeclaration, illegal documentation, exchanging illegal products for legal products, using postal routes, and/or in diplomatic baggage (Cook et al, 2002). For live wildlife, airlines are also under

regulation (International Air Transport Association) to provide adequate transportation and facilities (Domalain, 1977). Naylor's (2004: 262) research supports this:

> " [The exporter] most likely a respectable businessman in the import-export trade who is also skilled in the covert international movement of restricted or prohibited goods and in the management of the return flow of funds. The exporter will either smuggle outright or pose the restricted or banned species as something not on the endangered lists; he/she may also operate using counterfeit, stolen or recycled certificates of origin or export licenses. The exporter may be aided and abetted by partners in various jurisdictions which act as laundering or transshipment centers".

After yet another challenging journey without food or water, and either sweltering or freezing, the animals that have survived arrive at their destination, but this is not the final stop (Domalain, 1977). Importers take control of the shipment and could sell the wildlife to a manufacturer for further processing, to a wholesaler, to a retailer, or directly to customers or collectors. This importer also needs to have the proper permits and must comply with quarantine restrictions to be legal. Depending upon which of the above places that the animal is destined for, it must endure further uncomfortable, life-threatening, or possibly fatal transport, before ending up with the final buyer (Domalain, 1977). The final product then, be it derivative, part, or live animal, is "marketed through legitimate businesses ranging from upscale restaurants to jewelry emporia, from "oriental" pharmacies to family-pet stores" (Naylor, 2004: 263). Species differ in their ability to survive being trafficked, as in the 10% survival rate of some birds or amphibian species (Domalain, 1977). Others estimate that for every one animal that is traded, three have died (Redford, 1992). This might not only be from animals not surviving the journey, but also from animals of poor quality that are discarded, or children of captured mothers that die (Redford, 1992). Even if alive though at the end of the journey, all of the animals need to be nursed back to health and many never recover psychologically from the trauma of the experience (Domalain, 1977).

The Scope of the Market

So how big is this market? Some indication has been given above, but more examination is warranted. Steve Galster, of Wildlife Alliance, states that the illegal trade is worth somewhere between $10 and $20 billion (National Zoo, 2008). CITES (2007d) indicates that in terms of legal transactions, "Annually, international wildlife trade is estimated to be worth billions of dollars and to include hundreds of millions of plant and animal specimens". In other words, "Quantifying the global wildlife trade is almost impossible since it ranges in scale from local barter to major international routes, and much is conducted illegally or through informal networks" (Karesh et al, 2005). Estimates are also generated from declared values at customs, not by the market value or by CITES (Fernandez and Luxmoore, 1997: 1). The shadow figure of the illegal wildlife trade, as with other crimes is unknown, but as Cook et al (2002: 7) state for wildlife trafficking "this is compounded by the hidden nature of the victims or objects involved – endangered flora and fauna and the often remote habitats which sustain them". Also, as there is no set standard to judge the value of wildlife, estimates vary incredibly across the globe (Cook et al, 2002). This value is also only a monetary one generated "by existing data and other sources, (which) provide only one dimension of the value of wildlife for human well-being, and should be taken only as an indication of the minimum value of wildlife for consumptive purposes" (Fernandez and Luxmoore, 1997: 1-2). In other

words, the financial capital assigned to the wildlife trade does not reflect the external costs of damage to the environment nor consider other value beyond or besides the instrumental worth to humans.

The EU is thought to account for one-third of the purchasing of illegal products in this trade (Momii, 2003: 55). The profits from the wildlife trade doubled from 1989 to 1994 to an estimated £3.5 billion (Lemonick, 1994). Currently, the profit amount globally is thought to be 2nd only to the drug trade (Reynolds, 2002; Taylor, M., 1996). Today more than 800 animal and plant species are banned from commercial international trade, others are nationally banned, and approximately 30,000 more require a specific CITES permit before they can be traded (CITES, 2007d). On average, 570 illegal wildlife items were seized everyday by HM Customs at London's Heathrow International Airport from 1996 to 2000 (WWF, 2002). This amounted to over 1 million items during the 5 years of monitoring. The fines over the same period of time however averaged 9 pence an item (WWF, 2002) - in contrast to the profits on the black market, which as the following information demonstrates are high. According to the United States Fish and Wildlife Service (USFWS) a komodo dragon, the largest reptile in the world, and a tuatara, one of the oldest living reptiles, sell for $30,000 a piece, and a radiated tortoise from Madagascar sells for $5,000 (Kendall, 1998). Orchids can sell for $2,000 a flower (Melkion, 2003). This is a major aspect of the problem. The profits obtained from wildlife trafficking are incredibly high and the penalties are very low. The low penalties do not deter criminals who continue to take part in the wildlife trade and in fact can draw criminals from other enterprises, as is evident from the increasing links to organized crime, the drug trade, the weapons trade, and human trafficking (Cook et al, 2002). Weak penalties also limit the powers of the police to investigate and take action against the perpetrators. The unchecked increase of this illegal black market could have irreversible consequences on the environment and the planet and harm societies' stability and prosperity.

Now that the terms have been defined and the basic overview of wildlife trafficking has been given, the beginning sections of Chapter 1 will set the ethical and theoretical framework of the research by describing, and expanding on the current perspectives of green criminology, and detailing the criminological theories relevant to wildlife trafficking. In the first sections of Chapter 1, one of the aims of this paper will be developed through the expansion of the existing framework of green criminology into a more comprehensive basis of evaluating environmental harms. To begin, the current structure of green criminology is illustrated. Section 1.1.2 will explain the principles of different environmental ethics, which will be used to enhance existing ideas within green criminology. Section 1.1.3 is the development of a new criminological ethic combining existing green criminology and deep environmental ethics, which I am calling deep green criminology. The three subsequent subsections under 1.2 highlight the structural harms of the black market in wildlife, and its association with other forms of crimes - the danger to biodiversity and spread of disease, the cruelty to animals, and the threat to nations and human security through ties to state corruption, transnational crime, terrorism, and organized crime. In the final subsection of 1.2.4.5, the concept of networks as it applies to organized crime and black markets is detailed. Section 1.3 then relates the theoretical foundation for this thesis, which revolves around the development of black markets and the involvement of organized crime and criminal networks in smuggling. This will lead to Chapter 2, which contains the background information about the Russian Far East that is needed to fully understand this specific case study. This includes descriptions of the government structure and international and national laws

that affect wildlife trade. There is also a discussion of the history of conservation in Russia and the Soviet Union as well as an exploration of the history of state corruption, organized crime and criminal networks in the Russian Federation. Chapter 3 then describes the sociological research methods that were used to answer the research questions. Chapter 4 is the first of the two case studies - that of the fur trade. Chapter 5 studies the raptor trade. Each of these two chapters has background information sections detailing the history of these trades, the current state of the particular trade in Russia Far East, the role of Russia, and the mechanism of the trade. Further sections discuss the main focus on the illegal trade specifically who is involved, how it is taking place, and the structural harms tied to its existence. Additionally, how the perspective of deep green criminology uniquely contributes to this discourse is presented. Also, there is an exploration of how the perception of the crime might differ from the reality of what is occurring. Chapter 6 is a discussion of possible solutions to this crime, and policy implications for the Russian Federation as well as other countries combating wildlife trafficking. Finally, Chapter 7 contains the conclusions drawn from this project, along with a summary and suggestions for future research and the future of deep green criminology.

As mentioned, traditional criminology does not address environmentally destructive behavior, but green criminology has begun to, which is important since degradation to the environment is more harmful to humans (and the environment) than street crime, the typical focus of mainstream criminology (Lynch and Stretesky, 2007). What has been written by those few green criminologists, provides a sound part of the ethical foundation for this project, and used in conjunction with other fields, creates a new basis for exploring harms and crimes against nature, which is the initial focus of this chapter. As stated in the introduction, the second aim of this research is to contribute to the emerging field of green criminology, and attempt to draw more attention to this area. This is set out in the first three sections of this chapter, which introduce an expanded, deeper green criminological perspective. Linked to this deep green criminological ethic that is developed, is an introduction of the structural harms that are significant in the research of the illegal wildlife trade, which is a piece of the second objective of this thesis. These harms are: the danger to the environment, the animal welfare issues, and the effect on human societies because of the corresponding criminal activities (corruption, transnational crime, terrorism, organized crime, and criminal networks). The third section of this chapter focuses on the theories relating to these criminal aspects, specifically regarding Russian black markets, organized crime, and criminal networks that can contribute to the exploration of the illegal wildlife trade. To begin, the ethical perspective development.

1.1 Ethical Perspective Development

Since this thesis is addressing issues pertaining to the environment and animal welfare, which can be controversial, it was decided that establishment of an ethical perspective was essential in order to clearly state the stance that was taken. There was not any one single discourse that supplied the needed framework to analyze the problem of animal suffering and systemic exploitation encompassed in the many aspects of this multidisciplinary research. Because of this, several perspectives or philosophies were drawn upon that blend to form the ethical perspective from which wildlife trafficking (and other green crimes) is (can be) explored. This development is a two step process. An initial examination of conventional criminology reveals that criminology addresses only crime. The first step then to address some of the actions occurring within the black market trade of wildlife is to move beyond only exploring legal violations of the law to examining things that are harmful. The following section will begin with the challenge to only legally positivistic research.

Also, as the next section willl demonstrate, criminology has a limited though existing field of green criminology that addresses environmental issues. As will be detailed, green criminology as it stands is human-centered. This anthropocentric conventional approach to criminological inquiry is problematic because the subject is always human and therefore this approach is restricted in scope for explorations regarding the harm and devastation that is perpetrated on the environment. This limitation leads to the field of environmental ethics and the second step of the development of this perspective. This is that once crime and harm are under scrutiny the next step is to move from an anthropocentric to an ecocentric notion of harm, one that encompasses both human and non-human entities within its conception of subjects that are capable of suffering such harm, and thus deserving of protection. "Environmental ethics are ethics which take specific, and perhaps special, account of the (natural) environment and environmental and ecological issues" (Sylvan and Bennett, 1994: 3) and therefore

contain an ecocentric notion of harm. Environmental ethics come in three forms. Those referred to as shallow (application of standard ethics to green issues), intermediate ("adaptation or extension of standard ethics to accommodate green causes"), and deep ("development of new nonstandard ethics, superceding established ethics, in order to further environmental causes") (Sylvan and Bennett, 1994: 25-6). Shallow environmental ethics are also human-centered, like mainstream criminology, and provide little insight to a broadened scope for green criminology. Intermediate environmental ethics come in the form of Leopold's (1989 [1949]) land ethic, which contributes to the discussion of green criminology while still not providing a complete foundation, therefore deep environmental perspectives are also explored. The two in particular that add to the discourse are Naess' (1973) deep ecology and Routley and Routley's (1980) deep-green theory, which both expand green issues to a non-human-centered stance, and provide the last pieces to the development of a new criminological perspective - that of deep green criminology.

1.1.1 Green Criminology

Green, or environmental as it is sometimes called (Walters, 2006), criminology is unique in focusing on crimes against the environment and nature. South (1998b: 212) states that green is the "environment, animal rights, and the symbiosis between human societies and ecological systems". Often, it is the daily activities or culturally engrained actions of humans that have a destructive outcome on the environment. "In this sense, the problem is not crime, but the limits placed upon who and what can count as criminal subjects and/or criminal objects. More than this, *the problem is how to think beyond crime as a useful category of thought*" (Halsey, 2004: 849). As Halsey (1997: 217) states though, "Criminologists have failed to explicate the many theoretical and practical implications arising from the continued existence of so many legal yet ecologically damaging practices". Admittedly, this is a challenge for the discipline as it is "difficult to rename and re-envision much of what we take to be pleasurable, profitable and progressive as one and the same as those events which contribute to the diminution of species and the toxic transformation of the biosphere" (Halsey, 2004: 837), but a specific green criminology can, and should address crimes as well as these other damaging behaviors.

In 1975, Schwendinger and Schwendinger addressed the then thirty-year controversy regarding definitions of crime and the research aimed at actions not legally sanctioned as crimes. Their discussion revolved around the work of Sellin (1938) and Sutherland (1945), who both introduced field-changing arguments. Sellin (1938) proposed that crime could be examined in terms of 'conduct norms' and that such exploration was a scientific value-free endeavor (Schwendinger and Schwendinger, 1975). Sutherland (1945) then, in his examination into white-collar crime, created the concept of 'social injury'. While not specifically defined, social injury was comprised of a moral element and included not only criminal actions, but civil violations also (Schwendinger and Schwendinger, 1975). "Crime, most modern sociologists agree, is behaviour which is defined by the legal codes and sanctioned by the institutions of criminal justice. It is generally agreed, moreover, that the legal definitions of crime and the criminal are ultimate standards for deciding whether a scholarly work should be considered criminological" (Schwendinger and Schwendinger, 1975: 113). As Muncie (1998: 4) states though,

> "If our concern with crime is driven by fears for social stability, personal safety and social justice, then we may be well advised to look beyond crime to discover where the most dangerous threats and risks to

> our person and property lie. Poverty, malnutrition, pollution, medical negligence, domestic violence, corporate corruption, state violence, genocide, human rights violations and so on all carry with them more widespread and damaging consequences than most of the behaviours and incidents that currently make up the 'crime problem'".

In other words, the law and what is legally prohibited are designed to limit behaviors that are deemed harmful. Harm is thus legitimate as a topic of examination. Moreover, it can be seen as essential, insofar as it is only through demonstrating harmfulness that we can ensure that the appropriate legal sanctions are eventually introduced. Additionally, norms, which aid in the definition of laws, can be outmoded or obsolete (Sumner, 1994), so what was once an acceptable practice needs to be able to be re-examined for its criminality under current mores. Previous examples where the subject for emancipatory inquiry has been expanded are evident in the criminalization of domestic violence and racial crimes, and as this thesis proposes, such an expansion to animals and other species as the subject of emancipatory action is warranted. In contrast to Sellin, Schwendinger and Schwendinger (1975: 132) state (and this research concurs), "The claim that value judgements have no place in the formulation of the definition of crime is without foundation". Furthermore, "No scholar involved in the controversy about the definitions of crime has been able to avoid direct or indirect use of moral standards in a solution to this problem", but researchers should openly face the moral issues, by using such terms as social injury, based on historically determined rights of individuals (Schwendinger and Schwendinger, 1975: 132).

There are other problems, besides avoiding the most harmful or injurious actions, which occur when researchers do not adopt a broader scope of inquiry as proposed by Muncie, Sellin, and Sutherland. One is that scientific ideas are stifled, and there is no advancement of knowledge (Schwendinger and Schwendinger, 1975). Additionally, "since criminologists were traditionally limited to behaviour prescribed and proscribed by the criminal law, it followed that they were not assured of finding direct legal precedents for the study of the unethical practices by groups powerful enough to fashion the law to their own advantage no matter *how socially injurious their practices might be*" (Schwendinger and Schwendinger, 1975: 115). In essence, by being limited to legalistic definitions created by the State, criminologists themselves become subservient to it (Schwendinger and Schwendinger, 1975).

The trend in criminology towards looking outside of what is legally defined as a crime to what is injurious, or in contemporary terms what constitutes harm, has continued and will be continued in this paper in the form of an expanded, possibly controversial, version of green criminology. The initial step then in the development of a new perspective is the one summarized above, which is taking criminology beyond crime to encompass harm as well. Harm exists when someone, or as will be argued here, something has been physically or mentally damaged or injured. There is empirical evidence that can be collected to prove physical damage or injury when assessing actions. Where evidence is harder to obtain, is when proving that there has been psychological damage or injury to someone or something. It should be considered how the action under assessment has caused the subject in question to suffer or how it distressed them. This can be somewhat supported by the physiological effects that stress (physical or mental) has upon the body. In a harm-based discourse, not only do the actual harmful acts become worthy of thorough exploration, but also so does "the

power to render certain harmful acts visible and define them as 'crime', whilst maintaining the invisibility of others" (Muncie, 1998: 5).

Unlike other social sciences, such as sociology, criminology has not created a separate field devoted to green issues, so existing literature is scattered and has no distinct body (South, 1998a: 445). "Criminologists have often left the study of environmental harm, environmental laws and environmental regulations to researchers in other disciplines. This has allowed little room for critical examination of individuals or entities who/which kills, injures and assaults other life forms (human, animal or plant) by poisoning the earth" (Lynch and Stretesky, 2003: 231). Carrabine et al (2004:313) state, "The plundering of the earth's resources has not until recently been thought of as a crime. Yet as is now well known, the earth and its resources are being wasted and overexploited. Through this, numerous crimes, violations, deviations and irregularities are perpetrated against the environment". There should be a specific field devoted to the unique dynamics of environmental harms and crimes. These green crimes and harms cover a wide array of actions, ranging from all forms of pollution (air, water, and soil), to deforestation (illegal logging, and clear cutting), species decline (poaching, and overexploitation), and animal abuse (which inclusion of will be justified shortly in the discussion of the harm-based discourse developed in this paper) (Carrabine et al, 2004). Animal abuse or animal welfare crimes consist of "human actions that contribute to the pain, suffering or death of animals or that otherwise adversely affect their welfare" (Beirne, 2007: 55). Such actions may be individual instances of maltreatment or neglect, but also include, as this paper will expand upon in detail, the socially acceptable practices of institutionalized animal abuse (Beirne, 2007). These green issues should not be simply added into other existing fields. For instance, the lumping of environmental harms within the criminological studies of white-collar and corporate crime is limited because "environmental harm is by no means reducible to the (negligent) actions of corporations nor the individuals within them" (Halsey and White, 1998: 346). The mention of corporations introduces how green crimes have typically been explored.

To date the examination of green crimes has usually taken either of two forms. The first construction of green crimes is the corporate perspective, which falls into the category of mainstream criminology because it only views actions that violate the law as crimes (Lynch and Stretesky, 2003: 222). Halsey and White (1998: 345-6) refer to this as "A legal-procedural approach (which) establishes the parameters of harm by referring to practices, which are proscribed by the law". As discussed above, taking such a narrow view as to what can be studied under the umbrella of green criminology proves problematic. "Deriving the parameters of what constitutes 'environmental harm' from the law tends to subvert an explication of the kind of politico-economic conditions which allow, for instance, cyanide to be used in the extraction of minerals, plutonium to be used in the construction of nuclear weapons, dioxins to be employed in the manufacture of paper and so forth" (Halsey, 1997: 221). In effect, taking uncritically the state definition of green crime, these legalized destructive activities are facilitated and not diminished (Halsey and White, 1998: 347). Halsey (1997: 224) states,

> "As things stand though, commentators allow criminal law to dictate the objects of criminological inquiry to an extent where the role of the social commentator becomes that of 'legal technician'. What his study fails to grasp is that even if the 'technicians of law' or the 'managers of markets' manage to hit upon a formula for preventing all instances of legally proscribed *pollution*, this would have little or no effect on the quality of nonhuman nature".

Criminal law is not about the abolition of environmental harms, but about their management, and it is the adherence to these legalized forms of harm rather than deviance from them that poses the dilemma for mainstream criminology (Halsey, 1997), and the corporate perspective of green criminology. In other words, at times, when harm to the environment falls under legal jurisdiction, it is not the aim of the regulation to end the harm completely, but to minimize its impact while still allowing the harm to occur on some level. While there are instances where environmental destruction is completely illegal, such as the ivory trade once was, it is the continuance of the above type of institutionalized harm that is problematic because of the socially and legally accepted level of violence and destruction that remains, rather than in other cases, such as personal violence, where any level of violence breaks the law. An anthropocentric legally positivistic stance, which only examines actions that are legally defined as crimes, overlooks possibly the most harmful activities, does not allow for furtherance of the discussion of what constitutes harm, and does not challenge the state's role in the continuance of these injurious behaviors. This uncritical examination of only what is defined as criminal adds to the persistence of environmental degradation, and the suffering of other species because it does not question routinized destruction and violence that are legal and ignores other harms that are outside of the legal system. Examples include those listed above such as cyanide use in mine extraction etc. (Halsey, 1997: 221), and clear cutting, drift net fishing, the meat industry, and many others. "Adequate analysis of environmental harm demands that the criminological gaze extend well beyond mainstream conceptions and legal definitions" (Halsey and White, 1998: 346).

The second form of green criminology does move beyond some of the limitations of the corporate perspective. This is the "socio-legal approach that conceives of harm in terms of damaging practices which may not be encapsulated under existing criminal law" (Halsey and White, 1998: 345-6). This is also evident in the environmental justice perspective, which adopts the following three tenets: "1) may or may not violate existing rules and environmental regulations; 2) has identifiable environmental damage outcomes; 3) originated in human action" (Lynch and Stretesky, 2003: 227). The first tenet then attempts to rectify the problems of only using legal definitions of crime as suggested by the Schwendingers, Muncie, Halsey, and Halsey and White. A non-corporate perspective of green criminology is needed to expand the limited view of contemporary crime, and to demonstrate that environmental harm and damage, more than other crimes, threaten human lives and communities (Lynch and Stretesky, 2003). The environmental justice perspective incorporates critical elements that are concerned with the discriminatory perpetration of green crimes that adversely affect minorities, the poor, and women (Lynch and Stretesky, 2003). A further critical aspect is the exploration of large-scale oppression and injustice (Cazaux, 1999).

> "Environmental justice is about social transformation directed toward meeting human need and enhancing the quality of life – economic equality, health care, shelter, human rights, species preservation and democracy – using resources sustainably... Environmental problems... remain inseparable from other social injustices such as poverty, racism, sexism, unemployment, urban deterioration, and the diminishing quality of life resulting from corporate activity" (Hofrichter, 1993: 4).

In other words, "Green criminology suggests that we reappraise more traditional notions of crimes, offences and injurious behaviours and start to examine the role societies (including corporations and governments) play in generating environmental degradation... finite nature of the earth's resources and how this generates new problems of damage and harm" (Carrabine et al 2004: 316). This reappraisal includes all those actions defined, as mentioned above, as crimes or harms against the environment, but is not limited to "air pollution, deforestation, crimes of species decline and against animal rights, water pollution" (Carrabine et al, 2004: 316). Additionally, this analysis would explore how "crimes and criminals deal in the destruction of rainforests and valuable lands; those who exploit natural resources for their own ends; and 'black markets' that develop around the sale of many of these valuable commodities" (Carrabine et al, 2004: 317). Whereas Halsey and White (1998: 346) state, "'Trading of endangered species', for example, have a relatively negligible impact on the natural environment", this paper will argue that illegal wildlife trade is significant both in terms of environmental impact and other structural political, social, and criminal implications. This coincides with their belief that "Environmental harm is in fact ubiquitous – a structural or systematic phenomenon rather than exclusively contained within the operations of specific corporate giants or certain 'careless' individuals" (Halsey and White, 1998: 347).

The harm that is examined under the socio-legal or environmental justice perspective is, as in other contexts, fluid in nature as to who or what is capable of being harmed (Henry and Milovanovic, 1996). "We need to define crime and its harm in terms of specific, but historically contingent, victim categories, but *to be aware of the emerging social constructions whose relations of power are relations of harm* (Henry and Milovanovic, 1996: 119). White (2003: 484) agrees, "Investigating environmental issues from a criminological perspective requires an appreciation of how harm is socially and historically constructed". The environmental justice or socio-legal perspective of green criminology then unlike other fields of criminology enables researchers to examine these green violations, deviations, irregularities, and harms even though they are not legally defined as crimes (Carrabine et al, 2004) and also examine the discriminatory nature of such actions.[1]

Both the corporate and environmental justice perspective have the limitation that they only address the human victims of environmental harm. Such anthropocentrism ignores animal victims as well as plants and other species within the environment and the environment itself. Non-humans disappear as the subjects of emancipatory inquiry. They only gain regard insofar as their well-being serves the well-being of humans. But sentiment regarding animals and the environment is changing, and therefore so are the categories of victims that can be harmed. There is evidence of growing public awareness connected to the growing sensitivity to non-human suffering "From the high profile campaigns against whaling, seal culling and the fur trade, through to the rise of anti-vivisection and animal welfare activity, awareness has been growing of the moral issue of human relations with non-human species" (Benton, 1998: 151). Within the changing definition of harm then, a particular concern arises for a discussion of the wildlife trade, both legal and illegal, in that throughout the environmental discussion of harm, there is less importance attached to non-human victims than harms against

[1] To be clear, it is known that traditional criminology remains largely tied to legal positivism, whereas green criminology in its current form – in common with a long-standing critical tradition in criminology – very clearly emphasizes the importance of recognizing harms that are not legally defined as crimes.

humans (Beirne, 1999: 119). Criminology has neglected the interaction between people and animals, and animals widespread abuse (Cazaux, 1999; Beirne, 1999), but this is the second step of the development of a deep green perspective – moving from harm of humans to encompassing harm of non-humans as well – for which the case will now be made.

According to Beirne (2007: 56), animals have four discursive roles in criminology. First, they are viewed as private property. In this economic sense, suffering of animals is viewed as legitimate (Cazaux, 1999: 117). Second, they are viewed as prototypes of criminality in humans and third, the abuse of animals signifies interhuman violence (Beirne, 2007: 56). More recently and rarely, animals have taken on a fourth capacity, which is they are the apparent bearers of rights in emerging green criminological literature (Beirne, 2007: 56) such as this project. Others, too, have commented on the suggested correlation between animal abuse and violent interhuman crimes (Agnew, 1998). Possibly most notably of these is Kant (1963 [1930]), who believed that man should not be unnecessarily cruel to animals. In fact, animals should always be treated humanely, but not for the sake of the animal, but for the sake of man maintaining his humanity and therefore his interaction with other humans (Kant 1963 [1930]). The anthropocentric claims of more mainstream criminology would promote the discussion, and possible criminalization of animal abuse, for the implications that this would presumably have for humans. The alleviation of animal abuse then from the second and third roles above is thought to be connected to a reduction in the abuse occurring within human populations (Adams, C, 1994). Animal abuse is relevant to such things as family violence, but the physical, psychological or emotional abuse of animals are not viewed as objects of study in their own right (Beirne, 2007: 62). Individual cases of animal cruelty are sometimes criminalized, but such infractions are not studied by criminologists either (Beirne, 1999: 126). So even though this topic falls "within their intellectual and moral compass, criminologists seem either unaware of them or else indifferent" (Beirne, 2007: 65). Wider animal abuse is also a part of the structural harms that are engrained in human societies. The abuse of animals is tied to the production, processing, and consumption of meat, which depletes natural resources, pollutes, and destroys habitats (Adams, C, 1994). The meat industry portrays the lives of animals within the industry as attractive and idyllic (Agnew, 1998). In truth though, "Intensive agriculture and associated animal 'husbandry' regimes increasingly reduce living animals to the status of engineered factors of production, whilst the use of animals in scientific research and product testing similarly underlines their status as mere instruments of human purposes" (Benton, 1998: 151). In regards to this study, in the fur industry, hunters and trappers are presented as preventing the overpopulation and therefore degradation of the environment, and that they are saving the furbearing animals from starvation and death (Fox, M., 1990). Use of animals in sport, such as falconry, foxhunting, dog fighting, and cockfighting, is defended as integral to human culture. The criminal law both structurally and historically is the mechanism of institutionalized animal abuse, which has left "animals without standing in a legal/moral wilderness" (Beirne, 1999: 129). "In moral terms, this tendency leaves animals out in a the cold, not morally significant because they are held either not to reason at all or to have so little reason that they do not count for inclusion in moral arguments" (Birke, 1994). These perspectives have left animals and the environment invisible to criminological inquiry.

This raises the issue of what framework should a legal or criminological discourse take – that of anthropocentric, biocentric, or ecocentric? Anthropocentrism as indicated above is the current position of most legal structures and ethic stances. This places human interests at the center of consideration, and therefore nature

is viewed as only instrumentally valuable. "Under anthropocentrism, the purpose of environmental regulations is to contain instances of specific environmental harms rather than eradicate structural problems" (Halsey and White, 1998: 351). Furthermore, "The central point of such regulatory strategies is that human production and consumption is still privileged over long-term ecosystemic well-being and profit maximization remains the basis of the legislation" (Halsey and White, 1998: 362). Since historically this has been the position from which legislation and regulation has been drafted, it can be extrapolated that anthropocentrism is, at least to some degree, part of the structure that has systematically degraded the environment. "However, the unique capacity for human beings to develop and deploy methods of production which have global consequences, means that humans also have an explicit responsibility to ensure that such production methods do not exceed the ecospheric limits of the planet. Moreover, this responsibility is a responsibility that extends to human *and* non-human life" (Halsey and White, 1998: 355). This introduces that there are other positions from which legislation and social construction of harms could (and should) be defined. A biocentric stance would adopt the belief that the environment and other species take precedent over human interests. This would be a radical shift placing nature as more valuable, and therefore in situations where human interests conflict with environmental issues, nature would always be chosen over the human enterprise (Halsey and White, 1998). The third possibility is to employ an ecocentric stance that is a balance of instrumental (anthropocentric) and intrinsic (biocentric) positions. This would challenge what is a human need in its construction of the relationship between human welfare and environmental sustainability (Halsey and White, 1998: 358). "Ecocentrism advocates methods of production which privilege the long-term requirements of ecosystemic well-being over short-term economic demands" (Halsey and White; 1998: 366).

As repeated throughout this section, criminology mostly has remained within the framework of the anthropocentric legal system. This has contributed to the damage to the environment. Criminology is therefore limited in offering alternative positions from which victims of harm can be defined, though as evident from the above, other possibilities exist. Due to this limitation, this paper will now turn to the literature in environmental ethics in order to develop an expanded non-human centered criminology that reflects the contemporary concern for other species and the environment, and acknowledges that defining harm is not value-free (Schwendinger and Schwendinger, 1975). First, an intermediate position known as the land ethic will be discussed, and then the deep platforms of deep ecology and deep-green theory. It should be noted that the discussion below in no way encompasses the entire discourse of any one of these perspectives nor the entirety of existing environmental ethics, but entails the information from these chosen perspectives that is most pertinent to enhance the field of green criminology. Please refer to the references provided for the full account of these environmental perspectives.

1.1.2 Environmental Ethics

1.1.2.1 The Land Ethic

Leopold's (1989 [1949]) land ethic is an influential environmental perspective that spread from the United States around the globe (Sylvan and Bennett, 1994). The land ethic is groundbreaking in its "shift in the locus of intrinsic value from individuals to terrestrial nature – the ecosystem" (Callicott, 1989: 3).

> "We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect. There is no other way for land to survive the impact of mechanized man, nor for us to reap from it the aesthetic harvest it is capable, under science, of contributing to culture. That land is a community is the basic concept of ecology, but that land is to be loved and respected is an extension of ethics" (Leopold, 1989 [1949]: viii-ix).

This differs from other environmental ethics, such as Singer's (1990, [1975]) animal liberation, or Regan's (1988) animal rights, which do offer consideration for some animal species, but this is based upon one or more of the following four distinctions: "1) human/non-human; 2) sentient/non-sentient; 3) individual entity/species or other grouping; 4) living/non-living" (Chesa, 2005: 25). These categories (and these ethical stances) are limiting because they use human measures as the benchmark for determining value in other beings, and subscribe to the belief that humans are the creature of the greatest value. Not only do these categories place humans at the top of a value hierarchy using human-based measures, but also these categories create a heirarchy for other animal species (plants and the environment are not even considered), so that some are viewed as more valuable than others. Since these distinctions are not what define moral consideration in the land ethic, the enlargement of our moral community to include the land does not require of them reciprocal ethics and moral consideration (Callicott, 1989: 67). Key to Leopold's (1989 [1949]: 209) belief is that man is not separate from nature, but a piece of the biotic community, and that humans need to extend their social conscience to the land. As Callicott (1989: 15) states, "One fundamental and novel feature of the Leopold land ethic, therefore, is the extension of *direct* ethical considerability from people to non-human natural entities". The ethic is since "it is possible to value *people* for the sake of themselves, then it is equally possible to value the *land* in the same way" (Callicott, 1989: 26-7). Even though Leopold speaks in terms of love and respect, the land ethic is based in evolutionary science. Its grounding is in Darwin and thus the idea that altruism, and therefore ethics, are evolutionary in origin (Callicott, 1989: 54).

> "Its [land ethic] logic is that natural selection has endowed human beings with an affective moral response to perceived bonds of kinship and community membership and identity; that today the natural environment, the land, is represented as a community, the biotic community; and that, therefore, an environment or land ethic is both possible – the biopsychological and cognitive conditions are in place – and necessary, since human beings collectively have acquired the power to destroy the integrity, diversity, and stability of the environment and supporting economy of nature" (Callicott, 1989: 83).

Man's evolutionary adaptations, such as tool building and technological advances, have "enabled him to make changes of unprecedented violence, rapidity, and scope" (Leopold, 1989 [1949]: 217). Leopold (1989 [1949]: 218) goes on to say, "The process of altering the pyramid for human occupation releases stored energy, and this often gives rise, during the pioneering period, to a deceptive exuberance of plant and animal life, both wild and tame. These releases of biotic capital tend to becloud or postpone the penalties of violence". The less violent this alteration, the greater chance nature has to recover, but the violence for such conversion to allow humans to live in that space is proportional to the size of the human population (Leopold, 1989 [1949]: 220). (The problem of

the overpopulation of humans is a reoccurring theme throughout environmental ethics). That is not to say that man cannot use natural resources at all, but when they do they need to follow these guidelines as summarized by Callicott (1989: 91),

> "Thou shalt not extirpate or render species extinct; thou shalt exercise great caution in introducing exotic and domestic species into local ecosystems, in exacting energy from the soil and releasing it into the biota, and in damming or polluting water courses; and thou shalt be especially solicitous of predatory birds and mammals"

Leopold's (1989 [1949]: 224-5) phrase that captures his ethic most clearly is "A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise", and most human actions do not follow this principle and therefore damage the environment.

Leopold certainly advanced the realm of environmental ethics to include more than just humans. He took the step to deny what Sylvan and Bennett (1994: 76-7) call the 'sole value assumption', or the idea that humans are the only things with intrinsic value. But as Sylvan and Bennett (1994: 80) also state, and to which I agree, the land ethic while simple and appealing, extends ethics in a way that "perpetuates the basic presuppositions of the conventional modern paradigm". This is evident in that the land ethic still adheres to the 'greater value assumption' (Sylvan and Bennett, 1994), which is where humans are still regarded as the most valuable being, and that speciesism is still present not only by placing humans at the top, but through preferential treatment of some species among the animal and plant kingdoms. Even though, Leopold's land ethic provides a useful extension of environmental ethics to consider harm upon more than just humans for a criminological discussion, it is merely that - an extension of the same ethics which have been defining green crimes and have failed to address the full range of violence that has been acted upon the environment. The deep environmental ethics will now be explored for their contribution and limitations to green criminology beginning with deep ecology.

1.1.2.2 Deep Ecology

In order to understand the contribution that deep ecology can make to green criminology, the platform of deep ecology needs to be explored. To begin, there were seven principles that made up the original foundation of deep ecology:

1. "Rejection of the man-in-the-environment image in favour of the relational, total-field image.
2. Biospheric egalitarianism - in principle.
3. Principles of diversity and of symbiosis.
4. Anti-class posture.
5. Fight against pollution and resource depletion.
6. Complexity, not complication.
7. Local autonomy and decentralization" (Naess, 1973).

Deep perspectives such as this one (and deep-green theory to be discussed in the next section) depart from shallow and intermediate positions in that they reject the 'greater value assumption' as well as the 'sole value

assumption' (Sylvan and Bennett, 1994: 90). They call for a new non-human centered ethic, but "do not replace forms of human to human ethical relationships, and they do not dispense with most prevailing forms of ethical concern" (Sylvan and Bennett, 1994: 90). As with the land ethic, deep ecology's first principle is to view man as a part of nature rather than separate from it. The second principle is where Sylvan and Bennett (1994: 99) take some issue with deep ecology. When using the word 'biospheric', the prefix 'bio' refers only to living things whereas they feel that deep positions should consider the inanimate world also (Sylvan and Bennett, 1994: 99). Ecospheric egalitarianism is a better statement of the goals of deep theories (Sylvan and Bennett, 1994: 113). The deep ecology platform altered in later years though to be as follows:

1. "The well-being and flourishing of humans and nonhuman life on Earth have value in themselves. These values are independent of the usefulness of the nonhuman world for human purposes.
2. Richness and diversity of life forms contribute to the realization of these values and are also values themselves.
3. Humans have no right to reduce this richness and diversity except to satisfy vital needs.
4. The flourishing of human life and cultures is compatible with a substantial decrease of the human population. The nonhuman life requires such a decrease.
5. Present human interference with nonhuman world is excessive, and the situation is rapidly worsening.
6. Policies must therefore be changed. The changes in policy affect basic economic, technological, and ideological structures. The resulting state of affairs will be deeply different from the present.
7. The ideological change is mainly that of appreciating life quality (dwelling in situations of inherent worth) rather than adhering to an increasingly higher standard of living. There will be a profound awareness of the difference between big and great" (Devall, 2001).

Additionally, deep ecologists propose that problems of social injustice, war, and organized violence are also a concern (Devall, 2001: 25). "The term (deep ecology) is meant to characterize a way of thinking about environmental problems that attacks them from the roots, i.e. the way they can be seen as symptoms of the deepest ills of our present society" (Rothernberg, 1987: 185). In Rothenberg's (1987) examination of the above platform, he indicates that the use of the word 'life' is intended to include the life of the ecosystem, the interaction of ecosystems, and the entirety of life on the planet. Furthermore, the adoption of this broad, all-encompassing definition of life requires the formulation of concepts dealing with relationships between beings and that these concepts will shape a new perspective of the world (Rothenberg, 1987: 186). The diversity and complexity of the biosphere is the core of deep ecology. "Just as we rightly value diversity and individuality within human communities, they should be valued within the ecological community" (diZerega, 1996). In regards to individuality, "A thing does not exist without its relation to other things. Symbiosis with diversity, together frame the complexity of nature - a vast world of relationships, connections, and possibilities that show how the many can be seen as one. There is intrinsic value in this crystal web of complexity" (Rothernberg, 1987: 186). Capra (1983) points to recent discoveries in physics, which demonstrate the interconnectedness of the entire world down to the molecular level and this of course includes humans in the intricate cosmic pattern. In this web of life, humans are simply one strand (Rothernberg, 1987). The idea of diversity and complexity in deep

ecology is key to its ecological principles in that it has been shown that "a reduction in diversity tends toward instability because it reduces the complexity of interactions, rather than at the idea that an increase in diversity tends toward stability... stable, but delicate" (Sylvan and Bennett, 1994: 112).

Rothernberg (1987) acknowledges that through the power of humans, nature has been altered to an extent impossible for any other species. Because of the nature of the change and the scale of this change, humans have removed themselves from the planet and this does not further their own survival, nor does it further the survival or the well-being of the planet itself and all the other inhabitants. Rothenberg (1987) addresses the human population issue in terms of humans living in a synthetic lifestyle that is outside natural processes or only within man-made settings. Such separation, leads to a variety of problems. These include economic, philosophical, and ecological concerns in the form of class division, exclusivity, and conflict with nature (Rothernberg, 1987). The power that has transformed the environment has a dual nature though and despite the destruction it has caused, there is also the capacity for humans to understand the consequences of their actions (Rothenberg, 1987). Those who subscribe to the deep ecology platform are considered to have a duty to either directly or indirectly participate in activities and practices that would bring about the necessary changes (Devall, 2001: 25). These changes are twofold. First, humans must change their lifestyles to live in a way that is respectful of the planet and other living beings. Furthermore, humans should try to recognize their own existence as a part of nature or achieve self-realization that connects individuals to the whole ecosystem (Rothenberg, 1987: 187). Key to this change in ideology is that growth should be redefined as an increase in knowledge of nature and the capability to live within it (Rothernberg, 1987), while acknowledging that post-industrialism's focus on material affluence is not desirable or sustainable (Dobson, 1990: 9). Some deep ecologists believe that this is only possible through a decentralization and movement towards smaller, more egalitarian and less hierarchical organizations. Local autonomy does not mean isolation nor does decentralization lead to less cooperation (Rothernberg, 1987). Local structures allow for more connectivity to the land. This means that when people are in more close contact with the methods of production and with nature, they tend to have more care and concern for it, which often results in more actions to protect the environment (Smith, 2007). Some believe though that achieving greater environmental protection is not possible by altering the current world perspective, but would entail questioning an entire system of life (Dobson, 1990).

Deep ecologists have been criticized for being "airy mystics and reactionary misanthropes" (Smith, 2007: 471). Some outspoken opponents to deep ecology are the social ecologists or humanists who believe that the deep ecological principles discussed above promote indifference to human beings (Berthold-Bonn, 1994), and its reliance on intuition and spirituality make it irrational and amorphous (Biehl and Bookchin, 1995). These qualities subject deep ecology to the "dangers represented by earlier antirational and intuitionist worldviews that, carried over into the political realm, have produced antihumanistic and even genocidal movements. Deep ecology, by its very amorphousness, makes itself amenable to use by any parts of the modern social hierarchy, depending on how needs are defined" (Biehl and Bookchin, 1995). Furthermore, deep ecology places the blame for the ecological destruction on religious and philosophical beliefs rather than the byproduct of humans dominating other humans (Biehl and Bookchin, 1995). It could be argued though that human domination of other humans has stemmed from religious beliefs, and these ideas are in fact very similar. The biocentric nature of deep ecology touts the importance of nature's vital needs creating an anticivilization platform that denies the

boundary of "adaptive animality and innovative humanity" and proposes the reduction of human populations (Biehl and Bookchin, 1995). Biehl and Bookchin (1995) write that deep ecology contrasts to social ecology in its lack of political engagement and its call for reduction in consumption. On the other hand, in social ecology, nature and the environment are protected out of a sense of ethical or moral obligation (Humphrey, 2000), and humans and their capability to rationalize are considered unique within nature (Bookchin, 1990), so there is a distinctive boundary between humans and the environment. Whereas nature is viewed as the other, this does not stem from an antagonistic relationship, therefore through humans' obligations an ecological society can be formed (Humphrey, 2000).

Smith (2007:475) defends deep ecology as follows:

> "In fact, contra Bookchin, even a superficial reading of deep ecological literature reveals that its proponents are not all indebted to some form of 'intuitionism' and call on a wide spectrum of philosophical antecedents. Although most do indeed regard personal contact with nature as a vital ingredient in developing ecological awareness many explicitly rely on evolutionary biology, scientific ecology, or even quantum physics to inform their understandings".

Interestingly, despite the acceptance of evolution and human's descent from apes, which is profound ecological evidence of human's tie with nature, supposedly secular people maintain that humans are in some way special and therefore privileged (Zimmerman, 2002) as do social ecologists. Social ecology and its position that humans are unique within nature and privileged because of this, means that it too, does not depart from the 'greater value assumption' category defined by Sylvan and Bennett (1994). Non-humans are again removed from focus, as they only appear as worth examining, in this case, criminologically insofar as their exploitation is harmful for human society.

As with other intermediate positions such as the land ethic discussed above, adopting a social ecological or humanist stance in terms of green criminology would simply perpetuate the current discourse, which has failed to address a variety of harms. "Despite world wars, genocide, nuclear weapons, unprecedented environmental destruction, and the willing adherence of significant segments of modern populations to the idiocy of conspicuous consumption, the humanist's (social ecologist's) belief in the reality of continual social progress thus remains relatively unscathed" (Smith, 2007: 471). The continuance of consumption and commidification based in anthropocentric structures directly affects the other species of this planet, many of which are caught up in the world market of the wildlife trade. Deep ecology is for species egalitarianism (Berthold-Bonn, 1994), which is a central contribution to this paper's discourse regarding wildlife trafficking. As Cazaux (1998) also elucidates this argues that humans are not afforded any special value or rights over the rest of nature, but are a part of it. In contrast to this, humans need to adopt a non-domineering, appreciative, respectful attitude to the complex interrelated ecosphere and this includes not only compassion towards other living creatures, but also not detaching from the process of production and culling consumerism by only taking what is vital to survival (Zimmerman, 2002: 41). Within this discourse, it is understood that living beings survive at the expense of other living beings (Zimmerman, 2002: 42), so in regards to the wildlife trade it is acknowledged that this will continue and in no way calls for the complete cessation of the use of natural resources. As diZerega (1996) states "There is no contradiction between respecting a being as valuable in itself and seeing that it exists in a necessary set of

relationships which ensure that it will die. That, after all, is true for all of us. But this does not give us leave to cause death by whim" or with undue suffering. The use of other beings then should be only to fulfill vital needs and when doing so, this should be accomplished with the minimal amount of harm to the species involved.

Deep ecology then is a biocentric philosophy that denies any ontological divide between humanity and the rest of nature (Eckersley, 1992). Drawing from the land ethic, deep ecology calls for changes to be made in consideration of the land and property rights of people and to the modes of production, including factory farming (Leopold, 1989 [1949]). In mainstream society, the land, animals, and plants are seen as resources, merely economic privileges that carry no further obligations, but deep ecology calls for such an ethic to be established so that humans would be obliged to care for the ecological community, including the soil and all creatures that take their livelihood from it (Leopold, 1989 [1949]). This is another aspect of deep ecology that contributes to a discussion of the wildlife trade. Sagoff (1990) claims that some contemporary property rights should be judged to be illegitimate because no one should have the right to pollute one's soil or to threaten the genetic diversity of species living on one's property. "By equating the non-human world with property, and both with property rights, it has sheltered a realm where every person can act the despot" (diZerega, 1996). DiZerega (1996) equates such a notion of the owner doing as he/she likes with their property to similar indefensible claims made by states about their citizens or parents about their children. In regards to production, deep ecology denounces current practices that pollute the ecosystem and use resources in unsustainable ways. Again, this is a key idea that pertains to wildlife trafficking, which is the result of overexploitation of natural resources. It is these environmentally harmful structural activities that are not criminalized, which deep ecology questions and which should be addressed by criminologists. According to Schumacher (1974), humans' fateful error is that we believe that the problem of production has been solved, but current methods of production are removed from the cycle of nature and are using resources at an alarming rate. "A major sustaining principle is that using a renewable resource should be in harmony with its indefinite renewal. In using an ecosystem for resource extraction, actions such as polluting ground water, destroying soil fertility, and eliminating ecosystems such as salmon rivers and old growth forests would be inadmissible" (diZerega, 1996). Furthermore, humans should take nature's lead and not create things that have byproducts that the system cannot breakdown or to which there is no defense against (Schumacher, 1974). "The wastes every organism produces are useful to others, except for some of those characterizing modern society. Thus, there should be a powerful presumption against creating products, which do not biodegrade, recycle, or otherwise convert to another useful state" (diZerega, 1996).

Not only are humans not the sole object of value, they are also not the objects of the greatest value (Eckersley, 1992). Deep ecologists believe that the human-centered aspect of social ecology and other environmental ethics perpetuates Western cultures' pattern of human objectification, exploitation, and subjugation of nature (Berthold-Bonn, 1994), and whereas humans are unique, they are particularly unique in their capacity for empathy and compassion. This does not separate them from the ecosystem, but along with the evolutionary chain between all species empathy connects humans to the other beings of the planet (diZerega, 1996). As diZerega (1996) states, "the "human perspective" turns out to include an open-ended capacity for sympathetic identification with the non-human as an essential part of what it is to be human".

This platform provides key elements to a new criminological ethical perspective for green crimes, particularly the illegal wildlife trade. These elements are: that humans are not separate from the ecosystem and

should not be the measure used to assess worth of other species; that humans are not the sole object of value, nor the object of the greatest value; and that use of natural resources should be done sustainably and humanely not in excess of what humans' need. There is one final deep position, deep-green theory, to examine for its contribution before the complete formulation of this criminological perspective.

1.1.2.3 Deep-green Theory

Deep ecology mostly provides the basis for the discussion of other deep environmental ethics and so Routley and Routley's (1980) deep-green theory is examined in relation to the deep ecological platform. The two have much in common. Both besides obviously being green ("action principle, implying commitment to environmental causes"), and deep ("intrinsic value in natural items; rejection of greater value assumption"), display this depth in themes of value distribution (Sylvan and Bennett, 1994: 138). Whereas deep ecology addresses value in terms of biospheric egalitarianism and biocentrism, deep-green theory expresses value as the rejection of class (human) chauvinism and eco-impartiality (Sylvan and Bennett, 1994: 138). Both ethics adopt "ecological universals (such as richness, diversity, stability etc.) as (defeasible) value-making characteristics" (Sylvan and Bennett, 1994: 138), and they agree that natural systems are integral and irreducible (Sylvan and Bennett, 1994: 138). Here again though they divide. Deep ecology combines these ideas with extreme holism and a total field theme (Sylvan and Bennett, 1994: 138). In contrast, deep-green theory employs a more center ground with moderate holism and the agent-in-environment as being acceptable (Sylvan and Bennett, 1994: 138). Again, both share the concern for the reduction of elements that impact the environment such as the human population, wasteful consumption, and damaging technologies (Sylvan and Bennett, 1994: 138). Deep ecology seeks to achieve this through "spiritual alternatives to materialism and salvational as well as individual life style changes" (Sylvan and Bennett, 1994: 138). Deep-green theory on the other hand proposes structural, social, and lifestyle changes (Sylvan and Bennett, 1994: 138). Finally, in terms of common principles, both oppose the "dominant social paradigms, and technofix ideology" as well as advocating eco-pluralism, regionalism, federalism, democratic, and nonviolent practices (Sylvan and Bennett, 1994: 138). Whereas deep ecology views these in terms of bioregionalism, deep-green theory takes an ecoregionalist stance and also is more radical including anti-nuclear, anti-militarism, social and life defense, and radical pluralism (Sylvan and Bennett, 1994: 138).

There are areas in which the two ethics are opposed. As stated earlier, deep ecology has come under criticism for its amorphousness. Deep-green theory differs from that by being a "tight, detailed theory, aiming for precise stable formulation" (Sylvan and Bennett, 1994: 139). Additionally, it is a "full ethical theory, with axiologic, deontic, and other components" (Sylvan and Bennett, 1994: 139), meaning it addresses the nature of how things are valued and how things gain moral consideration. Deep-green theory, rather than using the hypothetical-deductive methodology of deep ecology, uses a broad inductive methodology combined with an "argumentative, analytic, and critical approach with non-standard logic" (Sylvan and Bennett, 1994: 139). The base of the theory is "anti-spiritual; complicity with sceptical greened sciences" (Sylvan and Bennett, 1994: 139).

Deep-green theory then also contributes principles that are used in the development of an enhanced environmental criminological perspective. From deep-green theory a truly ecocentric stance is taken, as well as its concern for structural, social, and lifestyle changes, and a foundation that is not spiritual. Returning to criminology, Lynch and Stretesky (2003: 232) admit that the green criminological perspectives that they present

are human-centered and leave "others the task of developing green definitions of crime that affect other species". By combining deep environmental ethics with green criminology, the next section will attempt to add to this discourse and address the harms perpetrated by humans against nature.

1.1.3 Deep Green Criminology

There might be a question as to why a new green criminology is needed. In order to address this, a summary of the above discussion is warranted before the enhanced perspective can be presented. The emerging field of green criminology to date has typically explored crimes against nature in one of two ways, which have corresponded to mainstream criminology's perspectives. First, it has been anthropocentrically and legally positivistic, which ignores environmental structural harms that remain within the norm of the legal sphere even though they are destructive and cause suffering. "To define what constitutes environmental harm implies a particular philosophical stance on the relationship between human beings and nature. What is 'wrong' or 'right' environmental practice depends on the criteria used to conceptualize the values and interests represented in this relationship" (White, 2003: 484-5). The second form of green criminology then adopts a philosophical stance for exploring not just crime, but also environmental harm, and this is anthropocentric or speciesist. Whereas this relationship might involve prohibition, or censure of actions that are deemed wrong that are taken against animals and plants (Callicott, 1989: 63), the criteria used to govern the relationship between the environment and humans in this instance, is actions that are most beneficial to people are allowed. In other words, "what actually gets criminalized generally reflects an anthropocentric (or human-centered) perspective on the nature of harm in question" (White, 2007: 32). This stance, too, has ignored the extensive harm perpetrated against the ecosystem and other species beyond humans, and therefore does not address some of the most damaging actions taken by humans, and does not reflect the changing norms of society that is concerned with the welfare of animals and the environment. Though it might not be immediately apparent, animal welfare and conservation of the environment are two separate issues, both of which will be addressed in developing this new perspective. In order to seek remediation for such behaviors, it is essential that criminology has an environmental ethic to establish what should be prohibited and censured – the very purpose of the discipline – that addresses non-criminal and structural harms inherent in human to non-human relations. Abandoning the anthropocentric framework of the discipline, to adopt one that considers the intrinsic value of other species makes it possible to more critically analyze harms against the environment. This also is the second step in the development of a new perspective. First, was inclusion of harm (which as defined in section 1.1.1 is when someone, or something has been physically or mentally damaged or injured) within a criminological discourse, and second that the subjects which can be harmed include not only humans, but also all other species, and the environment as well.

As Sylvan and Bennett (1994: 29) state regarding environmental ethics, and which I strongly claim for criminology as well, and discussed above is that,

> "All established ethics answer back, in one way or another, to humans or persons. While *not* covering merely interhuman or interpersonal relations, as some critics have alleged, the assessments made of matters that fall outside a human nexus are presumed to depend entirely upon features of humans, such as their interests, preferences, satisfaction, rationality or similar".

This anthropocentric stance has led to the degradation of the environment. Criminology should depart from this flawed form to reflect that "Animals are worthy of moral consideration in their own right" (Agnew, 1998), but not only animals, also other species and ecosystems as a whole. Stated in another deep environmental ethic perspective, "items which were previously assigned no intrinsic value (and perhaps little or no instrumental value) are now taken to have (always have had) value in themselves" (Sylvan and Bennett, 1994: 33). As discussed above, the current framework of green criminology does not encompass this expanded view of harm, which recognizes the intrinsic value of nature and therefore should go deeper to not only examine racism, sexism, and classism, but speciesism as well. That is why deep environmental ethics were explored and then utilized as part of this research to develop an enhanced form of a green criminological perspective - that of deep green criminology. This foundation does not only call for the cessation and reduction of harm and suffering in the individual instances of animal use, but also attempts to question the more pervasive abuse that is perpetrated against the environment through structural consumption and commodification.

Cazaux (2007) believes that a non-speciesist stance for criminology is essential to examine the harm against animals' well-being. When defining such harm, it is not the action of the human that should be used to judge the violation, but the effect on the physical and mental well-being of the animal (Cazaux, 1999) and/or the environment. This should be the case for all species not just those that are more charismatic to people (Cazaux, 1999). This is also in contrast to Regan (1988) and Singer (1990 [1975]), who proposed the expansion of human rights to animals, but only those that are judged to be sentient or capable of emotion. The rights given to the emotional, sentient animals (actually only mammals) would not be equal to those of humans (Beirne, 2007). With structural changes that curb humans' reliance and demand for material gain and wealth, animal and environmental rights would not take place in concession of human rights, but would be intertwined with them (Cazaux, 1999). "This does not imply that we cannot cut trees, harvest crops, or eat meat.. But the larger relationships within which consumption occurs should not be concerned only with humans' well-being" (diZerega, 1996). This means limiting consumption to not endanger ecosystems and populations of all species. And when consumption is necessary that the pain and suffering to the species is at the most minimal level possible, and the mark upon the ecosystem is also minimized to the fullest extent. It is this part of the perspective where the separate issues, and possible conflict between, animal welfare, and conservation can be rectified. Additionally, this piece of the perspective firmly places plants, other species, and ecosystems within the visibility of deep green criminological inquiry. Reducing consumption, decreases the human impact on *all* species, and therefore helps to conserve them, ecosystems, and the environment. When consumption is deemed a necessity, this should be carried out through the least painful method that is available, therefore addressing concerns of animal welfare. Overall, this first entails respect to all species by allowing them to live and doing so with minimal human interference. This is then followed by compassion when their lives are taken. In terms of the illegal wildlife trade and animal rights, "animals may be vulnerable to suffering on many dimensions not reducible to the pleasure/pain calculus, and so stand in need of protection from physical confinement, social isolation, boredom, anxiety, stress and so on" (Benton, 1998: 158). This will be applied in a non-speciesist way to the animals that are fulfilling the demand of the wildlife trade in this study, but also holds the potential to be applied to plant and other species in any ecosystem. These other dimensions pointed out by Benton are integral to macro level structures addressed with this perspective.

In addition to a truly ecocentric foundation that is non-speciesist from deep-green theory, deep green criminology also encompasses the same critical elements that aim to address the structural systemic harms of green crimes. Commentators "working within this milieu have been unable to move beyond positing 'juridical reform' or a certain extension of regulatory powers as the 'best possible' response to the problem of environmental harm", and seem to take the view that "present ecological and social relations are *fundamentally* just and sustainable" (Halsey, 1997: 217). Additionally, since the government is often the worst offender of environmental harm it is suspect to continue working within the framework that it has established (Halsey, 1997). The approach taken in this paper to challenge these injuries is not one of unrealistic, immediate proposal of change to these embedded foundations, but a practical design that in the short term addresses improvements to the legal system to protect resources until the wider system can be altered. This coincides with White's (2003: 484) proposal of a "conceptual analysis as well as pragmatic intervention on many fronts, and includes multi-disciplinary strategic assessment (e.g. economic, legal, social and ecological evaluations)". Some regulation is better than none, and of course it is not feasible for immediate cessation of these practices (Halsey, 1997: 222). Also, legal regulation and discussion are useful because when corporations are in fact the environmental offenders they are mostly beyond moral appeal, and legislation is needed to attempt to control them (Heyd, 2003: 23). That is why the discussion in the case study chapters analyzes the existing Russian legislation and proposes changes to it, while also recommending more radical alterations to the social construction of harms.

> "*No* amount of criminal, civil, administrative, nor any other kind of sanction, will be capable of reigning in the tide of ecological destruction until such time as the concept of 'environmental harm' is freed from having to preserve the fundamental tenets of those modes of production which constantly need to stake out new territories within which to carry out the processes of production" (Halsey, 1997: 235).

Halsey (1997: 219) gives an excellent example as to the kind of questions to be asked when challenging the social construction of current environmental practices; "What type of legislation and regulatory mechanisms need to be in place in order to allow tankers to carry oil with the minimum of risk? Rather than: Why, given the ecological stakes involved, is the risk of a major oil spill tolerated at all – indeed enshrined in law?" In the first question, the use and transportation of oil is protected, and therefore immune to any sort of suggestion of criminalization (Halsey, 1997), but in the second question the very structure and way of life is challenged. This again is a step beyond a strictly legalistic approach to a critical exploration of how laws are constructed, what activities this supports, and how this facilitates certain harms over others (Halsey, 1997). Under the deep green criminological perspective, questions of a similar vein will be asked within the case studies such as challenges against the trapping and transportation methods that are employed in the fur and falcon trade.

One of the aims of this thesis is to contribute to the field of green criminology and this is accomplished through the development of the expanded perspective of deep green criminology. To summarize, deep green criminology incorporates the uniqueness of green criminology in specifically exploring crimes and harms against nature. This does not take the mainstream anthropocentric legally positivist approach, but examines human actions, which have damaging effects on nature regardless if they are defined as crimes. This will include, but not be limited to civil and property violations as well as animal welfare issues associated with both the legal and illegal wildlife trade. The expansion contained in deep green criminology encompasses the racism, sexism, and

classism that are a concern of green criminology, but also includes speciesism, which is an ecocentric stance taken from deep environmental ethics that privileges long-term environmental preservation of all species over human consumption. What the deep green perspective makes possible is to formulate the question of crime qua harm in non-anthropocentric terms – it makes non-human animals, and potentially other species, criminologically visible as subjects whose well-being is of intrinsic significance, and whose suffering warrants remediation. Examination of key elements of this thesis (harm against animals) only becomes possible when anthropocentrism is abandoned. Deep green criminology pragmatically analyzes the laws and regulations and makes suggestions for improvement, whilst challenging the anthropocentric framework under which they are constructed by questioning their construction, and contribution to the furtherance of environmental destruction. Stemming from this is the introduction of the structural harms that are significant within an examination of the illegal wildlife trade.

1.2 The Structural Harms of the Illegal Wildlife Trade

Even though the black market in wildlife and wildlife products is largely ignored in the criminological community and by societies in general, wildlife trafficking poses tangible dangers to many portions of the globe that are explicated through a deep green criminological perspective. I propose that this crime presents three significant structural harms; first it is a danger to the environment, second at times it constitutes animal abuse, and third it threatens the security of nations and their people. Each of these issues will be discussed in turn in the preceding sections.

1.2.1 Danger to the Environment

Part of the environmental structural harm that is a danger to the environment is the loss of essential biodiversity in the ecosystems due to extinction, which is partly brought on by filling the demand of the black market trade. Habitat destruction is thought to be the most severe threat to animals, but hunting and poaching are a close second resulting in the loss of two animal species to extinction each year (Domalain, 1977: 203). The species that are hunted and/or poached are internationally protected under CITES regulations, nationally or regionally protected, and possibly not protected at all, but regardless of their legal status can be examined under a deep green criminological perspective. For instance, Africa has experienced unprecedented destruction of its wildlife as a result of poaching. Over the last 35 years, 97% of the Black rhinoceros' population has been lost and some countries have lost 90% of the elephant population because of uncontrolled trafficking in ivory (Krott, 2001). This is partly due to indifference, but mostly due to the profits that can be obtained from wildlife trafficking, which not only entices criminals, but also government officials to take part (Krott, 2001) as will be explored in more detail shortly. Plant loss also damages ecosystems and in turn animal life. Researchers in Far East Russia believe that the clear cutting and illegal logging of the regions cedar forests have destroyed the food base (seeds and leaves) and habitat of the wild boar, which are now experiencing population decline as a result (personal communication WWF Moscow, 12 April 2007). The decrease in the number of wild boar directly affects the survival of the highly endangered Amur tiger, which relies on wild boar as an essential prey (personal communication WWF Moscow, 12 April 2007). This is only one example of how poaching and illegal logging not only threaten the species that they target, but also have much more far reaching consequences for ecosystems

as a whole. Secondary species loss due to such actions as clear cutting and illegal logging is a form of structural environmental harm that is overlooked by mainstream criminology, but which deep green criminology acknowledges as contributing to environmental degradation and therefore constitutes a harm while not being criminalized.

Biodiversity can also be compromised by threats to biosecurity and dangers to public health through the introduction of alien species and diseases from these species brought to countries through the legal and illegal wildlife trade. Again, depending upon the country involved this may not be legally defined as a crime to import alien species or circumvent quarantines, but such actions can constitute an environmental harm if they cause further injury to the environment and are structural in nature as such occurrences are inherent in the market. "The increasingly global scope of this trade, coupled with rapid modern transportation and the fact that markets serve as network hubs rather than as product endpoints, dramatically increases the movement and potential cross-species transmission of the infectious agents that every animal naturally hosts" (Karesh et al, 2005). This can not only decimate the precious native flora and fauna, but can potentially also affect primary industries reliant on wildlife, which can in turn damage the economy of countries and the livelihood of its citizens (Maf, 2003). As a report by the United States Center on Disease Control by Karesh et al (2005) states "Trade in wildlife provides disease transmission mechanisms at levels that not only cause human disease outbreaks but also threaten livestock, international trade, rural livelihoods, native wildlife populations, and the health of ecosystems". "Researchers link the spread of an unchecked, unregulated world animal trade to the rising incidence of zoonosis – the transfer of animal diseases to human carriers, the manner of SARS from civet cats and Ebola from monkeys" (Naim, 2005: 167).

The list of zoonotic diseases is longer then just Ebola and SARS. Monkeys in particular carry a variety of diseases that can be passed on to other animals and to humans. In addition to Ebola, monkeys are also carriers of monkey pox, Hepatitis A and B, Herpes B, shigellosis (a highly infectious form of dysentery), cholera, and tuberculosis (Green and CPI, 1999). Primates that have been used in medical research that then find their way into the pet trade are especially dangerous and can also be infected with simian immunodeficiency virus (SIV), which is believed to be the precursor to the human immunodeficiency virus (HIV), but the effect on humans of SIV is unknown (Green and CPI, 1999). Foxes and coyotes can have *Echinococcosis multilocularis*, which is a tapeworm that develops cysts in the liver, lungs, and brains of humans (Green and CPI, 1999). Raccoons at times carry roundworms, which in mammals including humans migrate throughout the body eating organs including the brain (Green and CPI, 1999). Armadillos are carriers of human leprosy and there are yearly cases of prairie dogs in the United States being infected with Bubonic plague (Green and CPI, 1999). Small rodents and reptiles can transmit salmonella. As is evident here from the inclusion of reptiles, zoonotic diseases are not confined to mammals. Of recent concern is of course the avian flu, but parrots and other birds also can infect humans with psittacosis, or parrot fever, that causes a high fever, severe headache, and pneumonia like symptoms in humans (Green and CPI, 1999).

Animals used for domestic purposes and the industries associated with them are also threatened by diseases that can be transferred through the unregulated trade of animals. Brucellosis (a chronic bacterial infectious disease possibly resulting in spontaneous abortion) can infect cattle and other hoofed stock (Green and CPI, 1999). "In early 2003, the United Nation's Food and Agriculture Organization reported that more than one

third of the global meat trade was embargoed as a result of mad cow disease, avian influenza, and other livestock disease outbreaks" (Karesh et al, 2005). Additionally, other wild sources of meat, which are beginning to be domesticated like elk and other deer, are known to carry wasting disease, which is similar to mad cow disease (Green and CPI, 1999). As mentioned before, there is also the avian flu, which can spread through the poultry industry. Without digressing into a discussion of global panics, which are beyond the scope of this paper, it should be noted that whereas the avian flu did not have the devastating consequences to the human population that was feared, the loss of animal life to prevent the spread was substantial resulting in the culling of hundreds of millions of animals in the poultry and livestock industries (Karesh et al, 2005). Obviously, spread of any of these diseases into primary animal industries could have devastating consequences both to the animals and to the humans relying on them for food and income. In fact, "the direct health effects of the pathogens on persons and animals, animal-related disease outbreaks have caused hundreds of billions of dollars of economic damage globally, destabilizing trade and producing devastating effects on human livelihoods" (Karesh et al, 2005). Illegal trade bypasses the essential veterinarian and health inspections that need to occur to ensure the safety of the animals involved, the food industries, and the humans tied to them. Therefore, the illegal wildife trade can endanger species, ecosystems, and their health and stability. There is not simply isolated incidents or only certain parts of the world affected by illegal trade; the danger to the environment from biodiversity loss and zoonotic diseases is a structural harm that is widespread. Neither current anthropocentric legislation nor criminological inquiry reflect humans connection with nature and do not acknowledge that the systemic degradation and destruction that we are perpetrating on the environment will at some point affect our own well-being.

1.2.2 Cruelty to Animals

Animals as maintained by deep green criminology, and not other mainstream divisions of criminology, "are worthy of moral consideration in their own right" (Agnew, 1998: 178). Leaving animals in a moral and legal void, ignores a systemic, environmental structural harm that is prevalent in society and industry. Harm applies not only to minimizing unsustainable and needless deaths of animals, but also to the means in which *all* animals are killed or how a wildlife product is obtained. This is one of the ways in which the non-speciesist position of deep green criminology is expressed. The illegal wildlife trade "has devastating implications for both wildlife conservation and animal welfare" (IFAW, 2005: ii). Wildlife trafficking in its many forms perpetrates harm and violence against other species. For example, to capture live elephants in India rusty stakes are driven into the ground along known elephant paths (Nichol, 1987). Elephants will puncture their feet on these stakes and then after days or weeks become ill with infection. The trappers will watch the elephant paths for ailing elephants and when an elephant is finally so weak from the infection to be easily taken by the trapper, the trapper will then give the elephant medication and attempt to nurse it back to health (Nichol, 1987). Nichol (1987: 80) notes that he has seen the deep scar caused by the stake on several adult elephants in captivity. Another instance of cruelty in the wildlife trade comes from the collection of bear bile in some countries, such as Russia and China, for the use in traditional Asian medicines. Bears are kept alive in small cages barely bigger then themselves on so called "farms". A metal shunt is inserted directly into the gall bladder of the bear and the bile is "milked" into buckets outside of the cages (Nichol, 1987). Such products are purely luxury goods since modern medicine has synthesized the compounds that are supposedly of medical value within the bear bile (Nichol, 1987). Live

wildlife is often sold as what are known the world over as 'bird markets' even though any kind of animal is available to be bought (Nichol, 1987). There is no concern for animal welfare at these markets only the dealers' disregard for the well-being and lives of the animals that are part of their stock (Nichol, 1987). It is common thought that the inventory is disposable and thus the loss of life at these markets is very high (Nichol, 1987). Throughout the world though animals are merely considered and legally defined to be property and therefore "they may be sold, given away, killed, or used for any purpose not prohibited by anticruelty statutes" (Green and CPI, 1999: 161), which are of course rare. "Common humanity and animal welfare will always come a poor second to profits, but it does seem sad to me that when animals are being sent to be slaughtered they are treated so badly, though it must be said that such treatment might be well within the law" (Nichol, 1987: 6). The institutionalized abuse that is engrained within the framework of legislation is another of the structural aspects of environmental injury, but able to be addressed under a deep green criminological perspective. The scale of this violence and cruelty is a significant reason for wildlife trafficking to be researched and proposals made for it to be curbed and measures taken to reduce the inhumaness and suffering.

Another reason to be concerned with abuse to animals is its correlation to violent interhuman crimes (Agnew, 1998). Animal abuse has been examined by criminologists in terms of the behavioral parallels that it might provide to human abuse (Beirne, 1999). Furthermore, certain forms of animal abuse are thought to be indicators that interhuman conflict or violence might occur (Beirne, 1999). Kant (1963 [1930]) stated that animals should always be treated humanely not for the sake of the animal (I would disagree with this portion), but for the sake of man maintaining his humanity and therefore his interaction with other humans. Alleviation in animal abuse can equal a reduction in human crimes (Adams, C, 1994). Reduction too of the illegal wildlife trade would benefit (the animals of course) nations, and people in their struggle against other crimes that affect the political, economic, and social fabric of states.

1.2.3 Threat to Nations' Security

The third structural significance of the wildlife trade is the threat it poses to the national security of countries around the world, which is important not because of the need to preserve sovereignty or nation states themselves necessarily, but because of the human and environmental impact that can occur when national security through various pathways is challenged. Tagliacozzo (2001) argues that in the frontier regions of South East Asia illicit commerce is a more fundamental part of the region's security than in other global areas. These enterprises exist on a huge scale and have penetrated the "normal" economic flows of the region in a wide variety of ways (Tagliacozzo, 2001). The importance of these shadow circuits for commodities is extreme because of their pervasiveness and how deeply they are entrenched within some institutions. Money to national treasuries is lost, and ends up in the pockets of actors whose aims are often inimical to the state (Tagliacozzo, 2001). Alternative power sources are built, and are then padded with this income for the future (Tagliacozzo, 2001). From a deep green criminology standpoint, who is receiving the gains from environmental destruction or wildlife trafficking is not the primary issue though worthy of exploration as is undertaken in this paper. In other criminological discourses, this would be the focus. The main concern as indicated above is the insecurity this can create for nations and therefore humans and the environment. "During the 1990's smugglers became more international, wealthier, and more politically influential than ever before. Global crime has not just soared in volume but,

thanks to its ability to amass colossal profits, has also become a powerful *political* force" (Naim, 2005: 13). Such criminal actions threaten state sovereignty by flouting regulations and laws with no risk (Castells, 1998). When the nation state is unable to combat corruption or organized crime, it loses its legitimacy and this may result in a decrease of democratic politics such as restricting immigration (Castells, 1998). Or in some transition countries, they are paralyzed from within because of corrupt law enforcement and/or functions of the state, which impedes economic development and the transition to democracy (Shelley, 2005: 11). In places where economies are already unstable, criminal capital can contribute to the instability (Castells, 1998). Additionally, governments that respond to trafficking by only taking in to account concern for their own country and citizens without consideration for the larger transnational nature of the wildlife trade can in the end make decisions that benefit the criminals (Naim, 2005). As is evident, wildlife trafficking is not only a danger to the security and sovereignty of nations because it is by itself a prevalent crime, but also because of such links with state corruption, transnational crime, terrorism, organized and other crimes and it is partly this new phenomenon of global networking by powerful criminals that could have profound international and national consequences in economics, politics, security, and societies (Castells, 1998).

1.2.3.1 State Corruption

The states in which wildlife is being trafficked from, through or to are possibly part of the mechanism that facilitates the illicit trade. State corruption in this paper refers to the criteria developed by Holmes (2006: 18), which despite the lack of a universal definition of corruption because of societal and cultural differences, encompasses actions or nonactions, which are generally considered by virtually every society to be corrupt. These are: the person holds a public office, or state position, either elected or appointed; this office has decision-making aspects, law enforcement powers, or state authority; the person commits the act in question because of personal interest or interests of an organization counter to the general interest of the government or the public; and this is done clandestinely or if uncertain about the appropriateness or legality of the act it goes unchecked (Holmes, 2006: 30). For example then, officials demanding a bribe before they will complete an act that they are expected to perform even when this is commonplace or the norm (Holmes, 2006: 18); The diversion of public funds (or wildlife and natural resources) to the officials' personal accounts or to build houses etc (Holmes, 2006: 18); The demand for a bribe in return for breaking the rules (Holmes, 2006: 18). In a discussion of wildlife trade, these acts usually center on the smuggling operation. In fact, Naim (2005: 217) states that smuggling can only exist with the complicity of some governments.

The threats posed by smuggling are to personal security and property interests, which makes its reduction essential, but sometimes this is in conflict with other state interests and then state-organized corruption is formed (Chambliss, 1989: 194). Police officers or Customs agents can be influenced by corrupt officials to allow illegal trade (Schmidt, 2004: A98) and officers fall into the category of low paid civil servants who are sometimes indoctrinated into a culture of official graft (Tagliacozzo, 2001). "Many projects are externally funded, involve low paid officials and are poorly scrutinized; these factors and the high value of many natural resources provide an opportunity and incentive for corrupt individuals to misappropriate funds and resources or benefit from illegal overexploitation with little fear of detection" (Smith and Walpole, 2005: 252). CITES is aware of this element as is evident from a meeting held in Africa in 1992 where it was acknowledged that a

problem for law enforcement is that sometimes they are controlled by political pressure to under enforce wildlife crimes because of financial gain governments can receive from poaching and the trade of wildlife (Gavitt, 1992).

Corruption at higher levels of government for personal profit can enable illegal trade through false documentation, and by not implementing or enforcing the pertinent legislation. Naim (2005) states that after the cold war, weakened states provided arenas for illegal wildlife trade because criminals were given a means to control law enforcement and the courts of those countries. This could be carried out by government officials, who are pawns of larger criminal networks, or in the case of North Korea, the government itself can take the opportunity to be the perpetrator (Naim, 2005). In Cambodia, government factions (the elite and the military), insurgents, criminals, and wealthy business men flout national bans on logging by selling illegal timber in massive quantities (Tagliacozzo, 2001). Border guards, police forces, and dishonest politicians take advantage of the open borders of a globalized world by facilitating trade across these borders for their own purposes and to fund political power bases (Tagliacozzo, 2001). "In some cases a country's national interest is completely aligned with the furtherance and protection of international illicit activities" (Naim, 2005: 218). These networks that are organized from the highest levels of government are possibly one of the most overlooked phenomena of the age (Naim, 2005: 278-9). It should not be misconstrued from the examples given that this is peculiar to the developing world. Corruption is a key component not just in the transitional nations in regards to their law enforcement, customs, and border control, but also in the developed world in order to gain access to the markets (Shelley, 2005: 6). This is also not typically a few individuals within society. Corruption tends to be a structural systemic occurrence.

The impact of such corruption has several ramifications. Environmentally, the problem is two-fold according to Smith and Walpole (2005: 252). First, corruption can reduce the effectiveness of conservation programs through the reduction in available funds, in law enforcement, and in political support. Secondly, it can provide an added incentive for the overexploitation of resources further endangering wildlife, which can then increase their value even further because of the increased rarity (Smith and Walpole, 2005: 252). In terms of national and human security, "Systematic corruption generates economic costs by distorting incentives, political costs by undermining institutions, and social costs by redistributing wealth and power toward the undeserving. When corruption undermines property rights, the rule of law, and incentives to invest economic and political development are crippled" (Klitgaard et al, 2000: 4). According to Holmes (2006: 1), the World Bank has identified corruption "as the single greatest source of poverty in today's world". Furthermore, corruption intersects with transnational crime, terrorism, and organized crime where the corrupt officials are in charge of or collude with such activities (Shelley, 2005) that could potentially destabilize countries and regions.

1.2.3.2 Transnational Crime

The globalization of the world and its markets with the shrinking of time and space due to new technologies, and the disappearance of borders creates an environment of rapid change in multiple areas both on the level of nations and individual lives (Fukuda-Parr, 2003). This has been accompanied by widespread political liberalization with the fall of the Berlin Wall in 1989 (Fukuda-Parr, 2003). "The collapse of the cold war sparked a transition into globalization that enabled states to escape from the politics of coexistence to the politics of collective issue management" (Sinclair-Brown, 2003: 35). This is reflected in the unprecedented economic liberalization and

cooperation with the founding of the World Trade Organization (WTO) in 1994 in Marrakech, which created new arrangements that were more far-reaching throughout the globe on the national economies than previous trade agreements (Fukuda-Parr, 2003: 168). "The new rhythms of consumption and circulation which are bound by new configurations of bureaucratic and technological capital determine social incorporation, and are a direct consequence of the emergence of the market place as the primary societal dynamic" (Hobbs, 1998: 409) and wildlife is a part of this global fluid market. Hobbs (1998: 412) goes on to say that "Material success is dependant upon performance within the constraints of the structural dynamics of a local class milieu that is realigned in negotiation with global markets". Fukuda-Parr (2003: 170) would agree that the wide availability of consumer goods leads to global shifts in market demands and the rate at which globalization is taking place is outpacing the governments' policy responses that could benefit the people at the local level that Hobbs is concerned with. Local people are often those who are trapping or poaching the wildlife to feed the international demand and some do so out of economic need not necessarily out of disregard for the environment.

Not only does globalization affect legitimate markets governed by the WTO, new technologies and the reduction of borders also enable the growth of transnational corporations and organized crime (Brack, 2003). With the rise in regional conflicts, decline in border security, greater international mobility of goods and people, and the growing economic disparity between the developed and developing nations, transnational crime will grow, Shelley (2005: 5) believes, and will become a defining global issue and challenge. "An emerging and very lucrative form of transnational crime, the large-scale theft of natural resources including wildlife, timber, and diamonds, has yet to be researched in depth" and "Poaching and trafficking of endangered wildlife is one aspect" (Warchol et al, 2003: 2-3). The affordability and the mass availability of global transportation create an international, transcultural market of illegal goods, which is evident in the illegal wildlife trade (Muth and Bowe, 1998). "Poaching often is embedded in subcultural webs of meaning that involve tradition, ethnic heritage, individual and social identities, and other sociocultural factors" (Muth and Bowe, 1998). There are various kinds of poachers: opportunistic thrill seekers and some that do it as part of an established criminal activity like the trade in wildlife and wildlife parts (Muth and Bowe, 1998). Transnational crime groups like this have experienced growth because they have provided employment for many people in the developing world or regions in transition – areas with limited capital, high unemployment and birth rates and limited legitimate economic opportunities (Shelley, 2005: 6). "The wildlife trade also fulfills the need for transnational crime organizations to launder their profits from other illicit activities. Animals and their parts are now being traded as payment for narcotics, arms, gems, etc. – a new method of money laundering that is cashless, traceless, and not subject to seizure like bank accounts" (Warchol et al, 2003: 4). Shelley (2005: 6) concurs "Transnational criminals cause major harm to the environment by trading in endangered species, harvesting and trading in timber without regard to future growth, and destroying land for a few seasons of drug production". Additionally, these groups are associated with raised levels of violence, personal insecurity, and reduced life expectancy (Shelley, 2005). Whereas transnational crime was once believed to be on the fringe of security issues and economic development, it is now on political and financial agendas, yet still lacking from that of academics (Shelley, 2005).

The trade in wildlife has not only taken advantage of and adapted to the opening of borders, but also to the widespread availability of the Internet. According to the International Fund for Animal Welfare (IFAW), the Internet is becoming a central tool for wildlife traffickers to advertise products and arrange transactions (IFAW,

2005). There is an extremely global nature to the trade because the buyer and seller are often found in different countries. From a law enforcement and legal perspective, this poses many hurdles for investigating and prosecuting (IFAW, 2005).

Other aspects of the globalization of crime and the increase in transnational crime also create problems for law enforcement. Although technological innovations, such as rapid transit and information systems are available to criminal networks, local law enforcement remains at a much less sophisticated level (Schlegel, 2000). Transnational crime is a unique and important problem for local law enforcement especially with the inclusion in crimes of elements from different cultures, legal structures, and systems of enforcement from throughout the world, the least of which is documentation such as permits becoming more susceptible to forgery and fraud (Reeve, 2004). Not only is transnational crime increasing in global complexities such as terrorism (Shelley, 2005) (the next topic of discussion), but so too are organized, economic crimes (Schlegel, 2000), which will be explored shortly.

1.2.3.3 Terrorism

The United Nations definition of transnational crime acknowledges the connection between these international criminal operations and terrorism (Shelley, 2005). This is evident because the definition "incorporates all forms of illicit activity that crosses borders, integrating both international organized crime and terrorist groups. The definitional focus is not on the ideological divisions that separate terrorists from ordinary criminals, but rather on the outcome of their activities...less concerned with profits" (Shelley, 2005: 7). As Shelley (2005: 7) discusses, the inclusion of ordinary criminal activities within the scope of transnational crime recognizes that terrorist groups use the same methods, but different motives to support their larger political and ideological objectives. Conceivably, this includes illicit trades. Furthermore, the definition "accommodates for the network structures that increasingly dominate international organized crime and terrorist groups" (Shelley, 2005: 8). These networks include small groups in transition areas and in areas unconcerned with the stability of financial markets such as the Caucasus and Central Asia, which have international links to South America, the Middle East, and Africa (Shelley, 2005: 10). For these groups profit is the main motivator and they are willing to risk the increased chance of detection and prosecution by collaborating with terrorists (Shelley, 2005: 9). This is in conflict with security analysts' long-held belief that criminals will not jeopardize their profits by associating with high-risk individuals like terrorists, but the "smuggling networks associated with major transportation hubs and a lack of competent policing make it possible to move any kind of contraband" (Shelley and Orttung, 2006: 23).

1.2.3.4 Organized Crime

The illegal wildlife trade is a new market for organized crime (Kendall, 1998) attracted by the low risk of detection, the lack of serious punishment, and the 800% profits (Reynolds, 2002). Additionally, poaching of endangered species and supplying them to manufacturers or the market requires some amount of organization (Cook et al, 2002: 13). That is why not only is organized crime involved, but also prosecutions in the West have consisted of supposedly legitmate corporate traders (Lowther et al, 2002). As Ruggiero (1996: 79) states "wildlife traffickers are opportunity perceivers". Cook et al (2002: 14) would agree that enforcers are convinced "throughout the world that organised crime groups are increasingly entering the illegal wildlife trade as a low-risk

and high-reward activity". Organized crime involved in the wildlife trade is said to be booming in part due to the possible exploitation of today's open borders (Vasquez, 2003: 68). This is the case in Cambodia, which has powerful organized crime syndicates made up of indigenous people that are part of more global networks (Tagliacozzo, 2001). Increasing trade opportunities and reduced borders have been an advantage to highly organized gangs of smugglers, who benefit from the economic crisis in that it diminishes police presence and enforcement capabilities and enables trafficking of a variety of high, quick profit goods (Tagliacozzo, 2001). One reason that criminals become involved in wildlife trafficking

> "is the astronomical profit....and don't let anyone tell you that it is being done by the poor starving peasant who is trying to eke out a meager living in the face of starvation....Those that are wrecking the world are the rich and powerful who come along and see much wealth in the form of timber and meat and skins and minerals..." (Nichol, 1987: 150).

Criminals, those in organized syndicates as well, are rational actors that have chosen their occupation not had it forced upon them (Ruggiero, 1996: 35).

The sizeable profits available to be made by criminals in organized crime and the wildlife trade also derive from their direct connections to each other and to drug smuggling (Cook et al, 2002). These connections are shared routes of smuggling, legal shipments of wildlife to conceal the drugs, and the exchange of drugs for wildlife or vice versa as currency for the other product (Cook et al, 2002: 14). The International Narcotics Control Board (INCB, 2003) and the National Criminal Intelligence Service (NCIS, 2000 in Cook et al 2002) have come to the same conclusion. In their 2003 Annual Report, the INCB compared the drug and wildlife trade specifically in the context of Internet sales. Both have legislation prohibiting or permitting certain things. Also, they both have legal classification – i.e. species and drugs. Both have legal markets for certain species/drugs, and the trade is facilitated through better, more secure and anonymous communications and they both have the involvement of serious or organized crime. Lemonick (1994) provides further evidence of this correlation. Investigations have uncovered the Japanese organized crime group, the yakuza, are involved in the illegal whale trade where profits can be as high as $100 a plate (Lemonick, 1994). The drug cartels in South America have combined their activities with the wildlife trade, but trends indicate that they are now trading wildlife for its own sake (Lemonick, 1994). Also, in Brazil, 40% of drug seizures contained illegal wildlife (Reynolds, 2002). The USFWS reported that in 1993 33% of wildlife seizures were found with cocaine (Reynolds, 2002). Fifty percent of wildlife criminals prosecuted in the UK were previously convicted for drugs, violent crimes, theft, or possession of a firearm (Reynolds, 2002). It is no surprise that wildlife trafficking is found in conjunction with drug smuggling as species listed in CITES are located within countries that are well-known sources of drugs (Cook et al, 2002: 14).

Wildlife trade is not only paired with that of the drug trade by organized crime, but is part of a larger network of guns and people smuggling as well (IBRD, 2005). Illegal wildlife trade profits supplement the income from other illicit trades and it uses the same supply chains that are often outside the law (IBRD, 2005: 5). The networks created for one commodity such as drugs serve other products as well like wildlife, and illegal immigration (Cook et al, 2002: 76). As mentioned in the previous section these multi-purpose illicit chains are structured transnationally. German research has found that organized crime is involved in the structured animal

trafficking of rare species in Germany (Van Duyne, 1996: 343). The Russian Mafiya is also heavily into the trade, even listing endangered species for sale in Moscow markets in English (Lemonick, 1994). Possibly the most prominent wildlife trafficking is that of caviar and Russian organized crime is known to play a part in this smuggling operation as did the mafiya during the USSR (Cook et al, 2002: 23).

"We are losing the fight against wildlife crime in the UK. The unfortunate reality is that low penalties and lack of resources for detection mean that most criminals get off scot-free. Prosecutions are infrequent, court fines are low, this has to change" (WWF, 2002). This is not exclusive to the United Kingdom. The criminal syndicates initiating this green crime are not simply gangs of thugs, but appear to correspond to a more German view of organized crime, which is three fold (Van Duyne, 1996: 343). First, the group forms a commercial or commercial-like structure. Second, they use violence or other means of intimidation to perpetrate their actions. Third, the group influences politics, media, public administration, justice, and the legitimate economy (Van Duyne, 1996: 343). The organized groups' crimes are planned violations to acquire money and power with a division of labor for a long determined time-span (Van Duyne, 1996: 343).

In order to stop this disturbing trend, CITES has considered creating a worldwide enforcement agency, but the organized criminal elements might be too overwhelming for such an agency. For instance, in Russia, 24 anti-poaching officers were killed before 1992 and in 1994 they were understaffed with only two people to check compliance with CITES regulations (Lemonick, 1994). The Secretariat of CITES has stated that a weakness of the Parties is their failure to create specialized enforcement units in their countries (Reeve, 2004). This coupled with the lack of cooperation between NGOs, law enforcement, and other authorities enables the formation of organized wildlife crime networks (Reeve, 2004). As will be discussed in the next section, criminal networks are dynamic, fluid organizations to which it is challenging to develop a systematic enforcement response. That is why agencies need to be specialized and those that are need to aid smaller agencies faced with complex organized crime cases (Schlegel, 2000). This is true as well for environmental or green crimes, such as the illegal wildlife trade, which require extra training and knowledge for law enforcement to be fully effective. Further complications arise if the state is connected to organized crime or if they are unable to confront it. Either situation can create bad reputations and labels for countries, which can affect their economies and their relations with the international community (Lowther et al, 2002). Organized crime is a structural harm that also impacts the world, its people and security because it exerts influence on politics, the media, the public, the judiciary, and the economy (Levi, 1998).

1.2.3.5 Criminal Networks

An interesting aspect to the current structure of organized crime is the phenomenon of the network. As mentioned above, criminal networks are fluid and dynamic, adapting continually and easily within black markets, including the illegal wildlife trade where there is the opportunity for high profits and minimal risk. The structure of the (illegal wildlife) trade—and the relationships between collectors, middlemen, traders, and wholesalers—can be extremely complex, and the character of these relationships shifts over time and place (Broad et al, 2003). Criminals are free tradesmen who do not focus on organization per se, but are pragmatic activists, whose trading fits into their immediate environment (Van Duyne, 1996). IBRD (2005) found in their research into the illegal wildlife trade in Southeast Asia that traffickers were able to quickly adjust to the

changing environment in order to maintain their profits. For example, "When supplies become depleted or access restrictions are imposed, they (traffickers) respond by: Targeting new source areas or countries for a particular species or group of species; Developing new smuggling methods and routes to avoid detection; Exploiting weak wildlife law enforcement; Targeting new species within a commodity group" (IBRD, 2005: 2-3). The fluid nature of the criminals in these networks also becomes apparent when these groups are able to move between varieties of licit markets to provide the basis for their illegal activities. Organized crime is known to make external relationships beyond their units, which involve the normal parts of society (Ruggiero, 1996). They are fluid in the sense that they have transformed "from fixed hierarchies and toward decentralized networks; away from controlling leaders and toward multiple, loosely linked, dispersed agents and cells; away from rigid lines of control and exchange and toward constantly shifting transactions as opportunities dictate" (Naim, 2005: 7). As Naim (2005: 8) also states, "Trafficking networks do as big businesses are prone to do everywhere else: diversify into other businesses and invest in politics". This analogy to the legitimate sector can go further. Illicit trade

> "has grown immensely in value; it has extended its scope of products and activities; and the different illicit trade specialties of old have come together, with brokers and intermediaries taking the ascendancy over suppliers. The combined operation of these trends amounts to nothing less than massive reorganization of illicit trade, not unlike the upheavals that major industries go through from time to time to become more competitive, productive and efficient" (Naim, 2005: 217).

Castells (1998) claims that organized crime goes so far in imitating proper business practices that they buy real estate and play the stock market. "Illegal markets have much in common with their legal counterparts. There are buyers and sellers, wholesalers and retailers, go-betweens, importers and distributors, priced structures, balance sheets, profits and, though less frequently, losses" (Arlacchi, 1998: 204). The network consists of skilled laborers and semi-skilled laborers who can improvise in the uncertain environment of criminal transactions (Ruggiero, 1996).

The key underlying factor to the existence of such networks is the expansion of globalization and therefore communications and transportation. Globalization allows for more complex organization and technology, therefore the network can become more complicated in respect to time and space (Schlegel, 2000). The complexity and multi-faceted aspect permits criminal networks to actively trade across borders (Shelley, 2005: 6). "This internationalization of criminal activities induces organized crime from different countries to establish strategic alliances to cooperate, rather than fight, on each other's turf, through subcontracting arrangements, and joint ventures, whose business practice closely follows the organizational logic of networking" (Castells, 1998: 169).

One of the ways to explain criminal behavior is often in terms of deficit be it control or deprivation (Ruggiero, 1996). In this instance, that does not seem applicable because "Organized illegal activities seem less the result of poverty, underdevelopment or lack of self-control than its opposite: affluence, development and the control of resources" (Ruggiero, 1996: 33). "Moreover, many organized business criminals who obtained a longer lasting foothold in the market did not start as 'common' criminals: they were not 'seduced' by lower class organized criminals nor were they forced because of bad times, but they developed their organized crime-trade by their own free will and insatiable greed" (Van Duyne, 1997: 233). This is not to say that poverty does not play a

part within criminal networks. Van Dijk (1999: 131) states that a systematic feature of networks is that they not only connect, but that they also disconnect, contributing to social and informal inequalities. The resulting marginalization and/or irrelevance of the unconnected poorest parts of the globe to the licit market are capitalized upon by criminal networks (Van Dijk, 1999). These areas are low-risk and can serve as the center of management and production while the high profit markets are located elsewhere (Castells, 1998). These criminal transactions may have to take place in an 'underworld', but this is certainly not an 'other world' occurrence (Van Duyne, 1996). Corruption ties these activities to the so-called 'upperworld' (Van Duyne, 1996) and is a portion of everyday life (Naim, 2005). "The multi-faceted characteristics of the enterprises occupying the higher levels of illegal markets relate to their ability to combine economic, political and military resources" (Arlacchi, 1998: 205). It is this complex relationship between the legitimate and the illegitimate that challenges law enforcement and researchers alike (Van Duyne, 1996).

"The cultural backgrounds and upbringing of the participants are important determinants when it comes to decisions like: the use of violence, the cooperation with other criminal groups, interaction with the surrounding social landscape (including the upperworld) or the ways the profits are handled" (Van Duyne, 1997: 204). Groups made up through ethnic ties share a moralistic responsibility to each other (Arlacchi, 1998). This connection is expanded through the prolific migration of ethnic groups and the establishment of Diaspora communities (Arlacchi, 1998). In fact, some networks are constructed merely through birth, such as ethnicity, religion etc. (Naim, 2005). Other ties are actively constructed or there can be a combination (Naim, 2005). This relationship can then fit within or form the basis for the differing types of network structures described in the upcoming theory section.

The advantages to forming networks are clear. Creation of international ties enables global product sourcing, formulation and assembly and a global illicit financial market (Naim, 2005: 227). Organized crimes' success is in part due to the flexibility and internal versatility and in relation to other organizations (Castells, 1998). Furthermore, by establishing non-hierarchical networks these criminal entrepreneurs can take advantage of decentralization (Naim, 2005). Decentralization is beneficial because it capitalizes on the advances in technology, lowers the cost of operations since the risk is lower and ramifications from arrests etc. are reduced - lower costs mean bigger profits to control the markets (Naim, 2005: 228). Distribution networks are operated by autonomous local groups paid in cash, which cooperate against law enforcement, and subcontract particularly risky activities such as killings (Castells, 1998). More profits can mean more flexibility, which translates to less reliance on one product (Naim, 2005) and of course more power. Thus enhancing the dynamic nature of the organized crime network. "The technological and organizational opportunity to set up global networks has transformed, and empowered, organized crime" (Castells, 1998: 202).

The ethical perspective of deep green criminology outlined is an ecocentric stance that examines crimes against the environment as well as civil and property violations and other harms not legally defined as criminal. Deep green criminology enables a discussion of structurally harmful activities that fall outside Russian legislation and policy, while also being able to discuss current regulation. This perspective differs from others in that it is non-speciesist so humans are not the sole objects of worth, nor the objects of the greatest value. Other species that are used by humans should be treated humanely and not overexploited as to harm the environment and the

survival of species. The examination of such harms is done both on the micro level of individual cases, but also at the macro level by exploring structural harm. This includes danger to the environment, cruelty to animals, and threats to national security. The above section concerning nations' security introduces the theoretical portion of this paper which focuses on the creation of black markets, and the involvement of organized crime and criminal networks.

1.3 Theoretical Foundation

The illegal wildlife trade as is now evident is a complex black market that often parallels a legal market through a long chain of events. Though deep green criminology also addresses actions that are beyond the scope of the legal system and are a part of the illegal wildlife trade, the theoretical foundation focuses on behaviors that are criminalized. Since, as mentioned, much is unknown about illegal wildlife trade, presumably relevant theories were employed, regarding black markets and organized crime, in order to have an initial framework from which to develop hypotheses of how wildlife trafficking might be structured and who might be involved. These contributed to the formulation of questions to ask in the interviews and what macro level structures to look for. This foundation aided in the construction of the typologies developed that will be detailed later and which are designed to inform future research into illegal wildlife trade. The first portion of the theoretical foundation addresses why it is that such markets exist. Using previous research, the conditions present in the illegal wildlife trade in Russia are compared with the conditions that would be expected in the development of illicit markets. The information about the people involved throughout this chain is limited and one of the main explorations within the case studies of this research. Theories that might provide insight into who is perpetrating illegal wildlife trade in Russia pertain to when organized crime take part in specific criminal activities and theories regarding the new fluid nature of criminal networks. More detailed definitions of organized crime and networks are forthcoming. These sections also introduce the hypotheses associated with the theories surrounding these criminal structures.

1.3.1 Conditions for Black Markets

To reiterate, Brack (2003: 165) found three factors, which drive black markets: first, there needs to be a demand for products for which there are no substitutes and from an environment for which there is very little concern, thus the cost value differential will be quite high. Second, there needs to be a market where there is regulatory failure to determine or protect property rights. Last, the environment must have enforcement failure from lack of funding, resources or infrastructure, corruption, lack of political will or disruption, or that the methods of enforcement used are out of sync with what is needed (Brack, 2003: 165). The presence of these three conditions will be searched for in the examination of both the illegal fur trade and the illegal raptor trade in order to either confirm or refute the need for these factors in the development of black markets. As wildlife and its products are valuable commodities and black markets develop around such areas where profitable consumption is possible (Carrabine et al, 2004), I hypothesize that each of the three factors will be found in each of the case studies. The question of who is creating or involved in these black markets, leads to the next portion of the theory development that of when organized crime enters into particular markets.

1.3.2 Conditions for Organized Crime

As mentioned before, organized crime has increased with the collapse of borders (Brack, 2003). The effects of such an event and the conditions present in the wildlife trade correspond to Albanese's (2000: 415) research on why organized crime comes into existence. He claims that the following conditions are the circumstances under which organized crime thrives: First, there are 5 opportunity factors: 1) Economic Conditions; 2) Government Regulation; 3) Enforcement Effectiveness; 4) Demands for Product/Service; 5) Creation of New Product/Service Market via Technological or Social Change. The lack of government regulation, ineffectiveness of enforcement and demand for the product or service coincides with the factors that create the conditions for black markets to exist. Cook et al (2002: 24) found that the illegal wildlife trade is "equally (or more) lucrative than their [organized crime's] other criminal activities and considered less serious by enforcement agencies and the judiciary, hence less risky than other forms of crime, with lower penalties". Both the correlations and the research of Cook et al (2002) support the observation that organized crime is often involved in black market smuggling and in wildlife trafficking in particular. These factors then interact with two other conditions, if there are pre-existing criminals in the market for the product or service and/or if there is a pre-existing criminal group in the market (Albanese, 2000: 416). These conditions are then coupled with special skills or special access that is needed to carry out the criminal activity. This could be individuals or groups with unique technical skills or language skills, or people who have connections with other criminals or groups, or people who have special opportunity access (Albanese, 2000: 416), such as unregulated borders. In exploring both the trade in illegal falcons and fur, the five opportunity factors listed above will be looked for and any corresponding information as to the involvement of organized crime in either of the black markets. I suspect that both illegal trades will have elements of organized crime involved that stems from the Russian mafiya. In conjunction with whether organized crime is active in the illegal wildlife trade, is whether such criminal groups have formed networks to manage their operations, and this is the third part of the theory development.

1.3.3 Conditions for Criminal Networks

It is the conditions of the illicit market that determine in what way these organizations are multi-faceted, but Arlacchi (1998: 205) says there must be three things available: "Capital, violence and inaction of law enforcement agencies and the judiciary". Again capital and the criminal justice system's inactivity parallel the conditions needed for the existence of black markets and the factors needed for organized crime to partake. In regards to violence, this is typically a feature of organized crime groups (Van Duyne, 1996) and therefore within the realm of possibility for it to be integral to the network of such groups. In trying to determine who is involved in the illegal wildlife market, any signs of violence within the trade (outside of what is already perpetrated against the animals) will be looked for. Organized crime is increasingly transnational due to the advantages of globalization, communication improvements, and transportation (Castells, 1998: 168). Transnational crime groups have experienced growth because they have provided employment for many people in the developing world – areas with limited capital, high unemployment, and birth rates and limited legitimate economic opportunities (Shelley, 2005: 6). One aspect of organized crime that tends toward forming networks is its transnational nature. I believe that I will find that both the illegal fur trade and the illegal falcon trade are occurring transnationally.

Depending upon the conditions and the needs then of the market, there are differing types of network structures. Naim (2005: 225) declares that there are three basic types of networks. There is a simple chain; there is a hub; and there is a multi-stranded network in which all of the participants are in some way connected. I propose that the illegal fur trade and the illegal raptor trade originating in Russia, since they are presumably transnational, will sometimes operate within a network of organized crime and that the structure of this network will be a simple chain. The collectors of the birds or fur trappers at the beginning of this chain will only know who they are supplying and not know any other members of the network. Conversely, the exporter or consumer will not know other members of the network. Additionally, I think that I will find evidence that violence is used by the groups within these networks to carry out their illegal activities.

1.4 Summary

Environmental crimes erode the state's authority and create a culture of lawlessness, deplete natural resources, and remove the source of livelihood for the poorest people (Schmidt, 2004: A97). Wildlife trafficking is one of these crimes and unfortunately has been overlooked by criminologists, who could contribute to the examination of how and why this crime is perpetrated and therefore to proposals for its reduction. This chapter has given background information about green criminology and deep environmental ethics, which were used to develop deep green criminology - the ethical foundation for this study. Deep green criminology departs from the mainstream anthropocentric humanist stance of only addressing actions that are defined as crimes and takes an ecocentric perspective that regards all life be it human, animal, or plant as having inherent value and therefore worth consideration in terms of conservation and interpreting harm, both in individual instances of natural resource use and within the larger societal structure. This research then expands previous limited concepts of green issues to encompass not only activities defined as crimes (illegal trade of endangered species), not only environmental harms which instrumentally affect humans and certain species singled out by humans (poaching and capturing of charismatic fauna), but also to include in the discourse, harms that fall outside of these distinctions (inhumane trapping/capturing and treatment whether legally or illegally obtained and the associated use of animals for clothing and sport). The research regarding the illegal wildlife trade conducted for this paper addresses each of these categories. With the advent of CITES, nations, Russia included, have criminalized smuggling of the species listed in the Convention's appendices. So these criminal violations are explored as is the failure of these statutes to be enforced. Also explored, are the related Russian property and administrative violations pertaining to wildlife, which are acknowledged as possibly harmful, but are not currently criminalized, and again their failure to be enforced. What this perspective enables to be discussed, which previous anthropocentric formulations of green criminology have ignored or excluded within the concept of harm, is the welfare of other species and their intrinsic value. Whereas such concepts exist in environmental ethics, other disciplines, and to some extent in mainstream society, addressing this idea is new to criminology. In the case of this paper, this ecocentric framework allows for the examination of the humaneness of trapping, the continued use of fur, the continued practice of falconry, and the treatment of falcons when smuggled. This is addressing the second aim of this thesis and provides a framework for the discussion that will take place in the two case study chapters.

Additionally, this chapter has established three crucial elements of the structural harm inherent in wildlife trafficking: danger to the environment by threatening biodiversity and species extinctions, and creating the conditions for the spread of zoonotic and other diseases; cruelty to animals because of the methods used for capture and transport; and harm to governments and societies by its connections to corruption, terrorism, transnational and organized crime networks, and its association with other smuggled goods and crimes, all of which can contain violence. The theoretical foundation for this paper revolves around gathering empirical data of black markets and organized crime, and the evolution of organized crime to form fluid networks in order to compare this information to the theories of Albanese and Brack. The other micro level aims of this research – to explore who is involved, where it is taking place, and how it is accomplished – were only briefly and generally detailed in the introductory section titled the illegal wildlife trade. These aims will be focused on in the case study chapters in the development of typologies of trades in illegal wildlife. Now that the entire picture of the illegal wildlife trade has been drawn, and the ethical and theoretical foundations presented, the next chapter details the specific background information needed for these case studies regarding Russia Far East.[2]

[2] This thesis proposed a deep green criminological perspective, which allows for animal welfare and macro level structural harms to be viewed as worthy of criminological inquiry. However, the conclusions reached at the end the thesis call for a more pragmatic approach that tempers the deep green aspects.

Chapter 2 – Russia

This chapter will explore the foundation elements needed to understand the illegal wildlife trade in Russia and set the context in which the research questions, stated in the introduction, will be asked. This will be connected throughout to how deep green criminology provides a unique framework for this exploration. As indicated in the first chapter, a pragmatic approach is employed that includes an examination of the legislation relevant to the illegal wildlife trade. In order to do this, first, the structure of the government is described in order to understand how trapping, hunting, and trade are regulated. This is followed by a discussion in section 2.2 of the history and context of current conservation measures and attitudes in the country, which provides insight into both the legislation that does exist and that which does not. Then section 2.3 examines the overall scope of wildlife trade in Russia, leading to the exploration of the relevant international treaties that Russia is a signatory to in section 2.3.1. Primarily, the focus is on the Convention of the International Trade in Endangered Species of Wild Fauna and Flora (CITES), but in Russia's instance participation in the World Conservation Union (IUCN) and the system of creating Red Data Books also plays a role that is discussed in the context of wildlife trade. The species that are in trade for the fur, and falcon markets are introduced in these subsections. Section 2.3.5 details the most relevant of Russia's own national legislation that pertains to the trafficking of animals and plants. Finally, the treaties and the legislation are analyzed from a deep green criminological perspective in order to assess how they would need to altered to be greener. Section 2.4 moves to the macro level concerns of deep green criminology by taking each of the three structural harms of wildlife trade and exploring these in the general context of Russia. The particular focus is on the existence of state corruption, organized crime and other illicit trades in Russia. Included is a subsection, 2.4.1, regarding the criminal networks employed by Russian organized crime. The chapter concludes with a summary of the information presented.

2.1 Russian Federation Governmental Structure

The governmental structure of Russia is important to understand because it establishes which part of the government is in fact overseeing the trade in wildlife in Russia as a whole, and in the Far East specifically, or as will become evident, the multiple levels and agencies that share this responsibility. A map of Russia is provided on page 181 for reference. Prior to 1993, when the Constitution of the Russian Federation established that Russia was in fact a federation, the Soviet Union was a "stifling system in which every territorial and economic unit down to villages was ruled by the interlocked and centralized hierarchies of the state administration and the Communist Party" (Reddaway, 2004: 5). It was not unknown for there to be conflict between the regions and the central government regarding resources, and the interests of the region and its local population versus the central government and the country as a supposed whole (Wishnick, 2004). This was particularly the case in the Far East (Wishnick, 2004: 245). Reddaway (2004: 5) states that "To work effectively, and above all to avoid the onset of endemic corruption and localism (i.e. officials putting their own or local convenience above parties priorities), the system required a variety of centralized hierarchies to inspect, supervise, and discipline the state hierarchy's administration of the entire economy and the whole of society". This system of checks and balances was not successful, and corruption and nepotism or localism still occurred in part due to the immense distances of some Russian regions, such as the Far East, from the center of government in Moscow.

The micromanagement of the Communist system contrasts to the new federation system, which consists of 89 somewhat self-governing federal subjects – 32 of which are defined by the majority nationality of that area (Danks, 2001). This breaks down to 21 republics, 10 autonomous *okrugs*, and one autonomous *oblast*. Then there are 57 territorial areas called *krais*, *oblasts*, and autonomous *okrugs* (Danks, 2001). Many of these republics in addition to agreeing to the Constitutional definition of a federation, signed bilateral agreements with the federal government (Danks, 2001). These agreements clarified taxation, revenues, trade, and who had control over these issues – Moscow or the republic (Danks, 2001). "Typically those republics that are rich in natural resources and particularly in oil, gas and diamonds (such as Tatarstan, Bashkorostan and Sakha) negotiated treaties and agreements that enabled them to retain higher percentages of their tax revenues than the other republics and regions" (Danks, 2001: 126-7). So in spite of the State's promise in the Constitution that all republics would be treated equally, these bilateral treaties (which are secret and outside of Constitutional review) have created disparity in relations with Moscow, and have contributed to the widening differences that exist and are worsening between and within the regions (Danks, 2001).

The Far East republic is one of these subjects that is strategically important to the government because of its natural resources and because of its location (Wishnick, 2004). Russia's eastern border is shared with China, North Korea, Japan and the United States, so is crucial in regards to trade. Furthermore, the Far East region totals 36.4% of the country's landmass, and only holds 6.7% of the population (Wishnick, 2004: 245), meaning that there is potentially more stores of natural resources undiscovered. The region is the key area for these resources, namely fish and timber, and is also the location for much of the defense apparatus of the country (Wishnick, 2004: 246). Due to the Far East's isolation and the economic problems experienced in the Russian Federation in the 1990's, the region has higher rates of unemployment and poverty than other areas (Wishnick, 2004: 246). After missing the economic boom of the neighboring Asian nations, the Far East is trying to integrate into the Pacific Rim, and is exporting more goods than in previous years (Wishnick, 2004: 246). Wishnick (2004) notes that part of the reason for the Far East's decision to enter the Asian or Pacific market was because of Moscow's lack of interest in the region's economic plight.

The above-mentioned corruption and localism under the Soviet Union did not disappear with the creation of the federation. For instance, Russian president Vladimir Putin has tried to improve legislation and regain control of the regional police who are often under the authority of local or regional officials (Orttung, 2004). These officials control salaries and resources (Orttung, 2004), even though technically law enforcement is centralized under the Ministry of Internal Affairs (Taylor, B., 2004). "One serious problem with law enforcement organs is that they often work for the interests of certain 'masters' from the political or business world, rather than conducting an impartial administration of the law" (Taylor, B., 2004: 75). It should be noted that this attempt to combat corruption might not be for the sake of stopping crime, but rather to weaken the opposition (Orttung, 2004).

With the new federal structure, power was decentralized with some autonomy being given to these republics. "Decentralization and diffusion of power has lengthened the chain of implementation and thus decreased the governments' abilities to implement policy in general, not least in an area as complex as environmental politics. In the Russian case, this tendency is strengthened by the federal structure of the state" (Honneland and Jorgensen, 2003: 35). Natural resources and land management are under federal and regional

joint jurisdiction, and in the absence of federal legislation, the regions take the responsibility (Honneland and Jorgensen, 2003). This is true of trapping and hunting as well, where in the Far East the *krais* and *oblasts* administer licensing for some species, but that the central government in Moscow also is involved in permit giving as will be detailed shortly (personal communication *Rosprirodnizor*, 22 April 2007). In instances of violations, the high rates of inflation negate the fines, and the courts have proven inefficient in that case decisions take a very long time to be determined, and authorities are often tied to corporate perpetrators (Honneland and Jorgensen, 2003). Cases are decided in favor of the employer or industry and not in regards to the damage to the environment (Honneland and Jorgensen, 2003), or as in the case of wildlife trade and species overexploitation, maybe the issue is not broached at all as will be demonstrated in the following section.

2.2 Conservation

Conservation movements and policies are a key element determining the protection of species that are trafficked, so the history of such efforts in the Russian Federation is summarized here. Conservation sentiment is recorded in Russia as early as the time of Peter the Great when public lands were set aside for protection (Weiner, 1988). These concerns continued throughout the 1850's and even into the creation of the Soviet Union after 1917, where it is acknowledged that Lenin was sympathetic to the environment (Weiner, 1988). During the beginning of the USSR, there were three types of conservation movements that fought over control of how the environment in the country would be managed - pastoralist, ecological, and utilitarian (Weiner, 1988). The pastoralist or anti-modernist was "repelled by modern industrial society – capitalist or socialist- its adherents sought to return to an idealized, organic, agrarian golden age when humanity had not yet despoiled earth" (Weiner, 1988: 229). They believed that "Nature is valuable in itself, irrespective of its utility to humans, and that other living things have an equal right to existence" (Weiner, 1988: 229). By removing ourselves from nature, humans had become pathological and denatured (Weiner, 1988). This more deep ecological view was not the position though that determined Russian or Soviet policy.

> The ecological conservationist took the position that:
> "viewed nature as having a distinctive structure characterized by interdependence among its biotic components and by a state of relative equilibrium or, at least, proportionality. With no real place for humans in their harmonious 'natural' systems (as if humans were somehow unnatural), adherents of the ecological view were deeply convinced that civilization, if it continued to disrupt the balance of natural communities at current rates, would destroy itself" (Weiner, 1988: 230).

The scientists that adhered to this conservation belief wanted "a policymaking role in economic matters and resource use, arguing that only their scientific expertise could ensure that growth would remain within the possibilities afforded by healthy nature. This led them into the heresy of technocratism during the Soviet period" (Weiner, 1988: 230), but did not earn them the place as policy dictators for the country.

The other conservation group was the utilitarian, or wise use of resources. This sustainable yield though was limited to those things that were economically valuable. "Because they were not preoccupied with the integrity of ecological systems, wise-use partisans were much more apt to accept the goals and methods set by established political authority" (Weiner, 1988: 231), and it was this faction that set the conservation policy of the

remaining period of the USSR, under the idea that humans could master nature and replace natural selection (Weiner, 1988). Protected areas became research centers, whose goals to maximize productivity were in conjunction with the country's socialist construction (Weiner, 1988). This took the form of experimentation with species hybridization, acclimatization of exotic species, and removal of so-called harmful species such as wolves, wolverines, and lynxes (Weiner, 1988).

The two case studies for this thesis as stated previously are the fur trade and the trade in live falcons. The conservation policy developed under the utilitarian doctrine made no mention of the trade in live animals, but did address the continued depletion of furbearing species. As early as 1911, Russia became party to the Pacific Fur Seal Act in an effort to curb the decrease of these mammals (Weiner, 1988). Fur pelts and animal products were how Russia received foreign currency and with previous extinctions, such as the bison, there was concern for economically valuable animal species (Weiner, 1988). These trepidations led to the introduction of seasons for hunting and protected areas, but this coincided with, as mentioned, the extermination of the so-called harmful animals like wolves (Weiner, 1988). In 1924, certain hunting methods were finally legally banned: "the use of poisons, bollards, mass killing, snares, and other indiscriminate means of trapping. This was to ensure that only mature animals were taken and that juveniles survived to perpetuate the breeding stock. The regulations also included a list of protected animals, the hunting of which was illegal" (Weiner, 1988: 41). The decline of furbearer populations continued throughout the 1920's and 1930's, due in part to the increase in demand coming from the United States (Weiner, 1988: 42). The procuring of pelts during this period was sometimes conducted on closed lands, and consisted of buying illegal pelts (Weiner, 1988: 42). In the 1930's, attempts were made to collectivize hunting and trapping, along with the rest of the Soviet economy, with the creation of the All-Union Peltry Association or *Soyuzpushnina* (Weiner, 1988), which is still in existence today. This did not protect the furbearer populations, and in fact these populations were so exhausted that non-native furbearing species were introduced to compensate for the loss (Weiner, 1988). The introduction of furbearers also stemmed from the belief that even nature could be planned, as could the rest of the communist society (Weiner, 1988). This summary of legislation provides evidence of the anthropocentrism of Russian conservation policy, and that natural resources are viewed instrumentally.

Whereas the list of protected animals mentioned above remains, the use of snares and indiscriminating trapping was never stopped, and continues as will be discussed later (personal communication *Rosokhotnizor*, 23 April 2007). "From the initiation of large-scale industrialization in the Soviet Union in the 1930's and until the fall of Communism, the environmental policy performance of that country – and the whole of the Eastern Bloc – was notoriously poor" (Honneland and Jorgensen, 2003: 33). When other industrialized nations were making efforts to curb their contribution to environmental degradation, the Eastern Bloc only entered into commitments where there was little or no adjustment necessary, and there continues to be little optimism regarding Russia's environmental policies (Honneland and Jorgensen, 2003: 33). Green organizations have established themselves in Russia though, including international organizations such as IFAW, WWF, Greenpeace, and PETA. More telling perhaps are the local organizations such as Phoenix, *Brok*, and VITA that advocate environmental issues and animal welfare. As Holmes (2006: 287) states, "The very nature of post-communism makes it difficult for people to create a new moral code [that combats corruption], but the dynamism means that things can change

rapidly". With both possibilities in mind, a direct examination of wildlife trade in Russia is the focus of the next section.

2.3 Wildlife Trade in Russia

Many studies have been conducted in Southeast Asia in regards to the illegal wildlife trade, but few have addressed this same issue in the temperate forests and steppes (Wingard and Zahler, 2006: 11), of which of course Russia has vast tracts. The easternmost states of Europe, including western Russia, and its expanse to the Pacific Ocean, have wildlife resources and biological diversity of global significance, but are confronted with enormous problems in monitoring and controlling the exploitation of their wild fauna and flora (TRAFFIC International, 2005). Before the political changes in Eastern Europe from the end of the 1980s, a number of persistent wildlife trade problems were already known to exist in this part of the world (TRAFFIC Europe, 1998). The change in political systems in the region led to a worsening of the situation. Following the dissolution of the Soviet Union in 1991, for example, enforcement of wildlife laws became weaker, and government funds for conservation were reduced (TRAFFIC Europe, 1998). Although there are signs that that is now beginning to change, exploitation of wildlife has been at levels sufficient to endanger native species in the Russian Federation (TRAFFIC International, 2005). "The international community is wakening to the threat wildlife trade presents globally and in Asia. This crisis is particularly acute in Asia due in large part to a growing market for wildlife products used in traditional medicine and furs used in clothing" (Wingard and Zahler, 2006: 11). This includes Far East Russia and its border with China, which is more open than it has been in over 70 years (Wingard and Zahler, 2006). As Russia spans both continents, it faces a number of issues in managing its resources, and the pressing demand for its endangered or protected species in surrounding markets.

Wildlife trade in the Russian Federation occurs mainly in Moscow, a main market for goods going to Europe, Asia, and the Middle East (TRAFFIC International, 2005), but also in other larger cities including Saint Petersburg and Vladivostok – a major city in the Far East region. Predominantly, it takes place at markets, but also through newspaper advertisements (TRAFFIC International, 2005). Possibly the best known Russian wildlife commodity, is caviar. "Haute cuisine encourages the poaching of, among others, the sturgeon, all 27 species of which are now threatened" (Naylor, 2004: 262). Russia and the former Soviet countries (CIS) are significant suppliers of products for traditional Asian medicines, including tiger and brown bear, which as mentioned, is a type of product with an increasing demand (TRAFFIC Europe, 1998). As stated, the Far East is the center of fishing and timber harvesting in Russia. This region is also a destination for trophy hunting, with hunters coming from Europe and North America to shoot exotic sheep and deer, for their antlers and horns, which are taken home with the hunter (TRAFFIC Europe, 1998). There is trade in live birds for hunting (as the case study of falcons will illustrate), pets, and zoos, as well as of reptiles and amphibians, which is of particular concern because profit is not maintained by price per animal, but by sheer numbers (TRAFFIC Europe, 1998). The fur trade (the other case study) from lynx and other species is ongoing (TRAFFIC Europe, 1998), and as also stated above, is experiencing an increase in demand in Asia. Wildlife is an important part of the Russian culture and society, and therefore has been the subject of much legislation over the years, even though as will become evident, this may not be to protect it, but has embedded environmental harm within the system.

2.3.1 Treaties and Legislation

Integral to an exploration into the illicit wildlife trade in the Russian Federation is the international agreements, and national, regional, and local laws that pertain to such activity from its initial stages of capture and collection to the latter stages of transporting and smuggling. From the deep green criminological perspective, these regulations will be analyzed for their contribution to structural environmental harm and/or their failure to protect the environment. In modern times, international efforts have been, and are being made to curb man's excessive use of wildlife, and Russia has participated in this movement. A vast majority of these treaties are aimed at protecting specific species that are threatened and endangered, and others focus on the conservation of habitats. This section will summarize the few treaties that have trade clauses, within the greater context of overall conservation efforts, which will possibly influence to some degree the Russian wildlife trade: the Bern Convention, and the Bonn Convention. This will be followed by a section devoted to CITES, the most pertinent and influential wildlife trade treaty, and then the key Russian statute Article 188 outlining contraband, which is applicable to both case studies.

The first of these is the Convention on the Conservation of European Wildlife and Natural Habitats known as the Bern Convention. This multinational treaty is one of the conventions designed to conserve habitat rather than any specific species (Lyster, 1985: 155). The focus on conservation, and not on welfare in particular, does not bar the Bern Convention from prohibiting indiscriminate methods of taking and killing certain listed species due to their conservation status (Harrop, 2000). The specifics of trapping will be detailed in Chapter 4. Russia, who is a member of the Council of Europe, is not a signatory to this convention, and therefore they have made no declarations or reservations (COE, 1979). In regards to trade, the Bern Convention lists species by their level of endangerment into appendices. Appendix II species are endangered wild fauna, and Article 6e of the Bern Convention states that the following is prohibited: "the possession of and internal trade in these animals, alive or dead, including stuffed animals and any readily recognisable part or derivative thereof, where this would contribute to the effectiveness of the provisions of this article" (COE, 1979). Article 7 defines the signatory countries' responsibilities in respect to Appendix III wild fauna species, which are those species that are threatened. Section 3 of this article says that proper measures need to be taken in order that these species are not exploited and that their population levels are kept out of danger or are restored to safe levels. This includes regulating "as appropriate of sale, keeping for sale, transport for sale or offering for sale of live and dead wild animals" (COE, 1979). In the event that an Appendix III species is captured or killed, or an Appendix II species that fulfills the Article 9 exception requirements, then "the use of all indiscriminate means of capture and killing" are prohibited (COE, 1979). The exceptions that are referred to here are that the Contracting Parties may deviate from the articles of the convention if there is "no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned" (COE, 1979).

The next treaty is the Bonn Convention, or the Convention on the Conservation of Migratory Species of Wild Animals, implemented in 1979. It was designed to protect migratory species, which have habitats in multiple parts of the world (Lyster, 1985: 297). Russia has signed a Memorandum of Understanding for this convention regarding the Siberian Crane, but they have not become a party to the treaty. Appendix I species are those that are endangered, and are therefore prohibited from trade except as indicated by Article III for the purpose of science, enhancing the propagation or survival, traditional subsistence use, and extraordinary

circumstances (CMS, 1979). Appendix II species as discussed in Article IV have an "unfavorable conservation status" and the individual member nations must come to agreements as to how they should be managed (CMS, 1979). Seemingly, this could include trade restrictions or prohibitions and again in the specific case studies the relevance and usefulness of these conventions will be discussed.

2.3.2 The Convention on the International Trade in Endangered Species of Wild Fauna and Flora

Research involving international trade of wildlife would be lacking without a discussion of the governing treaty – the Convention on the International Trade in Endangered Species of Wild Fauna and Flora known as CITES. At inception, CITES initially reflected the view of the protectionists and issued complete bans in some instances to ensure protection. It "recognizes that the illegal trade in endangered species offers the greatest threat next to habitat destruction" (Taylor, M., 1996: 116). As with green crimes, CITES has received little if no scrutiny from the criminological community, and is one of the few "key agreements which now await detailed study by criminologists" (Carrabine et al, 2004: 322). It is a convention with voluntary membership that once countries have become parties to it, they are obligated to pass legislation meeting the minimum requirements determined by the convention (CITES, 2007d). Member states are allowed to have stricter legislation in their own countries. For instance, some countries require a permit for the export of all wildlife, and not just a species listed on one of the CITES appendices (de Klemm, 1993: 116). Each member designates two organizations or divisions of the government as CITES authorities. One is the Management Authority, who oversees the permit system, and the other is the Scientific Authority, who is in charge of the identification and biological aspects of administering the convention (CITES, 2007d). The Management Authority is the sole agency that is responsible for the implementation of CITES within that particular country (CITES, 2007a). Additionally, it is also the only department that is competent to issue all of the permits that are the foundation of trade transactions (CITES, 2007a). Which agency in the government that has been designated as the Management Authority that will liaise with the Secretariat, must be reported to the Secretariat as should the stamps and authentic certificates upon request (CITES, 1973). This somewhat decentralized structure of CITES, having a Management and Scientific Authority in each member state, allows for oversight and enforcement to occur in many places along the chain of trade.

The framework of the convention consists of three appendices with varying degrees of conservation priority. Appendix I species are only traded in exceptional cases due to their danger of extinction. These specimens require both an import and export permit or re-export certificate. Re-export is the export of any specimen that has previously been imported (Wijnstekers, 2001: 28). In the case of re-export of Appendix I species, the import permit and (re)-export permit (both of which are required since it is Appendix I) are verified by the Management Authority who issues a re-export certificate. "An important fact to establish is that the documents concerning the importation really concern the specimens to be re-exported in order to avoid the possibility that illegally imported specimens are legalized" (Wijnstekers, 2001: 85). Species listed in Appendix II are less threatened, and can be traded with the proper export permit. Since Appendix II species do not require an import permit, it is difficult for a Management Authority to verify that the import was legal. Customs should give an endorsed copy of the (re)-export certificate to the importer so that they can prove the legality (Wijnstekers, 2001: 95). An export permit can only be issued after the appropriate Scientific Authority has

deemed that the trade will not have a detrimental effect on the survival of the species (CITES, 1973). This means numbers must be kept from approaching quantities that would require the species to be placed in Appendix I, and also that it maintains its role in the ecosystem (CITES, 1973). In order to accomplish this, the Scientific Authority can establish quotas that limit the amount of trade (CITES, 1973). Well-managed export quotas can eliminate the need for individual non-detriment findings (CITES, 2007b). To ensure that Appendix II species do not become Appendix I species, CITES later implemented an independent monioring system known as the Significant Trade Review (CITES, 2002). In instances where the Scientific Authority does not have the means to address the issue of non-detriment, or the non-detriment finding is incorrect, or the Management Authority has not taken on the advice of the Scientific Authority, the Significant Trade Review process determines the status of the species in question (CITES, 2002). The process is undertaken by the Animal or Plants Committees, who gather biological and trade data from range States, the Secretariat and experts and then can make recommendations for actions that must be implemented by the range States within a certain timeframe (CITES, 2002). Appendix III includes wildlife that is being monitored, and which member countries may have individually discovered to be threatened in their territories (CITES, 2005). The Resolution and Annexes of Res Conf 9.24 Rev (CoP14) set the guidelines as to how species are listed in these appendices. Annex A contains the conditions for Appendix I species. A species is considered to be threatened with extinction under any one of the following criteria:

"A. The wild population is small, and is characterized by at least one of the following:

1. an observed, inferred or projected decline in the number of individuals or the area and quality of habitat; or
2. each sub-population being very small; or
3. a majority of individuals during one or more life-history phases, being concentrated in one sub-population; or
4. large short-term fluctuations in the number of individuals; or
5. a high vulnerability due to the species' biology or behavior (including migration).

B. The wild population has a restricted area of distribution and is characterized by at least one of the following:

1. fragmentation or occurrence at very few locations; or
2. large fluctuations in the area of distribution or the number of sub-populations; or
3. a high vulnerability due to the species' biology or behavior (including migration); or
4. an observed, inferred or projected decrease in any one of the following
    - the area of distribution; or
    - the number of sub-populations; or
    - the number of individuals; or
    - the area or quality of habitat; or
    - reproductive potential.

C. A decline in the number of individuals in the wild, which has either:

1. observed as ongoing or as having occurred in the past (but with a potential to resume); or
2. inferred or projected on the basis of any one of the following:

- a decrease in area or quality of habitat; or
- levels or patterns of exploitation; or
- threats from extrinsic factors such as the effects of pathogens, competitors, parasites, predators, hybridization, introduced species and the effects of toxins and pollutants; or
- decreasing reproductive potential.

D. The status of the species is such that if the species is not included in Appendix I, it is likely to satisfy one or more of the above criteria within a period of five years" (CITES, 1994).

Annex 2a and Annex 2b of resolution Conf 9.24 address the listing guidelines for species within Appendix II. These are as follows for Annex 2a:

> "A species should be included in Appendix II when either of the following criteria is met: It is known, inferred or projected that unless trade in the species is subject to strict regulation, it will meet at least one of the criteria listed in Annex 1 in the near future. It is known, inferred or projected that the harvesting of specimens from the wild for international trade has, or may have, a detrimental impact on the species by either: exceeding, over an extended period, the level that can be continued in perpetuity; or reducing it to a population level at which its survival would be threatened by other influences" (CITES, 1994).

Species in Annex 2b must satisfy one of the following criteria:

> "A. The specimens resemble specimens of a species included in Appendix II under the provisions of Article II, paragraph 2(a), or in Appendix I, such that a non-expert, with reasonable effort, is unlikely to be able to distinguish between them. B. The species is a member of a taxon of which most of the species are included in Appendix II under the provisions of Article II, paragraph 2(a), or in Appendix I, and the remaining species must be included to bring trade in specimens of the others under effective control" (CITES, 1994).

There is a permanent CITES Secretariat, who is part of the United Nations Environmental Program (UNEP). The UNEP's Wildlife Conservation Monitoring Center (UNEP-WCMC), TRAFFIC (a NGO focused on wildlife trade), and the World Conservation Union (IUCN) counsel the Secretariat. The four committees that form the foundation for CITES are the Standing, Animal, Plant, and Nomenclature Committees. This is where the research and suggestions are formulated. Every few years, the member states, referred to as the Conference of the Parties, meet to discuss proposals and changes to CITES (CITES, 2005). At the time of writing in November 2008, there were 173 members from all parts of the world (CITES, 2008).

CITES is of course not beyond criticism. There have been cases that could have been viewed as biased in terms of singling out the protection of certain animals (elephants), or favoring certain members when their economic or political interests are challenged (Dickson, 2003: 24). The Convention was drafted with little attention to the problems of the developing countries in maintaining their diverse resources (Dickson, 2003). It focused instead on the identification of endangered species, and the banning of trade in them in order to conserve (Hanson, 1999; Dickson, 2003). In recent years though, the Convention has changed tactics and implemented 'sustainable utilization' programs, such as ranching exemptions, species-based quotas, and discriminating ivory

trade (Hanson, 1999). Also, there are resolutions in the Convention that recognize that many species, which are able to provide an economically competitive land-use option, either consumptive or non-consumptive, are located within developing countries (Wijnstekers, 2001), and those areas need access to this commodity.

With CITES initially banning trade of certain products out right, it might be construed that the Convention states that trade is wrong, but this would be an incorrect conclusion (Dickson, 2003: 25). CITES has simply been undergoing tests and debates about how best to regulate trade. The effects and the ethics surrounding trade bans versus regulation have been touched upon briefly in the introduction. Also subject to discussion, is that CITES gives little consideration to animal welfare in that it is mentioned only during transportation, confiscation, and reception of wildlife (Harrop, 1997: 289). The drafting of CITES though is significant because it was viewed to end the need for other international treaties (de Klemm, 1993: 13), and so far has proven to be the most active, influential entity in the battle against the unsustainable and illegal wildlife trade.

The Russian Federation is a party to CITES. They are the 112th member, and are located in the European region (CITES, 2006a). The Soviet Union was originally a party on December 8, 1976, and the Russian Federation joined in January of 1992 (CITES, 2006a). They are a party to Article XI adopting financial provisions to fund CITES, but are not a party to Article XXI which would permit ascension of regional economic integration organizations, such as the European Union (CITES, 2006a). The CITES Management Authority in Russia is the Federal Service for Supervision of Natural Resources Management – the Department of Specially Protected Natural Areas, Ecological Expertise and Permitting Activity (CITES, 2006a). There are several Scientific Authorities, which are as follows: The All Russian Institute of Nature Protection, The Severtsov Institute of Ecology and Evolution of the Russian Academy of Science, and The Russian Ichthyological Commission (CITES, 2006a). At the time of writing, Russia had 67 plant species listed – 61 species of which were orchid species. The Appendix II species traded in the Far East is red ginseng *Panax ginseng*, which is collected in excess levels reportedly in order to fill the demand coming from China (Dronova and Shestakov, 2005). Russia had 266 species of animals listed in the CITES Appendices – 54 in Appendix I, 158 in Appendix II, and 54 in Appendix III (CITES, 2006a). These include species of birds, bats, marine mammals (whales and dolphins), hoofed stock, and rodents (CITES, 2006a). There are a variety of animals listed that could be part of the illegal wildlife trade. There is the monk seal *Monachus monachus*, the sea otter E*nhydra lutris*, the common otter *Lutra lutra*, the walrus *Odobenus rosmarus*, and the Siberian Musk deer *Moschus moschiferus*. The furbearing species under CITES supervision can be found in Table 7 (CITES, 2006a), and the birds of prey species traded can be found in Table 8 (CITES, 2006a), both of which are in Appendix B.

As mentioned, Russia has drafted the legislation that CITES requires, but it is not always enforced (personal communnication WWF Vladivostok, 19 April 2007). For instance, illegally imported specimens from South America and Southeast Asia were found at the Moscow Bird Market in spite of the specimens having been checked by CITES Management Authorities in Russia before arrival at the market (TRAFFIC Europe, 1998). The Russian Federation has been given Category 1 status by CITES indicating that their legislation complies with the requirements set by the convention (personal communication CITES, 20 December 2006). As the above incident indicates and from information forthcoming, adherence to this legislation is not consistent. TRAFFIC Europe (1998) recommended that better attention needs to be paid in regards to issuing and inspecting CITES documentation, as well as to complying with CITES legislation. A more transparent system with separation of

the Scientific Authority and the Management Authority, and inclusion of outside experts from universities and NGOs would be beneficial to CITES implementation (TRAFFIC Europe, 1998). In addition to CITES, conservation status of species is independently monitored by the IUCN through the creation of Red Lists, which will be described below.

2.3.3 IUCN Red List

Begun in 1963, Red Lists are considered to be the most comprehensive inventory of global conservation available. Those species of conservation concern were categorized based upon their threat of extinction through a series of criteria evaluating their habitat, reasons for population reduction, number of individuals making up the population, and statistical modeling that indicates possible extinction in the future (IUCN, 2007). These categories include Extinct, Extinct in the Wild, Critically Endangered, Endangered, and Vulnerable (IUCN, 2007). Further study in more recent years has included other species that were not assessed in these categories, but provides a base line of data for species that are categorized as Near Threatened, Least Concern, and Data Deficient (IUCN, 2007). The Red List is concerned purely with conservation, so consequently the IUCN threatened species and the CITES species are not all the same. This may stem from some animals not being in demand in the wildlife market, or having too few numbers to be evident in such trade, but will also be discussed more later. The furbearing and raptor Red Listed species are included here because they may in fact enter into trade in spite of their protected status and risk of extinction, either domestically or internationally - please refer to Appendix C for these tables (IUCN, 2007). Additionally, the IUCN Red List is important because it provided the initial foundation for the USSR, and subsequently Russia's and the former Soviet countries' list of species for conservation, which takes its name from the IUCN, and is known as the Red Book.

2.3.4 Russia's Red Book

In Russia (the USSR at the time), the first data for a Red Book was collected between 1961 and 1964, but was simply statistics and had no legislative value (Iliashenko and Iliashenko, 2000). In 1974, the information in the Red Book was used to place endangered species under protective legislation, so it is this list rather than the threatened status assigned by the IUCN that gives legal protection to certain species within the Russian Federation (Iliashenko and Iliashenko, 2000). This was the work of ecologists and not of the government (Iliashenko and Iliashenko, 2000). When the Soviet Union collapsed, some former republics had trouble updating their Red Books and providing protection to the species listed within it (Iliashenko and Iliashenko, 2000). In the 1990's, ecological treaties were agreed upon between former republics and Russia. The current Red Book of Russia is from 1998, but there are regional books kept as well, which regulate hunting, trapping and logging within the *oblasts* of the country through a permit system that will be detailed within the case study chapters. There are 1,210 plant and animal species listed in the Russian Federation's Red Book. These include a variety of species that might be part of the illegal wildlife trade including several species of sturgeon and whale, and monk seal *Monachus monachus*. The furbearing and bird of prey species are listed in Tables 9 and 10 in Appendix C, which also contain the IUCN Red List species for comparative purposes. In the upcoming chapters that focus on the two particular trades, a more detailed discussion of the species within the tables will be written regarding their trade and protection status. The Red Book serves as the national and regional guide for the

protection of species. If these threatened species are then traded internationally, they fall under the following legislation pertaining to the smuggling of contraband.

2.3.5 Article 188 of Russian Administrative Code

The two illegal trades that are highlighted in this research each have national or regional legislation that controls their perpetration, such as statutes addressing illegal hunting and trapping for furbearers, and illegal capturing from the wild of raptors. These pertinent articles will be discussed in the chapters that explore each of these black markets. The most important federal legislation that affects both of these though, and their transnational trade, is the Russian Federal Administrative Code Article 188. The literal translation of the title of the article is contraband, but also appears in the few existing English translations as smuggling. Here is a translation of the statute (Part 1 I translated myself because I found no available translation. Parts 2, 3, and 4 are from the Russian Munitions Agency government website. The Russian version is located in Appendix D):

Article 188 – smuggling (contraband) –

"1. Smuggling - that is the transference in large amounts across the Russian Federation border of goods or other objects, including those stated in part 2 of this statute, accomplished without the knowledge of or hidden from the customs agents, by means of or the use of false documents or customs identification combined with no declaration or uncertain declaration. Punishable by a fine from 100,000 to 300,000 rubles or confiscation of wages or other income from 1 year to 2 years or imprisonment up to 5 years.

"2. Transference through customs border of the Russian Federation of: narcotic drugs, psychotropic, potent, poisonous, toxic, radioactive or explosive substances, weapons, explosive systems, firearm or ammunitions, nuclear, chemical, biological and other kinds of mass destruction weapon; materials and equipment, which can be used for development of mass destruction weapon and in respect of which specific rules of transference through customs border of the Russian Federation are instituted; strategic primary goods and cultural values, in respect of which the specific rules of transference through customs border of the Russian Federation are instituted, if this action is accomplished besides or with hiding from customs control either with fraudulent use of documents or means of customs identification or associated with no declaration or uncertain declaration, is subject to imprisonment for a period from three up to seven years with or without the confiscation of property.

"3. Actions, provided for by Part 1 or Part 2 of the present article, committed:

a) repeatedly;

b) by an official using his/her duty position;

c) with force to the person, carrying out the customs control,

is subject to imprisonment for a period from five up to ten years with or without the confiscation of property.

"4. Actions, provided for by Parts 1, 2, 3 of the present article, committed by an organized group, is subject to imprisonment for a period from seven up to twelve years with the confiscation of property" (Federal Law 08.12.2003 No 163-F3) (Russian Munitions Agency, 2003).

Nowhere does the statute specifically address the smuggling of wildlife or bioresources, but such cases are prosecuted under Part 1 of this code. As is evident, this may be difficult by the wording since smuggling of contraband must be in large amounts, which is certainly vague and open to interpretation. This is particularly true if the value of the smuggled wildlife is used as the determining factor for defining the amount because prices for wildlife and wildlife products vary dramatically along the chain of consumption. For instance, the price a trapper might receive for a fur from a middleman is nowhere near the price that the fur will fetch at an auction, which could be 5 to 10 times higher. Using the original price, might not qualify as a crime, where using the final market price just might. If indeed the smuggling of wildlife was prosecuted under this law, the fine would be between £1,900 and £5,800. Apparently, if the perpetrator is not able to pay the fine, wages and property can be taken to cover the fine, or a prison sentence can be given. Part 2 contains steeper penalties and specific goods that are not to be smuggled. These consist of higher priority crimes and articles (supposedly) more dangerous to the public, such as drugs, weapons (biological and guns), and nuclear or other hazardous materials.

Interestingly, Part 3 of Article 188 addresses the problem of reoffending and corruption. Firstly, offenders who repeatedly engage in smuggling activities fall under this section. Additionally, so do personnel who use their position or job as a means to smuggle. This directly addresses the existence of corrupt customs agents who facilitate illegal transactions at Russia's borders. Lastly, Part 3 forbids the use of violence or force against custom personnel in order to smuggle something across the border. Anyone convicted of these offenses will face stricter penalties than those people found guilty under this statute under Parts 1 or 2 – there will be no fine only incarceration from 5 to 10 years.

Part 4 contains provisions that state that if any violations of the previous sections are perpetrated by an organized group than the offender can be imprisoned for between 7 to 12 years and have their property confiscated. Obviously, this is an attempt to take a hard line against organized crime and their smuggling operations. It should be noted that according to the interviews conducted for this research, at least in regards to wildlife trafficking, Parts 3 and 4 of Article 188 have never been used, even though the interviewees thought that it was impossible that no customs officials or members of organized crime had committed these offenses. The legislation indicates awareness of corruption and organized crime, but the lack of use of the statute highlights either that there is no political will to confront these issues, or that corruption and organized crime are so embedded and pervasive throughout the system that the judiciary has either been infiltrated, or is unable to act because of corruption and organized crime. As stated, this statute actually makes no mention of wildlife, and in that sense is not a green piece of legislation. The next section will discuss the greenness of the previously discussed treaties and conventions that affect wildlife trade in Russia.

2.3.6 How green is this legislation?

Both the Bern and the Bonn Conventions are green forms of legislation. Rather than singling out charismatic species for protection, these conventions have expanded conservation to the level of the ecosystem, or to the

multiple ranges of migratory species. There is some expression in the Bern Convention regarding animal welfare (possibly unintentionally), in terms of trapping and trade, and even a clause stating that countries with populations of species that are threatened or endangered should attempt to restore the levels of these communities (COE, 1979). The inclusion of animal welfare, even if accidental, makes this treaty deeper green than other similarly focused conventions, and both conventions protective framework appears to be a departure from mainstream anthropocentrism.

The next treaty that was discussed in more depth was the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES). On its face, the treaty appears to be green, and the principal of it is. The Convention is aimed to protect species in the wild, and one of the main tenets of green thinking is the preservation and conservation of biodiversity and the environment. Where CITES deviates from the deep green platform that is advocated in this research, is in two ways. First, CITES is a treaty that sets the framework for sustainable trade, so the protection of species is based upon these resources continued availability to the world market, not on a species' right to life outside of the value placed upon them by humans. This is a continuation of the anthropocentric foundation of most countries' legislation, which has contributed to the decline of species. Understandably, it would be difficult to recognize intrinsic value in a treaty thats foundation is an economic one, but is still possible by acknowledging that limits to trade in certain species is not simply to maintain populations in order that humans can profit from them when and if their numbers recover, but to conserve a species because that creature, too, deserves to survive. CITES' ability to limit trade for other than sustainable use factors is constrained by the WTO, which dictates free trade. Second, as mentioned before, CITES barely addresses animal welfare issues, and since this is done so expressly, and from their research into humane trapping standards, it is obvious that CITES is aware of the relevance of the issue. Still, the only reference made to the treatment of wildlife at all is in regards to transport, confiscation, and receiving (Harrop, 1997). The wildlife for which the Convention has authority though, have been captured, be it alive or dead, and this leads to the need to discuss the methods that are employed to accomplish this. In order to address the systemic cruelty to wildlife that is prevalent in collection and harvesting techniques, CITES should again consider establishing minimum welfare standards for hunting and trapping. Though not designed to be a green treaty, CITES holds an intermediate position in terms of how green it is.

The World Conservation Union (IUCN) and its creation of Red Lists of threatened and endangered species is greener than CITES. While the mission states the desire for the sustainable use of natural resources, which implies an instrumental value being given to the environment, it is also stated that the vision is to value and conserve nature (IUCN, 2008). This is open to interpretation that allows for intrinsic value as well. In agreement with the critical aspects of deep green criminology, the IUCN calls for the equitable use of resources (IUCN, 2008), which highlights the awareness that access to natural resources and healthy environments are not always available to some disadvantaged and impoverished human populations. As stated, "The importance of well-functioning ecosystems in helping reduce poverty and improve livelihoods, societies and economies" (IUCN, 2007) is known. To reiterate, whereas this should be a consideration when examining the harm caused by green crimes, it can be argued that the effects on human populations is not the only reason that conservation is a worthy endeavor, but again that the environment is valuable without the human definition of it as a commodity.

Article 188 of the Russian federal statutes is obviously by no means a piece of green legislation, and nor was it intended to be. This law is concerned with the smuggling of contraband items across the Russian border, and its primary concern is with items deemed to be dangerous such as narcotics, nuclear materials etc., as stated before. Protection of wildlife, or stopping the trade in wildlife products, appears to be a secondary commodity that can be prosecuted under this legislation. That is not to say that Russia does not have other legal means to combat wildlife trafficking. There is such legislation and as mentioned before such regional and national statutes will be addressed in the forthcoming chapters on the two case study trades. Russia's problems with corruption and organized crime have been alluded to throughout the previous sections. These are of particular concern in this thesis as they are one of the structural harms that make it important to research wildlife trafficking. The following portion of this chapter will discuss corruption and organized crime in more detail as well as address the other crime associated with the illegal wildlife trade which threatens national and human security - transnational crime. There will also be an examination of criminal networks in the Russian Federation.

2.4. Crime in Russia

The criminalization of the Russian government and society appears to pose a threat to the country's national security. In any discussion involving this criminality, illegal markets are essential, including those of wildlife trade, and an exploration into the criminal aspects of the current Russian economy and society. Wildlife trade, of fur and timber, began during the time of the tsar in Russia (Fisher, 1988). Tsarist Russia was an autocracy, which affects the country's legitimate structures mainly creating a weak criminal justice system that can create elements conducive to deviance and criminality (Rawlinson, 2000: 33). In this situation, the law and the criminal justice system provided no protection to those people who were weak or vulnerable within society. This created a climate where deviance became a means of survival for the peasantry, and became a part of the cultural norms (Rawlinson, 2000: 33). In fact, what was legal and what was illegal were indistinct and the criminal justice system became corrupted.

2.4.1 State Corruption

The Soviet revolution did not transform the criminal justice system. It retained its corrupt nature and still did not protect the citizenry (Rawlinson, 1998). Corruption was rampant in the state structures, which had lost legitimacy because they failed to create wealth for the people by the people (Rawlinson, 1998: 249). As Demidov (2004: 328) states, "The criminalization of the authorities at the regional level has a long history in Russia" and is continuing in the post-Soviet period. He claims that the official statistics and other sources of information fail to reveal the pervasiveness of criminality in the state apparatus (Demidov, 2004: 329). Further insight into this is provided by a series of surveys conducted on the citizenry by Holmes (2006) in Russia. When asked what their "Perceptions of the role of the media in publicizing corruption" were in 2000, the responses were 3% thought that the media was mostly responsible in their publicizing of corruption, 39.1% mostly irresponsible, and 39.5% did not know (Holmes, 2006: 259) (Table 1, Appendix A). Another question asked about the "Popular perceptions of the probable future of corruption" in 2000 people answered - 39.1% thought that corruption would increase, 17.4% that it would decrease, 25.0% that it would stay at the same level, and 18.5% found it difficult to predict (Holmes, 2006: 268) (Table 2, Appendix A). In July 2002, it was phrased

somewhat differently, as what were their "Expectations of change in the corruption situation over the next 3 years" (Holmes, 2006: 269). Forty-six% thought that corruption would increase, 8% thought it would decrease, 29.2% believed that it would stay the same, and 16.8% did not know or gave no response (Holmes, 2006: 269) (Table 3, Appendix A). Particularly telling about the attitude of the Russian people towards corruption are the following two questions of the survey. When asked in 2000 about the "Popular attitudes toward the acceptability of corruption", 37.6% of respondents found that corruption was often acceptable, 21.6% occasionally acceptable, 23% never acceptable, and 17.7% did not know (Holmes, 2006: 293) (Table 4, Appendix A). An interesting comparison is that this same survey was also conducted in other post-communist countries, and in Bulgaria for instance, the same question elicited only 6.5% of answers in the acceptable range (Holmes, 2006: 293). Finally, "Popular attitudes toward the necessity of corruption" (Holmes, 2006: 294) was another question posed to the Russian people in 2000. The answers were 64.4% of those surveyed found corruption was often necessary, 14.8% occasionally necessary, 7.2% never necessary, and 13.5% did not know (Holmes, 2006: 294) (Table 5, Appendix A). Again to compare with Bulgaria, a mere 4.3% felt that corruption was a necessity (Holmes, 2006: 294). This information is incredibly telling as to the pervasiveness and complicity with which corruption is viewed in the Russian Federation, as compared to other countries such as Bulgaria in the above information.

The information available though does not expose the high-ranking officials or more obscure regional employees that have a hand in the corrupt activities (Demidov, 2004: 329). "Corruption in government is rated as a greater threat to Russia's economic security than is the sharp decline of industrial output and the explosive growth of organized crime" (Waller and Yasmann, 1995). A portion of the corruption within the government is found within the law enforcement bodies throughout the country, who were ill prepared for the society that emerged after the fall of the USSR (Taylor, B. 2001). Currently, law enforcement is subject to the influence of external forces, such as big business and criminal organizations, and this is apparent from the street-level cop to the highest ranking officials in the Ministry of Internal Affairs, as well as in the procuracy ("criminal prosecution and oversight over all government agencies to ensure that their activities are consistent with the law") (Taylor, B. 2004: 78). "Corruption is also rampant among the traffic police—citizens take such jobs expecting to earn large illicit sums—making it possible to move cargoes around the country with impunity" (Shelley and Orttung, 2006: 24). Additionally, corrupt Customs officials work in conjunction with employees of regional airports or train conductors, each of whom might also operate independently, to smuggle goods throughout the Russian Federation (Shelley and Orttung, 2006). Train conductors are thought to be responsible for the transportation of the illegally harvested caviar from the Caspian Sea to Moscow (Shelley and Orttung, 2006). Not only are the Russian law enforcement agencies compromised, but also the security agencies and the intelligence services "are institutionally part of the problem, due not only to their co-optation and penetration by criminal elements, but to their own absence of a legal bureaucratic culture and their use of crime as an instrument of state policy" (Waller and Yasmann, 1995).

Regions with a large amount of federal subsidies experience more pervasive corruption, but rich regions have immense individual instances of corruption, such as in Siberia where the drug route from Central Asia and Mongolia cross into Russia (*Chistye Ruki*, 2002: 7). Natural resources (such as wildlife and fur) are an attraction to organized crime and encourage corruption (*Aktual'nye problemy* in Demidov, 2004: 329). Thornton (2001: 95) expands on the attraction of the region to criminal gangs from not only the abundance of natural resources,

but also to the "weapons depots, ports, and a thriving business in fake identity cards and passports". "Crime and corruption are interrelated problems in the Russian Far East, where rent-seeking federal and regional officials, an onerous system of resource management, create incentives to siphon off resources in collusion with Russian and foreign criminals" (Thornton, 2001: 95).

2.4.2 Transnational Crime

Not only are crime and corruption connected, but also as might be evident from the previous quote, crime is often transnational in nature. The freedom of movement given to citizens after the fall of communism also gave freedom of movement to criminals and their enterprises (Erokhina, 2005: 80). Just one example is the smuggling of Russian women into China for the sex industry (Erokhina, 2005). Further evidence is found along Russia's border with Central Asia where foreign currency, consumer goods made in China, vehicles, and meat are illicitly taken between countries (Fatkulin, N.D.). Other products illegally exported from Russia are "nonferrous metals, building materials, petroleum products, and an especially large amount of lumber" (Fatkulin, N.D.: 4). As Fatkulin (N.D.: 5) states "Illicit activities, such as drug and arms trafficking, as well as other crimes described above are dangerous not only because of the activities themselves, but also because they require coordination between many regions". This has lead to the establishment of transborder criminal groups. In the case of Central Asia, this consists of members from both Russia and Kazakhstan, and can vary from weak groups to autonomous criminal groups to multi-level hierarchical gangs that operate throughout the supply chain, particularly of drugs (Fatkulin, N.D.: 9). Presumably this type of activity could be occurring along other parts of the Central Asian border as well, as other former republics have a 13,599 kilometer border with Russia of which less than 50 kilometers are equipped with electronic surveillance (Fatkulin, N.D.: 1). Listed in the contraband above are wildlife products, such as meat and timber, and the case studies of this paper will explore if fur and falcons are yet one more commodity that is being smuggled across Russia's borders. As mentioned, this activity has differing levels of organization, but organized crime not only carries out transnational activities, but also domestic operations as well.

2.4.3 Organized Crime

The economic and political failure of communism to provide what it had promised, paved the way for organized crime, due in part to the fact that these elements created the shadow economy that filled the shortages (Rawlinson, 2000: 35) and provided a flexibility that the planned communist government was incapable of (Castells, 1998). So not only was organized crime providing physical items that were lacking, it was also providing the protection and regulation that was vacant in the communist system (Williams, 2000). Gilinskiy (1998: 237) claims that such organizations have a long history in Russia, and were evident after the 1917 revolution. These gangsters worked their way into the legitimate structures of the economy throughout the Soviet period (Gilinskiy, 1998: 237). The main activities were (are)

> "shady banking transactions with counterfeit letters of advice; fictitious transactions with real estate; hi-jacking and reselling of cars; illegal export of nonferrous metals; black-market transactions with 'humanitarian aid' (bribing city functionaries); the production of, and trafficking in, contraband home-

made alcohol; arm sales; counterfeiting money; control over gambling; and agencies for supplying sexual services and 'narcobusiness'" (Gilinskiy, 1998: 238).

The shadow economy signified the failure of the government, and was tolerated to offset social unrest (Rawlinson, 1998). This propagated the black market since it took even more from the legitimate sector to fuel itself (Rawlinson, 1998: 249).

As indicated above, corruption and black markets continued after the fall of communism. Particularly, in the immediate transition period by which the Soviet Union transferred to a market economy. This was most evident in the illegal activities that took place in conjunction with the redistribution of property (Gilinskiy, 1998). It was not only the structure of the economic transition though that impacted the rise of crime and black markets. It was also "the social polarization of the population, which created the poor majority and the very rich minority" (Gilinskiy, 1998: 231). "Indeed, the process of turning the former Communist economies into free-market economies posed risks and uncertainties, due to the lack of a free-enterprise spirit and infrastructures in those countries. As a consequence, an important resource was lacking, namely 'trust', which is indispensable for market transactions to take place" (Ruggiero, 1996: 74). Those people who had gained power in the shadow economy were not only well placed to reap the rewards of privatization and the legal void (Castells, 1998), but in taking advantage of the absence of entrepreneurship and trust. "In post-Soviet Russia, corruption is designed not to overcome the inefficiencies of state control of economic life, but to protect criminal organizations from law enforcement" (Williams, 2000: 21). Returning to Holmes' (2006: 289) survey regarding corruption, he asked about "Popular perceptions of the connections between official corruption and organized crime" and received the following answers: 43.5% thought the connection was very close, 43.2% close, 5.0% not very close, .6% essentially nonexistent, and 7.7% did not know (Table 6, Appendix A). This is illuminating as to what the Russian citizenry think of the government.

The collapse of communism weakened key government agencies like the criminal justice system (Naim, 2005), led to unemployment, the increasing poverty of large sectors of the population, the collapse of the welfare system, and a sharp decline in living standards (Ruggiero, 1996: 112). The increase in poverty was tied in part to the overt unemployment and partial employment, which was new to the Russian Federation (Gilinskiy, 1998: 232). Simultaneously, this led also to an unprecedented increase of organized crime (Ruggiero, 1996: 112), who were able to gain a foothold into failed institutions (Naim, 2005). "The criminal economy grew to proportions never witnessed in a major industrial country, linking up the world's criminal economy, and becoming a fundamental factor to be reckoned with, both in Russia and in the international scene" (Castells, 1998: 68). Shelley and Orttung (2006: 23) state, "this new generation of professional criminals differ from their Soviet-era counterparts in that they are not bound by a code that limits their mode of action... Neither are these new criminals nationalistic like the mafiya. Post-Soviet crime groups lack any loyalty to the state and will interact with anyone in order to make money". "Overall, organized crime encompasses 41 thousand economic entities, including 1,500 state enterprises, 4,000 share-holding societies, 500 joint ventures, and 550 banks; Approximately 700 legal financial and commercial institutions have been created by criminal entities for the purpose of money laundering" (Waller and Yasmann, 1995). This controls an estimated 40% of the gross domestic product (Waller and Yasmann, 1995). The activities of these groups are the smuggling of Russia's

natural resources (wildlife) abroad in addition to the trafficking of drugs, advanced weaponry, and radioactive substances. Along with these products, is the exportation of Russian operations and networks and the collaboration with foreign criminal organizations, which imperils the legitimate economies of former Soviet republics (Voronin, 2000: 58). As previously mentioned, the fall of communism also brought the opening of borders that had remained closed for many years. This, and the "liberalization of trade has triggered a boom in illegal and semilegal markets" (Paoli, 2005: 183).

The transition to democracy and capitalism embedded crime firmly in the structure of post-Soviet society partly in the form of ethnically organized smuggling groups, money launders, and legitimate businesses being controlled by criminal elements (Castells, 1998), who are powerful actors directly confronting the government (Naim, 2005). "The country's ultra-bureaucratized administrative system, its lack of adequate laws, and its lawless sovietized culture have combined to merge rampant government corruption not only with organized fringe criminal groups, but with highly organized, regimented, and disciplined structures at the core of the system" (Waller and Yasmann, 1995). Not only did this proliferate throughout Russia, but also in its ex-republics and its Diaspora communities (Castells, 1998). Now organized crime in Russia "directly attempts to influence Government and state", and is highly efficient in contrast to the state run industries (Gilinskiy, 1998: 236). If left unhindered, organized crime can gain power and confidence for their transnational activities (Williams, 2000: 21). "Organized crime groups control important parts of the economy. Contract killings are widespread. In various regions, criminals take off with contraband fish supplies, forestry products, metals, and many other natural resources. Drug flows from Afghanistan through Central Asia have been increasing, as have the problems caused by human trafficking" (Orttung, 2004: 35). Organized crimes' involvement in each of the case studies will be highlighted in the upcoming chapters. The current view of crime then, by citizens in the Russian Federation, is that it is an expected behavior (Holmes, 2006). It is not simply a way to survive, but also a method of consumption and to experience adventure (Castells, 1998: 204-5).

2.4.4 Criminal Networks in the Russian Federation

As detailed in Chapter 1, organized crime has evolved to form elaborate criminal networks that are adaptable to the elements of the varied illicit markets. Research shows that this is the case in the Russian Federation as well. In fact, Wedel (2005) found in her study that the system (discussed above) of obtaining goods and services under communism is ideal for propagating informal network structures. These informal networks gained access to the state's resources during the erosion of the USSR, and the routinely unsanctioned and illegal transactions that took place fostered the tolerance, even approval of illicit markets (Wedel, 2005). Wedel (2005: 103) refers to this as "flexible legality" where what is legal or rather illegal has diverged from morality. These informal networks were the precursors to the clans that exist in Russia today (Wedel, 2005). "A clan, as Russian analysts and journalists use the term, is an informal group of elites whose members promote their mutual political, financial and strategic interests. Clans are grounded in long-standing association and incentives to act together, not in kinship or genealogical units as in the classic anthropological definition" (Wedel, 2005: 104). The informal networks framed by the clans are 'flex organizations', which take different statuses dependent upon the situation (Wedel, 2005: 106). This means that they can be a state institution or a private one as needed to avoid detection or prosecution and to maximize profits (Wedel, 2005: 106). This also allows the criminal group to deny its

criminality by claiming legitimate status, and also enables them to bypass certain formal institutions in their transactions because of their connections to a network (Wedel, 2005). Wedel (2005: 105) goes on to describe the properties of the Russian clans:

> "1. The locus of decision making and loyalty is the informal group itself, rather than the multiple formal institutions with which members of the group are officially associated. 2. Informal groups and networks operate in, mediate among, and organize the interdependency of the sphere of state and private, and 3. Informal groups and networks operate interdependently in the domains of politics, economics, and law."

Shelley and Orttung's (2005) exploration into human smuggling found this to be the case. The criminal groups perpetrating the trade in women formed these flexible organizations with members often times being well-educated ex-security apparatus workers. The apprehension of one member of the group did not disrupt the whole operation since the structure of organized crime groups is no longer a top-down hierarchy, but these fluid networks which are difficult for law enforcement to tackle (Shelley and Orttung, 2005). In regards to the trafficking of women, crime groups enter the trade because of the low start-up capital needed, and the low risk of detection that is brought about by law enforcement's assistance in the black market (Shelley and Orttung, 2005). "With widespread corruption of law enforcement, it is possible to get needed documents to move women abroad, and traffickers can bribe border guards and custom officials if they are suspected of trafficking" (Shelley and Orttung, 2005: 172). It is plausible that the same is occurring for the illegal wildlife trade and any fur, or falcons that are part of the black market. This, too, will be examined in the next chapters. With the corruption of the transportation agencies, their connections to organized crime, and weak policing "it (is) possible to move any kind of contraband" (Shelley and Orttung, 2006: 24). For transnational operations, traffickers could obtain fraudulent documentation that the trade of an endangered animal is legal, or bribe border and Custom officials to allow the illegal product out of the Russian territory. Additionally, "The far-reaching global connections of the Russian crime groups place Russian women in remote regions of the world" (Shelley and Orttung, 2005: 172), and this, too, is most likely the case for wildlife and wildlife products.

Further activities of Russian criminal groups also indicate a network structure of operation. For instance, the Russian mafia is suspected to collaborate with the Japanese yakuza in a transnational smuggling operation of stolen Japanese cars ($2 billion annually), and with Chinese criminal organizations in the illicit trade of Russian timber (1.5 million cubic meters at $300 million) (Kattoulas, 2002). Additionally, Chechen gangs in the Far East are believed to smuggle fish and cars (Wishnick, 2004), illegal trade in wildlife in the Far East and Siberia has been connected to the illegal trade in weapons according to a general of the Ministry of Internal Affairs there (RIA, 2007) and the region is becoming an alternative transit zone for drugs no longer being transported through Iran (Kattoulas, 2002). Finally, regional corruption is implicated in the rise of illegal Chinese immigration to the Far East (Wishnick, 2004). Again, all of these facts allow for a global network of illegal wildlife trade with supplies coming from the remote parts of Russia, and fueling the demand in distant places for exotic products and medicines.

2.5 Summary

This chapter has provided the background information about Russia that needs to be known in order to begin a detailed examination of the two differing wildlife trades occurring in the Far East. Because of the enormous size of the country, and the federal structure of its constitution, the Far East region of Russia is isolated from central governance in Moscow. This contributes to the problems of corruption and weak law enforcement. As a federation, regions are given powers to draft their own laws, and this is true in regards to conservation. Historically, Russia does not have a strong conservation movement, and such sentiment is really only recently taken hold of a minority of the people. In spite of this, the Russia Federation has become a signatory to the most important international treaties that deal with wildlife trade. Russia is a member of CITES, and has made efforts to adopt the minimum amount of legislation that is mandated by the Convention. Additionally, deriving from the IUCN Red Lists detailing the conservation status of plant and animal species, Russia maintains so called Red Books detailing by region threatened and/or endangered species. Illegal international trade of wildlife and wildlife products can be prosecuted under the federal statute Article 188, which addresses smuggling of contraband. Russia is notorious for state corruption and organized crime, and these as well as transnational crime and the networks formed by transnational and organized crime groups all appear to be a part of wildlife trafficking. These issues will further be detailed when divulging the specifics of the individual wildlife trades being explored in this paper.

Before these black markets can be discussed, an account of how the data was collected to fulfill the research aims will be given in Chapter 3. Again, these questions are who is involved in the illegal wildlife trade, how it is occurring, and which countries are participating in it? At the same time, the deep green criminological perspective required information regarding the macro level structural harms of danger to the environment, cruelty to animals, and the threat to national security because of ties to corruption, organized crime, and transnational crime to be gathered. This was also done in order to examine the theoretical foundation of this paper about the formation of black markets and the involvement of networked organized crime in these markets.

Chapter 3 – Methodology

This chapter details the multifaceted approach that was employed to gain a wide array of data concerning the illegal wildlife trade in the Russian Federation. To start, I will describe the analytical framework that was developed to code the results from very different sources, and also describe how these findings can be verified. Then, the basis utilized for this research will be detailed, including a description of action based research, and reiteration of both the perspective and theoretical framework of this paper. This is followed by the means in which the primary data was collected, that is semi-structured interviews, test questionnaires, and retail observations, which were conducted at both high-end stores (in regards to fur) and wildlife or street markets. Section 3.4 contains the methods of collecting secondary data. Primarily, this entailed use of the CITES online trade database detailed below and content analysis of news sources both in the English and Russian languages. Finally, the challenges and the justification for choosing these tactics will be given, as will be the shortcomings of employing these techniques.

3.1 Analytical Framework

As set out in the introduction to this thesis, the research design is a case study, which uses two separate wildlife trades in Russia Far East to establish certain dynamics of illegal wildlife trade. The research aims focus on both the microlevel questions (who, where, and how) and the macrolevel structural harm (danger to environment, cruelty to animals, corruption, organized crime, transnational crime). There is also the attempt to address the specific dynamics of the political, social, environmental, and cultural context in which this crime takes place. In order to uncover these answers, and to validate and verify the information obtained, each source of data was analyzed or designed to address these dynamics, and as is evident, as many sources as could be examined were used to solidify and fill out the complete framework of the illicit wildlife market. Therefore, in the semi-structured interviews, or in the questionnaires, it was asked who is conducting the illegal trade, how are they doing it, and where are they doing it. To address the context portion, evidence of wildlife trafficking being a danger to the environment, cruel to animals, and/or a threat to national and human security through its connection to corruption, terrorism, organized crime, and transnational crime was also looked for. Additionally, it was asked if it is known how the organized crime is structured. The database information was used to support what was being illegally traded, and gave some amount of indication empirically of how much illicit activity is on the surface. Furthermore, the database statistics showed between which countries transnational transactions are taking place. The online news sources then were also analyzed for evidence of who is involved, how, and where it is occurring, and if there is any indication that corruption, terrorism, organized crime and/or criminal networks are participating, if the trade is transnational, if the environment, national and/or human security are threatened, and if there are animal welfare concerns. As stated, each of these sources was examined under this framework for each of the two trades and it is hypothesized that each trade will have different dynamics that will establish separate typologies within wildlife trafficking, with discrete, independent categories based on these dimensions (Spencer et al, 1993).

3.2 The Basis

Action research is used as a foundation when examining the existence and perpetration of the illegal wildlife trade. This type of research takes peoples' perceptions in combination with collected data to propose solutions to problems or to call for action (Pamfil, 2002; Reason and Bradbury, 2001). Whereas using peoples' opinions may be limited in objectivity, action research is able to convey the complex interplay of human consumption, environmental protection, and animal rights involved in this green crime. This serves not only to highlight the often gruesome nature of the illegal wildlife trade and its damaging effects on the environment, but also to advocate change to public policy and to heighten public and academic awareness. The position of this research, and for which data was collected, is that wildlife trafficking is harmful and should be combated. Furthermore, the perspective of deep green criminology described in Chapter 1 was created in order to establish a criminological discourse where species other than humans are visible, and one that is therefore concerned with the health of the environment and with animal welfare and rights, as well as the welfare and rights of marginalized humans. This means that data is collected on actions or non-actions that are environmentally harmful yet not legally criminal while also gathering information as to the contribution to environmental harm of the current system.

Deep green criminology serves to define the more philosophical context of this study, but further theories need to be employed to understand the complex correlations of the illegal wildlife trade and the differing types of perpetration, such as disorganized individuals versus organized, highly networked criminal groups. As is evident from the previous sections, the current academic literature has provided an initial foundation regarding theories of perpetration and dynamics that can be applied to wildlife trafficking. In order to assess the viability of these theories and with the possibility that further theories might need to be generated, grounded theory was utilized in the field when collecting the primary data. Qualitative methods such as semi-structured interviews etc., which will be explained shortly, were used to examine the more microlevel construction of the social environment while permitting the observation of more macrolevel relationships and power structures (Layder, 1993) associated with the construction of environmental harm. Now a description of the specific methods used in data collection.

3.3 The Primary Data

The primary data that was collected can be broken down into three categories, two of which were conducted in the field, both in Moscow and in Vladivostok. Prior to the fieldwork, an ethics form was completed and approved, as was a risk assessment form. The risk generated by this fieldwork, that of danger to the researcher from the perpetrators of the crime about which questions were being asked, was minimized by choosing contacts from government agencies and international or local non-governmental organizations (NGO). Admittedly, this is not a foolproof criterion for selecting participants as corruption is rampant in Russia, and this includes in the governmental and NGO structures. These qualitative methods were employed because of their descriptive, explanatory nature that would aid in theory development (Ritchie, 2003) and support the empirical data that was obtained through some of the secondary data sources.

3.3.1 Semi-Structured Interviews

A majority of the semi-structured interviews were conducted in the Russian Federation with a small minority coming from sources within Europe. A purposive sample method was used in order to access the professionals that were most versed with the topic of illegal wildlife and fur trade. The original sample selection of government agencies, international organizations, and NGOs snowballed after the initial contact to include other agencies as well that the original respondents felt had pertinent information. Before arrival in Moscow, the first location for collecting data, I had contacted the Moscow office of the international NGO TRAFFIC. TRAFFIC is a joint program of the Worldwide Fund for Nature (WWF) and the World Conservation Union (IUCN), and is designed to monitor wildlife trade. I spoke with two staff members there. Further interviews in Moscow were conducted with the Deputy of the Environment, Science, and Technology at the United States Embassy, and at the NGO the International Fund for Animal Welfare (IFAW). These four interviews in Moscow lead to further interviews in Vladivostok where I spoke with representatives from three NGOs, one from Customs, four from government, one from a hunting club, and two from academia. This was a total of 15 interviews in Russia. Because several willing participants were out of the country during the period of my fieldwork, a further four responses were received via email – one from a government official and three from NGO representatives. There was one instance where a government official could not receive permission from his agency to speak with me even though I offered him complete anonymity and confidentiality. The interviews conducted outside of Russia were with two officials of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The total interview sample size was then 21 interviewees.

Semi-structured interviews were used because of their flexibility to add questions that were inspired during the actual interview (Layder, 1993). A list of 20 questions was formulated before the interviews were scheduled, but interviewees' responses prompted other spontaneous questions to be asked, and some questions were omitted depending upon the expertise of the person being interviewed. The limitation of this method was that some respondents felt unprepared for the questions that I asked, and wished that they had simply been given the questions in the form of a survey to respond to at their leisure, and with the possibility to further research their answers.

3.3.2 Questionnaires

Prior to conducting any of the semi-structured interviews, the list of questions created was distributed as a questionnaire in order to test that the wording of the questions was eliciting the intended response. Agencies chosen for this test were outside of Russia, but with knowledge of Russian wildlife trade. Certainly, it is limiting to test the questions outside of the culture for which they were intended, but since the number of willing participants in Russia was small, it was not feasible to use one of them as a test case, and then lose them as a more valuable interview data source. Further limitations came from the fact that two of the three agencies asked to participate did not respond. The only answers that were received came from the Russian Division of the United States Fish and Wildlife Service (USFWS), which is the United States federal law enforcement agency charged with monitoring wildlife trade and any illegalities. For those interviewees who were not available to be interviewed during the time of my fieldwork, the questionnaire was given to them through email.

3.3.3 Wildlife Market Observation

As was mentioned in Chapter 2, markets selling wildlife are one of the main means by which fur and other wildlife and wildlife products are sold. These markets are in cities throughout the federation, and observation was conducted at three markets, two in Moscow and one in Vladivostok. The main market in Moscow for such trade is Птичий Рынок or the Bird Market, which has a long history in the city. Several hours were spent there systematically wandering through the aisles of live animals surveying the species that were for sale. The limitation of this is the small time frame, and that just prior to this fieldwork there had been an outbreak of avian flu at the market, so there were no birds being sold.

Additionally in Moscow, there is the tourist market *Izmailovsky*, which sells arts, crafts, jewelry, and pirated DVDs etc., but also has many stalls selling fur products. The stalls were surveyed by asking the vendors the type of species, the origin of the fur, and the cost of the items that they were selling. Pictures were taken as well (see Appendix F). In regards to fur, a similar survey was undertaken at the high-end retail furriers located within Moscow. This entailed asking the same questions of the vendors. In Vladivostok, there was not a market found specifically for wildlife, but there was a special market for fur, where again the vendors were questioned as to the origin, price, and type of fur that they were selling.

The data provided by the primary sources are predominantly of a qualitative nature, and the interviews in particular expose the social construction of the illegal wildlife trade to those people working with this topic. The market observations and the secondary data, which will now be detailed, serve to develop a possibly different reality through further qualitative measures and empirical data.

3.4 The Secondary Data

There were two main sources of secondary data that were collected in support of the primary data. Further qualitative information was provided through a content analysis of news sources that were available online. Quantitative data was available through databases, which are described below. As with any other industry, the fur trade, and other wildlife trades are income generating markets that track their profits and volume. These trade records provide a source of secondary data because a portion of the illegal trade in wildlife is captured within the recorded data of the legitimate wildlife market. This occurs when incidences of some illicit trade transactions are uncovered during Customs inspections upon exportation or importation. Of course, these statistics are only those violations that are discovered, and the actual amount of illegal trade is presumably higher. Member countries of CITES report all trade involving CITES listed species back to the Secretariat, including if it was illegal (Code 'I'). This is then gathered into the Internet accessible CITES Trade Database administered by the United Nations Environment Program – Wildlife Conservation Monitoring Centre (UNEP-WCMC). In the case of the United States, the USFWS collects violations of CITES listed species, and other monitored wildlife into a database called the Law Enforcement Management Information System (LEMIS), which is made available to the public through the Freedom of Information Act (FOIA). Both of these databases were used to access the amount of illegal activity within the Russian fur trade and the CITES database was also used in regards to the raptor trade. All tables and charts after Appendix A were created from these data sets.

3.4.1 Online News Sources

Both archived newspaper articles and transcripts of news from a radio program were examined for their coverage of the illegal wildlife trade and fur trade in Russia. This included articles from over 43 newspapers that are collected by the Russian search engines Yandex and Rambler. The newspapers varied from Russian broadsheets such as Известия (*Izvestiya*) and Правда (*Pravda*) to regional news sources to Russian language versions of international newspapers such as the BBC. The transcripts of the radio program are from the news agency Radio Free Europe/ Radio Liberty (RFE/RL).

Searches at Yandex were conducted in Russian and included the words "браконьерство" (poaching), "браконьерство Дальний Восток" (poaching Far East), "контрабанда флора и фауна Дальний Восток" (smuggling flora fauna Far East), "торговля животных" (animal trade), "торговля животных Дальний Восток" (animal trade Far East), "нелегальный торговля животных Дальний Восток" (illegal animal trade Far East), "незаконный торговля животных Дальний Восток" (unlawful animal trade Far East), and "криминальний торговля животных Дальний Восток" (criminal animal trade Far East). Searches were also conducted at the Rambler website in Russian. These included "браконьерство" (poaching), "контрабанда" (smuggling), "торговля животных" (animal trade), "нелегальный торговля животных" (illegal animal trade), and "незаконный торговля животных" (unlawful animal trade). Rambler breaks down the search results into regions, so all articles pertaining to the Far East in each of these searches had a separate link. Additionally, news articles are clustered into those articles that discuss something criminal, and green issues. The findings in both of these categories were examined. The searches that took place at the RFE/RL website were conducted in English and consisted of "wildlife trade", "fur trade", "trafficking" and "poaching".

These three sources present a diverse array of origin. Some of the newspapers are generated from within the country, but by foreigners, such as mentioned above the BBC, while Russian people author the broadsheets and regional newspapers. RFE/RL is also more of a view from outside of the culture. This provides a variety of perspectives and insights into how wildlife trade, in Russia and elsewhere, ranks in its news worthiness both to the Russian people and to other people familiar with the Russian Federation as well as further developing the social construction of illegal wildlife trade in Russia.

3.4.2 The CITES Trade Database

This database has seven fields with drop down menus that can be used to customize the trade data being searched for. Records from party members have been collected since 1975 and are complete through 2006. The first field is choosing the range of years of interest. For my examination of the Soviet Union, I selected from 1975 to 1992. I then used from 1992 through 2006 when collecting data about the Russian Federation. The next fields are the import country and/or the export country. I used both the USSR and Russia in both of these fields during my inquiries. For example, when selecting Russia as the country of import, I would choose 'all countries' in the export country field. Then, you can choose the specific genus and/or species of particular interest. In most of my inquiries, I left this field blank, but separate inquiries were made into the trade of the genus for falcons (*Falco*), some hawks (*Accipiter*), and eagles (*Aquila*). A field where the terms of trade can be chosen follows the genus and species fields. This includes a wide variety of 100 different choices ranging from bark to ivory carvings to teeth. In some inquiries, I limited my search to items that were fur products, so this involved garments, plates,

skins, skin pieces, skin scraps, and skin sides. In additional searches, I scanned for live falcons. The next field is the source of the traded item. This could be one of nine options. Five of these indicate that the product has originated from some kind of artificial propagation or breeding in captivity. There is also a designation for items that come from before the ratification of CITES. I was most concerned with products originating from the wild, and those that were confiscated or seized. Finally, the purpose of trade can be chosen in the last field. I left this field blank throughout my inquiries, but there are eleven possible purposes such as commercial, scientific, personal, for a zoo or botanical garden etc.

After I filled in the specifications for my search, there is a link to indicate that you are finished. This takes you to a page where you can choose how you would like to see your search results. There is the option to view them as a webpage or as a comma-delimited file. I chose the comma delimited file (.csv) and converted them into Microsoft Excel spreadsheets. In the CITES Trade Database, there is a choice of viewing Comparative Tabulation Charts, and tables that summarize the gross or net imports and/or exports. The first is a comparative chart because the report of each party in a transaction is compared, and then listed together if it can be determined that the information provided is actually the same transaction. For instance, Russia exports five skins of wolf *Canis lupus* to Finland for commercial purposes without indicating in their report to CITES the source of the skins. When Finland reports that they imported five wolf *Canis lupus* skins from Russia in a commercial transaction and indicates that the skins originated from the wild, the reports no longer correlate and this transaction is recorded as two separate entries on the comparative tabulation chart. This does appear to create inconsistencies in the number of products that are recorded as in trade, especially since import and export numbers often vary tremendously, but for overall numbers of imports and exports, it is possible to view the previously mentioned gross or net trade tables. I relied on the information provided in the Comparative Tabulation Charts because they give the following data: the year of the transaction, the CITES Appendix of the species, the genus and the species and occasionally the subspecies, the import country, the export country, sometimes the origin country of the product, the import quantity, unit, term, purpose, and source, and then the export or possibly re-export quantity, unit, term, purpose, and source. A majority of the time not all of the information of both the import and the export data is given. This is due to the above detailed inconsistency of reporting of the member countries. This format allowed me to examine the trade in wild caught specimens, and assess the amount of illegal activity that is being reported to the Secretariat. For the fur trade, species that met the above criteria, but were not a furbearing species were removed from the spreadsheets, such as crocodiles and other reptiles where there is also a trade in skins.

3.4.3 The United States Fish and Wildlife Service (USFWS) Law Enforcement Information Management System (LEMIS)

The USFWS has collected trade data in a manner similar to CITES. Their data is compiled into a Microsoft Access database where searches can be customized through varying fields with several choices. The data available to me was from 1998 through 2005. I first chose to inquire about trade where Russia was the origin of the product, followed by instances where Russia was either the importer or the exporter. I searched for fur products such as garments, plates, trim, rugs, skin pieces and skins that were wild or illegal in origin. Other information that I asked for is what were the genus and species of the product, and what happened to the product

at Customs. Items are cleared for trade, abandoned by the person trading them, or seized by Customs officials. Again, some of the results included species that were not furbearing and these were removed from the tables.

The animals within the database are not exclusively CITES listed species. CITES listed species are included, which did make for some amount of repetitive data, but the LEMIS data provides further information about the disposition of items through Customs. The information about non-CITES species is interesting because some furbearing species in international trade are regionally regulated rather than internationally protected and the quantities being traded need to be monitored in order to assess any illegality. This is particularly true in Russia of sable, *Martes zibellina*, which is the predominant furbearing species in trade, but not listed in the CITES appendices. Crosschecking of the two databases also provides some insight into the compliance or accuracy of the reporting.

Unfortunately, at the time of the data collection it was not realized that the scope of the illegal falcon trade was such that it warranted a separate case study. Therefore, LEMIS was not utilized to collect trade data regarding falcon species.

3.5 Challenges

This research faced several challenges and was therefore limited in the form that it could take. The first challenge stemmed from the research being conducted in Russia. The Russian Federation was chosen as the topic area because a study into the illegal wildlife trade had not taken place there before and because of my own Russian language skills. Limitations arise though when conducting research in Russia because visa requirements restrict the amount of time that you can be in the country (30 days as a tourist), or are difficult to obtain as a researcher. All travel within the country must be declared when obtaining the visa, including places that you will travel to and places that you will stay. A visa will not be granted without an invitation from someone within Russia. It is possible for a hotel or travel agency to provide you with one. Because of the limited amount of time that I was allowed in Russia, this framed the quantity of primary data that I was able to obtain, and removed the possiblity of spontaneously traveling to other cities where more information might have been obtained.

The second limitation arises from my status as a doctoral student. My research not only went through the standard ethics approval process, but also underwent a risk assessment. Because of the potentially dangerous contacts that could be made during research into illegal wildlife trade, interview subjects and activities that posed the lowest risk were employed. Due to safety concerns, actual wildlife traffickers were not interviewed, and no undercover activities performed. This resulted in a more reflected ethnography being developed. The people interviewed are involved in the trade second-hand as regulators and researchers, but do not take an active role in the black market. With these limitations then, the other resources detailed above were chosen because it was believed that they would yield the most results.

3.6 Summary

A variety of methods were used in order to obtain the clearest picture of the illegal fur, and raptor trade in Russia Far East. These included 17 semi-structured interviews, four questionnaires, collection of trade statistics from two databases, observation at wildlife markets, and content analysis of hundreds of online news articles. The analytical framework that was applied to each of these was looking for information that exposed who is

perpetrating wildlife trafficking, how, and where are they doing it. Furthermore, evidence of the connection between this black market and corruption, transnational crime, organized crime, and criminal networks was also searched for in order to assess the danger to national and human security. Also, evidence of structural harm was scanned for – that is what is the danger posed by this crime to the environment, and is this crime cruel to animals. The results of this multi-faceted approach can be found in the upcoming chapters.

Chapter 4 – The Fur Trade

This chapter is the first of two case study chapters. The focus in this one is on the fur trade in Russia Far East. To begin, the history of this market will be detailed, as it is crucial to see how this trade was and to some degree still is an integral part of society and the economy. Then Russia's role in the fur industry and how it functions is examined as well as the current state of the fur market. This involves the pragmatic portion of the thesis that addresses legislation. The illegal portion of the fur trade, which is the presentation of the data collected, is then described including who is involved and how it is occurring. This is followed by application of the deep green criminological perspective in the form of a discussion of how actions within this black market constitute a deep green crime, and how the dimensions of the fur trade pose significant structural harms. Finally, an exploration is given of how the perception of the illicit fur trade differs from what the reality of the illegality appears to be.

4.1 The History of the Russian Fur Trade

Fur trading has been an essential part of the Russian economy for centuries beginning in medieval times with fur as currency, and continuing throughout the time of the Soviet Union to earn millions of dollars (Dronova and Shestakov, 2005). In his book, Raymond Fisher (1943) gives an incredibly detailed account of the Russian fur trade beginning from its inception as a crucial and defining piece of the Russian economy and society. The highlights from his history are summarized here, but for the intricacies please see his work. The fur trade is one of the oldest if not the oldest activity in Russia. In the 9th through the 13th centuries, Kyivan Rus was a trade based society that profited from trading timber with the Near East and Europe, and was known for being a land of luxurious furs. The tribes throughout the area paid tribute to the tsar in the form of fur pelts. During this time though, the fur resources in this region were exhausted and contributed to the decline of Kyivan Rus, and the rise of the city of Novgorod as the center of trade in the 13th century (Fisher, 1943: 1-3).

The Russians obtained fur by forcing tribute from the natives, trading goods to them, and trapping the animals themselves. It is throughout this time period, and into the 18th century, when furs could be used as currency. They were used as payments to the Ukrainian Cossacks that supplied protection to the accompanying clergy, and in diplomatic missions to the Crimean Tatars (Fisher, 1943: 138-9). In the 16th century, the city of Moscow gained power and the state began to control the fur industry. In conjunction with Moscow's rise was the founding of small fur trade centers in the north of Russia. As resources diminished to the areas west of Moscow towards Europe, expansion pushed east into Siberia. This was the first exploration and exploitation of this region by Europeans. Predominantly, expeditions were only available to large companies with large amounts of capital who could afford the expenses of the harsh wilderness; even so some small traders took part in this expansion (Fisher 1943: 6-13).

The colonization of Siberia was paid for in sable furs. Expansion east at first posed problems because of the khanate of Sibir (the indigenous name of the region), but with the Russian military and Cossacks, eventually all khans were overcome allowing colonization not only of Siberia, but of some areas in Central Asia as well. These small nomadic tribes of natives, who were racially diverse with weak ties and no technology, were no match for the armed, homogenous, state funded Russians. The fur trade was partly fueled because of the increase in demand in furs from the enlarging population of the Western European middle aristocracy. This wealth

stemmed from Europe's own colonization efforts abroad, and accessibility to the Russian fur market was made possible by the discovery of the northern route from England to the north coast of Russia (Fisher, 1943: 18-22).

The 1600's in Russia have been compared to the mid 1800's in California and gold fever as fur fever. The state sent their employees (including Cossacks) as part of the first wave of colonizers, and these men were accompanied by private trappers. Due to the distance from Moscow, and thus the impossibility of the government strictly monitoring all actions of its people, state employees, and private traders made small fortunes. Expansion was stopped because the stronger nation of China controlled lands further to the east and south. As a side note, wildlife trade was not limited to furs, but also included ivory from walrus tusks and of course timber (Fisher, 1943: 28-46). As is evident from the continued depletion of furbearers, and the previous conservation section, Russia during this time period was unconcerned or unfamiliar with sustainable use or green practices.

People came to Siberia to avoid serfdom in the west, but predominantly for the possible fortune to be obtained from the fur trade. There was a large system of borders and customs stations established along the water routes that were used to travel from the west to Siberia that were designed to prevent trading without state involvement. Because the rivers were the main method of transportation, travel was very seasonal with years of turn around between fur gathering expeditions (Fisher, 1943: 174,178). The state continued to collect tribute from the natives, and a 10% tithe from the private parties involved. The government gave itself the privilege of choosing the very best furs from the tribute and tithe, but there were endless opportunities for evasion. Russian trappers were supposed to avoid the lands that the natives used for hunting, but this edict was often ignored, and their "ruthless hunting methods soon exterminated the animals" (Fisher, 1943: 78), which affected the natives' ability to pay the required tribute. When natives refused to pay the tribute, the Russians would kidnap family members to hold for ransom (Fisher, 1943: 59). This was only one of the illegal activities of the private entrepreneurs and the state employees. Others, which also caused noticeable harm to the fur trade, included avoiding the state regulation of tithes, trading with the natives (weapons and alcohol, which was prohibited), hunting on the natives' lands, and bribing officials to get away with extortion (Fisher, 1943: 85). Corruption was widespread in the form of state employees exchanging poor furs for good furs from the national treasuries, stealing the tribute of the natives, allowing excess hunting and trading on their own land when it was not allowed, and undervaluing furs to maximize profits (Fisher, 1943: 89). The trade of live sable, foxes, ermines, and squirrels was prohibited, but occurred, and illegal trading also took place by private parties trying to gain access to the state monopoly (Fisher, 1943: 228).

It is estimated that within 80 years, the fur trade in Siberia experienced a noticeable decline in furbearing animal populations (Fisher, 1943: 36). Depletion of the animals was due to the increased number of hunters, the more effective technique of the Russians (who were using pit traps, nets, and dogs rather than the natives' method of bow and arrow), the severe demand, and the advance of settlers and peasants that used the land for farming (Fisher, 1943: 94-96).

The foreign merchants facilitated the exporting of Russian furs since most Russians were not allowed to go abroad. Arkhangalesk in the north was the hub of this foreign trade, and Novgorod was another center for trade to the west. The cities of Tara and Tomsk were the main centers of trade to Central Asia. Tobolsk was the main market in the center though cities like Seleginsk, Nerchinsk, Albazin, and Irkutsk traded with Mongolia and China when relations were finally opened in the late 17th century (Fisher, 1943: 185-190). Whereas all the

countries in Europe were acquainted with Russian fur, Holland, Germany, and England were the primary merchants that ran the trade with the private entrepreneurs in Russia. The city of Leipzig, Germany was and remains the center of the European fur trade (Fisher, 1943: 191,197). Other countries importing Russian fur were Poland-Lithuania, Sweden, Norway, Denmark, France, Italy, Spain, and Portugal (Fisher, 1943: 204) along with Persia, the Ottoman Empire, India, and areas of Central Asia (Fisher, 1943: 213,215). Into the 18th century, Russia was a key country in the fur industry, but most of the demand came from Asia, particularly China, and the Russian state brokered the fur trade in connection with Russia's own demand for silk from China (Fisher, 1943: 210-211). The government monopoly over the fur industry continued throughout the Soviet era, whereas with all parts of the economy, the trade in furs was dictated by the state (Dronova and Shestakov, 2005).

But which part of the state should govern this trade was debated for the first 15 years of the USSR (Weiner, 1988). And while hunting and trapping regulation was passed from agency to agency, the populations of furbearers continued to decline until in 1928 the conservation journal '*Priroda*' (Nature) detailed the "catastrophic danger hanging" over the fur industry (Weiner, 1988: 41). The new demand from the American market, and the desire to remain center stage in world trade, led to the illegal trapping and buying of pelts throughout the 1920's (Weiner, 1988). In order to stop the decline, special game reserves were established as well as the introduction of exotic species to replace the loss of locally extinct animals (Weiner, 1988). With several agencies having had control over the industry, and there also being a significant amount of local autonomy, population and harvesting statistics were undoubtedly inaccurate (Weiner, 1988). Finally, in 1932 the ministry of trade was given jurisdiction over the trapping industry (Weiner, 1988). This particularly fell to the All-Union Peltry Association or *Soyuzpushnina*. Its mission was to eliminate the gap between the demand and the supply by increasing the harvesting of furbearers by 145% (Weiner, 1988: 153). This was to be achieved by hunting in the off-season, and replacing individual or cooperative hunters with trapping collectives (Weiner, 1988). Increasing trapping when the animals are endanger of extinction, is obviously not a green practice. This goal was never achieved due in part to the fact that that were not enough animals to fulfill it (Weiner, 1988). Possibly surprisingly, the fur trade in the USSR survived throughout that country's history. With the collapse of communism, the fur industry was privatized along with the other sectors of the economy. (The effects of which will be discussed in the following section.)

The fur trade is the oldest livelihood of the Russian territory with no other commodity coming close to the scale of export (Fisher, 1943: 231,233). The abundance of fur offset Russia's poverty in precious metals, which other European nations obtained from their colonies abroad (Fisher, 1943: 234). As a result of the fur industry, Russia became the bridge between the west and the east. The capital stemming from this trade created a commercial class within the population, and the search for more fur set the boundaries of the Russian Empire (Fisher, 1943: 234), and to some extent the Soviet Union.

4.1.1 Russia's Role in and the Mechanism of the Fur Trade

Today the fur industry is a multi-billion dollar enterprise (World Animal Net, 2006) and Russia is one of the primary sources in the world for the pelts that fulfill the demand. Wild animals are mostly caught with traps and snares, the most common of which are the leghold trap and the Conibear trap (World Animal Net, 2006). In regards to the leghold trap, the animal is intended to step on the trigger after which two metal jaws bang

forcefully shut around its leg (World Animal Net, 2006). Often the caught leg is immediately seriously injured (World Animal Net, 2006). A strong spring ensures that the animal cannot escape. In its attempt to free itself, it tries to disengage itself from the trap resulting in more injury and pain (World Animal Net, 2006). These traps are known as indiscriminate traps because often they ensnare unintended animals, such as dogs, cats, sheep, birds, endangered species, and sometimes children (World Animal Net, 2006). The animals, usually badly injured, are simply thrown away and discarded (World Animal Net, 2006). The Conibear trap is designed to snap the spine by clamping shut around the animals' neck (World Animal Net, 2006). These too are indiscriminate to some degree and as with the leghold traps have been criticized for their inhumane killing and causing of suffering and prolonged death (World Animal Net, 2006). Trapping takes place in winter, when the animals' fur is the thickest, and at night since most of the target species are nocturnal (World Animal Net, 2006). Cook et al (2002: 12) note that the trade in fur and/or skins illegal or otherwise requires special skills of identification, capture, and killing.

Not only are there multitudes of Russian furbearing animal breeders and wild trappers, but Russia is also the location for other steps in the manufacturing and marketing process. The Russian Federation is a member of the International Fur Trade Federation (IFTF), which is an independent organization of fur associations that is designed to promote the fur trade in a positive light as well as ensure high standards of products, animal treatment, and conservation measures (IFTF, 2006). As a member of the IFTF, Russia is required to label its furs with the English common name and Latin scientific name (IFTF, 2006). IFAW (personal communication, 17 April 2007) indicated that under the USSR fur labeling was strictly enforced. Every pelt had to be stamped and if it was not there were substantial fines. This has lessened, but there is still good monitoring. This is required not only of international exports, but within the country as well and of course includes CITES listed species. Ranched (80% of the current market (World Animal Net, 2006)) or wild-trapped animal furs are raw, but then dried and scraped when brought to the auctions in Saint Petersburg (Toronto, Seattle, Copenhagen, Helsinki, Oslo, New York City, Montreal, London) and sold there by dealers or co-operations (IFTF, 2006). These auctions are held four times a year and the furs are first inspected and sorted according to size, shade, color, and quality (IFTF, 2006). Collectors or buyers for manufacturers and/or pelt dealers attend these auctions or arrange private buyings (IFTF, 2006). After purchasing, the furs will be finished by dressing and possibly dyeing which also takes place in Russia (Canada, France, Italy, Germany, the Baltic countries, China) (IFTF, 2006). Dressing involves cleaning, softening, preserving, and drying (IFTF, 2006). These furs are then graded as to color, size, hair length, and texture. They are then forwarded to the manufacturer in Russia (Canada, US, France, Italy, Germany, Greece, Spain, Turkey, Ukraine, China, Hong Kong) to be made into products and clothes (IFTF, 2006). There are trade fairs in Moscow (Beijing, Hong Kong, Frankfurt, Istanbul, Kastoria (Greece), Madrid, Milan, Montreal), which present these products to purchasers for stores or the finished products could be sent directly to retailers throughout Russia (China, Germany, Italy, Korea, Japan, former Soviet republics, Spain, US) (IFTF, 2006). Obviously then, the furrier or department store sells these items to the public (World Animal Net, 2006).

4.1.2 The Current State of the Russian Fur Trade

As alluded to above, the fall of communism meant drastic changes for the fur trade. Privatization occurred without legislation and/or regulation (Dronova and Shestakov, 2005). This lead to over harvesting and increased trapping of low quality furs rather than the high quality furs for which Russia was known (Dronova and Shestakov, 2005). This coupled with the decreased demand for fur resulted in a drop in fur prices (Dronova and Shestakov, 2005). Fur cooperatives went bankrupt and hunters' salaries fell (Dronova and Shestakov, 2005). Simultaneously, borders opened and there was an increase in demand for products for East Asian Medicines (Dronova and Shestakov, 2005). For example, it has been observed that hunters who used to hunt small furbearing mammals, such as Red Squirrels *Sciurus vulgaris* and Sable *Martes zibellina*, have started to also hunt other species used in Asian medicines that are more lucrative than fur such as Brown Bear *Ursus arctos*, Asiatic Black Bear *Ursus thibetanus*, Siberian Musk Deer *Moschus moschiferus* and Amur Tiger *Panthera tigris altaica* or that these trappers will collect protected plants, such as Russian Ginseng *Panax ginseng* (Dronova and Shestakov, 2005: v).

For those furbearing species which might be in trade, the following population trends have been recorded in the Russian Far East, the primary region for this industry: the populations of Red Squirrels *Sciurus vulgaris*, Siberian Weasels *Mustela sibirica*, Eurasian Otters *Lutra lutra*, Ermines *Mustela erminea* and Amur Leopard Cats *Prionailurus euptilura* had declined while populations of Wolves *Canis lupus*, Eurasian Lynxes *Lynx lynx*, Raccoon Dogs *Nyctereutes procyonoides*, Sables *Martes zibellina*, Red Foxes *Vulpes vulpes* and Mountain Hares *Lepus timidus* were stable (Dronova and Shestakov, 2005). The population status of Muskrats *Ondatra zibethica*, Wolverines *Gulo gulo* and Brown Bears *Ursus arctos* was unclear (Dronova and Shestakov, 2005). The following raw, unmanufactured furs are exported from the Far East: mink, squirrel, sable, weasel, Ussurisky raccoon dog, muskrat, white polecats, white arctic foxes, other species of foxes, marine mammals, wolves and other species (Lyapustin and Fomenko, 2003: 78). These are translated from Russian and no taxonomic names were given, which means that some species particularly weasel might be called by something else in English. Far Eastern exports go to China, Korea, Japan, USA, Denmark, Italy, and Greece (Lyapustin and Fomenko, 2003: 77). As is evident from Dronova's and Shestakov's (2005: vii) research, not only is it possible that those species legally in trade are being over harvested and exceeding government established quotas such as sable, but it is also possible that CITES listed species (Siberian weasels, ermines) and Red Book protected species (red squirrels) are entering into trade illegally. This does not include the previously mentioned poaching of animals for traditional Asian medicines. According to WWF Moscow (personal communication, 12 April 2007), there is of course a local demand for furs and skins.

The above mentioned fur auction in Saint Petersburg is organized by the All-Union Peltry Association, *Soyuzpushnina*, that was established in the 1930's as described in the history section. The most recent auction in January of 2008 indicates the trends of the Russian fur trade. Wild raw sable pelts are the most prevalent product sold at the auction with 142,013 purchased (*Soyuzpushnina*, 2008). The average pelt sold for $146.10 and the fur prices ranged from $20.00 to $3,400.00, which was higher than the previous auction in April of 2007 when the average sable pelt sold for $106.00 and the range of prices was from $30.00 to $1,200.00 (*Soyuzpushnina*, 2008). The main buyers at the auction were Russia, supporting the earlier claim that there is local demand for fur products. Others were from Greece, Italy, China, the United States, and the United Kingdom (*Soyuzpushnina*,

2008). Further evidence of the countries involved in the fur market will be presented next, but first a note about the fur industry associations. An attempt to attend the April 2007 fur auction in Saint Petersburg was unsuccessful as the organizer did not respond to my request to attend. Additionally, the fur industry associations, *Soyuzpushnina*, the British Fur Trade Association, and the International Fur Trade Federation declined to comment on my questions as to how the industry helps to prevent illegal poaching of furs.

Observations of the fur retail stores in Moscow and Vladivostok give further indication of the current state of the industry. An August 2006 edition city guide to Moscow recommended several stores to shop for furs. Each of these was visited and an overview of the stores' inventory was collected. The first store was called Айсберг or Iceberg. The tags on each garment said in Russian the type of fur (which species), the type of fashion (long coat, short coat, cape), where it was manufactured, and which company manufactured it. For some reason that was unclear, there were two manufacturers listed. The first was always Denmark and the second the vast majority of the time was Italy and a few times was Hong Kong. There was fur from норка mink, trim from соболь sable, лиса fox, рысь lynx, and каракал caracal sheep. There were only coats in the store of varying lengths, which of course affected the price. A mink coat started at 83,500 rubles (£1,617) and if there was lynx or sable trim the price was about 225,000 rubles (£4,350). There was the entire range of styles including sheered mink, non-sheered mink, dyed or not dyed. Lynx is a CITES Appendix II species, but there was no immediately identifiable certification of lynx garments. Maybe there would have been more paperwork if something had actually been purchased, but there was no opportunity to ask. There was no indication on the items if they were from wild or farmed sources or the origin of the fur.

The second store where data was collected was called Экатерина or *Ekaterina*. This fur store is located in a premier tourist area of Moscow near *Tverskaya Ulitsa* a few blocks from the Kremlin and Red Square. The store had a large inventory including long and short coats, hats, gloves, scarves, and shawls. There were the same species as the previous store: mink, lynx, fox, and caracal sheep and also енот raccoon, кунитца marten, and ондатра muskrat. There were several coats made from goat that were painted to look like an ocelot. The sales assistant said that all the fur was from Russia and that everything is manufactured there as well. I asked her if the mink was wild and she laughed and said that everything was from a factory. She also stated that the store followed the very strict regulations established in the industry and that the number on the tag indicated that it had been certified. Again the lynx collared coats gave no indication of CITES, but this registration number might indicate that a CITES documentation check has occurred. Prices of the hats started at 3,500 rubles (£68) for the on sale mink ones. Lynx hats were 6,000 rubles (£116). The coats from raccoon were the cheapest at 60,000 rubles (£1,160) and mink long coats approached 180,000 rubles (£3,480).

A few shops north of the first *Ekaterina* store was another branch of the store. It was more upscale even then the previous store. This was evident because they carried more rare and more expensive species. There were four short coats from 'дикая кошка' or 'wild cat'. The sales assistant said that they were 'манул', which is *Otocolobus manul* -Pallas' cat. She was unable to say though where exactly the cat was from, but the coat was made in Russia of a beautiful very soft spotted pelt. All small cats are also CITES Appendix II and there was no indication regarding this on the tags. There were waist length jackets made from lynx and питон python skins. There were two thigh length sable coats and one full length one. The thigh length coat cost 2,025,000 rubles

(£39,148). They also sold full blankets made of fox and accessory pillows. This assistant indicated some of their collection was manufactured in Italy and that the sable, lynx, and wildcat came from the wild.

The final store that was recommended in the Moscow city guide no longer existed. These stores are not the only fur retail stores in Moscow though, especially not in the tourist center surrounding the Kremlin and Red Square. Simply from entering the former government department store Государственный Универсальный Магазин (ГУМ) known as GUM and the central shopping mall, *Okhotni Ryad*, three additional stores were found. The store in GUM had prices similar to those observed elsewhere with a full lynx coat costing 225,000 rubles (£4,350). There was a spotted cat coat of липпи or transliterated - lippi cat, for which no translation has been found. There were a few sable coats that were approaching a million rubles. Some coats had original certification tags in English, but these were wrapped in plastic and the contents could not be read. Again Italy and Hong Kong were where the coats were made. Hats cost 13,000 rubles (£251) and they also sold gloves and scarves. There were two stores in the *Okhotni Ryad* shopping mall. One was a very small one-room store. There were some coats here manufactured in Germany, others from Italy. Sable collared coats were 200,000 rubles (£3,867) and they also sold hats, gloves, and scarves. The other store was closed for renovations, but was advertised as an Italian fur store.

Similar observations were conducted in Vladivostok as well, which is a major city in the Far East region where fur is trapped. The tourist center of the city had only two small stalls in the Vladivostok GUM, which sold fur hats, but no coats. They were mostly made of farmed mink and were manufactured in a local factory nearby. There were also hats from fox and arctic fox. They ranged in price from 6,000 rubles (£116) for the fox to 8,000 (£155) for the mink. The only fur retailer in the 'tourist' area of the city center only carried furs from Russia. These are all made from sheep with fur collars in the city of Kazan just west of Siberia. Some others were made in other cities of Russia, but nothing was processed locally from where the fur is harvested. The coats averaged 25,000 rubles (£483).

In the area of Vladivostok known as Школьная *Shkolnaya*, there is a concentration of low-end fur retailers. This is not near the center or any tourist areas and is not at the level of a bazaar where bargaining is expected, but also not the level of a high street store where there is a large inventory and security. There were approximately 25 1-room stores in simple metal buildings all next door to one another with only two or three being located on the ground floor of a typical brick building on the main street further along outside of this market area. The shops were all a conglomeration of leather, suede, and fur with only one shop specializing in fur alone. The character of the Far East fur market is different to that in Moscow. A vast majority of the manufacturing has occurred in Beijing and Hong Kong with products more rarely coming from Greece, Turkey, Denmark, and Italy in descending frequency. The coats were mostly mink that the sales women believed to have been farmed in China. The danger of buying products there is that in the Chinese peoples' rush to make coats, they kill the mink quite young at three months when they are too small and the fur is not yet of a high quality. In order to make the mink bigger faster, Chinese farms have begun using steroids and growth hormones on their animals to increase the rate of growth and size at the processing age. Only two of the shops carried fur from Russia. Some, if not the majority of the fur, probably comes from Russia, but the sales people in general did not know this except for two women who knew of the auction procedures in Europe and that this fur then might have originated in Russia, been manufactured in Europe or China, and then re-imported to Russia. Russian mink, also

mostly farmed with only a small number still in the wild according to one man assisting at the fur-only shop, is predominantly used in hats not in coats. There were more species here: fox, песец arctic fox, wildcat, бобр beaver, нутрия nutria, raccoon, выдра river otter, and sable but only as trim. Prices ranged from the wildcat waistcoat for 9,500 rubles (£184) to 89,000 (£1,721) for a full-length mink coat from Hong Kong. The near center of the fur trade has nearly all-foreign products of what is thought to be inferior quality products especially those coming from China. The native fur products of higher quality appear to be going to Moscow. The local fur factory for manufacturing coats in Vladivostok closed several years ago presumably because of the influx of cheaper goods from China.

Retail stores though are not the only places to purchase furs in a country like Russia where the bazaar, or street or outdoor market, is still commonplace. Vladivostok did not seem to have a bazaar where furs were sold and this could stem from recent legislation that was enacted in the *oblast*. As of 1 April, 2007, non-Russian people were no longer allowed to sell anything on the streets, which drastically changes the dynamics of what can be sold in an area that borders on China and has many immigrants and business people from there and North Korea. Moscow though has one very large bazaar known as the *Izmailovsko* Market. This is a famous Moscow tourist attraction where tourists come to buy anything Russian because of the massive amounts of souvenirs: *matryoshka*, wooden crafts, Soviet memorabilia, paintings, DVDs (presumably pirated since some of the movies were still at the cinema), *samovar*, watches, jewelry, and furs. Fur coats were not the premier fur item at the bazaar as they are in the retail stores, but hats, gloves, and scarves were plentiful and there were also pelts for sale. The observation was conducted late in the day so some stalls had closed. There were 12 –15 stalls selling furs still open. The first stall had arctic fox, fox, sable, and several colors of mink. They ran from 600 rubles (£11) to a 1000 (£19). The sable hat was $300 (£150), but of course all of this was negotiable. All the furs were from Russia and the hats were made in Russia also. The second stall had similar prices and this was common that the prices tended not to vary between sellers. This seems to be a case of 'cooperative capitalism' where they all set the prices together and have not quite latched on to the idea of competition. The types of fur were also the same, except the second man was selling a нерпа seal hat and told me that the seal was from the Caspian Sea, which is a vulnerable species in the IUCN Red List. The third stall had a whole lynx pelt with head and fangs. The seller claimed that there were no special documents needed to take a lynx skin to the US. He said that for one skin I could just walk on the plane with it. Documents could be gotten for other things like a polar bear or a tiger, but you didn't need them for less than five pelts of lynx. This seller said that he buys his inventory from around Moscow. He had fox pelts for 2000 rubles (£39), which in a store he said would cost 5000 rubles (£97). See the picture in Figure 10 in Appendix F.

The next stall also had an entire lynx. He also had stuffed weasels, owls, and falcons. The fifth stall had more of the same: arctic fox, fox, mink, sable and the fashionable dyed furs that were green, red, purple, or blue. The sixth stall had seven whole brown bear skins all laid out on the ground in a row as well as a stuffed and mounted badger and hats. There were four men working there and when I asked them if I could take a picture they allowed me to. I asked was it possible that I could buy one of the bears and take it to America. The first of the two young men said that there would be no problem. When I asked about any special documentation that might be needed they had another man, probably the boss, come over to talk to me. He explained to me about this organization called CITES and that I could buy the documents that this organization required to transport the

skin to the US for 1000 rubles (£19) and then there would be no problem. The bear skins cost $1000 (£500) a piece and were hunted in Russia from Siberia and Dagestan in the Caucasus. See the picture in Figure 11 in Appendix F. The stalls with the hanging pelts had fox, arctic fox, and various colors of mink. All of the fur sellers were men (in contrast to the retail stores where all of the sales people were women) and all knew a little bit of English at least to say the prices of items and sometimes the type of fur. When leaving the market, there were more bazaar stalls, at least two of which were selling fur coats. The first one had a nutria coat (introduced to Russia from South America (Weiner, 1988)) and a long mink coat for $2000 (£1,000). The tags were not as detailed as in the retail stores. There was no indication of the fur type or of the location of the manufacturer on the coats observed. There was just some poorly translated English saying 'the garment had met the certifications generated'.

More observations were conducted at the Moscow Bird Market, which is a market mainly for live animals. This will be discussed in the later chapter about the raptor trade, but of note there was one stall at the Bird Market that was selling furs and skins. There was one bearskin and various others, which appeared to be wolf.

The retail of fur as far as coats are concerned then in Moscow is more expensive than it is in Vladivostok. Prices ranged in Moscow from £1,160 for a raccoon coat to £39,148 for a sable coat whereas in Vladivostok the prices started at £184 and went to £1,721 a difference of 8 fold. Interestingly, there were no sable coats observed in Vladivostok, which is the region where sable populations live. This indicates that the market for the more expensive and luxurious fur products is in Moscow, which corresponds to the demographics of the population in that salaries are higher in the capital. Fur items in Moscow were mostly manufactured in Europe with some coming from Russia. WWF (personal communication, 12 April 2007) stated that often Russian furs are exported to Italy, Greece, and France and then re-imported as garments, which was sometimes observed. In contrast, the items in Vladivostok were manufactured predominantly in China. This could account for the cheaper prices due to the cheaper labor in China and obviously correlates to the proximity of the two regions. Hat prices reveal an interesting trend. In comparing hats in Moscow and Vladivostok that both were made from fur coming from Russia and then being manufactured in Russia, the hats in Vladivostok were more expensive. This is interesting because Vladivostok, as stated before, is very near to the source of these products and to factories that manufacture the hats. Retail stores are more expensive then buying fur at a market by a significant amount: £68 to £116 in a retail store compared to £11 to £19 in the bazaar and at the most £150, but for a sable hat.

Along with this data, it was noticed that fur is prevalent among the people while these observations were being conducted. These observations were conducted during the early spring in mid-April and both people in Moscow and Vladivostok were still wearing fur. In the 1990's, the price of fur had dropped severely (Dronova and Shestakov, 2005). This was because styles in Europe had changed so demand had decreased and the green movement had an effect on the popularity of fur (personal communication WWF Moscow, 12 April 2007). But now, there is no shame in wearing fur again and the prices for fur have increased in recent years (personal communication WWF Moscow, 12 April 2007). There were not many of the long coats, but fur trim was very common with women's fashion and less so with men's. One woman told me that it is a real status symbol in Russia for women to have a fur coat and for the very rich you cannot wear the same coat for two winters so each

year these women buy a new coat. Sable and she thought chinchilla were the highest status furs (personal communication Far Eastern State University professor, 18 April 2007). Global trends would support this.

> "The fur industry has set its sights on overseas markets where the animal protection movement has been largely absent, seeking to convince young Asians and Eastern Europeans that fur is chic and a symbol of status and affluence. Russia is currently the world's largest consumer of furs, with its citizens having purchased $2.5 billion (in U.S. currency) of furs during the 2000-2001 seasons. Competition to tap into this growing market has been fierce among fur-garment producing nations such as China and Greece. Greek fur makers are running ad campaigns in Russia enticing tourists with cheap vacation packages to Greece — with the hook that participants purchase at least $500 worth of fur during their visit" (Fox, C., 2001).

China's increasing wealth and possible interest in fur could endanger furbearing populations of those producing countries such as the US, Canada, and Russia (Fox, C., 2001). The Russian Federation's attempt to protect their furbearing species can be found in the legislation that will be detailed in the following section.

4.1.3 Legal Regulation Affecting the Fur Industry

There are five further pieces of legislation that will be discussed because they directly affect the fur industry. These are in addition to those previously detailed in Chapter 1, which were the international treaty CITES (because some furbearing species are protected by this convention as shown in the tables), and the Russian Federation Article 188, which addresses smuggling of contraband items and includes wildlife and wildlife products that are protected. Of these five, there are four statutes that pertain to this particular trade and are within different parts of the Russian legal system. Two of them are located within property statutes, one is an administrative article, and the last one can be found in the criminal code. The last is the Agreement on International Humane Trapping Standards. This is a multi-lateral agreement between Russia, Canada, and the European Union. The property statutes address the preservation of the environment whereas the administrative article pertains to the destruction of endangered species of plants and animals, which are under the protection of the Red Book or international agreements. The criminal statute deals specifically with illegal hunting. The Agreement on Humane Trapping Standards, as the title indicates, outlines standards for hunting and trapping of furbearing mammals. Each of these statutes will now be examined in turn.

The two property articles are 77 and 78 of the Federal Laws and I have translated them as follows: (the Russian versions can be found in Appendix D).

> "The responsibility for property is established in clauses 77 and 78 "About the preservation of the environment" and is expressed in terms of compensation for the harm that is caused to an environment as a result of poaching and smuggling of bioresources. This harm is defined in view of the losses suffered, including the missed future gains.
>
> "So, in accordance with item 77, hereunder compensation for harm when due is given in full scope of the size of the harm to an environment according to the norms and techniques of calculation approved, and at their absence - proceeding from actual expenses for the restoration of the bioresources.

"In accordance with item 78, the indemnification for harm is carried out voluntarily or under the direction of the court. Harm can be compensated in terms of money, and also by means of a court order for the offender to restore the bioresources by his own means.

"Claims for the indemnification for environmental harm can be shown within 20 years.

"The legal responsibility of property can independently be applied or can be used in addition to administrative and/or criminal responsibility. In the latter case, presentation of the civil suit in the criminal process of violations connected with illegal hunting or smuggling of rare and endangered wild fauna and flora is possible" (WWF Vladivostok, 2005: 32-33).

To summarize then, property owners have the right to seek compensation for damages done to their land, including the poaching or hunting of game and animals from their property. Not only can this compensation take the form of money, but also depending upon the decision of the judge the offender might have to restore the damage done using his own resources. The right to make such claims lasts for 20 years and trying a case under the property laws does not preclude them from administrative and criminal ramifications.

The administrative statute that then sometimes pertains to the protection of furbearing species is Article 8.35, which is titled "The Destruction of Endangered Species of Animals or Plants". The text as I translated is as follows: (the Russian version is in Appendix D).

"The destruction of endangered species of animals or plants listed in the Red Book or protected by international agreements is equal to the following actions (or inactions): procuring, gathering, keeping, purchasing, selling or transferring of the specified animals or plants, their products, parts or derivatives, which can bring to ruin, reduce the numbers of, or infringe upon the habitat of these animals or destroy such plants without the required permit, or in violation of the conditions stipulated by the permit, or in violation of another established order.

"The administrative penalty imposed on the citizens is in the amount of from fifteen to twenty minimum amounts of work payment with or without the confiscation of the instruments used to obtain the animals or plants, and also, their products, parts or derivatives. Imposed on officials - from thirty to forty minimal amounts of work payment with or without the confiscation of the instruments used to obtain the animals or plants, and also, their products, parts, or derivatives. Imposed on legal persons - from three hundred up to four hundred the minimal sizes of work payment with or without the confiscation of the instruments used to obtain the animals or plants, and also their products, parts or derivatives" (WWF Vladivostok, 2005: 33-34).

This article gives the animals and plants listed within the CITES appendices and within the lists of the Red Books, both national and regional, legal protection. Any part of the trade chain is covered under this statute. That is the taking from the wild, buying, selling, or trading of the wildlife or its products, parts, and derivatives of

endangered species is a forbidden act with varying penalties depending upon a citizen's profession. Stiffer penalties are set-aside for government officials and legal professionals who commit this offense and implements that are used to perpetrate this act can be taken from the offender.

There is a criminal code by which furbearing and other game species can be protected. This is Article 258 entitled "Illegal Hunting". Again, the translation below is my own and the original Russian version can be found in Appendix D.

"1. If illegal hunting is accomplished by:

a. causing large amounts of damage

b. causing mass destruction of birds, and animals through use of a mechanical vehicle or an air vessel, explosives, gases or different ways

c. hunting birds and animals, which are completely forbidden

d. hunting in a reserve, or in a zone of ecological disaster, or in a zone of an extreme ecological situation

It is punished by a penalty in the amount of up to 200,000 rubles or in the amount of wages or other income garnished for a period of about eighteen months, or corrective works for the term of up to two years, or imprisonment for the term of 4 to 6 months.

"2. The same act accomplished by a person through the use of their position, or group of persons by prior arrangement, or an organized group - It is punished by a penalty in the amount of 100,000 rubles to 300,000 rubles or in the amount of wages or other income garnished for the period of 1 year to 2 years, and with imprisonment for the term of up to 2 years with or without the deprivation of the right to hold certain official posts or to be engaged in certain activities for the term of up to 3 years" (WWF Vladivostok, 2005: 35-36).

The hunting of animals listed in CITES Appendix I and II and within the Red Book are those species that are completely forbidden to hunt without express permission and therefore they fall within the jurisdiction of this law. Similar to the administrative statute, this criminal code also has harsher penalties for those perpetrators who have accomplished this act because of their profession. Additionally, there are stricter penalties for persons involved in organized crime who illegally hunt. This indicates that organized crime is a specific problem in terms of hunting violations.

The Russian Federation is one of the key members of the Agreement on the International Humane Trapping Standards. After CITES failed to address trapping standards, Canada took up the issue through the International Standards Organization standards route, researching methods of trapping and trapping practices in an attempt to create a set of standards for humaneness in the fur industry and protection for threatened furbearing and other species (Harrop, 2000). Though the effort produced no regulations in CITES, the separate Agreement on the International Humane Trapping Standards established the following: "a. Establish standards on humane trapping standards, b. improve communication and cooperation between the parties for the implementation and development of these standards, and c. facilitate trade between the parties" (Harrop, 2000: 355). Outside of these objectives, the concept of humaneness is not referred to (Harrop, 2000: 355). Each party is required to "establish certification processes for traps, ensure that trapping methods carried out in each country accord with the

standards, prohibit traps that do not accord with the standards, require manufacturers to identify certified traps" (Harrop, 2000: 356). Additionally, members are "To ensure a sufficient level of welfare of trapped animals and to further improve this welfare" (Harrop, 2000: 357). This agreement applies to 19 furbearing species that are frequently traded. It will not fully take effect until January of 2009, but then will prohibit leghold traps in the European Union, try to reduce indiscriminate trapping, and increase the frequency of checking traps for caught animals to reduce suffering (EU, 1998). Article 13 of this agreement deals specifically with the trade in fur and fur products between the Parties (EU, 1998). This article states that within the provisions of CITES, no Party to the Humane Trapping Standards may impose trade restrictions on fur or fur products coming from another member Party (EU, 1998). When importing such products, the importing nation may require a certificate proving that the imports have originated from farms or were harvested in the other member Party's country (EU, 1998). Whereas Canada has made a declaration to phase out the use of leghold traps and the European Community as well, the Russian Federation has made no such declaration and continues the use of indiscriminate traps (personal communication *Rosokhtnizor*, 23 April 2007), which will be detailed later.

As is apparent then, there are laws in place that serve to protect endangered species of animals and plants from poaching and illegal harvesting and collecting, though this legislation is limited in its 'greenness' and the Agreement on International Humane Trapping Standards addressing animal welfare is largely ignored. Having existing legislation though, does not mean that it is effectively used or that it serves as a deterrent to criminals. Media sources indicate that there is awareness that the penalties for such activities might be too weak. For example, Radio Free Europe/Radio Liberty (RFE/RL, 2003) reported in March of 2003 that the Russian Federation Council

> "rejected a bill to amend the Criminal Code to impose harsher penalties for poaching, Russian media reported. According to RosBalt (a regional news service), the bill received only 14 votes in favor and 85 against. The bill would have increased the punishment for illegally harvesting fish and sea products from 200 to 500 minimum monthly wages and a jail term of six, rather than four months".

When it was again proposed that penalties for poaching be increased in June of 2004 the *Duma* (Russia's parliament) rejected the bill (RFE/RL, 2004b). Workers at wildlife protection and conservation NGOs support the increase in penalties because they feel that current punishments do not deter criminals from committing trafficking and poaching offenses (personal communication WWF Moscow, 12 April 2007; personal communication IFAW, 17 April 2007). No person interviewed responded that the property statutes had ever been used in defense of wildlife. In regards to the administrative article "Destruction of Endangered Species of Animal or Plants" and the criminal code "Illegal Hunting", both of these are difficult to prove. Unless there is clear cut evidence (an eyewitness willing to testify perhaps) that the person in possession of the protected species actually was the person who captured, collected, or killed it, then there is no way to charge the person with these statutes. The statute that could be used then is Article 188 about smuggling, but an interviewee indicated that this article is only used if the value of the smuggled goods is more than 250,000 rubles (£5,000) (personal communication WWF Moscow, 12 April 2007) otherwise an administrative code regarding illegal transportation is used, which only carries a penalty of a fine. Environmental harms then in Russia seem to typically fall outside of what is legally defined as criminal though as will continue to be discussed, such actions are environmentally

destructive both in individual cases and on the level of the ecosystem. A further problem with this legislation is how do you know or estimate the value of what is being smuggled? The WWF is often used as the expert to gauge these values (personal communication WWF Moscow, 12 April 2007). Defense attorneys though have presented the original 'receipts' or documentation (and as indicated earlier the initial step is not where the profits and high prices are occurring; this is much later) (personal communication WWF Moscow, 12 April 2007). Inevitably this is an administrative offense then because of the low value (personal communication WWF Moscow, 12 April 2007). The amounts of these fines are low enough that traffickers can easily pay them.

In an interview with the United States Deputy Counselor for the Office of Environment, Science, and Technology at the embassy in Moscow (personal communication, 12 April 2007) it was said that the Russian hunting regulations have been reformed and are now good. And examination of the legislation would tend to support this. Both the "Destruction of Endangered Species of Animal or Plants" and the "Illegal Hunting" statute have as mentioned stricter penalties for people abusing their positions to perpetrate this violation, which indicates a willingness to combat corruption that, as will be detailed in more depth later, often fosters trafficking. According to WWF Moscow, this portion of the legislation has never been used (personal communication, 12 April 2007). Key to these pieces of law is a permit system that forms the foundation for the legality of hunting and trading within and out of the Russian Federation. Obtaining permits is a somewhat time consuming and bureaucratic process that is worth examination.

4.1.3.1 Permits and Licenses

It is Russia's department of hunting known as *Rosokhotnizor* that administers licenses and permits for hunting. This is done at the regional level. Licenses to hunt can be obtained in one of two ways (personal communication *Rosokhotnizor*, 24 April 2007). Either an individual can go directly to *Rosokhotnizor* and apply for a license or a person can become a member of a hunting club and obtain the license through the club. Memberships in clubs are beneficial because they provide licenses for much cheaper prices than if an individual were to apply for one (personal communication *Rosokhotnizor*, 24 April 2007). Also, the government gives hunting clubs acres of land in the taiga and forest for their members to hunt on (personal communication hunting inspector, 25 April 2007). Licenses are given for certain seasons and for a certain number of specimens and may limit the total number of animals that can be caught depending upon the species (personal communication *Rosokhotnizor*, 24 April 2007). In the Far East region, there are only two animals for which *Rosokhotnizor* monitors quotas. These are river otters and sable (personal communication *Rosokhotnizor*, 24 April 2007). The Ministry of Agriculture sets the quotas after hearing the advice of ecological specialists and these are published in the national central magazine and Russian newspapers so everyone can have access to this information (personal communication *Rosokhotnizor*, 24 April 2007). This happens in each department and region (personal communication *Rosokhotnizor*, 24 April 2007).

Complications arise if the hunted animal (or collected plant) is a CITES or Red Book species and then is going to be transported, because further documentation is needed from Russia's department of wildlife, *Rosprirodnizor*. For CITES Appendix I species and Red Book species, permission to transport or trade the animal or plant must come from the headquarters of *Rosprirodnizor* in Moscow (personal communication *Rosprirodnizor*, 24 April 2007). The regional office in Vladivostok (or other areas) can only provide support of

these applications for people submitting them to the office in Moscow (personal communication *Rosprirodnizor*, 24 April 2007). CITES Appendix II includes the species of animals and plants that the branch office in Vladivostok can give permission for to potential users (personal communication *Rosprirodnizor*, 24 April 2007). When the person receives this permission, he must go to the Minister of Economic Development and Trade to get the license (personal communication *Rosprirodnizor*, 24 April 2007). Worryingly, the interviewee who is in charge of issuing these permits from *Rosprirodnizor* in Vladivostok was unaware of which species were in which CITES appendices and if they were in the Red Book. After making several mistakes about which species was protected under which treaty and apparently becoming frustrated after consulting her lists and not finding what she was looking for, she cut the interview short and said to speak to Customs (personal communication *Rosprirodnizor*, 24 April 2007). If those issuing permission to trade certain species are not aware of what is allowed, this undoubtedly results in mistakes in regards to the licenses that are given.

4.1.3.2 Enforcement

As stated, even if there are laws in writing that could combat crimes or violations that endanger the environment, it does not mean that they are being effective and in this case, does not mean that they are being enforced. In general, a problem with the illegal wildlife trade is lack of enforcement. There are not enough inspectors, and police are not aware of what is legal or illegal and they do not know what they should be looking for (personal communication IFAW, 17 April 2007). There are only three groups of specialized ecological police and they are in Moscow, Tver, and somewhere else (personal communication IFAW, 17 April 2007). So, there are a variety of agencies that are tasked with this enforcement, but their ability or their willingness to do so differs. In regards to the licenses and permits for furbearing species, there are regional and federal government wildlife inspectors that have the jurisdiction to check the validity and authenticity of licenses anywhere (personal communication hunting inspector, 25 April 2007). They would verify that it was the proper season for the fur harvested, the correct species, and that the number of pelts taken does not exceed the number of specimens that the license allows (personal communication hunting inspector, 25 April 2007). Additionally, in the territory given to the hunting clubs, the club hires certain members as inspectors and gives them the authority to check the licenses of anyone within the club's territory (personal communication hunting inspector, 25 April 2007). Government and hunting club inspectors also check the traps that have been set by trappers to make sure that animals are not left too long within the traps (personal communication hunting inspector, 25 April 2007). Most of these violations result in a fine. Criminal penalties would only result if a monetarily significant amount of wildlife or wildlife products were being smuggled, or a protected species was killed either by shooting or being caught in a trap.

In recent years, special protection and law enforcement focused on these endangered species that enter into the fur trade. Also given special attention were those species filling the demand for traditional medicines, trophies, or food. Initially developed to protect the dwindling population of Amur tigers in the Far East, the tiger brigades known as Inspection Tiger now have an expanded mission to be anti-poaching brigades (personal communication Phoenix, 24 April 2007). This is a NGO funded project primarily supported by the Save the Tiger Fund, but also receives money from WWF, IFAW, Conservation International (CI), and the Rufford Foundation (personal communication Phoenix, 24 April 2007). Since this is not a government organized group, the employees of Inspection Tiger are hired by the variety of government agencies in Russia that enforce wildlife

laws (personal communication Phoenix, 24 April 2007). This includes the federal and regional *Rosokhotnizor*, *Rosprirodnizor*, and the officials from the nature preserves *zapovedniks*. There is no cooperation or coordination between the agencies that do the hiring and this coupled with the continual reorganization of which agency oversees wildlife issues, means that the brigade is not always able to work as it should; thus preventing the effective enforcement of the laws that they are mandated to uphold (personal communication Phoenix, 24 April 2007). IFAW (personal communication, 17 April 2007) indicated that the main problem now with Inspection Tiger is the recent reformation or reorganization of the government. The inspectors' authority to stop and search was taken from them and must be coordinated through a police agency, even though the police have no knowledge or training in such specifics (personal communication IFAW, 17 April 2007). There is misunderstanding of who is supposed to report to whom and who is in charge between the police and the inspectors (personal communication IFAW, 17 April 2007). This is being addressed and hopefully will be fixed by the end of the year (personal communication IFAW, 17 April 2007).

In terms of trade of illegal fur transnationally, the agency that is given the responsibility to monitor and enforce these violations is the Customs Agency. In Vladivostok, there is a customs academy that is the premier training facility in the country for customs officials and they are very committed to decreasing the wildlife trade (personal communication IFAW, 17 April 2007). Agents check the licenses and permits of wildlife and wildlife products being imported or exported at all border crossings, be it road, train, sea, or air (personal communication IFAW, 17 April 2007). The licenses and permits that they are examining are import and export permits for CITES Appendix I species, export permits for CITES Appendix II species, permits given by *Rosprirodnizor* for Red Book species, and permits given by the Ministry of Economic Development and Trade that allows the CITES species to be used in commerce (personal communication IFAW, 17 April 2007). The deputy of *Rosprirodnizor* (personal communication, 24 April 2007) in Vladivostok said that the Customs agents in their region had only called the office of *Rosprirodnizor* three times in the last two years to verify that someone's documents were legitimate. This is a very small amount considering the volume of permits issued. Now that the laws have been explained and the legal requirements for properly trapping have been established, the illicit activities that arise in the fur trade can be explored.

4.1.4 The Illegal Fur Trade

To summarize the evidence so far that illustrates an illegal fur trade in Russia, first there is the research by Dronova and Shestakov (2005), which indicates that poaching of protected and endangered species, and over harvesting of monitored furbearing species is occurring in the Russian Federation. Proof of this is that records show that between "2000 and 2003, more than 80 tigers were shot by poachers and more than 30 persons were sentenced for illegal activities associated with the trade in tiger derivatives between 1994 and 2001" (Dronova and Shestakov, 2005: 22). In regards to quota animals, the actual sable harvest is thought to be at least 30% more than official statistics (Dronova and Shestakov, 2005: 17). Out of the ten years that there is data regarding the number of harvested sables, and the number of skins offered at the Saint Petersburg fur auction, eight of them exceed 100% (Dronova and Shestakov, 2005: 17). This is only one auction house in the country, and does not include furs that are sold internationally to buyers directly (China, South Korea, Japan, USA, Denmark, Italy and Greece), or domestic use that does not take place through the auction system (Dronova and Shestakov, 2005: 19).

They found that not only has the decrease in hunters' incomes forced them to take more then the established quotas for certain species, but this has lead hunters to pursue more profitable targets, such as those plants and animals used in traditional Asian medicines, as described above by the tiger trade (Dronova and Shestakov, 2005: viii). Also, Dronova and Shestakov (2005: 20) believe from the interviews with Russian Customs that they conducted, that furs are illegally exported to other countries and occasionally finished fur products are illegally imported. For instance,

> "Russian Customs officers regularly discover travelers attempting to import finished fur products made of mink, muskrat, nutrias *Myocaster coypus*, arctic fox, red fox, marmots, and other furbearers illegally into the Russian Federation. Countries of origin are Turkey, Greece, and China. Since 2001, Russian Customs have also recorded cases of attempted illegal importation of skins from farms in China" (Dronova and Shestoakov, 2005: 21).

The fur industry has many steps from the capture of the animal, through treating the skin, and then through manufacturing products from it. Because of this complexity, there are several opportunities for illegality. For instance, "Untreated skins are subsequently exported to tanneries and then on to manufacturers. The chain of production may include several instances of import and re-export, allowing opportunities for laundering or introducing prohibited skins into the legal trade. This was a major problem in the 1980s, but there is a view that tighter controls have led to some recent improvement" (Cook et al, 2002: 12). All of this supports the claim that the illegal fur trade happens not only regionally or nationally, but transnationally as well.

In terms of literature, further evidence comes from a World Bank (Wingard and Zahler, 2006: 32) report examining the illegal wildlife trade in Mongolia, nearby to Russia Far East. In Mongolia, 14 mammals are trapped and entering the illegal fur trade, and many of these species are also found in Russia Far East. In particular, the trapping of Siberian marmot in Mongolia is exceeding quotas and endangering population sustainability (IBRD, 2005: 11). Besides Russia Far East and Mongolia having similar ecosystems, which support the same species, both of these areas have similar cultures in the sense that wildlife is a "source of protein, fur and medicine as well as supplemental income from trade" (Wingard and Zahler, 2006: 11). In fact, "the availability of wildlife is a cornerstone to economic and even physical survival. It provides food for the table, medicine for the sick, and furs to protect against the bitter winters of Central Asia" (Wingard and Zahler, 2006: 11), and Siberia and Far East Russia. The trade in Mongolia is fulfilling a demand in China, and it is reasonable that such practices are also taking place in Russia. Additionally, Mongolia is also supplying the illegal traditional medicine market, and an illegal market in trophy hunting (Wingard and Zahler, 2006). Again, Russia Far East is home to these species as well. The permanent border stations between Mongolia and Russia are understaffed, and ill equipped (Wingard and Zahler, 2006: 32). "The most well-known and heavily used by traffickers is the Khankh station immediately north of Lake Khuvsgul. Chronic understaffing makes this border point especially susceptible to illegal trafficking" (Wingard and Zahler, 2006: 32). This station borders with Siberia, close to the Far East. Research in the Far East has found that fur pelts, particularly of marmots, that are illegally poached in Mongolia, are smuggled into the Far East and Siberia for further processing (Lyapustin and Fomenko, 2003: 83).

Additionally, records of confiscations within the Far East have been published. These indicate that the following illegal wild animal pelts have been found: lynx, Amur wildcat, squirrel, river otter, rabbits, weasels, mink, muskrats, white and blue arctic fox, sable, beaver, different species of fox, polar, brown and Himalayan bear, as well as the more rare seizures of Amur tiger, Amur leopard, wolf, and seal (Lyapustin and Fomenko, 2003: 78). From 1991 to 2003, Customs found the following illegal furs: 5,177 mink, 3,797 squirrel, 1,136 weasel, 1,001 sable, 143 white rabbit, 63 river otter, 242 muskrat, 2 beaver, 599 arctic fox, 2 Amur wildcats, 89 raccoon dog, 223 fox, 4 lynx, 11 bear, 6 tiger, 1 leopard, 1 sand cat, 1 wolf, 1 sea otter, and 2 seal (Lyapustin and Fomenko, 2003: 79). Also, finished fur products where the fur has originated in the Far East, and been taken illegally to China, are then smuggled back into Russia to be sold (Lyapustin and Fomenko, 2003: 83).

As to whether organized crime and state corruption are involved, this will be explored more in depth shortly using further resources, but from the research cited in the previous section, I predict that proof of this will be found. Despite democratic reforms, there remains an environment, and a system of government that is conducive to state corruption and organized crime. This is evident from these elements' involvement in other illicit trades, such as the above mentioned trafficking in women. Furthermore, since there is a culture that accepts criminal behavior as the norm, a crime such as trading furs illegally would be overlooked, or partaken in by both officials and the public. Additionally, since there is a legal market for fur products, this gives the illegal market a means in which to hide, making it more difficult to detect. Finally, there is a criminal justice system that is hampered from combating the illegal fur trade, or is benefiting from its existence. The literature points to the existence of such a trade, and the field research, and secondary data collection that will now be presented, concretely supports this finding while providing a framework of who is committing this crime, how it is being perpetrated, and where it is occurring.

Staff of the United States Consulate (personal communication, 23 April 2007) in Vladivostok thought that the fur trade in endangered species and other animals was small, but this section hopes to demonstrate that it is still significant. As discussed in the methodology section, the UNEP-WCMC administers an Internet database of all CITES trade. The following is a description of the specific data found there regarding illegal fur trade in Russia. To begin, the trade in furbearing CITES species during the USSR (1977 – 1991/2) was compared to that of the trade in furbearing CITES species after the creation of the Russian Federation (1992 – present). The data from 2007 is incomplete, as these reports are still being given to the CITES Secretariat, and added to the database.

As seen in the accompanying charts (all generated from the CITES trade database or the LEMIS data) in Appendix E, CITES exports from the Russian Federation appear to have decreased from its predecessor. Figure 1 is the total exports from the USSR, and Figure 2 is the total exports from the Russian Federation. The decrease can be accounted for by the independence of the 15 republics. Eleven of them have individually joined CITES, and are administering the treaty for themselves. In four former republics (Armenia, Kyrgyzstan, Tajikistan, and Turkmenistan), CITES is still overseen by the Scientific and Management Authorities of Russia, even though this is not recognized by the Secretariat (personal communication CITES Secretariat, 20 December 2006). Also, the decrease may be in part due to the lessened demand for fur products during the 1990's. In Russia, the four main species of export are Siberian weasel *Mustela sibirica*, Eurasian lynx *Lynx lynx*, wolf *Canis lupus*, and brown bear *Ursus arctos*. This can be seen in Figure 4 of Appendix E. The Siberian weasel account for 73% of the

exports. This is predominantly from the year 2000, where 28,063 skins were exported. The cause of this spike is unknown. The four main traded species during the USSR were wolf *Canis lupus*, Eurasian lynx *Lynx lynx*, leopard cat (particularly the Chinese subspecies) *Prionailurus bengalensis*, and European wildcat *Felis silvestris*. Additionally, there was trade in Pallas cat *Otocolobus manul* of 5% (see Appendix E Figure 3). On average, fur exports are 3,000 items less per year then during the Soviet Union.

Whereas the USSR traded thousands of CITES furs over the available data period with Belgium, Canada, Denmark, Finland, France, Italy, and Japan, this trade is only in the hundreds with the Russian Federation. A higher volume of trade exists between Russia, and Great Britain and the United States, but it is still at a lessened volume than from under the USSR. Currently, the majority of Russian trade is with China, who was not a trading partner with the Soviet Union. What is evident from the comparison of trade data between the USSR and Russia, is that Russia has a higher number of illegal exports. What is not able to be determined, is if this is merely a matter of illegal exports being reported by Russia, when under the USSR they were not, or if there was in fact an increase in illegality, or if there was an increase in illegality being discovered. There was only one report of an illegal fur item in 1990 under Soviet administration of CITES. In 1992, there is a spike of 252 products (150 river otter *Lutra lutra* skins and 100 Eurasian lynx *Lynx lynx* skins). According to the data in the CITES trade database, since 1993 Russia averages five illegal fur exports each year, with fluctuations throughout the period (see Figure 6 in Appendix E). Thirty-two of these fur items were wolf *Canis lupus* products, 15 brown bear *Ursus arctos*, and seven Eurasian lynx *Lynx lynx*. The countries of destination for these illegal fur exports were six items to Finland and Norway, five items to Poland, and the vast majority, 38, were being imported by the United States.

In comparing the imports between the two time periods, there appears to be evidence of the opened borders after the collapse of the Soviet Union because under the USSR, there was only one year where there was significant numbers of CITES imports (in 1988 there were 20,000 leopard cat *Prionailurus bengalensis* skins, and 2,000 Eurasian lynx *Lynx lynx* skins imported from China. These trade instances are also evident in the Significant Trade Review of these species). Again, this can be see in Appendix E in Figure 5. Beginning in 1996, Russia imports more than 3,000 fur items each year, with 1997 exceeding 25,000 imports (Figure 7 in Appendix E). A majority of these are Cape Fur seal *Arctocephalus pusillus*, and there is also significant numbers of Andean fox *Pseudoalopex culpaeus*, and Argentine gray fox *Pseudalopex griseus*, Canadian lynx *Lynx canadensis*, and bobcat *Lynx rufus* (Figure 8 in Appendix E). Russia's main direct CITES fur-trading partner is Argentina (hence the foxes). There are also a large number of pelts that come from Norway, but the skins are originating in Canada, the United States, China, Argentina, Chile, and Namibia. Italy and Denmark also re-export furs to Russia from the same source countries as listed above. Russia imports minimal amounts of fur skins directly from the US and Canada. There were only three incidents of illegal imports to Russia – 2 wolf *Canis lupus* skins and 1 brown bear *Ursus arctos* skin all in 1999 (Included in Figure 5 of Appendix E).

CITES fur trade is only a part of the entire Russian fur trade. There are many species that are traded that are not monitored by the treaty, but are internally managed. Both those species, and CITES species entering into the US, are tracked by the United States Customs and the United States Fish and Wildlife Service (USFWS). It is possible to gain some insight into Russian reporting patterns of CITES, by comparing the US records to those previously discussed that have been given to the CITES Secretariat. Additionally, the non-CITES species fur

trade of the Russian Federation can be explored by examining the second database available for this research, the United States Law Enforcement Management Information System known as LEMIS.

The data contained in this system was from 1998 to 2005. The furs of Russian origin that were recorded in trade with the United States were: Arctic fox *Alopex lagopus*, Gray wolf *Canis lupus*, Wolverine *Gulo gulo*, Canadian lynx *Lynx canadensis*, Eurasian lynx *Lynx lynx*, Sable *Martes zibellina*, European polecat *Mustela putorius*, Mink *Mustela vison*, Brown bear *Ursus arctos*, and Red fox *Vulpes vulpes*. The Gray wolf *Canis lupus*, Eurasian lynx *Lynx lynx*, Brown bear *Ursus arctos*, and Red fox *Vulpes vulpes* are CITES listed species. The Red fox *Vulpes vulpes* though is Appendix III, so its trade data is not reported to the Secretariat. The Russian Red Book lists only the Arctic fox *Alopex lagopus* of those animals involved in trade. Furs of Russian origin that enter into trade with the United States, are almost all sable *Mustela zibellina* pelts. Of the 498,591 skins of Russian origin, 486,682 were sable – a total of 97.6%. Imports of sable were at their highest in 2000, and dropped nearly in half by 2001, but have begun to climb again. For all fur items traded, that is skins, trim, skin pieces, garments, plates, and rugs, the exports from Russia to the United States have fluctuated, as can be seen in Figure 9 in Appendix E. Exports have exceeded 80,000 articles for 6 of the 8 years contained within the data. As far as imports of fur to Russia from the United States, the species that are most prevalent in trade for this period are non-CITES species. They consist of Muskrat *Ondatra zibethicus*, Eurasian beaver *Castor canadensis*, and Raccoon *Procyon lotor*. All of these are not native to Russia though muskrats and raccoons have been introduced, and are used in the fur trade (Weiner, 1988). Russia also has a population of beaver species *Castor fiber*, but this is a protected animal, so possibly the North American animal is fulfilling the demand that can no longer be met locally.

From 1998 to 2005, from all categories of traded items (skins, skin pieces, plates, rugs, garments, and trim), there were 51 incidents of either the item being seized or abandoned. A seizure occurs for products that are illegal, and according to the USFWS (personal communication, 26 August, 2006) products that are abandoned are usually done so because there is suspicion that the item is illegal. Of these 51 occurrences, 29 were seizures and 22 were abandonments. The seizures included 17 incidents of garment confiscation totaling 40 items with 15 different species being represented, six incidents of skin confiscation including Gray wolf *Canis lupus*, Eurasian lynx *Lynx lynx*, River otter *Lutra lutra*, and Wolverine *Gulo gulo* skins, and one seizure of trim made from spotted seal *Phoca largha*. The data from which this summary derives can be found in Table 11 in Appendix E. Thirteen times garments were abandoned, totaling 20 items from six species, one Northern fur seal *Callorhinus ursinus* plate was abandoned, three times skins were abandoned equaling four pelts from River otter *Lutra lutra*, Spotted seal *Phoca largha*, and Brown bear *Ursus arctos*, and the five times that fur trimmed items were abandoned there were six items made from Northern fur seal *Callorhinus ursinus*, spotted seal *Phoca largha*, and raccoon dog *Nyctereutes procyonoides*. Again, the data for abandonments can be found in Appendix E in Table 12.

The amount of illegality recorded is quite small in comparison to the volume of total trade, and only 43% of the illicit transactions concerned CITES species. These species were River otter *Lutra lutra*, Sea otter *Enhydra lutris*, Eurasian lynx *Lynx lynx*, Brown bear *Ursus arctos*, Canadian lynx *Lynx canadensis*, and Bobcat *Lynx rufus* in decreasing frequency. Those species that are not protected by CITES made up 57% of the illegal trade, and 57% of these transactions were of seal species (38% Spotted seal *Phoca largha* and 19% Northern fur

seal *Callorhinus ursinus*). The Spotted seal *Phoca largha* is under no protection from CITES, or under threat on the IUCN Red List. The Northern fur seal *Callorhinus ursinus* is listed in IUCN Red List as Vulnerable, so within the threatened categories, but is not protected under CITES, or the Russian Red Book. Since these species are entering into trade even though it maybe at small levels, it appears further examination into their conservation status might be merited.

The LEMIS data includes that of the CITES data, and can therefore be used to crosscheck the trade of the Russian Federation with the United States. A total of 56 CITES fur transactions took place between the United States and Russia from 1998 to 2005. There were 48 exports from Russia to the United States, and 8 imports. In cross-referencing this information with the LEMIS data, there are 16 or one-third of the exports from Russia not recorded by LEMIS. In terms of imports, there were eight in total two of which or 25% that were not found in the LEMIS statistics. LEMIS data is of course recorded by the United States, so there appears to be CITES species that are not being properly tabulated, as they enter the country even though either country is sending the information to the CITES Secretariat. In the reverse instance, there are six exports of Russian goods recorded in LEMIS that are not within the CITES statistics. It is possible that two of these entries are simply the result of differences in reporting format. For instance in 2001, there is a Brown bear *Ursus arctos* skin in the CITES data that is not in the LEMIS data, but in the LEMIS data there is a Brown bear *Ursus arctos* rug – possibly the same item. Also, in 2002 CITES has listed a Gray wolf *Canis lupus* plate, whereas LEMIS has listed a Gray wolf *Canis lupus* skin – also possibly the same item just recorded differently. The most cause for concern is two transactions involving Canadian lynx *Lynx canadensis* that are found within LEMIS and not within CITES. These are of particular importance because of their quantities – in 1999 an unreported 35 skins and a further 310 skins in 2000.

A further source of discrepancy can be found when comparing the quantities reported by the United States and the Russian Federation, and the amounts tabulated by LEMIS. This occurs in six (almost 19%) of the export entries for which there is CITES and LEMIS data, but none of the import data. In four of these instances, the quantities exceed 20 items, and all involve Eurasian lynx *Lynx lynx*. Each time, the Russian Federation reports that they exported more than the United States claims was imported. The LEMIS data was three times out of four lower than the CITES data reported by the United States. This raises the issue of how can sustainable quotas be established for these species in the fur industry if the tabulated number of pelts is so inaccurate and the actual number taken differs from what is permitted.

The amount of the CITES items exported by the Russian Federation to the United States that were illegal in this time period was eight, or 16%. This information corresponded directly to the number of seizures listed in LEMIS. The only discrepancy was that two illegal Eurasian lynx *Lynx lynx* skins in CITES were presumably recorded as two illegal Bobcat *Lynx rufus* skins in LEMIS. LEMIS offers the additional information though about products that have been abandoned. If abandoned fur items are taken into account, there are an additional seven incidents of illicit behavior, and the percentage of illegal CITES activity entering the United States from Russia rises to 31%. In looking at the LEMIS data compared to the CITES data, the trade in furbearers, at least between the United States and Russia, is being sent to CITES be it by either party. The comparison has revealed that it is LEMIS that is failing to record CITES transactions, and the reasons or

ramifications of this are outside of this study, since this research is focused on the Russian Federation, and not the United States.

An exploration of the other data collected also provides evidence that illegal fur trade does occur in the Russian Federation, and despite claims that it is not a problem for some species, I will argue that this is not the case. When searching Russian news sources for illegal trade and poaching, articles about seizures of illegal furs are not uncommon. The first Russian search engine through which news articles were searched for, was Yandex. Over 40 international, national, and regional news agencies' articles were scanned during this search. When looking for articles about poaching, 9,646 articles were found. The search was narrowed to those poaching articles that were specifically about the Far East region. This trimmed the number of articles to 574 between 1 March 2006 and 7 May 2007. Reports about poaching cover a diverse group of species, including marine products, timber, sources of traditional Asian medicines, and furbearing mammals. Tigers Амурский тигр account for 10% of the poaching articles. The Amur leopard Дальневосточный леопард was frequently covered as well, particularly from October of 2006 to April of 2007 when a new census was conducted, and it was discovered that there are only between 27 and 32 of these cats remaining (AFP, 2007). Poaching for both of these cats' skins, is contributing to their decreasing chance of survival. Further indication of the illegal fur trade, is cited in news articles that were found when searching for smuggling of wild fauna and flora in the Far East. These criteria returned 235 articles between 26 October 2006 and 7 May 2007. Eight percent of these articles focused on the plight of the tiger, and interestingly 13% of the reports discussed CITES and its 25th anniversary, indicating a much more public awareness of the wildlife trade convention then there appears to be in Europe, and certainly in the United States. Another search was conducted using the terms illegal wildlife trade, resulting in 1,748 articles specifically of incidents in the Far East. Six percent of these articles were again pertaining to the tiger, with a further 3% of the reports specifically mentioning the illegal trade of tiger skins. Additionally, 3% of the articles addressed the need for conservation of the Amur leopard. Attention is given to the supposedly less charismatic animals as well, with one article discussing the seizure of 1,634 raccoon dog skins (Goverdovskaya, 2003: 2), an endemic animal that is not considered to be threatened by the IUCN Red List.

Further searches were also done at a second Russian search engine called Rambler covering the same period and a different set of compiled news sources. The same criteria were used, except that as explained in the methodology section, the search engine automatically breaks down the search by region, so this further demarcation was already completed. Searching for reports about poaching, returned 115 articles within the Far East out of a total of 1,508. Three percent of these reports were about the Amur tiger, and an additional 2% related information about the illegal trade in Wolverine росомаха, and Arctic fox песец furs. Ninety-one articles were found in the category of smuggling of wild fauna and flora in the Far East. Five percent of these detailed illicit fur trade. Scanning for the illegal wildlife trade, did not return any articles in the Far East.

Looking at some of these articles in more depth, reveals the further implications to the species of such a trade. For instance, scientists in the Far East were surveying how many Amur leopards remain in the wild during late winter of 2007. Poaching is one of the key occurrences that have decreased the population of Amur leopards to 30 cats (AFP, 2007). A professor at Far Eastern State University (personal communication, 18 April 2007) knew personally a neighbor man from her village who is a hunter and trapper by profession, who wanted to earn

some money quickly to buy a Japanese car (most cars in the Far East are), so he shot an Amur leopard. He knew that he could sell it for around $3,000. He had left the skin in his house and his son found it. His son sold the skin to someone for 2,000 rubles or $80.

This has historically been true of the polar bear *Ursus maritimus*, or белый медведь as well. "Poachers in Russia's Far North have long plagued the polar bears -- dotted in colonies along the sea coast of the Far North. Fearing poachers would wipe out the polar bear, in 1956, the Russian government declared the species endangered and banned all hunting of polar bears" (Corwin, 2007). Then in 1973, the use of traditional weapons was allowed to hunt polar bears. Also, Russian law permits the killing of endangered species, such as tigers and bears, in self-defense. It was reported that in a northern town where eight bears had been killed in such a manner, three of them were skinned. Presumably, the reason that the bears were killed was false and they were simply being taken to sell their skins, which sell for nearly £2,500 (Corwin, 2007).

Amur tigers are in a similar situation. "Because of continued poaching and loss of food sources, the numbers of this magnificent beast have dwindled to some 400 or fewer in the wild. Or it might be better to say, there were 400 of them. The last population census was conducted 10 years ago, and the present situation is unclear" (O'Rourke, 2005b). It is known that poaching is a threat in conjunction with a trade in skin and bones, but also threatening is the loss of the tigers' food source (O'Rourke, 2005b). A tiger skin can sell for £25,000, whereas the fine for possessing one is only 20,000 rubles (£384). Sheremetyevo airport in Moscow is thought to be the place where a majority of the illicit wildlife trade travels through, but since 2003 no contraband has been found at the airport. According to Goverdovskaya (2003: 1), that is because the market for "exotic animals and things made of skin, fur and bones is a secret one". In fact it is, "Russia's Far East (that) is the main trans-shipment point for contraband exotic animals; this region guarantees stable volumes of a local illicit market for contraband animals and plants" (Goverdovskaya, 2003: 1). Seizures of illicit fur pelts at the Chinese border support this (Planet Ark, 2004). Later reports show improvement to the detection of illegal activity involving wildlife at Sheremetyevo airport, with 332 incidents in 2006, including seizures of illegal fur (personal communication IFAW, 17 April 2007).

Interviews with government officials and NGO staff also provide evidence that there is an illegal trade in fur occurring in Russia Far East, and answers to the research questions. Staff of *Rosprirodnizor* (personal communication, 24 April 2007), the agency tasked with issuing licenses for Red Book and CITES Appendix II species, stated "Definitely there are things that are happening illegally and of course things should occur legally, but we (Russians) have this kind of quality". *Rosokhotnizor* (personal communication, 24 April 2007) in Vladivostok, the department giving out hunting permits, stated that "of course it [illegal fur trade] exists, but *Primorsky Krai* [the region or county that Vladivostok is in] is different from its neighbor, the large Chinese government, which sometimes brings illegal fur products to our territory". A hunting inspector (personal communication, 25 April 2007) also acknowledged that poaching was a problem, but was vague about how much poaching he knew was occurring. WWF Vladivostok (personal communication, 19 April 2007) said that fur is illegally taken from the Far East territory, and taken to China. The USFWS (personal communication, 31 October 2006) does not make a distinction between skins and fur, so when asked about illegal fur trade, it was acknowledged that there is a trade in tiger and leopard skins originating in Russia. There have also been various seizures and forfeitures of wildlife and their products, which have not resulted in arrests. This has occurred

mainly in obvious cases of ignorance of wildlife trade laws, rather than cases with criminal intent (personal communication USFWS, 31 October 2006). In contrast, when this question was posed to CITES (personal communication, 20 December 2006) the answer given was that fur trade did not involve CITES species, but that there was some concern over illegal trade in mammal skins, which was defined as bears, tigers, and leopards, but that this was not fur. As indicated previously, the definition of fur trade adopted by this research does include skins, and therefore an illegal trade in bear, tiger, and leopard skins is considered part of Russia's illegal fur trade. Further conversations with other CITES staff (personal communication, 23 February 2007), found that they too thought that illegal fur trade was not an issue of concern for Russia, but that maybe a looming European Union ban on the importing of bear and wolf would have some impact on the industry. Staff of the WWF Moscow (personal communications, 12 April 2007) in Russia would agree with CITES that there is no cause for concern over an illegal fur trade. The report that they conducted in 2004 by Dronova and Shestakov, and published in 2005 was initiated because it was thought that with the change in dynamics of the fur industry, and the demand in the fur market, that the conditions might be present to promote an illicit trade. They believe that from a conservation standpoint that the hunting and trapping that is occurring is 100% sustainable, despite their own evidence that sable are taken in excess of the established quotas (personal communications WWF Moscow, 12 April 2007). *Rosokhotnizor* (personal communication, 24 April 2007) believes that legal fur supplies the auction in Saint Petersburg, which is very legitimate because Russian legislation makes it so. The illegal fur goes to neighboring countries like China and maybe other countries that they do not know of (personal communication *Rosokhotnizor*, 24 April 2007). WWF Moscow (personal communication, 12 April 2007) said that the fur enterprises will buy everything they possibly can irrespective of the source, and at that point the illegally trapped fur is now legal. This is how the auctions can have furs exceeding quotas because in the first step in the chain, the illegal is transformed to the legitimate (personal communication WWF Moscow, 12 April 2007). From the data that WWF collected, they have come to the conclusion that the quotas are set too low, even though these quotas are developed by ecologists, and *Rosokhotnizor* (personal communication, 24 April 2007) agreed. WWF Moscow (personal communication, 12 April 2007) maintains that the fluctuations in the populations of sable *Martes zibellina* are not due to poaching or over harvesting. These dynamics can be explained by other environmental phenomena, such as natural migration patterns because of food sources, fires etc., but are not commercial in origin (personal communication WWF Moscow, 12 April 2007).

In regards to CITES furbearing species, WWF Moscow (personal communication, 12 April 2007) stated that tiger parts and skin trade are of course well-known and highly publicized incidents, even though they do not occur that often. Any demand in Russia comes from the rich people living in the Caucasus region, such as Chechnya (personal communication WWF Moscow, 12 April 2007). Tiger skins and parts arrive from the Far East through Moscow, and then go to the Caucasus (personal communication WWF Moscow, 12 April 2007). Bosses of tribes or families there must show their wealth, and are in competition for who is the richest with other bosses (personal communication WWF Moscow, 12 April 2007). One way to do this is by wearing or owning rare animal skins (personal communication WWF Moscow, 12 April 2007). This is true of the other countries in the Caucasus as well. Tiger skins are smuggled to Georgia, and can sometimes be found in the Tbilisi market (personal communication WWF Moscow, 12 April 2007). IFAW (personal communication, 17 April 2007) thought that this year 2007, there was evidence that something is going wrong with the tiger populations, and

related it as follows: In February of 2007, seven stray tiger cubs have been found. Four were taken into care, and unfortunately cannot be reintroduced into the wild, but will live their lives in zoos. One had been caught in a fur trap. Another had attacked and killed someone's dog because it was starving, and then was found in the doghouse. It is not known what happened to the mothers, if they were poached, if they starved because their prey base has been hunted, or because of habitat destruction. Typically though, it is estimated that 40 animals from the Far East are poached each year out of the 350 – 450 that remain (personal communication WWF Moscow, 12 April 2007; personal communication IFAW, 17 April 2007). With so many cubs found that early in the year, IFAW (personal communication, 17 April 2007) felt that poaching would exceed the annual average.

IFAW staff (personal communication, 17 April 2007) also expressed concern for the Far East tiger populations because of China's proposal to allow trade of farmed tigers. They (IFAW) do not doubt that this would also increase the incidents of poaching, and further endanger those small populations left in the wild. A crisis with tigers in India in 2004 was used as reference, and this was linked primarily to China's demand for bones. The skins are simply sold as a byproduct (personal communication IFAW, 17 April 2007). This incident is that supposedly recovered populations of India's tiger were discovered to be in severe danger despite major efforts to protect them (personal communication IFAW, 17 April 2007). Phoenix (personal communication, 24 April 2007), a local Vladivostok NGO that is the agency through which the funding for Inspection Tiger passes through, expressed similar concerns. The transnational trade of illegal tiger and leopard parts, and derivatives is less than it was several years ago (personal communication Phoenix, 24 April 2007). This is because China has cracked down on illegal trade, and this effects the situation in the Far East (personal communication Phoenix, 24 April 2007). It has become a more risky business because China has created more serious penalties (the death penalty for poaching tigers), so now the situation is better (personal communication Phoenix, 24 April 2007). In the future though, they (Phoenix) (personal communication, 24 April 2007) are not sure what will happen because China has opened two big tiger farms. They have had successful breeding programs, and bring tourists to see the tigers – how they run etc., which can be useful in that it raises awareness (personal communication WWF Vladivostok, 19 April 2007). When the tigers die, that is when the concern arises because then the meat, bones, and skin are permitted to be sold, and allowed to be made into medicines, and the fur and products traded (personal communication Phoenix, 24 April 2007). The Chinese say that this process will be under control (personal communication Phoenix, 24 April 2007). They have been advertising these farms at Tiger conferences around the world, including at a recent one in Nepal (personal communication Phoenix, 24 April 2007).

As a Russian organization, Phoenix (personal communication, 24 April 2007) is against this for the following reasons: There is doubt that the process will truly be under control for tiger parts etc. Experience shows, for instance, with ginseng *Panax ginseng* or женьшень, that there is a lot that is grown artificially, but this has hurt the wild ginseng through increased smuggling and collection (personal communication Phoenix, 24 April 2007). With the growing of farmed tigers, it is possible maybe even probable that the same would happen and that the bones and parts of wild tigers will become more valuable (personal communication Phoenix, 24 April 2007). Another fact is that maybe tiger part trade will be controlled within the territory of China, but the concern is with the border between Russia and China, where the Customs and border control is weak, and there is corruption. There is the possibility that a Chinese person can be waiting on the border with documents from these farms for permission to have bones etc., and that someone from Russia can just pass an Amur tiger across

the one meter of the border to the Chinese person with legal documents. In spite of strong Chinese control, it will be rather difficult in such a case to prove that the bones are from an Amur tiger, and not a tiger from the farm. Phoenix (personal communication, 24 April 2007) is against this farming because they are afraid that it will increase the poaching of the Amur tiger in the Russian Federation. Maybe then, it will return to how things were 10 years ago when there were only 200 tigers.

WWF Vladivostok (personal communication, 19 April 2007) offered another scenario. In the case of sea cucumbers, farms are regulated by giving them a set amount of product that they are allowed to capture in order to establish breeding stock. This much product was taken, but it was discovered that there was in fact no farm, and that all of the sea cucumber had been poached from the wild. This is possible in the instances of tiger farms as well.

Other NGO leaders disagree. *Brok* (personal communication, 19 April 2007) knew that China was already farming tigers, and that it also served as a profitable tourist attraction. The Chinese collect ingredients from the tiger parts, and sell the skins. It was not felt that farming increases illegal trade, but decreases it because it removes the demand from the wild populations (personal communication *Brok*, 19 April 2007). Worrying though, is that the plight of Russia's most famous endangered animal is not always taken so seriously. A hunting inspector (personal communication, 25 April 2007) for a Far East hunting club thought that the government was lying about how many tigers there are, and actually thought there are a lot more then the official statistics. He stated that the tigers eat too much food, up to 100 boars a year, and that this was taking food away from people. This is a clear example of the anthropocentrism of Russian society. From a deep green criminological perspective, the tiger has an equal right to food as a human, and measures should be taken to ensure that not only people are not starving, but also that the dwindling tiger population has access to food.

Within Russia each year, there are usually 10 - 15 snow leopard *Uncia uncia* skins found which probably come from Mongolia (personal communication WWF Moscow, 12 April 2007). From a conservation point of view, this may appear bad, but from a zoologist's or an ecologist's point of view, it is not so terrible (personal communication WWF Moscow, 12 April 2007). It is thought that there are between 3,500 to 7,000 snow leopards remaining in the wild, though since they inhabit remote mountain regions, it is difficult to accurately estimate (Snow Leopard Trust, N.D.). Russia is one of the 12 countries where this cat ranges, but no population data is available from the Snow Leopard Trust website (Snow Leopard Trust, N.D.). Why it is presumed that the snow leopard pelts found in Russia are originating in Mongolia is unknown, since they may very well have been poached in the Altai region of Russia. Also, it is unknown why a zoologist's opinion would differ, or be in conflict with that of a conservationist's. Ten to fifteen cats each year from an estimated population in Mongolia of 100 to 200 snow leopards (Snow Leopard Trust, N.D.) is a significant decline. It is probably detrimental to the gene pool, and therefore survival of that particular group of snow leopards. It also causes concern because then wildlife laws are being flouted in addition to possibly border checkpoints being avoided, pelts being smuggled, and/or Customs people participating in the trade, or taking bribes.

There is some trade in CITES Appendix II furs from Russia, but once the garment or pelt is being transported, there is no documentation (personal communication WWF Moscow, 12 April 2007). Primarily though according to *Rosokhotnizor* (personal communication, 24 April 2007),

> "The type of species that are traded illegally depends on fashion. For instance, earlier there was checkered fur. In this year, Italian fashion needs sheared mink. Next year, maybe they need longhaired fur from a dog. Next year lynx hats and the skin for $1500 and then next year lynx decreases to only $200. This is the market. In some years, China wants blue squirrels, then sable, then something else, China will take whatever for the market – it is like that".

WWF Vladivostok (personal communication, 19 April 2007) agreed that season and fashion affect the illegal fur trade. For example, several years ago raccoon dog *Nyctereutes procyonoides* or собака енота trim was very popular. These were poached and sold for 800 rubles (£16) a skin. Now they only sell for 200 (£4) to 300 (£6) rubles a skin, and no hunter would bother because it is no longer profitable. The only stable prices are basically for sable (personal communication WWF Vladivostok, 19 April 2007), which is now known is consistently poached for its fur. Fernandez and Luxmoore (1997: 8) expand this idea,

> "The fur trade has been implicated in over-exploitation of several species and only a few have been successfully domesticated. The increased difficulty in obtaining specimens from the wild and the subsequent restrictions on trade brought about by international regulations, have led to substitutions for other species. This and the changes in demand brought about by the fashion industry, have the greatest influence on the pattern of trade in most furbearers".

4.1.4.1 Who is Involved?

As is evident from the previous section then, there is an illegal fur trade that is happening within Russia, and also into and out of Russia. One of the primary objectives of this research, was to determine who it was that perpetrates wildlife trafficking since there has been very little information about this before. The small amount of existing literature about fur trade, gives little indication as to who the hunters, or poachers are. Even though one might assume that the people interviewed in Dronova and Shestakov's (2005) report are Russians because the study took place in the Far East, this is not necessarily the case since the area does receive immigrants from other parts of Asia. This section will present who is involved in the illegal fur trade in Russia, through news sources, and personal interviews.

Searching through the news sources collated at the Russian search engines Rambler and Yandex, revealed little about who traffickers are. At Yandex, only 18% of the articles mentioned who the offender was in poaching incidents. Predominantly, this was Japanese fishermen poaching marine products off the Russian coast. There was even less frequent reporting of Chinese people illegally poaching, and the most rare of the perpetrators discussed were Russian people. Rambler gave similar results. Who the traffickers were, was seldom written, and when it was reported, Chinese people poaching were enumerated more often then Russian people poaching. Unfortunately, this data does not illuminate who it is that is illegally trading fur, since even though animals are often poached so that their fur can be sold, the articles are not detailed enough to know if that is the purpose behind the offense reported.

The data that truly exposes who is responsible for the illegal trade of furs, at least the first step in the chain, is the interviews with government officials, staff of NGOS, and academics. Besides Russia, USFWS (personal communication, 31 October 2006) knew that the illegal trade has involved China, Korea, Azerbaijan,

and Kazakhstan. The only case that the WWF Moscow (personal communication, 12 April 2007) could remember that had gone all the way through prosecution, was a case from three years ago when three Arab men were caught trading tiger and leopard skins, and were sentenced to three years in prison. The previously related story of the neighbor of a Far Eastern State University professor (personal communication, 18 April 2007) who killed an Amur leopard in order to buy a car, is a true case of a Russian being the poacher. *Rosprirodnizor* (personal communication, 24 April 2007) curtly stated that yes it was Russians who were illegally trading wildlife. *Rosokhotnizor* (personal communication, 24 April 2007) also said that it is Russians poaching, and could not say if they were acting at the request of the Chinese, or of their own accord. Phoenix (personal communication, 24 April 2007) readily stated that it was local Russian people. Illegal trade involving corruption, which will be discussed shortly, also points to the fact that the offenders are Russians. Whereas women were acknowledged to be a good shot (personal communication Phoenix, 24 April 2007), all interviewees stated that the illegal fur trade was perpetrated by men.

WWF Moscow (personal communication, 12 April 2007) thought that poaching is done by people who do so in order to live, and occurs on an individual basis. This has no where near the impact as commercial hunting, which sometimes happens on a much larger scale (personal communication WWF Moscow, 12 April 2007). The indication of the possibly large scale coordination of commerical hunting raises the concern of structural harm in the form of systemic depletion of populations, and/or systemic animal abuse through the widespread use of indiscriminate traps in the industry. The corresponding office in Vladivostok of WWF (personal communication, 19 April 2007) attributed poaching to the lack of other sources of income, and the large amounts of money that can be made. For instance, a tiger skin can bring a person £2,500, which can buy cottages and foreign cars. The US Embassy in Moscow (personal communication, 12 April 2007) and the Vladivostok NGO, *Brok* (personal communication, 19 April 2007) believed that the amount of poaching and rule breaking that was occurring was small, and stemmed from poverty. Poverty is more prevalent in the villages of Russia, and this corresponds to WWF Vladivostok's (personal communication, 19 April 2007) observation that the people engaged in poaching are inhabitants of villages, people who live in the taiga or the forest, and also official and amateur hunters. In a special case, the indigenous *Chukchi* people of the far north poach polar bears in fulfillment of their traditional lifestyle (personal communication US Embassy, 12 April 2007). There are current changes happening that will allow the *Chukchi* to be able to hunt a limited number of bears each year, which is modeled on the United States' and Canada's agreement with their own indigenous people (personal communication US Embassy, 12 April 2007). Experience shows that indigenous hunters in these countries never reach the quota of polar bears that has been given to them (personal communication US Embassy, 12 April 2007).

Those who illegally trade are also those who legally trade, and these are absolutely linked. Again, the incident of the Russian man who poached a leopard to pay for a car supports this, since the man was a professional hunter and trapper (personal communication Far Eastern State University professor, 18 April 2007). It challenges the claim that people poach out of poverty, but indicates relative deprivation as a more apt explanation in some cases. The director of Phoenix (personal communication, 24 April 2007) gave four categories of Russians who poach and illegally trade fur.

"1. There are people that do not have money. They do not have the possibility to buy a license when they go to the forest.

2. In *Primorye*, there are 40,000 registered hunters, but there are less official licenses than that available. So there are people that can afford to buy a license, but there are not enough available. They are not poor people. They do not have the opportunity to hunt legally.

3. Another category of people is rich people for whom the fine for poaching is not that big. They are too lazy to go to the service center to get a license, and will simply pay the fine if they are caught.

4. And another category of poachers is those people who are not rich, but that they have some protected position or know someone. For example, a chief of police or a prosecutor knows that there will not be any sanctions against them because of their position in society. It is written in the Russian constitution that positions like that, the president etc., cannot be interfered with. There is a law that says you cannot touch judges, prosecutors etc. We have this type of fact here. For instance, if it is a car of a judge or a prosecutor it cannot be searched. There is something in it that has been poached it does not matter. This is bad. It should be the same for everyone regardless if they are a judge or whoever without a license. This is a problem because there are chiefs of police who engage in poaching".

Wildlife organizations believe that as many as two-thirds of Russians have at some point participated in poaching in the Far East (personal communication WWF Vladivostok, 19 April 2007).

The second step in the trade of illegal fur is the selling of the poached pelt to a middleman. This is one way that an illegal fur is transferred to the legal market because it can be sold to a company, or businessman that sells to legitimate enterprises, such as auctions or manufacturers. It can also continue in the black market as is suspected in Kamchatka, where the Korean Diaspora buy the illegal pelts of arctic fox, sea otter, and other marine mammals and then take them to Khabarovsk or Vladivostok to be smuggled out of Russia by Chinese buyers (Lyapustin and Fomenko, 2003: 81). Citizens of the People's Republic of China partake in a similar activity of buying illegal pelts, and even defective and discarded furs to export to China (Lyapustin and Fomenko, 2003: 84). This occurs in seaside villages, which may even have a buyer living in the area (personal communication WWF Vladivostok, 19 April 2007). They will buy sable, raccoon dog, and particularly river otter, which can sell for £5,000 to £9,000 per skin. Russians are also involved in this step, and it is often militiamen or local administrators using their position (personal communication WWF Vladivostok, 19 April 2007). They buy all the pelts from a small region (personal communication WWF Vladivostok, 19 April 2007). There can be an additional buyer, who purchases the skins from several of the smaller regions, and this person can be Russian, Chinese, or more rarely Korean (personal communication WWF Vladivostok, 19 April 2007).

One interviewee thought that the wildlife trafficking that is taking place is sometimes organized, sometimes unorganized, and sometimes opportunistic (again the poached Amur leopard) – all categories (personal communication USFWS, 31 October 2006). Another interviewee (personal communication Deputy Director of the Center for Organized Crime in the Far Eastern State University, 24 April 2007) had no doubt that organized crime was involved in the illegal wildlife trade, as well as the other more focused on topics of narcotics and guns. This is not an area that any of their researchers were particularly examining, but he thought that it was a good one considering the rich diversity and amount of bioresources in the Far East (personal communication Deputy Director of the Center for Organized Crime in the Far Eastern State University, 24 April 2007). Whereas the initial poaching is undertaken by individual motivation, the larger buyers and people meeting the cargo in

China are suspected of possible organized crime connections (personal communication WWF Vladivostok, 19 April 2007).

Corruption is also a problem. In fact, the Deputy Director of the Center for Organized Crime in the Far Eastern State University (personal communication, 24 April 2007) stated that it is the number one problem for Russian society - it is pervasive and deep. For instance, a specialized unit arrested a police chief near Vladivostok for wildlife trafficking (personal communication CITES, 20 December 2006), but even such specialized units are not above corruption. The former head of Inspection Tiger (personal communication Phoenix, 24 April 2007), the anti-poaching brigade, said about corruption in the group, "Probably, there must be – the people that work them are Russians, but we try to support those people we have checked and that we are sure of. We talk to the groups that we support, and they tell us that one of the members of their group is a former poacher". The WWF Moscow (personal communication, 12 April 2007) agreed that state corruption is a concern at all levels and aspects. As indicated, militiamen, or officials sometimes are buyers of the illegal fur (personal communication WWF Vladivostok, 19 April, 2007). Poaching is overlooked by inspectors, who provide a roof, or крыша in Russian, for these people; a Russian phrase meaning that protection is given for those committing the illegal acts by officials and law enforcement. In conjunction with transportation officials in China, buyers of a large amount of furs coordinate with customs and police for adjusted channels across the border (personal communication WWF Vladivostok, 19 April 2007). For other interviewees, this is a delicate topic, and the USFWS (personal communication, 31 October 2006) was unable to speculate as to the possible extent of corruption associated with Russian wildlife trade. The US Embassy in Moscow (personal communication, 12 April 2007) indicated that *local* corruption is a cause for concern. They obtain this information from local NGOs, and Russian national and regional park staff. IFAW (personal communication, 17 April 2007) somewhat sheepishly admitted that in the Far East corruption is rampant. For instance, a few years ago, a policeman was caught selling tiger and leopard skins. He worked for the immigration department providing foreigners with work permits, so he had connections to China and other markets. There was no prosecution or court case. He simply retired (personal communication IFAW, 17 April 2007).

> "This is a failure of culture that this is completely accepted in Russia. No one trusts the government. People cannot be blamed for such behavior. If they were to pay the proper taxes of legal goods, the money would simply go to Moscow and never be seen again. Better to pay a local off and see the money stay in the community. This and the economic state of life here make the actions of the individuals justified" (personal communication *Brok*, 19 April 2007).

Phoenix (personal communication, 24 April 2007) cited change occurring though since recently Customs agents had been sent to prison for engaging in the illegal trade of wildlife.

Far East Russia contains all of the conditions that promote poaching and the illegal fur trade. There is a local demand for Russian furs and skins, partly because people believe that Russian products are the most natural (personal communication WWF Moscow, 12 April 2007), and it is possible that this belief extends to other places, such as China, where the demand has increased. Also, organized crime and corruption near areas of rich biodiversity coupled with socio-economic problems, stimulates further corruption and people poaching (personal communication CITES, 20 December 2006). When examining who is illegally trading fur, it must be

acknowledged that the individual poacher would not be taking the furbearer if it was not profitable. This raises the question is it the consumer at the end of the trafficking chain train who is truly responsible for this crime? And how and why does harmful commodifcation of wildlife continue?

4.1.4.2 How is it taking place?

Illegal fur trade is occurring in and from Russia, and it is mostly Russians that are doing it. Now how they are doing it will be explored. In the instance of trappers, the traps that they use do not always catch what the hunter wants, so if something illegal is caught they sell it sometimes by taking it to the Chinese border (personal communication Phoenix, 24 April 2007). This is what Phoenix (personal communication, 24 April, 2007) thinks might happen with Amur tigers if tiger farming is allowed in China as discussed in section 4.1.4. A protected wild tiger is simply passed off as a captive bred animal, which would have legitimate paperwork, and there would be no way to identify a wild versus captive bred cat. It is feasible that this could occur for other species as well. The same man mentioned earlier, who had poached the Amur leopard, told the Far Eastern State University professor (personal communication, 18 April 2007) how he uses the same permits over and over again to take more than his licensed amount of furbearers. For instance, he will trap 20 squirrels, which is what his license shows. If the inspector does not stop him and check his documents, then he will go everyday and take as many squirrels up to 20 as he can, until the time when the inspector stops him and stamps the date and fills in the rest of the permit (personal communication Far Eastern State University professor, 18 April 2007). Also, the hunter may hide pelts in the snow, as trapping occurs during the peak of winter when the pelts are at their fullest, showing the inspector only the proper number of skins that corresponds with the permit (personal communication WWF Vladivostok, 19 April 2007). These illegally obtained pelts then become part of the legal trade, when they are bought by the fur industry, which as stated before take all fur without asking questions about its origins.

In these scenarios, the documents would be legal, but in other methods of smuggling it is the paperwork that has been forged to make an illegal animal appear to be legal. As previously indicated, *Rosprirodnizor* (personal communication, 24 April 2007) stated that Customs in a few instances had called to verify that the documents of wildlife traders were authentic. This was thought to be an infrequent way to smuggle though, and staff believed that poachers mostly resort to hiding their products to transport them across the border (personal communication *Rosprirodnizor*, 24 April 2007). USFWS (personal communication, 31 October 2006) thought that smuggling occurs by every route possible – road, rail, river, marine, and air. For instance, it is known that the rivers in the Far East are used to transport contraband to China. The Korean Diaspora obtaining fur in Kamchatka transport their goods by boat as well (Lyapustin and Fomenko, 2003: 81). In the winter, when rivers and lakes are frozen, snowmobiles can be used to move contraband (personal communication WWF Vladivostok, 19 April 2007). WWF Moscow (personal communication, 12 April 2007) elaborated that trains often have hidden compartments, or vehicles have special places built into them to hide and smuggle wildlife and/or other contraband. This can be a false bottom, or compartments in the wheels (personal communication WWF Vladivostok, 19 April 2007). Animals are also hidden on flights, but on planes and for other border crossings as well, smuggling is accomplished by the most common method of gaining access to transportation - that of the paid corridor (personal communication WWF Moscow, 12 April 2007). In other words, bribes are used. Agencies differed in opinion in regards to if they thought that wildlife trade was perpetrated in conjunction with

other illicit trades. WWF Moscow (personal communication, 12 April 2007) thought that wildlife trade is isolated, whereas the USFWS (personal communication, 31 October 2006) did not think that it was difficult to imagine wildlife trade being combined with drug smuggling or human trafficking.

Certainly then, there is a crime occurring. Furbearing animals are being taken in excess of governmental scientists' quotas, and endangered species that are protected under Russian federal law and international agreement are being poached. How this fact fits in with the perspective developed for this thesis- deep green criminology – will be the topic of the next section.

4.2 Is it a Deep Green Crime?

As presented in the first chapter, this research has taken the new perspective of deep green criminology. To reiterate, deep green criminological research does not adhere to only the legal positivist definition of crimes against nature. That is actions that are not legally defined as criminal, are also examined for their harmful and/or possible criminal aspects. The amount of harm that these actions cause, and their criminality are judged by the principles incorporated into deep green criminology from the socio-legal, or environmental justice theory of green criminology, and from deep environmental ethics. Each of these principles will be taken in turn with regards to the illegal fur trade in Far East Russia.

The environmental justice perspective of green criminology provides three tenets that are added to deep green criminology. First, as stated above and in the socio-legal perspective as well, actions that are not defined legally as crimes are still discussed as environmental harms. In the case of the illegal fur trade, the action that is under scrutiny, poaching, both of permitted and protected species is legally defined to be a violation. For furbearing species though, such a violation would not be a crime, but an administrative sanction, and for endangered species it is a crime. Trapping outside of the regulations established, falls under the second tenet of environmental justice, that of causing environmental damage. Seasons and quotas, let alone international treaties and national conservation laws, are created in order to protect and properly manage the populations of furbearing species. Actions outside of these regulations can and do cause damage to the environment in the form of diminishing the prey base (further threatening the already endangered large predators), affecting the breeding cycles and reproduction of species when taken out of the established season, and decreasing the populations' size of species, thus affecting the gene pool and diversity. Poaching of endangered species also causes environmental damage by decreasing already vulnerable populations even further, which also affects the predator-prey dynamic. Taking endangered animals for their fur or skin can lead to extinction, (such as happened to the bison in Russia (Fisher, 1943)), which disrupts the ecosystem and all the species within it, and is irreversible. The third part of the environmental justice perspective is that this environmental damage must stem from human action. This is undoubtedly true in the case of the illegal fur trade. Furbearing animals are taken by humans for human consumption at times in excess of what is sustainable, thus causing ecological damage. The deep green criminological analysis of the laws above enables exploration of the administrative and property violations that also address environmental harm, in addition to those that are defined as criminal. One particularly disturbing case of poaching was related by a Far Eastern State University student (personal communication, 24 April 2007). On 23 April 2007, the body of a poached Amur leopard was found. The whole body was just left except for one of its front paws, which inspectors believed was taken as a memento and proof of the kill (personal

communication Far Eastern State University student, 24 April 2007). Though not related directly to the illegal fur trade, this is particularly disturbing because it indicates that the leopard was killed just for the sake of it, as a sign of power and capability, rather than the still unfortunate, but maybe more justifiable motivation of poverty. Other ways in which the populations of furbearing species can be damaged in the above mentioned forms, are most likely also caused by humans destroying their habitats.

Moving beyond the microlevel legal discussion, the critical aspects of deep green criminology alluded to in Chapter 1 are raised. The harm created by these actions is not isolated to the wildlife. Humans rely on these natural resources for their livelihoods, and this is particularly true of the Far East, with its current, but diminishing abundance of wildlife. Unsustainable use of the wildlife, including the furbearing species, will eventually have an effect on the human communities as well, and this interconnectedness taken from deep principles is a gross oversight of current society. Another principle that deep perspectives lend to deep green criminology is that nonhuman life has inherent worth that is independent of the value placed upon it by humans (Devall, 2001; Naess, 1973; Sylvan and Bennett, 1994). In the context of the fur trade, this means that furbearing species, for instance the Amur tiger and the Amur leopard, should not only be protected because they are useful to humans, but also, and arguably more importantly, because they too have the right to life, and have value outside of human definition. The fact that these two animals in particular continue to be hunted when on the brink of extinction for their pelts and body parts because humans feel that their needs outweigh those species' right to exist, is absolutely a deep green crime. Deep green criminology is non-speciesist, and does not hold one species as being more valuable than another, and advocates the respect for all species. A human's desire for a fur or for a medicinal treatment, does not justify exterminating a species from the planet directly, or by overexploiting species that are essential to the survival of other creatures.

Additionally, the critical aspect of green criminology calls for the examination of the disproportional adverse effects of crime on disadvantaged human populations. The perpetration of the illegal wildlife trade appears to discriminatorily affect minorities, women, and those people disadvantaged. In the fur trade, it is the impoverished indigenous people living more of a subsistence lifestyle that are negatively impacted by the poaching of the furbearing species, which they would use for an income. In the above section regarding who was involved in the illegal fur trade, some officials believe that it is poor people that are forced to do so in order to survive, but one NGO said that this is only one kind of poacher. The others who are not poor, and simply trap furbearing species because they can without fear of punishment, are stealing the resources from those who are truly relying on them as a means of income, or as food and/or clothing. The WWF report exploring the fur industry in the Far East indicated that hunters and trappers have been struggling in the years since the fall of the Soviet Union, and the decline of fur in the fashion industry (Dronova and Shestakov, 2005). Poaching then of furbearers, adds to the stress placed upon them to harvest enough animals to earn enough income. An examination into the people who are most reliant on trapping and hunting in the Far East reveals that these are most likely to be the ethnic minorities, who have inhabited the region since before the arrival of the ethnic Russians (Dronova and Shestakov, 2005). "The proportion of indigenous communities (e.g. the Nanai, Udege and Evenk) among hunters is higher than in the general population, reflecting the fact that commercial hunting is a traditional occupation within these ethnic groups" (Dronova and Shestakov, 2005: 29). For many of these people, trapping and hunting is an essential part of their traditional economy, lifestyle, and culture. Occupations

involving wildlife are possibly the most important for the people in the Russian Far East, and on average trapping accounts for as much as 60% of their income (Willerslev and Clemmesen, 1996). "Such indigenous groups comprise 1.5% of the population of the region, but they make up 15% of professional hunters and more than 18% of seasonal hunters" (Dronova and Shestakov, 2005: 29). This proportion makes it evident that the further decline in furbearing populations by excessive harvesting, poaching, or other means, would have particularly negative consequences for the livelihood of the indigenous peoples of the Far East.

4.3 The Structural Harms of the Illegal Fur Trade

From a deep green criminology perspective, the illegal fur trade is a structural environmental harm because of the systemic danger to the environment, embedded cruelty to the animals supplying this market, and its connection to other macro level crimes, such as corruption, transnational, and organized crime. The danger to the environment stems from, as previously mentioned, the threat that poaching and illegal fur harvesting pose to the diversity and survival of species and health of ecosystems. Russia has had extinctions in the past, such as the bison (Fisher, 1943), and as the history of the fur trade and conservation movements have established, there has been a constant struggle within the Russian Federation to protect furbearers. This struggle has not been to preserve the animals and the health of the environment, but to preserve a profit-making industry and commodity. The industry though has adopted what White (2003) refers to as environmental management systems. This is the assertion that the trade is in fact green and environmentally responsible (White, 2003). Pro-fur advocates and the industry argue that in reality "fur consumption is beneficial to animal populations and the environment" (Olson and Goodnight, 1994: 265). Part of the embeddedness of such environmental harms is exactly this – that the industry harming the enivronment is able to redefine what it means to be green. The question that is now asked is how can legislation further protect the natural resource of fur to ensure human consumption? Rather than: Why do humans continue to use fur and when doing so cause suffering and pain to the animals? Arguably, in today's technological world the vital need for fur, or for traditional medicines, is debatable. This is certainly a culturally sensitive topic, and another culture should not force its values upon another, but questioning and restructuring of ideological, economic, and technologic frameworks are another part of deep environmental ethics (Devall, 2001; Naess, 1973; Sylvan and Bennett, 1994), and therefore deep green criminology. This perspective focuses on systematic forms of environmental harm, and in order to address the embeddedness of environmental harm, humans need to ask themselves how their lifestyle choices are detrimental to the planet and other species, and adapt accordingly to preserve the diversity that remains. Furs harvested sustainably can provide a vital need for humans in cold climates, but furs of exotic and endangered animals are merely a luxury that is not necessary, and contributes to the environmental harm discussed here. It is this unquestioned, continual drive to produce, or capture more fur that makes the illegal fur trade structurally harmful. The second aspect to wildlife trade being a danger to the environment, was the possibility that it might spread diseases. The trading of furs illegally does not appear to be linked to any zoonotic diseases, but it is possible that native furbearing populations could be affected by diseases from alien furbearing species that have been known to be introduced into the Far East, such as the muskrat *Ondatra zibethica* and the nutria *Myocaster coypus*.

The fur trade raises another issue – that of animal welfare. As stated, it is reasonable that humans use wildlife as long as this is done sustainably. Additionally, deep green criminology proposes that this use be

conducted humanely rather than continue with the structurally embedded harm of current trapping methods. The steel-jaw traps that gained used in 1855 offer graphic displays of cruelty. They are used underwater, which drowns the animal, or on land where the animal dies from injury, exposure, or from a predator (Olson and Goodnight, 1994). In the field research conducted in association with the drafting of the Agreement(s) on International Humane Trapping Standards, behavioral indicators of suffering in the animals were self-mutilation and unresponsiveness in restraining traps (Harrop, 2000: 357). Physical indicators were

> "Fracture, joint luxation proximal to the carpus or tarsus, severance of a tendon or ligament, major periosteal abrasion, severe external hemorrhage or hemorrhage into an internal cavity, major skeletal muscle degeneration, limb ischemia, fracture of a permanent tooth exposing pulp cavity, ocular damage including corneal laceration, spinal cord injury, severe internal organ damage, myocardial degeneration, amputation, and death" (Harrop, 2000: 357).

Death is not, as is evident from the above, always instantaneous, and it is permissible for an animal to remain alive for 300 seconds within the standards established (Harrop, 2000). This includes such animals as the coyote, wolf, beaver, bobcat, river otter, Canadian lynx, Eurasian lynx, fisher, badger, raccoon dog, muskrat, raccoon, and American badger (Harrop, 2000: 358). These devices are indiscriminate, so other animals not targets are also victims – cats, dogs etc. (Olson and Goodnight, 1994). "Selectivity is primarily a conservation issue (although it also concerns animal welfare up to a point in that traps ill-designed to catch non-target species may inflict greater suffering on animals not specifically intended to be caught by them)" (Harrop, 2000: 349). Additionally, the capture efficiency of the devices used should be high, as to avoid injured and traumatized animals escaping from traps, and then possibly suffering for an extended period of time until they are able to recover, or die from their wounds (Harrop, 2000). The European Union, Canada, and the Russian Federation have acted along these lines by developing the aforementioned Agreement(s) on the International Humane Trapping Standards. Even though Russia has become a signatory to this convention, in practice no attempt has been made to comply with use of traps that would reduce the suffering of the furbearers (personal communication *Rosokhotnizor*, 24 April 2007). Instead, animals in the Far East continue to be subjected to indiscriminate capture and prolonged deaths. This adds to the threat of extinction of the Amur tiger and the Amur leopard, as well as unjustifiably causing animals to suffer. If humans are to use the natural resources that they share this planet with, it is not too much to ask for them to minimize the pain caused while doing so. Not treating animals humanely and damaging the environment is a form of violence, and is another reason why the illegal fur trade and inhumane trapping methods are a deep green crime.

The third harm that the illegal fur trade and wildlife trafficking pose is the threat to national and human security through their connectedness with other crimes: state corruption, transnational crime, and organized crime. Again, in the section discussing who is committing the crime of illegally trading fur, it was exposed that state corruption is tied to this green crime, and is key in its facilitation. Officials not only look the other way, or provide protection to those who actually do the illegal trading, but also there have been instances where it is the official who is the trafficker of fur. Interrelated with the corruption that accompanies the illegal fur trade, is the fact that this trade is occurring transnationally. Officials interviewed suspect that the illegal fur is taken across the Russian border into China. There is also hard evidence though, from the quotas set for sable and the amount

of sable skins that arrive at the Saint Petersburg fur auction, that there is also an illegal domestic trade. CITES reports indicate that there is also some illegal exporting of furs to other countries with a market for fur such as Norway, Finland, Poland, and the United States. As with China, Russia and the United States have a remote border where continual security is not possible. And as is true of all crime, the figures reported to CITES are just the tip of the iceberg of the unknown amount of illegal activity. Presumably, it is possible that some amount of illegal fur could cross the border into Alaska. Though there is no doubt that the illegal fur trade is taking place transnationally and in conjunction with state corruption, there was hardly any evidence to indicate that there is involvement by organized crime. The only mention of organized crime was the possiblity that once the illegal fur enters China, there is organized crime that facilitates the trade there. Those trafficking in Russia appear to do so at an individual level, and not at the behest of a hierarchical or network structure of green criminals.

The absence of organized crime does not remove the danger from society of fur trafficking. Corruption always challenges the foundations of governments by creating an environment where officials can act with impunity, and citizens face injustice with no recourse (Klitgaard et al, 2000). In this instance, those in power are key to the survival of threatened species within the ecosystem of the Far East, but the Amur tiger of which approximately 350 remain and the Amur leopard of which around 30 remain, have both been known to have their pelts sold by government officials, and members of the anti-poaching brigade that is given the mission of protecting them. The transnational nature of fur trafficking indicates that the borders of the Far East are quite porous and insecure. If fur is making it across the boundaries, what other substances might be making it as well? Russia Far East is filled with Soviet era weapons and nuclear materials and possibly these are more of a concern to some than wildlife products, but in such a remote area with a long border with few checkpoints, the danger of other illicit trades as well as the wildlife trade looms.

The illegal fur trade in addition to having certain aspects defined as crimes (illegal trade and poaching of endangered species), also has elements that violate property and administrative codes (poaching of protected species). This illicit trade though contains harms further than these violations and the lack of their enforcement. Structural level harms inherent within this black market are as follows: the danger to the diversity on the environment because of the continued exploitation of furbearers; the potential introduction of disease through unmonitored trade; the cruelty to the animals because of current trapping methods; and the security concerns surrounding the involvement of corruption, transnational crime, and insecure borders. In Chapter 1, suggestions were made as to how the fur trade would conform to theories regarding black markets, organized crime, and networks. The elements of the illegal fur trade will now be connected back to these hypotheses.

4.4 Discussion of the Hypotheses

There are three multi-component hypotheses to examine. First, do the conditions in the illegal trade in furs correlate to the three conditions set out by Brack (2003), as it was suggested that they would. Second, regarding organized crime – do the five factors for the presence of organized crime (Albanese, 2000) exist in fur trafficking as was expected, and do pre-existing criminals/criminal groups, or special skills/access play a role in organized crime's involvement in this market. Finally, does organized crime act transnationally, with elements of violence, in a simple chain structured network as was predicted would be so.

The three conditions that drive black markets are again:

> "1) Cost value differential – there is a demand for scarce products for which there are no substitutes and there is lack of concern for the environment from which these products are obtained; 2) regulatory failure – there is a failure to determine or protect property rights; 3) enforcement failure – the suitability of the enforcement methods are out of sync, the cost of compliance to the treaty is prohibitive, there is a lack of resources and infrastructure for enforcement, there is no political will/expertise, the enforcement is corrupt or is hindered by corruption, and/or there is political/economic disruption" (Brack, 2003: 165).

Addressing the first condition, there is certainly a demand for fur products as is evident from the multi-billion pound fur industry (IFTF, 2006). More rare species fulfill the scarce product maxim of the first condition. Furthermore, even though there are synthetic alternatives to fur, real fur can still be considered a product for which there is no substitute. The environment from which this product is being obtained, is one where there is a lack of concern literally, for the environment and the animals that fuel the market. This is evident in the continued use of indiscriminate traps which cause the animals suffering, and by lax enforcement and weak legislation surrounding hunting and trapping. Technically, wildlife is the property of whoever owns the land that it is on. The property statutes that were detailed previously, can be used to seek compensation for lost wildlife property, but to the knowledge of the experts interviewed, they have never been used. In this sense, it could be said that there is a regulatory failure because the property rights of either private citizens, or the government, are not being protected when animals are poached from their land. The existence of poaching of furbearers and the forgery and misuse of licenses and other documentation used in hunting and trapping, indicate an enforcement failure. The corruption that perpetuates poaching, and the lack of political will that has been displayed by the Russian federal government in their failure to pass stricter legislation to combat poaching also provides evidence of the failure of enforcement. So the three conditions that drive black markets, are present in the black market of illegal furs, and supports that Brack's theory has predictive value for hypothesizing the existence of black markets.

Albanese (2000: 415) sets out five opportunity factors under which organized crime thrives: "1) economic conditions; 2) government regulation; 3) enforcement effectiveness; 4) demand for product/service; 5) creation of new product/service market via technological or social change". Economic conditions in Russia and particularly in the Far East did and do provide an opportunity for organized crime to run black markets. Under communism through black markets, organized crime provided the citizenry with items that the government could not provide (Rawlinson, 2000). Then during the transition to capitalism, organized crime increased its foothold in the power vacuum, and was able to continue its black market operations (Castells, 1998). As stated before, there is little to no enforcement of violations regarding illegally obtained or traded fur, and the demand for fur is still quite high (IFTF, 2006). Finally, one factor is the creation of a new product or service because of technology or social change. Fur products are by no means a new product, but social change from communism to capitalism changed the consumer market of Russia, and opened entirely new export opportunities to China and Asia. Albanese's factors do not all need to be present for organized criminal activity to take place. He has formulated these factors as predictors (Albanese, 2000). Four of the five factors are in existence in the illegal fur trade, but even though Cook et al (2002) indicated in their research, organized crime's involvement in fur trafficking, other literature and multiple interviews with Russian experts gave little evidence that this is the case, though it was

suspected. Phoenix (personal communication, 24 April 2007) illustrated a black market that was initiated by opportunistic individuals who sold illegally obtained furs to middlemen, where the furs are then incorporated into the legal trade. There was little indication though that this was an organized criminal operation (Russian or otherwise), so the prediction that organized crime would be involved with the illegal fur trade, was not correct. This leads to the assumption that there is something else in addition to the five predictors of organized criminal activity that also must be present for organized crime to participate in a particular black market. Albanese's indicators then did not successfully predict the presence of organized crime and will have to be researched further for its predictive use. Since organized crime does not appear to be involved, this makes the prediction regarding the network structure being a simple chain moot. Even though no network or organized crime participate, it is true that the illegal fur trade sometimes takes place transnationally, with furs being smuggled to China and other parts of Asia. The hypothesis that violence would be evident remains untested, as no indication was given as to interhuman violence associated with the fur trade. Outside of the violence used to capture and kill the furbearers, no information was obtained that the traffickers or poachers used violence against others humans to commit their crime. The illegal fur trade then appears to be an individual, opportunistic activity, rather than an organized one, that can occur transnationally, but this summary introduces the idea that perceptions of this black market do differ.

4.5 The Perception versus the Reality

In the complex relationships and underworld nature of black markets, it is difficult to distinguish between the reality of what is happening, and the perceptions of what people think is going on. The quantitative data shows that there is an illegal fur trade, but gives no indication as to the extent of the dark figure of the illicit trade. Other information does not reveal the size of the black market either, only that some people perceive that it is not an issue, whereas others are concerned that it is, and that it is growing because of the increased demand of fur from some portions of the Chinese population who are experiencing an increase in wealth. In reality, the Amur tiger and the Amur leopard are on the brink of extinction. Their minute population sizes have been recorded by scientific census, and because of their high profile status, pelts of these animals are detected within in the market more readily than less regarded species, such as sable and fox. One respondent though believed that this was even false, and that the tigers have a negative impact on the food supply of people in the Far East (personal communication hunting inspector, 25 April 2007). When people believe nothing that their government tells them because of pervasive distrust, the essential information that is true is also ignored, and in this case, can endanger the survival of entire species. Perception points to 'others' being responsible for illegal activities. Officials recognize that it is common in Russia to blame the other, so when asking about crimes, the answer can often be that it is the Chechens or the Chinese who are committing these acts, but honest answers from officials, newspaper articles, and official documents from the court system contradict this. It is in fact Russian people that are perpetrating the illegal trade in fur (personal communication *Brok*, 19 April 2007; personal communication Phoenix, 24 April 2007; personal communication hunting inspector; 25 April 2007; personal communnication IFAW, 17 April 2007; personal communication *Rosokhotnizor*, 24 April 2007; personal communication *Rosprirodnizor*, 24 April 2007; personal communication WWF Moscow, 12 April 2007; personal communication WWF Vladivostok, 19 April 2007;). The empirical data and the perception of how this is occurring coincide.

Pelts are smuggled across the borders by all means of transport – plane, boat, train, car, and on foot. Unfortunately, there have been very few solutions to gain more accurate pictures of criminal incidents of any kind, let alone of the little researched illegal fur trade. The self-reporting study conducted by the WWF (Dronova and Shestakov, 2005) attempted to tackle this, but focused on those already employed in the fur industry, and not those outside of the market who might be acting only illegally. Self-reporting studies are suspect as well because there is no way to gauge how honestly people are answering the questions, especially regarding illegal behavior. Studies have found that people not only do not disclose all of their actions, but they also exaggerate as well (Jenkins, 1980).

What is discussed in this paper as structural harms does not appear to coincide with mainstream Russian perception, or more accurately with mainstream Russian behavior. The fur industry has been an integral part of the Russian economy and society for hundreds of years. Throughout this history, as previously detailed, there has had to be a continuous effort to sustain the populations of furbearers for human use because of constant declining populations. Even though this could be viewed as a structural harm, to continually place species' populations under pressure for economic purposes, this has not been the perspective adopted by the Russian people as is evident by their continued reliance on fur. This is perpetuated by the fur associations, and their representation of the industry as environmentally friendly in saving animals from starving and predation, and that this activity is necessary to keep furbearing populations in check. Further differentiation of what is proposed here as structural harms, is the use of the indiscriminate, steel-jaw traps within the fur trapping industry. Though there is some sentiment that this engrained cruelty is beginning to be viewed as such (VITA, 2008), this has not become part of the mainstream perception. It is the task of a deep green perspective to question these perceptions that ignore the structural harms, which may be more damaging to the environment and society than actions, which are recognized as harmful or criminal. Highlighting these harms, may help to bring the needed attention to these activities, and therefore result in addressing these injuries.

Even though there is an illegal fur trade fueled by corruption, and taking place internationally from the Russian Federation, it appears from official statistics that this is minimal, and the dark figure of this green crime remains unknown. Outside of the small illegal trade that is indicated empirically, the illegal fur trade poses further problems in the larger structural harms that it fosters. These are the danger to the environment through loss of diversity, the cruelty to animals, and the connection to other criminal activities. The typology for this illegal market that is then developed, is that the illegal fur trade is perpetrated by individual Russians, both poor and wealthy, who are committing this offense by all modes of transportation to China and its other neighbors, like the United States for personal use, for monetary gain, because the opportunity presents itself, for a show of power, and because they can get away with it. The next chapter will address the same questions and create a different typology, but for another illegal trade – that of the illegal trade in falcons.

Chapter 5 – The Raptor Trade

This chapter is the second case study conducted in the Russian Far East about the illegal wildlife trade particularly the illegal trade in falcons. To begin, the history of the raptor trade is detailed, as is the history of falconry, and the use of birds of prey in hunting, since this is the reason for this market. Next, the role of Russia within this trade is explored, and this is followed by descriptions of the legal statutes that particularly pertain to the raptor trade. This chapter will address the same questions as the previous chapter in fulfillment of the aims of this research: who is involved; how is it occurring; and where is the trade taking place. Again, these issues will all be examined from the deep green criminological perspective, and there will be a discussion of how the perception of the trade might differ from the reality of events as well as how the illegal raptor trade ties into the three structural harms inherent in the illegal wildlife trade.

5.1 History and Description of Falconry and the Raptor Trade

Though it is still not completely confirmed, it is believed that falconry, or hawking, developed in the advanced civilizations of the Near, Middle, or Far East (Epstein, 1943). This practice is thought to have originated in the nomadic tribes of the Asiatic plains, as a means of securing essential food in one of the first forms of hunting (ArabNet, 2002). Some scholars speculate that falconry developed in Mongolia, Egypt, and possibly Asia (Ash, 2007), whereas others think Scythia was where birds of prey were probably first used to hunt (Oswald, 1982). It is thought that falconry was well established in Persia, Arabia, India, and China by 200 BCE (Oswald, 1982). Though Epstein (1943: 499) sites that use in China might be exaggerated. Poetry in 700 CE Persia described falconry, and other neighboring cultures, such as the Jews and some Arabs, use the Persia word for falcon indicating that region's influence in the sport (Epstein, 1943). Archeological artifacts throughout the ages have depicted falconry. Egyptian hieroglyphs show falcons, but it is difficult to deduce that this depicts falconry, as falcons were a sacred animal that might not have been used in such a manner (Epstein, 1943). An Assyrian bas-relief from the 700's BCE depicts falconry, gold coins of Alexander the Great from the 400's BCE show him with a hawk on his arm, and in modern times the Bayeaux tapestry has a scene of hunting with falcons (Ash, 2007). Ancient records also track hawking. The Chinese, Greeks, and Japanese all have accounts of such activity from before the common era (Ash, 2007). Hawking was probably imported to Japan from Korea (Epstein, 1943). There are some tales involving hawks from Aristotle and others, from around 300 BCE to 200 CE, but no literary references or artistic representations corroborate this, so it has been surmised that these tales might come from stories heard in Greece from the Orient (Epstein, 1943: 502-4). The Romans might have learned it from the Greeks, and from there passed it along to Europe, and then to the United States much later (Oswald, 1982). Another possibility is that falconry arose in Europe, and spread East, but this seems impossible with the historical incidents found in the East, and the fact that the period preceding the use of falconry in Europe was one of intense instability and migration, which is not conducive to the creation of such a time consuming, tedious sport (Epstein, 1943: 508). The large amount of migration and emigration to the area most likely explains the introduction of falconry to Europe from either Persia, or from the Romans who had served long campaigns in the East (Epstein, 1943: 508). Alternatively, the Germanic tribes who have laws protecting falcons as property in the 6th century, might have been exposed to falconry from their contact with Eastern tribes, and thus established

falconry in Europe (Epstein, 1943: 506). Falconry flourished in the Middle East in the 8th and 9th centuries and continues today (Ash, 2007). In the later years of falconry, it had developed into a sport rather than exclusively a means of survival, and it is believed to be the world's oldest sport (Oswald, 1982). Records indicate that around the year 1125 CE, the Goshawk *Accipiter gentilis* was being used in falconry, and it was the most used bird of prey in the 17th through 19th centuries (WWF Vladivostok, 2006). Reports from India tell of hunting with eagles in the 1200s (Epstein, 1943). Marco Polo referenced the Tatars, who are still an ethnic group within Central Asia and Russia, in the 13th century using falcons (Oswald, 1982: 15). Kublai Khan was said to have 10,000 falconers, and have huge outings where all kills were brought to him, and the wives and the ladies of the court also had their own birds (Oswald, 1982: 16). Falconry was well developed in Russia and Central Asia in the 16th and 17th centuries, but with the advent of firearms in the 18th century, it fell into disuse in Russia and throughout Europe (Oswald, 1982: 18). The practice as of 1958, according to Dementrev (in Oswald, 1982: 18), was still used in Turkestan (the Central Asian regions that runs from the Caspian Sea in the West to China in the East) and the Caucasus. He witnessed Golden Eagles *Aquila chyrsaetos* and Goshawks hunting in Kazakhstan and Kyrgyzstan. In regions such as Turkmenistan, falconry with Saker falcons *Falco cherrug* retains its economic rather than sporting function (Oswald, 1982: 19).

Those birds used in falconry require an extensive amount of training to become hunters. The sport also requires a great deal of equipment and space. Birds are fitted with jesses, or leathers straps, around their ankles that the handler uses to control them. These are permanently worn, and when not hunting the jesses are attached to a leash that either the handler controls, or that is tied to a perch or swivel to keep the bird from flying away (Oswald, 1982). Falcons, hawks, and eagles are kept in mews, which are special buildings where the birds live when not outside. During transportation to the hunting grounds and waiting to hunt, birds are often fitted with hoods covering their eyes, so that they remain calm (Oswald, 1982). This has replaced an older practice of sewing their eyes closed with a needle and the thread through their eyelids (Oswald, 1982). Training involves using lures and a system of rewards to induce the bird of prey to trap the quarry (Oswald, 1982). The care of raptors can be time consuming including daily exercise, close monitoring of the birds' health, and maintenance of the beak and talons (Oswald, 1982). The falcon flies for its prey from the fist of the handler, and through the use of whistles returns to the fist when the hunt is over (Oswald, 1982). The bird is also fitted with bells that help the handler locate the raptor in the event that the bird does not return to the fist after the hunt, or when called (Oswald, 1982; Ash, 2007). Female birds are usually used as they are bigger and less skittish then the males, but males can be used for longer periods throughout the year because their biology does not signal them to nest, but to continue hunting to provide for the female (Ash, 2007).

There are established stocks of breeding birds of prey in captivity, but wild raptors are still taken to be trained as hunting birds, or to add to the gene diversification of captive colonies. Wild falcons and hawks are obtained either from nests when their feathers are half grown, or as adults with nets (Oswald, 1982). If taken from the nest, only one or two are taken, but if there is one then it will not be taken in order to conserve the species (Oswald, 1982: 20). This of course might provide sustainable populations of birds of prey, but as will be evident such care in capturing has not been maintained throughout these birds' ranges.

"In falconry, the splendid gyrfalcon *Falco rutsticolus* is much prized for its size and the handsome appearance of its grey-white plumage. The Peregrine falcon *Falco peregrinus* has darker, brown-and-cream

plumage, and can pursue its prey at a tremendous rate, often achieving speeds of over 200km/h, making it the fastest of all living creatures" (ArabNet, 2002). Other birds that are captured for this trade are northern Goshawks (mentioned above), and the Eurasian Hobby *Falco subbuteo* (Lyapustin, 2006). The Peregrine, Saker and Gyrfalcons, taken from more northerly Russia, were rarely used when falconry was observed in the late 1950's in Central Asia (Oswald, 1982: 19). Falcons are extraordinary hunters and very valuable in the desert, "where climatic conditions are extreme and no protection from the elements is available. Here, the falcon can pursue its prey from a great distance, and with a speed and accuracy second to none" (ArabNet, 2002). Training and care of the falcons, as briefly detailed, is a time consuming and expensive endeavor and maybe it is this aspect that has kept falconry as a luxury sport of the nobility.

> "Today, the Arabian Peninsula is one of the last places in the world where falconry remains an important sporting activity. Although falconry clubs do exist in America and in almost all European countries, it is in the Gulf region that the sport is held in truly high regard and commands the greatest interest. The people of the Gulf have a strong personal commitment to falconry and ensure that it is practiced in the correct manner, with the proper respect due to Islamic customs" (ArabNet, 2002).

5.1.1 Russia's Role and the Current State of the Raptor Trade

The trade in falcons is a very different market from that previously detailed when discussing the fur trade. Whereas the fur trade is a part of a large globally established fashion industry, the falcon market occurs on a much smaller specialized scale. Of course, the most obvious and critical difference between the two trades, is that the falcon market is a trade in live birds, which removes many of the steps between the wild animal and the consumer that are found when examining the trade in fur. Another difference between the industries, is that the falcon trade unlike the fur trade, is completely under the regulation of CITES because all species used in falconry are protected by the Convention and as is now known from the chapter about fur this is not the case with furbearing species. Additionally, because falcons are migrating species, the Bern and Bonn conventions mentioned earlier also come into consideration for these animals' preservation. The legislation in the Russian Federation and these additional international treaties that affect the raptor trade will be discussed in the next section. Now, Russia's place and the current state of the bird of prey market are explored.

The literature written discussing the raptor trade in Russia indicates that the Middle East is the most prominant consumer for wild caught falcons. This includes Saudi Arabia, Qatar, Bahrain, Kuwait, and the United Arab Emirates (Lyapustin, 2006; WWF Vladivostok, 2006). So since falconry is isolated mostly to the Gulf States, what is Russia's role in the continued trade of falcons, both legal and illegal? The answer is that Russia has become one of the main sources for wild caught raptors that are taken to the Middle East for use in the continued ancient sport of falconry. As populations of falcons have dwindled in Central Asia, traders or traffickers of the birds have had to increase the range from which they seek their product (Lyapustin, 2006). In the 1990's then and today, this means that Russia has become the supply area, whereas before the falcons could have been found further south. Falcons are caught in *Primorsky Krai*, which is the region around Vladivostok, and on the peninsula of Kamchatka (also a region in the Far East) (personal communication WWF Vladivostok, 19 April 2007).

CITES data shows the following trends: Trade data for the USSR given to the CITES Secretariat, begins in 1981 and continues through 1992. There are 19 different species of falcons, hawks, and eagles traded. The most frequently exported raptors are the Tawny eagle *Aquila rapax* with 100 birds traded from 1983 to 1991, the Goshawk with 85 entering trade from 1982 to 1992, the Saker falcon with 64 being traded from 1981 to 1992, and the Golden eagle with 53 traded from 1982 to 1992. Nearly all of these birds were live animals, with only two being eggs. During the period of the Soviet Union, the vast majority of the trade is headed west into Europe with three exceptions. The main destinations in Europe were former Czechoslovakia, which imported 58 birds of prey to zoos, and Germany which imported 80 raptors. The three exceptions are that Japan imported 53 raptors between 1987 and 1992, Australia imported 26, and the United States imported 38. The purpose of the imports into the United States was exclusively for scientific reasons, whereas the majority of the other imports were for circuses, zoos, or commerce, with very little indication of personal use. Trade to the Middle East is not apparent until 1991, when the United Arab Emirates imported one Goshawk and Syria imported 15 Saker falcons.

The Soviet Union also was an importer of falcons and other live birds for falconry. This trade was possibly for falconry that occurs in Central Asia that was of course part of the USSR during this period, but of the 62 total birds of prey imported, the listed purpose is for zoos or circuses. The largest percentage of these raptors, 26 birds, or 41% came from Germany and appear to mostly be captive bred. Others came from Denmark, Austria, Japan, and Mongolia. The bird of prey that was primarily imported to the USSR was the Peregrine falcon at 12 birds. This was followed by the Golden eagle and the Lanner falcon *Falco biarmicus*. Unfortunately, from the CITES data, the origin of the raptors is unable to be determined. Whereas this is data that can be given to the Secretariat, only 25 of the more than 420 birds imported or exported to the Soviet Union have this information recorded. In this limited data set, the Soviet Union is the source of 14 of the 25 birds or 56%. These 14 bird were all imported to the USSR. It cannot be extrapolated to the rest of the trade that the Soviet Union was the source of the birds as well as the importer a majority of the time. It also needs to be noted that 41 of the total 420 birds were captive bred, and all others have no source listed.

The trends for Russia prove to be different. In total, there were 17 species traded. The most commonly exported species from 1992 through 2005 can be found in Figure 12 in Appendix G, which shows the total number of exports for all falconry species to all importing countries created from the CITES trade database. The raptor that was most frequently exported from the Russian Federation was the Saker falcon with 1,352 raptors exported between 1992 and 2005 with only 142 of these being taken from the wild. The next most commonly exported bird of prey was the Goshawk with 1,274 birds. All but three of these hawks were wild. The Goshawk was the most frequently exported bird each year until 2002, when the number of Saker falcon exports overtook those of the Goshawk. The third most prevalently traded raptor was the Tawny eagle with 333 birds being exported, and 47 of these from farming practices. The purpose for most of the exports was listed as commercial reasons, with some trade for zoos, circuses, breeding in captivity, and personal use. Other birds of prey of particular use in falconry, such as the Peregrine falcon and the Gyrfalcon, four captive bred falcons and 130 falcons, 69 of which were captive bred respectively were traded.

The countries to which Russia exports raptors also differs from the destinations during the time of the Soviet Union. The main importer of Russian birds of prey was Japan at 1,958 birds, 1,789 of which were wild. The bird primarily imported was the Goshawk, with around 900 wild birds brought to Japan. This was followed

by the Red-footed falcon *Falco vespertinus*, and the Common kestrel *Falco tinnunculus*. Following Japan, the United Arab Emirates was second in the number of imports of falconry raptors from the Russian Federation. Over the 13-year period of data, the UAE has imported 1,171 birds of prey. In contrast to Japan though, only 166 of these were wild, so 14% rather than 91%. The Saker falcon was the most frequent import at 863 birds, with the vast majority of them being from farms. The second most popular bird of prey was the Goshawk at 152, all of those being from the wild. In every year of complete data, so through 2006, Japan has imported more birds than the UAE. Uzbekistan imported more than 200 birds over this period. This was primarily the Saker falcon, and none of them were taken from the wild. Europe therefore is no longer the leader in imports of Russian birds of prey, and where once Germany would have been the country to import the most birds from within Europe, this is no longer the case. The United Kingdom imports the fourth highest number of falconry birds from Russia, with a total of 202; 152 of these were wild caught. The most common import was the Tawny eagle, followed by the Steppe eagle *Aquila nipalensis*. The other countries in the Middle East, which imported raptors were Syria, Kuwait, Saudi Arabia, Qatar, and Israel, but this was very few falcons, and all of them, except for the one Tawny eagle taken to Israel, were taken from captive stocks. Figure 13 in Appendix G compiles all falconry species from wild and captive stocks into a chart that highlights the Russian exports to certain countries. The four main importers are included – Japan, UAE, Uzbekistan, and the UK – as are all the Middle East countries in order to illustrate the amount of trade with this region since it is suspected of being the destination for the illicit market.

During this same period, Russia also imported 252 birds of prey. Out of these birds, 22 were wild caught. Most of the raptors, 106 or 41%, were imported from the United Arab Emirates. All were captive bred, and they were mostly brought in for personal use, or to add to breeding stock. The main species that was imported was the Gyrfalcon. Other countries that sent birds to Russia were Australia (35), Germany (41), Mongolia (14), and Uzbekistan (20). Other species that were purchased by Russians were Peregrine falcons (62), hybrids (16), and Saker falcons (7). In terms of where the birds of prey are coming from, again it is difficult to say, since this data is not often given. Of the 4,785 raptors that were traded, only 436 or 9% also state the source of the falcon, hawk, or eagle. Of these, 193 birds of prey were captured in the wild. From these numbers, the place where most of the raptors were taken from was Tajikistan, with 142. These were Saker falcons, Common kestrels, Hobbies, Red-footed falcons, Goshawks, and Golden eagles, and all of them were taken from the wild. A majority of these raptors were destined for Japan, with Russia as a transit point. Possibly, this is because Tajikistan is not a signatory to CITES, and during 2000 when this was most prevalent, the Russian Federation was administering the Convention for Tajikistan. Behind Tajikistan, was Uzbekistan with 130 birds. Forty of these were wild-caught Goshawks, and another 20 were captive bred Saker falcons. The third country that was a source for raptors is Kazakhstan with 122, and 66 of these were Saker falcons. So even though populations of birds of prey in Central Asia have been depleted, the CITES trade data provides evidence that trade is still taking place from this region in addition to Russia.

In further comparing the trade in raptors under the Soviet Union and the Russian Federation, there is definitely an increase in exports that coincides with the opening of borders that occurred with the break up of the USSR. In 1981, the Soviet Union exported only 10 raptors. This amount oscillated up and down as it climbed to an all time high of 74 in 1991. In 1992, there is data for both the USSR and Russia. The USSR exported 27, and Russia exported 82, already more than its predecessor. Quantities of exported birds of prey continued to rise

through out the 1990's, reaching 560 in 2000. After two slower years of trade, in 2003, 667 raptors were exported from the Russian Federation. The year 2004 proved to be slower, as did 2005.

The increase in trade of birds for falconry is having a detrimental effect on the populations of these birds in the Russian Federation. The four birds in particular that are taken from Russia – the Saker falcon, the Gyrfalcon, the Peregrine falcon, and the Goshawk (WWF Vladivostok, 2006) – are experiencing declines, and experts say that that is due to the following reasons: the Saker falcon are endangered because of the use of pesticides, which weakens the shell of eggs thus resulting in fewer birds hatching, and because they are illegally captured from their nests to be used in falconry abroad (WWF Vladivostok, 2006). This has caused a catastrophic drop in numbers, and because of the increased popularity of falconry, the Saker falcon is threatened to become extinct (WWF Vladivostok, 2006). Populations of Saker falcons are estimated around 2 – 3,000 pairs in the Russian Federation (Falco, 1999: 3). This is 1/20th of the numbers from 20 years ago (Falco, 1999: 3). As mentioned, the Saker falcon is protected under CITES Appendix II, the Russian Red Book, the Bonn Convention Appendix II, and the Bern Convention Appendix II. One of the greatest dangers to the populations of Gyrfalcons are poaching and illegally smuggling them out of the Russian Federation, especially the white colored raptors (WWF Vladivostok, 2006: 15). Illegal taking of the young from nests, and using nets to capture adults migrating to the seacoast in autumn, are real dangers to the preservation of this species (WWF Vladivostok, 2006). Gyrfalcons are CITES Appendix I, Bonn Convention Appendix II, Bern Convention Appendix II, and also listed in the Russian Red Book. Further, there are agreements with the US and Japan regarding the protection of the migrating birds (WWF Vladivostok, 2006). The Peregrine falcon populations are also limited by the collection of its eggs and young for falconry (WWF Vladivostok, 2006). Again these birds are listed in CITES Appendix I, Bonn Convention Appendix II, Bern Convention Appendix II, and the Red Book of the Russian Federation. International agreements with the US, the Republic of Korea, the People's Republic of China, India, and Japan are intended to provide further protection (WWF Vladivostok, 2006). The Goshawk is also endangered because their young are being taken from nests by poachers wanting them for falconry in other countries (WWF Vladivostok, 2006). The loss of habitat and forest fires also adds to their threatened status (WWF Vladivostok, 2006). Finally, they too are a CITES Appendix II species, as well as being listed in the Red Book, Bern Convention Appendix II, and Bonn Convention Appendix II. To a lesser degree, the Golden Eagle, an Appendix II species, is also poached for use in falconry abroad (WWF Vladivostok, 2006).

As stated above, the literature indicates that the demand for the birds of prey in Russia and Central Asia is coming from the Middle East for use in falconry. While there is some demand from this region, the CITES trade data shows that there are more raptors exported to Japan in the legal trade, then to the countries implicated by the experts. If the illegal trade is being fueled by demand from the Gulf States, is another aspect of this issue and will be discussed shortly. Before the illegal nature and magnitude of this activity is explored though, a detailed look at the legislation that regulates this trade is needed.

5.1.2 Legal Regulation Affecting the Raptor Trade

The trade of raptors is governed by different legislation then the fur trade, due to the nature of both the species and the market. As previously indicated, all species of birds of prey that are used in falconry, fall under the protection and jurisdiction of CITES. To reiterate, some species are in Appendix I, therefore their trade is highly

regulated, and should only occur for scientific or conservation purposes. This requires an import and an export permit from the countries involved in the transaction. Those species that are listed as Appendix II, may or may not have a quota limiting the number of animals that can be traded, and the trade must be accompanied by an export permit, which indicates that the country has determined that the trade would not be detrimental to the species. (See Appendix B for the CITES tables). Since raptors are a migratory species, other international conventions are a factor as well. They are the Bern and Bonn Conventions, but Russia is not a signatory to them. Raptors are listed in Appendix II of the Bern Convention, which means that the countries that are a party to the convention recognize that these birds are endangered, and that their habitats deserve particular attention in terms of conservation. Appendix II of the Bonn Convention indicates that the raptors have unfavorable conservation status, and require assistance from the international community to preserve and manage their populations. Whereas Russia is also not a party to this convention, recent news is that they are expected to join if not the entire convention, then the working group devoted to birds of prey (CMS, 2007). The federal law Article 188 "Smuggling" is applicable in the case of the black market of birds of prey, as they are considered contraband items.

Internal legislation that protects birds of prey in Russia, are the same articles that attempt to preserve furbearing animals, in addition to other laws. For these texts, please refer to the previous section 4.1.3. Birds of prey are also covered by the property articles 77 and 78, "About the preservation of the environment". Therefore, a claim for compensation can be made if raptors are poached from a person's property because of the loss suffered both financially and in terms of bioresources. Administrative penalties can be placed upon people who capture, purchase, sell, or transport endangered animals or plants that are listed in CITES or the Red Book as stated by Article 8.35 "The Destruction of Endangered Species of Animals or Plants". This does include all the species of falcons, hawks, and eagles in the Far East. Violations involving raptors can also be prosecuted under the criminal code Article 258, "Illegal Hunting", which forbids the hunting of any protected species. The additional pieces of legislation that might offer protection to the raptors of Far East Russia are administrative codes Article 7.11 entitled "Using of objects of Fauna without Permission", and Article 8.37 called "Violations of the Rules for Use of Wildlife".

Article 7.11 has been translated by me as follows:

> "Using objects of fauna without permission if such sanction is obligatory, or with violation of the conditions stipulated by the sanction, will equal voluntary concession of the right to use objects of fauna, except for the cases stipulated by part 2 of clause 8.17 of the present Code. The following administrative penalties will be imposed: on citizens at a rate of from five till ten minimal payments of salary – on officials – from ten up to twenty minimal payments of salary – on juridical persons – from one hundred till two hundred minimal payments of salary" (WWF Vladivostok, 2006: 53-4).

In other words, permission must be given to use certain animals, and if this permission is not obtained or it is given and then misused, the person in violation of this article can be required to pay fines. The amount of the fine depends upon the occupation of the person. An ordinary citizen pays the least, then an official, and then those in the legal profession. These payments are based upon wages earned by the violator. In the case of raptors, permission for CITES Appendix I species use would only be given in the case of scientific research. A

violation could conceivably then take place if a permit is given for research purposes, and then the bird is traded. Also, capturing of a raptor without permission at all is a violation of this article.

> The second administrative code that could be used is Article 8.37. Again the translation is my own:
>
> "1. Violation of the rules of hunting – The administrative penalties will be imposed as follows: on citizens at a rate of from five till ten minimal sizes of payment with confiscation of instruments of hunting or without those or deprivation of the right of hunting for the term of till two years; on officials – from twenty till thirty minimal sizes of payment with confiscation of instruments of hunting or without those.
>
> "2. Violation of the instructions for use of wildlife, except for the cases stipulated by parts of 1 and 2 of the above clauses, - The administrative penalties will be imposed as follows: on citizens at a rate of from three till five minimal sizes of payment with confiscation of instruments for the capturing of animals or without those; on officials – from five till ten minimal sizes of payment with confiscation of instruments for the capturing of animals or without those; on juridical persons – from fifty up to one hundred the minimal sizes of payment with confiscation of instruments for the capturing of animals or without those" (WWF Vladivostok, 2006: 55).

'The rules of hunting' are not specifically defined here. Other national legislation regarding illegal hunting must be consulted in order to clarify the rules of hunting. In regards to the capture of raptors, this is strictly prohibited in Russia because they are protected under Article 8.35 (p90), which forbids procuring etc. of species listed in CITES and the Russian Red Book. Therefore, under this clause, snaring of live birds could result in penalty fines, and confiscation of the equipment that the offender has used to capture the birds. Furthermore, the violator can forfeit their right to hunt for up to two years. Once again, the penalties imposed upon officials, and those in the legal profession, are more than those for the average citizen. This is intended to combat corruption and abuse of authority, but such portions of the statutes have not been used (personal communication WWF Vladivostok, 19 April 2007). Raptors have international and national legislation protecting them within the Russian Federation, but despite this there continues to be an illegal trade that does not appear to be abating.

5.1.3 The Illegal Raptor Trade

In the beginning of the 21st century, ornithologists have come to the conclusion, that now one of the reasons for the sharp reduction of populations of falcons is their illegal capture (Lyapustin, 2006; Falco, 1999). This occurs to adults both during migration and while nesting, and to eggs or young birds in the nest (Lyapustin, 2006; Falco, 1999). CITES (2004) also states that illicit trade is a concern, and threatens wild populations especially of Saker falcons. Illegal capture of birds of prey, and smuggling of them began in the USSR at the end of the 1980's (Lyapustin, 2006). This was connected to the increased access and contact with foreigners (Lyapustin, 2006). The Arab governments showed interest in capturing Saker falcons in the Altai region of Russia in the early 1990's (Lyapustin, 2006). From 1991 to 1996, most of the poaching and smuggling took place in Kazakhstan and Kyrgyzstan, then independent countries (Lyapustin, 2006). As a result of this activity, the populations of these birds in Central Asia decreased (Lyapustin, 2006). In the period from 1996 to 1998, poaching was prevalent, and spread into Russian territory (Lyapustin, 2006). Prior to this, regions in the Russian Federation

began to attempt to legally protect their populations of birds of prey. In 1994, capturing of Saker falcons became illegal in the Chitinsky oblast (Lyapustin, 2006: 90). In the years following, restrictions increased. In 1995-6, the capturing of Saker falcons and Peregrine falcons was made illegal in Pribaikal, Khakasia, and Tuva. Kamchatka banned capturing of Gyrfalcons in 1994, when a resident of Saint Petersburg was found at the airport with three Gyrfalcons (Lyapustin, 2006: 90). In 1995, a woman from Kyiv, Ukraine was found with two more (Lyapustin, 2006: 90).

The list of seizures by Customs goes on, as they repeatedly find contraband birds of prey. In 1997 alone at airports around the country, more than 200 Saker falcons were seized (Lyapustin, 2006: 93). Some years have seen between 200 and 1000 birds being seized (Falco, 1999: 3). Lyapustin (2006: 97) states that Saker falcons are exported to Jordan, Saudi Arabia, and Oman, even though the above listed CITES data supports this only in that 18 captive bred Saker falcons have been traded to Saudi Arabia from Russia. In 1998-99, it was discovered that birds from Yakutia (a region near the Far East) were being sent to Arab countries through Novosibirsk or Moscow (Lyapustin, 2006: 91). Raptors are smuggled on trains from Vladivostok to Kharkiv, Ukraine, or from Novosibirsk into Ukraine, and then on to the Middle East (Lyapustin, 2006: 97). In Kamchatka, from November 1999 to March 2000, 21 Gyrfalcons were found. Thirteen of them were returned to the wild, five went to aviaries, and three died (Lyapustin, 2006: 93). In the next nine months, an additional 10 Gyrfalcons were seized (Lyapustin, 2006: 93). Also in 2000, five Gyrfalcons and one northern Goshawk from Chukota were found at Domodedovo, another of Moscow's many airports (Lyapustin, 2006: 96). Some birds were also seized at Anadir airport, the main city in Chukota in 2001. A trader lived in Anadir, and organized the transport (Lyapustin, 2006: 96). In December 2001, 15 Gyrfalcons were found at Vynukovo airport in Moscow going to Yerevan, Armenia (Lyapustin, 2006: 94). In 2004 in Chukota, there were two seizures of Gyrfalcons of four and eight birds respectively (Lyapustin, 2006: 96). Later that year on a flight to Irkutsk, 25 Gyrfalcons were found, 12 of which died (Lyapustin, 2006: 96). In October 2004, 14 white Gyrfalcons were confiscated in Kamchatka, and in 2005 another 15 birds were seized (Lyapustin, 2006: 95). Later that year, there were two more seizures of five Gyrfalcons, and then 10 Gyrfalcons again all going to Moscow (Lyapustin, 2006: 95). The Federal Security Bureau (FSB), the successor of the KGB, estimates that 100 rare birds are smuggled out of Kamchatka each year, and that this is a five-fold increase within the last five years (Lyapustin, 2006: 95, 100). In Magadan (another northern city) in 2005, 10 Gyrfalcons, an owl, a Eurasian hobby, and a northern Goshawk were seized from a flight, once again destined for Moscow (Lyapustin, 2006: 96). Seizures account for only one-quarter of the total amount of smuggling suspected (Lyapustin, 2006: 93).

A survey of Russian online news sources indicates awareness that the raptor trade is illegally supplied by Russian populations of birds. In a search of Yandex for articles written about the smuggling of Far Eastern fauna and flora, 13% of the 235 articles found mentioned falcons as an animal that is seized as contraband. Further scanning of news articles related to illegal trade in wildlife, also uncovered stories detailing the smuggling of falcons from their Russian habitats. Live falcons have been reported being sold at markets, particularly Krasnoyarsk in Siberia. This was not observed at the markets visited, not even at Moscow's famous Bird Market, which in April of 2007 had no live birds for sale due to an outbreak of the avian flu. The same search parameters conducted at the Russian search engine Rambler yielded different findings. Scanning for smuggling, unlawful, or illegal trade of wildlife, returned no articles written about the illegal trade in falcons

from the Far East of Russia. Closer examination of some of these articles show coverage of the confiscation that occurs of live tranquilized falcons at the airports (Goverdovskaya, 2003). Smuggling of falcons coincides with the peak of the falconry season in Arab countries (Kornilova, 2007). In fact, Goverdovskaya (2003: 2) has stated,

> "Birds of prey are the main item of contraband going out of Russia. They are usually delivered to Arab countries... The price of the goods in process of movement on a chain grows in hundreds and even thousand times. For example, endangered birds of prey like the Saker falcon, which comes from the Altai, has a huge popularity in Egypt and the United Arab Emirates where during a season of hunting each sheikh is obliged to have wild captured falcons. In Russia, at the intermediaries the falcon costs $15,000, and during a season of hunting Arabs with pleasure buy birds for $40,000 – 70,000 for an individual. The same falcon, but trained, can cost up to $100,000. The difference at resale is enormous".

Experts and NGO staff concur that there is an illegal trade in falcons, hawks, and eagles from the Far East that is a cause for concern. The CITES senior officer of Anti-smuggling, Fraud, and Organized Crime (personal communication, 20 December, 2006) spoke of the illegal trade of falcons to the Middle East, as did the WWF Moscow (personal communication, 12 April 2007), the WWF Vladivostok (personal communication, 19 April 2007), IFAW Moscow (personal communication, 17 April 2007), and the NGO Phoenix (personal communication, 24 April 2007). Phoenix (personal communication, 24 April 2007) thought that birds are taken illegally from Kamchatka, and then transported west to Novosibirsk, Dagestan (a region in the Caucasus), or Moscow, before going to the United Arab Emirates. IFAW (personal communication, 17 April 2007) is also concerned with the falcon trade that begins in Russia and ends in Arabic countries. A single falcon, especially a more rare white one, can fetch up to $50,000 in the Middle East. These arctic falcons are more prestigious, but the typical brown ones are more commonly traded (personal communication IFAW, 17 April 2007). There have been several seizures in the last year (personal communication IFAW, 17 April 2007). IFAW (personal communication, 17 April 2007) successfully released several falcons that had been illegally taken from Chukota, and were being transported to the Middle East. In November of 2006, IFAW released the falcons in northern Kamchatka (personal communication IFAW, 17 April 2007). WWF Moscow (personal communication, 12 April 2007) claimed that the Saker falcon, the Gyrfalcon, and the Peregrine falcon are the three most commonly desired birds, which are native to Russia, and in demand for use in falconry in the Middle East. It is a luxury and fashionable commodity for rich Arab sheiks (personal communication WWF Moscow, 12 April 2007). The scale appears to be fairly negligible, but from a conservation standpoint it is unsustainable (personal communication WWF Moscow, 12 April 2007). There are approximately 500 – 600 birds taken each year (personal communication WWF Moscow, 12 April 2007). In the 1980's, Central Asia was the main source, but 90% of those nests are now gone, so now traders come to the Altai, Zabaikal, and northern Kamchatka (personal communication WWF Moscow, 12 April 2007).

CITES trade data offers little support for an extensive criminal enterprise originating in Russia and ending in the Middle East. From 1992 to 2005, there are only six reported incidents of illegal transactions. In 1993, two Saker falcons were exported from Russia to the United Arab Emirates, and one Golden eagle was exported to the United States. In 1994, 58 illegal Gyrfalcons were exported from Russia to the United Arab

Emirates, and 41 Saker falcons were exported to Kazakhstan. In 1998, Russia imported 12 illegal Peregrine falcons from Mongolia. And finally in 1999, Russia exported 15 illegal Saker falcons to an unlisted country. These numbers in no way indicate that 500 – 600 birds are taken each year, but maybe this is due to the fact that in-country confiscations are not reported to CITES. CITES though, in acknowledgement and an attempt to curb the illegal trade in birds of prey, has created an Enforcement Task Force to discuss the smuggling of falcons (CITES, 2004). They have "produced an identification guide to help customs and other law enforcement agencies target criminals who remove falcons from the wild, smuggle them across borders, and then sell them illegally for falconry" (CITES, 2004). From the above limited data set, it is impossible to make large conjectures, but it provides a small amount of support for the idea that the Middle East might be involved in the illegal trade and that Central Asia, such as Kazakhstan and Mongolia, are transit and source countries for the raptors as well. In spite of the small amount of CITES data regarding illegal trade, every year Customs and FSB catch more than 20 smugglers of rare Far Eastern species of birds (Lyapustin, 2006: 97), and there are a wide variety of nationalities involved in this global black market.

5.1.3.1 Who is Involved?

According to Russian ornithologists, the people responsible for endangering the populations of birds of prey in Russia are specialists from Arab countries (Lyapustin, 2006: 91). Poaching occurs in order to please wealthy Arabs, and Russians believe that it is this market that is endangering their populations of falcons (Lyapustin, 2006: 91,93). The above detailed instances of confiscations though offer a different picture: the resident of Saint Petersburg, the woman from Kyiv, Ukraine, and the trader living in Chukota (Lyapustin, 2006). Also, there was in 2003, a female Russian going to the UAE had in her handbag eight Gyrfalcons, and was arrested in violation of Article 188 (Lyapustin, 2006). But there are also reports of Middle Easterners being the perpetrators. In 2000, a Syrian was arrested under Article 188 (Lyapustin, 2006: 96). In the Pribaikal National Park in 2003, a Russian and a Syrian were caught poaching Saker falcons, and had taken no less than 12 (Lyapustin, 2006: 97). In 2005 in Zaporizhya, Ukraine, Syrians were caught with 46 Saker falcons (Lyapustin, 2006: 98). The Middle East Falcon Research Group (Falco, 1999: 3) sites that Syrian students are responsible for some of the poaching. WWF Moscow (personal communication, 12 April 2007) supported this saying that when Arab students arrive at universities, this indicates that the Arab mafia has moved into the area to procure falcons. This was repeated by IFAW (personal communication, 17 April 2007) that crime syndicates are involved in this trade, and this is facilitated through Syrian and Lebanese students studying at Russian universities. In the mountains of Altai in southern Russia, there are ten groups specializing in the capture of rare birds (Lyapustin, 2006: 98). They are comprised of people from the Middle East (Lyapustin, 2006: 98). Some have been caught. For instance, four Syrians who had captured nearly 50 birds (Lyapustin, 2006: 98). The leader was sentenced to 3 1/2 years in prison, and so were the Russian citizens who assisted the smuggling through their work at an air transportation company (Lyapustin, 2006: 98).

Analysis of the trade undertaken by Customs supports this. The operation is an organized one that consists of citizens of the Russian Federation and citizens of other countries (WWF Vladivostok, 2006). The initial step in the chain, that of capturing the wild live bird, is carried out by Russians (personal communication WWF Vladivostok, 19 April 2007; WWF Vladivostok, 2006: 49), and people of the former Soviet Union with

knowledge of ornithology (WWF Vladivostok, 2006: 49). This can be inhabitants of the taiga settlements and villages, professional hunters, workers of the hunting facilities, and/or amateur hunters (WWF Vladivostok, 2006: 51). After some arrests, the illegal trade became more professional, with well-trained and well-equipped groups thwarting inspectors by moving to more remote hunting lands that are extremely hard to reach (RIA-Siberia, 2007). It is thought that they operate in small, closed groups of two or three people, and that they are filling orders that they have received from Moscow (personal communication WWF Vladivostok, 19 April 2007). In the Far East, Russians, Ukrainians, Azerbaijanis, Armenians, Arabs, and Syrians are the secondhand dealers (WWF Vladivostok, 2006: 51). Transportation in this process is key, and that is why the criminal network is made up of drivers, train conductors, and airline crew members (WWF Vladivostok, 2006: 49). In the capitals of the regions, there are specialists organizing such enterprises (personal communication WWF Moscow, 12 April 2007). The smuggling of the falcons is carried out by Russians, Armenians, Azerbaijanis, Kazakhs, and Ukrainians (Lyapustin, 2006: 99). The Russian citizens are drivers of cargo transport, baggage workers of airlines, personnel of the railways (mechanics, drivers, conductors) and airport personnel and others (Lyapustin, 2006: 99). The CIS citizens besides being poachers are sometimes illegal immigrants, or they can be businessmen, bird of prey trade specialists, tourists visiting the Russian Far East, or tour firm employees (WWF Vladivostok, 2006: 51). These are in fact thought to be organized crime groups with Saudi Arabians, and Emiratis the final buyers and owners of the smuggled raptors (WWF Vladivostok, 2006: 51). As stated, the falcon trade is organized crime of Arab mafia and Russians with the possibility that these operations fund terrorist activities in Saudi Arabia, UAE, Central Asia, and Chechnya (personal communication WWF Moscow, 12 April 2007). Federal Customs officials believe that the very high profit of selling raptors attracts these international syndicates (Versii, 2007). So the picture is much more complex then simply that Arabs are stealing Russia's raptors.

5.1.3.2 How is it taking place?

It is known then the occupations and the nationalities of those making up the organized gangs that trade falcons. Now how they are able to smuggle their live product is explored. Directions of the main smuggling operations are reported by WWF Vladivostok (2006: 50) to be as follows – the birds leave from the northern far east airports on flights to the interior of Russia - Moscow, Novosibirsk, Yekaterinburg, Kazan, and Ufa – and then on further flights to the Middle East. The falcons from Kamchatka are sent by plane, and as quickly as possible because the birds fair badly in the bondage required for transportation (personal communication WWF Vladivostok, 19 April 2007). Also, birds are smuggled on trains through Russia to the airports of Kazakhstan and Ukraine. The following routes are used:

> "Northern Kamchatka: Petropavlovsk-Kamchatka – Irkutsk – Baku – UAE/ Saudi Arabia;
> Northern Kamchatka: Petropavlovsk-Kamchatka – Moscow – Baku/Yerevan – UAE;
> Northern Kamchatka: Petropavlovsk-Kamchatka – Yekaterinburg – Dubai (UAE);
> Northern Kamchatka: Petropavlovsk-Kamchatka – Novosibirsk/Moscow – Ukraine – UAE;
> Chukota: Anadir – Irkutsk – UAE;
> Magadan Oblast: Magadan – Moscow – Kazakhstan/Ukraine – UAE" (WWF Vladivostok, 2006: 50).

Federal Customs officials told the newspaper Versii (2007) that the destination for the falcons is Syria, and that they are taken first to Tajikistan.

Birds are wrapped in cloth that is taped closed, and then inserted into tubes (Lyapustin, 2006: 94). Temperatures can reach 40 degrees centigrade and for birds from the far north these conditions are incredibly taxing (Lyapustin, 2006: 94). Birds are also hidden in sports bags, under fruit, and in diplomatic packages (Lyapustin, 2006: 99). Their eyes can be sewn shut, supposedly to reduce nervousness, and once swaddled sometimes they can be packed into rigid suitcases with holes drilled in them (Kornilova, 2007). Transport of the smuggled birds has a high mortality rate, with many dying from the stress and lack of food and water (Lyapustin, 2006: 93). Integral to this operation is the payoffs of customs officials, other law enforcement agencies, and border guards (WWF Vladivostok, 2006: 49). If guards cannot be bribed, there is always the chance that they will not look for live animals, or ignore them if they find them (personal communication Phoenix, 24 April 2007). Customs agents just close their eyes because they do not know what to do, and have no way to keep illegal live animals (personal communication Phoenix, 24 April 2007).

5.2 Is it a Deep Green Crime?

The illegal trade in raptors certainly qualifies as a deep green crime. The tenets of this ethical perspective state that a deep green crime has occurred when human actions harm the environment in an unsustainable and non-vital manner. At one time, hunting with falcons may have been a means of survival, and there certainly might be a small number of groups of people for which this is still the case, but the current sport of falconry is causing a catastrophic decline of species. This is harmful to those individual species, which have intrinsic value and the right to exist, and the ecosystems from which these animals are taken. The continued capturing of wild birds of prey to fulfill the demand for what has become a luxury activity is unquestionably a deep green crime in that it constitutes speciesism by valuing a human pasttime over the life and survival of falcons. There is no need to devastate the wild populations and ecosystems when there are captive bred stocks of raptors that could be used instead. The idea that wild raptors are better hunters is not an excuse to cause the extinction of a species. The enjoyment of humans in using a falcon in hunting should not outweigh the inherent value of that species, and its right to life free of harm and human interference, though it is ironic that the concept of rights is a human construction. As diZerega (1996) states,

> "There can be no right to cause extinction of a harmless form of life nor even ones which occasionally can be lethal to us such as grizzly bears, great white sharks, or mountain lions (all of whom combined kill fewer people each year than do domestic dogs). As species are the primary component of an ecological community, maintaining viable species which are not actively and significantly detrimental to human well-being should be accorded substantial legal protection".

Even though legal protection is given to birds of prey, it is often not used or not enforced, which is essentially as if there was little protection. Respect for other species would aid in addressing the overexploitation of falcons, as would compassion for their plight and treatment.

The more critical aspects of the environmental justice aspect, outside of speciesism, of deep green criminology are not as apparent as they are in the illegal fur trade. Fur is a commodity that is used across the

socio-economic spectrum, and is an established industry that provides financial income for many of the Far Eastern residents. Therefore, a portion of the population can be directly affected by this illegal trade since it provides part, or all of their livelihood. The falcon trade is only illicit, and so does not have an integral role in the economy. This makes an assessment on how this trade affects the poor, minorities, and women more challenging. It can be surmised though since the demand for falcons is outside of Russia, the Russian inhabitants are not losing a resource to another place that they would otherwise be using themsleves. In that sense then, the illegal falcon trade does not seem to adversely affect one class, ethnicity, or gender more than another. Further assessment might be warranted though as to the implications to other people along the chain of smuggling. On this level, the illegal falcon trade is a deep green crime. Deep green criminology, as stated previously, also includes macro level structural harms in its discourse, and those are now assessed.

5.3 The Structual Harms of the Illegal Falcon Trade

The black market trade in illegal falcons, as did the illegal fur trade, poses several consequences beyond the violations within the trade itself. There are three structural harms that this paper has proposed, which are inherent within wildlife trafficking that make it a significant crime that warrants more research and attention. These are that it is a danger to the environment, it is cruel to animals, and that it threatens human and national security. The illegal trade in raptors is a danger to the environment for two reasons. First, poaching of live birds of prey has reached such alarming levels that the populations of these majestic birds are threatened, as is their very existence. Extinction of a predator within the ecosystem can have dire consequences for the health and functioning of that system. This is besides the fact that the danger of extinction stems from human's desire for a luxury pet that they use for hunting. Whereas falconry might be considered a cultural traditional, and arguments raised that it should be continued because of this, there is no reason that the stocks of captive birds cannot be used to fulfill the demand, rather than decimating the few remaining wild populations. Again, showing respect for another species would further the survival chances of falcons. The second danger to the environment is that the trade of live birds needs to be closely monitored in order to prevent the spread of avian and possibly zoonotic diseases, such as the avian flu. The legal trade has the essential quarantines and veterinarian checks that record and track the health of the traded birds and the presence of diseases. The illegal system, of course, circumvents all of these precautions, and increases the possibility of the spread of dangerous diseases within bird populations, and potentially too the spread of diseases between birds and other animals, including humans.

The second area of structural harm is that raptor trafficking is cruel to animals. This occurs on many levels. Outside of this structural environmental harm of the unnecessary taking of wild raptors from the environment, the trade in birds of prey raises another structural level harm in the question of the humaneness of the sport of falconry. The hunting performed with trained falcons is a purely human created setting, and the facts surrounding the practice could be viewed as violence. First, the birds of prey are taken from their natural habitat and forced into this human created environment. The stress of the capture alone is harmful. Young birds are taken from their nests before they have completed their first molting, so that they are not completely imprinted upon humans – that is that they do not think that they are human (Ash, 2007). Falcon trainers take advantage of the shock and fear of the capture to get the birds to adjust to humans (Ash, 2007). The continual stress in a falcon's existence comes from the fact that birds of prey are not social animals, and "Your very presence is not a

positive thing to them" (Ash, 2007). Once brought to the mews where the bird will live, the initial acclimatization to humans comes through the use of sleep deprivation and under feeding (Ash, 2007). The less stressful method of slowly introducing the bird to new things by taking off a hood more and more often, is considered worse because it takes longer (Ash, 2007). As Oswald (1982; 78) mentions, falconry also raises the animal welfare issues of captive birds, and the use of such things as hoods and jesses. As previously quoted and integral to the deep green criminological perspective, Benton (1998: 158) expands the view of animal suffering to physical confinement, social isolation, boredom, stress, anxiety and so on, and calls for animals to be protected from such situations. Humans should acknowledge that the pleasure that they derive from such a luxury does not justify the unnatural life of stress, fear, and pain that they impose upon falcons, hawks, and eagles. It is cruel that in the demand to have birds for falconry, humans have succeeded in endangering entire species of animals merely for the humans' sport, and that the practice of this sport is itself inherently harmful. Acting compassionately towards the suffering of others, including other species, could address the cruelty that is a part of such activities.

The illegal trade (and potentially the legal trade in its infrequency) raises further macrolevel animal welfare issues outside of the sport for which the falcons are being traded for, and that is the methods of transport. The hiddenness of smuggling forces terrible conditions upon the captured raptor. As previously described, tranquilized birds have their wings taped to their bodies, and are then stuffed into tubes. They are then piled on top of one another and placed into luggage, handbags, under fruit or other products being shipped. Temperatures are nearly unbearably high at 40 degrees. These birds are forced to travel without access to food or water for hours on end, on planes and trains. Needless to say, the mortality on such journeys is quite high. Even for those birds that are confiscated, reintroduction to the wild is not the norm (Versii, 2007). Often the raptors are so traumatized or injured that they must be given to zoos and rescue centers (Versii, 2007). All of this causes pain and suffering, and can therefore be defined as a deep green crime. Again, the falcons are placed in these abhorrent conditions to satisfy a luxury lifestyle of a human, and this too should be questioned.

The third structural harm is how illicit trading of wildlife can pose a threat to human and national security. This is because the illegal raptor trade is connected to other criminal activities, such as corruption, transnational crime, organized crime through networks, and terrorism. The illegal bird of prey trade is facilitated by corruption in the private sector and throughout the civil service, including law enforcement. As described, employees of transportation companies, railways, and airlines, as well as customs agents and officials, collude with criminals by arranging means of transporting illegally captured birds, or taking bribes to make the proper channels available and/or to look the other way. The involvement of customs agents and border guards in the black market trade of birds of prey and other wildlife supports that the trade is transnational, as does the collusion of airline crews and tour agencies. The transnational nature of this activity creates the danger of spreading disease throughout an extensive range, and indicates the lack of security at borders. Adding to the alarm of the lack of security, is the notion that only 25% of the illegal activity is detected. That means that a massive amount of illicit products are crossing the border with impunity. This is disturbing because of the unknown type of dangerous, or endangered unlawful shipments, that also might be crossing borders throughout these unsecured areas unbeknownst to the governments of these nations. Of further concern, is who is initiating this trade, and as the literature and experts have indicated, the raptor trade is a structured transaction from the capture of a bird

through the transportation stages to the purchase by the final buyer. This framework is apparently orchestrated by organized crime through a global network.

The basic level of the organized gang is that Russians, former citizens of the Soviet Union, and occassionally people from the Middle East, procure the raptors from the wild in the remote regions of eastern and northern Russia. The network then incorporates employees, as mentioned, of transportation agencies, be it road, rail, or air, to move the birds of prey through the corridors in Russia that lead to other countries where members of the network take up the transportation. The description of the routes that are available, or that have been known to be used by this network, lends to the idea that networks have a fluid nature that easily adjusts at signs of trouble. Once the raptors reach central Russia, the mode of distribution can be very flexible, since the organized criminal group has at its disposal road, rail, and air transport. Furthermore, the inclusion of so many ethnicities within the network increases the flexibility because the number of countries through which the birds can then transit through after leaving Russia is numerous. This appears to be former Soviet countries such as Ukraine, Kazakhstan, Armenia, Azerbaijan, and possibly Tajikistan. These agents get the shipment of birds to the final destination and to the consumer, which mostly is thought to be Arabs in the Middle East. Particularly disturbing in this transaction, is the suspicion that the trade of raptors is used to fund terrorist operations in the Middle East, Central Asia, and the Caucasus. The amount of money that is made from illegally selling raptors is high, with estimates ranging from $50,000 to $100,000 at the final purchase. That large amounts of profits like this are reaped by organized crime with no fear of recrimination, makes the raptor trade and all wildlife trade alluring. In Russia, and in other areas, large amounts of money mean power, and the connection here is that organized crime can maintain its power base, which threatens the government, democracy, and free press, which in combination with corruption and transnational criminals, such as terrorists, poses a danger to the human security and the national security of the Russian Federation. The theoretical foundation of this thesis explores some of these security issues in more detail. These issues are the conditions present to create the black market, the predictors for the level of involvement of organized crime, and the type of network such organizations would take, and are the focus of the next section.

5.4 Discussion of the Hypotheses

Again, there were three predictions made regarding the illegal raptor trade. It was suggested that the three conditions created by Brack (2003) outlining the driving forces of black markets would be present in the black market of birds of prey. The five factors that predict organized crime's thriving in a given market were also presumed to be in existence in the illegal falcon trade. It was proposed that the organized crime participating in this illicit trade would form simple chain structured networks that act transnationally using violence.

All of the three conditions that spur a black market were present. First, there is a demand for falcons obviously as the trade continues. Additionally, falcons are a scarce product (and becoming more so), and there is no substitute for the birds that supply falconry. Even though it is possible that as one species becomes scarce another might be used as a substitute, overall the birds used in falconry are irreplaceable. Second, there is little concern in the place where these birds come from. True, Russia has legislation protecting raptors, but illegal capturing, and taking eggs and young birds from their nests continues, which indicates the (greater) society's lack of concern. Again as with the fur trade, wildlife, such as falcons, can be protected under property laws, but that

this does not occur indicates a regulatory failure. It is estimated that hundreds of rare birds are taken from the Far East each year (Lyapustin, 2006). And third, the enforcement failure is visible in that 20 smugglers are caught each year, and even fewer of those are charged with a crime, fined, or sentenced to any penalty (Lyapustin, 2006). The presence of all factors adds further evidence that these conditions can be used to predict the existence of other black markets.

The same four factors of Albanese's that indicate organized crime will be active in an illicit market – economic conditions, government regulation, enforcement, and demand – were present in the illegal falcon trade, as they were in the fur trade. In direct contrast though, literature and interviews firmly support the hypothesis that organized crime was functioning in the illegal raptor trade. Whereas it was thought that this would be Russian mafiya, the data indicates that it is Arab organized crime. Possibly then, these conditions do have some predictive value, but this needs further exploration. Experts thought that bird of prey smuggling was a highly organized endeavor that involves multiply people. Descriptions of the operations also confirmed the third prediction that the organized groups would be a part of a network. The network is transnational, running from Russia through various bordering states, and most probably ending in a Middle Eastern country. The order of events from collection to buyer appear to be the simple chain that was proposed. The buyer places an order for a falcon, and through the network a specially skilled collector captures the bird, and passes it along the transportation route. Since the collector and each member of the chain only has contact with one other member, except for the organizer who has contact with both the buyer and either the collector or a messenger, the structure seems to be a simple chain. The members do not know the other members of the criminal network. Where the hypothesis again remains untested, is that no information was given to prove that violence was used in perpetrating the crime. The testing of the hypotheses leads to a discussion of the differing perceptions of what is occuring in the illegal falcon trade.

5.5 The Perception versus the Reality

The workings of the raptor trade are hard to unravel. Customs officials state to the mass media that hundreds of birds of prey are confiscated, and that up to 20 smugglers are arrested each year. Reports to CITES though indicate very little illicit transnational trade, which contradicts further media and NGO claims that all the birds of prey are going to the Middle East. News sources indicate that a majority of these seizures have occurred at airports. This does not need to be reported to the Secretariat, which explains why the CITES data of illegal trade is less than sources in Russia indicate. CITES data show that in terms of the legitimate trade, the main importer of Russian wild raptors is Japan, but no mention is made of that country's role in the decimation of raptor populations in the east and north of the Russian Federation in the media, or the reports produced by NGOs. The licit trade to the Middle East from the Far East is of captive bred birds of prey, according to the CITES data. No reports, literature, or interviews point to any kind of fraudulent documentation regarding CITES permits. For instance, there is no information saying that forged, or real permits of trade, are laundering wild birds as captive bred birds.

Scientists and ecologists are certain that the populations of falconry birds, such as the Saker falcon, the Gyrfalcon, the Peregrine falcon, and the Goshawk, are shrinking to dangerous levels, and that this is due in part to the illegal capture of these birds and their eggs. Syrians, Russians, and CIS citizens have been implicated in

the poaching, and the media and NGO literature point to the involvement of Lebanese, Armenians, Azerbaijanis, Kazakhs, and Ukrainians in the transporting of the birds through and out of Russia. The four illicit transactions reported to CITES included the United States, the United Arab Emirates, and Mongolia. Seizures of various smuggled shipments of raptors throughout the Russian Federation support that multiple ethnicities are involved, and that these people form a global network of possibly organized crime. Corruption is undoubtedly a part of how birds of prey are smuggled from remote regions through the transportation hubs of central Russia. This not only involves state corruption in the form of law enforcement, border patrol, and Customs agents accepting bribes to help the activity or to ignore it, but also corruption includes the private sector transportation companies, which include vehicle, train, and plane. The media and NGOs state that the final buyers are from Saudi Arabia and the United Arab Emirates, and it is true that falconry still enjoys popularity there, where in other areas, such as Europe, this has decreased. As mentioned above, none of the data collected pointed to the use of falsified documentation of captive birds as a means of transporting illegally caught wild raptors. Therefore, apparently the illegal trade is carried out by smuggling. One NGO has gone so far as to claim that Arab organized crime uses the proceeds from this very profitable illegal trade of birds of prey, to fund terrorist operations in the Middle East (personal communication WWF Moscow, 12 April 2007), though no literature or other interviews supported this. Whereas CITES is aware of the illegal trade taking place from Russia, the reports of their falcon working group makes no mention of links to terrorism.

The illegal trade in raptors corresponds to similar structural harms as the illegal fur trade. The capturing of eggs, nestlings, and other birds of prey to fuel the demands of the sport of falconry, is a danger to the environment because of the threat that it poses to the diversity of the Russian ecosystems. The experts interviewed shared this perception that continued hunting was likely to contribute to the extinction of these species (personal communication IFAW, 17 April 2007; personal communication Phoenix, 24 April 2007; personal communication WWF Moscow, 12 April 2007). Experts also sited the terrible conditions that smuggled falcons are subjected to when being taken to the Middle East (personal communication IFAW, 17 April 2007; personal communication Phoenix, 24 April 2007; personal communication WWF Moscow, 12 April 2007). In spite of the acknowledgement of this systemic cruelty, there was no mention of the structural harm inherent in the sport that is the source of demand of these raptors. Awareness of this harm though is a step towards awareness of the intrinsic value of other species, which is proposed by deep green criminology.

Raptor trafficking is certainly occurring and having a devastating effect on the birds of prey of the Russian Federation, in both the danger to the environment and the cruelty to the falcons. There is a wide array of people forming a network that are involved, and it is taking place transnationally through corruption and organized criminal groups, but further research needs to be done in order to examine the claim that this is because of demand coming solely from the Middle East and that there is some connection to terrorism. The two case studies with their empirical data and analysis have now been presented. The following chapter will use the information obtained to propose how these black markets might be curbed.

Chapter 6 – Solutions and Policy Implications

As introduced in the initial sections of this thesis, deep green criminology has taken from deep environmental ethics the obligation as one engaged in this subject, the task of speaking out for greater awareness regarding the plight of the environment. The previous chapters have highlighted two particular black markets that are negatively impacting the species and ecosystems of the Russian Federation as well as the structural harms that accompany them. These harms are the danger to the environment, the cruelty to animals, and the threat to national and human security because of these trades' ties with corruption, terrorism, transnational and organized crime. The next step after raising awareness is to explore what can be done to curb the trade, and therefore to decrease the dangers that it poses. This chapter then will discuss the possible solutions that could be implemented to protect the furbearing and falcon species. For this discussion, I have adopted the target areas established by IBRD (2005) in combating the illegal wildlife trade. Action should be focused in four places: 1) policy; 2) enforcement; 3) economics of supply; and 4) consumer demand (IBRD, 2005: 13). Each of these, will constitute subsections in the following sections. This discussion follows the deep green criminological perspective in that while initially offering suggestions to the existing policy and legislation, which in the short-term can provide more protection to wildlife, the more radical structural issues are addressed as well, which question the embeddedness of environmental harm within the wildlife trade. The first part will address the fur trade. This will be followed by an exploration into the solutions for the illicit trade in raptors. Additionally, the final section will comment on wildlife trafficking throughout Russia.

6.1 Possible Solutions to the Illegal Fur Trade

The illegal fur trade poses particular challenges, since the illicit trade is mostly laundered through the legitimate industry. This discussion then must center on the legal market for fur products, as well as addressing the parallel underworld of poaching and smuggling that also meets consumer demand.

6.1.1 Policy

The minimal amount of literature addressing wildlife trafficking, and the fur trade in particular, offer some suggestions as to how the current policies regulating this industry could be improved in order to enhance the protection of furbearing species, as well as their treatment. To begin, the federal subjects of the Russian Federation have no uniform system of governance (Danks, 2001). This translates into having different ways in which to regulate wildlife resources, and different ways in which to monitor that use. A standardized framework for protection is needed to ensure that certain populations of furbearers, are not overexploited by traffickers that take advantage of weaker legislation in different regions to prey upon the animals that they poach.

Additionally, as Dronova and Shestakov (2005: viii) recommend, legislation needs to give hunters land rights, regulate the auction system, and ensure the humane trapping of animals. Giving hunters land rights would grant them a stake in the preservation of the land, and the animals on it, as they would have entitlement to it, and receive financial gain from owning the natural resources. Entitlement and profit could be powerful motivating factors in creating a sustainable use of the furbearers, since the hunters would have tangible reasons, and self-interest in the continuation of trapping. In regards to the auction system, though there are regulations in terms of

marking furs, stricter measures could be implemented requiring declaration of the origin of the furs. As is evident from Chapter 4, illegally obtained furs do enter into the auction system, and that occurs at the stage of the middlemen accepting illegally obtained pelts. It is at this portion of the chain that regulation needs to be aimed, and a secondary check of permits introduced to attempt to ensure that poached pelts are not allowed on to the market. This might also discourage poaching from occurring if it is evident that illegal skins are more difficult to smuggle into the trade. Making humane trapping standards, would of course bring policy more into line with deep green principles set out in this thesis, by attempting to eliminate the cruelty to animals that is currently inherent in the trapping industry. Hunters also have a stake in improving their treatment of furbearers because trapping practices will, and are affecting the available markets. In the coming years with the Agreement(s) on Humane Trapping, the European Union will no longer be importing furs that do not meet their standards of humaneness when killed. As Europe is one of the biggest markets for furs, it is in the best interest of Russian trappers to adopt this green practice.

Dronova and Shestakov (2005: ix) also state, that more legislation should be enacted to protect endangered species despite the attempts made by the Red Book and CITES legislation to preserve them. With regards to CITES, the legislation and compliance associated with it may be insufficient (personal communication WWF Vladivostok, 19 April 2007), despite Russia's official status as having met the criteria for implementation and compliance established by the Convention. Russia has completed the minimum amount of implementation to maintain membership in the Convention, such as creating the required regulatory bodies, but those structures do not provide or attend seminars, actively participate in the realization of programs, involve Customs in their work, or provide the relevant agencies with visual materials to help them in their mission to identify smuggled wildlife (personal communication WWF Vladivostok, 19 April 2007). This has resulted in poor outcomes of the few programs that have been attempted (personal communication WWF Vladivostok, 19 April 2007).

Other legislation includes deficient hunting laws, and regulation of protected areas and national parks (personal communication WWF Vladivostok, 19 April 2007). According to Phoenix (personal communication, 24 April 2007), the possession of products of endangered species is of particular concern. For instance, if someone shoots a tiger, that person will spend three years in prison, but if someone is found in possession of a tiger skin, it is merely an administrative penalty and 2,000 ruble (£40) fine (personal communication Phoenix, 24 April 2007). This is weaker in comparison to the hunting regulations for game animals, which are not endangered. For example, if a moose is killed without a license, it carries the same sanction as when a person is found with illegal moose parts, or transporting of moose products illegally (personal communication Phoenix, 24 April 2007). Such minimal punishment for having endangered species' products is limited in deterrence, and should be made harsher so that the benefit of poaching and selling the furs is not more than the possible sanction. Dronova and Shestakov (2005: ix) agree that when illegality does occur, fines need to be higher for both poaching and illegal trading. Corresponding to the increased penalties for infractions, should be a widening of the net with regards to smuggling operations. Rather than just large shipments of illegal items being the only incidents that are prosecuted, there should be allowance for prosecution of smaller shipments as well, that are worth less than 100,000 rubles (£2,000) (personal communication WWF Vladivostok, 19 April 2007). Current President Putin has spoken about the need to increase sanctions, and has been quoted as saying, "I have no doubt that the *Duma* will support a bill strengthening administrative and criminal punishments for poaching" (RFE/RL,

2004a). This was in fact not the case (RFE/RL, 2004a). Redefining what is criminal, to recognize the extent of environmental harm in such activities that are currently viewed as administrative and/or property violations, and increasing penalties for such actions, will enable the police to investigate more of the incidents. These actions would no longer be merely administrative breaches, and this would increase the incentive of the police to investigate such actions as it will raise the profile of green crimes (personal communication WWF Vladivostok, 19 April 2007). Expanding the list of crimes that the police can arrest for, introduces the next area of focus- that of enforcement.

6.1.2 Enforcement

The lack of enforcement of laws protecting furbearing species, and other endangered species, is two-fold. The first part is a lack of resources that would enable an increased amount of enforcement, and the second part is the absence of concern, or low priority given to these infractions. To begin, law enforcement of the illegal trade would be improved by allocating more resources to the existing police (cars, radios, computerized filing systems), allowing cross border cooperation, and strengthening of the judiciary (Dronova and Shestakov, 2005: ix). In the Far East in particular, many areas are remote, and it is essential that police have transportation that can allow them to patrol these areas, or travel there to conduct investigations. Additionally, electronic equipment, such as radios and computers, are key to communication between officers, and possibly between departments. The storing of criminal events and suspicious activity enables it to be more readily shared amongst agencies, which would strengthen investigations related to wildlife trafficking and other crimes as well. Further resources can be specializations within police departments, such as canine units. There are now a few dogs trained to detect wildlife products (personal communication WWF Vladivostok, 19 April 2007), and this is a potential tool that could aid Customs and border control in uncovering smuggling. The USSR was quite isolated from its neighbors, and remnants of this still remain throughout the country, possibly most notably in Vladivostok and the Far East, Vladivostok of which only opened to foreigners in the early 1990's (Schmeman, 1993). Because of this attitude, law enforcement may find it difficult to cooperate with their neighbors in Japan, the United States, and South Korea, and there are most likely additional hurdles to overcome in the international relations with North Korea and China, though their shared communist history might provide Russia with access. Agencies need to be allowed to work together though in order to share intelligence about the transnational wildlife trade that is occurring across these very porous borders. As far as the judiciary, this must be an independent body that can enforce the laws as they are written, without interference from the state or organized crime. A judicial system that provides a true oversight of illegal trade is essential in combating the corruption that exists. In addition to the cross border cooperation mentioned above, there also needs to be cooperation between police, the security services (FSB), Customs, and each of their networks of informants, which is the main way that the illegal fur trade is thwarted (personal communication WWF Vladivostok, 19 April 2007).

Another issue of concern regarding resources, is that there are too few staff dealing with wildlife protection and trade in the Far East. There needs to be an increase in the number of wildlife Customs officers because as of now there are four in the entire Far East (personal communication WWF Vladivostok, 19 April 2007). This is true of the FSB as well, which only has two operatives in the area, and as mentioned in the policy section, since wildlife trafficking is such a low priority, and classified as an unimportant administrative

occurrence, no man power is given to the illegal trade (personal communication WWF Vladivostok, 19 April 2007). So not only do those few people need better tools, but there needs to be more people dedicated and specially trained to address the fur trade, and other types of illicit wildlife trades.

6.1.3 Economics of Supply

The next area that needs to be addressed to help combat the illegal fur trade, is the supply side of the industry. This is a topic that must balance human livelihood, with animal and environmental welfare. Homes (2004), nor I, advocate the complete banning of trade in furs, but trapping certainly needs to be done in a sustainable manner, and increased enforcement is not enough alone. According to Dronova and Shestakov (2005: viii), Russia needs to conduct scientific evaluations and population censes of key furbearing species, in order to establish the proper quotas to maintain sustainable harvesting. "The last official statistical reports on fur harvest were prepared in 1996 and, since then, only internal reports (provided by the regional Game Departments) have been available. These reports are less precise, usually give an underestimate of the actual harvest, and do not include skins that have been harvested illegally" (Dronova and Shestakov, 2005: 17). Relying on such inaccurate data, can potentially jeopardize the health and stability of furbearing populations. It is in the best interest of both the people employed as trappers, and the animals that are being trapped, that up to date numbers are obtained as best as possible to maintain the industry. Overlooking or ignoring the amount of illegal trade that does take place, again can endanger the species involved because of the inaccurate figures that are then used to determine quotas, which would be unsustainable to a population that would be smaller than acknowledged.

Once skins are legally harvested, they should be marked so they can be tracked in the system, and reduce over harvesting (Dronova and Shestakov, 2005: ix). The fur trading companies can also assist in stopping illegal trading by advocating a marking system, and lobbying for legislation to promote legally obtained furs (Dronova and Shestakov, 2005: ix). The Far East, as noted, is very remote from the central government in Moscow. Additionally, it is very far from the center of the Russian fur industry, the main auction house in Saint Petersburg. In order to eliminate this isolation, which can enable illegality to go undetected, and allow the illegal to blend into the legal through the long chain from trapper through middlemen finally to the auction, research has been conducted regarding establishing an auction house in the Far East (personal communication WWF Vladivostok, 19 April 2007). This independent auction would consist of buying furs from local trappers, and then having large shipments of furs with the proper official documentation being delivered to consumers for a market price (personal communication WWF Vladivostok, 19 April 2007). This is in contrast to what happens now, which is that trappers sell to Chinese consumers for very low sums (personal communication WWF Vladivostok, 19 April 2007). An auction like this, is hypothesized to assist in the gradual reduction of the underground black market (personal communication WWF Vladivostok, 19 April 2007). Presumably, this is because trappers would not need to over harvest species, or trap more valuable endangered species, because the legally obtained fur would then be providing them with adequate income.

This brings to light another portion of the area of supply. Currently trappers are struggling to survive off of the income that they earn from selling furs (Dronova and Shestakov, 2005). In order to prevent them from taking more and more animals to compensate for the low value of each individual fur, it is proposed that alternative jobs could be developed for hunters, or financial incentives given to them to protect endangered

species (Homes, 2004). The support of greater economic incentives is needed to reduce illegal trade, and this means shifting a larger part of the profits from (musk) trade to hunters and middlemen in the Russian Federation (Homes, 2004: 82). "If you can generate income or benefits for the local people by hunting on a regular basis as sustainable use, the more they will have an interest in conserving the species" (O'Rourke, 2003). Such alternatives can be cultivation of valued non-timber forest products for which there is a growing demand (personal communication *Brok*, 19 April 2007).

A radical proposal by a former WWF employee was that there should be trophy tiger hunting to generate money for conservation (personal communication *Brok*, 19 April 2007). But as was stated in this interview, "how do you control such a plan in a country with so much corruption"? Contrary to this though, *Brok* (personal communication, 19 April 2007) thought that the idea showed promise for the following reasons: There could be enough money gained to pay to stop illegal hunting by funding police etc. There are 20-30 tigers poached each year anyway, why not allow one or two to be hunted legally, and have the whole population profit. You could employ those that had previously been poaching in the industry to protect the tigers. This idea is plausible from a deep green perspective if the legal hunting does not endanger the Amur tiger, and if it is done humanely with the minimum amount of suffering. But according to *Brok* (personal communication, 19 April 2007) such income would challenge the money of such organizations as WWF, and therefore would not be considered for that reason. Though WWF would claim that the proposal should not be considered for conservation reasons (personal communication *Brok*, 19 April 2007). The dynamics between NGOs is out of the scope of this project, though worth further exploration in the context of conservation and crime. From the economics of supply, the chain continues to the consumption in the destination countries.

6.1.4 Consumer Demand

It is the consumer demand that drives any market, and this is true of black ones as well. The demand side of the illegal wildlife and fur trade though is typically ignored or overlooked. "Focusing on the suppliers makes a clear battle of good versus evil, rather than the true picture of muddled ambiguity. This gives a false picture of geographic isolation and profiles of those involved, when in truth this is blended into the community all around us" (Naim, 2005: 235). This blending into the community around us supports that harmful aspects of the illegal fur trade are occurring at a structural level, and are not simply isolated violations or individual instances of overexploitation. The demand, especially in Russia, is engrained into society and culture through fashion. It is certainly difficult to challenge such behavior as contributing to the diminution and/or suffering of species, but this is key in addressing the consumer portion of the fur industry.

Fur demand is particularly controversial because of the very public discussion regarding animal welfare and rights that have been intertwined with the buying of fur products. The welfare of the animals involved in the fur business, or more accurately the lack of welfare afforded to the animals trapped or farmed for their fur, is one of the structural level harms. Addressing consumer demand, does not entail calling for the end of using fur. Instead, consumers need to be educated as to the part they play in perpetuating the illegal trapping of animals and their suffering, when they make uninformed purchases. This means that buyers need to be educated in how to purchase a fur that is marked officially that it has been trapped legally, and therefore is not a species that is endangered or threatened. Campaigns to inform consumers of species that are farmed versus wild could be used

to allow for conscientious buying to occur. The public also should be made aware of whether or not the fur that they are buying has been obtained with the use of steel jawed traps, and other traps that are the focus of the Agreement(s) on Humane Trapping. This, too, could be part of the labeling system for furs. Such labels would verify that the fur was caught by the most humane, discriminate means possible. With such consumer movements for fairtrade products, free-range eggs, and grass fed meat increasing, especially in the West and emerging in Russia, the fur market, too, can advertise its attempt to address the systemic suffering of the animals through improving their welfare and treatment.

Now that the four areas of focus for possible solutions for the illegal fur trade have been explored, the same areas will be discussed for the second case study - that of the illegal trade in raptors used in falconry.

6.2 Possible Solutions to the Illegal Raptor Trade

The illegal trade of falcons presents some different challenges to that of the illicit fur trade. Predominantly, this stems from the much more restrictive nature of the legal falcon trade. All species are either limited in the number that can be traded because they are in CITES Appendix II, or they are completely banned under CITES Appendix I because of their highly endangered status. Since then, there is no high-scale visible legal trade as there is with fur, the dynamic of the trade is different. Additionally, the legal trade encompasses captive bred falcons that are also monitored by CITES in that these birds must have certificates indicating their origin. Also, the fact that the trade that is occurring is of a live animal, as mentioned before, brings in other factors of humane treatment in falconry and during transport. As with the previous section, the solutions to the illegal raptor trade are divided into four sections: policy, enforcement, economics of supply, and consumer demand.

6.2.1 Policy

CITES is so concerned with the trade of falcons that there is a special working group, which is devoted to addressing the policies that are developed in regards to the falcon species. In a meeting of this working group, some areas for policy implementation improvement were discussed (CITES, 2004). First, as detailed, for those species listed in the second appendix of CITES, a non-detrimental finding must be conducted in terms of how many animals are allowed to be traded. This finding entails determining how many animals can be taken from a population safely without damaging the sustainability of the population. CITES (2004: 1) representatives noted at this meeting that countries were not complying with the research into non-detrimental consequences before allowing the capture of wild falcons, and that this needed to be done.

In terms of policies that could be used in addition to those above to comply with CITES, the working group suggested that countries establish national registration schemes (CITES, 2004: 3). This would entail private owners being given certificates of ownership that contain a "recording of the country of origin of the falcon, its source (wild or captive bred), and a reference to the proof of legal acquisition (e.g. the number of the relevant export permit or re-export certificate, captive breeding operation or license for removal from the wild)" (CITES, 2004: 3). Officials believed that such "mandatory registration schemes, where there is a requirement to demonstrate the legal acquisition of individual falcons, provide for the ready identification of illicitly-acquired and illicitly-traded birds and act as a deterrent to those that might wish to illegally import or illegally acquire falcons" (CITES, 2004: 2). Required registration might also aid in discovering falcons that are taken illegally

from the wild or illegally imported, which are sometimes used as breeding stock (CITES, 2004: 3), or falcons that are taken from the wild, but tagged with a metal ring around their leg to look as if they are captive bred (Oswald, 1982: 98). Further help in tracking the lineage of falcons could come from the use of DNA profiling to confirm parent-offspring relationships (CITES, 2004: 3). Again, these are practical recommendations within the current legal framework, not structural improvements which will be discussed shortly. As always, policies must then be enforced, and the enforcement of current legislation is already lacking as will now be discussed.

6.2.2 Enforcement

Protection for falcons could be aided through better enforcement at every step of the chain of trade. In general, there is "need for awareness-raising and training for law enforcement officials (and falconers) who are involved in implementing the Convention, enforcing national legislation, and combating illegal capture of falcons from the wild" (CITES, 2004: 3). Specifically, airport security, airlines, and border control play an important part in all of this, and need to be made aware of their role (CITES, 2004: 3). As with the illicit fur trade, there needs to be more cooperation between agencies within the same country, and between agencies of different countries where falcons are smuggled from, through and to. Again at the CITES (2004: 2) meeting pertaining to falcons,

> "delegates stressed the need for countries to exchange information regarding illicit trade in falcons. In particular, countries seizing falcons being smuggled cross-border should advise the relevant countries of origin and transit so that such cases can be fully investigated with a view to identifying and taking action against the persons engaged at each stage in illicit trade".

For consistent regulation in the varying countries where transnational crime (such as falconry) exists, there must be international harmony of laws (Shelley, 2005), which also need harmony of enforcement. As stated in the previous policy section about fur, Russian law lacks uniformity throughout its territory, and this allows traffickers to internally circumvent the existing legislation where there is weak enforcement (Danks, 2001). As Shelley (2005: 10) states, harmony is needed because if one state (region) cracks down the criminals simply go somewhere else. Also, uniformity in regulating breeding facilities in the countries where such farms exist, might go a long way in combating trafficking because "Some captive-breeding operations are not adequately monitored and are used by unscrupulous traders to 'launder' falcons that have been taken from the wild" (CITES, 2004: 3). Furthermore, such bird keeping facilities need to have licenses in their possession, and be regularly checked by enforcement officials that the premises and licenses meet the required standards (Oswald, 1982: 98). Of course as with the illicit fur trade, law enforcement dealing with illegal raptors is understaffed, under funded, and poorly equipped and trained. In the case of live falcons, law enforcement agencies need to have facilities where the confiscated birds can be humanely housed until they can be reintroduced to the wild, or the proper place is found for them.

If and when enforcement does take place, it cannot only occur at the beginning of the chain of smuggling events. The illicit trade in falcons comprises a spectrum of individuals as elucidated in the section 'Who is involved' in Chapter 5. Again as Shelley (2005: 6) says about transnational crime, it "couples high status officials, corrupt officials, and ground level criminals together, but only focusing on the lowest levels will not be effective". The more powerful people in the criminal network also need to be targeted to stop operations

and act as a deterrent. Admittedly, even where political will and capacity exist, it is difficult to investigate and prosecute (Shelley, 2005). There is a problem in Russia which consists of violators (which are sometimes businesses), as a rule, do not reach court, or if they do, the result is ridiculous verdicts, and the same hunters continue to be engaged in the illicit activities (RIA – Siberia, 2007). Some of the perpetrators are higher-level officials from other countries, and as reiterated at the working group for falcons of CITES (2004), there is no exemption to CITES legislation for diplomatic immunity.

Not only does there need to be an effort to combat the existing crime, but also to curb its development, and this needs to be taken into account when making programs for "economic development, conflict resolution and the struggle with terrorism" (Shelley, 2005: 10) because as also noted previously, the illicit trade in falcons is believed to be connected to the financing of terrorist organizations, as well as organized crime groups.

6.2.3 Economics of Supply

A repeated theme in terms of wildlife trade, is that bans do not work nor does enforcement alone (Homes, 2004). A reoccurring suggestion to help end the illegal trade in falcons, fur, and any wildlife, is to provide economic incentives, or financial alternatives to poaching and capturing at the initial stage in the chain of smuggling, so that those taking birds illegally from the wild will stop doing it (Homes, 2004: 82). Again, this could happen by shifting a larger part of the profits from (musk) trade to hunters and middlemen in the Russian Federation (Homes, 2004: 82). In the trade of falcons, this is a substantial redistribution. For the capture of a bird, the collector might receive a few hundred dollars, and the final buyer will pay up to $50,000 or $100,000 for the most rare varieties. If in the legal instances of the trade, this sum of money can be evened out along the line of people involved, the collectors could be motivated to protect birds of prey in their area for further licit trade because they would be guaranteed an amount of income that could support them. As quoted in the economics of supply regarding fur, "If you can generate income or benefits for the local people by hunting on a regular basis as sustainable use, the more they will have an interest in conserving the species" (O'Rourke, 2003). Again, the alternatives that could be promoted to people in these remote regions can be the cultivation of valued non-timber forest products for which there is a growing demand (personal communication *Brok*, 19 April 2007).

In regards to the current supply of falcons in the licit market, transparent quota information needs to be made available to the CITES Secretariat and to falcon traders (CITES, 2004: 1). This can aid in detection of illegal trading by providing monitors with guidelines as to how many birds of prey are allowed to be on the market, and then they can better gauge if the numbers have exceeded the limits, and therefore illegally captured falcons must be selling as well. There are captive breeding facilities that sell falcons for use in falconry. These operations should be promoted as the means to obtain birds and continue the tradition, rather than decimating the wild populations. Not only does this promote conservation, but also legal trade of captive-bred falcons would improve the animal welfare issues that surround the illegal smuggling of wild birds of prey. In an open market, the falcons can be cared for properly, and have the stress of transport minimized, rather than in illicit trading where the birds are tranquilized, swaddled, and placed in tubes in terrible conditions with high mortality rates. This idea introduces the next topic of focus – that of consumer demand.

6.2.4 Consumer Demand

The consumer demand for falcons can be seen in a similar light to the demand for fur. Both can be viewed as luxury items, falcons possibly even more so as they currently are not the sole means by which humans are able to obtain food. Whereas before it was key in hunting, today falconry is an expensive sporting hobby (ArabNet, 2002). It is thought that the consumer demand centers on the Arabian Peninsula (ArabNet, 2002), but CITES trade data point to the largest demand, for legal wild birds in particular, coming from Japan. First, the structural level harm that is inherent in the sport needs to be addressed to try initially to decrease the number of people partaking in this activity. The inherent harm takes the form of the unnatural setting that the birds are subjected to as described before, therefore the very practice needs to be challenged. Presumably, such a task would be undertaken by a NGO focusing on animal rights and welfare. The next step should be campaigns to educate the consumers in those countries that the use of wild falcons in falconry is endangering the populations of these species. Also, part of this education is that the demand for wild falcons also creates the conditions that enable the systematic suffering of these birds that occurs during transport. Material about the horrendous conditions of illegally smuggled birds should be circulated to clubs and falcon owners. An appeal can be made in terms of animal welfare, as it is likely that those people most involved with the birds of prey, can empathize with their treatment. These campaigns are not advocating the end of falconry *per se*, they are aimed to have consumers purchase birds from captive breeding facilities rather than taking them from the wild, if they insist on continuing with the sport. It also needs to be addressed that it is in the consumers' best interest to do so, as continued collection of birds of prey from the wild at the current rate, will cause the extinction of many of these populations and species, so then there would be no alternative, but to buy from captive breeding operations.

6.3 Possible Solutions to Wildlife Trafficking in Russia

In the second chapter, it was discussed that the illegal fur and raptor trade are just two of the forms of wildlife trafficking that take place in Russia. This section will expand the exploration of how to combat the illegal wildlife trade to all kinds of smuggling that occur. "Illegal domestic and international wildlife trade is a commodity business driven by a wide variety of socioeconomic and cultural forces. Patterns and trends in illegal wildlife trade are affected by the usual commercial factors: improved transport infrastructure and development, especially in frontier areas; increased market access; and accelerated national and regional economic development" (IBRD, 2005: vi). The causes of this black market are complex – rooted in social, economic, cultural, and political structures.

> "Any solution needs to address these different factors and must include (a) a better understanding of the dynamics of the trade; (b) regulatory controls at the national and regional levels coupled with incentives to change bad behaviors; (c) incentives for better management of the species most under threat; (d) improved awareness of the threats from the trade; and (e) engagement of stakeholders at many levels and in different places. It is not enough to tell people what to do; they must be convinced that it is in their own best interests" (IBRD, 2005: vi).

6.3.1 Policy

Whereas the illicit trade has gained structure and organization, the regulation and enforcement continue to be inadequate and infrequent, partly due to the absence of funding (TRAFFIC Europe, 1998). This is certainly the case for Russia, which in the short-term on a practical level, could make changes to policy in order to protect wildlife. Policy problems also arise from political structure. A WWF Moscow (personal communication, 12 April 2007) staff member described the problems. The ministers and ministries are at the top of the pyramid framework of government, and the second tier is the Federal Service Agencies. This is where the CITES Management Authority is located. The bottom tier is the Federal Agencies. Some problems arise from the fact that the Federal Agencies, who are delegated to manage wildlife trade and draft policy etc. regarding this, are given no international authority or responsibilities. They therefore must draft ideas that are then sent to the ministers. This approval process is very lengthy, and often ministers have other interests and other priorities. There are lags and gaps in these controlling agencies, which are spread out across the government, and who do nothing, or actually are not able to do anything (personal communication WWF Moscow, 12 April 2007).

The CITES Management Authority is then removed by one step in the chain of who has authored the policies. They, too, then might have other priorities. It has been noted that the Russian Management Authority does not always attend CITES meetings (personal communication CITES Secretariat, 23 February 2007). This is thought to be because of limited funding for ministers to attend CITES meetings, and that they do not speak English (personal communication WWF Moscow, 12 April 2007). The CITES implementation is not concentrated into one area of law. It is spread throughout Russian codes, and it is therefore difficult to work with (personal communication WWF Moscow, 12 April 2007). There are sections of the code in the 'Animal World' articles, the administrative code, the criminal code, and the customs codes – the final three are federal level legislation (personal communication WWF Moscow, 12 April 2007). CITES is meant to be part of the national legislation, but as in the 'Animal World' articles and other government decrees and orders, the legislation, too, is found at different levels (personal communication WWF Moscow, 12 April 2007). CITES relies on internal partnerships between agencies responsible for its implementation, and in their absence the trade continues to flourish, irrespective of existing laws and legislation (IBRD, 2005: 13). This also seems applicable to Russia, where as mentioned in the previous sections, cooperation between agencies and between countries is lacking. The government does not help these matters in the wider political context (personal communication WWF Vladivostok, 19 April 2007). Russia struggles to gain foreign investment and aid from international organizations that might help in the battle against wildlife traffickers directly, and also act as guarantors so that other states would cooperate with Russia as well (personal communication WWF Vladivostok, 19 April 2007). The coming elections (summer 2007) in the *Duma*, and the pending preseidential election (summer 2008), might solve all of this (personal communication WWF Vladivostok, 19 April 2007). This seems optimistic given the deteriorating levels of cooperation between Russia and the United States, and Russia and the European Union, in particular the United Kingdom.

Even supposed experts disagree on the course that should be taken to curb wildlife trafficking in the Russian Federation. To one official in Moscow, Russia should stop trying to reform their legislation, and establish real agencies with clear tasks that are clearly under the government (personal communication WWF Moscow, 12 April 2007). The government needs to see that wildlife has the same value as gas and oil, but is

even better because it is renewable (personal communication WWF Moscow, 12 April 2007). Yet to another, the current legislation is deficient (personal communication WWF Vladivostok, 19 April 2007). It is only a criminal case if the cost of the illegal shipment is worth more than 100,000 rubles (£2,000), or if the animals that are being transported are in the Red Book. The first hurdle though is that it is difficult to prove exactly which person acted, exactly what was taken, and that the person knew that this was a Red Book animal (personal communication WWF Vladivostok, 19 April 2007). Presently, people are not charged, or have conditional punishments (personal communication WWF Vladivostok, 19 April 2007). The legislation does not provide criminal punishment for buying up of small illegal wildlife shipments, and with this legislation curbing illegal wildlife trade is impossible because sellers and buyers will continue to meet and agree on below market value for their transactions (personal communication WWF Vladivostok, 19 April 2007). Furthermore, CITES implementation is poor (personal communication WWF Vladivostok, 19 April 2007). The implementation at the provincial level needs to be effectively monitored by someone at the national level, preferably by an independent assessor, to ensure that funds are appropriately directed and action taken (IBRD, 2005: 17). This introduces a huge area in Russian policy that needs to be addressed in order that there will be any decrease in the illegal wildlife trade - corruption.

Holmes (2006) recommends a variety of policy fixes that would decrease corruption in post-communist states, and those are paraphrased here, since they would impact wildlife trafficking in the Russian Federation as well. First, plug loopholes to make laws more precise (Holmes, 2006: 222). This would eliminate traffickers going to different regions with weaker legislation or enforcement. Stronger legislation, and the plugging of loopholes, erode the capability of criminals and their organizations (Cook et al, 2002: 25). Next, promote and provide protection for whistleblowers and witnesses (Holmes, 2006: 227). People could then safely come forward to speak out against corrupt individuals, and testify against traffickers without fear of reprisal. Holmes (2006: 229-30) suggests changing current practices by allowing less discretion in taxation, and making it clear that there is no state involvement in entrepreneurial activities, such as timber. Another idea is to rotate government offices (Holmes, 2006: 231), so there is less chance to develop ties for corruption. Key to combating corruption, is of course improving officials' employment conditions either by efficiency, status, security, or pay (Holmes, 2006: 232-5). This is certainly true for Russian officials, particularly law enforcement and Customs. Not only would these agencies become more efficient with increased use of technology, such as computers databases, but also this makes their actions more transparent (Holmes, 2006: 236). Studies have shown that changing the gender balance of agencies can decrease corruption because women have been shown to be less corrupt, but the ideal scenario is an equal ratio of men to women (Holmes, 2006: 237). Anti-corruption campaigns, within departments and to the public (Holmes, 2006: 238), send the message that the government is trying to combat it. This can be combined with ethical education, and new codes of conduct for agencies (Holmes, 2006: 241). As previously stated by the WWF Vladivostok (personal communication, 19 April 2007), Russia should if possible seek foreign agency experts to help (Holmes, 2006: 241). Finally, agencies and the government can go about by setting new norms, and assessing the risk of these proposals (Holmes, 2006: 243).

Holmes (2006: 244-45) offers some more radical approaches as well "1) purge; 2) legalize the corrupt act (conscription); and 3) amnesty (oligarchs and their private wealth)" (244-45). This could mean the entire staff would turn over as a way of clearing out corruption, making the formerly corrupt act legally acceptable, and forgiving those who have already committed the corrupt act, and letting them keep the benefits that they obtained

from it. The last action has been tried by the Russian Federation, and with recent backlash against such individuals, this might not necessarily be advisable. But as Klitgaard et al (2000: 24) advise, "Corruption should not be conceived as a mere irregularity or the act of a scoundrel. The secret of successful reform is changing policies and systems, rather than hunting for isolated culprits, adding new laws and regulations, or calling for moral renovation". "New laws should focus on changing incentives, reducing monopolies, clarifying and reducing discretion, enhancing information and accountability not creating more regulation to create more corruption" (Klitgaard et al, 2000: 87). This vein leads to the second area to target when looking at wildlife trafficking - that of enforcing the legislation that already is in place.

6.3.2 Enforcement

In the developing world, equipment, training, and infrastructure are lacking (Oldfield, 2003: xxi). There are no computers, no skills for identification, and no place to hold confiscated specimens (Oldfield, 2003: xxi). Staff have low incomes, but even a limited amount of training can improve their effectiveness (Oldfield, 2003: xxi). Whereas Russia may not be considered a developing nation, it could benefit from the above actions as well. Russia needs to train and fund conservation and law enforcement, as well as implement better legislation to comply with CITES (TRAFFIC Europe, 1998). WWF Vladivostok (personal communication, 19 April 2007) stated that illegal trade could be stopped initially by catching the buyers, but the police have no time to be engaged with these investigations, and it is not focused on. "The need for truly independent procurators and police is clear after a sometimes brutal and often legally questionable decade of redistributing power and property in Russia" (Taylor, B. 2004: 75). This is true of wildlife trafficking, organized crime, corruption, and the gambit of other illicit trades for which people in the Russian Federation take a part in. In the enforcement of wildlife offenses, the punishment is partly dependent upon which agency discovers the offense, but they are usually dealt with administratively, or as mentioned criminally, if the illegal commodity is valued for a high sum (personal communication WWF Moscow, 12 April 2007). This is typical for all related violations regarding wildlife – poaching, smuggling, and trading through misdeclaration and falsification of documents (personal communication WWF Moscow, 12 April 2007). Instead, a uniformity of enforcement needs to happen where no matter the offender and no matter the agency that discovers the offense, that the violation is dealt with under a set of clear standards. This might be improved upon by creation of an agency specifically devoted to wildlife crimes as is recommended by the CITES Secretariat (Wijnstekers, 2001: 182).

The Russian Federation (as repeatedly mentioned throughout this project) should cooperate more with other nations in trying to curb the number of imports and exports (TRAFFIC Europe, 1998). This includes working with NGOs and government partners to develop effective efforts to curb the trade in illegal wildlife (TRAFFIC Europe, 1998), and also internal cooperation between all law enforcement bodies. "As wildlife is traded in concert with other contraband by existing organized crime, combating the growing trade in illegal wildlife requires efforts to improve governance more broadly by working with the security and police forces, customs, and border police to integrate attempts to curb the trade in illegal wildlife with the trade in other contraband" (IBRD, 2005: 15). For regional police, the aim needs to be to address the transportation and outlet ends of the wildlife trade (IBRD, 2005: 17). This focus is due in part to safety. It is also where the most impact can be made because the "increased professionalism and sophistication of the hunters and local trade network,

especially those related to organized crime, has made it extremely difficult and dangerous to address the source end", but "it is comparatively easy to identify actions to address weak links (main traders in district towns, main outlets for wildlife products in provincial towns)" (IBRD, 2005: 17).

Again, Holmes (2006) research into corruption offers solutions to the corruption connected to wildlife trafficking, and also to the organized crime element inherent in smuggling. When dealing with enforcement of wildlife laws or laws that address corruption, the legal system needs to be used to its full capacity. That means to make the potential cost of violating the statute outweigh the potential benefit, carry out prosecution, and try for convictions, so that it does not look like the state is protecting proportions of society (Holmes, 2006: 212). For enforcement to be seen as just, there must be autonomous activity of the judiciary and the prosecution (Holmes, 2006: 214). Finally, new or stronger agencies to combat corruption need to be introduced (Holmes, 2006: 219), and this is true for organized crime as well.

6.3.3 Economics of Supply

IBRD (2005: 17) recommends a nationally coordinated campaign that educates the public about wildlife trafficking, and this must include the support of the regional, and municipal media in order that as many people as possible are reached. In Russia, Customs and the WWF have undertaken such a joint scheme to educate people about smuggling (personal communication *Brok*, 19 April 2007). "But it is just talk that costs a lot of money, when this money would be better spent if it went directly to the communities where illegal poaching and logging were taking place. Poverty alleviation would do more than education" (personal communication *Brok*, 19 April 2007). *Brok* (personal communication, 19 April 2007) proposes money going directly to these areas as a kind of subsidy, or teaching the people of these areas other trades such as cultivating non-timber products to sell. It is important that the people in the ecosystems that source the wildlife trade are given a voice by placing locals in a management role (Warchol et al, 2003). Also, they need economic incentives, such as being given game meat, or the money from tourist enterprises, which could take the form of trophy hunting or wildlife watching (Warchol et al, 2003). An alternative is that the profits from these enterprises could be used to fund projects to improve the water quality, schools, and basic infrastructure of these areas (Warchol et al, 2003). The global market in legal wildlife and wildlife products obviously has an interest in maintaining the populations of species that are the source of its revenue. Managing this resource sustainably, is key to maintaining on income. "The international community has good reason to erect a system of incentives that pays a premium to products which flow from such habitats, while paying little or nothing for identical products that flow from unmanaged habitats" (Hanson, 1999).

Holmes (2006: 218) suggests that in regards to corruption, public shaming of individuals and companies can have an effect in deterring others from corrupt activities, or keeping people from repeat offending. It is possible that a similar public shaming for those who poach and violate wildlife laws, might also have a deterrent effect and reduce recidivism rates. In cases where corruption, or I propose illegal wildlife trade, involves companies, these could be blacklisted from further engagement in the industry (Holmes, 2006: 219), in addition to having any associated licenses or certifications revoked.

It seems that possibly the biggest challenge, outside of ethical questions regarding the trade in wildlife, is understanding and coming to some kind of balance in regards to the legal trade. Naylor (2004, 291) summarizes the complexity well-

> "Quotas lead to parallel markets which traffic in the restricted species at a higher price; taxes and duties lead to parallel markets which traffic at a lower price. Both, by virtue of the side-by-side existence of legal and illegal markets enable the products of the second to be laundered through the first. In this respect, prohibitions seem more effective – they create a black market, but they preclude laundering of illicit products in the licit market. On the other hand, outright bans too have their shortcomings. They often alienate the people most necessary to get on side, those closest to the source, and in that way either turn them into participants in the underworld, or at least make them disinclined to cooperate. Furthermore black markets can set off destabilizing price dynamics. The price shoots up, and with it the incentive to poach (and to stockpile) which in turn acts as its own economic self-justification" (Naylor, 2004: 291).

A significant amount of research must be conducted into the commodities that are traded, as what is true for one product in terms of market forces, might not be true for another product. That is why in order to protect species under threat of extinction due in part to trafficking, the dynamics of the trade must be thoroughly examined in order to best determine restrictions, bans, or more radical ideas of allowing trade, so that profit can be made, and distributed to the initial people in the supply chain. As Cook et al (2002: 25) state, researchers need to "identify the nature, patterns and extent of illicit markets for wildlife" and "identify the personnel, expertise and networks which enhance criminal organizations". Further complexity arises in determining how best to tackle the demand side of wildlife trafficking.

6.3.4 Consumer Demand

To reduce the demand of illegal wildlife products (and other illicit commodities), there needs to be "complex and often untested changes in values, education, domestic institutions and other 'soft' policies – for politicians, a risky terrain" (Naim, 2005: 234). The complexities of the demand side are of a different nature than those discussed above for the supply side of poverty, corruption, and market structure. Whereas values and education can be addressed for the supply side as well, those demanding wildlife products do so for different reasons than for those who typically supply the trade. Additionally, the distance from destination country to source country, often prohibits the destination country's ability to affect change in the supply side, so "since the idea of protecting nature cannot be put across to the people at the beginning of the chain, it would seem logical to turn to the other end" (Domalain, 1977: 23). Many of the items that make up the illegal wildlife trade are arguably not essential to human survival. As Domalain (1977: 22) noted, "in the better-off classes, [wildlife is] a luxury item". He went on to attribute trafficking to "the person chiefly responsible is the anonymous client, living thousands of miles away and feeling in no way involved. All he wants is to see or to own an ape and is not concerned with what must come to pass in order to satisfy his desire" (Domalain, 1977: 22). NGOs, as mentioned above, have programs that attempt to educate people in source countries as to wildlife smuggling, and these "are an effective

tool against illicit trades, but to make a lasting dent there needs to be similar programs in Western countries addressing demand for the products traffickers supply" (Naim, 2005: 208).

"The focus is always towards the supply side. This is because of the more automatic response to protect national borders from foreign intruders than for the government to develop complex means to dissuade citizens from consuming illegal products" (Naim, 2005: 234). These complex means are those mentioned in the above paragraph. The value system and policies of nations would need to be altered, and this is made up of political constituencies either unconcerned or against such changes, so it is easier to target the foreign supplier (Naim, 2005: 234), and maintain political power rather than take the more ethical stance of trying to diminish demand. But targeting the supplier will not work, as Naylor (2004: 289) states, "The lesson of history is clear – from prostitution to Prohibition, from cocaine to crap-shooting, there has never been a black market tamed from the supply side. Failing measures to seriously and permanently reduce demand, all that supply-side controls do is drive the targeted business further underground, raise profit rates and increase corruption". "Regulations, too, have focused largely, in many cases entirely, on the supply side of the market. Absent a simultaneous program to address demand by both education and enforcement, the main result is to call into existence illegal markets in the regulated species" (Naylor, 2004: 291). Oldfield (2003: xxi) agrees that "it is more important to reduce demand and increase law enforcement in the destination countries", but she acknowledges that such programs have been ineffective in reducing other illicit trades, like drugs and weapons. What is apparent though, is that there are few, if any efforts, to address the demand side in Western nations, which are the predominant areas that wildlife products are destined for. Education programs in demand countries are something that should be tried. As a short-term, practical solution, policies and legislation need to be developed to reduce demand, in conjunction with increased enforcement and prosecution of those found in violation of these policies and laws. This would mean possession of illegal wildlife products or wildlife would have hefty penalties and prison sentences, as would the facilitation of the trade, and smuggling of these items into the destination countries. As a long-term systematic improvement, it is essential that consumers of wildlife see that they are contributing to the destruction of ecosystems and the extinction of species. They need to be shown and deterred from this behavior in order to curb the loss of species to wildlife trafficking. This engrained disrespect for other species that leads to exploitation and the lack of compassion that leads to the inhumane use of wildlife encompasses the structural forms of environmental harms that deep green criminology enables to be explored and questioned, and has been repeatedly stressed throughout this paper.

6.4 Summary

Curbing the illegal wildlife trade, can only occur through a multifaceted approach that addresses four target areas. These areas are policy, enforcement, economics of supply, and consumer demand (IBRD, 2005). Policies, be it for illegal fur trade, falcon, or any wildlife trade in Russia or other source countries, need to be uniform throughout the territory. In Russia's case, enhanced penalties for the poaching and smuggling of endangered species seems to be warranted, since at this moment there is no criminal penalty only an administrative infraction for wildlife that is valued at less than 100,000 rubles (£2,000), which in individual instances is nearly always the case. Further policies that would reduce trafficking, are legislation that combats corruption and organized crime, both of which are entwined within the supply chain of illegal wildlife. Illegality exists (in Russia) because of bad

management (personal communication *Brok*, 19 April 2007). For example, CITES legislation, though it meets the standards of the Convention, is criticized for its poor implementation and ineffectiveness (personal communication WWF Vladivostok, 19 April 2007). This is the main international tool to combat illegal wildlife trade, and if Russia is failing to comply, or adequately implement its policies, than Russia is destroying its own natural resources and endangering some of the rarest species on the planet.

Enforcement in Russia, and other supply countries as well, is lacking for many reasons. There is not enough funding, resources, or technology that enable this issue to be addressed properly. Furthermore, the government can place more emphasis on wildlife crimes to make them more important, and therefore more focused upon by existing law enforcement bodies. These agencies can benefit from internal cooperation, such as between Customs and the FSB, and from international cooperation as well. Other Customs agencies, Interpol, and international NGOs, can help by offering assistance, conducting research, and acting as go betweens for Russia or its agencies involved in the fur trade (or other wildlife trade) (Dronova and Shestakov, 2005: ix).

The economics of supply are extremely complicated. First, education of those supplying the illegal wildlife trade should continue, even though there has been criticism against its effectiveness. People still need to hear, through regional media and other sources, that their actions are harming the environment, in an attempt to raise their awareness of such green issues. Of further importance are plans that address poverty alleviation. These can take the form of direct subsidies, or training of people in the source areas of wildlife commodities in other trades, such as non-timber products, or other commercial undertakings (personal communication *Brok*, 19 April 2007). The stiffer penalties might address those engaged in wildlife trade that do so not out of economic desperation. The initial suppliers in this illicit chain need to learn that the unsustainable trade of these products not only endangers the wildlife, but also eventually will harm, or end their livelihood from these species. Resources need to be made available to conduct thorough, wide scale research into the market forces of species that are endangered by illegal trade. This would include the dynamics of quotas, bans, and captive-breeding operations.

Addressing the demand side is similar, though possibly more challenging, as it calls for the change of arguably extravagant, excessive consumption from people that fund and elect political power bases. Rare fur for coats and rare falcons for sport are just some of the forms of the luxurious aspects of wildlife trafficking. Education aimed to decrease demand needs to be tried, as attempts to combat wildlife trafficking from the source have been limited in success. In the current climate of a public that is more sensitive to environmental issues, an appeal to the plight of animals trafficked, and the destruction of ecosystems might prove successful. Consumers in most instances of wildlife commodities can be offered an alternative from a ranched or farmed source, which also need standards of humaneness. Policies increasing the penalties for possession and smuggling of wildlife could be developed, as well as strictly enforcing the existing legislation. The destination countries should offer their assistance in helping the source countries to combat, not just the illegal trade in wildlife, but in the crimes that coincide with it, such as corruption, transnational, and organized crime. Cooperation in this area might aid in the stabilization, and the security of nations and their people, and could reduce the risk to biosecurity and the environment as well as reduce animal suffering. With this, I turn to the significance of why criminology needs to focus on the illegal wildlife trade and green crimes in general, in the conclusion chapter of this thesis.

Chapter 7 – Conclusion

7.1 Research Aims

This thesis aimed to do the following in regards to the two case studies of wildlife trafficking in the Russian Far East:

- Illuminate who is involved, how it is occurring, and which countries are participating, culminating in the creation of typologies for wildlife trade markets.
- Provide evidence as to why this is also structurally harmful because of its impacts on the environment, animal well-being, and human and national security through its connections to corruption, organized crime, transnational crime, and terrorism.

The result was for the illegal fur trade that this green crime is committed by individual Russian people that are motivated not only by poverty (fur for personal use and financial reward), but also by wealthy people that take fur illegally, as a show of power, or because they are above the law due to their social status. Fur is not replaceable by another product and is an industry with legislation in place though sometimes unregulated and unenforced. Smuggling is accomplished by simply hiding the illegally caught fur, forging permits, or misusing real permits. The fur is then sold to middlemen within the fur industry, where the illegal pelt then becomes part of the legal market. In instances where the fur is smuggled out of Far East Russia, most likely to China, all modes of transport and hiding are used. In terms of structural harms, the illegal fur trade does impact upon the environment of the Far East, by contributing to the decrease in populations of endangered species, such as the Amur tiger and Amur leopard, which both face extinction. This is through intentional poaching, and accidental capture because of the use of indiscriminate traps. Also systemically harmful, trapping in Russia, as it now stands, continues using traps that are indiscriminate, and are acknowledged by some members of the fur industry to cause undue amounts of pain and suffering upon the animals that are caught within them. In regards to human and national security, the illegal fur trade is able to continue in part because of corrupt officials in regulatory, transportation, and law enforcement agencies. The pervasive corruption, not just in the illegal wildlife trade, does not bode well for the stability of a nation, or its capability to maintain a democracy. Organized crime was not indicated as being involved in Russia, but some fur smuggling does occur transnationally into China (where there is speculation that organized crime might be involved), and also from China into Russia. Presumably, fur is not the only illegal product that is being smuggled across this porous border, and this is also a cause for concern. The illicit fur trade was in no way mentioned in the discussion of illegal markets that fund terrorist activities.

The illegal raptor trade proved to have a different typology. Falcons, too, are a commodity unable to be substituted for, and which also have a lack of enforcement of the existing protective legislation. The collectors might also act out of financial motivation, but a majority of the time this does not appear to be opportunistically, but at the behest of a buyer much further along the supply chain. These collectors are Russians, CIS citizens, and Syrians, and those smuggling the raptors within Russia and to the international destinations, are Lebanese, Armenians, Azerbaijanis, Kazakhs, and Ukrainians. The countries that are demanding the birds are in the Middle East, though CITES data indicates that the legal trade in wild raptors is fueled by demand in Japan. As with the fur trade, a legal market can hide an illegal market, and therefore further exploration into falconry in Japan may

be warranted. The illegal market in birds of prey is apparently run by organized crime that seemingly have formed a simple chain network structure to facilitate the smuggling. All modes of transportation are used throughout Russia and across the borders. Corruption again is essential to the operation. It is present in the transportation companies, the regulatory, and law enforcement agencies, and remains a cause for concern because of its pervasiveness. The implication that organized crime controls the illicit trade in birds of prey is worrisome because of organized crime's threat to political institutions, power to manipulate the criminal justice system, and use of violence. It should be noted that in this case the threat is external from foreign organized crime and not from the Russian mafiya. Further concern arises in the illegal falcon trade, in the unconfirmed belief that proceeds of the trade fund terrorist operations. This as well calls for further research to completely verify. If the thousands of dollars in profit that are obtained from the illegal falcon trade, are in fact paying for terrorist activities, then this illicit trade is contributing to a large source of violence and insecurity for nations' and people. In addition to this structural harm of threatening national and human security, the illegal falcon trade illuminates other systemic harms. The sport of falconry could be construed as inherently harmful to the birds captured and used for it, as could the methods of smuggling employed because these involve conditions that are traumatic and cause suffering.

The two separate typologies raise the question as to why they are different. How does one wildlife commodity spur poor, opportunistic, or high-status local individuals to illegally poach, and another wildlife commodity prompt a simple chain structured network of international, organized crime with possible ties to terrorism? I speculate that the root of the contrast is in the nature of the wildlife product being traded, and in the existence or lack of a parallel legal trade. The illegal fur trade is perpetrated by individuals already associated with the legal industry. Those poaching have the skills and equipment to trap the animals for the pelts. It seems simple for a trapper to take more than allowed, or take something that is not allowed in the remote, mostly unchecked regions where hunting occurs. The poacher then can sell his pelts to someone within the industry who will not check too closely as to the origin of the fur. Alternatively, the trapper can fairly easily take the fur across the long, unregulated border of the Far East if the opportunity arises. Either way, legitimate structures exist to further that pelt along the chain of suppliers, manufacturers etc., and what was taken illegally is lost within the legal fur market. The illegal falcon trade has a different set of circumstances. Essentially, there is no legal industry through which illegally obtained birds can be laundered. This means that each step of the process must be concealed. The effort to capture, smuggle, transport, and bribe must all be coordinated, and this requires a great deal of organization, thus the niche is filled by organized crime, and specifically an international syndicate because of the transnational aspect. Organized crime, and maybe terrorists, also become involved because of the large profits ($50,000 to $100,000 per bird for those more rare species (Ash, 2007)) and low risk. Other wildlife trades with similar dynamics will have to be examined in order to determine if these typologies will stand. The theoretical foundation used here can again be employed to inform such studies. Both Brack's and Albanese's conditions and factors can provide a predictive framework for examining other existing illegal wildlife trades or to propose wildlife black markets that have yet to be discovered. Additionally, Naim's type of networks can also be compared to other markets. This foundation along with the typologies established contributes to a more indepth understanding of illegal wildlife trade and development of the underlying structure to this black market.

As mentioned here, more than just furs and falcons are being illegally traded within and out of Russia. There are also illicit markets in the wide range of derivatives that supply the traditional Asian medicine market (bear bile, musk pods, sea cucumbers, frogs, saiga horns, ginseng, etc.), timber, marine products, pets (birds, reptiles, and monkeys), and of course the most well-known of the illicit trades – caviar. Wildlife trafficking (and other green crimes) obviously does not only affect the Russian Federation, but "there is a lack of awareness of the overall trade and not just the obvious highly publicized trades like ivory" (Oldfield, 2003: xxi). The typologies generated here are two frameworks for how a particular black market in wildlife is structured. All of the above listed trades in Russia, and in other parts of the world, might very well be framed differently, and pose additional structural harms beyond a danger to the environment and cruelty to animals. The typologies will hopefully though provide some guidelines for comparison in future research. To quote Naylor (2004: 291),

> "It must never be forgotten that protecting wildlife from poachers and smugglers is a necessary but not a sufficient condition to ensure the prosperity of other species. The ultimate regulation necessary is not an effort to control the traffic in this or that form of wildlife, but an attempt to ease and, where possible, reverse the pressures which human beings, with their increasing numbers, their rising consumption levels and their destructive technologies, place on the biosphere as a whole".

It is this type of sentiment that led to the second aim of this research: Expand the field of green criminology by developing a new perspective from which to explore crimes against the environment. By employing deep environmental ethics and green criminology, a new ethic for criminology was developed called deep green criminology. Deep green criminology calls for a completely new human relationship to animals and the entire environment. A truly ecocentric stance that recognizes the inherent value in all things, does not place value on the biotic community only instrumentally, and does not use human characteristics as the standard for which value is determined. This new perspective of respect for other species changes how justice and violence are viewed. Such an alteration was needed because previous ethics (and/or a failure to comply with these ethics) that have governed what constitutes an environmental crime, have allowed for massive devastation to the ecosystems to continue unanswered and with no legal recourse. This does not call for an end to human's use of natural resources, but a sustainable, compassionate use that is based in moral consideration for other parts of the environment, for avoiding interference when at all possible, and when use is necessary that it be done humanely. This combination of respect and compassion might also address the conflict that occurs between conservation and animal welfare. Initially, this can be done by working within the established legal system through changing policies and legislation to recognize more actions as environmentally harmful, and protect species from exploitation and suffering. At the macrolevel, deep green criminology challenges the systematic abuse and structural harm that is perpetrated on the environment by illuminating how harm is embedded and questioning how this can be altered.

7.2 Why Russia should go green

It might be hard to picture that a country with such a poor history of conservation and animal welfare could take a more green perspective in not only its legislation, but also as a people. The increase of environmental organizations indicates though that Russians are increasing their awareness of green issues and structural harms,

and the rapidity of change there bodes well for such sentiment to continue. Even though repeated attempts to strengthen environmental laws have yet to be successful, attempts keep being made. Russia is a member of CITES, and the Agreement(s) on the International Humane Trapping Standards, and has held steadfast to the maintenance of its own conservation database, *Krasnaya Kniga*, the Red Book. It could go even greener by adhering more closely to these treaties (which would also broaden its trade opportunities), and by joining the Bern and Bonn Conventions to protect habitats and migratory species. It seems possible that Russia could go green, but why should it?

Russia is the largest country in the world, and holds the vastest tracks of unspoiled land anywhere. This land has an immensity of diversity of flora and fauna and multitudes of endemic species. Russia could lead the way, and set the world standard for human's relationship to nature by preserving this environment and minimizing human impact upon it. Gilinskiy (1998: 232) says, "the lack of technology has given the population a growing inferiority complex coupled with the threat of marginalization, and with the disintegration of public services crime and depression are rising". Furthermore, a true state of anomie presides due to the rapid change that gave no time for the adjustment of norms and social values (Gilinskiy, 1998: 233). Russia could now set the global norm by becoming deep green, and in doing so reduce the inferiority complex and marginalization felt by the populace by becoming the leader in green issues and environmental politics. In a world where pristine nature is dwindling, Russia's environment is truly a commodity and a natural resource. Russia could take a green stance out of anthropocentric self-interest, and see only the instrumental value of its land, but more of its environment could be saved and treated humanely, if Russians were to go deep green, and see the inherent value of their biotic community.

7.3 Deep green criminology and deep green environmental ethics

I suspect that such a stance is controversial in that it will be misconstrued that human concerns are disregarded, or that other species are then more important than humans, and that mainstream criminology will disregard it as implausible or idealistic. I recognize that the debate in environmental ethics is many-faceted, and that perhaps the most central issue of contention focuses on the appropriate role of humanity in its relationship to nature (Berthold-Bonn, 1994). It is also evident from the statutes, international conventions, and agreements examined here that legislators are reluctant to combine the welfare of animals with conservation (Cook, 2004: 337). There are those that believe that human issues always come first, and that if we deal with human inequalities this will also address non-human suffering (Benton, 1998: 173). Conquering human inequalities though appears to be a never-ending battle, and while humans continue to sort out their own rights and values, those of the ecosystem are ignored, and the planet is increasingly devastated. Rather than wait for humans to solve all of their internal conflicts, people must also acknowledge the inherent value of the world around them. "Human beings are the moral agents without being ethically privileged in terms of remaining the exclusive objects of ethical concern" (Sylvan and Bennett, 1994: 91). Still others might find "the displacement of humans from the centre of the moral universe... disquieting" (Sylvan and Bennett, 1994: 91). Sylvan and Bennett (1994: 91) say that this is because it makes humans accountable for their actions and treatment of the environment, and they can "no longer justify by a spurious sense of moral superiority, their environmentally destructive conveniences and whims". Furthermore,

people might find it "incomprehensible that the value assignments that they have taken for granted for so long could be reassigned to their possible inconvenience or even disadvantage" (Sylvan and Bennett, 1994: 91).

A "non-anthropocentric framework is a radical shift from dominant western traditions of moral and legal thought" (Benton, 1998: 155), and not only is it necessary to save the environment, it is possible in today's world.

> "The 'me-first' generation has been much criticized, but I believe its individualism is moral and political in a new sense. In many ways this is a more moral time than the 1950s and 1960s. Freedom's children feel more passionate and morally than people used to do about a wide range of issues – from our treatment of the environment and animals, gender, race and human rights around the world" (Beck, 1999: 9).

Callicott (1989: 77) makes a similar observation,

> "Despite persistent organized social injustice and oppression in still others moral consciousness is expanding more rapidly than ever before. Civil rights, human rights, women's liberation, children's liberation, animal liberation, and so forth, all indicate, as expressions of newly emergent moral ideals, that ethical consciousness (as distinct from practice) has if anything recently accelerated".

The new moral ideals may not at first include action, but that is the next step. Action or practice of these emerging ideals could be as simple as "if human users take direct responsibility for their impact, a reasonable expectation is that they will reduce their impact" (Sylvan and Bennett, 1994: 150). Adding respect and compassion in the assessment of human actions would also aid in reducing impact. Alterations such as this would to some degree address the structural harms that are invisible to the law, but highlighted in the deep green criminological discourse.

The West certainly has a huge role to play in taking responsibility for its consumption, but all people should strive for minimal impact. Because of the interconnected global economy and markets, issues of first versus third world, and trade treaties such as NAFTA and the WTO, and their effect on wild species, need to be addressed (Devall, 2001: 28). The authors of these treaties, more people, and governments need to learn that "evolutionary and ecological sciences have broken the anthropocentric myth of modern civilization and reaffirmed that we are part of the biotic community and always have been" (Callicott, 1989: 96). Whereas such international agreements and international Customs efforts reflect some amount of the 21st century awareness of green issues, especially the latter's attempts to curb the endangered species trade (Carrabine et al, 2004: 328), even more emphasis could be placed on green issues and crimes. "Regardless of divisions into nation-states, the planet constitutes a single *ecosystem*, defined as *the system composed of the interaction of all living organisms and their natural environment*. Responses to this global problem cannot be the task of one country alone" (Carrabine et al, 2004: 314).

7.4 A Global crime

It has been stated on several occasions that Russia could aid its attempts to combat wildlife trafficking by improving the cooperation internally of its regional and national agencies, and externally by having these same agencies work together with international organizations and other countries' governments. This is not only true

for Russia, but all countries, which not only must band together to fight wildlife trafficking, but need to join in an effort to curb the host of other illicit trades.

> "In defiance of regulations and taxes, treaties and laws, virtually anything of value is offered for sale in today's global marketplace – including illegal drugs, endangered species, human chattel for sex slavery and sweatshops, human cadavers and live organs for transplant, machine guns and rocket launchers, and centrifuges and precursor chemicals used in nuclear weapons development." (Naim, 2005: 2).

International cooperation with realistic goals is essential to be effective, and history shows that trust-based, multilateral approaches work best (Naim, 2005: 255). Unfortunately, as mentioned, international relations between Russia and some Western nations have deteriorated, and the opportunities for international cooperation have become unlikely.

As with the illegal falcon trade and its possible association with terrorism, not only is the trade itself having a negative impact on the environment, animal welfare, and human and national security, the profits obtained from illicit trades further compound these impacts. Naim (2005: 3) states, "The proceeds of illicit trade merge with the greatest of ease into the vast daily flow of interbank settlements and Western Union money transfers. And the Internet not only boosts the speed and efficiency of all these trades but expands the possibilities". IFAW (2005), too, has found for the illegal trade in wildlife in particular, that the Internet is making more products available to more people. There is also the added complication of tracking the path of purchasing and delivering over the global market place, coupled with questions of jurisdiction. Such complexity requires truly global cooperation, but "many countries maintain legislation that inhibits the fight against global crime, whereas this fight requires national police to take co-operative action as rapidly as crime syndicates. Dismantling bank secrecy and providing witness protection for foreign investigations would dramatically improve the effectiveness of the global fight against global crime" (Fukuda-Parr, 2003: 172).

In Chapter 6, Solutions and Policy Implications, it was presented that cooperating on a global scale to fight wildlife trafficking, or other trades for that matter, cannot only focus on the supply-side typically found in the developing or transition nations. Whereas it is convenient for the West to target the source of the illicit trade so that the immoral behavior appears to be occurring far away, responsibility also needs to be placed on the demand for such products, which is typically in the West. To repeat Naim (2005: 235), "Focusing on the suppliers makes a clear battle of good versus evil, rather than the true picture of muddled ambiguity. This gives a false picture of geographic isolation and profiles of those involved, when in truth this is blended into the community all around us". Additionally, no black market has ever been stopped by attempts to end the supply as is clear when looking at the history of prohibition, prostitution, etc. (Naylor, 2004: 289). "Failing measures to seriously and permanently reduce demand, all that supply-side controls do is drive the targeted business further underground, raise profit rates and increase corruption" (Naylor, 2004: 289).

Besides not only focusing on the supply-side, but also truly targeting the demand for illegal wildlife and wildlife products, it must be understood that illicit trade cannot be solved or discovered by looking for a state that controls it (Naim, 2005). These networks may have connections to states, but are operating outside of the authority of nations, altering the workings of the international system (Naim, 2005: 277). "The threat to nation-states is not that of a single, monolithic, international organized crime network. Rather, the multiplicity of

politically and economically powerful crime groups operating both regionally and globally is what truly threatens political and economic security as well as human security" (Shelley, 2005: 11), and in addition to the environmental damage, and cruelty to animals, this is one of the structural harms that makes it crucial for nations to band together to curb the illegal trade in wildlife.

7.5 What is next?

This is merely one study in a subject area that has rarely been a topic of interest, so the further research that could be conducted on wildlife trafficking is numerous. Also, if the deep green criminological perspective created here is adopted, there are a variety of harms to the environment, which while previously not part of the discourse of what might constitute a crime, would become integral to the debate. The deep green criminology platform, as did green criminology before it, takes a critical approach, and therefore seeks to address issues of classism, racism, and sexism (in addition to speciesism). Green crimes, such as wildlife trafficking, are linked to inequalities in society. Governments and civil society have now made the link that biodiversity along with economic growth is key to poverty alleviation. The illegal wildlife trade poses threats to, as mentioned, biodiversity, and therefore also can contribute to increasing poverty in populations near diverse ecosystems (IBRD, 2005: ii). Correlations have shown that environmental hazards are in the greatest proximity to the poor and minorities (Carrabine et al, 2004). The areas facing the greatest threat to the environment are areas where the people have the least social power, and are the least advantaged (Carrabine et al, 2004). This is true of the illegal wildlife trade as well, where the areas with the highest biodiversity are areas where poor, disadvantaged people live. These areas are the targets of poaching and harvesting, which disproportionately affects the local populations by injuring healthy ecosystems, or overexploiting resources that are needed in order to maintain their subsistence lifestyles, and this removes the source of livelihood for the poorest people (Schmidt, 2004: A97). As demonstrated, these people's own poverty forces them to at times turn to poaching, or overuse of resources, in order to survive, and they have no voice for people to hear their plight. Additionally, Lynch and Stretesky (2003: 224) point out "economic oppression is linked to environmental degradation because the externalized costs of class society affect the poor/working class who have no say in the modes of production".

In this study, whereas poaching of fur could take from those in need both a potential income and a needed product, poaching of birds of prey is predominantly a crime against the animals. The Russian populations of birds tend to be in remote areas, and the species are not used by the local people. The discriminatory perpetration occurring in this instance is that very rich people are demanding that a scarce resource be taken from a region that has very limited resources, and this demand threatens the health of that ecosystem. The wealthy are imposing environmental degradation on less fortunate people thousands of miles away, and using those peoples' need for money to have them participate in this degradation of the environment by poaching their own resources to fuel the far off demand. Such correlations between the illegal wildlife trade and/or other green crimes and social injustices like classism, and possibly racism and sexism, are areas that can be the target of additional studies. Furthermore, "Criminologists should also consider the *future* potential for social damage generated by the irresponsible manipulation of environmental resources and of human and animal populations by corporate interests and governments" (South, 1998a: 457). There are so many complexities surrounding wildlife trade in regards to crime, money, conservation, sustainable use, and the legal frameworks that govern them and the issue

of public and private space (personal communication US Embassy Moscow, 12 April 2007), that much more information needs to be gathered in order to assist the fight against the illegal wildlife trade so that the damage to the environment can be decreased, the suffering and pain to animals diminished, and the threat to national and human security lessened. Hopefully, the deep green criminological prespective developed here can aid this exploration, not only of wildlife trafficking, but of the wide array of green crimes that deserve attention. "As ecological crises intensify – as global warming progresses, levels of environmental toxins rise, the unequal nature of exposure to environmental harms becomes more evident" (Lynch and Stretesky, 2007: 266), a deep green criminological framework will provide a perspective to preserve the planet and *everything* on it.

Appendix A – Russian Perception of Corruption and Organized Crime

All tables in this appendix are adapted from Holmes (2006).

Table 1 – Perceptions of the role of the media in publicizing corruption		
Mostly responsible	Mostly irresponsible	Did not know
3%	39.1%	39.5%

Table 2 – Popular perceptions of the probable future of corruption			
Increase	Decrease	Stay the same	Difficult to predict
39.1%	17.4%	25.0%	18.5%

Table 3 – Expectations of change in the corruption situation over the next 3 years			
Increase	Decrease	Stay the same	Difficult to predict
46.0%	8.0%	29.2%	16.8%

Table 4 – Popular attitudes toward the acceptability of corruption			
Often acceptable	Occasionally acceptable	Never acceptable	Did not know
37.6%	21.6%	23.0%	17.7%

Table 5 – Popular attitudes toward the necessity of corruption			
Often necessary	Occasionally necessary	Never necessary	Did not know
64.4%	14.8%	7.2%	13.5%

Table 6 – Popular perceptions of the connections between official corruption and organized crime				
Very close	Close	Not very close	Essentially nonexistent	Did not know
43.5%	43.2%	5.0%	0.6%	7.7%

Appendix B – Tables of Furbearing Species and Raptors in CITES

Table 7 – CITES Furbearing Species in Russia		
Scientific Name	Common Name	Appendix
Canis lupis	Grey wolf	I/II
Cuon alpinus	Asiatic wild dog	II
Enhydra lutris	Sea Otter	I/II
Felis chaus	Jungle cat	II
Felis silvestris	Wildcat	II
Lutra lutra	River Otter	I/III
Lynx lynx	Eurasian lynx	II
Martes flavigula	Yellow-throated marten	III
Martes foina	Beech marten	III
Mustela altaica	Mountain weasel	III
Mustela erminea	Ermine	III
Mustela nivalis	Weasel	III
Mustela sibirica	Siberian weasel (kolinsky)	III
Otocolobus manul	Pallas's cat	II
Panthera pardus	Leopard	I
Panthera tigris	Tiger	I/II
Prionailurus bengalensis	Leopard cat	I/II
Uncia uncia	Snow leopard	I
Ursus arctos	Brown bear	I/II
Ursus maritimus	Polar bear	II/III
Ursus thibetanus	Asian black bear	I
Vulpes vulpes	Red fox	III

Table 8 – CITES Bird Hunting Species in Russia		
Scientific Name	Common Name	Appendix
Accipiter badius	Shikra	II
Accipiter gentilis	Northern Goshawk	II
Accipiter nisus	Eurasian Sparrowhawk	II
Aquila chrysaetos	Golden Eagle	II
Aquila clanga	Greater Spotted Eagle	II
Aquila heliaca	Imperial Eagle	I

Aquila nipalensis	Steppe Eagle	II
Aquila pomarina	Lesser Spotted Eagle	II
Aquila rapax	Tawny Eagle	II
Falco amurensis	Amur Falcon	II
Falco biarmicus	Lanner Falcon	II
Falco cherrug	Saker Falcon	II
Falco columbarius	Merlin	II
Falco naumanni	Lesser Kestrel	II
Falco pelegrinoides	Barbary Falcon	II
Falco peregrinus	Peregrine Falcon	I/II
Falco rusticolus	Gyrfalcon	I/II
Falco subbuteo	Hobby	II
Falco tinnunculus	Common Kestrel	II
Falco vespertinus	Red-Footed Falcon	II

Appendix C – Comparative Tables of IUCN Red Listed and Russian Red Book Furbearers and Raptors

Table 9 – IUCN Red List and Red Book Furbearing Species in Russia			
Scientific Name	Common Name	IUCN Threat Level	Red Book
Alopex lagopus	Arctic/Polar fox	Least Concern	X
Callorhinus ursinus	Northern fur seal	Vulnerable	
Canis lupus	Gray wolf	Least Concern	
Castor fiber	Eurasian beaver	Near Threatened	X
Cuon alpinus	Asiatic wild dog	Endangered	X
Enhydra lutris	Sea otter	Endangered	X
Felis chaus	Jungle cat	Least Concern	X
Felis silvestris	Wild cat	Least Concern	
Gulo gulo	Wolverine	Vulnerable	
Halichoreus grypus	Gray seal	Least Concern	X
Lepus europeaus	Brown hare	Least Concern	
Lepus mandshuricus	Manchurian hare	Least Concern	
Lepus othus	Alaskan hare	Least Concern	
Lepus timidus	Arctic hare	Least Concern	
Lutra lutra	River otter	Near Threatened	X
Lynx lynx	Eurasian lynx	Near Threatened	
Marmota baibacina	Gray marmot	Least Concern	
Marmota bobak	Bobak marmot	Least Concern	
Marmota camtschatica	Black-capped marmot	Least Concern	X
Marmota sibirca	Tarbagan marmot	Least Concern	X
Martes flavigula	Yello-throated marten	Least Concern	
Martes foina	Beech marten	Least Concern	
Martes martes	Pine marten	Least Concern	
Martes zibellina	Sable	Least Concern	
Meles meles	Badger	Least Concern	
Mustela altaica	Mountain weasel	Least Concern	X
Mustela erminea	Ermine	Least Concern	
Mustela eversmanii	Steppe weasel	Least Concern	X
Mustela lutreola	Eurasian mink	Endangered	X
Mustela nivalis	Weasel	Least Concern	
Mustela putoris	European polecat	Least Concern	
Mustela sibirca	Siberian weasel	Least Concern	
Nyctereutes procyonoides	Raccoon dog	Least Concern	

Otocolobus manul	Pallas's cat	Near Threatened	X
Panthera pardus	Leopard	Least Concern	X
Panthera tigris	Tiger	Endangered	X
Phoca largha	Spotted seal	Least Concern	X
Phoca vitulina	Harbor seal	Least Concern	X
Prionailrus bengalensis	Leopard cat	Least Concern	
Pteromys volans	Siberian flying squirrel	Least Concern	
Sciurus vulgaris	Red squirrel	Near Threatened	
Uncia uncia	Snow leopard	Endangered	X
Ursus arctos	Brown bear	Least Concern	
Ursus maritimus	Polar bear	Vulnerable	X
Ursus thibetanus	Asiatic black bear	Vulnerable	
Volmera peregusna	Marbled polecat	Least Concern	X
Vulpes corsac	Corsac fox	Least Concern	

Table 10 – IUCN Red List and Red Book Raptors in Russia

Scientific Name	Common Name	IUCN Threat Level	Red Book
Accipiter brevipes	Levant Sparrowhawk	Least Concern	X
Accipiter gentilis	Northern Goshawk	Least Concern	
Accipiter gularis	Japanese Sparrowhawk	Least Concern	
Accipiter nisus	Eurasian Sparrowhawk	Least Concern	
Accipiter soloensis	Chinese Goshawk	Least Concern	
Aquila chrysaetos	Golden Eagle	Least Concern	X
Aquila clanga	Greater Spotted Eagle	Vulnerable	X
Aquila heliaca	Imperial Eagle	Vulnerable	X
Aquila nipalensis	Steppe Eagle	Least Concern	X
Aquila pomarina	Lesser Spotted Eagle	Least Concern	X
Aquila rapax	Tawny Eagle	Least Concern	X
Falco amurensis	Amur Falcon	Least Concern	
Falco cherrug	Saker Falcon	Endangered	X
Falco columbarius	Merlin	Least Concern	
Falco naumanni	Lesser Kestrel	Vulnerable	X
Falco peregrinus	Peregrine Falcon	Least Concern	X
Falco rusticolus	Gyrfalcon	Least Concern	X
Falco subbuteo	Hobby	Least Concern	
Falco tinnunculus	Common Kestrel	Least Concern	
Falco vespertinus	Red-Footed Falcon	Not Threatened	

Appendix D – Russian Laws in Russian Language

Имущественная (Property)

«Имущественная ответственность – установлена в статьях 77 и 78 ФЗ «Об охране окружающей среды» и выражается в возмещении вреда, причиненного окружающей среде в результате браконьерства и контрабанды биоресурсов с учетом понесенных убытков, в том числе упущенной выгоды.

Так, в соответствии со ст. 77 вред возмещается в полном объеме в соответствии с утвержденными с установленном порядке нормами и методиками исчисления размера вреда окружающей среде, а при их отсутствии – исходя из фактических затрат на восстановление биоресурсов.

В соответствии со ст. 78 компенсация вреда осуществляется добровольно либо по решению суда. Вред может быть возмещен в денежном выражении, а также посредством возложения решением суда на правонарушителя обязанности по восстановлению биоресурсов за счет его средств.

Иски о компенсации вреда окружающей вреде могут быть предъявлены в течение 20 лет (ч. 3 ст. 78 ФЗ « Об охране окружающей среды»).

Гражданско-правовая ответственность может применяться самостоятельно или дополнительно к административной или уголовной. В последнем случае возможно предъявление гражданского иска в уголовный процесс по предступлениям, связанным с незаконной охотой или контрабандой редких и находящихся под угрозой исчезновения объектов дикой фауны и флоры» (WWF Vladivostok, 2005: 32-33).

Административная (Adminstrative)

«Статья 7.11. Пользование объектами животного мира без разрешения (лицензии).

Пользование объектами животного мира без разрешения (лицензии), если такое разрешение (такая лицензия) обязательно (обязательна), либо с нарушением условий, предусмотренных разрешением (лицензией), а равно самовольная переуступка права пользования объектами животного мира, за исключением случаев, предусмотренных частью 2 статьи настоящего Кодекса, -

Влечет наложение административного штрафа на граждан в размере от пяти до десяти минимальных размеров оплаты труда, на должностных лиц – от десяти до двадцати минимальных размеров оплаты труда, на юридических лиц – от ста до двухсот минимальных размеров оплаты труда» (WWF Vladivostok, 2006: 53-54).

«Статья 8.35 Уничтожение редких и находящихся под угрозой исчезновения видов животных или растений.

Уничтожение редких и находящихся под угрозой исчезновения видов животных или растений, занесенных в Красную книгу Российской федерации либо охраняемых международными договорами, а равно действия (бездействие), которые могут привести к гибели, сокращению численности либо нарушению среды обитания этих животных или растений, их продуктов, частей либо дериватов без надлежащего на то разрешения или с нарушением условии, предусмотренных разрешением, либо с нарушением иного установленного порядка –

Влечет наложение административного штрафа на граждан в размере от пятнадцати до двадцати минимальных размеров оплаты труда с конфискацей орудий добывания животных или растений, а также самих животных или растений, их продуктов, частей либо дериватов без таковой, на должностных лиц – от тридцати до сорока минимальных размеров оплаты труда с конфискацей орудий добывания животных или растений, а также самих животных или растений, их продуктов, частей либо дериватов без таковой, на юридических лиц – от трехсот до четырехсот минимальных размеров оплаты труда с конфискацей орудий добывания животных или растений, а также самих животных или растений, их продуктов, частей либо дериватов без таковой» (WWF Vladivostok, 2005: 33-34).

«Статья 8.37. Нарушение правил пользования объектами животного мира.

Нарушение правил охоты –

Влечет наложение административного штрафа на граждан в размере от пяти до десяти минимальных размеров оплаты труда с конфискацей орудий охоты или без таковой лишение права охоты на срок до двух лет, на должностных лиц – от двадцати до тридцати минимальных размеров оплаты труда с конфискацей орудий охоты или без таковой.

Нарушение правил пользования объектами животного мира, за исключением случаев, предусмотренных частями 1 и 2 настоящей статьи, -

Влечет наложение административного штрафа на граждан в размере от трёх до пяти минимальных размеров оплаты труда с конфискацей орудий добывания животных или без таковой, на должностных лиц – от пяти до десяти минимальных размеров оплаты труда с конфискацей орудий добывания животных или без таковой, на юридических лиц – от пятидесяти до ста минимальных размеров оплаты труда с конфискацей орудий добывания животных или без таковой» (WWF Vladivostok, 2006: 55).

Уголовно-правовая (Criminal)

Статья 188 (Уголовного Кодекса) РФ Контрабанда

Контрабанда, то есть перемещение в крупном размере через таможенную границу Российской Федерации товаров или иных предметов, за исключением указанных в части второй настоящей статьи, совершенное

помимо или с сокрытием от таможенного контроля либо с обманным использованием документов или средств таможенной идентификации либо сопряженное с недекларированием или недостоверным декларированием, - __наказывается штрафом в размере от ста тысяч до трехсот тысяч рублей или в размере заработной платы или иного дохода осужденного за период от одного года до двух лет либо лишением свободы на срок до пяти лет.

Перемещение через таможенную границу Российской Федерации наркотических средств, психотропных, сильнодействующих, ядовитых, отравляющих, взрывчатых, радиоактивных веществ, радиационных источников, ядерных материалов, огнестрельного оружия, взрывных устройств, боеприпасов, оружия массового поражения, средств его доставки, иного вооружения, иной военной техники, а также материалов и оборудования, которые могут быть использованы при создании оружия массового поражения, средств его доставки, иного вооружения, иной военной техники, в отношении которых установлены специальные правила перемещения через таможенную границу Российской Федерации, стратегически важных сырьевых товаров или культурных ценностей, в отношении которых установлены специальные правила перемещения через таможенную границу Российской Федерации, если это деяние совершено помимо или с сокрытием от таможенного контроля либо с обманным использованием документов или средств таможенной идентификации либо сопряжено с недекларированием или недостоверным декларированием, - __наказывается лишением свободы на срок от трех до семи лет со штрафом в размере до одного миллиона рублей или в размере заработной платы или иного дохода осужденного за период до пяти лет либо без такового.

Деяния, предусмотренные частями первой или второй настоящей статьи, совершенные: __а) утратил силу __б) должностным лицом с использованием своего служебного положения; __в) с применением насилия к лицу, осуществляющему таможенный контроль, - __наказываются лишением свободы на срок от пяти до десяти лет со штрафом в размере до одного миллиона рублей или в размере заработной платы или иного дохода осужденного за период до пяти лет либо без такового.

Деяния, предусмотренные частями первой, второй или третьей настоящей статьи, совершенные организованной группой, - __наказываются лишением свободы на срок от семи до двенадцати лет со штрафом в размере до одного миллиона рублей или в размере заработной платы или иного дохода осужденного за период до пяти лет либо без такового. __Примечание. Утратило силу (Lexgroup, N.D.)

Статья 258. Незаконная охота

Незаконная охота, если это деяние совершенио,

а) с причинением крупного ущерба-

б) с применением механического транспортного средства или воздушного судна, взрывчатых веществ, газов или иных способов массового уничтожения птиц и зверей-

в) в отношении птиц и зверей, охота на которых полностью запрещена-

г) на территории заповедника, заказника, либо в зоне экологического бедствия или в зоне чрезвычайной экологической ситуации-

наказывается штрафом в размере до двухсот тысяч рублей или в размере заработной платы или иного дохода осуждённого за период до восемнадцати месяцев, либо исправительными работами на срок до двух лет, либо арестом на срок от четырёх до шести месяцев (в ред. Федерального закона от 08.12.2003 # 162-ФЗ).

То же деяние, совершенное лицом с использованием своего служебного положения либо группой лиц по предварительному сговору или организованной группой, -

наказыбается штрафом в размере до ста тысяч до трёхсот тысяч рублей или в размере заработной платы или иного дохода осуждённого за период от одного года до двух лет либо лишением свободы на срок до двух лет с лишением права занимать определённые должности или заниматься определённой деятельностью на срок до трёх лет или без такового.

Appendix E – Figures and Tables from Chapter 4

All data was collected from the CITES trade database maintained by the UNEP-WCMC or LEMIS.

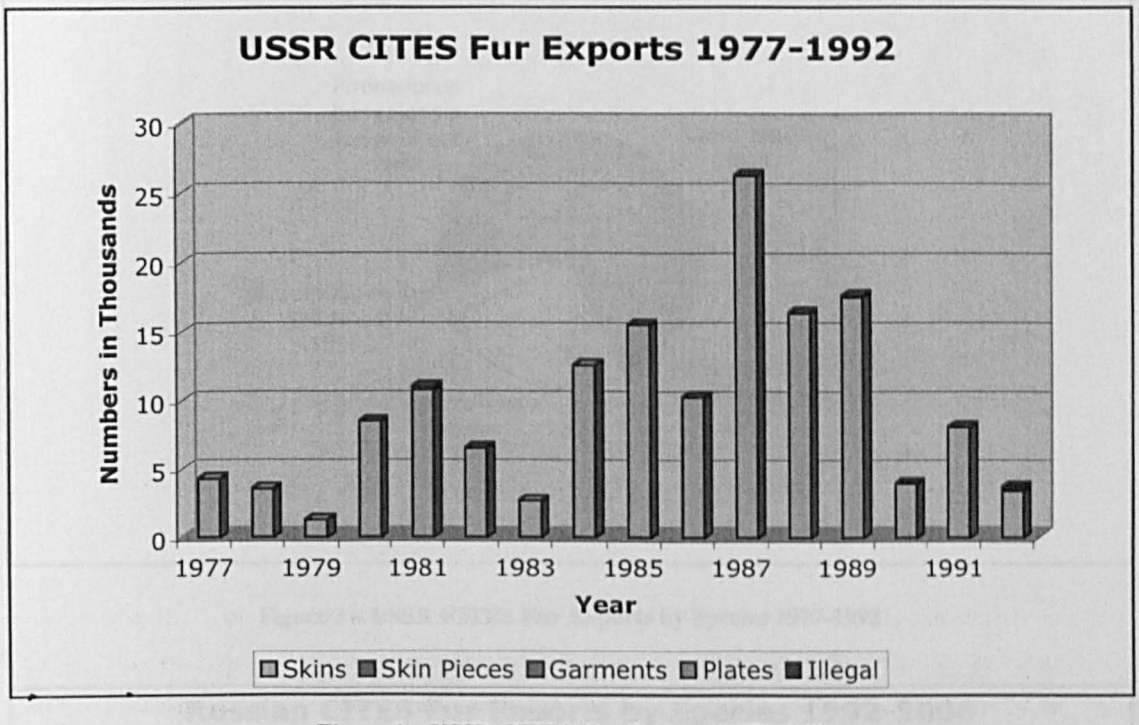

Figure 1 – USSR CITES Fur Exports 1977-1992

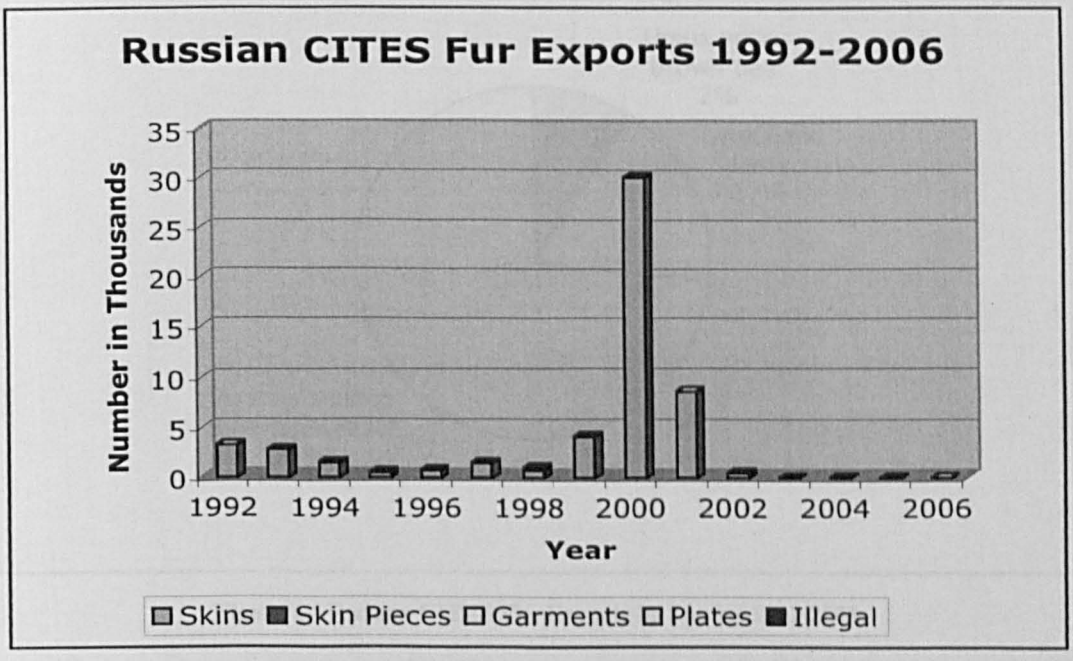

Figure 2 – Russian CITES Fur Exports 1992-2006

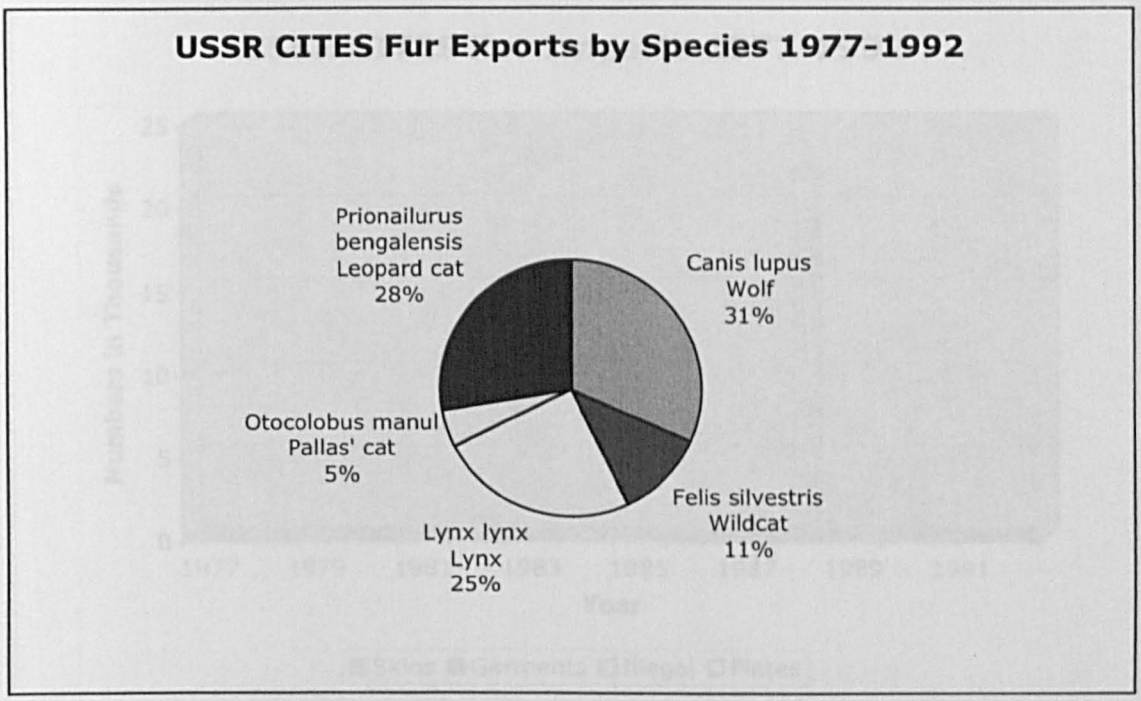

Figure 3 – USSR CITES Fur Exports by Species 1977-1992

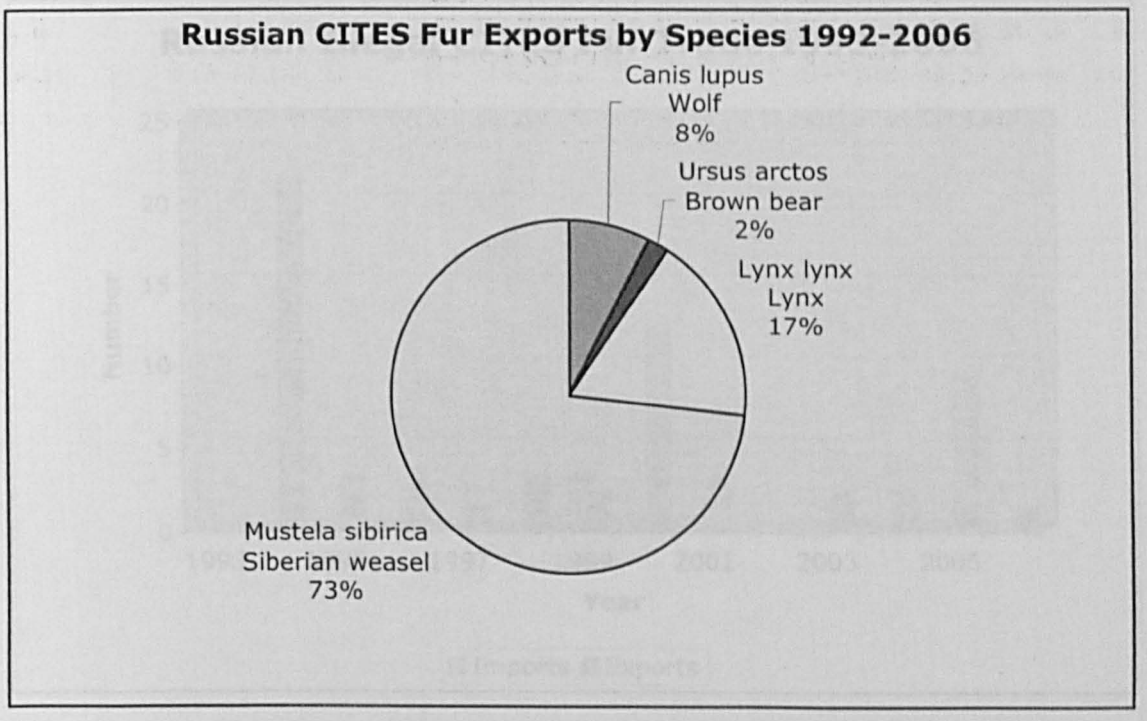

Figure 4 – Russian CITES Fur Exports by Species 1992-2006

Figure 5 – USSR CITES Fur Imports 1977-1992

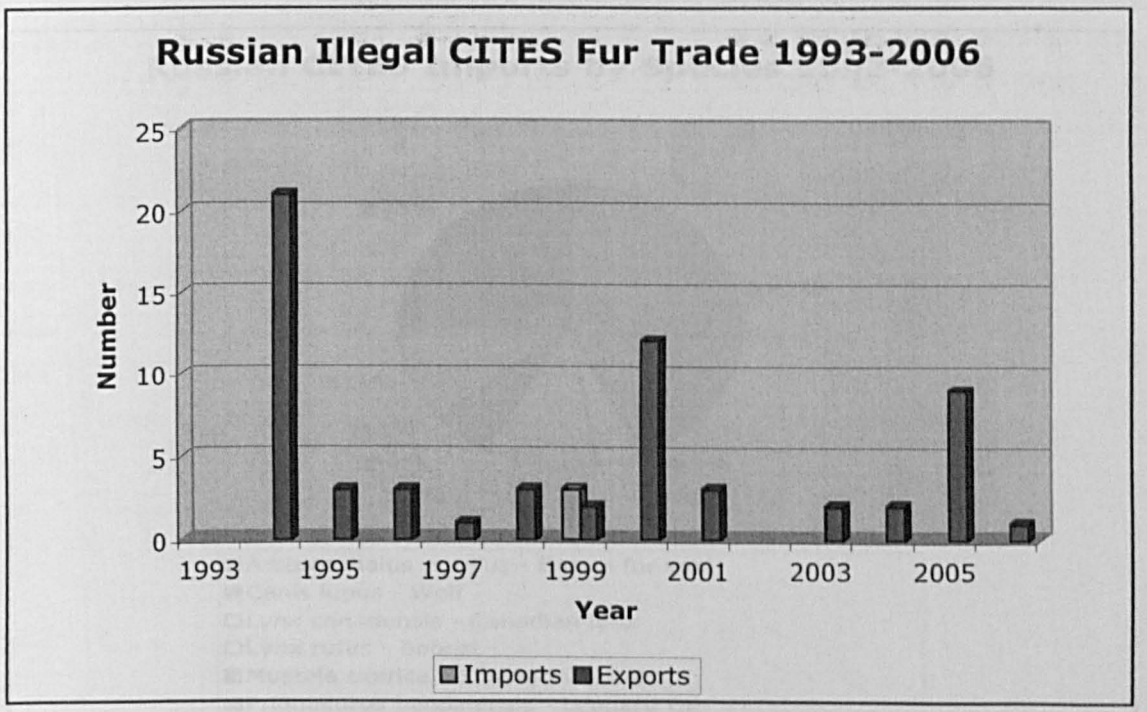

Figure 6 – Russian Illegal CITES Fur Trade 1993-2006

(taken from the CITES trade database)

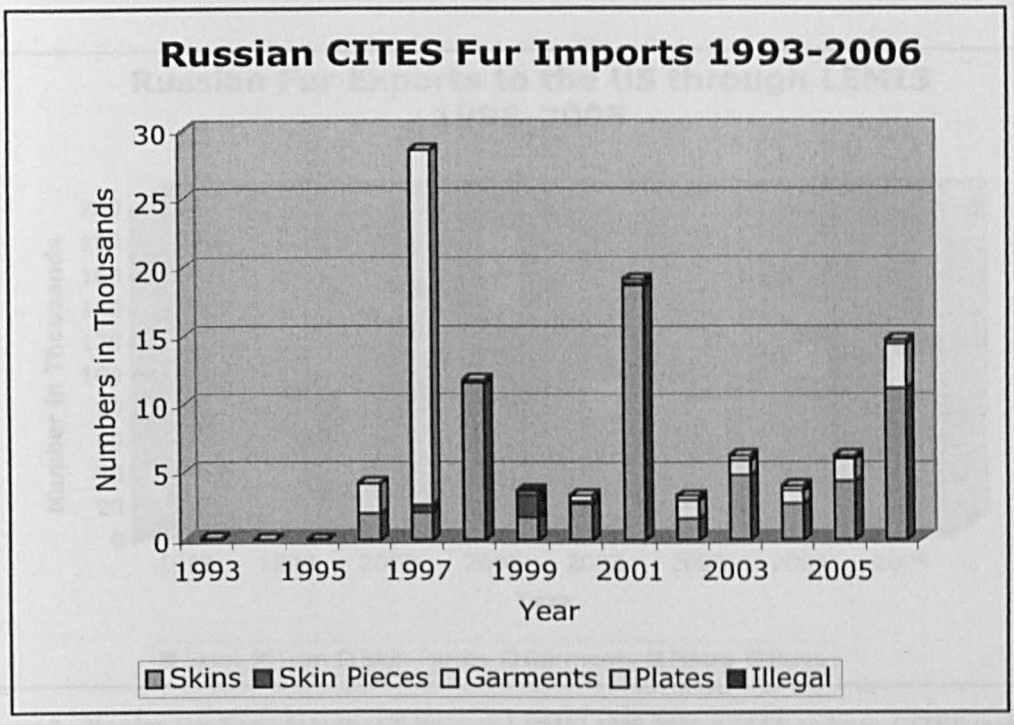

Figure 7 – Russian CITES Fur Imports 1993-2006

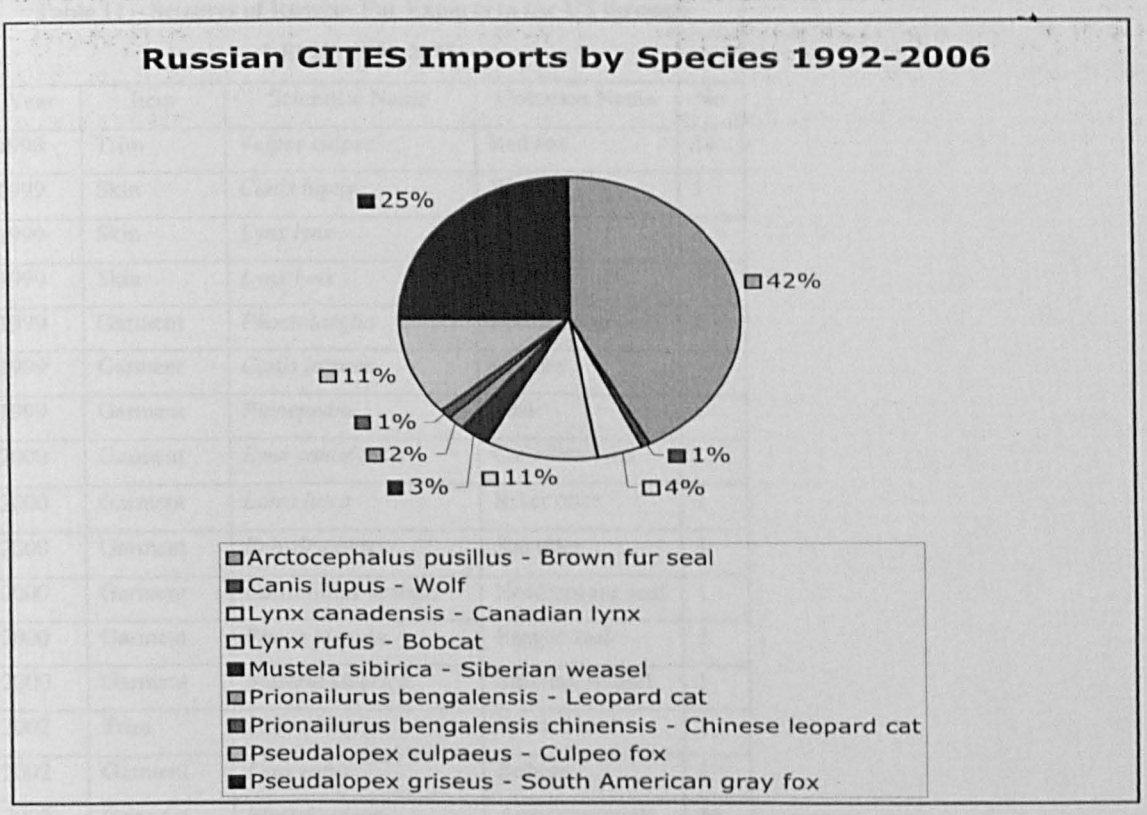

Figure 8 – Russian CITES Imports by Species 1992-2006

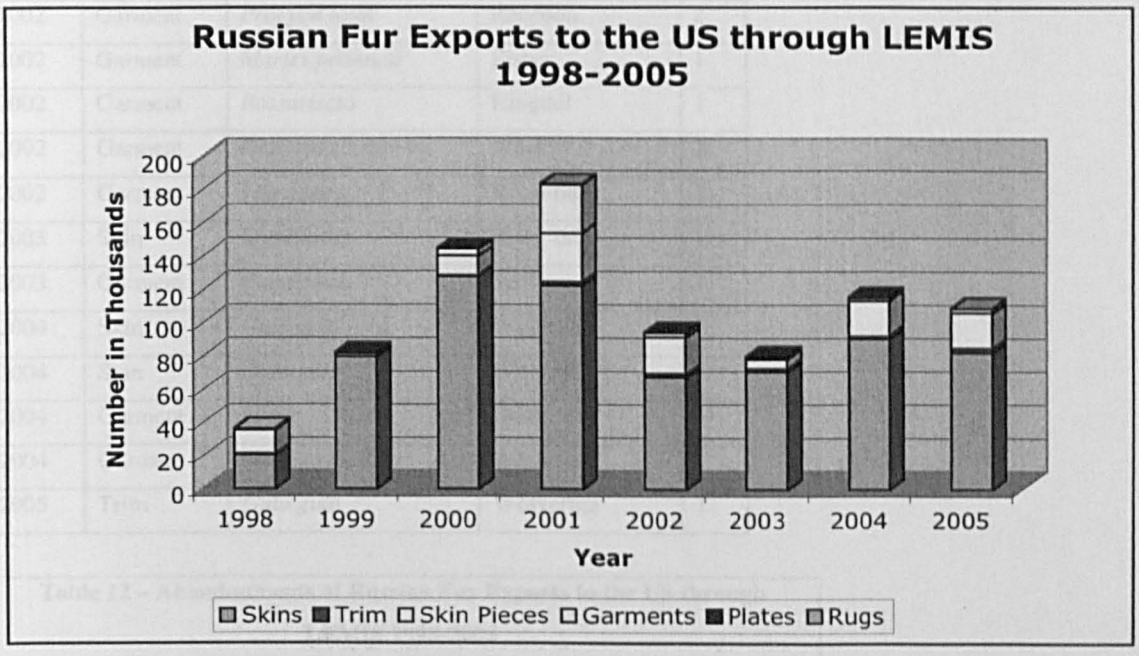

Figure 9 – Russian Fur Exports to the US through LEMIS 1998-2005 (CITES and non-CITES species)

Table 11 – Seizures of Russian Fur Exports to the US through LEMIS 1998-2005

Year	Item	Scientific Name	Common Name	No
1998	Trim	*Vulpes vulpes*	Red fox	14
1999	Skin	*Canis lupus*	Wolf	1
1999	Skin	*Lynx lynx*	Lynx	1
1999	Skin	*Lynx lynx*	Lynx	1
1999	Garment	*Phoca largha*	Spotted seal	1
1999	Garment	*Canis latrans*	Coyote	1
1999	Garment	*Pinnepedia*	Seal	1
2000	Garment	*Lynx canadensis*	Canadian lynx	1
2000	Garment	*Lutra lutra*	River otter	1
2000	Garment	*Enhydra lutris*	Sea otter	1
2000	Garment	*Callorhinus ursinus*	Northern fur seal	1
2000	Garment	*Phoca hispida*	Ringed seal	1
2000	Garment	*Mustela siberica*	Siberian weasel	1
2002	Trim	*Phoca largha*	Spotted seal	1
2002	Garment	*Lynx rufus*	Bobcat	2
2002	Garment	*Mustela vison*	American mink	16

2002	Garment	*Vulpes vulpes*	Red fox	3
2002	Garment	*Procyon lotor*	Raccoon	2
2002	Garment	*Martes pennnati*	Fisher	1
2002	Garment	*Bassariscus*	Ringtail	1
2002	Garment	*Ondatra zibethicus*	Muskrat	5
2002	Garment	*Lutra lutra*	River otter	1
2003	Skin	*Lutra lutra*	River otter	1
2003	Garment	*Pinnepedia*	Seal	1
2004	Skin	*Gulo gulo*	Wolverine	1
2004	Skin	*Gulo gulo*	Wolverine	1
2004	Garment	*Lutra*	Otter	1
2004	Garment	*Martes zibellina*	Sable	1
2005	Trim	*Gulo gulo*	Wolverine	1

Table 12 – Abandonments of Russian Fur Exports to the US through LEMIS 1998-2005

Year	Item	Scientific Name	Common Name	No
1999	Skin	*Lutra lutra*	River otter	2
1999	Skin	*Phoca largha*	Spotted seal	1
1999	Garment	*Enhydra lutris*	Sea otter	1
1999	Garment	*Phoca largha*	Spotted seal	3
1999	Garment	*Callorhinus ursinus*	Northern fur seal	1
1999	Garment	*Callorhinus ursinus*	Northern fur seal	4
1999	Garment	*Enhydra lutris*	Sea otter	1
1999	Garment	*Enhydra lutris*	Sea otter	1
1999	Plate	*Callorhinus ursinus*	Northern fur seal	1
2000	Garment	*Lutra*	Otter	1
2000	Garment	*Mustela siberica*	Siberian weasel	4
2001	Trim	*Phoca largha*	Spotted seal	1
2001	Trim	*Callorhinus ursinus*	Northern fur seal	1
2001	Trim	*Nyctereutes Procyonoides*	Roccoon dog	1
2001	Garment	*Lynx lynx*	Lynx	3
2001	Garment	*Ursus arctos*	Brown bear	1
2001	Garment	*Lynx lynx*	Lynx	1
2002	Skin	*Ursus arctos*	Brown bear	1
2003	Trim	*Phoca largha*	Spotted seal	2
2003	Trim	*Phoca largha*	Spotted seal	1

2003	Garment	*Phoca largha*	Spotted seal	1
2003	Garment	*Ursus arctos*	Brown bear	1
2003	Garment	*Phoca largha*	Spotted seal	1

Appendix F – Pictures from Chapter 4

Figure 10 – Lynx Skin in *Izmailovsko* Market

Figure 11 – Bearskins in *Izmailovsko* Market

Appendix G – Figures for Chapter 5

All data was collected from the CITES trade database maintained by UNEP-WCMC.

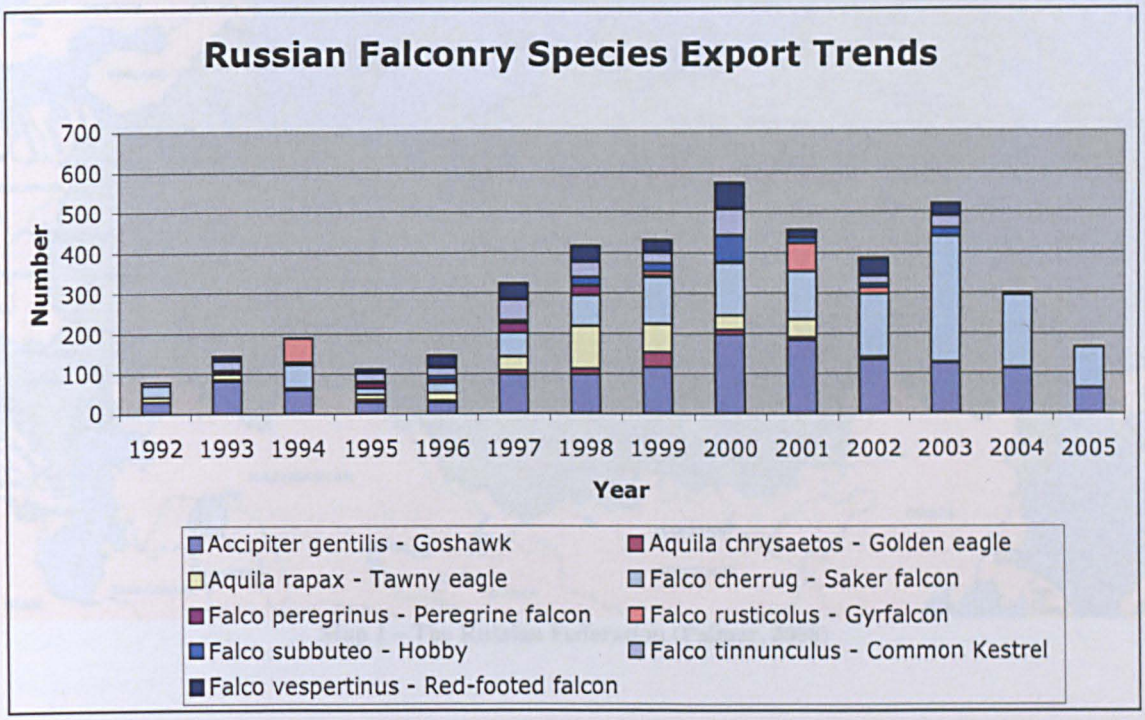

Figure 12 – Russian Falconry Species Export Trends

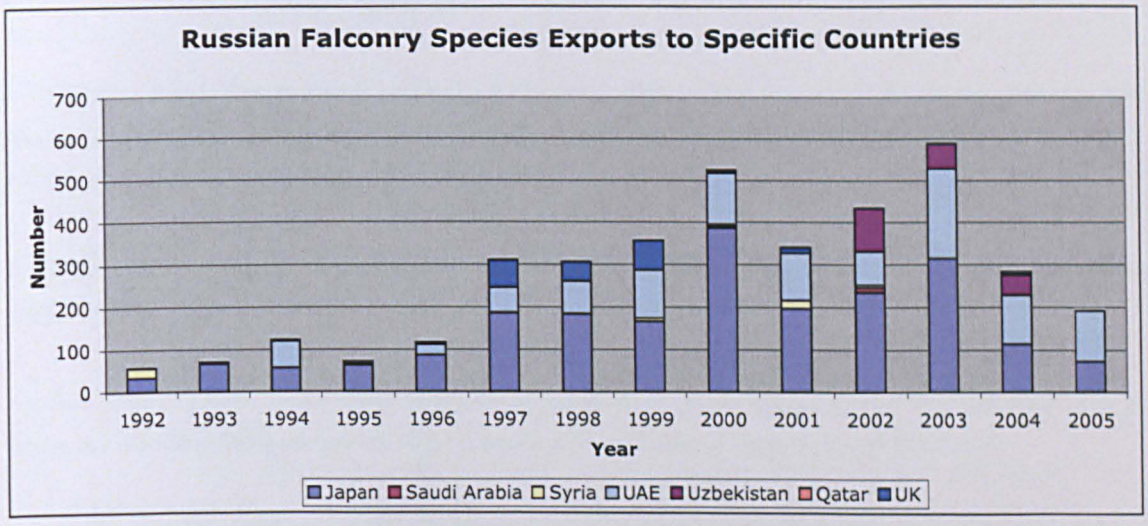

Figure 13 – Russian Falconry Species Exports to Specific Countries

Map 1 – The Russian Federation (Palmer, 2008)

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