

Seizures of inconvenience? Policy, discretion and accidental discoveries in policing the illegal wildlife trade at the Norwegian border

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Abstract The illegal wildlife trade is among the fastest growing categories of transnational crime and is increasingly characterized as a problem by law enforcement authorities internationally and in Norway. This article examines the policing of illegal trade in wildlife at the Norwegian border. Wildlife trade is regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Observations and interviews with Norwegian customs inspectors show that the detection of wildlife is not a priority when inspectors make risk assessments of control objects. I argue that this is largely because the Norwegian Customs and Excise's organizational strategies and distribution of resources are directed towards other flows of illegal goods at the expense of wildlife. The considerable professional discretion the inspectors are allowed to exercise does not promote the enforcement of CITES. The inspectors see such cases as complicated, time consuming and unrewarding in terms of penalties upon prosecution. Seizures of wildlife are often accidental rather than planned. The findings indicate a need to reinforce and fully implement existing legislation on illegal wildlife trade at both the policy and on-site levels.

Introduction

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is a legally binding agreement among countries (known as 'Parties') to regulate the transnational movement of listed species and their body parts through a system of licenses issued by the authorities in each of the 181 countries that has signed the Convention [2]. Drawing on theories of formal and informal risk assessment and theories on professional discretion, this article seeks to uncover what characterizes *and* accounts for the enforcement of CITES at the Norwegian border. Here "wildlife" refers

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to species of flora and fauna, living or deceased, which are regulated by the Convention. The Norwegian Environment Agency (Miljødirektoratet) is the national administrative authority of the Convention and it is the responsibility of the Norwegian Customs and Excise¹ to ensure that the necessary licenses have been acquired at the time of import and export. If not, the goods should be seized. The illegal trade has been described as an increasing problem, both internationally and in Norway [15]. Birds of prey endemic to Norway are sought internationally and the Norwegian demand for alien species constitutes a significant part of the global trade [3]. However, the number of wildlife seizures at the Norwegian border is few, which suggests that there are a substantial number of undetected cases. The number of seizures in 2011, 2012 and 2013 were 124, 54 and 68, respectively, giving a total of 246 seizures for this period.² In comparison, the number of narcotics seizures in the same period was 9375 [26]. Although the small number of seizures could mean that there is little illegal trade, it may be that this disparity is related to the inspectors' selection and inspection of objects. Every day the inspectors face an endless stream of potential control objects in the shape of passengers, suitcases and postal packages. With orders to interfere as little as possible with legal trade and as much as possible with illegal trade [7], inspectors must make the right choice about when to intervene.

A disregard of policing illegal wildlife trade at the policy level of Norwegian Customs could explain the low seizure numbers, as the inspectors may be directed to pay attention to other, more prioritized commodities. In his study of regulation and risk governance in Swedish Customs, the criminologist Magnus Hörnqvist [6, 7] discovered that on-site inspectors are strongly influenced by official priorities and the distribution of resources administered at the policy level of the organization. However, the Customs Act 2007³ gives the inspectors considerable professional discretion and, according to Michael Lipsky [9], policy implementation largely relies on the people who actually implement it, as proposed by the theory of street-level bureaucracy. This implies that policy is not implemented simply by instructing the people on the ground. Based on observations and interviews with Norwegian Customs inspectors, this article examines how organizational strategies and policy as well as the inspectors' discretion shape risk assessment and selection at the border, including to what extent the regulation of CITES is a consideration in these processes.

Following a short introduction to illegal wildlife trade, I give an account of the theoretical framework used to analyse the data. Next, the method for collecting data is described, followed by a presentation and discussion of results that largely follows the order in which a customs control is carried out, including an exploration of the circumstances surrounding the initial selection of items, the conditions that lead to a customs check and issues related to the discovery of contraband. The article ends with a brief conclusion.

¹ Norwegian Customs and Excise is an agency under the Ministry of Finance. The agency's administrative body is the Norwegian Directorate of Customs and Excise, under which the Border Control Section of the Enforcement Department comes. To simplify, the shortenings 'Norwegian Customs' or 'Customs' will be used to refer to the Directorate and the Agency as one.

² The seizure numbers were given in an interview with advisors working in the Norwegian Directorate of Customs and Excise.

³ Lov om toll og vareforsel [Tolloven] av. 21. desember 2007 nr. 119.

Illegal trade in wildlife

The 'illegal trade in wildlife' refers to a range of environmental crimes that includes such activities as poaching, harvesting, transporting and collecting wild flora and fauna in contravention of local, national and international laws [38]. The trade can be domestic, with native species traded illegally within a country and international, involving unlawful import or export across borders. The last falls under the category of 'transnational crime', which, according to Albrecht [1], is characterized by either a cross-border criminal who perceives opportunities to commit crimes beyond national borders or by the cross-border transfer of illegal commodities.⁴ The main motive of the trade is profit [19]. Illegal wildlife trade is considered one of the fastest growing transnational crimes, with devastating effects on species survival, which in turn has negative, long-term effects on humans [20]. The trade is frequently tied to organized crime [29, 36] and flows mainly from developing countries rich in biodiversity to developed countries or regions [17]. Increasingly, INTERPOL and the UN Office on Drugs and Crime (UNODC) put emphasis on the trade, which involves numerous live animal and plant species as well as a wide variety of their by-products. Endangered species are demanded for meat, hides, fur, ivory, timber and as the ingredients in alternative medicine [36]. Species are also traded for the pet industry and for use in entertainment facilities.

The theoretical framework

In this article, illegal wildlife trade is treated as a transnational crime issue; not as a conservation issue. The target of study is the policing of transnational crime, not the crime per se or its underlying causes and consequences. The purpose is not to criticize the current legal framework, question the appropriateness of law enforcement measures or emphasize the seriousness of the crimes and the harm that they cause. Several treaties, conventions and international organizations are potentially valuable in the fight against illegal wildlife trade. The World Customs Organization, UNODC and INTERPOL i.a. provide services to member countries, act as advisors and provide training programs and support. The UN Convention against Transnational Organized Crime is another instrument that could be used in combating the trade [30]. However, while illegal wildlife trade often falls under the UN definition of organized crime, it remains an under-addressed part of the Convention and the mandate of these institutions.

CITES deals with both legal and illegal trade. The goal of the Convention is to ensure that international trade does not threaten the survival of any species and it is an international agreement to which states adhere voluntarily. CITES is legally binding, obligating the Parties to implement the Convention. Non-compliance can lead to formal cautioning and trade suspensions from the Secretariat. CITES is considered to be one of the main international agreements for combating wildlife trafficking [37:111]. However, the ability of CITES to preserve and protect wildlife is questioned [22] and it has no criminal provisions or law enforcement capacity. Rather it provides a framework to be

⁴ See [34] for a comprehensive discussion of transnational environmental crime.

respected by each Party which has to adopt its own domestic legislation to ensure that CITES is implemented at the national level [2]. In Norway, CITES is sanctioned through a separate administrative decision in the national legislation: *Forskrift til gjennomføring av konvensjonen 3. mars 1973 om internasjonal handel med truede arter av vill flora og fauna*. The administrative decision is primarily sanctioned through the Act relating to the regulation of imports and exports.⁵

This article examines the implementation of CITES at the Norwegian border by exploring what shapes on-site enforcement behaviour by Customs inspectors. The analysis of the empirical data draws on conventional frameworks of criminological and legal research. Although this research corresponds closely with the field known as green criminology (see [33]) it is more accurately placed within the broader tradition of crime control and policing studies. A comprehensive examination of the national law enforcement efforts on illegal wildlife trade in Norway has yet to be performed. The existing literature on customs inspection is limited [7, 16], and even less has been done on customs inspection of illegal trade in wildlife. I am drawn to this analysis as it seems that wildlife crime is given increasing attention, yet efforts to combat it look to be failing. This article fills important gaps in our knowledge about the border control practices in a country where the standard of living is high, people travel extensively and the illegal import of protected species is described as significant. Within Customs, seized animals and plants are referred to as “goods” and “commodities” and their body parts are known as “products”. In the discussions of the interview statements, the terminology used aims to keep the language of the discussion consistent with that of Customs (yet might seem provocative and insensitive to living creatures).

Policy and formal risk assessment

Hörnqvist [6, 7] asserts that Swedish Customs does not enforce all restrictions with the same diligence. They search for some commodities more intensely than others because they are thought to pose a greater risk to society. The commodities that garner the most attention are seen as high risk, whereas the neglected commodities are perceived as low risk. Consequently, it may be that we know the least about crimes that are considered less-serious and the most about more-serious crimes. Hörnqvist [7] examines how risks are operationalized and negotiated from the policy level all the way down through the organization to ultimately affect the inspectors' use of force and how trans-boundary travellers are singled out for closer scrutiny. Thus, he accounts for risk assessment and control selection at both the policy *and* on-site levels. In this article, the main focus is on the assessments and actions of the inspectors working at the ground level. With an emphasis on the enforcement of CITES, I explore how the strategies and priorities highlighted at policy level are manifested in the inspectors' work at the ground level.

⁵ To improve the implementation of the Convention and strengthen and simplify the national regulation, the Norwegian Environment Agency sent a proposal for a new administrative decision to the Ministry of Climate and Environment in May 2015. In the proposal, CITES is primarily governed under the Act relating to the management of biological, geological and landscape diversity (Nature Diversity Act). This should allow for improved regulation of possession and trade in CITES species domestically. The role of Norwegian customs in the control of transnational trade remains unaltered. When the Ministry has reviewed the proposal there will be a public hearing [10].

The Customs Act provides the legal framework for Norwegian Customs. In §13–1, inspectors are given the right to search persons or goods for contraband. Any person travelling or item being transported to or from the boundary of the customs territory may be subjected to an initial search without specific grounds for suspicion or justification by the inspectors [28]. Thus, any person crossing the border may be searched, and the law gives the inspectors significant discretion.⁶ Hörnqvist [7] interprets the discretion that Swedish Customs gives its inspectors as a sign that the use of coercion is guided by more than the law. Instead, administrative routines (such as profiling and seizure statistics) and security concerns (such as drug policy and initiatives on organized crime) blend with efficiency demands. Together, this guides Swedish Customs' searches by focusing on certain risks at the expense of others, making only certain information available, restricting the range of indicators and directing attention to certain flows of illegal goods.

The inspectors cannot search every person or item they suspect are carrying contraband; it is neither possible nor desirable [24]. So, what directs the inspectors' selection and inspection of objects? Hörnqvist [7] claims that Swedish Customs has translated their obligations into a strategy of risk management. Making accurate risk assessments is the key to improving search selection and, in turn, efficiency. The information available to the inspector determines the search selection by limiting the possible range of visible indicators. His or her consideration of the likelihood that a border crosser is carrying contraband is a risk assessment. Hörnqvist [7] distinguishes between formal and informal risk assessments. Informal risk assessment occurs when the passenger's demeanour and the individual inspector's intuition and experience guide the decision to search, whereas formal risk assessment is guided by fixed risk profiles, which are based on information that is available before the person or item arrives at the border. According to Hörnqvist [7], formal risk assessments are increasingly replacing informal assessments.

Customs inspectors as street-level bureaucrats

Lipsky's [9] theory of street-level bureaucracy concerns public officials who interact directly with citizens in the course of their job and implement public policies and exercise discretion in doing so. The policy-making roles of street-level bureaucrats are based on two interrelated aspects of their position: relatively high degrees of discretion and relative autonomy from organizational authority. Examples of street-level bureaucrats include teachers, social workers, police officers and other law enforcement personnel [9], which suggest that customs inspectors belong in this category. Like police patrol officers, customs inspectors are 'choosers'. For the most part, they decide whom to stop and whom to overlook, and their discretion is linked to state authorized powers of arrest, detention, search and seizure. Unlike police officers, however, the use of discretion by customs inspectors has received relatively little scrutiny [16].

⁶ The Customs Act §13–1-1 draws a line between "initial" and "intrusive" searches. For intrusive searches that, for instance, require a person to undress, there must be some reason to assume that the person is carrying contraband. Suspicion can be based on concrete information or the person's behavior when crossing the border [28].

Lipsky [9:14] stresses that street-level workers are not unrestrained by rules, regulations and directives from above or by the norms and practices of their occupational group. On the contrary, the major dimensions of public policy are shaped by policy elites and political and administrative officials whose influence establishes the major dimensions of street-level policy. The workers' behaviour may also be controlled by performance measures that hold them accountable for producing certain results within a given period [9: 50]. Just as police officers may be expected to issue a certain number of traffic tickets each month, customs inspectors strive to reach a certain number of seizures. At the same time, the inspectors are expected to employ considerable discretion and to enforce the law selectively.

Methodology

This research can be placed within the ethnographic tradition, which according to [12] involves the study of groups of people in their natural setting and the systematic collection of data about their daily activities and the meanings they attach to them. Contemporary ethnography frequently involves observation, interviews and documentary analysis [12]. The empirical data were gathered through observation and qualitative interviews with a selected group of inspectors over five months in 2013. The respondents were inspectors and supervisors in the Border Control Section of the Norwegian Customs Enforcement Department. To generalize findings from a qualitative study with a limited number of respondents and locations is challenging. That does not mean that the findings are not true for others outside the sample. Five border crossings in three regions were selected to capture variations across the country and provide a representative sample. The locations were in the northern, southern, and eastern regions of Norway. One location is the main airport for international travel and another deal exclusively with mail and postal packages, receiving virtually all foreign mail destined for Norway. The southern location is responsible for a large share of the commercial sea traffic between Norway and Denmark and has an airport with several international flights. The northern location guards the border to Finland, Russia and Sweden and controls international air traffic. This set of border crossings should account for regional differences, and it includes the inspection of passengers and goods entering or leaving Norway by land, sea and air.

After notifying the Norwegian Social Science Data Services and securing the necessary approvals, a request to conduct interviews and observe inspection work was sent to each location. The respondents were customs inspectors and supervisors with work experience ranging from 1 to 30 years. Two respondents were completing their training at the time of data collection. All of the respondents inspected passengers, goods or mail, and some also did intelligence work, developing profiles of couriers and looking through the passenger lists and manifests of arriving airplanes and ferries. Respondents were chosen based on convenience; they constitute those inspectors who were working and willing to participate at the time of visit. It is a challenge for outside academics to gain the level of social access necessary to truly understand the work practices of tight-knit units such as the Border Control Section. Although I emphasized that I was interested in understanding the characteristics of customs inspection in general, some inspectors were concerned about having limited knowledge and experience with wildlife seizures. Informed consent was obtained from the respondents by

providing them information about the purpose of the project prior to data collection, guaranteeing their anonymity and ensuring their freedom to withdraw at any time. No respondents withdrew during or after the data collection. Because recruitment took place through a manager, I do not know how many inspectors declined to participate.

I conducted 7 one-hour recorded interviews with groups of 2–4 inspectors at a time. In addition, observation of inspections involving a much larger number of inspectors were conducted, recorded via field notes and supplemented with information from responses to follow-up questions. Between 8 and 16 hours of observation were conducted at each location. Officers' experiences and knowledge are often instinctive and not tangible, so gaining access to such information requires observing what people do, not just what they say. Field observations and interviews were intended to complement each other and to uncover multiple sides of the inspection work. By focusing on everyday inspection work, the aim was to discover what indicators the inspectors use when deciding whom or what to inspect.

Collecting data through qualitative group interviews holds both strengths and weaknesses. The inspectors were frequently asked to explain their actions. Yet, decisions are reached in complex ways and may be explained on several levels. My knowledge is limited to the conscious aspects of this process that the inspectors chose to share. The respondents interacted with each other during the interviews and occasionally responded to and/or supplemented the replies of their colleagues. Still, the main line of communication was between the respondents and me. I experienced them to be mostly in agreement with one another. I also experienced them as honest and open in terms of inadequacies and challenges related to their work situation. However, I cannot rule out that there was an element of social control in the group. Group interviews are vulnerable to pressures of conformity and group dynamics might have pressured the co-workers to strive towards what they considered common and socially acceptable within the group. Being the instrument for both data collection and data interpretation, further challenges relate to the role of the researcher in qualitative interviews [18]. Despite working to keep questions neutral and not expressing subjective opinions, the possibility that researcher bias to some extent have affected the respondents and their answers as well as the interpretation of them is a concern here as in most qualitative research.

Analytical coding of qualitative data involves organizing the information and identifying conceptual categories [12]. To understand the inspection process, I found it helpful to see it as consisting of three stages: First, the decision to stop a traveller (or item) must be made. Then, based on an initial conversation with the traveller (or an external check or electronic scanning of an item), the inspector decides whether to do a search or let the traveller (or item) move on without closer examination. Third, any detection of contraband depends upon the inspector's ability to find the item *and* recognize it as illegal. Each stage represents an opportunity for the detection and seizure of contraband. The appropriateness of these three stages was later verified in an interview with two advisors in the Norwegian Directorate of Customs and Excise.

Results

According to its strategic plan, "Norwegian Customs and Excise shall protect society against the smuggling of drugs, doping substances, weapons, fake medicines, contagious

goods, dangerous waste and other goods that threaten health, the environment and society". Combating cross-border organized crime is a priority [27]. When asked what their main priority is, the respondents unanimously replied that the primary target is detecting and intercepting narcotics. As one inspector stated: *We are directed towards narcotics, that is task number one. Then comes weapons, CITES, steroids... all these have equal status.* The emphasis on intercepting drugs is ascribed to the Customs authority's task of protecting society and it resonates throughout the inspection process.⁷ As a result, inspections are almost entirely directed towards incoming traffic.

Selection through informal risk assessment

Regardless of whether the concern is for narcotics, weapons, currency, wildlife or any other restricted commodity, the initial selection involves separating the person or item from an endless stream of potential objects to be inspected. Whether they are looking at passengers, luggage, vehicles or postal packages, inspectors rarely have much time to decide whom or what to pull aside, thus the decision is often based on external characteristics or indicators. To an outside observer, the selection appears quite spontaneous, and to some extent, the interviewees described it as spontaneous as well. However, it is clear that the selection is not random; there are certain indicators that guide the inspectors. Inspectors guarding the green zone in the airport's arrival area sometimes use tags on travellers' luggage and shopping bags from tax-free stores as sorting mechanisms. Luggage tags and shopping bags indicate the origin of travel, and the trained eyes of the inspectors easily recognize the different labels.

When inspectors observe goods and postal shipments, the selection takes place in a number of ways. Often the inspectors select which shipments to look at based on manifests they receive from freight companies. A shipment refers to the load of goods sent by one particular freight company, such as an airline or a delivery car. A shipment can be divided into many stacks, each containing several letters and packages, and it is largely up to the inspector to decide which shipments or parts of a shipment to inspect more closely and send through the scanning machine. Sometimes, a sniffer dog is used to narrow the selection. Often, however, inspectors find it difficult to pinpoint exactly what guides their choice of objects to inspect. One senior inspector in charge of inspecting mail and packages arriving from overseas explained:

You can pick goods for control on several different grounds: country of origin, the type of declared content, the receiver of the goods, an incomplete labelling or the combination of such things. Or, simply the gut feeling you get when you read the manifests. Something appearing unusual...

Whether inspecting mail, cargo or passengers the inspectors frequently referred to intuition or "gut feelings" to explain their choices, both in the initial selection and throughout the inspection process. Such awareness evolves with time and experience,

⁷ Another important responsibility of the Norwegian Customs is the collection of revenue. Strong efforts are made to detect attempts to evade import duties on goods such as cigarettes, alcohol and meat, and substantial seizures of these items occur regularly.

they say, which indicates that their actions are guided by informal risk assessments. This is consistent with research on police officers' "stop and search" practices (see [5]).

Formal risk assessment through profiling

Through their first-line position, the Border Control Section bases their inspections on "risk assessments, intelligence and focused target selection" [27]. According to the inspectors, certain countries and regions are targeted based on reports from INTERPOL or other agencies and seizures made by Customs authorities abroad. Often, these targets are known producers of narcotics, as havens for criminal networks or as places where corruption is a particular concern. For countries in Africa and Latin America, as well as certain Asian countries, an automatic postal blockade is employed, which means that all shipments originating from these regions are placed in containers to be scanned and inspected. Similarly, flights arriving from certain destinations are seen as particularly interesting, such as flights from Thailand, which have a history of steroid, medication and wildlife seizures. Often, the final decision about which passenger or item to select is still made by the individual inspector on the ground, but the number of possible inspection objects may have been greatly reduced before reaching the inspector.

Because the detection of drugs has been prioritized for many years, there is a great deal of information on drug smuggling. Intelligence personnel compose profiles of likely smugglers by systematizing this information into a range of indicators, such as the combination of certain behaviour patterns. Interesting behaviour might include when and where the ticket was bought, the manner in which the ticket was paid for, seemingly "unnatural" travel routes or freight companies known from prior cases. With these profiles in mind, customs inspectors search arrival halls, passenger lists and cargo manifests, looking for people and goods that fit these descriptions. Sometimes, a specific individual or item is selected prior to arrival and is simply picked up on sight. Hörnqvist [7] argues that the last decade has seen a gradual change from the traditional, informal risk assessments made by individual inspectors to increasingly formal selections based on impersonal indicators such as those described above. These types of information gathering and processing were mentioned frequently by the inspectors in my sample, indicating that these mechanisms play a significant role in their enforcement practices. However, for individual inspectors, I do not believe that the distinction between informal and formal assessment is always clear. One would think that, over time, the information acquired through personal experience and that acquired from formal risk profiles tends to blend and evolve, leaving a less distinct image of how the information ultimately was attained. My data suggest that it is difficult to determine whether the inspectors' choice of whom or what to inspect relies on passenger and cargo manifests, the physical or behavioural characteristics of the person or object in the arrival hall, or perhaps combinations of these information sources and procedures. Similarly, Pratt [16] found that a blend of different and intersecting kinds of risk knowledge shape the discretion of Canadian border officers, ranging from risk analysis based on expert intelligence and statistics to second-hand social psychology, individual experience, gossip, instinct and intuition. Pickering and Ham [14] discovered that the decision making of Australian immigration officers relied on various intersections of intelligence-led profiling and everyday stereotyping. Risk assessment can thus be called a "hybrid" phenomenon, in

the sense that inspectors blend expert and everyday knowledge to create new assemblages of risk information [31].

Risk profiles are largely composed of knowledge acquired through previous seizures, based on information provided by sources outside of the organization [7:40]. If past seizures were made based on informal risk assessment, the notion of a strict division between formal and informal risk assessment could be further challenged. Also, building future strategies based on knowledge from previous cases can be risky. As Stub [25:152] has noted, certain shared characteristics among couriers may reflect an actual tendency, but it may also be that some groups of people with these characteristics are simply searched more frequently. Each seizure that is made will legitimize new inspections, creating a self-renewing process. In system theory, this effect is referred to as 'positive feedback'. Over time, this process will influence statistics and lead to what Eckhoff and Sundby [4] call exponential growth - not to mention the damage it can do to public relations. However, in the interviews, the inspectors indicated that smuggling was always changing in terms of the contraband, concealment and travel routes used. It is a never-ending race in which customs inspectors struggle to keep up. As a result, it could be that the dangers of positive feedback and resulting exponential growth are partly avoided because of the ever-changing nature of smuggling.

A question of what counts

Performance measures are used to control the actions of the inspectors and to satisfy public and political priorities and demands for efficiency. Lipsky [9:161] stresses the importance of agencies being clear about what they want workers to do. When there are multiple conflicting objectives, agencies must be able to prioritize. In their accounts, the inspectors reported that they were strongly governed by performance targets and the separate quantitative goals that are set for each category of narcotic. No such expectations are set for CITES violations in Norway, which could be one reason why seizures of wildlife are rare relative to other commodities. All seizures regardless of category are counted and included in the statistics, but the high-risk, most highly prioritized commodities are singled out. The inspectors have little choice but to direct their attention to these illegal flows. It may be as simple as one inspector suggested, "*CITES violations do not measure up in competition with other products that are quantified*". Lipsky [9:166] claims that street-level bureaucrats will make choices and exercise discretion by behaving in ways that will improve their performance scores. Customs inspectors concentrate on the activities that are measured, and seizures in these areas increase. Both statistics and my own empirical data indicate that performance measures are an efficient way to implement policy at the ground level, and several inspectors agreed that implementing performance measures for CITES violations would be a good way to increase seizure numbers.

Standing out from the norm

Although performance measures steer inspectors in the desired direction, Lipsky [9: 166] points to the problems that arise when such measures encourage workers to pay less attention to other aspects of their jobs; the "hunt for statistics" can overshadow the fundamental duty of the service. The strong focus on narcotics could lead to a

significant amount of other contraband avoiding detection because it does not fit the narcotics profile. One supervisor working at the border between Norway and Sweden explained:

We know huge amounts of illegal items are crossing the border with Scandinavians. But these are much harder to pick out, as they compose most of the traffic coming through here. And they tend to have a reasonable explanation for having been to Sweden.

Having local licence plates and the back seat filled with visible shopping bags, thus indicating a local cross-border shopping trip, is often enough for an inspector to wave the traveller on without further inspection. Quite a few of the estimated 100,000 reptiles illegally kept in Norway [13], suspected of coming from or via Sweden, may have entered this way. According to Hörnqvist [7], informal risk assessment often relies on the inspector's common-sense notion of reality. Thousands of vehicles pass the border every day. Narrowing the selection down to what seems to stand out from the norm is a way of making the work-load manageable. Several inspectors voiced a desire for more background information on the actors and methods associated with wildlife smuggling. For now, however, without profiles and performance measures to guide them, enforcement of CITES has little if any visible bearing in the inspectors' initial selection of objects to inspect.

From selection to customs inspection

Hörnqvist [6:195] states that a key actor for the customs inspector is the courier. The crucial question is "how to know whether a passenger is a courier?" The only way to be certain is to do an inspection. What determines who is subjected to a full check? One supervisor said:

The initial conversation with a traveller is very important. You pick objects for inspection largely based on the conversation, unless there are visible illegal articles. If you discover some irregularity that leads you to perform a search, narcotics are your main focus, but the search may result in a completely different seizure.

By "irregularity", the inspector means holes in the traveller's story, such as not knowing the family name of the long-time friend they are allegedly visiting or failing to demonstrate sufficient means to cover living expenses. The quote suggests that the type of seizure a given search leads to is somewhat random. Hörnqvist [7:37] calls the profiles of drug couriers rudimentary, noting that the description of the average drug smuggler that Swedish Customs uses is: Swedish, male and around 30 years old. This fits the description of a large number of travellers who are not couriers. Similarly, electronic scanning that reveals a large number of small, circular objects in a package would probably lead a postal inspector to open the package. The package may contain Ecstasy pills, or it may contain coffee beans, as observed during one afternoon shift. The accuracy of risk profiles can also be challenged by increasing claims in the international literature of overlapping characteristics among couriers. The number of

smugglers who specialize is said to be few; most offenders will trade whatever they can to make a profit [11, 35]. There are also increasing claims that people previously involved in other forms of organized, transnational crime have shifted to wildlife, perhaps because of the lower risk of discovery, more lenient penalties and potentially large profits [36]. However, our current knowledge about wildlife smuggling in Norway is too incomplete to assess the credibility of such claims.

Accidental discoveries

Illegal trade in wildlife takes place by hiding the illegal item, forging permits, misusing real permits or by bribing customs and border officials [23:551]. A customs inspection is variably thorough. If someone tries to hide an illegal commodity, it will most likely be found, especially if it is a living animal. More uncertainty occurs when an inspector must recognize a CITES species that has been processed, perhaps as an ingredient in traditional medicine or made into a bag or decorative object. Previous seizures of postal packages containing wildlife products such as skulls and tusks have been detected through scanning, as these items have distinct shapes that stand out on the screen. However, many wildlife products are impossible to detect without a physical inspection. One cannot spot birds' feathers or distinguish a python belt from a cow-skin belt through the screen. Without a manual inspection, such products will probably pass through undetected. Detection depends not only on inspectors being alert for such contraband; they must also be familiar with the documentation that is required for wildlife products. Even if permits are presented, inspectors may not be able to verify their authenticity [21].

Given this situation, we might ask, which circumstances lead to the discovery of wildlife? Perhaps, as the following inspector stated: *Because we do searches, we also come across CITES, as a by-product.* His colleague who was working in an intelligence unit said much the same: *We have far too few seizures to be able to identify any trends within this field. The seizures we have had have mostly been by chance. (...).* My empirical data indicate that wildlife products are discovered somewhat accidentally, mainly as a consequence of inspectors searching for other illegal items. The interviews show that there are certainly dedicated inspectors out there who are concerned about the illegal wildlife trade and want to increase the enforcement of CITES regulations, but the detection of wildlife violations just cannot seem to compete with the detection of other, more highly prioritized and quantified items. Consequently, a large share of the illegal trade in wildlife may never be discovered, reported or recorded. According to Wellsmith [32:135], this can significantly decrease the deterrent effect of enforcement practices and threaten public awareness of and support for reducing such crimes, which, in turn, leads to the continued marginalization of the field.

Staying with practices that yield results

There is a large legal trade in wildlife that parallels the illegal market, and there are several exceptions in the law that complicate the enforcement of CITES. More than 35,000 species of plants and animals are regulated by CITES [2]. An individual inspector cannot be expected to recognize and distinguish these from one another. Most inspectors have difficulties reading the product labels, and they do not know what to look for and which questions to ask during inspections. The effort required to

manage a CITES seizure is described as time consuming. Usually, seizures must be sent to the Norwegian Environment Agency for analysis and arts determination. Inspectors at all the chosen locations praised the support provided by this agency. Nevertheless, as one senior inspector put it: *It's a long way to go for a result you are not sure you are going to get.* He continued:

We are not measured on the number of illegal wildlife products we intercept.... This keeps us from putting as much effort into checking the product, as it would be at the expense of the other things we are supposed to be doing.

Street-level bureaucracy involves finding ways of bridging the gap between the expectations of the job and what the workers are able to accomplish. One such way is through 'creaming'; giving priority to the cases that are most likely to lead to a positive result [9:166]. It is both likely and rational that inspectors give precedence to seizures of contraband for which the rules are unambiguous, the routines are well established and prioritization is rarely questioned. All seizures count, but some seem to count more than others. There are few seizures that produce more praise and recognition by colleagues, management and the media than large narcotics seizures. Such seizures tend to lead to convictions, which is an important result for the inspectors and confirmation that their efforts matter. All CITES seizures are routinely reported to the police by Customs. Many inspectors become discouraged when they repeatedly see wildlife cases dropped by the police after the inspectors have done a lot of work to make the seizure, an observation also made by Sollund [21:80]. Though none of the inspectors said so explicitly, I wonder whether the obligation to enforce CITES makes such accidental discovery of wildlife products an inconvenience, since the effort required to process the seizure often results in little reward.

Conclusion

Throughout this article, I have described the circumstances that surround customs control and enforcement of CITES at the Norwegian border. It is time to return to the question posed initially: To what extent do organizational strategies and policies beside inspectors' discretion influence the enforcement of CITES at the ground level? The results indicate that the detection of illegal wildlife trade is not a conscious objective for most inspectors. There are several reasons for this. Organizational strategies and the distribution of resources at the policy level clearly have significant influence on the activities of the inspectors. That certain characteristics or indicators are identified as interesting and lead to objects being selected for inspection can largely be traced back to policy and performance measures. Enforcing CITES is not specifically mentioned in the Norwegian Customs' strategic plan, and it must be assumed that it falls under "other goods that threaten health, the environment and society" [27]. No performance measures are set for CITES and the field is not specifically emphasized as a target. Taken together, these circumstances indicate that the policing of illegal wildlife trade receives limited attention at the policy level of this organization.

Criminologists are concerned about the relationship between registered and unregistered crime. Although registered crime tells us something about the number and nature

of cases reported and about the people charged and convicted, the nature and extent of unregistered crime is largely unknown to us. Performance measures continue to be set for the customs inspectors, despite the fact that job performance in street-level bureaucracies is extremely difficult to measure. For instance, what does an increase in seizures really reflect? One could claim that such statistics largely measure what the controlling authorities have prioritized. According to Lipsky [9:51], “Agency generated statistics are likely to tell us little about the phenomena they purport to reflect, but a great deal about the agency behaviour that produced the statistics”. Wellsmith [32:134] states that if wildlife crime is not viewed as serious, fewer resources are likely to be channelled into policing it. Thus, little will change until the field is emphasized more strongly at the policy level of the customs organization.

However, I believe the solution is not as straightforward as simply instructing the inspectors on the ground to pursue the field more diligently. Intercepting narcotics is priority number one. Inspectors look for narcotics with great enthusiasm, and not just because they are encouraged to do so by policy and performance measures. First, because the detection of narcotics has been a priority for many years, procedures for discovering and handling narcotics seizures are well established. This is where the knowledge and information, operationalized through both formal and informal risk assessment, primarily are put to use. Second, the inspectors themselves see narcotics as a high-priority target and the risks associated with letting drugs slip through are little questioned. The potential risks associated with the illegal wildlife trade are probably less clear. The enforcement of wildlife trade regulations seldom benefits from the considerable discretionary power the inspectors have, unless an inspector has a personal commitment to the field. Instead, it seems that this discretion allows officers to give priority to contraband they find less difficult to process and more rewarding to seize (in terms of the likely results and praise to be had), conceivably at the expense of wildlife seizures. To improve the enforcement of wildlife trade regulations, the gravity and potential consequences of the illegal trade must be established at both policy and ground levels of Norwegian Customs. However, enforcement remains only one of many responses to the problem; as Larsson [8:153] writes, we cannot punish ourselves free from organized crime. Criminological research has shown that even extremely harsh sentences may not have a deterrent effect [32:142]. What is certain, however, is that effective border control in all member states of CITES is paramount for its purpose to be fulfilled. The Norwegian Customs and Excise might need to be reminded of their responsibility to enforce the Convention.

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