Uncovering the Risks of Corruption in the Forestry Sector

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Executive Summary and Key Findings

This report provides a brief overview of corruption risks in the forestry sector and strategies to reduce these risks. The purpose of this report is to raise awareness of corruption issues in the forestry sector for anti-corruption and forestry practitioners, governments and the general public. More information can be found on INTERPOL’s webpages for Project LEAF and corruption.

This report is the result of an INTERPOL study conducted into corruption in the forestry sector, including a review of reported corruption cases held in INTERPOL’s databases and surveys conducted with law enforcement officials across INTERPOL’s member countries.

The key findings of this review and study were:

- Bribery is reported as the most common form of corruption in the forestry sector. Other forms of corruption, in order from most to least common after bribery, are the following: fraud, abuse of office, extortion, cronyism and nepotism.

- Between 2009 – 2014, a 13-country survey identified an average of 250 cases of corruption related to the forestry sector, per year per country.

- INTERPOL estimates the annual global cost of corruption in the forestry sector to be in the order of USD 29 billion.

- Criminal networks use corruption and the bribery of officials to establish “safe passage” for the illegal movement of timber. Those criminal groups also exploit these routes to transport other illicit goods, such as drugs and firearms.

- According to the INTERPOL study, it was found that the persons most likely to be involved in corruption in the forestry sector are government officials from Forestry Agencies. Government officials from other agencies, law enforcement officers and logging company officials are also found to be extensively involved.

This report describes instances of criminal activity by public officials in government institutions. It is recognised that law enforcement has a duty to address corruption within its internal affairs and failure to do so may undermine confidence in the government and inhibit law enforcement from doing its job effectively.
Introduction

The forestry sector is particularly vulnerable to corruption since many forests, especially tropical forests, are located in jurisdictions with weak governance and poor regulatory regimes, which often suffer from systemic corruption.

The “resource curse” describes the concept that resource-rich countries may suffer sluggish economic performance, civil conflicts and even war, despite their wealth of natural resources. Intuitively, rich natural resources (both non-renewable resources such as oil and minerals, and renewable resources such as forests and fish stocks) should benefit the national economy since their export generates extra foreign reserves, government revenues and opportunities for industrialisation. Instead, when rent-seeking behaviour takes place by political elites, the resources are diverted from the public, resulting in wealth creation for an elite few rather than all of society. Academic research attributes the resource curse to the rent-seeking behaviour of political elites, which is facilitated by high levels of corruption within law enforcement and the government institutions responsible for managing the resources.¹

In a recent study conducted by the TREES project² in collaboration with INTERPOL, corruption was identified as occurring most commonly at the point of harvest (50 per cent of cases), followed by road transport (23.1 per cent of cases) or at the processing plants (26.9 per cent of cases). In other words, corruption takes place in remote areas far from mainstream law enforcement efforts.

The probability of getting caught is one of the greatest deterrents to corruption. INTERPOL encourages countries to reduce corruption risks by encouraging law enforcement authorities to prioritise anti-corruption investigations and increase the likelihood of detection.

INTERPOL also works more broadly to increase awareness and build the capacity of member countries to prevent, detect, investigate and prosecute corruption.

Background on INTERPOL

In 2012, INTERPOL launched Project LEAF (Law Enforcement Assistance for Forests), an initiative that aims to counter various aspects of forestry crime, including illegal logging and timber trafficking, and related crimes, such as corruption. The project involves collaboration between INTERPOL and the United Nations Environment Programme (UNEP) and provides a coordinated global response to organized and transnational crime related to the forestry sector.

² The TREES project (Timber Regulation Enforcement to protect European Wood Sector from criminal infiltrations) is a consortium project funded by the European Commission, with support from INTERPOL.
In 2013, Project LEAF identified corruption as one of the main factors that facilitates forestry crime in its report, *Assessment of Law Enforcement Capacity Needs to Tackle Forest Crime*. Project LEAF is currently working together with law enforcement officials in INTERPOL’s Anti-Corruption and Financial Crimes Sub-Directorate to assist member countries in addressing the issue of corruption in the forestry sector.

### The importance of anti-corruption efforts to protect forests

#### Why forest conservation is important

![Forest Image]

Forests provide habitat to two-thirds of the earth’s terrestrial species and are vital to the preservation of its ecosystem stability and biodiversity. Forests support the livelihoods of billions of people, many of whom live at or below the poverty level in developing countries.

The world’s forests are also one of the most significant pillars in mitigating climate change, as they absorb and store carbon dioxide. A recent NASA study found that the world’s tropical forests ‘absorb 1.4 billion metric tons of carbon dioxide out of a total global absorption of 2.5 billion’.³

- 750 million people live in or near forests and are largely dependent on these areas for subsistence and income
- 60 million indigenous people are almost wholly dependent on forests
- Forests provide over 3.4 billion cubic metres of Roundwood annually, over half of which is fuel wood and charcoal
- Over three quarters of the world’s accessible freshwater comes from forested areas
- Illegal logging accounts for 50-90 per cent of forestry activities in key producer tropical countries and 15-30 per cent globally
- Every two seconds, an area of forest the size of a football field is clear-cut by illegal loggers around the globe

Due to various pressures resulting from human activity, forests have been disappearing at an alarming rate. Deforestation and forest degradation contribute anywhere between 6-17 per cent of global carbon emissions to the atmosphere.⁴ Without addressing deforestation and forest degradation, it will not be possible to mitigate the negative impacts of climate change.

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Crime involving the world’s forests has become more prominent, increasingly organized, sophisticated and transnational, due to the increased profitability of wood and its by-products. Corruption that supports and facilitates illegal deforestation and the illicit timber trade leads to biodiversity loss and irreversible ecosystem degradation, which in turn damages wider development efforts.

**INTERPOL defines corruption as:**

- the misuse of entrusted power for private gain, or
- any course of action or failure to act by individuals or organizations, public or private, in violation of a duty or obligation under law or trust for profit or gain.

**Corruption perception**

The forestry sector has been ranked minimally better than the average of 19 business sectors in terms of bribes being paid between companies and government, as measured in Transparency International’s 2011 Bribe Payers Index. However, corruption in the forestry sector is of particular importance due to the close links between corruption and deforestation rates, and the resulting impact on biodiversity loss, climate change, local community livelihoods and sustainable economic development. Further, the vast majority of the world’s biodiversity hotspots are the areas with the richest but at the same time most endangered diversity of plants and animals, and located in countries where overall levels of corruption are perceived to be at least moderate to high.

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Asia-Pacific Region

Using the results of Transparency International’s 2014 Corruption Perception Index (CPI), the ten member countries of the Association of Southeast Asian Nations,\(^6\) plus Papua New Guinea, have an average score of 38/100 on the CPI. A score of 0 is very corrupt and 100 is very clean. 73 per cent of these countries scored below 50 out of 100, confirming corruption in the public sector as a significant issue in these countries.\(^7\)

The correlation between corruption and the loss of forests

Studies over the last decade have repeatedly shown the strong relationship between levels of corruption, illegal logging and deforestation rates in countries.

**Figure 1: Deforestation and corruption\(^8\)**

Figure 1 shows the correlation between deforestation and the control of corruption, indicating that a lower control of corruption may mean a higher annual rate of deforestation. The control of corruption indicator is one of the World Bank’s Worldwide Governance Indicators. Corruption is measured based on the perceptions of public, private, and the non-governmental sector experts worldwide on the extent to which public power is exercised for private gain.\(^9\)

Figure 2 shows the correlation between illegal logging and corruption. It is apparent that a higher level of corruption based on Transparency International’s CPI, may indicate an elevated percentage of suspicious log supply. Both figures illustrate that countries with higher levels of corruption tend to have higher rates of illegal logging and/or deforestation.

\(^6\) ASEAN countries: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam.

\(^7\) http://www.transparency.org/cpi2014.


Economic losses resulting from corruption

Corruption in the forestry sector results in the loss of crucial natural resources for developing countries, undermining their economies, institutional and organizational structures and the environment. By the most recent reliable estimate of the worth of the global forestry sector, it was calculated to generate USD 606 billion in gross value-added per year, while accounting for an estimated 0.9 per cent of global GDP. At the national level, the contribution of the forestry sector is higher in forest rich countries. For example, in six South American countries, the forestry sector accounts for more than 2 per cent of GDP. In fourteen countries in Sub-Saharan Africa, the sector accounts for more than 3 per cent of GDP. Corruption can lead to significant losses of this income.

Additionally, the revenues for governments from forestry licensing are very low compared to the losses from illegal logging. Indonesia for example, estimates losing USD 4 billion per year to illegal logging, while revenues from forestry licensing amount to only USD 300 million per year. This revenue loss is particularly significant for forest-rich developing countries as its consequences likely extend beyond the natural resources sector to impact development, economic stability and security.

Working with anti-corruption units in each country to tackle forestry crimes is crucial to protect government revenue. By way of recent example, Indonesia’s Corruption Eradication Commission (Komisi Pemberantasan Korupsi) recovered more than USD 86.2 million in state losses between 2005

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12 Ibid
and 2010. A large portion of this revenue was related to forestry cases where high-level officials were involved in the illegal issue of permits with support from the Ministry of Forestry.\textsuperscript{15}

**Illegal logging, facilitated by corruption, suppresses global timber prices by 7-16 per cent.\textsuperscript{16}** Illegal timber can be sold at a lower price than legally sourced timber due to the evasion of costs along the supply chain, such as taxes and license fees. This results in lower market prices and significant losses to timber companies that otherwise attempt to source their timber legally and operate within the law. **INTERPOL estimates that illegal logging costs the industry between at least USD 19-47 billion per year in lost company profits.** Tackling corruption will benefit the law-abiding members of the timber industry by allowing them to obtain appropriate market prices for their timber.

**INTERPOL estimates the annual global cost of corruption in the forestry sector to be in the order of USD 29 billion.** Further, the demand by government and law enforcement officials on the timber industry to pay bribes represents a direct cost to doing business. A greater focus, therefore, on law enforcement efforts to address corruption not only improves the governance framework necessary to improve sustainable forestry management, but also prevents financial loss to both governments and the timber industry.

**Undermining forest governance**

In addition to economic losses, corruption and bribery of public officials undermine governance of many of the world’s forests. Corruption of high-level government officials can influence government policy and create a low priority for forestry crime on legislative agendas. The attitude of the timber industry towards compliance with regulations is also affected by their perception of corruption among regulators and public officials in the forestry sector. A lack of trust in these authorities may lead to reduced compliance with regulations and a loss of confidence by the industry in public officials.

**Corruption in the forestry sector facilitates other crimes**

Corruption and bribery of officials to establish networks for the illegal movement of timber have been exploited by criminals to transport and export other illicit goods, such as drugs and firearms. In this way, corruption contributes to the public’s overall distrust of law enforcement.

\textsuperscript{15} http://iacconference.org/documents/ws22AnnaSinaga_SR.pdf.

CASE STUDY: PERU

The Mayor of an important timber trading city was arrested for his involvement in drug trafficking through plywood shipments. The Mayor controlled a timber business that had been used to strategically build a logistical network for bribing officials to move illegally harvested timber out of the country. Using this network, the Mayor and other drug traffickers were able to move cocaine hidden in plywood shipments. Upon arrest, police seized assets worth USD 71 million, which could not be accounted for.17

The ways in which forests are vulnerable to corruption and illegality

INTERPOL has found a number of factors that make the forestry sector particularly vulnerable to corruption and illegality:

- **Inconsistent or ambiguous forest laws** and regulations that are complicated or contradictory. This situation creates opportunities and increases the scope for bureaucratic corruption, and may result in inaction by law enforcement;

- **Lack of transparency in issuing licenses or permits** to companies or individuals, or the lack of transparency concerning the terms of the license or permit seriously limits public accountability for management of the forest;

- **Unclear land tenure rights** has meant ownership of forested land is often subject to dispute, particularly in developing countries. Land title documents may be poorly maintained or not registered accurately, creating opportunities for forged documents and bribery of government officials;

- **Approximately three quarters of forested land globally is classified as public land** and administered by the government, making it vulnerable to high level governmental corruption and state capture;

- **Overlapping roles in agencies** responsible for forest management and enforcement can result in competing or confusing logging permit systems, and corruption in any one of these agencies undermines forest management;

- **Low salaries and poor pay** of forest law enforcement officers and administrators for licensing and concessions make them more susceptible to corruption for personal monetary gain;

- **High financial gain for corrupt officials** or criminals, compared to the low risk of penalties applied;

- **Tropical forests** in developing countries are often located in remote and massive areas that are difficult to monitor;

- **Lack of transparency** in the assessment and levying of fines or other punishments significantly increases the perception of corruption along the entire law enforcement chain, including prosecution and punishment.

The different forms of corruption in the forestry sector

Through analysis of country cases, INTERPOL has found that corruption occurs in the forestry sector in many ways, including, but not limited to: bribery, fraud, abuse of office, extortion, cronyism and nepotism.

**Bribery** is the most common form of corruption identified by INTERPOL. Bribery is defined as offering, soliciting or receiving money or items of pecuniary value in exchange for goods or services by a public official. Examples identified by law enforcement officials in the countries included giving bribes to public officials for timber concessions, bribing officers to allow illegal timber to pass through checkpoints, and paying customs officials to allow the export of illegal timber.

**Fraud** was the second most common form of corrupt practice identified. Fraud is the use of illegitimate documentation to facilitate illegal logging, such as fake, counterfeit, fraudulent, expired or forged permits. It was found that fraudulent documentation was obtained by corrupting officials through bribery, for example.

**Abuse of office** was the third most common form of corrupt practices identified in countries’ forestry sectors. This is defined as public officials abusing their authority to influence logging permit processes, or manipulating forest conservation policies. Generally speaking, abuse of office is also
known as misuse of power. Public officials who abuse their position for political or economic gain, eventually obtain a pecuniary advantage in return.

**Extortion** was the next most common form of corruption. INTERPOL is aware of a number of reported cases where force or threats were used (for example by local gangs or organized groups) to obtain logging permits or to gain access to forests for illegal logging.

**Cronyism** was rated slightly more common than **nepotism**. Cronyism is the favouring of friends, allies and associates when distributing resources or appointing positions. This form of corruption is seen in the way permits or concessions are allocated to associates, or the appointment of friends to public positions of power to manipulate forest conservation policies. Nepotism is when officials favour family members for job procurement or other favours which are in his or her power.

**Who is most likely to be involved in corruption?**

Figure 3 below was compiled according to information obtained by INTERPOL from its member countries. Analysis revealed that the actors most likely to be involved in corruption in the forestry sector are government officials from Forestry Agencies. Government officials from other agencies, law enforcement officers and logging company officials have also been reported to be extensively involved. Countries also reported the involvement of timber poachers (the individuals committing illegal logging), nearby villagers, armed militias, firewood traders and local elected officials.

**Figure 3: Function/role of the accused**

INTERPOL found that corruption is often the vital link allowing criminal syndicates to operate across the entire timber supply chain. In one particular case, a corrupt government official worked with family members and associates to illegally traffic timber, enabling illegal logging activities to take place without detection. The network that benefited from this corruption was extensively involved...
Law enforcement officers in an INTERPOL operation check transport documents across the rest of the timber supply chain, from the harvesting stage through to the export stage. The government official also had ties to the company involved in storage of the illegal timber. This company then had ties to the processing company, which exported the products overseas.

Recommendations to address corruption

INTERPOL recommends a number of measures that countries can implement to address corruption risks in the forestry sector. These recommendations concern:

- Policy and legislative reform
- Capacity building across the entire law enforcement chain
- Enhanced financial investigation techniques
- Adoption of INTERPOL’s global secure communication network for anti-corruption investigators (The INTERPOL/StAR Global Focal Point Network on Asset Recovery)
- Institutional reform

Policy and legislative reform

INTERPOL identified a number of cases where the forest laws and regulations in certain countries were numerous, ambiguous or unclear. In those cases, law enforcement agencies often faced difficulties in enforcing forest laws due to overlapping jurisdictions and unclear mandates among different government agencies, and ambiguity and inconsistency in the applicable legal regimes.

Clarification and harmonization of forest laws

INTERPOL recommends law reform, where necessary, to clarify and harmonize forest laws. It is important to include a period of consultation during which the implementation of new legislation is tested by law enforcement officers in the field to ensure the laws are enforceable. In addition, sufficient resources need to be allocated to enforce these new laws at both the national and local levels.

Consolidating information held by different government agencies affecting land tenure

Many different government agencies often hold information concerning legal title or access to forested land. This may include various government departments that control the issue of permits for logging, agriculture, mining, or infrastructure development. INTERPOL recommends consolidating all information concerning land tenure and property rights through a single database that records all legal interests in forested land supported by official maps and GPS coordinates.
Transparency in issuing licenses or permits

The lack of transparency in the process behind issuing licenses and permits presents opportunities for corruption. It is recommended to implement public tendering processes when allocating logging permits and concessions, rather than private allocation.

Online permit systems can also help bring greater transparency to the management of license allocation. The online permit system must then be accessible to frontline officers in the field when inspecting logging sites. Strong IT security is also necessary to avoid a repeat of known instances where these systems are hacked by criminals.

Land tenure

Due to unclear land tenure rights, ownership of forested land is often subject to dispute. In some countries, 80% of forested land is considered public land and administered by governments, hence the management of this land and the natural resources on this land are susceptible to corruption and special interests. INTERPOL recommends transparency in land tenure and property rights, for example by creating a public registry of all legal interests in land that consolidates permits, titles and registered claims to land.

Transparency in the assessment and levying of fines

Lack of transparency in the assessment and levying of fines or other punishments for illegal logging significantly increases the perception of corruption along the entire law enforcement chain. INTERPOL recommends the publication and dissemination of levied fines and other punishments related to corruption and illegal logging to create a sense of accountability amongst law enforcement and the judiciary.

Capacity building across the entire law enforcement chain

Capacity building of law enforcement, prosecutors and the judiciary is necessary to ensure greater awareness of the negative impacts that corruption has on the economy, and the extent to which corruption supports serious criminal activity and organized crime.

Strengthen enforcement capacity

Officials across the entire law enforcement chain, including from forestry officers, customs agents, government inspectors and judicial staff, need training to strengthen their capacity to prevent, detect, investigate and prosecute corruption in the forestry sector. They must be able to

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An INTERPOL training session in Buenos Aires, 2016

identify controlled species, recognise forged documents and give due importance to the prosecution of forestry crimes. Forest preservation programmes need similarly skilled officials to adequately enforce all relevant laws.

INTERPOL recommends national and international investment in capacity building, training and equipment for law enforcement, particularly forest law enforcement and anti-corruption units. Law enforcement officials should go through anti-corruption training during their initiation process to increase their awareness of the seriousness of corruption and in order to adopt best practices in fighting corruption.

Enhanced financial investigations

In addition to training on the forestry sector, identifying the key players, analysing the timber supply chain and identifying the various elements susceptible to corruption, anti-corruption units should also receive advanced training on various techniques that can support financial investigations, including:

(i) Use of electronic surveillance, including telephone intercepts and listening devices
(ii) Handling informants
(iii) Conducting undercover “sting” operations
(iv) Forensic accounting, lifestyle audits

First intelligence and information must be gathered in order to conduct net worth analysis or lifestyle audits. These analyses indicate whether government officials are living above their legitimate means by reviewing their income as well as tangible and intangible assets.

If public officials with disproportionate assets are identified, which cannot be explained by known legitimate sources of income, suspicions may be raised that these officials have received bribes. Thorough financial investigations such as forensic accounting or net worth analysis should follow.

Secure communication network for anti-corruption investigators

INTERPOL member countries are encouraged to connect through the INTERPOL/STAR Global Focal Point Network on Asset Recovery. INTERPOL provides this secure information exchange platform for authorized law enforcement officers from member countries’ anti-corruption and asset recovery agencies.

This platform aims to enhance cooperation among anti-corruption practitioners by offering tools and a secure communication channel where experts can share information and request assistance in the field of international asset recovery related to corruption. Anti-corruption practitioners seeking to trace, freeze and seize stolen assets related to corruption, which could also encompass investigations in the forestry sector, can use this platform to share information and coordinate cases with the implicated countries.
Institutional reform

The formation of a dedicated forestry crime unit within countries that collaborates with the anti-corruption unit is an important approach to help address the problem of corruption in the forestry sector.

This unit could then operate as a multi-agency law enforcement task force. Bringing together experts from different agencies with the goal of addressing forestry crime will improve transparency and oversight, particularly since each agency will be able to monitor and work closely with each other to prevent corruption.

Independent Anti-Corruption Units

Establishing independent anti-corruption units (ACUs) to tackle and prevent corruption helps build transparency and confidence in the government. These independent ACUs investigate cases of corruption in the government, thereby improving oversight and monitoring. The ACUs should have specific mandates or programmes to target corruption in the natural resources sector.

Multi-agency taskforce

Establishing multi-agency taskforces that bring together different law enforcement agencies to work in a coordinated manner improves enforcement through cooperation and increases transparency and oversight between the agencies. This model reduces the risk that corrupt officials in one agency block effective law enforcement efforts overall.

Cooperative multi-agency efforts have proven to be successful in tackling corruption in the forestry sector. Linkages between countries’ Financial Intelligence Units (FIUs), ACUs and the Ministry of Forestry or Environment are highly encouraged.

Multi-agency cooperation is recommended to clarify mandates and to ensure sharing of information between agencies. In addition, it allows for the increase of transparency between agencies for independent monitoring of each other’s activities.

NESTs

INTERPOL can assist member countries with the establishment of a National Environmental Task Force (NEST)—a team of experts who work together to address a specific issue with the aim of connecting national agencies, NCBs and international partners to collaboratively address criminal threats to social, political, economic or environmental norms.

NESTs benefit from their multidisciplinary structure (police, customs, environmental and other specialized agencies such as ACUs) as well as INTERPOL’s existing intelligence, analytical capacity and the secure connection it has with the 190 member countries.
The guide to setting up a NEST is on the INTERPOL website: http://www.interpol.int/Crime-areas/Environmental-crime/Resources

To find out more about INTERPOL’s work related to corruption and the forestry sector, visit INTERPOL’s Project LEAF’s website and INTERPOL’s Anti-Corruption Unit’s website.
ABOUT INTERPOL
INTERPOL is the world's largest international police organization. Our role is to assist law enforcement agencies in our 190 member countries to combat all forms of transnational crime. We work to help police across the world meet the growing challenges of crime in the 21st century by providing a high-tech infrastructure of technical and operational support. Our services include targeted training, expert investigative support, specialized databases and secure police communications channels.

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