



# SUPPORTING RESILIENCE AMONG ENVIRONMENTAL DEFENDERS



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## FROM VISION TO ACTION: A DECADE OF ANALYSIS, DISRUPTION AND RESILIENCE

The Global Initiative Against Transnational Organized Crime was founded in 2013. Its vision was to mobilize a global strategic approach to tackling organized crime by strengthening political commitment to address the challenge, building the analytical evidence base on organized crime, disrupting criminal economies and developing networks of resilience in affected communities. Ten years on, the threat of organized crime is greater than ever before and it is critical that we continue to take action by building a coordinated global response to meet the challenge.

## **ABOUT THIS HANDBOOK**

he Global Initiative Against Transnational Organized Crime (GI-TOC) aims to support individuals and build resilient communities working to prevent, counter and limit the damage of environmental crime. The purpose of this handbook is to document the challenges faced by defenders working in the environmental crime field and to provide guidance to support their resilience.

The first section of this handbook analyzes definitional understandings of environmental crime and explores the impacts and harms it can perpetuate. We also examine the particular phenomenon of violence associated with environmental crime – exploring some of the related findings from the GI-TOC's Assassination Witness programme. The next section assesses the risks and challenges commonly faced by environmental defenders, including an assessment of their needs, and explores emergent regional issues that may play a part in such vulnerabilities. The final section presents a repository of best practice and tools that can help stakeholders to access available resources and to mitigate the potential risks defenders face.

As part of a wider project aimed at anticipating and disrupting environmental crime in the globalized economy, the GI-TOC undertook a needs assessment of actors working in the environmental crime field. Our findings were deeply concerning. Taken as a whole, the findings – across regions of Africa and South East Asia – document an especially dangerous and volatile place for those dedicating (and sometimes losing) their lives to tackle environmental crime in all its forms. These findings were supported and amplified by the GI-TOC's Assassination Witness work, which provides a global snapshot of the violence perpetrated against victims. Globally, members of local communities, including activists, community leaders and indigenous people, are particularly vulnerable to becoming victims of targeted violence. In many cases, their work on environmental crimes, and in defence of the environment more generally, is what exposes them to greater risks.<sup>1</sup>

The findings and recommendations of this handbook are drawn from consultations and interviews with approximately 100 prominent actors from civil society and the media, with a detailed 'deepdive' into the vulnerabilities and needs of actors in three regions – South East Asia, the Congo Basin and the Swahili Coast. These consultations were conducted between March and September 2022, and supported by the Resilience Fund, Global Initiative Network (GIN) member Billy Kyte and other international and regional experts. Whilst the findings of the needs assessment are therefore



In some countries, state institutions benefit from illegal sand mining. © Pradeep Soman/Alamy Stock Photo

geographically specific to some extent, the experience of the GI-TOC teams operating across the globe and information gathered from our year of supporting environmental crime fellows around the world does tend to suggest that these are broader, common challenges faced by environmental activists and actors in other regions as well.<sup>2</sup> Some of our findings in this regard are also shared here as contributions to a more global perspective.

This handbook sets out in more detail the challenges and vulnerabilities experienced, and outlines a number of good practices that could form the basis of a support mechanism. It also aims to raise the awareness of these particular challenges with the broader community of stakeholders who are likewise dedicated to tackling environmental crime.

## ENVIRONMENTAL CRIME: IMPACTS AND HARMS

ccording to Earth League International, environmental crime is now widely acknowledged as one of the largest crime sectors globally, and it has emerged as the primary economic catalyst for conflicts.<sup>3</sup> The 2021 Global Organized Crime Index estimated that fauna and flora crimes were, respectively, the fourth highest and the most pervasive criminal market of 10 criminal markets globally.<sup>4</sup>

Environmental crime refers to any illegal activity that harms or exploits the environment, natural resources or wildlife and has a largely unrecognized role in undermining our planet's resilience. It encompasses a wide range of offences, including pollution, illegal trade in wildlife and timber, illegal fishing, waste dumping, illegal mining and the destruction of ecosystems. These crimes have significant environmental, social and economic consequences, having an impact on biodiversity, ecosystems and human well-being.<sup>5</sup> The detrimental effects of environmental crimes extend beyond local ecosystems – posing a threat to global biodiversity, contributing to the loss of valuable species, disrupting delicate ecological balances and exacerbating climate change.<sup>6</sup> Furthermore, these activities not only compromise the integrity of ecosystems but also jeopardize the well-being and livelihoods of communities dependent on natural resources.

The consequences of environmental crimes fall heavily both on ecosystems and human populations, making victims out of communities, wildlife and future generations. These communities face the loss of access to clean water, food sources and traditional ways of life due to pollution, habitat destruction and resource depletion caused by environmental crimes.<sup>7</sup> But they are also victims in a more traditional sense – victims of violence.

The GI-TOC's work has been to understand and document the impacts and harms that individuals have faced in their work dealing with and responding to environmental crime. In documenting the multifarious challenges faced by civil society organizations (CSOs), individual activists and journalists, GI-TOC's analysts noted common, recurrent challenges: repression, surveillance, intimidation, harassment, arrest, criminalization, violence, torture and, in a significant number of cases, even murder.<sup>8</sup> The first two sections of this handbook set these out in more detailed terms and link to our wider work in publicizing these cases, naming victims, tackling impunity and advocating for change.

Whereas many of the challenges GI-TOC document are also prevalent in other types of organized crime, those working to tackle environmental crime face some distinctive additional complexities. These are explored in detail in the second section.

#### Violence: perpetrators and victims

Environmental crimes often occur in regions with weak governance and a lack of effective law enforcement. These illicit activities not only result in significant ecological damage but also frequently intersect with violence and conflict. The pursuit of lucrative profits from illegal resource extraction can lead to armed confrontations, clashes between criminal groups, and the involvement of organized crime and armed militias.

Perpetrators and victims of environmental crime are central to understanding the complex dynamics surrounding the illicit activities that harm our planet's ecosystems and natural resources.<sup>9</sup> Perpetrators may exploit valuable natural resources such as timber, minerals or wildlife products for illegal trade on the black market, seeking substantial profits at the expense of the environment and local communities.<sup>10</sup> Others may be involved in land grabbing or illegal fishing practices to secure control over valuable territories or maximize profits from commercial activities. These perpetrators can be individuals, organized criminal networks or even corporations. Motivations behind their actions vary, with financial gain often being a key driving force. Additionally, there are instances where organized criminal networks are responsible for orchestrating large-scale environmental crimes, often with links to other forms of organized crime such as drug trafficking or human trafficking.<sup>11</sup> And, in some cases, corruption, weak governance and inadequate law enforcement enable these crimes to persist and flourish. Sometimes states are even seen to promulgate and promote them.

There is a significant degree of correlation between environmental crimes, powerful corporations and, at times, state-embedded actors. A number of accounts that the GI-TOC developed as part of our Assassination Witness programme documented extensive links between environmental crimes, financial crimes (including corruption), violence and the involvement of the state or state actors. Notable, for example, is the case of well-known Honduran environmental activist Berta Cáceres, who had mobilized indigenous communities to fight illegal land grabs by powerful corporations in Honduras, in particular against the Agua Zarca dam project. Cáceres was murdered in 2016 and, in 2021, a former Honduran intelligence officer was found guilty as a co-conspirator in the environmentalist's assassination.<sup>12</sup> There are other instances that showcase the dynamics between activism against infrastructure projects and links with corporate and state interest, such as the murders of



A mural depicting murdered Honduran environmental activist Berta Cáceres. © Orlando Sierra/AFP via Getty Images

Sikhosiphi Radebe (South Africa), Kem Ley (Cambodia), Salim Kancil (Indonesia) and many others. In short, the nexus between the exploitation of natural resources and collusion between companies, state actors and criminal actors can be deadly for those who seek to protect the environment and their ancestral lands.

These victims – and many others – of violence associated with their work and activities to combat environmental crimes encompass a wide range of individuals and communities who find themselves caught up in these illicit activities. Indigenous peoples and local communities, in particular, are disproportionately affected.

#### Convergence of violence and environmental crime

In many regions across the world – in particular those where natural resources are abundant and government institutions are weak or absent – it is especially dangerous for those dedicating their lives to defend natural resources and their way of life against industries such as illegal mining, illegal logging, large-scale agriculture and infrastructure projects. Activists, community leaders, indigenous people and others such as park rangers, lawyers and journalists are often exposed to violence at the hands of organized crime as a direct result of their campaigning to protect the environment and its resources. Acts of violence tied to the environment, such as beatings and kidnappings, the threat of violence, injury and, in some cases, murder, take place in significant numbers across all regions of the globe.

The GI-TOC has tracked and analyzed contract killings globally since 2019. The Global Assassination Monitor has catalogued a staggering number of more than 2 700 cases of murders of environmental defenders, activists, journalists, politicians, lawyers and many others, globally. <sup>13</sup> The 2019–2020 Global Assassination Monitor drew attention to killings happening at the community level, and their strong connection to environmental crime and other environmental issues. The most common targets for killings were local community members, making up the largest portion, at 28% of all global cases, followed by cases involving individuals engaged in politics and governance, constituting 24% of the overall total.

The Americas largely drive this figure, where 32% of the 280 known assassinations during the data period were members of the local community, the majority of whom were activists, community leaders and members of indigenous communities. A similar trend is seen in Africa and Asia, where 27% of the 185 recorded victims in Africa were from local communities, mostly community leaders, activists and farmers. In Asia, it was 24% of the 254 victims, the majority of whom were activists or community leaders. Other sources also point to land and natural resource exploitation, often tied to government corruption, as a leading driver of community-level assassination across the world. According to the Office of the High Commissioner for Human Rights, from 2015 to 2019, killings of environmental human rights defenders related to these issues have been recorded in at least 64 countries. Ironically, the high number of assassinations of those from local communities, namely activists and community leaders, confirms the important role these groups play in protecting the environment and how they conflict with the aims of organized crime groups, or corrupt political interests.

It is also clear that conflict, and the violence associated with conflict, plays a large part in the vulnerabilities and harms experienced by environmental actors. In the eastern Democratic Republic of the Congo, for example, a widespread context of violence and harm derives from the nexus between crime, conflict and environmental exploitation. GI-TOC's analysts have documented a particular concentration in forests and national parks, where there are recorded killings of park rangers due to the



A view of the Virunga National park, DRC, where there have been recorded killings linked to the criminal environmental economy. © Guerchom Ndebo/AFP via Getty Images

charcoal industry, illegal wildlife trade and the timber trade in the Virunga National Park, Garamba National Park and Oriental province.<sup>14</sup> Environmental-related, targeted violence starts with intimidation followed by physical violence and murder, where most of the lethal violence is perpetrated with the use of sophisticated firearms, allegedly sourced by government officials.

The magnitude of this issue is difficult to assess comprehensively. Confrontations leading to fatalities often happen in remote locations, regularly those with limited or no mobile or landline phone communications. As such, it is likely that some deaths will go undiscovered or will only come to notice some (perhaps significant) time after their occurrence. In addition, it is perceived that 'low-level abuses' may go unreported or certainly under-reported. The NGO Global Witness has documented significant evidence that suggests 1 005 land and environmental defenders have been killed since the Paris Agreement.<sup>15</sup> Yet the situation seems to be worsening over time – in 2012, three times as many environmental defenders were killed than 10 years before.

Finally, it is not only physical violence that threaten the lives and well-being of environmentalists and those working on environmental issues. Interviews conducted by the GI-TOC with civil society actors working in South East Asia suggest that violence has shifted from overt violence towards other forms, such as arbitrary arrests, intimidation, criminalization, SLAPPS (strategic lawsuits against public participation), cyber-attacks in social media and other forms of violence that, while still aimed at silencing civil society, draw less international attention.<sup>16</sup> For example, in 2022, an Indonesian journalist cited the case of the circulation of videos of women and children forced to enter police vehicles for the purpose of intimidation, explaining that in some cases they don't even go to jail, it is just to intimidate them.<sup>17</sup>

What is known with certainty is that environmental defenders and those working on environmental issues are being targeted in an unprecedented wave of violence and intimidation. The next section sets out more detail how this is manifesting more broadly – and why.

## RISKS AND NEEDS OF ENVIRONMENTAL DEFENDERS

#### Distinctive factors of environmental crime

When studying the phenomenon of violence, and examining the factors that contribute to the vulnerabilities of environmental actors, a number of distinctive characteristics pertinent to environmental crime emerge. These can be summarized as: the often isolated and remote nature of the sites in which some environmental crime takes place – e.g. deep within a forest, or at isolated mining sites; the involvement of state actors, often in collusion with powerful business interests, which, associated with a high level of impunity, can directly correlate to higher risks for activists; the efforts to smear environmental activists as 'anti-development'; and the lack of broader attention and the low priority given to environmental crime – which in turn, also has an impact on its combatants.

There is growing recognition of the serious and organized nature of environmental crimes and how intrinsically linked they are, in many cases, to state structures and actors. Yet, when compared to more conventional 'serious' crimes, like drug production and trafficking, or human trafficking and smuggling, this represents a relatively recent development. Furthermore, environmental activism is often labelled by state and corporate actors, especially in emerging economies, as running counter to economic growth. As a result, the expected responses in terms of policy, operations and investigations are not keeping pace.

Fundamentally, the lack of prioritization of environmental crimes has an impact on both the level of understanding that exists amongst civil society actors and their ability to counter these crimes effectively. Similarly, levels of appropriate support, funding and the attention that these actors need is also negatively affected.

There remains, for instance, a latent requirement for more information, research, understanding and evidence of what constitutes an 'environmental crime'. How can activists assess the risks and strains that their immediate environments are being subjected to, and what broader implications does this have, for example, on climate change or biodiversity impacts? Furthermore, it can be difficult to determine what is illegal, and what is not – and how to define and pursue illegality in sometimes compromised systems.

At the same time, a lack of recognition and prioritization of these issues from wider stakeholders, the general public, the legal system, donors and others, for example, results in less protection, less funding and the greater isolation of these actors – that is, creating a vicious and dangerous circle for

the actors themselves to operate within. This is especially true given the remoteness of the locations where environmental defenders operate, often without a civil society support network, or knowledge of the tools or legal resources available to them.

Finally, environmental crimes consistently receive less attention from the media, government, law enforcement and academia, with their dynamic more readily investigated, understood and discussed by civil society actors than their law enforcement counterparts. This has an impact on a number of different levels – first and foremost is the high level of impunity all actors engaged in criminal activity in this field continue to enjoy. Furthermore, however, the subsequent costs and harms of environmental crimes, which are difficult to quantify and baseline, are unchecked and continue to wreak havoc and damage.

#### Risks faced by environmental defenders

#### The involvement of the state

A constant across all GI-TOC assessments gathered from years of supporting environmental crime fellows internationally (see the 'GI-TOC Resilience Fund' section) asserts that a significant majority have experienced repression, surveillance, intimidation, harassment, arrest, criminalization, violence, torture and, in a substantial number of cases, even the murder of former colleagues.<sup>18</sup>

Once again, the GI-TOC sees the involvement of state actors as a factor in the repression and criminalization of activists. The GI-TOC report 'Branches of Illegality' sets out in detail, for example, how the destruction of Cambodia's natural resources and the illicit and illegal logging that enables it, is directly orchestrated, facilitated and protected by the highest level of political interest and also supported by an extensive array of state and military infrastructure. In March 2020, five environmental investigators, including Goldman Prize-winning Ouch Leng, were arrested while monitoring illegal logging in the country.<sup>19</sup> In Myanmar, it is alleged that the country's military benefits from the proceeds of illegal sand dredging, is complicit in protecting gold and iron ore mining linked to Russian interests, and colludes with local pro-government militias to spy on environmental activists and, in some cases, carry out threats and physical attacks.<sup>20</sup>

In Cameroon, a journalist interviewed by the GI-TOC highlighted the role of Chinese companies in illegal gold mining in the east of the country. These mining operations are allegedly protected by the military, whilst investigators have received threats when endeavouring to report on the issue.

State involvement can also be witnessed in the criminalization of environmental actors. The GI-TOC has observed that the false and/or deliberately obscure application of the criminal justice system results in the detention, arrest and sometimes prosecution of environmental activists. As noted above, this also has the effect of suppressing others who might be inclined to do likewise. In the Philippines, for example, the practice of 'red-tagging', or falsely claiming environmentalists are linked to the communist insurgency, is widespread and a 2020 anti-terror law has increased fears that any government critics can be labelled as terrorists.<sup>21</sup>

More broadly, however, the repression of civil society actors has become even more commonplace since the COVID-19 pandemic, where many laws and responses allegedly designed to suppress and control so-called fake news have been used to control dissent and public discourse more generally.

Protecting environmental defenders requires a comprehensive approach that addresses their safety, well-being, and the broader social and economic dynamics that perpetuate the injustices and violence



Indigenous people, such as these activists in Ecuador, are disproportionately vulnerable to becoming victims of violence associated with environmental crime. © *Rodrigo Buendia/AFP via Getty Images* 

that they face. Empowering local communities and indigenous groups to become active and, importantly, secure participants in environmental protection is vital.

Civil society actors have employed some common responses to such sustained threats, finding safety and security in numbers – for example, joining national and international coalitions. Yet, the assessment overwhelmingly concluded that more sustained, targeted and bespoke support mechanisms need to be delivered to assist these actors to be able to continue their essential work in a safer and more secure manner.

#### **Needs assessment**

A needs assessment was carried out with approximately 100 prominent actors from civil society organizations and the media across three key regions – South East Asia, the Congo Basin and the Swahili Coast – to evaluate the resources needed to support and empower environmental defenders. In terms of needs, although each country and regional context is different, there is significant overlap that can be broadly outlined by the categories below, which are discussed in the following sections:

- Security digital and physical security threats, as well as threats to funding and support
- Documentation skills, methodologies and equipment to document environmental crimes adequately
- Resources and equipment organizational and fieldwork funding support
- Investigative support methodologies and skills, e.g. open source intelligence tools (OSINT) capabilities, including undercover work and the means to pursue financial investigations
- Advocacy training advocacy and campaign support
- Legal support for both defence and prosecution of particular cases
- International connections regional and international connections, and support with overcoming language barriers
- Connections with experts technical, scientific and academic expertise in environmental issues

#### Security

Security and safety were leading concerns, particularly manifest in digital security and safety, with greater prominence in South East Asia. Digital surveillance, especially of civil society actors, is of particular concern across all ASEAN countries and severely impacts and restricts their ability to operate, investigate and protect their constituents.<sup>22</sup> But digital security more broadly, in terms of protecting sensitive data and increasing resilience to ransomware attacks, was a key theme among respondents.

Physical security was also a major concern, especially, but not only, when undertaking undercover assignments. There is a huge gap in training in physical security, given the remote, rural areas where environmental criminals operate. This emphasis on physical security is especially important for environmental crime investigators given how isolated and exposed they often are in their fieldwork. Holistic security training, and risk mitigation training are lacking, and an ability to evade evolving state surveillance, including by using better communication devices and apps, was seen as necessary.

Finally, and again specific to actors in South East Asia, the risk of losing their funding support mechanisms was raised. As the GI-TOC has seen more broadly, anti-money laundering tactics and related legislation can be used to pursue civil society actors for tax evasion and/or for receiving foreign funding, which places a significant burden on their ability to operate and present a clean face to donors in the future.<sup>23</sup>

#### Documentation

Many actors lacked the capability to systematically and simply collect data, capture real-time information and/or understand what was required to document illicit and illegal activity. Storing, collating, systematizing and being able to share this information across regional and international networks was also identified as an issue. Again the difficulties of operating in remote, rural areas complicates this – grassroots environmental defenders often do not have access to information about environmental crimes, such as permits, contracts, company information and freedom of information laws. But there was a broader issue with organizations struggling to access sensitive data held by governments – e.g. pollution level data.

#### **Resources and equipment**

This was a particular concern for respondents in the Congo Basin. CSOs and journalists in this area identified a real need for travel funds for field research given the high costs of accessing remote forest areas. Likewise, actors in the Congo Basin expressed a need for funding to improve some of their organizational infrastructure, such as having public liability and professional indemnity insurance. Accessing basic communication tools such as smart phones and money for mobile data, was also a common obstacle. Some CSOs lack basic equipment to carry out research – e.g. notebooks and pens, but also good quality cameras for documenting evidence and filming incidents.

#### Investigative support

Respondents in all regions lamented a lack of investigative research capacity. Many were in fact able to conduct basic monitoring and observation of environmental crimes but lacked the ability to carry out corporate record searches, as well as OSINT and social media intelligence gathering techniques that would allow them to utilise satellite imagery, perform reverse image searches and investigate company owners and investors. In a similar vein, understanding how to protect themselves online – e.g. how to



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create cover stories, arrange meetings, how not to leave a trail and how to set up dummy company sites, WhatsApp and social media accounts – was important.

Many of the actors interviewed saw an urgent need to develop financial investigative techniques. They wanted to be able to analyze company records, trace money flows and understand the value chain, export data and investments (including from the banking sector) related to industries linked to environmental crimes. Lack of access to documents was an impediment for their work given ineffectual freedom of information laws and there was limited access to important permit and trade data, and corporate registries, which either are not publicly available or come at significant cost – e.g. corporate databases, such as Refinitiv, Orbis and Panjiva. At the same time, several environmental organizations need enhanced capabilities to detect and identify corrupt assets of government officials linked to companies committing environmental crimes, as well as foreign and other actors posing behind fake national profiles and companies. There was also a need for capacity-building on the use of hidden cameras and drones.

#### Advocacy training

Advocacy and campaigning issues arose on a number of different levels. Locally, it was deemed to be important to build capabilities and relationships – e.g. with influential champions on specific causes. Advancing these issues and understanding their connectivity and convergence into regional and international debates was also seen as a potentially important avenue for future attention. For example, being able to connect with international consumers of products tainted by environmental crime to enhance global advocacy and action.

More theoretically, respondents reported being affected by the lack of broader understanding and prioritization of environmental crime where it is traditionally seen as a more romantic 'David vs. Goliath' struggle, or a green, conservation concern rather than a crime and governance issue. More active international support could help to change the narrative, for example, on wildlife crime, and encourage more appropriate reframing around high-level official corruption and organized crime.

#### Legal support

Legal support and advice were seen as essential from the perspective of pursuing legal cases and prosecutions and also in terms of adequate defence and protection whilst pursuing them. On the one hand, organizations highlighted an inability to draft legal analysis and counter arguments for defamation suits against actors working on environmental crime, or to be able to access and afford adequate legal defence in the face of criminalization. In many cases, financial assets of either the individual or the organization can be frozen, which has an impact on livelihoods, and also organizational activity and the ability to operate.

On the other hand, organizations wanted to be able to successfully pursue more active and strategic litigation, and to be able to launch strong legal cases against companies involved in environmental crimes. Domestically, and subject to sometimes corrupted criminal justice systems, this was complex and, in many cases, ineffective. Organizations are, instead, looking at ways in which to pursue and use legal remedies against foreign industries where they are domiciled.

More specifically, however, there was a need for enhanced awareness of legal rights and relevant legislation – at both a private sector, i.e. basic legal training, as well as from a community perspective – including how to avoid libellous statements.

#### International connections

Many respondents reported working in isolation and missing important regional and international connections. This was compounded to some degree by language issues, especially in South East Asia, which prevented effective relationships and links being established, and also the impact and reach of the respondents' reporting if it was 'only' in their local language.

In the majority of cases, amplification of reporting across international media coverage was also seen as an effective way of connecting work to broader international campaigns, and improving advocacy and response. It was also helpful in terms of bringing pressure to bear in tackling the involvement of state actors in environmental crimes, and has been a useful way to protect the identity of authors and sources, amplifying the impact of the work and lessening the overall risk.

Broader regional and international connections were also sought in terms of sharing and publicizing strategies to combat environmental crimes, raising awareness of arrests, detentions and infractions against activists. In the context of legal support, being able to build an international network of legal partners with pro bono law firms and legal NGOs in these countries was also seen as desirable.

It should also be noted that in some contexts – e.g. Laos – it was remarked that having international friends can also be incredibly risky given that a repressive state apparatus could target local environmental investigators by association. One investigator told us that they prefer to work anonymously with intermediaries who can then raise issues with embassies.

#### **Connections with experts**

Actors working on environmental crime reported a large gap in capacity to analyze environmental and human rights impact assessments, including understanding what constitutes a 'best practice' environmental assessment. They lacked connections with experts to support their work, for example scientists who can help to measure environmental impacts, such as toxic waste, or shed light on topics such as mineralogy – linked to mining projects – thereby supporting actors' investigations. There

was, similarly, a greater need to understand technical terms and language including 'the language of multinationals', especially in the agribusiness and mining industries.

More broadly, actors wanted to expand their knowledge of what constitutes an environmental crime and understand better the structures and modalities of organized crime networks, and also how to identify and investigate convergences with other types of criminality, e.g. human trafficking, drug trafficking and terrorism – where such convergences were experienced. Similarly, connections with economists were widely seen as lacking – with such connections, perhaps, supporting actors in understanding how commodity markets and value chains function, or to better access economic analysis – for the purpose of being able to, for example, model the economic impact of the crimes they are investigating.

## **BEST PRACTICES AND TOOLS**

n undertaking this research, the GI-TOC set out to identify examples of best practice that could be shared, enhanced and developed to support and promote the work of environmental actors more effectively. Despite the extensive difficulties and challenges that were reported and that have been outlined above, the fact remains that actors do continue to operate, networks of collaboration do exist and excellent work continues to be delivered. However, it is the GI-TOC's strong belief that more targeted, bespoke support could be directed and offered in order to reduce the risks these actors face on a daily basis, and to enhance and complement their work on a more comprehensive basis.

In the tables at the end of this handbook, a list of resources is provided to support the work of environmental defenders and journalists based on the GI-TOC needs assessment in each region.

#### **GI-TOC Resilience Fund**

The GI-TOC established the Resilience Fund in 2019 to support and develop networks of community resilience in the face of organized crime and violence.<sup>24</sup> In order to support community responses to violence and criminality, the Resilience Fund has been established as a grant-making mechanism. Its primary focus is on assisting beneficiaries operating in diverse contexts, each with their own unique levels of fragility, vulnerability and challenges. The Fund takes an active role in identifying and providing support to grassroots initiatives and individuals dedicated to combating human rights violations caused by organized crime.

The Resilience Fund goes beyond providing financial assistance and also facilitates networking opportunities, capacity-building and protection measures. Acting as a platform and resource hub, it serves communities and donors alike. The selection process for grantees involves leveraging the GI-TOC's extensive research, programmes, observatories, dialogues and annual fellowship programme. Donor priorities and the alignment of initiatives with addressing the impact of organized crime and promoting community resilience are also considered.

This Fund works in tandem with the ongoing efforts of the GI-TOC to foster resilience in communities affected by criminal governance. It plays a crucial role in identifying and empowering key civil society actors, enhancing their operational capacity and, ultimately, establishing networks of resilient communities that can effectively counter organized crime and violence.

#### Worldwide resources

SECURITY GUIDANCE		
Name	Resource type	Website
Open Briefing (Resilience Fund partner)	Guide on security	https://protocol.openbriefing.org
Global Investigative Journalism Network (Resilience Fund partner)	Guide on security and undercover investigation	https://gijn.org
Frontline Defenders	Security training	https://www.frontlinedefenders. org
Protection International	Security training and counter- surveillance methods	https://www. protectioninternational.org
Forum Asia	Security training and emergency assistance	https://forum-asia.org
REDHAC	Security training	https://africandefenders.org
Earthrights International	Security toolkit	https://earthrights.org
Freedom of the Press Foundation	Guide on secure communications	https://freedom.press
Committee to Protect Journalists	Guide on security	https://cpj.org
Zero Tolerance Initiative	Collective protection toolkit	https://collective-protection.info
Lifeline	Emergency grants	https://www.csolifeline.org
Protect Defenders	Emergency grants and 24 hours emergency helpline	https://protectdefenders.eu
Access Now	24 hours digital security helpline	https://www.accessnow.org
Freedom House	General support	https://freedomhouse.org
Article 19	Emergency grants (journalists)	https://www.article19.org
Rory Peck Trust	Emergency grants (journalists)	https://rorypecktrust.org
PEN International	Emergency grants (journalists)	https://www.pen-international.org

DOCUMENTATION GUIDANCE			
Name	Resource type	Website	
Asia Indigenous Peoples Pact	Guide and toolkit on conducting research and collecting evidence	https://www.iwgia.org	
Timby	Digital tools and training on investigations	https://timby.org	
Eye Witness	Digital tool on photo or video evidence	https://www.eyewitness. global	
Tella	Digital tool on photo or video evidence	https://tella-app.org	
Uwazi	Digital tool to organize data	https://huridocs.org/ technology/uwazi/	
FieldKit	Digital tool to measure and collect data	https://www.fieldkit.org	
QGIS	Digital tools for geographical data and maps	https://qgis.org	
Earthrights International	Digital tool to collect data	https://earthdefenderstoolkit. com	
World Resources Institute	Digital tool to monitor global environmental issues	https://www.wri.org	
Environmental Investigations Agency	Database on environmental crimes	https://eia-international.org	

Name	Resource type	Website
Oxpeckers	Digital tool to track environmental crime	https://oxpeckers.org/tools/
Global Witness	Database on killings of environmental and land defenders	https://www.globalwitness. org
Business and Human Rights Resource Centre	Database on tracks non-lethal attacks against HRDs	https://www.business- humanrights.org
Alliance for Land, Indigenous and Environmental Defenders	Digital tools to document attacks against environmental defenders	https://allied-global.org/data/

INVESTIGATIVE SUPPORT GUIDANCE			
Name	Resource type	Website	
United Nations Office on Drugs and Crime (UNODC)	Guide and toolkit for environmental investigations	https://www.unodc.org/ documents/Wildlife/ Toolkit_e.pdf	
Oxpeckers	Webinar on investigation on wildlife crime	https://oxpeckers.org	
Global Investigative Journalism Network (GIJN)	Digital tools for environmental investigators and guide to conduct undercover investigations	https://gijn.org	
Open Corporates	Database of business companies	https://opencorporates.com	
Lexis Nexis Due Diligence (\$*)	Digital tool for due diligence process	https://www.lexisnexis.com	
Orbis (\$)	Database of business companies and entities	https://www.bvdinfo.com/ en-gb/our-products/data/ international/orbis	
Refinitiv (\$)	Digital tool on financial markets	https://www.refinitiv. com/en/products/ eikon-trading-software	
Pacer	Database on court electronic records in the US	https://pacer.uscourts.gov	
Panjiva (\$)	Database on global trade community	https://panjiva.com	
Exposing the Invisible	Guide to supply chain investigations	https://kit. exposingtheinvisible.org	
Organized Crime and Corruption Reporting Project	Database on entities, licenses, court archives, sanctions lists and other public datasets	https://aleph.occrp.org	
AML RightSource	Toolkit to identify suspected money laundering	https://start.me/p/rxeRqr/ aml-toolbox?embed=1	
CIFAR	Guide on investigative journalism	https://cifar.eu/wp-content/ uploads/2021/06/ Investigate-Manual.pdf	
Centre for Investigative Journalism	Trainings on financial investigations	https://tcij.org	
Bellingcat	Database for OSINT investigation	https://docs.google.com/ spreadsheets/d/18rtqh8EG2 q1xBo2cLNyhIDuK9jrPGwYr 9DI2UncoqJQ/edit	

\* Tools marked with (\$) require a paid subscription.

ADVOCACY TRAINING GUIDANCE		
Name	Resource type	Website
350.org	Training to campaigning and guide for digital storytelling	https://trainings.350.org
Thomson Reuters Foundation	Training on environmental journalism	https://thomsonfoundation. edcastcloud.com
Flourish	Digital tool for storytelling through data	https://flourish.studio
Access Initiative	Toolkit to support fighting pollution	https://www.wri.org/research/ community-action-toolkit- roadmap-using-environmental- rights-fight-pollution
Earth Rights International	Training in human rights, environmental justice, community organizing, gender mainstreaming, campaigning and international legal advocacy	https://earthrights.org/ trainings-and-networks/training/ earthrights-school/
International Service for Human Rights	Training for advocating with UN human rights bodies	https://academy.ishr.ch
FERN	Guide on how civil society can influence decision-making in the European Union	https://www.fern.org
FODER	Guide for advocacy for communities in the Congo Basin facing forest crimes	https://loggingoff.info/ wp-content/uploads/2017/06/ faire_le_plaidoyer_guide_ methodologique_a_l_usage_des_ communautes-1.pdf

LEGAL SUPPORT GUIDANCE		
Name	Resource type	Website
Lifeline	Support for legal services and assistance to families of imprisoned activists and journalists	https://www.csolifeline.org
Protect Defenders	Support for legal services and assistance to families of imprisoned activists and journalists	https://protectdefenders.eu
United Nations Environment Programme	Database of organizations offering legal support	https://www.unep.org
Environmental Defender Law Center	Support in finding lawyers	https://edlc.org
Environmental Law Alliance Worldwide	Database of environmental laws and related legislation	https://www.elaw.org/ resources
Namati	Legal toolkit related to the environment and human rights	https://namati.org
Media Defence	Training related to freedom of expression and defamation	https://www.mediadefence.org
Center for International Environmental Law	Database on legal remedies to combat environmental abuses; support in strategic litigation	https://www.ciel.org
Forest People's Programme	Guide on the right to remedy under international human rights law	https://www.forestpeoples.org/ sites/default/files/documents/ The%20Right%20to%20 Remedy%20Full%20ENG%20 v6%20VF.pdf

Natural Justice	Support in strategic litigation	https://naturaljustice.org
ELAW	Support in strategic litigation	https://www.elaw.org
Name	Resource type	Website
ERI	Support in strategic litigation	https://earthrights.org
Leigh Day	Law firms with experience of litigation on environment and human rights issues, mainly involving multinationals	https://www.leighday.co.uk
Hausfeld	Law firms with experience of litigation on environment and human rights issues, mainly involving multinationals	https://www.hausfeld.com

GUIDANCE ON INTERNATIONAL PARTNERSHIP		
Name	Resource type	Website
Earth Journalism Network	Guide on environmental issues	https://earthjournalism.net/ resources
Mongabay	Database of articles looking at positive stories of environmental protection and potential solutions for conservation issues	https://news.mongabay.com/ list/conservation-solutions/
International Union for the Conservation of Nature	Global organization whose membership includes thousands of environmental scientists, publishing helpful issue briefs providing accessible overviews of often complex issues related to nature conservation and sustainable development	https://www.iucn.org
GI-TOC	Analysis of environmental crime trends; a network of global experts from academia, civil society, media, multilateral organizations, independent experts and government/law enforcement. Eighty of our members specialize in environmental crime and can offer advice and help on request	globalinitiative.net
WRI	Organization with experts covering food, forests, water, energy, cities, climate and oceans	https://www.wri.org
Danish Institute for Human Rights	Guide on Human Rights Impact Assessments (HRIAs) Rights	https://www.humanrights.dk
ELAW	Database on EIA laws and regulations, summaries	https://www.elaw.org

## CONCLUSION

t is hoped that, by sharing these findings, developed across multiple regions and through engagement with a wide range of different stakeholders, community members and individual practitioners will be more readily able to identify common challenges and also, importantly, common and helpful responses. This compendium of currently available resources is – at the time of writing – a comprehensive collation of useful tools and mechanisms to support actors, communities and organizations. Nonetheless, many of the resources require self-initiation, time and effort, and may only be drawn upon in times of acute need or in reaction to events and incidents.

The GI-TOC continues to advocate and argue strongly for a more systematic, global and all-encompassing facility that offers preventative support and engagement, that protects environmental actors and that works to build a better global understanding of the pressures, needs and possible responses to these distinctive pressures. The GI-TOC looks forward to supporting such a mechanism in the future.

## NOTES

- Nina Kaysser and Ana Paula Oliveira, Killing in silence: Monitoring the role of organized crime in contract killings, Global Initiative Against Transnational Organized Crime (GI-TOC), November 2021.
- 2 See Resilience Fund, https://resiliencefund.globalinitiative. net/resilience-fellowship-2022/#fellows.
- 3 Earth League International and John Jay College of Criminal Justice, Environmental crime convergence, June 2023, https://earthleagueinternational.org/wp-content/ uploads/2023/06/ELI-Environmental-Crime-Convergence-Report-June-2023.pdf.
- 4 GI-TOC, Global Organized Crime Index, 2021, https:// ocindex.net. The result was a binding index score of fauna and flora crime as 'wildlife crime'. The fauna score is driving the final result.
- 5 INTERPOL, Environmental crime, https://www.interpol.int/ en/Crimes/Environmental-crime.
- 6 IUCN Red List, https://www.iucnredlist.org/.
- 7 Toine Spapens, Invisible victims: The problem of policing environmental crime, *Environmental Crime and its Victims*, 2016.
- 8 Defined as the misuse of the justice system by, for example, filing false charges to silence activism.
- 9 Simone Haysom and Mark Shaw, An analytic review of past responses to environmental crime and programming recommendations, GI-TOC, 2022, https://globalinitiative. net/wp-content/uploads/2022/09/GITOC-EU-An-analyticreview-of-past-responses-to-environmental-crime-andprogramming-recommendations.pdf.
- 10 Rob White, Marieke Kluin and Toine Spapens, *Environmental Crime and Its Victims: Perspectives Within Green Criminology*, Ashgate Publishing Ltd, 2014.
- 11 Eileen Skinnider, Effect, issues and challenges for victims of crimes that have a significant impact on the environment, International Centre for Criminal Law Reform and Criminal Justice Policy, 2014.
- 12 Nina Lakhani, Berta Cáceres assassination: Ex-head of dam company found guilty, *The Guardian*, 5 July 2021, https:// www.theguardian.com/world/2021/jul/05/berta-caceresassassination-roberto-david-castillo-found-guilty.

- 13 Nina Kaysser and Ana Paula Oliveira, Killing in silence: Monitoring the role of organized crime in contract killings, GI-TOC, November 2021, https://globalinitiative.net/wpcontent/uploads/2021/11/GITOC-Global-Assassination-Monitor-Report-Killing-in-Silence.pdf.
- 14 Daan Van Uhm, Milou Tjoonk and Eliode Bakole, Business as usual?, GI-TOC, 2022, https://globalinitiative.net/analysis/ charcoal-timber-trade-eastern-drc-congo/.
- 15 Global Witness, Annual report 2021: Our case for change, Global Witness Report, 2021, https://www.globalwitness. org/en/about-us/annual-report-2021-our-case-change/.
- 16 Strategic lawsuit against public participation: lawsuits intended to stifle, intimidate and silence critics by placing the burden of legal defence costs on them, with the intention that they will eventually give up their criticism or opposition.
- 17 Interview with journalist, 12 October 2022.
- 18 See Resilience Fund, https://resiliencefund.globalinitiative. net/resilience-fellowship-2022/#fellows.
- 19 Cambodian environmental activists reportedly arrested, Mongabay, 5 February 2021, https://news.mongabay. com/2021/02/cambodian-environmental-activistsreportedly-arrested/.
- 20 Interview with international NGO representative working on environmental crime research and strategic litigation, May 2022; see also https://paoyouthorganization.blogspot.com.
- 21 Philippines: Dangerous anti-terror law yet another setback for human rights, Amnesty International, 3 July 2020, https:// www.amnesty.org/en/latest/news/2020/07/philippinesdangerous-antiterror-law-yet-another-setback-for-humanrights/.
- 22 APC, Digital Rights Collaborative Southeast Asia, APC blog, 2022, https://www.apc.org/en/project/digital-rights-collaborative-southeast-asia.
- 23 Chris Humphrey, Vietnam urged to free green activist Nguy Thi Khanh as it bids to join UN rights body, *The Guardian*, 14 September 2022, https://www.theguardian.com/globaldevelopment/2022/sep/14/vietnam-urged-to-free-greenactivist-nguy-thi-khanh-as-it-bids-to-join-un-human-rightscouncil.
- 24 See Resilience Fund, https://resiliencefund.globalinitiative. net/.



#### ABOUT THE GLOBAL INITIATIVE

The Global Initiative Against Transnational Organized Crime is a global network with over 600 Network Experts around the world. The Global Initiative provides a platform to promote greater debate and innovative approaches as the building blocks to an inclusive global strategy against organized crime.



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