

Report

# In pursuit of resilience

## Assessing threats and trade-offs for risk-informed development in Myanmar and Niger

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# Acronyms

<b>AFD</b>	Agence Française de Développement
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>CCA</b>	Community Conservation Area
<b>CSO</b>	civil society organisation
<b>EAO</b>	ethnic armed organisation
<b>ECOWAS</b>	Economic Community of West African States
<b>EIA</b>	Environmental Investigation Agency
<b>EU</b>	European Union
<b>EUCAP</b>	European Union Capacity Building Mission
<b>FLEGT</b>	Forest Law Enforcement, Governance and Trade
<b>FPIC</b>	free, prior and informed consent
<b>GHG</b>	greenhouse gas
<b>ICG</b>	International Crisis Group
<b>IDP</b>	internally displaced person
<b>INDC</b>	Intended Nationally Determined Contribution
<b>INGO</b>	international non-governmental organisation
<b>IOM</b>	International Organization for Migration
<b>KIO/A</b>	Kachin Independence Organization/Army
<b>KNU</b>	Karen National Union
<b>MAECI DGCS</b>	Ministero degli Affari Esteri e della Cooperazione Internazionale (Italy)
<b>MoALI</b>	Ministry of Agriculture, Livestock and Irrigation (Myanmar)
<b>MoNREC</b>	Ministry of Natural Resources and Environmental Conservation (Myanmar)
<b>NCA</b>	Nationwide Ceasefire Agreement
<b>NE5C</b>	National Environmental Conservation and Climate Change Central Committee (Myanmar)
<b>NGO</b>	non-governmental organisation
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>PAMs</b>	policies and measures (for REDD+ implementation)
<b>REDD+</b>	reduce emissions from deforestation and forest degradation, and foster conservation, sustainable management of forests, and enhancement of forest carbon stocks
<b>SDC</b>	Swiss Agency for Development and Cooperation
<b>TLAS</b>	timber legality assurance system
<b>UN</b>	United Nations
<b>UNCCD</b>	United Nations Convention to Combat Desertification

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<b>UNDP</b>	United Nations Development Programme
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>VFV</b>	Vacant, Fallow and Virgin land
<b>VPA</b>	Voluntary Partnership Agreement (for FLEGT initiative)
<b>WWF</b>	World Wide Fund for Nature

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# Executive summary

A risk-informed approach is needed when developing, implementing and monitoring the outcomes of policies and programmes that seek to enable positive change in people's wellbeing. Such an approach was outlined in ODI and UNDP's 2019 report *Risk-informed development: from crisis to resilience* (Opitz-Stapleton et al., 2019).

Designing, implementing and monitoring policies and programmes for sustainable development, peacebuilding or disaster risk reduction is particularly challenging in fragile and conflict-affected contexts. Governance and economic weaknesses can encourage the rise of armed groups and illicit economic activities as local communities seek to secure their livelihoods and manage natural resources in the absence of a functional state. Against this underlying fragility, regional to global threats including climate change, geopolitical instability, pandemics and financial volatility interact to generate complex and dynamic risks and trade-offs. International or national policies or programmes are often response-driven and frequently focus on one set of threats and risks to the exclusion of the broader context. Such risk perceptions, and priorities for managing risks, might not be effective in building lasting peace or promoting sustainable, equitable and resilient livelihoods and development.

This report builds on its predecessor to generate knowledge for informing the potential evolution of proposed or existing policies through case study applications of a risk-informed development (RID) approach. The approach was used for systematically assessing multiple, simultaneous threats and their interactions with policies, as well as potential trade-offs from policies, in two contexts – Myanmar and Niger.

The Myanmar case study examines risks to successful implementation of the country's

REDD+ strategy, which aims to mitigate climate change by protecting Myanmar's forests from further degradation and deforestation. Though it intends to address the threat of climate change, the strategy cannot deal only with risks to the environment. Much of Myanmar's forests lie in the country's borderlands, where ethnic armed organisations contest land. As such, implementation must navigate a delicate array of stakeholders – the people whose livelihoods depend on the land but who often lack formal land tenure; the ethnic armed organisations who aim to manage forests in the areas where they operate; the governments and businesses involved in the international trade in legal and illegal timber; and the competing priorities of different departments within the Myanmar government. The implications of the REDD+ programme extend far beyond the confines of the forest. How it is designed and implemented is critical to managing risks to livelihoods, conflict dynamics and land rights.

The Niger case study highlights the importance of understanding how divergent risk perceptions around security and illicit economies are shaping international and national policy priorities which contrast with the perceptions and lived experiences of communities. Cross-border trade has long been important to the Sahel. In the 1970s and 1980s, smuggling networks around fuel, food staples and manufactured goods proliferated. The increasing availability of arms following the end of the Cold War, growing markets for drugs in Europe and increased migration in recent decades have led to the co-option of smuggling networks to move these illicit goods and people. Agadez in Niger has become an important transit hub for these illicit smuggling networks. For the multilateral organisations and security agencies reviewed as part of this case study, illicit economies can provide a source of finance to armed groups.



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But to national governments, the revenue generated can become an important contribution to GDP; tolerating such activities can also serve as a conflict management strategy. To local communities, illicit economies provide opportunities to thrive. In 2015 alone, it was estimated that people smuggling generated \$100 million for Agadez's economy (ICG, 2020a). Framing illicit economies as security risks often leads to enforcement measures to curb them, rather than approaches that seek to address them as development issues.

In using the RID approach, both case studies highlight how policies and programmes seeking to tackle one set of perceived threats and risks can fail to account for socio-political inequalities and aggravate tensions that could contribute to conflict. Such policies and programmes also have the potential to undermine the resilience-building efforts of other policies and programmes focused on different priorities, if conducted in siloes and/or uncoordinated across institutions. Applying the RID approach for systematically examining policies and programmes in different countries also reveals lessons for working in risk-informed ways to promote sustainable development in fragile contexts.

A number of key observations emerged from the two case studies:

- Although risk analysis often focuses on external threats, risks can emanate from the way a programme is implemented. Institutional inertia, overlapping mandates between government ministries and delicate relations with non-state actors can all undermine programming. Although these issues are less tangible, taking them into consideration is critical for the long-term success of risk-informed development. In Myanmar, helping bodies such as the National Environmental Conservation and Climate Change Central Committee (NEC5) to make links between REDD+ and other land use policies is critical, if the strategy is to avoid unintentionally fostering conflict.
- Outside actors such as donors often perceive and frame risk in ways that do not necessarily align with the perceptions and priorities of local people. More powerful actors' risk priorities are also too often elevated over the concerns of local communities. For example, international donors have been under pressure to curb irregular migration to Europe, which includes encouraging national governments to enact anti-people smuggling policies. Yet these same smuggling networks are important to the local economy in Niger, and disrupting them might lead to further impoverishment if development programmes are not begun prior to enacting such policies.
- Donors, governments and development practitioners cannot address threats and risks in silos. All threats and risks identified in this study are cross-sectoral and interact with each other. Equally, risks can be managed through multiple approaches, and it is both possible and (sometimes) desirable to enact a few strategies simultaneously to mitigate the same risk. For instance, to help protect Myanmar's forests through the REDD+ strategy, it is essential that donors support land reform to ensure that smallholders and indigenous people can manage the lands and forests they occupy.
- The outcomes of policies and programmes, including those aimed at development or climate resilience, are not always evenly felt. They can create both winners and losers, and lead to difficult trade-offs. If the losers are not adequately consulted or compensated, such trade-offs could derail the intent of the programme. As the example of people smuggling networks in Niger highlights, profits generated from illicit activities can often outstrip those within the legal economy. Livelihood development programming needs to think innovatively to create financially rewarding alternatives that are resilient to other threats, including climate variability and change.

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# 1 Introduction

The aim of policies and programmes that support sustainable socio-economic development, security and peacebuilding, and climate and disaster resilience should ultimately be to ensure that people are more resilient to a broad variety of threats; and to enhance and enable their livelihoods and wellbeing in a socially just and environmentally sustainable manner. At a minimum, policies and programmes should avoid making situations worse. Such an approach is particularly critical in fragile contexts, where institutions are weaker and baseline vulnerability is higher; otherwise, programmes and wider strategies might fail to tackle, ignore or amplify trade-offs and unintentionally be perceived to benefit some stakeholders over others.

Despite best intentions across a range of development actors – from national governments to multilateral and bilateral donor agencies – current approaches to managing a range of threats and risks within development often look only at one threat at a time (usually a natural hazard), rather than acknowledging multiple, concurrent threats or emerging global threats (for a definition of ‘threat’ and ‘risk’ see Box 1). ODI and UNDP’s 2019 report *Risk-informed development: from crisis to resilience* (Opitz-Stapleton et al., 2019) sought to examine some of the critical and complex risks arising from socio-economic development and its interactions with global threats: cyber fragility and technological disruption; economic and financial instability; geopolitical volatility; transnational criminal networks and terrorism; pandemics and antibiotic resistance; and severe environmental change, including climate change. These threats were identified as presenting ‘the most

strategically significant risk [*to development*] as a result of (i) probability or likelihood and of (ii) the national [*and international*] significance of their disruptive consequences’ (OECD, 2014: 3; emphasis added). The report argued for a holistic, risk-informed approach to designing policies and programmes, whether related to government socio-economic development or disaster risk management initiatives or those of multilateral development actors such as the United Nations and bilateral donor agencies.

The risk-informed development (RID) approach is built around four main strategic pillars for designing and implementing policies and programmes (Figure 1):

1. Be informed of the multiple threats and socio-economic trends that are interacting or will interact with activities and could create risks to the programme over time or at different geographical scales.
2. Acknowledge the differentiated risk perceptions and priorities of various stakeholders.<sup>1</sup>
3. Acknowledge that policies and programmes themselves will create trade-offs.
4. Engage across policy silos and bring in divergent voices that might not traditionally be included. Each pillar is underpinned by steps to flexibly guide users in becoming risk informed and using that knowledge when designing and implementing policies and programmes so that they promote resilience, equality and sustainability.

The RID approach is flexible, not prescriptive. It is meant to provide policymakers,

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1 What is considered a threat or a risk, and how severe it is, depends on people’s cultural, economic and political perspectives. Risk perception is a value judgement. Prioritisation of particular risks for management, and through what measures, depends on the institutional contexts in which policies and programmes will be enacted, as well as capacities and resources.

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### Box 1 Defining threats and risks

For the purposes of this report, we use the following concepts of threat and risk to guide the analysis and discussion of the REDD+ strategy in Myanmar and anti-smuggling policies in Niger.

A threat is a process, phenomenon, event, trend or human activity that may cause loss of life, injury or other health impacts, property damage, social and economic disruption or environmental degradation. Threats may be small- or large-scale, infrequent or frequent, sudden- or slow-onset and natural, human-made or a hybrid of the two. Threats can be environmental, technological, biological or socio-political (adapted from UNDRR, 2017).

*Risk-informed development: from crisis to resilience* identified the following new and emerging global threats as likely to present the most strategically significant risks to development: global economic and financial instability; transnational organised crime and terrorism; severe environmental change including climate and oceanic change; cyber fragility and technological disruption; geopolitical volatility; and growing antibiotic resistance and pandemics (Opitz-Stapleton et al., 2019: 12).

Risks are potential negative impacts – loss of life, injury, destroyed or damaged assets, financial disruption – which could occur to a system, society or community should one or more threats occur, recognising the diversity of values and uncertainties in potential impacts [that is, risk perceptions and priorities for management] (adapted from UNDRR, 2017 and IPCC, 2018). Risks are what could happen (but has not yet), whereas impacts have actually occurred.

practitioners and researchers with a roadmap for systematically interrogating diverse and dynamic contexts and considering policy and programming design, implementation and monitoring in these contexts. Importantly, it highlights that decision-making criteria for different actors are defined by certain parameters, including risk perceptions and societal and cultural values. As individuals, what we perceive as a risk is the result of our ‘culture, life experience, background and education’ (Opitz-Stapleton et al., 2019: 20). At an institutional level, risk in decision-making is not only defined by financial and capacity constraints or legal framings, but is also reflective of public opinion (ibid.). This results in differences between individuals’ perceptions of risk and how they think risk should be managed.

As such, risk governance within development is messy and necessarily requires adaptive learning about what is working or not within a dynamic context, what needs to be adjusted, and how to manage shifting risk perceptions and priorities.

This second report follows on from *Risk-informed development: from crisis to resilience*,

using the RID approach to examine the complex risk landscapes in two fragile countries, Myanmar and Niger, the policies that have been implemented to address particular sets of threats and risks and the trade-offs these policies have involved. The importance of risk perception in shaping policies is clearly articulated in both case studies. The case studies employed a mixed methods approach: literature reviews of grey and academic literature; policy, donor and non-governmental organisation (NGO) programme analysis; interviews with key informants from civil society organisations (CSOs), NGOs and United Nations (UN) agencies, and re-analysis of interviews from a prior project, ‘Building resilience and adaptation to climate extremes and disasters’.<sup>2</sup>

The Myanmar case study uses the RID approach to explore Myanmar’s REDD+ climate mitigation strategy. It examines how political instability and threats associated with the illicit transboundary flow of timber could intersect with tensions and uncertainties over land tenure to undermine the REDD+ strategy. In the face of a fragile peace agreement, a high level of

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2 See [www.odi.org/projects/2808-building-resilience-and-adaptation-climate-extremes-and-disasters-braced](http://www.odi.org/projects/2808-building-resilience-and-adaptation-climate-extremes-and-disasters-braced).

**Figure 1 The risk-informed development approach to developing risk-informed, resilient and sustainable policies and programmes**



Note: The framework is underpinned by four key pillars (yellow boxes in centre) supported by steps (outer boxes). The pillars and steps facilitate flexible learning and knowledge generation for designing, stress-testing, and monitoring the outcomes of policies and programmes, and adjusting these as contexts change.

Source: Adapted from the IRGC Risk Governance Framework (2017)

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vulnerability to climate change and flourishing illicit economies, a risk-informed approach to protecting Myanmar's forests is essential to avoid amplifying underlying fragility and securing support for forest protection efforts. The RID approach unpacks some priority threats and risks at different geographic scales, the ways they interact and the trade-offs inherent in pursuing a REDD+ climate mitigation strategy. There is much opportunity to use REDD+ as a peacebuilding initiative, reinforcing traditional livelihoods, building local capacity for forest management and protecting rural people from large-scale land conversion to plantation concessions – if the threats, risks and trade-offs identified in this study are managed in the design and implementation of the strategy.

The Niger case study draws on the RID approach to examine the risk perceptions of actors at international, national and local scales who have an interest in the smuggling economy in the Agadez region. Agadez has become an important transit hub for smuggling routes which facilitate the movement of arms, drugs and people. International actors often view illicit economies as inhibitors of development and as

having a cyclical relationship with violence and conflict.<sup>3</sup> However, national and local actors may have different risk perceptions of illicit economies. The study highlights how these different risk perceptions influence the design and implementation of policies and programmes to curb smuggling, and offers evidence of the risks associated with prioritising the interests of one set of actors over others. It shows how an overly securitised response to illicit economies can generate further risks and block more innovative approaches to helping actors involved in illicit economies find livelihood alternatives.

The Covid-19 pandemic broke out as this report was being drafted. Short-term impacts are clearly emerging, but long-term direct and cascading risks – health, socioeconomic, cultural, geopolitical and technological consequences – remain uncertain. While the case studies could not explicitly collect evidence around the emerging direct and cascading impacts of the pandemic in the two case studies, they both provide snapshots of how the pandemic and responses to it could play out against country risk landscapes and affect the policies or programmes examined (see Boxes 3 and 6).

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3 The framing of an economic activity as illicit depends on perspective. The usage of the term within this report is to help differentiate between certain economies and does not imply any value judgment from the authors.

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# 2 Myanmar: REDD+ implementation in a fragile context

## 2.1 Overview

In this case study, the RID approach helps to identify multiple threats to forest management and how they could interact with Myanmar's REDD+ strategy (see Box 2) to generate risks at different geographic scales. The case study explores potential trade-offs in pursuing the strategy in the context of a fragile ceasefire agreement with ethnic armed organisations (EAOs), a high level of vulnerability to climate change and flourishing illicit economies.

This case study explores threats acting at different geographic scales – nationally, sub-nationally and transboundary – that could interact with Myanmar's REDD+ strategy to generate risks to its success and create trade-offs for intended participants. Some of these threats and associated risks are well-known to some actors involved in the strategy design process, but may be novel to other development, disaster risk reduction or climate change adaptation actors unfamiliar with Myanmar. This case study was compiled based on a literature review and interviews with CSOs, international non-governmental organisations (INGOs) and UN staff familiar with REDD+ implementation. Interviews were conducted in late 2019. Though Covid-19 has slowed implementation as priorities shift to tackling the ongoing public health crisis,

negotiations on the REDD+ strategy with the government and EAOs are ongoing.

## 2.2 Threats at national, local and transboundary scales and their interactions with REDD+

‘Implementing REDD+ is a microcosm of all of the risks we grapple with in development projects in Myanmar.’  
UNDP Country Team

A number of threats acting at different geographic scales could create risks to REDD+ efforts and lead to trade-offs for different groups as the strategy is implemented (see Figure 2). The first threat relates to political instability and the effects on the strategy and on cross-ministerial coordination at the national level. The second threat playing out at the local level is related to uncertainty in land tenure and potentially contradictory legislation and policies. The third threat relates to the illicit transboundary trade in forest products. A fourth threat, which is not examined here but which drives the need for a REDD+ programme to begin with, is climate change and the risks it could pose to forest ecosystems

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## Box 2 What is the REDD+ Programme?

Among Myanmar's best defences against climate change and climate-related disasters is the preservation of its forests. Forests store greenhouse gas emissions (GHGs) and provide a variety of crucial co-benefits, including preventing soil erosion, water and soil nutrient cycling, supporting livelihoods and providing spiritual and cultural significance for indigenous communities. The Myanmar government is moving ahead with its international commitments to address climate change, which poses immense and diverse risks to Myanmar's development.

Myanmar is not historically responsible for the GHGs that drive these impacts. According to Myanmar's Intended Nationally Determined Contribution (INDC), it currently absorbs more greenhouse gases than it emits, in major part due to its large standing forests (Government of Myanmar, 2015).<sup>1</sup> Given that forests cover 45% of Myanmar's land area (UNDP, n.d.), forest preservation features prominently in Myanmar's plans to mitigate climate change under its INDC for achieving low-carbon and sustainable development. The INDC target is to increase legally defined 'forest land' – both 'reserved forest' and 'protected public forest' – to 30% of total national land area, and to increase protected areas to 10% of the total national land area (see Box 4).

The vehicle through which Myanmar intends to drive these forest conservation policies is the United Nations Framework Convention on Climate Change (UNFCCC)'s REDD+ Programme. In essence, REDD+ is designed to incentivise climate change mitigation by rewarding governments in developing countries for maintaining forests instead of cutting them down (REDD-Monitor, 2011). Payments from the international community are dependent on whether the government can demonstrate that it has reduced net emissions from deforestation below a pre-agreed reference level. The Myanmar government became a partner country of the UN-REDD+ programme in December 2011, and since then has been engaging in the REDD+ readiness process (REDD+ Myanmar and MONREC, 2013). At the time of writing, Myanmar's National REDD+ strategy was under development, and a benefit-sharing mechanism had not yet been designed.

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1 All countries that signed the UNFCCC are required to publish their INDCs, which outline the national vision for reducing greenhouse gas emissions.

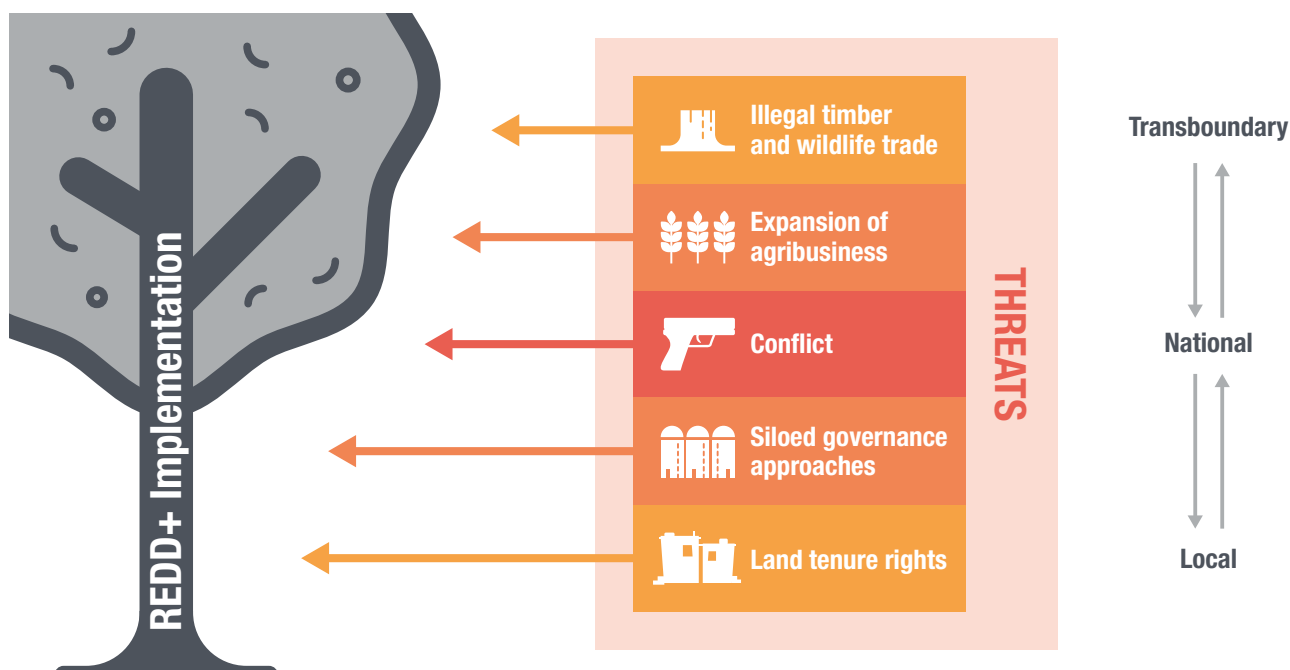
already under stress due to land degradation.<sup>4</sup> This case study does not extensively cover climate risks as others have investigated these issues in detail (see, for example, Rao et al., 2013; Shrestha and Htut, 2016). Nor does the study specifically cover the role of the private sector in driving development, though

engaging the private sector in REDD+ policy implementation will be crucial to the long-term success of the programme, and the private sector's role merits investigation in further research. For a discussion of the interaction of Covid-19 with other threats in Myanmar, see Box 3.

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4 The 2019 Global Climate Risk Index situated Myanmar near the top of countries vulnerable to climate change, ranking it third globally among the countries most affected over the past 20 years (Eckstein et al., 2018). Though Myanmar's diverse topography and geography mean that changes to rainfall extremes and means and seasonal and diurnal temperature will be variable across the country, country-wide average annual temperatures are expected to increase by approximately 1.0–3.4 °C between now and the 2060s when compared with the 1980s to 2005. The severity, duration and frequency of heat waves is also likely to increase (Horton et al., 2017; World Bank, 2019a). Coastal zones will experience variable sea level rise and ocean acidification effects. The health of Myanmar's ecosystems, and subsequent implications for natural resource-based livelihoods and forest management (among other ecosystem services), will be determined by the combined impacts arising from climate change and the country's development trajectories.

**Figure 2 Threats to REDD+ implementation in Myanmar**



### 2.2.1 National-level threats: conflict and political instability

Myanmar is a country in transition. A nominally civilian government assumed office in 2011, ending decades of military rule. However, the transition to democratic governance is partial, and reform has been moderate and tightly controlled (Jones, 2014). Constitutionally, 25% of parliamentary seats are reserved for the military, insulating the armed forces from formal civilian oversight and influence (Oxford Policy Management and UNDP, 2019). Beyond vestiges of military control, there is a perception that representation has not yet been extended to ethnic parties and interests.<sup>5</sup> The chief ministers of states and regions are centrally appointed, and states and regions depend on financial transfers from the Union Government (*ibid.*).

Market reforms have accelerated since the civilian government assumed office, and the economy grew by 6.5% in 2018–2019 (Beck et al., 2019). However, reforms have not reached the informal sector, and there is a huge illicit economy spanning drug manufacture and smuggling, mining and illegal logging (Felbab-Brown, 2017). Economic growth has not been evenly distributed, with a quarter of

the population living below the poverty line and a third highly vulnerable to falling back into poverty (World Bank, 2019b).

Despite a Nationwide Ceasefire Agreement (NCA) in 2015 between the government and representatives of some of the country’s ethnic armed groups, the transition from war to peace has been fraught. The conflict is complex and fractious, involving a multitude of non-state actors, some of which have signed bilateral ceasefire agreements with the Union Government, others that have signed the NCA and still others that have not committed to any peace process at all. Since the beginning of the transition there has been an uptick in armed conflict from new insurgencies, the breakdown of ceasefires on Myanmar’s northern border with China and lengthy periods of violence, especially towards Rohingya people in Rakhine state (Oxford Policy Management and UNDP, 2019). Across the board, conflict in Myanmar is characterised by the contested legitimacy of the Union Government. The lack of ethnic representation has been a major driver of conflict, and reforms to date remain superficial (*ibid.*). This makes passing and implementing policies that concern territory where EAOs operate particularly

<sup>5</sup> ‘Ethnic’ is sometimes used in Myanmar to refer to non-Bamar/Burman populations, and this is the approach taken in this report.



### **Box 3 REDD+ and Covid-19 in Myanmar**

With nearly 30 million confirmed cases as of September 2020 (Johns Hopkins University, 2020), Covid-19 is the source of significant global suffering. Beyond the dreadful effects on human health, the disease has been linked to rising food insecurity and poverty in fragile states, where movement restrictions and lockdowns have exacerbated existing socio-economic problems (Tower, 2020). Although the research for this study was completed prior to the outbreak, the disease is a product of some of the risks explored, and responsible for exacerbating others.

**Deforestation:** Covid-19 has emerged from the same human-caused environmental degradation that poses risks to Myanmar's REDD+ programme. Large-scale conversion of land from forest to agricultural uses, as well as a thriving illegal wildlife trade, has increased interactions between wildlife and humans, in turn raising the chances of diseases jumping to human populations. Researchers in West and Central Africa linked rates of deforestation to the increased likelihood of Ebola outbreaks (Olivero et al., 2017). When essential habitats are fractured and human settlements expand into forested areas, risks to human health grow (Opitz-Stapleton et al., 2019). Conversely, healthy forest ecosystems, in which contacts between humans and wild animals are reduced, are critical to lowering the risk of human exposure to novel zoonotic diseases (Winter and Shapiro, 2020).

**Livelihoods and forest protection:** Despite low case numbers, many Burmese households will feel the effects of Covid-19 on their incomes and food security. Factories have been closed and the agriculture sector is under strain because of difficulties obtaining inputs, disrupted supply chains and limited access to auxiliary services such as storage during lockdowns (FAO Myanmar, 2020).

In forested areas, people who lose their livelihoods may be more likely to turn to selling forestry products or participating in the illegal wildlife trade. A 2020 World Wide Fund for Nature (WWF) study found that deforestation rose in many countries during March as lockdown orders took effect (Winter and Shapiro, 2020). (Myanmar's restrictions were put in place in April, and so the findings of the study do not transfer directly.) The WWF study attributes forest loss during Covid-19 to the increase in newly unemployed people desperate for sources of income (ibid.). Lockdowns have also prevented authorities from patrolling nature preserves and indigenous territories (ibid.). Anecdotal reports are emerging that illegal logging may be increasing (ITTO, 2020; Global New Light of Myanmar, 2020).

**Conflict:** For Myanmar, efforts to contain Covid-19 must grapple with the risk of conflict. In the early stages of the pandemic, it appeared that the government and EAOs might be willing to put down their arms and cooperate on disease containment and management. Several EAOs appealed for an unconditional national ceasefire, endorsing UN Secretary-General Antonio Guterres' call for a global ceasefire in late March (ICG, 2020b). In April, the President's office formed a committee to coordinate with armed groups to share information about suspected cases, contact tracing and treatment protocols. In May, the Myanmar military announced a ceasefire (The Star, 2020), but this excluded areas of Rakhine and Chin states, where fighting has continued between government forces and the Arakan Army, an ethnic armed group recently designated a terrorist organisation (ICG, 2020b). The Myanmar government has prevented donors from directly supporting ethnic health organisations working in conflict-affected areas (ibid.).

Although Covid-19 creates new risks for health workers in conflict-affected areas, it could also open up new opportunities for productive relationships with EAOs and ethnic health organisations. As it stands, however, it appears that it has not dampened risks of conflict. Instead, tensions have spiked, highlighting how much further the national peace process has to go (Tower, 2020). Throughout the effort to contain Covid-19, donors have a crucial role in facilitating dialogue and building trust between opposing parties. If they do not, progress on other fronts – such as cooperation between EAOs and the government on forest conservation through REDD+ – may be in jeopardy in the long term.

difficult, especially where questions of control of natural resources are concerned.

Swaths of the country are either fully controlled and administered by EAOs, or under the mixed administration of EAOs and the Union Government. In other areas control is unknown or uncertain. These configurations are not static; control can shift, further complicating efforts to quantify what land is controlled by whom (UNDP, n.d.). Much of the forested land that the Union Government would like to protect lies in contested areas, where EAOs have overlapping claims or territorial control. Any efforts to preserve Myanmar's forests must navigate a delicate governance arrangement between a variety of stakeholders, including the Union Government, the government's Forestry Department, EAOs and communities living in forested areas.

## 2.2.2 Local-level threats: land tenure

In the Myanmar constitution, the state is designated the 'ultimate owner' of all land (Government of Myanmar, 2008).<sup>6</sup> In practice, however, EAOs administer their own land policies and collect taxes on property in areas under their control. In this context, who has the right to manage land is at the crux of forest conservation, and different policy decisions may shift the fate of Myanmar's REDD+ initiative.

The primary overarching threat cutting across interviews and literature about REDD+ is the uncertainty of land tenure in Myanmar and concern over how REDD+ could be implemented in the face of such uncertainty (Box 4). Although over 70 laws govern land management in Myanmar (Peel, 2016), the three central policies affecting REDD+ implementation are the Vacant, Fallow and Virgin (VFV) Land

### Box 4 Land classification in Myanmar

Land in Myanmar is classified into categories governed by different policies and departments. These classifications can overlap or be re-demarcated in contradictory ways.

- **Protected Area:** A gazetted area in which no extraction of timber or other products is supposed to take place.
- **Forest Land:** A legal term that does not necessarily correspond with the existence of forest. Forest Land comprises Reserve forest and Protected public forest. According to key informant interviews, one-third of Forest Land is agricultural land.
  - **Reserve forest:** Land that is demarcated by the state for timber production. Much of the land classified as 'reserve forest' is non-forest, degraded forest or given over to plantations (Treue et al., 2016). One study of the state of Myanmar's forests found that 'Forest Reserves' carried only 27% of Myanmar's intact forest in 2014. Plantations may be considered forest, depending on the species.
  - **Protected public forest:** Land that is gazetted for timber production and other products for use locally. Protected forests are intended to satisfy local people's subsistence needs for forest products. They can be legally converted to reserve forests.
- **Vacant, Fallow and Virgin (VFV) land:** Forest that falls outside the 'forest land' categories above is designated as VFV land. According to the 2012 VFV Land Law, the term 'Virgin land' means 'wild land and wild forest land ... being the new land on which cultivation has never been done, not even once. The said expression shall include the lands of forest reserve, grazing ground, and fishery which have been legally nullified for the purposes of doing business of agriculture, livestock breeding, mineral production, and other business permitted by the Government' (Government of Myanmar, 2012).

<sup>6</sup> There is an ongoing effort to reform the constitution. In March 2020, amendment proposals were debated in parliament. However, amendments require the approval of more than three-quarters of parliamentarians. A quarter of seats are reserved for serving military officers, and the military blocked all substantive changes.

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Law, the Land Use Policy and the Conservation of Biodiversity and Protected Areas Law. The VFV Law, which lies under the purview of the Ministry of Agriculture, Livestock and Irrigation (MoALI), was designed to encourage large-scale agricultural investment (TNI, 2018). The law presumes that much of Myanmar's land is virgin, fallow or vacant, and can be reallocated for more productive and lucrative uses (Obendorf, 2012). In practice, however, much of this land is occupied by smallholder farmers or used for hunting or cultural purposes. Interviewees for this study were sceptical about how much VFV land there actually is in Myanmar. Although forests in these contested areas have been degraded in the last few decades, people in Myanmar's border, rural and ethnic minority areas still rely on forests and forest products for their livelihoods (Gray, 2019). At the local level, fears about losing access to land are common and based on a history of land confiscation under previous regimes (Human Rights Watch, 2018).

The VFV Law poses a threat to REDD+ implementation and communities' rights (Woods, 2015). Most forested land is considered 'VFV' and thus could be deforested for agribusiness and mining concessions. On some legally gazetted forest reserves, there are overlapping land claims where large agribusiness concessions were granted (ibid.). The most important driver of deforestation in the past few decades has been clearing forests for farming, particularly for rubber and palm oil plantations, with an estimated one million hectares of forest converted between 2002 and 2014 (Enters, 2017).

In 2018, the government amended the VFV Law to require all those living on land classified as VFV to submit applications for a land use permit within six months. Although customary lands are theoretically exempt, there are no mechanisms for claiming customary land tenure rights. In an open letter to donors working on

a land use programme, CSOs, EAOs and local communities called for the abolition of the VFV Law, as the 2018 amendment 'further legalizes land confiscations and criminalizes farmers, who are now at increased risk of dispossession of their livelihoods' (LIOH and MATA, 2018: 1). There is no process by which a community can officially have their land removed from the VFV registry.

Other policies are more rights-based, and offer hope for a system of forest conservation that supports communities. For instance, the Land Use Policy could help protect Myanmar's forests by enfranchising communities to manage the land and protect the forests they live in, but it lacks legal status (Franco et al., 2015). Another promising avenue may be the Conservation of Biodiversity and Protected Areas Law, which promises the creation of new kinds of protected areas that recognise cultural heritage and rights to land. This is discussed in more detail in section 2.3.

### **2.2.3 Transboundary threats:<sup>7</sup> the illicit timber trade**

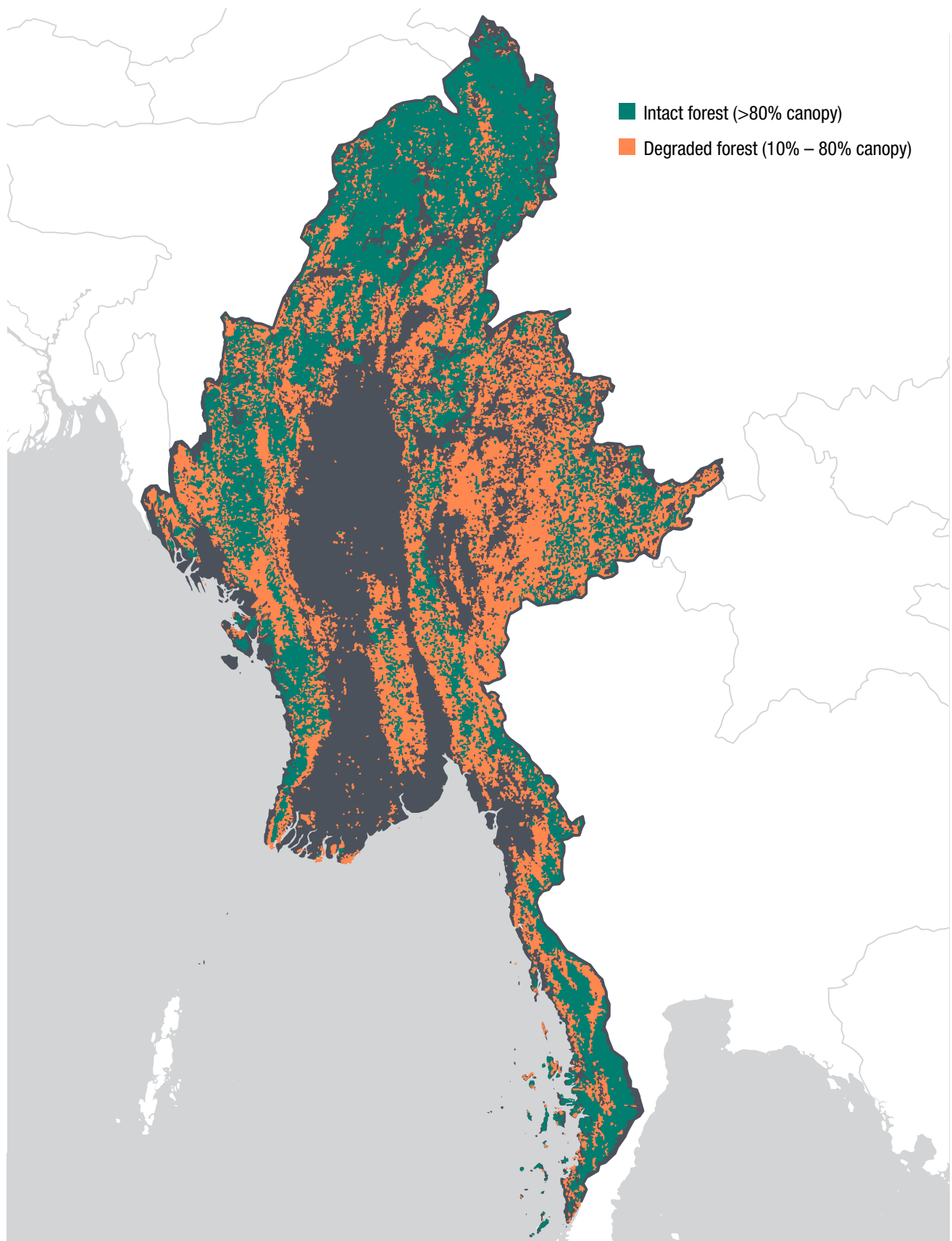
Between 2010 and 2015, Myanmar suffered the third-largest forest loss in the world, amounting to over half a million hectares a year (UNODC, 2015; see Figure 3). Myanmar's forests feed wood processing industries and plantations in China, Vietnam and Thailand. These countries' strict logging controls make Myanmar's less restrictive forestry regime attractive, particularly for teak and rosewoods (EIA, 2015).

China, with which Myanmar shares a 2,200km border, is the largest importer of illegal timber in the world (ibid.). According to extensive work by the Environmental Investigation Agency (EIA), the Chinese government has not seriously attempted to stem the flow of forest products over its borders. There are 'voluntary guidelines' for Chinese companies operating overseas, but no

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7 The risk-informed approach asks us to interrogate risks that might not be readily perceived by some key policy architects. One transboundary risk raised in the literature that was not mentioned by key informants was the risk of refugees returning to Myanmar and reclaiming their land in forested areas, which is now occupied by secondary residents. As of 2019, there were 96,000 refugees living in temporary shelters along the border, many of whom have been displaced for decades and wish to return (Harrison, 2019). Though we acknowledge this risk and the complications it poses for REDD+ benefit sharing and issues of land tenure, it could not be adequately treated in this paper because it was not prioritised by interviewees, and not considered the most important driver of conflict. Nonetheless, it warrants further investigation.

**Figure 3 Forest cover change in Myanmar (2002–2014)**



Source: EcoDev-ALARM (2019)

Data source: USGS, MIMU, NASA Earth Observatory, CGIAR-CSI, ESTAT-GISCO

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effective regulatory measures to curb imports of illegally obtained timber (EIA, 2015; Winn, 2018).

Myanmar's enforcement capabilities have not been able to match the scale of the illegal trade. The lack of a Forestry Department presence in contested areas of the country means that smuggling faces a very low risk of interception (UNODC, 2015). Among Association of Southeast Asian Nations (ASEAN) member states, Myanmar has the lowest maximum fine for wildlife and forest crime, and the value of forest products is likely to far exceed any penalty imposed by the state (UNODC and Freeland, 2015). The vast majority of those arrested for illegal timber trafficking are Myanmar nationals, mostly low-level players rather than the criminals who organise the broader illicit timber harvest (likely to include foreigners) (UNODC, 2015).

In addition to illegal trafficking, corruption is rife in the formal timber trade over the Chinese border into Yunnan province, involving a complex network of high-level officials, Chinese businessmen, senior military officers, EAOs and a powerful crime syndicate (EIA, 2015; 2019). This dense network of actors is 'an alarming indicator of how deep corruption enables everyone to take a piece of the pie' (EIA, 2019: 30).

## **2.3 Perceived risks to REDD+ and potential trade-offs in its implementation**

The threats detailed in section 2.2, such as political instability, uncertainty of land tenure and political disenfranchisement, have the potential to derail REDD+ implementation. This section explores some potential risks and trade-offs that emanate from these threats. A primary concern among many of the interviewees was that much of the forested area that could be protected under REDD+ lies in contested areas; how the strategy is implemented was perceived as potentially exacerbating the risk of conflict. Risk perceptions also influence perceived trade-offs in REDD+ implementation. For example, while climate change presents a number of risks that could grow with time without mitigation and adaptation, the benefits of reducing deforestation are not perceived to be as valuable as shorter-term aims of rapid economic development.

The RID lens invites a candid discussion of perceptions of trade-offs of different policies, and offers direction for donors and programme implementers looking to bring diverse stakeholders on board, who may not otherwise be interested or incentivised to participate in design and implementation.

### **2.3.1 Risk 1: without adequate safeguards for indigenous groups, REDD+ implementation could exacerbate loss of livelihoods**

There was consensus among key informants for this study that the best hope for preserving Myanmar's forests lies in promoting the rights of ethnic communities to manage their own land. This is relevant for REDD+ because a high proportion of Myanmar's least disturbed forests are in the border areas where indigenous people live. Promoting a rights-based approach to land management is aligned with the Cancun Safeguards, which aim to ensure that REDD+ initiatives adequately address the rights of indigenous people. Respecting indigenous peoples' rights is not only important for forest conservation; it is also a prerequisite for qualifying for payments through REDD+ (UNFCCC, n.d.).

Due to the uncertainty of land tenure in Myanmar, human rights-focused CSOs interviewed perceived a risk that REDD+ could disenfranchise local communities by creating a beneficiary system that excludes indigenous people. Though the REDD+ benefit-sharing system could include people in REDD+ implementation areas regardless of land tenure rights, the history of living under a military regime that confiscated land without compensation or respect for customary land tenure systems has cast a long shadow. As a policy that is 'owned' by the Forestry Department and managed at the central level, REDD+ implementation is perceived by some ethnic CSOs as another incursion of the Myanmar state into their affairs. The REDD+ strategy process to date has been very careful to be inclusive, involving CSOs and EAOs that are signatories to the NCA in discussions and policy development. Despite this, the lack of trust between CSOs and the state, as well as INGOs/ UN agencies perceived to be aligned with the

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Union Government, remains a serious risk to effective implementation of REDD+ (EMReF, 2019). CSOs are concerned about government corruption, which might enable forms of land grabbing or illegal timber trading to flourish at the expense of their self-determination over resources and land. Tied to this is the fear that people will lose the right to practice their traditional livelihoods.

The fear of losing access to traditional livelihoods is not entirely unfounded. Shifting cultivation has often been blamed for deforestation, though the National REDD+ Strategy is explicit that traditional shifting cultivation is *not* a driver of deforestation in the country. Research has shown that some of the principal factors contributing to accelerating deforestation in Myanmar include energy poverty (as many households depend on fuelwood), illegal logging, the expansion of commercial agriculture (e.g. palm oil, rubber and rice) and shrimp farming, and urbanisation and urban sprawl (Sovacool, 2013; Wang and Myint, 2016; Estoque et al., 2018; Nomura et al., 2019). Myanmar's REDD+ strategy is clear that areas in which the traditional practice of shifting cultivation takes place should receive recognition as a form of protected area. As long as the total area of land under cultivation is stable over time, with a stable fallow period, this traditional form of agriculture does not contribute to deforestation. The REDD+

strategy advocates for management arrangements that ensure shifting cultivation does not move into previously undisturbed forest. It also points out that shifting cultivation typically only expands into undisturbed forest when people's land is appropriated for large-scale agribusiness projects, demonstrating how risks to land tenure security are tied to the success of REDD+ implementation.

Related to fears of losing access to land, key informants from some CSOs perceive that REDD+ brings a risk of 'green grabbing': land grabbing under the guise of creating new protected areas or forest management arrangements. There is a recent history of successful opposition by CSOs to outside incursions for business or conservation that are perceived as land grabbing (CAT, 2018a). The risk is echoed in the global literature critiquing REDD+ implementation. Hunsburger (2015) warns that REDD+ national strategies may disregard the views of rural communities and indigenous actors without addressing underlying drivers of degradation or deforestation. Equally, Mahanty et al. (2012) argue that indigenous people could lose access rights to forest resources they depend on for their livelihoods through new forest management initiatives (see Box 5 for an example of forest protection that, in contrast, provides an example of empowerment of indigenous communities).

#### **Box 5 Indigenous communities and environmental protection: the case of the Salween Peace Park**

The idea that protecting forests is best done by empowering indigenous communities is not just an idealist notion. The Salween Peace Park, which was formally inaugurated in late 2018, provides an example of how transferring land rights into the hands of communities could be an avenue for forest preservation (Dunant, 2019). The park spans 139 demarcated customary lands, 27 community forests, four forest reserves and three wildlife sanctuaries (KESAN, 2017). It is supported by the Karen Environmental and Social Action Network, a Karen CSO, and officially sanctioned by the Karen National Union (KNU), the largest EAO operating in Karen state.

The park is rooted in ideals of self-determination and sustainable natural resource management. Its charter states that economic development in the area must be consistent with protecting both the environment and people's traditional land ownership. Article 29 states that 'the people of Salween Peace Park shall not accept an economic system and income generation that is formed on the basis of accumulating money or power in a way that negatively impacts the collective and public interest of Salween Peace Park, including the environment, and the people's right to self-determination' (KESAN, 2017). As such, the park is a good example of how protecting forest land from large-scale commercial use is consistent with a more grassroots approach to land management.

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The REDD+ programme has explicitly designed the national-level strategy to empower local people to access and protect their land, in part to ensure that it does not become a vehicle for land appropriation. Still, the perception among some ethnic CSOs that the REDD+ programme could facilitate ‘green grabs’ was still prevalent (Woods, 2015; key informant interviews). This may be driven by a lack of trust between ethnic CSOs and the Myanmar government, and the history of top-down management of land resources without adequate consultation with communities, which resulted in over two million acres of farm and forest land being designated VFV and allocated to private agricultural concessions between 1990 and 2011 (Woods, 2015).

One policy that could counteract the negative impacts of the VFV Law, and which could be instrumentalised to facilitate REDD+ implementation, is the National Land Use Policy. The policy, approved by parliament in 2016 following an extensive public consultation process across Myanmar’s states and regions, recognises the viability of indigenous regimes of land ownership and the equal land tenure rights of men and women, and calls for the establishment of an inclusive and participatory land use planning committee at every level down to townships. As noted in section 2.2, the policy has not been passed into law, however, and some interviewees doubted whether the vision enshrined in it would ever become an enforceable law. Currently, there is a National Land Use Council tasked with drawing up a National Land Law (Global New Light of Myanmar, 2018a), and since the latter part of 2019, when interviews were conducted, some progress has been made. Several workshops have been held and a working group has been established to support the drafting of the law.

Community forests are another way of allowing communities tenure over their forest land. The Forestry Master Plan (2001) set a target of 920,000 hectares of forest land managed through community forestry by 2031, though to date only 116,000 hectares are under these management arrangements (UNDP, n.d.). Studies have pointed to a correlation between forest tenure security and forest conditions, as

people have incentives to invest in managing forests if they have strong tenure rights (Seymour et al., 2014). However, community forestry in Myanmar under the master plan only allows 30-year leases at a time, reducing incentives to invest for the longer term. Furthermore, community forests sanctioned by the government in mixed or EAO-controlled areas may be perceived as an intrusion into EAO land management practices and policy. Consultation with relevant EAOs is essential to mitigate the secondary risks of conflict or tension.

To ensure community participation in decisions about land use, Myanmar’s UN-REDD team is investing in developing a free, prior, and informed consent (FPIC) process that is inclusive of EAOs and ethnic groups. Some INGO interviewees argued that the ‘consent’ standards which the Forestry Department is developing are significantly more advanced than the consent required by mining projects or industrial sectors. However, INGO and CSO key informants agreed that the level of knowledge about REDD+ remains low, and there is much work to be done to advance understanding of the project in order to gain local people’s consent.

Lastly, REDD+ stakeholders may mitigate some of these risks through the recently passed Conservation of Biodiversity and Protected Areas Law (2018), which echoes the objectives of the National Land Use Policy and the aims of community forestry by recognising indigenous rights to land. The law has the potential to provide an avenue for recognition of indigenous rights to land by explicitly promoting a new category of Protected Area: ‘Community Conservation Area’ (CCA). A coalition of NGOs led by the Wildlife Conservation Society worked with the government’s Forestry Department between 2018 and 2019 to support development and carry out extensive consultations on the draft ‘Rules and Regulations’ related to this law. During the consultations, ethnic and indigenous groups requested that the CCA designation was linked as closely as possible with the international movement for ‘Indigenous Community Conservation Areas’ (ICCAs). These changes were duly added to the ‘Rules and Regulations’, along with relevant definitions, including for indigenous people. No ICCAs have as yet been established,

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but this new type of protected area has the potential to both enfranchise ethnic minorities and conserve forest areas.

### **2.3.2 Risk 2: without adequate inclusion of EAOs, REDD+ implementation could exacerbate conflict**

As noted earlier, much of the forested area that the Myanmar government would like to protect under REDD+ lies in contested areas, where EAOs have overlapping claims to, or territorial control of, forests. In the context of ongoing tensions, the protection of forests is only one of a long list of issues to discuss and debate with EAOs. Some CSOs and EAOs have remained sceptical about the potential of the current NCA to deliver a federal system that recognises their political goals (Gray, 2019). A common refrain from human rights-focused ethnic CSOs is that a comprehensive peace settlement is required as a prerequisite to any other development initiatives. If peace talks derail and constitutional reform is never delivered, then REDD+ efforts may be for naught, as much of Myanmar's forest lies in border areas contested by EAOs. In the current fragile context, there is a preference for small-scale, ethnic-led natural resource management initiatives, rather than large-scale projects associated with international institutions (*ibid.*).

A properly designed and implemented REDD+ mechanism, which includes EAOs that operate in forested areas in a benefit mechanism, could reinforce the NCA while also protecting the forest and its biodiversity. This opportunity exists through Article 25 of the NCA, which calls for cooperation on environmental conservation matters between EAOs and the Union Government, though little progress has been made to date. If implementation of REDD+ is perceived as fair, with roles for EAOs and the Union Government, the NCA itself could gain credibility. REDD+ decisions must receive sufficient buy-in from and respect the desires of EAOs to prevent fuelling perceptions that the Union Government is imposing its will. Past top-down conservation initiatives in Myanmar have generated community grievances, and REDD+ implementation must be careful to learn from these experiences (Conservation Alliance of Tanawthari, 2018b).

The UN-REDD team undertook a long and intensive process to engage with EAOs in the development of policies and measures for the REDD+ strategy. Over the course of 16 months, the team held 17 events involving EAOs, ethnic political parties and ethnic CSOs with informal links to EAOs active in areas where non-signatory EAOs control territory. The dialogue process aims to develop a REDD+ action plan endorsed by the NCA signatories. The plan is designed to be aligned with the National REDD+ strategy, while also being distinct and designed to suit EAO priorities. This dual approach aims to mitigate risks of conflict, but implementation will need to ensure that targets and ambitions are carefully aligned between the plans.

These consultations are critical to the success of REDD+, particularly as there is an increasing perception among ethnic groups that INGOs, donors and the UN in Myanmar are favouring the state-building approach of the Union Government. This stems in part from donor decisions to move from supporting only humanitarian causes to spending funds to develop capacity in government agencies (Oxford Policy Management and UNDP, 2019).

Despite consultations with EAOs, there remain legal barriers to designing a benefit system that includes EAOs. If the Myanmar government were able to send a report to the UNFCCC demonstrating that GHG emissions are being reduced and Cancun Safeguards have been respected, Myanmar would qualify for results-based payments from the international community. As a signatory to the UNFCCC Paris Climate Accords, only the Union Government is eligible to receive payments. As EAOs will have contributed to the results, they should receive payment for their contribution to conservation efforts. However, the government cannot legally distribute funds to EAOs that challenge the legitimacy of the state. The UN-REDD programme is proposing a transparent mechanism whereby payments pass through an independent Myanmar Biodiversity Fund, in the process of being set up, which would not be beholden to the government's financial regulations. Though these efforts are at a nascent stage, supporting the development of a transparent financial disbursement system



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through the Fund is a sensible donor strategy to reduce the risk of conflict and, if well designed, to prevent the risk of elite capture of benefits.

There are other possible risk permutations beyond the increased possibility of conflict. Ceasefires can create new pressures on resources as EAOs attempt to find new sources of income. In Northern Myanmar, when ceasefire agreements were signed with the Kachin Independence Organization/Army (KIO/A), the Burmese state and military took control of jade mines that had previously been an important source of income for the KIO/A. As a result, the KIO/A began logging timber in an effort to maintain income (Woods, 2011). After the ceasefire, deforestation rates rose dramatically along the Kachin state and Chinese border. The benefits from REDD+ conservation must be inclusive or risk forests being further logged and degraded.

### **2.3.3 Risk 3: insufficient coordination between departments prevents effective implementation**

Insufficient coordination between government ministries and departments poses a significant risk to REDD+ implementation. Implementation involves a complex web of governing institutions, from the international, national and local levels, and across various sectors, each of which is likely to have layered interests that do not always coincide (Corbera and Schroeder, 2011). Though REDD+ implementation is under the remit of the MoNREC (Ministry of Natural Resources and Environmental Conservation), at its core it is a strategy for sustainable development, and thus should involve all development-oriented ministries. Interviewees from INGOs emphasised that a major threat to the success of REDD+ is the lack of coordination between departments. The government was characterised by INGO informants as highly siloed and hierarchical, with overlapping and conflicting priorities across departments. With regard to land policy, the previous section illustrates how policies even within a single ministry (MoALI) can differ dramatically; between ministries and

departments, the challenges involved in achieving a coherent strategy intensify further.

To date, inter-ministerial meetings for REDD+ have been convened by the UN-REDD programme through the National REDD+ Taskforce and its associated technical working groups, which include indigenous people's organisations, environmental NGOs and the private sector. Key informant interviewees from INGOs expressed scepticism at the idea that the Forestry Department will continue to convene inter-departmental meetings and argued that the ability to coordinate between departments presents a high source of risk to REDD+ success. Currently, the operations of the Taskforce and technical working groups are covered by UN-REDD budgets, and once the UN-REDD programme ends these bodies may no longer exist. Furthermore, with the Taskforce chaired by the Deputy Director General of the Forestry Department,<sup>8</sup> and members being Directors who usually delegate to Assistant Directors, the Taskforce has little genuine decision-making authority. The policies and measures proposed in the REDD+ draft strategy require buy-in from the Ministry of Planning and Finance, the General Administration Department and MoALI, though they do not have an incentive to prioritise REDD+ over their own development projects or targets. The UN-REDD team is working to enhance the stature of the Taskforce, and to institutionalise it so the likelihood of sustainability is increased.

In development planning, the goals of different ministries can be at odds. For instance, the goal of the Agriculture Development Strategy is to 'pave the way to commercial expansion of crops and livestock production' (MoALI, 2018). Though the plan is a move away from the target-based goals of the original Master Plan for the Agricultural Sector (2000–2030), which suggested converting 4 million hectares of 'wasteland' to private industrial crop production, the growth of agriculture is still likely to be in competition with widescale conservation and preservation of forests.

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8 The Forestry Department sits within the Ministry of Natural Resources and Environmental Conservation.

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Insufficient vertical coordination within government ministries compounds this risk. Approval for land use can be granted at district, state/region or national level, depending on the amount of land in question, and there is no single land registry. In practice, this means every decentralised level of government must be involved with REDD+ planning and willing to prioritise forest conservation targets over other land uses. Without a comprehensive map of Myanmar's land and how it is allocated, a strong political directive is required to prevent industrial crop production from overlapping with REDD+ targets.

To mitigate the risk of contradictory planning, there is a National Environmental Conservation and Climate Change Central Committee (NE5C), a government body designed to promote cooperation and coordination between ministries and departments over environmental issues. It includes representatives from the Department of Mines, the Agricultural Planning Department, the Agricultural Land Management and Statistics Department, the Irrigation and Water Utilization Management Department, the Ministry of Planning and Finance, the General Administration Department and the Forestry Department. The committee has high-level political support, meeting under the patronage of the Vice-President. The NE5C has six working groups, though not all technical working groups are functional. Because the structure is only a few years old, interviewees could not point to instances where it had effected real change in decision-making. If sufficiently empowered to review decisions, however, the NE5C could provide a forum to resolve conflicts between departments as a result of overlapping targets. Equally, there is a risk that it could amplify the trend of privileging top-down control of decision-making over environmental matters, potentially reproducing grievances and conflicts at the local level.

#### **2.3.4 Risk 4: the transboundary flow of illegal timber and illicit wildlife undermines REDD+**

In Myanmar risks are far-ranging, and accounting for all in a single programme would be impossible. As such, some threats were acknowledged by interviewees but considered

lower priorities than those discussed in the previous sub-sections. One such threat was the scale of illegal logging, and whether and how it should be managed. Though there was widespread agreement that illegal logging is a major problem in Myanmar, addressing land tenure issues and safeguarding forests through ICCAs (or ratifying a Land Use Law that recognises indigenous land tenure) were seen as more urgent priorities for protecting Myanmar's forests. Reluctance to address a particular risk because it is perceived as beyond the purview of the project, however, might actually point to the need to explicitly include it.

While illegal logging certainly undermines the integrity of REDD+ actions, the perception among some interviewees from national-level NGOs was that it represents a relatively small loss of biomass compared to forest clearing for agriculture. There was concern among most interviewees that corruption for illegal logging is sanctioned at high levels and thus could not be tackled within REDD+ alone (see EIA, 2019). Furthermore, because illegal logging is often subcontracted out, some people living in communities near forests with high-value timber depend on it for their livelihoods. According to one key informant, high-value timber such as teak and rosewood constitutes about 2% of the biomass of existing forests; when INGOs estimate the carbon sequestered in the forest, they should essentially exclude high-value timber and assume it will get cut down. The interests involved in the illegal trade are perceived as too powerful to be tackled by civil society and INGOs alone.

Treating illegal logging as a *fait accompli* is counterproductive. Though influencing the behaviour of powerful transnational criminal networks and businesses is beyond the capacities of civil society, defeatism is not an adequate answer to the threat. The Myanmar REDD+ Draft Strategy points to Forest Law Enforcement, Governance and Trade (FLEGT), an EU initiative to ensure that timber sold in EU markets is legally supplied, as one approach to mitigating the issue. By developing a system to licence legal timber, importers no longer need to undertake additional due diligence to verify the legality of forest products. In turn, supplier countries

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improve capacity for regulation and enforcement in the global trade in high-value timbers. The timber-supplying country must develop a FLEGT Voluntary Partnership Agreement (VPA), which lays out the system for ensuring that timber exports conform to national laws.

Although momentum for developing a VPA in Myanmar stalled in 2019 after the European Commission halted the initiative in the wake of state-sanctioned violence against Rohingya people, Myanmar can still work towards verifying the legality of harvests through EU Timber Regulations (EUTR). One area where much could be done is in improving information transparency in the timber sector, a goal endorsed by many national and ethnic CSOs (Logging Off, 2020). The REDD+ Draft Strategy recommends creating a publicly accessible registry for documentation related to timber harvesting, including a registry of export licences accessible to customs officials of neighbouring countries, so they can distinguish between legitimate licences and fakes.

Despite most key informants from the NGO sector perceiving these transboundary risks as too great to be tackled by civil society and third sector organisations, their ability to put pressure on international trade partners should not be overlooked. Illegal trade and corruption in the forestry sector is a threat to the sustainability of REDD+ implementation, and some actions can be taken by donors and civil society to ensure that Myanmar's people are not reliant on the goodwill of government officials and trade partners to help the country enforce its forestry policies (EIA, 2019). In practice, however, donors could use an analysis of risk priorities to shift this perception, and work to incorporate methods of mitigating the risk even if it is not prioritised by key stakeholders.

### **2.3.5 Perceived trade-offs: protecting biodiverse forests over allowing agricultural or plantation concessions**

Choosing to conserve forests can be beneficial to human health and the environment, but it requires weighing climate action and economic growth as (at minimum) equal priorities. Embedded within economic development itself are the risks of depleting and degrading

Myanmar's natural resources, including potentially amplifying feedbacks between climate change stresses on ecosystems and their degradation. The Myanmar Sustainable Development Plan warns that rapid economic development risks 'further exacerbating existing environmental problems such as deforestation, mangrove loss, the illegal wildlife trade, unregulated mineral extraction, air and water pollution, increase in waste, and climate change' (Government of Myanmar, 2018: 3). To change the calculus of such a stark trade-off between economic development and conservation, international donors and climate funds have a role to play in incentivising a different type of development, promoting further technological transfer and financial assistance for risk-informed, low-carbon development.

Among perceived economic development trade-offs, key informants highlighted that REDD+ implementation is likely to require forgoing investment in agriculture in order to preserve and restore degraded forests. As it stands, commercial agriculture, in particular rice and shrimp farming in coastal mangrove areas, is the main driver of deforestation in Myanmar (Hosonuma et al., 2012; Estoque et al., 2018). Interviewees pointed out that other Southeast Asian countries have benefitted from a much higher level of investment in their agriculture sectors, and that it would be understandable for the government of Myanmar to prioritise economic growth over conservation. Foreign investment in Myanmar's agriculture sector is only 0.5% of total foreign direct investment, despite efforts to increase foreign investment in the sector (Global New Light of Myanmar, 2018b). The government is under pressure to grow the economy, and it will be attractive to follow the development trajectories of neighbouring countries such as Thailand, where agribusiness investments helped feed growing populations and keep food prices low for factory workers in urban areas.

Some concessions for plantations in forested areas will have to be forgone to meet deforestation targets. Expanding plantations for cash crops was a major focus of Myanmar's previous military regime, and there remain about 2 million hectares of intact forests where

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concessions for plantations have been granted under the former government (Bhagwat et al., 2017; Connette et al., 2016). If the forests in these concessions are converted into plantations, Nomura et al. (2019) estimate that the clearing would release at least 149.9 gigatons of carbon dioxide (CO<sub>2</sub>) into the atmosphere – nearly the equivalent of the Netherlands’ annual carbon emissions in 2017. Rescinding these legal concessions should be an advocacy priority for donors and CSOs in order to support REDD+ implementation.

Beyond the environmental costs, inviting investment into plantations may not even be a particularly good development strategy. Myanmar’s REDD+ strategy points out that a high proportion of plantations fail. A cost-benefit and risk analysis would be beneficial to understanding when and where it makes sense to promote plantation development (UNDP, n.d.). New rubber plantations are often located on marginal lands that are important for biodiversity conservation and ecological functions, creating a possible ‘lose-lose’ scenario: the clearance of biodiverse forests to make way for economically unsustainable plantations. Some plantations are badly adapted to the local environment, ultimately altering local hydrologies and worsening erosion (Ahrends et al., 2015).

Any cost-benefit analysis of the value of new forests should emphasise factors beyond market incentives. Prices for plantation products like rubber are subject to fluctuations in global markets, making calculations about whether to protect forests contingent on factors outside of national control. If rubber prices are low, payments for protecting forests rather than converting them into plantations may be a more attractive option. If rubber prices are high, payments to offset the opportunity costs of land conversion would have to be substantial to persuade policy-makers, despite the irreversible environmental costs. Making the case that short-term economic gains will not outweigh the long-term benefits of protecting forests requires a concerted awareness-raising campaign. This narrative is needed both at the national level, to government and investors, and among ethnic CSOs, which can help communities to oppose

plantation projects. The campaign should highlight the benefits derived from forests, such as maintaining ecosystem services (for example flood control and water storage buffering) while highlighting risks to the viability of plantations, such as the increased risk of forest fires and the spread of palm oil tree diseases.

Investing in agriculture or protecting forests does not have to be a binary choice, despite the perceptions of some national-level actors. What is of critical importance is *how* the government of Myanmar invests in agriculture. If increased investment in agriculture is about intensification rather than expanding agricultural land, feeding Myanmar’s population is no longer a viable justification for cutting down its forests. Furthermore, intensification can benefit smallholder farmers in addition to agribusiness, potentially contributing to poverty reduction objectives. Donors and national decision-makers would do well to support the supply of improved seeds, extension services, soil and forest conservation techniques and water use management, all of which can improve the productivity of existing farmland (UNDP Myanmar, 2013).

## **2.4 Risk management and REDD+: a vision for peaceful and equitable forest conservation**

Engaging with REDD+ means grappling with two visions for Myanmar’s development: one in which ethnic groups’ rights are prioritised, land tenure is fair and equitable and forests are conserved through community-based initiatives, and one in which a strong central government enforces a conservation policy that leaves local people vulnerable to the dispossession of their land and livelihoods, and that heightens tensions with EAOs. The National REDD+ Strategy proposes a moratorium on issuing conversion licences for VFV land, which could negate the risk that land is taken away from indigenous people and allocated to agribusiness. Unless this is enacted, however, it would be sensible to promote other policies that could protect indigenous peoples’ right to their land, such as the Land Use Policy, the Conservation of Biodiversity and Protected Areas Law or

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community forests. Alongside these efforts, continued investment in the FPIC process is a key element in ensuring that indigenous people participate in decision-making.

There is an opportunity to use REDD+ as a peacebuilding initiative, reinforcing traditional livelihoods, building local capacity for forest management and protecting rural people from large-scale land conversion to plantation concessions. Although the REDD+ Strategy is accompanied by a range of policies and measures (PAMs) that aim to address many of the external threats mentioned in this case study, these internal issues may prove to be as great an obstacle. For instance, if REDD+ implementation is not accompanied by land reform, it is unlikely that even the best intentions of Myanmar's Forestry Department will be realised. Whether the distribution of benefits and burdens from REDD+ is equitable depends on whether the Forestry Department's REDD+ goals take precedence over MoALI's mandate to expand large-scale agriculture; whether indigenous people have the right to defend their land; and whether EAOs are adequately consulted on (and compensated for) forest conservation. Strong political will and an empowered NE5C are key to ensuring that the REDD+ programme is able to deal with competing priorities across government ministries.

Encouragingly, many potential methods of mitigating risks related to REDD+ implementation are included in the REDD+ Draft Strategy as PAMs, addressing diverse issues from recognising ethnic minority rights to land through ICCAs to improving transparency in the timber export industry. If these policies and measures are realised, REDD+ implementation will account for diverse risks and address them

as a core component of the strategy. In practice, implementing the strategy is likely to run into challenges at the national and subnational levels, and additional donor support is key to ensuring that efforts do not fall flat. As the REDD+ programme moves into the next stages of implementation, the role of international donors, NGOs and CSOs is crucial in helping to advocate for and support measures that promote a holistic strategy of forest conservation. A truly risk-informed approach to REDD+ is not just about forests – it is a matter of indigenous land tenure, supporting forest-based livelihoods, strengthening institutions for climate governance and realising the promises of the NCA.

From this analysis of threats and risks guided by the RID lens, some general conclusions about the nature of risks facing REDD+ implementation (or trade-offs that could arise from it) can be drawn. Donors, governments and development practitioners cannot address risk in silos. All threats and risks identified in this study are cross-sectoral and interact with each other. Equally, risks can be managed through multiple approaches, and it is both possible and (sometimes) desirable to enact a few strategies simultaneously to mitigate the same risk. Although risk analysis often focuses on external threats, risks can emanate from the ways in which a programme is implemented or governed. Institutional obstacles, inertia or overlapping mandates from government ministries can undermine programming. While these issues are less tangible or visible than some external threats, they are critical for the long-term success of risk-informed development programmes. A RID approach invites consideration of all of these in the design and implementation of the REDD+ strategy.

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# 3 Niger: livelihoods and risk perceptions of illicit economies

## 3.1 Overview

Illicit economies have long been viewed as inhibitors of development and described as having a cyclical relationship with violence and conflict (see Gillies et al., 2019). However, while researchers acknowledge the often-violent and predatory relationship between illicit economies and the communities in which they are present, there are also those who argue that illicit economies can be both a pathway to development and offer a certain degree of stability (Mansfield, 2019; Gutierrez, 2020).

For multilateral organisations and security agencies, illicit economies must be tackled because they provide a source of finance to armed groups and undermine rule of law and governance (see section 3.3.1). For national governments in countries with illicit economies, the revenue generated can be an important contribution to GDP and a source of patronage to keep powerful individuals onside (Raineri, 2018; Gutierrez, 2020; ICG, 2020a). For local communities, illicit economies can provide an important coping mechanism and opportunity (Gillies et al., 2019). Indeed, for local communities connected to these economies, the very term illicit is problematic: these economies are seen as just a way of earning a living.

Using the RID lens, this case study explores how different perceptions of risk shape policies and programmes designed to target illicit economies. The dominant framing of illicit economies as a security risk means that measures to tackle them often resort to enforcement,

rather than addressing them as a development issue (Brombacher and Westerbarkei, 2019; Gillies et al., 2019). This can create further threats by pushing the problem elsewhere or removing a source of livelihood without offering alternatives to local communities, or at least a lag in development funding to offset the economic impact felt by local communities. Framing illicit economies as a security threat can also act as a barrier to more innovative approaches to addressing them.

The Agadez region of northern Niger provides a microcosm in which to explore these issues. The region, and in particular the town of Agadez, has become an important transit hub for smuggling routes for arms, drugs and people, practices which have increasingly been highlighted during UN Security Council debates as a threat to peace and stability in the region. In particular, the smuggling of migrants north towards Libya has been of increasing concern for international actors. In a bid to curb irregular migration from sub-Saharan Africa to Europe, under pressure from the EU, the government of Niger imposed an anti-migration law in 2015 (McCullough et al., 2019). The law effectively criminalised the transportation of migrants north of the town of Agadez, and with it, people smuggling. Those caught transporting or providing accommodation to migrants face fines of up to \$50,000 and 30 years in prison. The Agadez region is also a beneficiary of the EU's Emergency Trust Fund for Africa, announced in 2015. The fund is designed to target irregular migration through funding

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security measures such as border enforcement, as well as supporting economic development and employment within the Agadez region.

While EU-sponsored initiatives to curb irregular migration existed prior to the ban, and there was evidence that the government of Niger was making some attempts to stop migrants travelling north of Agadez, it was not until the introduction of the ban in 2015 that people smuggling was considered a criminal offence (Tinti and Reitano, 2016; Brachet, 2018). The majority of migrants entering the town of Agadez were doing so under an Economic Community of West African States (ECOWAS) agreement that allows individuals from ECOWAS countries to move freely within the bloc (Tinti and Reitano, 2016). Migrants would then employ the services of people smugglers to help facilitate the journey north towards Libya (*ibid.*). As opposed to people trafficking, migrants chose to pay for the services of smugglers. However, the journey still carries risks, with reports of migrants being abandoned in the desert or dying on the journey (*ibid.*; Molenaar et al., 2017).

Despite the perception that people smuggling takes advantage of migrants, and the government's decision to criminalise it, the local population has traditionally viewed and continues to see it as a legitimate way to earn a living. The industry as a whole has become an important source of revenue for the local economy, both through the money earned by smugglers, which is reinvested back into the local economy, and the money spent by migrants while in Agadez (Tinti and Wescott, 2016). Smuggling networks for all forms of illicit goods form part of a complex political economy that enables the state to function (Raineri, 2018; ICG, 2020a).

By using a RID approach to identify and understand risk perceptions and priorities, and evaluating these across three sets of actors – international, national and local – engaging with the smuggling economy in Niger, we can see what happens when one set of risk perceptions is prioritised over others in the policy aims of particular actors. This is important because risk perceptions and power differentials have implications for policies designed to target the smuggling economy in Agadez.

Full of contradictions, illicit economies can generate different perceptions of risk and responses. Using the perceptions of international, national and local actors that interact with the smuggling economy in Niger, we can see how these contradictions can have a bearing on both decision-making and perceptions of risk at a variety of scales, which in turn influences security and development policy. Only by understanding why individuals engage with illicit economies can we begin to ask whether development programmes targeting local people are appropriate or present attractive alternatives to illicit revenue sources.

## 3.2 The operating context

### 3.2.1 Niger: economic and internal security challenges

The government of Niger faces two major battles: 'the war against terrorism and the war of finance' (de Tessieres, 2018: 71). There remain structural weaknesses in the economy that leave Niger vulnerable to regional or global financial instability and geopolitical volatility. Like its neighbours, Niger's economy lacks 'diversification' and 'specialisation' (Eizenga, 2019: 9). Its exports are mainly primary commodities, including agricultural produce, unprocessed uranium and, to a lesser extent, oil. This leaves it vulnerable to fluctuations in global prices. As Eizenga (*ibid.*) argues, Niger's reliance on exports of primary commodities means that predicting long-term sustainable growth is problematic. The economy is also dependent on the economic performance of its southern neighbour Nigeria, which remains the dominant economy in West Africa. Nigeria has been struggling with its own economic difficulties recently, in part due to a decline in global oil prices and internal security threats (*ibid.*). Trade between the two countries has been affected by the Nigerian government's decision to close its land borders with its neighbours in August 2019. The decision was taken to stem the flow of cross-border smuggling and protect domestic agricultural production from cheaper imports (Ghins and Heinrigs, 2019). This has had a detrimental impact on communities in southern Niger which rely on cross-border trade (*ibid.*; Hama, 2019).

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The government recognises these challenges and concerns. The Niger 2035 Sustainable Development and Inclusive Growth Strategy outlines the ambition to become an ‘emerging economy’, one which can generate economic opportunities for the country’s growing, youthful population. Part of this strategy involves developing a modern and more productive agricultural sector in a bid to rejuvenate the rural economy and render it ‘capable of providing decent jobs to youth in rural areas and curb the rural exodus’ (Government of Niger, 2017a: 5). However, the strategy also stresses the need to diversify the economy by developing the private sector to reduce reliance on agriculture (ibid.). To offset the risks associated with falling commodity prices, the government also emphasises the need to diversify exports (Government of Niger, 2017b). This includes overhauling the mining sector to include the processing as well as extraction of raw materials (ibid.).

Insecurity means that Niger struggles to attract foreign investment (de Tessieres, 2018). The threat from jihadist groups is ever-present, related to security dynamics in neighbouring Mali, Burkina Faso and Nigeria, where these groups also operate. Niger is part of several regional missions aimed at targeting these groups, which in turn has meant it has become a target for attacks from both Boko Haram in Nigeria and groups operating from Burkina Faso and Mali (ibid.). Insecurity is also fuelled by communal violence. This includes tensions between farmers and herders on the Niger–Mali border, which are often exploited by jihadist groups (ibid.: 33). Communal violence is also influenced by spill-over effects related to ongoing violence in northern Nigeria linked to Boko Haram, and the presence of internally displaced people (IDPs) in southern Niger has sparked competition with local communities over resources (ibid.). Finally, there has also been a rise in violence in the north related to banditry, driven by the financial rewards of smuggling (ibid.). This is coupled with a lack of state presence, which fuels further insecurity by encouraging more smugglers to arm themselves for protection (McCullough et al., 2019).

### 3.2.2 Economic profile of Agadez

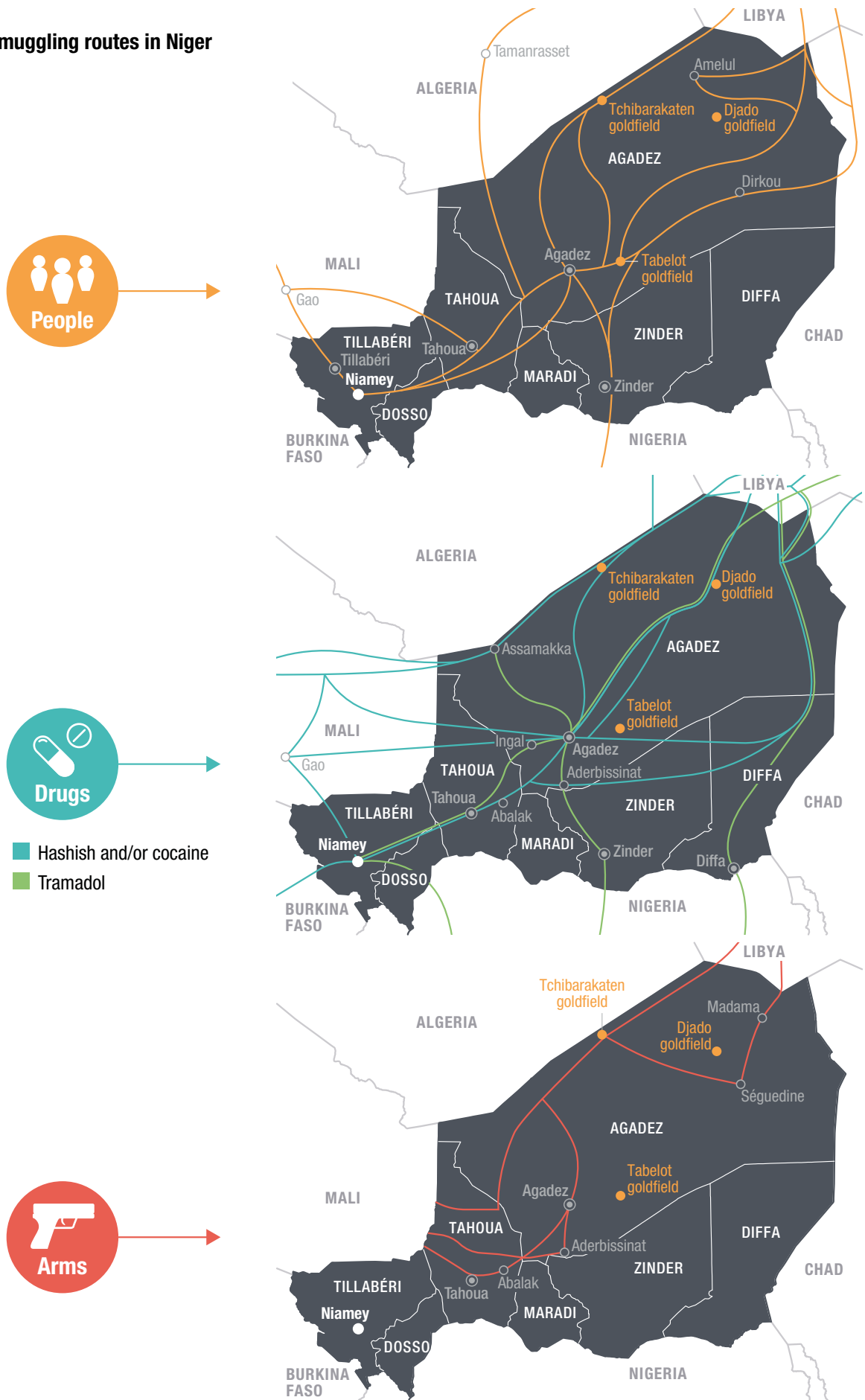
The regional economy is dominated by agriculture and livestock, both of which are vulnerable to natural hazards such as droughts in an area characterised as semi-arid to arid and bordering on the Sahara. Irrigated agriculture produces some cash crops for export, but these are susceptible to price fluctuations. Much of the agricultural sector is defined as subsistence, with productivity hampered by poor infrastructure (Hoffman et al., 2017). Pastoralism is an important livelihood source, particularly in the dry zone of western Agadez (FEWS Net, 2019), but the sector has been in decline for some decades, in part as a result of natural hazards such as droughts, restrictions on livestock corridors through the privatisation of land and water resources and tighter controls along national borders (McCullough et al., 2019).

Agadez is home to Niger’s uranium mining sector, which produces 5% of the world’s supply. However, declining global uranium prices have led to some 2,000 job losses and the closure of one of the region’s three mining sites (ICG, 2020a). A second site is slated for closure in 2021 due to the depletion of reserves (Reuters, 2019). In 2014, the discovery of gold deposits in Tchibarakaten, Djado and more recently Tabelot has led to a ‘gold rush’ in the informal mining sector. The Djado goldmine was closed by the Nigerien government in 2017 due to security concerns (Pellerin, 2017; McCullough et al., 2019).

Like other regions of Niger, people from Agadez often migrate during the dry season to work as labourers in the south of the country (FEWS Net, 2019), as well as to other countries in West and North Africa, notably Algeria and Libya (Harmon, 2015; Brachet, 2018). However, the conflict and instability which have followed the fall of the Gaddafi regime in 2011 have reduced migration to Libya, resulting in a reduction in remittances being sent back to communities in Agadez (Tinti and Westcott, 2016). Estimates of those returning to Niger range from 90,000 to 260,000 (Tinti and Reitano, 2016).



**Figure 4 Smuggling routes in Niger**



Sources: Mangan and Nowak (2019), Micallef et al. (2019), ICG (2020)

### 3.2.3 The smuggling economy

While cross-border trade has for centuries been part of the social and economic fabric of the Sahel, the 1970s and 1980s saw the growth of smuggling networks in fuel, food staples and manufactured goods from oil-rich countries to the north, such as Algeria and Libya (Lacher, 2012; Reitano and Shaw, 2015). From the 1980s onwards, cigarette smuggling became increasingly lucrative, often originating in tax-free trade zones in the Middle East (Lacher, 2012). Over time, these networks and routes have increasingly been co-opted by more illicit items, such as arms. In the 1990s, the end of the Cold War resulted in the wider availability of arms (UNODC, 2013a). This, combined with conflicts in Algeria, Mali and Niger, meant that the Sahel increasingly became home to major arms smuggling networks (Lacher, 2012). Since the early 2000s, Sahelian countries have also become important transit zones for drugs en route to European markets, including Moroccan cannabis and cocaine from South America (Julien, 2011; Reitano and Shaw, 2015), and more recently the synthetic opioid Tramadol, produced in Nigeria and destined for Libya (Tinti, 2018a; Micalleff et al., 2019). In common with other towns in the Sahel, Agadez (and the wider region) has become an important transit hub for these illicit flows (see Figure 4).

Perhaps the highest-profile smuggling activity linked to Agadez town in recent years has been the smuggling of people. While the migratory route north is well-trodden, flows northwards from sub-Saharan Africa – transiting major hubs in Agadez – had been increasing in recent years, with the number of migrants passing through Agadez peaking in 2016 at 290,000 (Tubiana et al., 2018). Numbers subsequently fell to 33,000 in 2017 following the implementation of the government’s anti-migration legislation, but this may not be an accurate picture of current numbers as smugglers take to new routes that are not monitored by the International Organization for Migration (IOM) (ibid.). Former members of armed groups linked to conflict in northern Niger applied their skills to the growing demand for transport across the Sahel (Raineri, 2018), though recent research suggests that

a new class of smuggler has emerged with no former links to armed groups, instead drawing on social networks in urban centres including Agadez (McCullough et al., 2019).

### 3.2.4 Livelihood (in)security

Livelihoods in the region are precarious, low-paid, lack prospects for progression and are vulnerable to shocks and stresses, including related to droughts. Analysis by FEWS Net (2019) on chronic food insecurity in Niger, including the ability of households to absorb shocks, found that the percentage of households classified as ‘moderately’ or ‘severely’ vulnerable to shocks ranged from 35–40% across the Agadez region. (In terms of classification, ‘moderate’ describes those livelihoods which are ‘marginally sustainable and [where] resilience to shocks is limited’ (ibid.: 3). ‘Severe’ describes livelihoods that are ‘very marginal and not resilient’ (ibid.). See Table 1).

Given shocks within formal areas of the economy, the smuggling economy and informal gold mining have come to represent an important part of the local economy. People smuggling in Agadez is estimated to have provided a direct source of income for over 6,000 people (Molenaar et al., 2017). Combined with the gold rush in northern Niger, people smuggling has provided a ‘boon’ for the local economy (Tinti and Wescott, 2016). Both gold mining and smuggling have resulted in the growth of a service industry within the local community, and these profits are reinvested back into the local economy (Tinti and Wescott, 2016; Pellerin, 2017). Recent research carried out by ICG (2020) estimates that, in 2015, people smuggling generated \$100 million for the local economy in Agadez. The economic benefits of being associated with people smuggling are clear when monthly earnings in informal sectors are compared with those within the formal economy (see Figure 5).

In addition to direct employment related to people smuggling, indirectly it has been estimated that smuggling has benefitted more than 50% of households in the town of Agadez (Molenaar et al., 2017). Surveys by the Clingendael Institute on local perceptions

**Table 1 Proportion of Agadez region population by Chronic Food Insecurity (CFI) level classification**

	Pop.	Level 1	%	Level 2	%	Level 3	%	Level 4	%	# >L3	% >L3
Eastern Agadez (Bilma)	21,426	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Central Agadez (Arlit, Ifernouane, Tchirozerine)	456,897	182,758	40	114,224	25	91,379	20	68,534	15	159,913	35
Western Agadez (Aderbisinat, Ingall)	104,199	31,259	30	31,259	30	26,049	25	15,629	15	41,678	40

<b>Level 1 – No CFI</b>	In a common year, households (HH) are continuously able to access and consume a diet of acceptable quantity and quality for an active and health life. HH livelihoods are sustainable and resilient to shocks. HHs are not likely to have stunted children.
<b>Level 2 – Mild CFI</b>	In a common year, HHs are able to access a diet of adequate quantity, but do not always consume a diet of adequate quality. HH livelihoods are borderline sustainable, though resilience to shocks is limited. HHs are not likely to have moderately or severely stunted children.
<b>Level 3 – Moderate CFI</b>	In a common year, HHs have ongoing mild deficits in food quantity and/or seasonal quantity deficits for 2 to 4 months of the year and consistently do not consume a diet of adequate quality. HH livelihoods are marginally sustainable and resilience to shocks is very limited. HHs are likely to have moderately stunted children.
<b>Level 4 – Severe CFI</b>	In a common year, HHs have seasonal deficits in quantity of food for more than 4 months of the year and consistently do not consume a diet of adequate quality. HH livelihoods are very marginal and are not resilient. HHs are likely to have severely stunted children.

Source: FEWS Net (2019)

of migration and the impact of anti-migration measures show that 65% of respondents ‘believed that the Agadez community benefitted considerably from the economic dividends of migration’ (ibid.: 17). Migrants passing through the town of Agadez pay for transport and housing, directly benefitting those connected to people smuggling, but also buy locally sold goods such as food and water, and use local services such as money transfers (Tinti and Wescott, 2016; Brachet, 2018). This provides business for local sellers, banks and restaurants (ibid.), while the profits generated create demand for new housing, providing a boost for the construction sector (Tinti and Wescott, 2016). For a discussion of the impact of Covid-19 on people smuggling networks, see Box 6.

### 3.3 Divergent risk perceptions and priorities in tackling the smuggling economy

This section outlines three sets of actors with an interest in Niger’s smuggling economy. In line with RID, it highlights how perceptions of risks of the smuggling economy vary across these different actors (see Figure 6).

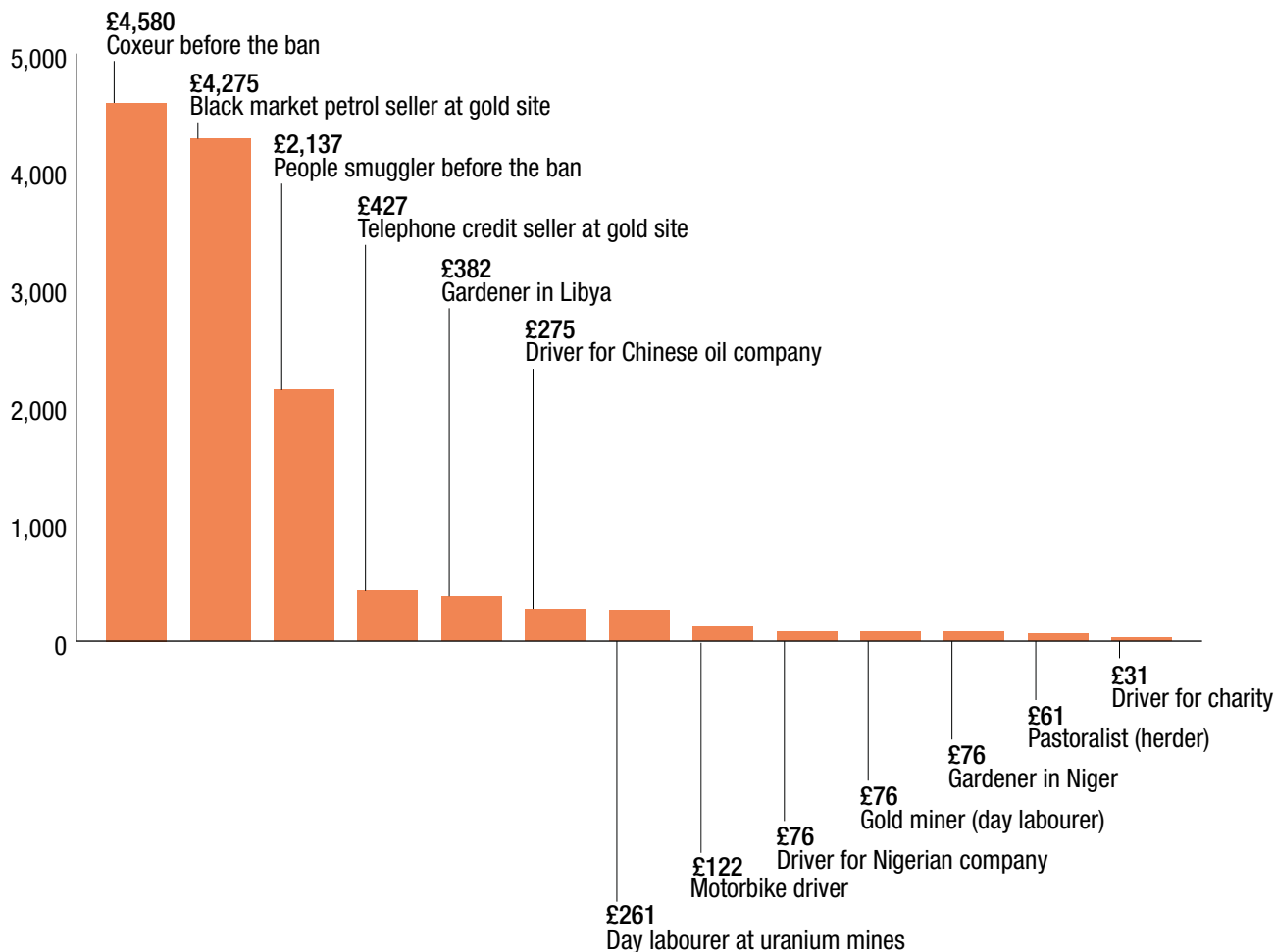
#### 3.3.1 International actors

Some multilateral and bilateral international actors are showing increasing interest in smuggling activities across the Sahel region, and how these intersect with other security challenges such as the presence of non-state armed actors.

Policy documents drafted by multilateral agencies and UN Security Council debates identify smuggling as a threat to peace and stability in the region. In a written statement produced on behalf of the UN Security Council in 2013, Council President Gerard Araud warned that drug smuggling and transnational organised crime networks in the Sahel ‘contribute to undermining the authority of states, their security and stability, governance, social and economic development and the rule of law’ (UNSC, 2013a: 1). Arguing that there is an overlap between different forms of transboundary smuggling, which in turn could be linked to terrorism, Araud argued for policy responses and ‘inter-regional cooperation’ to approach these threats and risks in a ‘comprehensive’ and ‘integrated’ manner (ibid.).

In the same year, a report by the UN Secretary-General on transnational organised crime and illicit smuggling in the region identified

**Figure 5 Average monthly earnings across a range of professions in northern Niger**



Note: A *coxeur* is a middleman acting between migrants and smugglers. They also offer accommodation to migrants and arrange money transfers between migrants and their families.

Source: McCullough et al. (2019)

transboundary organised crime in the Sahel as a threat (UNSC, 2013b). The report noted that it increased the risk of corruption and violence, which in turn impedes economic and social development by ‘detering legitimate investors and encouraging the flight of human capital’ (UNSC, 2013b: 4). The UN Integrated Strategy for the Sahel (UNISS) calls for effective regional border management in order to address ‘illicit trafficking and cross border movements of criminals, including terrorists’, and points to the need to target ‘hub cities’ in the region, through which large quantities of illicit goods transit (UNISS, 2013: 20).

Individual UN bodies share these concerns. In its context analysis for the UNISS, the UN Office on Drugs and Crime (UNODC) describes how multiple threats have combined with unstable socio-economic contexts to create

the ‘ideal environment for illicit trafficking’, including a lack of state authority; collapse of pastoral economies; corruption; and the presence of arms (UNODC, 2013b). The UNODC describes the impacts of these factors on security and development as having ‘reached a level that poses a threat to governance in the entire region’ (ibid.). While more evidence is needed in this area, the UNODC also points to a relationship between terrorism, drug smuggling and organised crime; ‘some militant Islamists are thought to levy taxes on trafficking routes’ for drugs, cigarettes and arms (ibid.: 2). During a UN Security Council debate in 2018, in reference to West Africa, UNODC Executive Director Yury Fedotov stated that ‘the linkages among terrorism, illicit drugs and other forms of crime have been widely acknowledged by the UNSC’ (UNODC, 2018).

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## **Box 6 Illicit markets and Covid-19**

### **Impact of Covid-19 on people smuggling networks**

Covid-19 has forced governments to take measures to control the movement of people both within and across their borders. Along with neighbouring Libya and Algeria, the government of Niger closed official border crossings and increased border surveillance. It also imposed a 14-day quarantine on new arrivals, isolated the capital Niamey by restricting those entering, leaving and put in place security checkpoints and restricted travel by road to those given authority by the state (Bird, 2020). Despite this, migrants are still willing to attempt the journey north towards Agadez and beyond (Interpol, 2020). However, numbers are reported to be down, with local businesses noting a fall in trade (Brown, 2020; Sahelian.com, 2020). As migrants used bus companies in Niamey to reach Agadez, the isolation of the capital has had a significant impact on the numbers arriving in the town (Sahelian.com, 2020).

Although the people smuggling industry has always enjoyed a level of legitimacy among the local population, fear of the spread of Covid-19 appears to have led to a change in perceptions (Bird, 2020). Communities have placed controls on important transit routes in northern Mali and southern Libya which connect Niger's people smuggling networks in the region, to put a halt to smuggling (ibid.). While these networks continue to operate, some on the border between Algeria and Niger have reportedly temporarily ceased operations (Bird, 2020).

### **Risks to migrants in Niger**

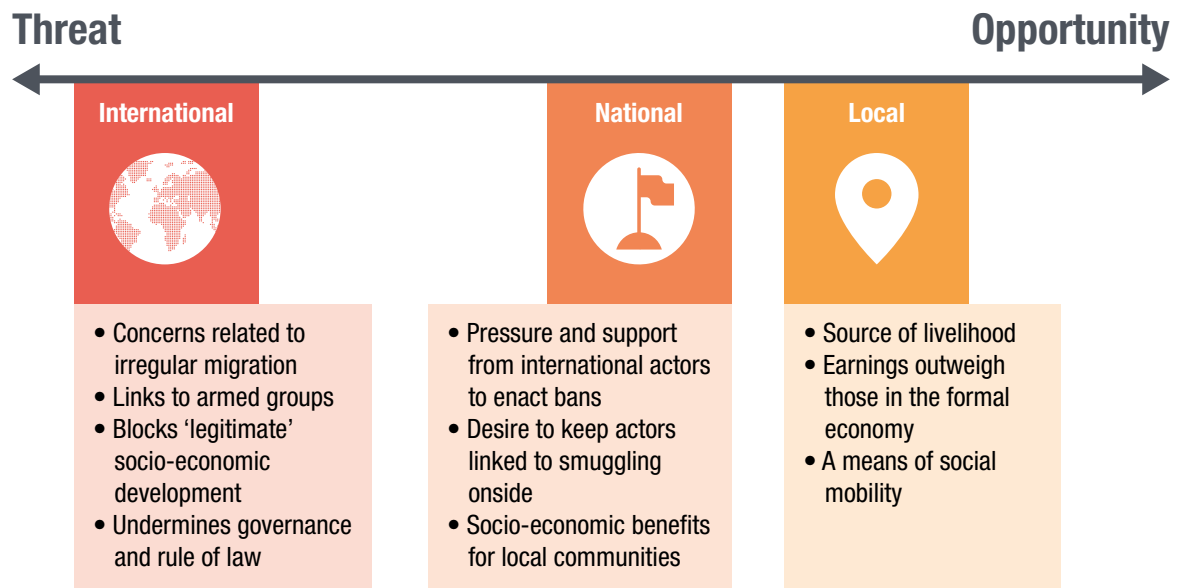
There are concerns that migrants are taking greater risks to avoid border restrictions (Brown, 2020). The situation within the country is further complicated by the continued deportation of migrants by Algeria, and the return of migrants who had made the journey north to Libya in order to escape ongoing violence and instability (REACH, 2020). The IOM (2020) has reported that it is housing over 2,000 migrants in its transit centres. These centres are a temporary solution and are not designed to accommodate migrants for long periods of time (REACH, 2020). The IOM has raised concerns regarding the risk of a possible outbreak of coronavirus within these centres, and the costs related to quarantine and sanitation measures (IOM, 2020; European Commission, 2020).

### **Long-term implications**

The sustained impact of Covid-19 on people smuggling dynamics in the Sahel will have to be monitored and considered against existing trends. The changing perceptions of local communities towards smuggling networks presents an interesting case, but may prove short-lived, especially given the significance of smuggling to the local economy (Bird, 2020). In terms of longer-term impacts, risks such as more dangerous routes being taken by smugglers, increased costs, the disruption of formal trade and supply chains (with potential knock-on impacts on food security) and the shift to more organised criminal networks to evade increased surveillance (Bird, 2020; Interpol, 2020; Sers and Mughal, 2020) were already being observed in the wake of the implementation of the anti-migration law.

A global economic downturn triggered by pandemic control measures may well become an important push factor for migration (Bird, 2020). The effects on wider illicit economies are also of interest. While global licit trade has been impacted, criminal networks have been able to adapt and continue to make a profit (Anesi et al., 2020). In some instances, where the state has been slow or absent in its response to Covid-19, criminal actors have stepped in to provide both social and financial support to local populations (Pawelz, 2020). While this is not a phenomenon specific to the pandemic, reliance on these actors and illicit markets may increase, especially given the fiscal constraints likely to face governments and the lack of alternatives for affected communities (Anesi et al., 2020; Mansfield, 2020).

**Figure 6 Different actors' perceptions of the smuggling economy in Niger**



Since the early 2000s, increased attention has been paid by international actors, in particular the EU, to irregular migration from sub-Saharan Africa (Brachet, 2018). In parallel, a securitised narrative has developed around these flows. This is apparent in Niger, and in particular the Agadez region, which has been a primary focus of EU intervention. The EUCAP Niger mission, launched in 2012, was designed to enhance Nigerien security services' capacities 'to fight both terrorism and organised crime' (Council of the European Union, 2018). Its mandate was expanded in 2016 to include 'developing the procedures and techniques to better control and address irregular migration' (ibid.). In 2015, the EU announced the EU Emergency Trust Fund (EUTF) for Africa, which aims to 'address the root causes of instability, forced displacement and irregular migration and to contribute to better migration management' (EU, 2016: 1). In Niger, this has included the targeting and dismantling of smuggling networks (ibid.: 5).

Some analysts argue that the EU's policies and programmes towards migration in the Sahel have been driven by the rise of nationalism in Europe (Lebovich, 2018). Others suggest that the flows have become part of a broader dynamic, whereby migration is being merged with a spectrum of security threats in the region (Raineri, 2018; Tinti, 2018b). This view is supported by the framing of the issue by some international security agencies. For

example, a joint assessment by Europol and Interpol of migrant smuggling networks into Europe describes a system of 'polycriminality' where, given the proximity to other illicit flows, there is often an overlap between different actors. The assessment warns that 'terrorist' organisations may use these flows as a source of revenue (Europol and Interpol, 2016). The same connection was made by a recent UN Security Council resolution on the Sahel, which referred to 'arms and drug trafficking, the smuggling of migrants, trafficking of persons and its increasing links in some cases to terrorism' (UNSC, 2017: 1).

While international actors often conflate security threats in the region, it is not clear how they prioritise one form of smuggling over another. However, given the money being invested through the EUTF, and the pressure being placed on the government of Niger to tackle people smuggling networks through the anti-migration law, it is safe to assume that more attention is being placed on people smuggling. Interviews with Western military officials reveal that drug smuggling is only considered a priority if there is a link to funding of jihadist groups (ICG, 2020a). Even then, there appears to be a reluctance to prioritise drug smuggling due to difficulties in differentiating between jihadist groups and smugglers. Perhaps more tellingly, Western military officials recognise that the trade is

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linked to the local political economy and is an important livelihood source (ibid.).

The same cannot be said for the approach to managing people smuggling networks advocated by some international actors, which have promoted their dismantling before considering alternative forms of livelihood. Rather, European politicians have purposively constructed a narrative which frames migration as a ‘criminal activity that menaces Niger’s security’ (ibid.: 22). According to one EU official:

We cannot admit that we are in Niger to focus on stopping migration. We have to demonstrate that our engagement is linked to criminality and factors that destabilise Niger (ibid.).

Agencies implementing economic development and employment programmes in Agadez are also worried about the presence of smuggling networks. Agence Française de Développement (EUTF, n.d., a), CTB, MAECI/DGCS and SNV (ibid., b) warn that, in an environment with a growing youth population and the presence of armed groups and smuggling, it is important to provide young Nigeriens with economic alternatives. Young people face both unemployment and under-employment, and are seeking to leave the agricultural sector. In this context, the presence of an illicit economy and jihadist groups could provide an attractive alternative.

### 3.3.2 National actors

The government of Niger has increasingly aligned with international actors in terms of targeting smuggling, particularly in relation to migration. The anti-migration law introduced in 2015 and the subsequent targeting of people smuggling networks appear on the surface to show the government’s commitment to this approach (Brachet, 2018; Raineri, 2018). However, there is some scepticism about how committed the government is to tackling smuggling (Tinti and Reitano, 2016), and its ‘hardline’ stance is seen as primarily a means to win backing from international actors, especially the EU. Some perceive the government

as using the security concerns of these actors to encourage financial aid and training for its security services (Brachet, 2018; Raineri, 2018). Arrests have been described as selective and have avoided targeting the ‘kingpins’ involved (Raineri, 2018). However, between October and November 2018 three key individuals were arrested (Zandonini, 2020).

While the threat and risk perceptions of international actors have some foundation, they are often built on a failure to appreciate the complex political economy of smuggling within Niger. Even though these smuggling routes and the actors involved appear to be in direct competition with the state, these same networks can also provide the means through which the state is able to function (Roitman, 2004). First, the smuggling economy in Niger forms part of the state’s conflict management strategy (ICG, 2020a) for the north by providing an avenue to reintegrate former members of armed groups (Brachet, 2018; Raineri, 2018). Furthermore, the ‘tacit’ acceptance of smuggling avoids confrontation between the state and armed actors, and facilitates cooperation with important smuggling figures. These individuals can act as mediators between the state and northern communities and manage competition between different smuggling networks (Raineri, 2018; ICG, 2020a). As one local official put it: ‘We put men inside and we close our eyes to their activities. We can’t stop trafficking, so it is better to be inside’ (ICG, 2020a: 13).

Second, key actors within the smuggling economy are important supporters of the government. The decline in uranium mining has meant that these actors are now some of the government’s most important financial backers in the country (Raineri, 2018). Security services are said to take bribes and rely on resources from smugglers in order to function (Brachet, 2018; Raineri, 2018). In a country that has witnessed several military coups since independence in 1960, the government is reluctant to upset military leaders, particularly at a time when the armed forces are overstretched and under-resourced (Raineri, 2018). Finally, the government recognises the socio-economic benefits of smuggling to the local economy. Given the failings of

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the formal economy, smuggling provides an important lifeline for ordinary Nigeriens, and with it a level of social legitimacy among local communities (ibid.). The government faces a delicate trade-off: it must balance the socio-economic benefits of the smuggling economy against its desire for foreign backing.

### 3.3.3 Local actors

When assessing the risk perceptions of international, national and local actors regarding Niger's smuggling economy, it is the difference between the perceptions of international and local actors that provides the clearest evidence of a divergence of opinion about the threat that smuggling presents. The clampdown on people smuggling and the anti-migration law have had negative impacts on the local economy. These measures have also fuelled feelings among the local community that they have been unfairly targeted, while smuggling in other parts of the country goes unpunished (Brachet, 2018). Local communities also feel that they have not been adequately compensated for the damage done to their livelihoods by the ban (Molenaar et al., 2018). This sets a dangerous precedent in a part of the country where feelings of 'marginalisation' and 'stigmatisation' have been drivers of conflict in the past (Brachet, 2018).

This clash of social and cultural values and priorities is laid bare when it comes to defining an acceptable way to earn a living. For many in the Sahel, smuggling of all types of goods presents the only viable livelihood (Tinti and Wescott, 2016). It is for these reasons that smuggling carries a certain level of social legitimacy, which puts it at odds with the views held by international actors. For example, surveys in Niger reveal that less than 2% of participants considered cross-border smuggling among the top 10 security risks in the country (Raineri, 2018). Communities in the Sahel rarely make a distinction between 'legal' or 'illegal'; individuals involved in illicit activities are rarely socially stigmatised, and can often be held in high regard in their communities (OECD, 2018). Communities tend to exclude smuggling from definitions of 'organised crime', restricting the term's use to other crimes such as murder and robbery (Shaw and Reitano, 2014b).

While communities in the Sahel tend not to speak in terms of illegal versus legal, they do distinguish between different smuggled items. The trade in 'licit' goods such as food items is based on networks developed through social structures which are often very hierarchical (Scheele, 2012). Newcomers are able to move up the chain by dealing in 'new' items such as drugs and weapons, which do not rely on these networks, allowing them to get around these social structures (ibid.). Rather than being judged in terms of legality, it is the ability of individuals to improve their social status and ignore 'social ties' that earns these items the label of 'immoral' trade (ibid.). Money earned from 'immoral' trade is often used to reinvest in legitimate businesses, for marriage or to fund the religious studies of family members, and eventually to leave the 'immoral' trade behind in order to lead a 'moral lifestyle' (ibid.).

Interviews with former people smugglers in Niger aged between 23 and 41, with an average age of 29, highlight how individuals were encouraged by the economic success of their friends and saw smuggling as a means to get on in life (McCullough et al., 2019). As shown in sub-section 3.2.4, the monthly incomes which people could earn through smuggling or related activities far outweighed the amount which could be earned in the formal economy, particularly as opportunities in the formal sector can depend on having the right connections. Individuals engaged in smuggling saw it as a means to reinvest in their own businesses and build their own property (ibid.). For some, it offered the opportunity to save enough money to buy their own plot of land, which would earn them more money than working on somebody else's. The following quotes are taken from interviews with former people smugglers (McCullough et al., 2019):

'I had a friend called Moussa and he built a beautiful villa and sent his parents to Mecca with what he earned from smuggling. For this reason, I became a people-smuggler so that I could achieve my objectives.'



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‘I started to become an adult and my economic needs started to build up. I wanted to marry, have my own house and for that I needed a more steady income than I had.’

### 3.4 Securitised responses versus development approaches to illicit economies – reducing or creating risk?

#### 3.4.1 Trade-offs in securitised responses

The previous sections have shown how actors at different levels can perceive threats differently and have different rationales for prioritising the management of perceived risks. Various risk perceptions and power differentials will shape how policies are conceived and implemented. Despite calls from research and policy communities for a more development-oriented approach to targeting illicit economies, securitised measures continue to be prioritised. However, by targeting illicit economies without considering the ‘bigger picture’ – political economy; histories of social, political and economic exclusion; cultural livelihood narratives, etc. – there is a danger that the problem is simply pushed elsewhere (OECD, 2018). Any approach to the smuggling economy in Niger needs to ‘consider the second and third order effects of their policies’ (Felbab-Brown, 2018: 109). By intervening, who do we end up empowering or disempowering? Is the current status quo the lesser of two evils, and who decides?

There have been reports that former people smugglers have joined armed groups in both neighbouring Mali and Libya (Tubiana et al., 2018). In Niger – as with other parts of the Sahel – smuggling dynamics are characterised by an overlap of actors and the goods they smuggle. Individuals associated with people smuggling are also thought to be involved with the smuggling of drugs, arms and gold (Raineri, 2018; McCullough et al., 2019). Research carried out by the Global Initiative on Transnational Organised Crime reveals that those who had previously been involved

in people smuggling have moved into the smuggling of Tramadol. This is in part due to growing demand, but also to offset losses caused by the clampdown on transboundary migration (Tinti, 2018a; Micallef et al., 2019). At the same time, more informal people smuggling networks have had to become more ‘professionalised’ in response to the ban, and foster greater connections to the state and organised criminal networks (Molenaar et al., 2018; McCullough et al., 2019).

What will the effect be on the Niger government’s ‘conflict management strategy’ in the north of the country (ICG, 2020a)? In contrast to its neighbours, Niger has managed to maintain relative stability. New actors have emerged within the smuggling economy, with the profits generated allowing former marginalised communities to invest in local businesses and political-military structures, potentially altering the power dynamics between communities in northern Niger (Tinti and Westcott, 2016). Although this has created some tensions, there remains a relative peace. This is believed to be related in part to the need for separate communities to cooperate in order to coordinate smuggling operations (Pellerin, 2017; Tubiana et al., 2018). At times this peace has been threatened when one community believes that their smuggling networks are being unfairly targeted by the authorities (Pellerin, 2017; Raineri, 2018; Molenaar et al., 2018; Tubiana et al., 2018). There are also concerns that, where local armed groups are willing to position themselves as enforcers of anti-migration measures in return for resources, this could result in clashes with pro-migration groups (Pellerin, 2017; Lebovich, 2018; Tubiana et al., 2018).

#### 3.4.2 Trade-offs in sequencing security with development programmes

A number of development programmes are being implemented in Niger to offset some of the perceived losses or lack of compensation for the curtailment of smuggling activities. While communities in Agadez feel that they have not been adequately compensated, research by the Clingendael Institute shows that this perception does not necessarily correspond with the actual

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development funding allocated to communities affected by the smuggling ban (Molenaar et al., 2018; see Box 7).

However, in addition to underfunding and the uneven distribution of some programmes, there are also issues around the sequencing of security and development policies and programmes in the region (Molenaar et al., 2018). The ban on migration and subsequent enforcement measures were carried out prior to the implementation of development programmes, which in some cases did not start for at least a year after the ban, and in some instances two years. This means that many people are unlikely to see the benefits of these development programmes for some time given that there is usually a delay in outcomes, while in the meantime they have experienced a loss of income (*ibid.*). This, coupled with the growing frustration of local populations with regard to the ever-increasing number of international security actors in Niger, risks the sustainability of future development programming (Lebovich, 2018).

Much of the programming designed as an alternative to people smuggling or to develop the local economy in Agadez has focused on agriculture opportunities. For example, AFD's ambitions to assist in the revitalisation of the Agadez agriculture sector include supporting it to move towards more labour-intensive farming (EUTF, n.d., a). However, in Niger there is a considerable difference between ownership of land and working as a labourer. For example, working one season on an onion farm can earn a labourer CFA 200,000–300,000, whereas a landowner can earn up to CFA 2 million (McCullough, 2019: 33). Studies show that agriculture is not an attractive option for the young in Niger, and people will leave the sector if alternatives present themselves (Lyammouri, 2018; Viard-Cretat et al., 2019). This supports the argument put forward by the Organisation for Economic Cooperation and Development (OECD) that, as individuals gain greater access to technology, communication and education, their aspirations increase in a way that is 'often out of step with the opportunities in the formal economy' (OECD, 2018: 34).

These dilemmas are not lost on development actors implementing programmes under the EUTF. It should be noted that one programme, LuxDev (EUTF, n.d., c) is targeting employment skills for young people, and there is hope that programming will result in attractive economic alternatives to smuggling. LuxDev argues that programme results are not guaranteed and will need to be observed over time.

### **3.5 Development and illicit economies: a new approach**

Applying the RID lens makes it clear that decision-making around development policy and programming inherently involves a certain level of risk – both to and arising from development outcomes (Opitz-Stapleton et al., 2019). This message speaks to the dilemma often faced by development actors when engaging with illicit economies. There is often a reluctance on the part of these actors to intervene in economies that provide an important source of livelihood for the wider population (Gillies et al., 2019). This is compounded by the difficulties development programmes confront in generating economic alternatives that can match the rewards earned from illicit economies (*ibid.*), and in figuring out how to sequence security and economic development policies and programmes.

Additionally, in the last five years, there has been a renewed push for developmental approaches to illicit economies. Sustainable Development Goal 16, part of Agenda 2030, committed to tackling illicit financial flows and organised crime. The outcome document of the United Nations General Assembly 2016 Special Session on Development Approaches to the Illicit Drug Trade widens the scope of the sustainable development approach by applying it, not only to source countries, but also to countries which provide markets and transit routes (UNGA, 2016; Brombacher and Westerbarkai, 2019). Although this may present an opportunity to consider approaches that look at the spectrum of illicit economies from beginning to end, it also throws up some challenging questions for development actors hoping to find suitable economic alternatives. From source to transit and eventual

### Box 7 Selected EUTF development programmes in Niger<sup>1</sup>

The EUTF is worth €253 million. It has made available the following funds:

- Improved governance and conflict prevention: €101 million
- Improved migration management: €47 million
- Strengthening resilience: €22 million
- Greater economic and employment opportunities: €82.5 million

Linked to this are several projects targeting development in the Agadez region, some of which include economic and employment opportunities with others crossing the defined funding streams above.

#### Projects targeting development in the Agadez region

Agency	Aim	Amount being invested (including EUTF funding)	Duration
AFD	Support for the agriculture sector, including Agadez.	€67 million	52 months
HACP	PAIERA – Action Plan for Rapid Economic Impact in Agadez. Funding includes targeting local economic actors affected by the anti-migration legislation, both directly and indirectly.	Initial funding was €8 million. Has now received a further €7.6 million.	Initial programme ran for 18 months. The programme's extended phase will run for 36 months.
LuxDev	Support for vocational training and integration of young girls and boys in Agadez and Zinder to contribute to the economic development of the two regions.	€23.5 million	36 months
SNV, MAECI DGCS and Enabel (in Agadez the programme will be managed by MAECI DGCS)	Creation of employment and economic opportunities through sustainable management of the environment in zones of transit and departure.	€30.5 million	48 months

Outside of EUTF funding, other programmes include the IOM Community Stabilisation Initiative in Northern Niger, which has been designed to offset the economic effects of anti-migration legislation. The Initiative includes a programme intended to reduce radicalisation and increase employment opportunities in Agadez, with ‘cash for work and job creation ... combined with the agricultural trainings and land restoration activities funded [by the UN Convention to Combat Desertification]’ (IOM, 2018). The UNCCD-funded 3S initiative includes a pilot project in Agadez targeting the restoration of degraded land and the creation of 470 land-based jobs for unemployed youths, returning migrants and former people smugglers (UNCCD, n.d.).

1 See <https://ec.europa.eu/trustfundforafrica/region/sahel-lake-chad/niger>.

marketplaces, the earnings are only likely to increase.

The perceived benefits versus risks and risk tolerances of different smuggling groups require that both security and development policymakers be more innovative in the way

they engage with these economies and the actors involved. International and national actors should start by considering the risk perceptions of smugglers themselves. This involves asking why individuals enter these economies, and may require going beyond traditional considerations

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of ‘profit-maximisation’ and poverty. In regard to the latter, as research by McCullough et al. (2019) has shown, the demographics of those who join smuggling networks are varied and, while this includes people from poorer families, the majority interviewed by the researchers were from middle-income families, with one former smuggler from a wealthy family. The connection here is that the aspirations of young people from different economic backgrounds are not being met by opportunities within the formal sector. Providing alternatives in sectors such as agriculture may also struggle to have the desired effect. Individuals involved in people smuggling have often grown up in urban environments and have skills associated with trading in commodities (McCullough et al., 2019). These individuals do not necessarily

have farming skills or land. As such, it may be more productive to target the barriers preventing young people from finding greater opportunities within the formal economy. These include high rates of illiteracy; a lack of professional networks; a low level of technical skills; and, in rural areas, poor information regarding employment opportunities (Viard-Cretat et al., 2019).

Broadening our own perceptions of why individuals engage with illicit economies may allow us to consider the employment and remuneration opportunities presented by livelihood and economic development programmes and policies. We can begin to ask whether development programmes targeting local people are appropriate or present attractive and well-remunerated alternatives.

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# 4 General recommendations

Applying a RID approach for systematically examining policies and programmes in different countries reveals lessons for working in risk-informed ways to promote sustainable development in fragile contexts. This chapter explores general lessons and recommendations that arise from both case studies, before the final chapter makes recommendations specific to Myanmar and Niger.

Though each development programme or policy will face a unique range of threats and risks, broad principles from these case studies can be applied to other contexts. First, siloed donor approaches are inadequate to address multiple, intersecting threats and complex risks. In Niger and Myanmar, donor, government or civil society attempts to work within a single sector could not confront challenges emanating from diverse policies and economic spheres.

Second, programme decisions create winners and losers. Those who stand to lose from programmes could eventually derail the success or intent of the programme if they are not included in the design phase. This includes not only external actors, but also actors within governments and donors working in different departments. Contradictory policies that may be perceived as undermining another department or programme pose a risk to the long-term effectiveness of the programme. Finally, risk perceptions are socially and culturally informed. From different vantage points risks will look different, and development programmes should be careful to prioritise the risk perceptions of poor and vulnerable people.

## When some risk perceptions are ignored, consider changing the dominant narrative

In fragile, low-income countries like Niger and Myanmar, narratives consolidate around what kind of economic development is possible and desirable. Yet these strong narratives about development often ignore the risk perceptions and risk priorities of different kinds of actors – including local communities, non-state armed groups, actors who participate in illicit economies or even different departments within the same government. Without considering varied perspectives, dominant narratives about development investments often miss crucial political, cultural, social and economic contexts on the ground. Additionally, the perspectives of other communities of practice or divergent voices could offer new insights or approaches to inform policy, and help make it more inclusive, sustainable and resilient to a variety of threats. Applying a risk-informed lens to development, including considerations of multiple risk perceptions and risk management priorities, is a means to better understand and mitigate the potentially cascading consequences of investments.

In Myanmar, the idea that leaving forests intact might be incompatible with development speaks to a relatively narrow conception of the country's future. Local communities which depend on forests do not benefit when they are degraded or depleted, and CSOs are active in defending indigenous people's right to live in and alongside healthy forests. Taking a risk-informed approach to REDD+ could help elevate these perspectives into a national dialogue, making a case for different kinds

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of investments to support ‘development’ as envisaged by affected communities.

Due to power differentials, however, it is not surprising that indigenous groups’ perspectives on risk are not valued. Though ethnic CSOs have been included in REDD+ consultations, the Union Government might weigh other considerations over theirs, such as meeting targets for foreign investment in agriculture. It is imperative for donors to find alternative channels to shift dominant narratives. For instance, donors and REDD+ stakeholders could highlight the low productivity of palm oil plantations to demonstrate how agribusiness investments can be counterproductive to Myanmar’s development strategy (UNDP, n.d.).

In Niger, narratives around smuggling focus on the concerns of international actors, which define these flows as a threat to peace and security in the country, the wider region and globally. This includes not only a focus on migration, but also growing claims that these flows provide a revenue stream for non-state armed groups, including jihadist groups. While these claims should not be dismissed, overly simplistic links to jihadist groups should be treated with caution as evidence suggests their involvement in smuggling is ‘complex’ (see ICG, 2018), and such links have been questioned in the past (Lacher, 2012). It is apparent that we need a greater sense of the ‘bigger picture’ when framing illicit economies, and accept that these economies are full of contradictions. So, while illicit activities may provide a revenue stream for armed groups and facilitate corruption, at the same time they can help ensure stability and provide a means of development and social mobility in contexts that currently offer few alternatives. These complex socio-economic realities require us to think beyond one actor/threat and consider others whose objectives may not always correspond with violence.

## **To avoid siloed risk perceptions, promote engagement and co-learning between actors**

In conflict situations, it is not easy to bring different parties to the table. However, in line with risk-informed development, convening opposing actors can prevent development investments being undermined further down the road. Security, development, business and local interests may have conflicting mandates and priorities. Working more closely, and understanding each side’s incentives, can promote co-learning and potentially lead to collaboration.

In Myanmar, the REDD+ process has been careful to consult EAOs, government and CSOs, but INGO key informants were concerned that local communities would not consent to REDD+, given the recent history of opposition to the creation of new protected areas.<sup>9</sup> To avoid conflict and meet REDD+ safeguards, the UN-REDD+ team is investing in the FPIC process, whereby it secures the consent of communities to participate in REDD+, taking into account the views of all community members. The National REDD+ strategy proposes creating new protected areas only where and when local communities have provided their FPIC, and places an emphasis on ICCAs as the preferred approach. FPIC methods are being trialled in nine Village Tracts in EAO-controlled and mixed-administration areas, to develop guidelines for FPIC in Myanmar that could be applied to other conservation initiatives. All nine communities provided their consent to the activities proposed. Feeding these perspectives into national-level dialogues could be key to the success of REDD+, and is certainly an important step in respecting the Cancun Safeguards.

Contexts such as Niger and the wider Sahel region are often described as a ‘laboratory’ for security-development agendas (Lebovich, 2018). This is resulting in a proliferation of actors and agendas, compounding challenges for coordination and introducing competing interests among international actors. If sustainable development in the region is to be achieved, development actors must overcome

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9 For instance, UNDP’s suspended Ridge to Reef project in the Tanintharyi region ([www.mm.undp.org/content/myanmar/en/home/projects/ridge-to-reef.html](http://www.mm.undp.org/content/myanmar/en/home/projects/ridge-to-reef.html)).

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their reluctance to engage with illicit economies. In Niger, development actors aiming to create viable alternatives to the smuggling economy do not always understand the individuals they are targeting. This often results in alternative livelihood programmes that do not meet the skillset or aspirations of the people they seek to support, and may ultimately undermine programming. For many ordinary Nigeriens, the only currently available access to the global economy and the higher wages it commands is through their involvement in smuggling. To rectify this, stakeholders must focus on creating an economy that provides young people with decent economic alternatives.

### **To mitigate risks emanating from implementation, carefully sequence support**

Development programming is increasingly being considered alongside security measures in addressing illicit economies. However, Western donors tend to prioritise security over development actions. Policies that only tackle the immediate visible gains of enforcement not only risk pushing the problem elsewhere, but also fail to address the underlying socio-economic conditions that give rise to smuggling in the first place. Investing in the reduction of deforestation in Myanmar or stopping the smuggling trade in Niger can inadvertently criminalise people's livelihoods or deprive them of their land. In turn, this can mobilise people against development programmes and investments. Where government reach is low, illicit economies and armed conflict often play an important economic role in local people's lives, and these underlying issues must be addressed both before and during sweeping policy changes.

In Niger, international donors' historical and current approach clearly follows the traditional line of security first and development later. Despite development funding being instituted after security policies and programmes and directed towards local economic development and employment opportunities in areas affected by people smuggling, the positive impacts appear to be lagging behind the effects of the anti-migration law on the local economy. This has included not

only a loss of income for those directly involved in people smuggling, but also a fall in demand for goods and services consumed by smugglers and migrants (Molenaar et al., 2017). Programming implemented in the Agadez region has been criticised for not being 'designed to help people develop the skills and businesses that could lay the foundation for new economic growth sectors' (Molenaar et al., 2018: 39). In order to avoid this, development programming needs to be considered upstream of enforcement measures, and match the aspirations and skillsets of those it seeks to attract.

In designing programmes, donors should ask: security for whom? Measures to address insecurity in Niger have only fuelled further insecurity for local communities. The decisions taken by the government of Niger to close gold mining sites and target people smuggling networks have led to concerns that individuals may resort to banditry or join armed groups. Some communities have warned of violence in response to the clampdown on smuggling. While these threats have not yet materialised, they show how delicate peace can be in a region that has experienced conflict, and where arms are widely available. Security measures are seen to reflect international actors' security concerns in relation to terrorism and migration. Locally, people perceive that these measures do not address local security concerns (Lebovich, 2018).

The thorn in the side of REDD+ implementation in Myanmar is securing legal land tenure for ethnic communities. If REDD+ is perceived as a means of 'green grabbing', it could exacerbate conflict dynamics. Yet ensuring that REDD+ benefits can be secured for indigenous communities so that people have an incentive to protect their forests is challenging when people do not, under current frameworks, have the legal right to live on their land. Though the REDD+ process cannot be entirely stalled while waiting for the government of Myanmar to pass new laws and regulations, as deforestation would likely continue unabated in the meantime, there is a very strong case for donors to invest in initiatives that can help secure customary land tenure, such as the designation of ICCAs under the new Biodiversity Law. Sequencing interventions to ensure that underlying land problems are addressed alongside REDD+ is crucial for its success.

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# 5 Case-specific recommendations

## Myanmar: recommendations for risk-informed REDD+ implementation

Many potential methods of mitigating risks related to REDD+ implementation are included in the REDD+ Draft Strategy as PAMs, addressing diverse issues from recognising ethnic minority rights to land through ICCAs to improving transparency in the timber export industry. This is promising; if these policies and measures are realised, REDD+ implementation will account for diverse risks and address them as a core component of the strategy. In practice, implementing the strategy is likely to run into challenges at the national and subnational levels, and additional donor support is key to ensuring that efforts do not fall flat.

### Recommendations to international donors and INGOs

#### Promote technology transfer and financial assistance for risk-informed, low-carbon development.

To make a case that development should not entail the destruction of Myanmar's forests to make room for intensive agriculture investments, funding needs to be available to realise low-carbon development trajectories. Myanmar has received only a fraction of the climate finance distributed to other Southeast Asian countries. As of 2019, Myanmar's share of climate finance was only 25% of Cambodia's, 15.7% of Vietnam's and 9.2% of Indonesia's (Climate Funds Update, 2019). To promote low-carbon development in Myanmar, assistance from

bilateral and multilateral climate funds is sorely needed. An inclusive and risk-informed REDD+ would benefit a broad array of stakeholders, but countering powerful interests at the national level requires making finance available for investing in low-carbon energy, agriculture and industrial technologies.

#### Advocate for initiatives to strengthen land tenure.

Though reforming land tenure is a question of national political will, the case for reform can be facilitated by programmes that demonstrate how land is used and by whom. The government of Myanmar's OneMap Myanmar initiative, supported by the SDC, seeks to bring together all the available information on land in order to make government planning more transparent and accountable, as well as crowdsourcing maps from local communities to show how land is actually being used. By bringing together different stakeholders working on land, the OneMap initiative can show where contradictory claims on land may potentially undermine forest conservation. The REDD+ draft strategy states that the approach 'can help address encroachment into protected areas', though the initiative does not include cadastral surveys in forested areas that are most at risk from large-scale encroachment (UNDP, n.d.: 97).

#### Mobilise finance to support alternative livelihoods.

Rural households perceive risks that their livelihoods will be criminalised or that they will be displaced by REDD+. Though the question of how livelihoods are practiced is relevant, shifting agriculture practices should be defended where they do not encroach on undisturbed forest.



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Promoting alternative livelihoods that reduce pressure on forest resources should be integral to donor support for REDD+. This features as a PAM in the draft REDD+ strategy, which cautions that alternative livelihoods should be accessible to both men and women, and produce goods that are in demand in local (or international) markets (ibid.: 97).

### **Improve regulation and enforcement in the global trade in high-value timber.**

Though illegal logging was perceived by INGO and CSO stakeholders as an intractable problem, protected by high-level corruption, donors can help mitigate it by investing in improved forest management, especially within ethnic administrations which border states that illegally import high-value timber. Much of Myanmar's illegal timber trade crosses the country's land borders. Teak destined for Western markets is often not exported directly from Myanmar, but instead goes via other Asian markets such as India and Malaysia (EIA, 2019). The international community should put pressure on the governments of China, India and Thailand to enforce prohibitions against the illegal importation of timber, and this should be supported by the development of an effective timber legality assurance system in Myanmar. Supporting countries that border Myanmar to distinguish between false and genuine export licences can help ensure that the timber imported from secondary markets is not illegally harvested. Myanmar's REDD+ Draft Strategy suggests developing a transparent registry of export licences so that customs officials in both Myanmar and neighbouring countries are able to identify and seize illegal timber products (UNDP, n.d.). The EU's FLEGT is one example of an initiative developing systems to ensure that timber can be verified and licensed as legal through a timber legality assurance system (TLAS), which in turn allows for the issuing of licences providing access to EU markets. Progress towards developing a VPA, required from the timber-supplying country as part of the FLEGT action plan, is currently stalled (see sub-section 5.4.2), but there are ongoing efforts to improve transparency and work

towards legal harvests within the scope of the EU's Timber Regulation. Donors should strongly consider supporting these measures.

### **Recommendations for Myanmar's Forestry Department**

#### **Work more closely across ministries.**

This speaks to broader challenges within the Myanmar government in working effectively across sectors. For the Forestry Department, however, convening meetings with the Ministry of Planning and Finance and MoALI about resource and land use issues (without waiting for the UN-REDD+ programme to organise them) is critical to the long-term success of REDD+. Effective and continuous coordination with other departments is key to the success of REDD+ policies and measures.

#### **Work with a broad range of stakeholders on the creation of ICCAs as a vehicle for forest protection.**

According to key informants, protected areas can be a more secure form of land tenure than those specified under current laws because it is harder to appropriate land for agricultural concessions. The new designation of ICCA is a promising alternative, both for preventing deforestation and for helping local communities secure sovereignty over their land. Following the 2018 Conservation and Biodiversity Law, which explicitly recognises ICCAs as a form of protected area, there is scope for new land management arrangements that enable large tracts of forested land to be handed over to ethnic minorities.

#### **Continue investing time in the FPIC process.**

As it stands, the UN-REDD team and the Forestry Department are trialling FPIC methods and convening national-level stakeholder meetings. Gaining the consent of a wide range of stakeholders is vital; other recent conservation efforts in Myanmar have stalled as a result of contested consent (CAT, 2019b). REDD+ will be reaching land under the control of EAOs, mixed administrations and on government territory, meaning that an FPIC process should be able to adapt to all these arrangements. Current efforts to trial FPIC for

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EAO-controlled and mixed-administration areas are a welcome step towards developing FPIC guidelines that are suitable for Myanmar.

#### **Focus on holistic benefits from forests.**

CSOs representing indigenous groups are wary that REDD+ overly focuses on the financial price attached to carbon sequestered in forests, which is at the heart of REDD+ design. CSOs prefer to frame the benefits of forests in a more holistic manner, focusing on their inherent value through their beauty, the ecosystem services they provide and how they support local livelihoods. Focusing on a broad range of benefits related to forest conservation is also important for expectation management. Inflated expectations about the financial benefits from REDD+ may not materialise as originally envisioned. Furthermore, the Forestry Department will not be able to control how benefits are shared in non-state-controlled areas.

### **Niger: recommendations for developing resilient alternative livelihoods to address illicit economies**

While differences in risk perceptions in framing illicit economies are always likely to remain, evidence shows the risks related to following policies which only account for a single set of interests. Long-term sustainable outcomes are only likely to be realised when a broader scope of interests – including those who engage with illicit economies – are taken into account. These recommendations have been purposively chosen to focus on international actors given that the case study deals with measures that have been predominately driven by international actors.

#### **Recommendations for international donors**

**Where feasible, more effort needs to be made to ensure that development programmes are implemented upstream of security enforcement measures.**

This would mean that interventions are based less on the security interests of outside actors and align more with the security concerns

of local communities. Furthermore, ‘success’ should be based on long-term development indicators, not determined by instantly visible indicators which define enforcement measures. Therefore, development approaches need to be at the forefront of any long-term strategy to address illicit economies. Programmes would need to come in several years before enforcement measures, and must be designed in consultation with affected communities, to understand both what is needed to offset the economic losses and their ambitions for the local economy.

#### **Adopt a more nuanced understanding of illicit economies which moves beyond viewing them purely as a security threat.**

This will allow us to consider illicit economies as part of a wider ‘system’, where they are not merely a security threat but also at times a source of development. Only by viewing illicit economies in this way can we start to design programmes that seek to address the socio-economic reasons why they form an integral part of livelihood strategies in Niger, and why – despite the risks – they continue to be seen as an attractive option.

Analysis by Pugh et al. (2004) on war economies provides a useful prism through which to consider the different actors linked to illicit economies:

- Combat – armed actors using a war economy to fund an armed campaign.
- Shadow – entrepreneurs who may or may not be linked to armed groups, but whose interests centre around business. While violence might serve a purpose, they may also be interested in peace if it suits their interests.
- Coping – normal population, who rely on the economy as a form of coping/survival strategy.

Adopting this framework within political economy analysis as part of a risk-informed development approach can help identify the different actors participating directly and indirectly in a given economy and help to avoid over-securitised narratives. It allows us to consider the different actors involved, and what they stand to gain or lose – the trade-offs, risks and opportunities of policies and programmes imposed externally. This is particularly relevant

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at a time of increasing reports of the presence of jihadist groups at gold mining sites across the Sahel. This sector has provided an important source of livelihood for a large number of people, both directly and indirectly (ICG, 2019).

**The suitability of programmes must be assessed against the context in which they are being implemented, rather than simply following traditional development programming, such as promoting agricultural livelihoods.**

International stakeholders should move beyond narratives of poverty driving individuals towards illicit economies and instead consider why careers in the formal sector are unavailable or are not fulfilling the ambitions of a younger generation. Livelihood and economic development programmes need to adjust to match the income aspirations and skills of younger generations, while accounting for emerging socio-technological trends. Development programmes promoting agriculture need to ask themselves whether the interventions being promoted are viable under climate change scenarios, or whether they are potentially locking populations into high-risk and low-remuneration livelihoods.

Does this offer an unskilled labourer the skills to offset the economic effects of

a downturn in demand or in the price of produce? While climate projections for the Sahel remain unclear (see McCullough et al., 2019 for an overview), this is a region of climate extremes and climate change is likely to intensify and make drought events more frequent. Thinking further ahead, what does the increasing mechanisation of agriculture mean for labour-intensive farming methods?

This is not to argue that we should ignore the agriculture sector, which clearly contributes a significant amount to Niger's economy, and investment targeting areas such as infrastructure and processing could unlock its potential and increase productivity. But we also need to consider the jobs that we are creating within this sector against future risk scenarios, to avoid trapping individuals in poverty. This takes us beyond considerations of better natural resource management within the agricultural sector, and raises questions about why such differences exist between the earning potential in formal and illicit economies. Further research and analysis is needed to explore fundamental questions such as why incomes from uranium mining operations owned by international mining companies differ so much from what people can earn from smuggling.

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