



UNODC

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Border Control in the Greater Mekong Sub-region

Baseline, challenges and opportunities to build effective law enforcement response to organized crime along land borders

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The information contained in this report has been sourced from field surveys, questionnaires and formal consultations with frontline officers and district officials. The analysis is not definitive.

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Table of contents

- 1. Introduction..... 3
 - 1.1 Surveys, Sample and Potential Issues 5
 - 1.2 State of the Border Liaison Office Mechanism 7
- 2. Major Findings..... 8
 - 2.1 Smuggling of Migrants and Trafficking in Human Beings 8
 - 2.1.1 General Information 8
 - 2.1.2 Local hot spots and trafficking patterns 9
 - 2.1.3 Existing Knowledge and Training Needs..... 11
 - 2.2 Illicit Drugs 12
 - 2.2.1 General Information 12
 - 2.2.2 Local hot spots and trafficking patterns 12
 - 2.2.3 Existing Knowledge and Training Needs..... 14
 - 2.3 Wildlife and Timber Trafficking..... 15
 - 2.3.1 General Information 15
 - 2.3.2 Local hot spots and trafficking patterns 16
 - 2.3.3 Existing Knowledge and Training Needs..... 17
 - 2.4 Trafficking of Hazardous Waste and ODS 18
 - 2.4.1 General Information 18
 - 2.4.2 Local hot spots and trafficking patterns 18
 - 2.4.3 Existing Knowledge and Training Needs..... 19
 - 2.5 Training and Integrity..... 20
- 3. Conclusions and Recommendations 22

1. Introduction

Globalization not only increases the frequency and variety of trans-border movements of goods, capital and people in the legal economy, but that of illegal cross-border flows as well.¹ As trade restrictions are lifted, enforcement agencies have to improve their capacity to filter cross-border movements efficiently.



Figure 1 – Map of Border Liaison Offices (“BLOs”) in the Greater Mekong Sub-region (red dots include support to be finalized in 2014 Q1)

Not only has globalization caused a general increase in legal and illegal cross-border flows, it has also led to ever more globalized criminal organizations. Organized crime networks, unbound by the constraints of jurisdictions and national sovereignty that limit the range of their opponents in law enforcement, have increasingly transcended the confines of the state. This is of course not a new development, but there has been a change in its dynamic as well as an increase in intensity in recent years. Organized crime has

learned to cooperate.² While the hierarchical organizations of the past, which expanded to other countries primarily through large immigrant communities, still exist, they are now complemented (or rivaled) by transnational networks with differing degrees of stability.

¹ Examples in academic and popular science literature as well as in publications by law enforcement agencies abound. For a few examples, see:

- Van Duyne, Petrus C., Klaus Von Lampe, and Nikos Passas, eds. *Upperworld and underworld in cross-border crime*. Wolf Legal Publishers, 2002.
- Naim, Moises. *Illicit: how smugglers, traffickers and copycats are hijacking the global economy*. Random House, 2010.
- Passas, Nikos. *Globalization, criminogenic asymmetries and economic crime*, in: *European Journal of Law Reform*, 1(4), 1999, pp. 418-430.

² This trend, as well as possible solutions, have been observed and discussed for some time now, see for example: Godson, R., and P. Williams. *Strengthening cooperation against transnational crime*. *Survival* 40.3, 1998, pp. 66-88.

Criminal organizations are no longer dependent on a physical presence within a country in order to do business there. Instead of a single organization controlling sources, trafficking routes and market distribution³, the trend goes towards multiple, loosely connected and easily replaceable structures that function much like a supply chain in the legal economy.⁴ To effectively counter these new networks, border control agencies need to keep up with their adversaries.

Southeast Asia faces similar challenges in regards to organized crime as the rest of the world, and as the next steps of the political and economic integration of ASEAN draw near, the question arises if border agencies in the region are up to the task. There are several examples on record of how regional cooperation in border control and the fight against transnational crime needs to be organized in order to be effective⁵. These indicate that sophisticated, well-funded criminal networks with a transnational reach can only be reined in by well-equipped and -trained border officials who share information with their colleagues at a transnational level.

Two decades ago, the countries of the Greater Mekong Sub-region, in cooperation with UNODC, took a first step to increase cross-border information sharing through the establishment of the Border Liaison Office Mechanism. This effort was later expanded upon by the PATROL project, which aims to strengthen Border Liaison Offices and their staff by providing training

The PATROL Project

The Partnership against Transnational Crime through Regional Organized Law Enforcement ("PATROL") project aims to assist countries in the Greater Mekong Sub-region in their fight against transnational organized crime ("TOC") by helping them strengthen borders and expand cross-border cooperation. To achieve this aim, the project relies on the Border Liaison Office ("BLO") mechanism, which was established by the Memorandum of Understanding on Drug Control in 1993. Although originally focused on illicit drugs and drug precursors, the mandate of BLOs has been broadened under the PATROL project to include migrant smuggling, human trafficking and the illicit cross-border movements of wildlife, timber, hazardous waste and Ozone Depleting Substances ("ODS").

The PATROL project has made significant progress in the training of law enforcement and border officials associated with BLOs. To assess the initial level of training, five training needs assessments ("TNAs") have been conducted since the project began in January 2010. These TNAs took place in Cambodia (2010), Vietnam (2010), Thailand (2011), Myanmar (2011) and most recently Lao PDR (2013). Based on the results of each survey, the PATROL team has devised customized training programmes for law enforcement and border officials in cooperation with the authorities of each country.

Implementation of the PATROL project is led by UNODC and carried out in cooperation with Freeland Foundation, TRAFFIC and UNEP.

³ A setup that was never really common, but certainly aspired to by criminal organizations in the past.

⁴ See: Williams, Phil. Cooperation among criminal organizations, in: Berdal, Mats R., and Mónica Serrano, eds. *Transnational organized crime and international security: business as usual?*. Lynne Rienner Publishers, 2002, pp. 67-82.

⁵ For an example from the region, see: Lo, Sonny: *Globalization, State Autonomy and the Fight against Cross-Border Crime: Greater China's Cooperation with the World*, in: *Asian Journal of Political Science* Vol. 17, No. 3, December 2009, pp. 299-322.

and equipment. To be able to track the progress of the project, the PATROL team conducted 5 baseline surveys among border officials in each of the 5 member countries.⁶ Their main goal was to establish the state of training and infrastructure at different border sections and measure officer's perception of the intensity and direction of criminal flows.

This secondary study of these datasets now aims at combining the results of the national surveys into an overview of regional transnational criminal flows and border agencies abilities to counter them. By relying on data collected directly from the officials tasked with border control, we expect to generate a picture of the situation on the ground on which future anti-trafficking strategies can be built.

1.1 Surveys, Sample and Potential Issues

The surveys, whose data provides the basis for this study, were carried out with the intention of providing an empiric baseline of the capacities of border officials against which to measure progress after the implementation of customized training programmes provided by PATROL. This secondary study of these datasets aims to give a comprehensive overview of the threats faced by the regions' border agencies upon entering the PATROL community and their capacities to counter these threats.

All five baseline surveys conducted so far consisted of two parts: a structured survey, filled out by a number of enforcement and border officials during a workshop conducted by PATROL, followed by a more qualitative Q&A session with selected border officers, predominantly heads of BLOs.

Although individual arrangements have changed, the thematic range has remained the same throughout all five surveys, covering:

1. Migrant Smuggling and Human Trafficking
2. Illicit Drugs and Drug Precursors
3. Wildlife and Timber Trafficking
4. Trafficking of Hazardous Waste and ODS
5. Operations, Training and Integrity

Surveys were translated into respective official national language and consisted exclusively of closed questions using either multiple-choice or a five point Likert scale. The only exception to this is the first survey, conducted in Cambodia in 2010, which included a number of open questions. Since open questions proved to complicate data analysis without providing additional insight, the concept was abandoned after the first survey.

A total of 369 officials from border posts, as well as district and national authorities, participated in the five surveys conducted over the past four years. These participants represent a total of 44 BLOs spread over the borders of the five participating countries. Of these 44 BLOs, 28 form 14 pairs,

⁶ These member states are: Cambodia, Myanmar, Lao PDR, Thailand and Vietnam.

Country	Number of Participants	Number of BLOs	Average Number of Participants per BLO
Cambodia	140	9	15.5
Vietnam	33	6	5.5
Thailand	68	10	6.8
Myanmar	46	6	7.7
Lao PDR	82	13	6.3
Total	369	44	8.4

meaning that in 14 cases data for the BLOs on both sides of a border crossing is available, allowing for direct comparison.

A potential issue is the varying number of participants per survey. These differences are due largely to logistical difficulties that have arisen during the survey process itself. To prevent this imbalance from affecting the results of the

Table 1 – National surveys: distribution of participants

study, we have abstained from merging the different datasets for a regional analysis. Instead, we kept them intact and limited our analysis to comparisons between results from the different national datasets. It is clear however that, since the national datasets are made up of a varying number of participants, despite their results being compared on equal terms, this process contains an implicit weighting. The same issue is reproduced at the level of individual BLOs or groups of BLOs representing a specific region or border.

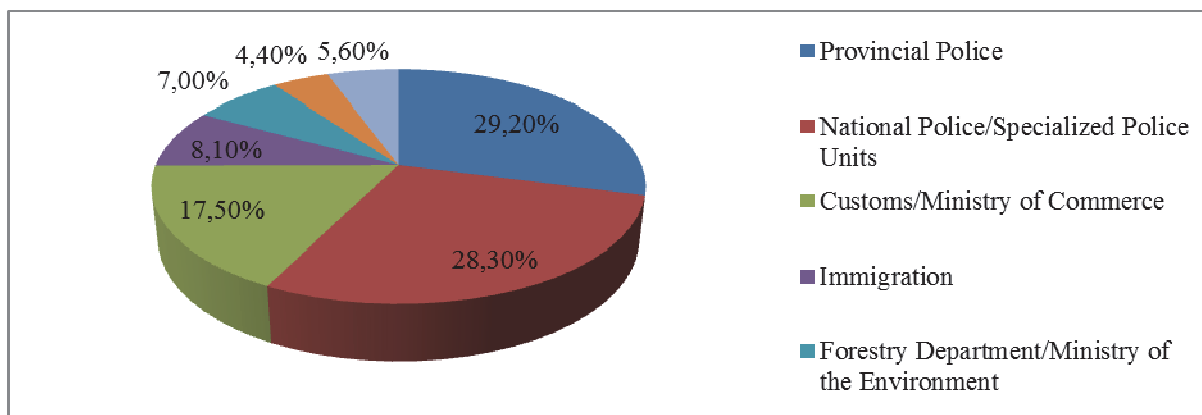


Figure 2 – Composition of the overall sample by agencies

The different timeframes of the individual surveys may also compromise the quality of the results. The data presented in this study represents the state of the BLOs and the training of their officers upon joining the PATROL project. It does not represent the present state of the BLOs, the state of training or give an accurate description of the criminal flows that are predominant at the time of its publication. Similarly, the diverging timeframes of the underlying surveys compromise the accuracy of cross-border comparisons. When comparing two sides of a border it is impossible to say if disparities in threat perception stem from a genuinely different perception of the same threat, or if objective threat levels have changed during the time passed between both surveys.

1.2 State of the Border Liaison Office Mechanism

The BLO mechanism has been in place since 1999, meaning that the first group of BLOs have been in operation for about 14 years now. Since the mechanism requires effort and commitment from every participating agency as well as national governments to keep functioning, it is not a given that offices established more than a decade ago are still fully operational. Therefore, the national surveys included a section on if and how the BLOs are still working.

Unfortunately, the set of questions in this section has seen some changes across the different surveys, leaving only a few core questions that were the same in all surveys (except Cambodia) to draw comparisons from. These core questions cover the frequency of communication with counterparts across the border, as well as with relevant national authorities. Since improving communication is the main task of the BLO mechanism, we believe that conclusions about the overall functionality of a BLO can be inferred from this data.

Overall, the BLO mechanism seems to still be operational at all but a few border crossings. However, the level of functionality leaves much to be desired. While the majority of respondents in all countries, except for Myanmar, say that regular meetings with national authorities as well as with their cross-border counterparts are taking place, the frequency of these meetings is low. Among those who assert that regular meetings are taking place, a majority says that they meet only once a year.

When analyzing specific borders, the overall picture stays largely the same. There are only three borders that digress significantly from the once a year average. The border between Lao PDR and Cambodia differs positively from the rest in that both meeting with cross-border counterparts as well as with district- and national authorities are more frequent, tending towards 2-5 times per year. On the Laotian border with Myanmar and the border between Myanmar and China however, meetings are significantly less frequent, with the vast majority of respondents saying that there are no regular cross-border meetings taking place at all.

Once we focus on specific BLOs, we can see why the comparison by border did not yield results that differ much from the overall averages: the performance of a BLO is mostly uncorrelated to the performance of other BLOs along the same border. This may indicate that individual performance depends more on how invested local officials are in the mechanism than on high level bilateral agreements between agencies or governments.

Border posts and BLOs universally suffer from a lack of infrastructure necessary to effectively conduct their operations. These range from a lack of adequate office space, through radio communications systems, to vehicles for border patrols. The most requested item of all however, is an intelligence database, which squarely confirms the need for more cooperation and strengthened communication procedures. For such a database to be effective however, officials would need a way to access it to contribute or consult information. Given the current state of infrastructure at border crossings, where officials say that they lack basic IT infrastructure and even an internet connection, access to this database would be limited at best. To be able to provide comprehensive information on criminal activity, a database would also need to be regional, seeing as many illegal cross-border flows involve more than two countries. The establishment and maintenance of such a database would presuppose the existence of some kind of regional institution that, as of now, does not exist.

2. Major Findings



Figure 3 - Perceived seriousness of human trafficking in comparison to other crimes

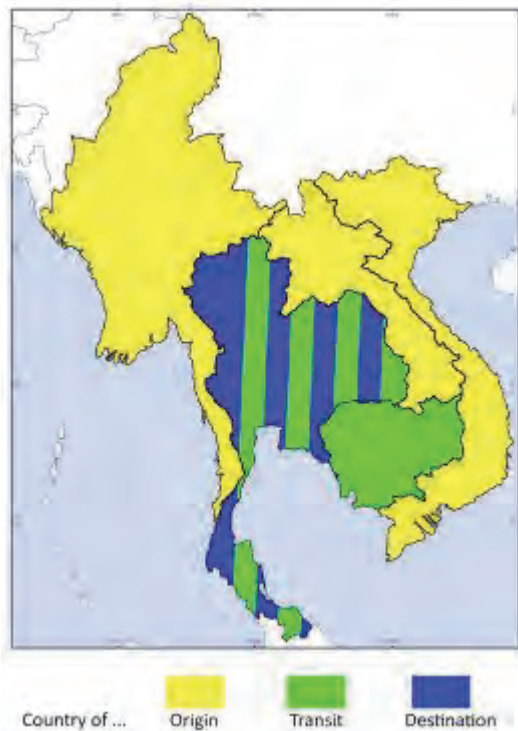


Figure 5 - Role in human trafficking (majority perception)

The findings of this study are divided into the thematic areas covered by the underlying surveys. They partially reproduce the results published in earlier reports on the individual national surveys, aiming to bring them into a regional context to give an accurate description of the scope of the task faced by border agencies in the region. Each thematic area will consist of a summary of the perceived importance of a threat, a description of which geographical areas are seen to be most affected and an evaluation of how well prepared border officials are to face that threat.

2.1 Smuggling of Migrants and Trafficking in Human Beings

2.1.1 General Information

Throughout the region, the smuggling of migrants and trafficking in human beings is widely perceived to be one of the most serious threats. Human trafficking in particular is high on the list, with Vietnam, Myanmar and Cambodia ranking it the second most serious offence after drug trafficking. In Vietnam and Myanmar, the concern is mostly with people being trafficked out of the country, since border officials see their country primarily as a country of origin for trafficked persons. Thailand is the only country in the sample that is considered to be a country of destination by most of its border officials. However, just as many consider it to be a country of transit, there are indications that the final destination of a substantial part of people trafficked may lie outside of the project region. While perceptions of the seriousness of the problem are similar, the contexts differ substantially between countries. In Vietnam, the victims of trafficking are almost exclusively women, while in other countries men are considered to be trafficked most frequently. Throughout the region, children appear to be the least trafficked group.

The data on migrant smuggling mostly reproduces the patterns seen in connection with human trafficking. The main difference being that in this case the country of destination rates it as the most serious, while countries of origin are generally less concerned. In this case, Thai officers rate migrant smuggling the most serious threat after drug trafficking, while Vietnam, Myanmar and Cambodia, see it as a less important issue.

2.1.2 Local hot spots and trafficking patterns

While migrant smuggling and human trafficking are present at all surveyed border crossings, some borders present specific patterns or a particularly high degree of activity in these categories.

One phenomenon, which can only be analyzed from one side of the border from one side of the border, is the flow of trafficked persons from Myanmar to China. While the smuggling of men appears to be the dominant issue at the border between Myanmar and Thailand, all BLOs at the border between Myanmar and China report the trafficking of women as the main activity. This flow is entirely one sided, with 81.9% of border officials at Myanmar’s border with China affirming that Myanmar is primarily a country of origin.

As mentioned above, the picture is different at the border between Myanmar and Thailand; here men are the main trafficking victims. Again, Myanmar is predominantly seen as a country of origin, a view that is largely confirmed by Thai law enforcement counterparts across the border. Only at Kawtawng/Ranong, the southernmost border crossing between Thailand and Myanmar, does the pattern seem less severe. While a majority of respondents still classify Myanmar as the source and Thailand as the destination for trafficked persons, there is a large group of Thai officials who are of the opinion that at this border crossing trafficking is also happening in the opposite direction.

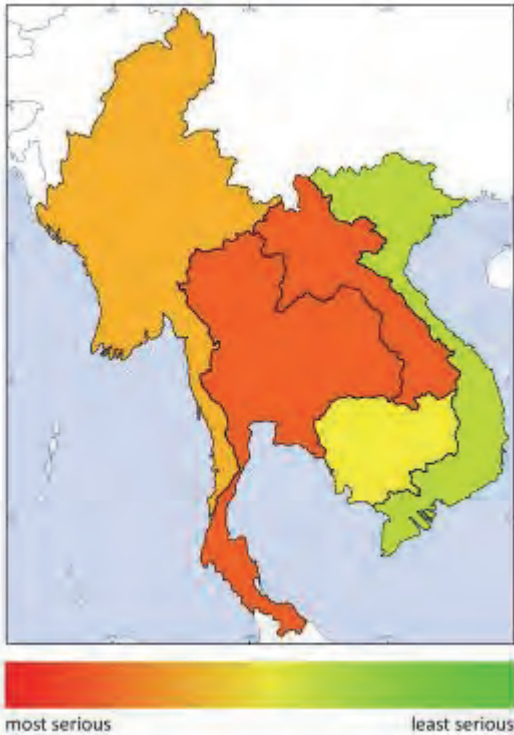


Figure 4 - Perceived seriousness of migrant smuggling in comparison to other crimes

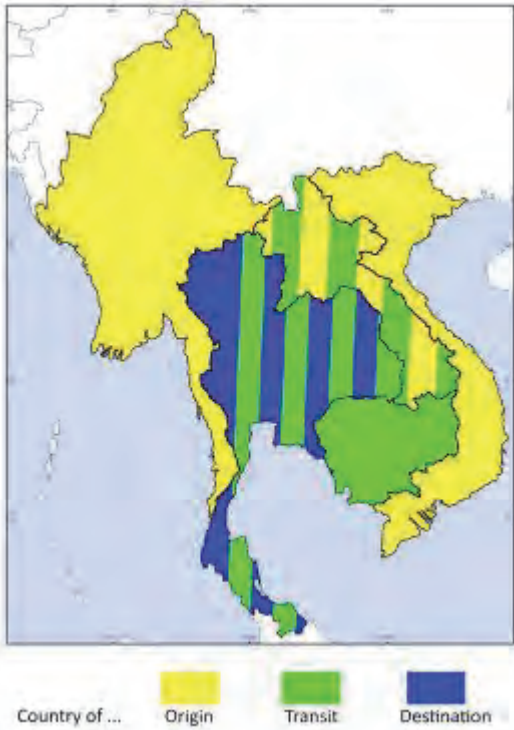


Figure 7 - Role in migrant smuggling (majority perception)

Given the intensity of human trafficking at Myanmar’s border with Thailand, it comes as no surprise, that officials at these borders report the highest degree of exposure to human trafficking cases in the

sample. 33.1% of Burmese officials stationed along the border with China report having dealt with at least one human trafficking case. For their colleagues along the Thai border, the figures sits at 39.0%. This trend is confirmed by their Thai counterparts, 47.2% of whom say that they have experience with such cases.

As mentioned above, the trafficking of children is considered to be the least frequent in all national surveys. Although this largely remains true at the micro-level, there are some exceptions. In comparison to other countries, data from Cambodia shows trafficking of children to be more frequent than in other countries. When analyzed on a local level, a couple of BLOs stick out as potential hot spots: at Choam, a border crossing between Cambodia and Thailand, officials estimate the trafficking of children to be second most frequent after the trafficking of men. A similar value for trafficking of children has been reported from Cham Yeam along the same border. While responses from Thai law enforcement personnel at these particular BLOs do not show noticeably elevated values for child trafficking, another Thai BLO along the border with Cambodia, Aranyaprathet, reports the single highest value for child trafficking in the sample. These scattered elevated indicators could be seen as incidental, but they might be hinting towards a particular trafficking dynamic along this border.



Figure 5 - Main trafficking areas and direction of flow for trafficked women

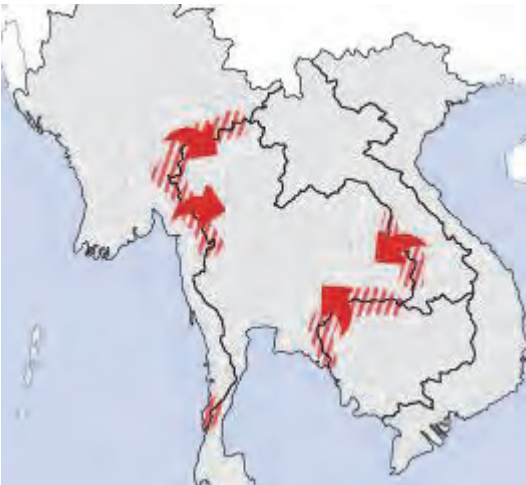


Figure 9 - Main trafficking areas and direction of flow for trafficked men

Illegal migration follows a similar pattern as human trafficking. While the surveys do not include information about who is being smuggled, the data indicates that the borders between Thailand and Myanmar and between Thailand and Cambodia are the most affected by migrant smuggling. Along these borders 63.0% and 51.9% respectively of Thai border officials report having experience with migrant smuggling cases. A slightly lower number of 45.0% of Thai border officials reports the same along the border with Lao. However, especially along the border with Cambodia, officials on the other side of the border report having significantly less experience with smuggling cases. The cause for this discrepancy cannot be found in the data itself, but it might indicate a difference in political priorities on different sides of the border.

As to the dominant mode of illegal migration, the business seems to be highly professionalized. At least three-quarters of border officials from all countries except Lao PDR, report that the majority of illegal migrants cross the border with the help of a professional smuggler. These smugglers tend to lead illegal migrants through the areas between official border posts, either through hidden paths or, where possible, by boat.

2.1.3 Existing Knowledge and Training Needs

While human trafficking and migrant smuggling are among the more frequent illegal activities in the region, the level of knowledge of the issues remains questionable. While an overwhelming majority of border officials in Vietnam, Thailand and Myanmar, as well as a less pronounced majority of Laotian officials, say that they know the difference between migrant smuggling and human trafficking, their knowledge proves to be less firm when confronted with concrete cases.

	Cambodia	Lao PDR	Myanmar	Thailand	Vietnam
Claim to know the difference between human trafficking and migrant smuggling	NA	63%	84.8%	89.7%	93.5%
Average % of right answers when asked to identify scenario as human trafficking or migrant smuggling	55%	65.4%	76.8%	84.9%	60.7%
Participants correctly responding that a person who crosses border legally can still be a victim of human trafficking	52,2%	41,5%	50%	100%	78,8%
Have received some kind of training on the issue	NA	30.1%	57.4%	64.6%	51%

Table 2 – Performance on human trafficking and migrant smuggling questions and training levels

This impression is confirmed by the fact that in 3 of 5 surveyed countries only around 50% of the respondents know that a person who crosses the border legally can be a victim of human trafficking. In addition 32.1% of Cambodian and 21.0% of Laotian border officials don't know that their national legislation criminalizes migrant smuggling, and 25.4% of Cambodian officials are unsure about human trafficking.

In total it can be said that Thai officials show the best performance when it comes to knowledge about migrant smuggling and human trafficking, Vietnamese and Burmese officials show some knowledge gaps, and officials from Lao PDR and Cambodia are in dire need of training. This is also reflected in the number of officials reporting to never have received any training in this area, which reaches from 35.4% in Thailand to 69.9% in Lao PDR. Being well aware of this lack of qualifications, all but 0.3% of the respondents would like to receive some form of training on the issue. Among the requested qualifications “Training on the difference between migrant smuggling and human trafficking” and “Training on the national legislation concerning trafficking in human beings” make it to the top of the list.



Figure 6 - Perceived seriousness of drug trafficking in comparison to other crimes

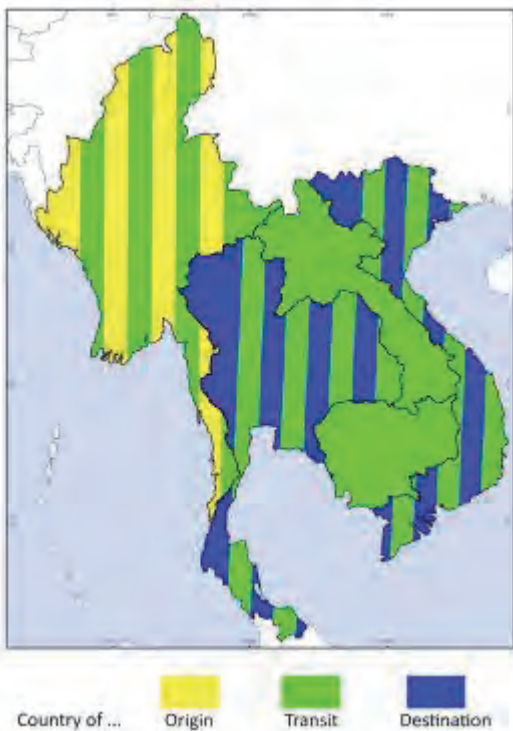


Figure 11 - Role in drug trafficking (majority perception)

its individual borders. The border between Myanmar and Thailand are divided in two. While Mae Sai and Mae Sod, the two BLOs to the north, report Thailand to be a country of destination as well as of transit for ATS and heroin from Myanmar, the picture shifts when examining data from Ranong, the southernmost BLO at this border. Here, ATS are still reported to be the most trafficked drugs and Thailand is still considered to be a country of destination as well as transit, but a significant fraction

2.2 Illicit Drugs

2.2.1 General Information

The only constant throughout all surveys taken by the PATROL project during the last 4 years is, that drug trafficking is considered the most serious issue. This is true for the country level as well as for individual borders. Only at the level of individual BLOs can a number of specific cases be found where other issues are considered to be of equal importance as the drug trade.

This concern with drug trafficking is almost universally rooted in concern over amphetamine type stimulants (“ATS”), which have established themselves as the drug of choice in the region over the last decade. While other drugs are of local importance at certain borders, ATS are pervasive throughout every corner of the region.

The dynamics of drug trafficking, according to the perception of the officials participating in our surveys, are not quite as clear cut as the dynamics of human trafficking and migrant smuggling. Vietnam is seen by its border officials as a country of destination and of transit, Laotian and Cambodian officials see their country almost exclusively as one of transit and Myanmar is considered a country of origin. The case of Thailand is more complicated. While country of transit and destination is the majority perception, there are also a considerable number of officers who say that it is also a country of origin.

2.2.2 Local hot spots and trafficking patterns

To get a clearer picture of the trafficking dynamics to, from and through Thailand, one has to take a look at

(69.2%) of the border officers at Ranong believe that Thailand is also a country of origin for trafficked drugs. Towards Cambodia and Lao PDR Thailand is generally perceived as country of origin for trafficked drugs more often than at the border with Myanmar.

The response from Burmese officials along the border with Thailand are generally not aligned with conventional wisdom on drug flows in the region. On the Thai side of the border, 77.3% of officials say to have dealt with drug trafficking cases, on Myanmar’s side of the border it is only 22.9%, the lowest value in the whole study. Similarly only 40.5% of the officials along the border with Thailand say, that they consider their country to be a country of origin for trafficked drugs. At the border with China on the other hand, 46.8% report to have experience with drug trafficking cases and a total of 71.0% think that Myanmar is a country of origin for drugs. Unfortunately the data does not yield any information as to why the data from Myanmar’s side of the border is so contradictory to data from Thailand, Lao PDR and reports published by the Global SMART Programme.⁷

The most frequently trafficked drug in the region after ATS is heroin. In contrast to ATS, trafficking of heroin is not universal but localized. Evidence from the survey point to the north of the region as the main hot spot for heroin trafficking. This area includes northeastern Myanmar, the north of Lao and Vietnam as well as the northernmost part of Thailand. On average, the further north a BLO is in this area, the higher the reported frequency of heroin trafficking. With one noticeable exception: the border between Vietnam and Cambodia. Here the Vietnamese side of the border reports a trafficking frequency that is nearly as high as the frequency reported at the northern border with Lao PDR. However, the numbers from the Cambodian side do not confirm this view; in fact they are among the lowest in the sample. If such trafficking would be taking place at this border it would also be impossible to say where these drugs come from, given that neither side considers their country to be a country of origin.

For the heroin trafficked in the northern areas of the Great Mekong Sub-region the likely sources are more obvious. Given its self-description as a country of origin, Myanmar (northeastern) is a likely source. Additionally, some officials at BLOs at the northern border between Lao PDR and Vietnam see Lao as a potential source. However, this is a minority opinion.

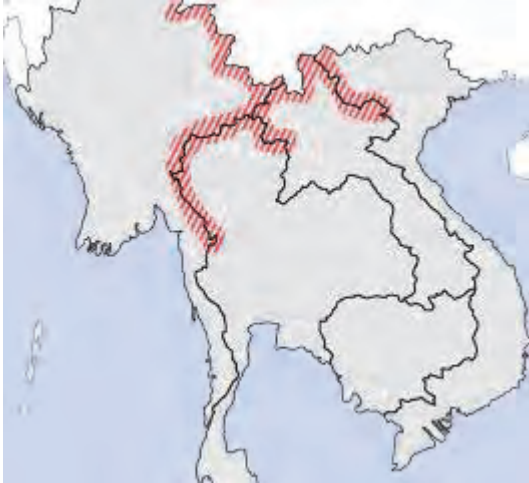


Figure 7 - Heroin trafficking, most affected border sections



Figure 13 - Cannabis trafficking, most affected border sections

⁷ See: Global SMART Programm. Patterns and Trends of Amphetamine-Type Stimulants and other Drugs. Asia and the Pacific. UNODC, 2012, pp. 79ff.

Cannabis is the third most popular drug in the region. It is traded more often in the south, but this geographical correlation is not as strong as in the case of heroin. As has been said above, one of the hot spots of cannabis trafficking appears to be Ranong at the border between Thailand and Myanmar. The border crossing that sticks out the most however, is Cau Treo/Lak Sao at the border between Vietnam and Lao PDR. Here both sides agree that cannabis is the second most traded drug at the crossing. Other BLOs that report elevated frequency of cannabis trade can be found at the borders between Cambodia and Vietnam, as well as between Cambodia and Thailand.

Opium trafficking, given its intimate connection to heroin, follows the same patterns as its more potent sibling. It is mainly trafficked in the same area as heroin although much less frequently. There are only two borders with a significant opium trade: the borders between Myanmar and China and the border between Thailand and Lao PDR. However the Laotian side does not share Thai official’s preoccupation with the frequency of opium trade at this border.

The least frequently trafficked drug in the sample is cocaine. Trafficking frequency is generally low and, even in places with somewhat increased activity, never reaches the levels associated with ATS or heroin. Such places can be found primarily along the border between Cambodia and Thailand. However, not all BLOs along this border are affected. Our data coincides with sporadic report of drug mules being caught in Cambodia with cocaine from South America destined for Thailand, insofar as that it shows Poipet, at the highway between Phnom Penh and Bangkok, to be the BLO with the highest reported frequency of cocaine trafficking.

2.2.3 Existing Knowledge and Training Needs

According to our surveys, drug trafficking is the form of crime that border officials in the region have the most experience with. It is also the area with the highest levels of training in the study: between 69.7% and 86.5% of border officials report to have received at least some kind of training on the issue. Despite these facts, the existing knowledge among border officials shows some gaps. An especially concerning shortfall is the difficulty to correctly identify drug precursors. Law enforcement officials commonly misidentify drugs like methamphetamines or cocaine as drug precursors, while missing actual precursors such as Toluene. This indicates that the concept of drug precursors is not completely understood by a number of border officials.

Precursor	Correctly identified by
Toluene	4.8%
Acetone	8.7%
Acetic Anhydride	8.9%

Table 3 – Top 3: Least known precursor chemicals

Overall, Myanmar officials prove to be the most apt at identifying precursors, closely followed by border officials from Vietnam. Their Thai counterparts show the worst performance, a fact that is mainly explained by a high percentage of officials falsely identifying methamphetamine as a drug precursor. This mistake might stem from a particular dynamic in the drug trade between Thailand and Myanmar. It is not uncommon that methamphetamine is imported from Myanmar in its crystalline form and pressed into pills in Thailand. Although the drug changes its appearance during this process, the active chemical component (the drug itself), stays the same.

The difficulties with the identification of drug precursors can be traced to the training that border officials have received. Most commonly, officials received training on how to search a suspect and his vehicle or on national legislation concerning drug trafficking, meanwhile training on precursor identification and drug identification has been neglected. Consequently, these, together with further training on national legislation, are the most requested topics for training among officials.

2.3 Wildlife and Timber Trafficking

2.3.1 General Information

Many international initiatives have recently sought to increase the protection of endangered fauna and flora. The Greater Mekong Sub-region has not been exempt from these initiatives as evidenced by the latest CITES conference held in Bangkok. Even though awareness for the problem is increasing, the region remains highly affected by these crimes. Several countries in and directly adjacent to the region can be considered potential markets for illegally traded timber and wildlife. While precious woods are primarily turned into high priced furniture for foreign and domestic markets, animals are mostly sought as ingredients for traditional remedies. Smuggled animals and plants are taken outside the country in cars trucks or other vehicles, while timber is mostly trafficked through unofficial crossings.

Unfortunately none of our surveys, except the most recent in Lao PDR, included questions as to the direction of illegal wildlife and timber trafficking. From the Lao survey we can conclude that there is a significant amount of trade in both wildlife and timber across the border between Lao PDR and Vietnam, with Lao PDR being the country of origin for the traded species. Due to the lack of data from the other surveys we cannot put this data into a larger context or check it against data from the Vietnamese side of the border. However, data on perceived trade frequency, which is available for all surveyed countries except Cambodia, suggests that the border between Lao PDR and Vietnam is in fact one of the most active in terms of wildlife and timber trafficking. A notion that is further supported by the fact that officials



Figure 8 - Perceived seriousness of timber trafficking in comparison to other crimes



Figure 15 - Perceived seriousness of wildlife trafficking in comparison to other crimes

along this border report the highest degree of experience with wildlife and timber trafficking cases, with 72.4% of Laotian and 61.0% of Vietnamese officials reporting to have dealt with such a case at least once during their career. Other borders through which wildlife is frequently trafficked are the

border between Myanmar and China, Lao PDR and China as well as Thailand and Cambodia. Timber is equally frequently trafficked at borders to China, but also between Thailand and Lao PDR.

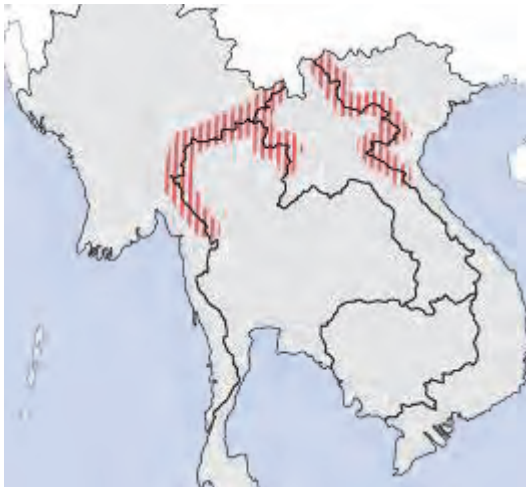


Figure 9 - Areas with high frequency of pangolin trafficking

2.3.2 Local hot spots and trafficking patterns

Trafficking patterns are mostly localized and dependent on the trafficked species. Pangolins, the most frequently trafficked species in the sample, can be found at most borders but are especially popular at the border between Lao PDR and Vietnam, a perception that is confirmed from both sides. The same is true for the border between Thailand and Myanmar, where Thai and Myanmar officials share the opinion that pangolins are the most commonly trafficked species. Thai officials at the border with Lao PDR also report Pangolins to be the most frequently trafficked; a notion that is only partially confirmed by their Laotian counterparts.



Figure 18 - Areas with high frequency of snake trafficking

Snakes are the second most traded species in the region. They also play a role in wildlife trafficking between Lao PDR and Vietnam, but are most commonly traded across the border between Vietnam and Cambodia. There also seems to be a significant flow of snakes from Myanmar to China.



Figure 19 - Areas with high frequency of orchid trafficking

Wild orchids are almost as frequently traded as snakes. The main areas where orchids are trafficked can be found at the borders between Thailand and Myanmar and Thailand and Cambodia. At both borders officials from both sides of the border rank orchids as the most commonly trafficked species. Trade of wild orchids is also frequent between Myanmar and China; especially officials from the BLO Lweje report it to be very common.

Other species are less frequently trafficked and the areas where their trade is most common are harder to pinpoint. One noticeable exception among the less

frequently traded species are turtles, which are virtually not present at about half of the BLOs in our sample and very common only at a few border posts. The majority of border posts with a high frequency of turtle trafficking can be found along the borders between Cambodia and Thailand and Cambodia and Vietnam.

2.3.3 Existing Knowledge and Training Needs

Even though awareness for illegal trade in wildlife and timber is growing, knowledge of these issues among border officials in the region cannot be considered satisfactory. The majority of officials from all countries in the region have never received any training on the subject. And of those who have, most report to have been trained mainly on smuggling methods and how to detect them.

This lack of training becomes evident when confronted with basic questions about the subject. A majority among border officials from Lao PDR and Myanmar for example, cannot identify the correct definition of wildlife trade as “Trade in wild plants and animals and their parts and derivatives”, choosing instead a definition that focuses exclusively on animals. Similarly a majority of officials from all surveyed countries, with the exception of Thailand, does not know what CITES is. Given this result it is not surprising that many respondents do not know whether any kind of permits or certificates are needed when trading CITES listed species or that they are not aware if they have the most recent CITES appendixes at their workplace.

No other subject covered by this survey exhibits such a gap between the number of border officials who report having dealt with a case at their BLO, and the number of officials who have actually received training on the matter. While they are more likely to encounter a case of timber or wildlife smuggling than of migrant smuggling, training on the former is far less common than training on the latter. Consequently, the demand for training is high. Most officers request basic training on smuggling methods and their detection, on the roles and responsibilities of the agencies involved in CITES, and on wildlife identification.

Country	Have experience with timber/wildlife smuggling	Have received training on timber and/or wildlife smuggling
Cambodia	NA	NA
Lao PDR	40.7%	11.0%
Myanmar	54.3%	28.3%
Thailand	45.6%	19.1%
Vietnam	42.4%	45.0%

Table 4 – Experience versus training levels for timber and wildlife smuggling

2.4 Trafficking of Hazardous Waste and ODS

2.4.1 General Information

Overall, trafficking of hazardous wastes and ozone depleting substances (“ODS”) is considered to be the least frequent criminal flow in the region. However, since it is also the subject that is the least-understood by the participants of our surveys, it is difficult to say if this assessment is accurate. On average less than five percent of all respondents reported to have ever dealt with a case of ODS trafficking and only a slightly higher percentage have experience with cases concerning hazardous wastes. The majority of border officials among three of the five surveyed countries say that they do not know whether their country is a source, a transit route or a destination for either ODS or hazardous wastes. Among those who have an opinion on the matter most think that their country is either primarily a country of transit as in Myanmar and Lao PDR, a country of destination as in Thailand and Vietnam or both as in Cambodia. It is curious to see that this pattern holds true for both ODS and hazardous wastes with very little variation in the specific percentage values. This could either be interpreted as an indicator that officers do not differentiate between the two concepts, or that both criminal flows follow largely the same pattern.

2.4.2 Local hot spots and trafficking patterns

Due to the high number of respondents choosing “Don’t know” in response to most questions in this section it is difficult to extract detailed trafficking patterns from the data. With often more than half the respondents in a region or at a border not giving an

analyzable response, any results are the opinion of a small minority.

Nevertheless, what can be deduced from the data is that Vietnamese officials are the most concerned about trafficking of ODS and especially of hazardous wastes. On average, Vietnamese border officials responded question less often with “Don’t know”, have a more distinct opinion on



Figure 10 - Perceived seriousness of hazardous waste trafficking in comparison to other crimes



Figure 20 - Perceived seriousness of ODS trafficking in comparison to other crimes

the role of their country in trafficking routes and have the most experience dealing with cases of ODS – but especially of hazardous waste trafficking. This affects both Vietnams border with Cambodia and with Lao PDR, but appears to be more pronounced at the latter. In both cases Vietnamese officials see their country mainly as a country of destination. Officials on the other side of both affected borders however do not share the concerns of their Vietnamese colleagues. It is unclear if this calls into question the perception of the Vietnamese officials or if this is a result of the lack of training on part of their Cambodian and Laotian counterparts.

2.4.3 Existing Knowledge and Training Needs

Understanding of the basic concepts associated with trafficking of ODS and hazardous wastes among respondents is very limited. Only, 41.5% (Lao PDR) and 55.9% (Thailand) of respondents say that they know what ODS are, and the majority of those who say they know (with the exception of officials from Cambodia) falsely identify carbon dioxide as an ODS. A similar pattern can be seen when asked to identify hazardous wastes, where only a minority of the respondents successfully identifies materials like asbestos as potentially toxic.

Ozone Depleting Substance	Correctly identified by
Refrigerant cylinder containing R-12 or CFC-12	21.4%
Refrigerant can containing HCFC-22 or R-22	14.1%
Pesticide cylinder containing methyl bromide	12.4%

Table 5 – Top 3: most frequently identified ODS

The number of officials who report to have received training on the subject is similar to those who report having received training on wildlife and timber trafficking. In contrast to the latter however, more training does not necessarily mean better performance when it comes to ODS and hazardous wastes. Myanmar officials who, with 39.7%, report the highest percentage of personnel having received training on the subject, did not do better but worse on knowledge questions. Here the issue clearly is with the quality of the provided training rather than with its quantity.

Knowledge of international legislation on the matter is equally scarce, with only 17.7% (Lao PDR) to 42.6% (Cambodia) correctly identifying the purpose of the Montreal Protocol on Substances that Deplete Ozone Layer and similarly bad numbers for the Basel Convention. It surprises to see, that Thai officials, who did relatively well on the other questions for this subject, are among the least knowledgeable when it comes to international legislation. This might indicate a specific gap in Thai training programs.

Thai officials are, however, not the only ones who believe they could benefit from a better knowledge of the relevant laws and conventions. Training on national and international legislation concerning ODS and hazardous wastes are the most requested qualifications on the subject, followed by training on how to identify ODS and hazardous wastes.

2.5 Training and Integrity

When comparing overall training levels with the average number of years that officials remain at their border post, it becomes apparent that the longer officials say to have been working at their post the better their training. This is of course not very surprising. However, the correlation is not as strong as one would assume. The two countries with the highest fluctuation of border personnel, Myanmar and Lao PDR, exhibit a vastly differing performance when it comes to training levels. While Lao PDR is the country with the lowest levels of trained personnel on every subject in the study, Myanmar performs markedly better and often features among the countries with the highest percentage of officials saying to have received training on a subject.

This shows that the retention time of personnel at a border post is not the only influencing factor when it comes to training levels. To further illuminate the connection between fluctuation in personnel and training levels it would be helpful to know what causes said fluctuation. It could be that personnel do not stay at their border post due to bad working conditions at the respective agency or post, such as low wages, thus making more training less effective. High fluctuation could also be caused by some kind of rotation mechanism within the agency, for example to prevent corruption. Meaning that trained personnel, even if they do not stay at specific border posts for an extensive time period, would still be kept within the agency and the efforts invested in training them are not lost. Unfortunately the data does not allow us to make such a distinction.

Apart from training on specific subjects, officials were also asked about training in more general skills associated with their work at the border. Results from these questions mostly reproduce the results we have seen concerning training on specific subjects: The majority of respondents have not received any training on skills like “Transnational crime investigation”, “Checkpoint Anti-Smuggling” or “Field border patrolling”. When divided, by country, the data shows the same pattern as with training on the specific thematic areas discussed before: Lao PDR is the country with the lowest number of trained officials while Vietnam, Thailand and Myanmar show similar levels of training, with differences in specific areas but without a clear overall hierarchy.

	Cambodia	Lao PDR	Myanmar	Thailand	Vietnam
Transnational Crime Intelligence Collection and Analysis	NA	92.2%	70.5%	77.9%	69.7%
Transnational Crime Investigation	NA	92.4%	64.3%	76.5%	69.7%
Transnational Crime Awareness	NA	84.0%	78.9%	61.8%	62.5%
Check Point Anti-Smuggling	NA	93.6%	73.7%	55.2%	45.5%
Field Border Patrolling	NA	92.2%	67.6%	47.8%	41.9%
Computer Training	NA	87.7%	45.2%	50.7%	56.3%

Table 6 – General training courses, sorted by average percentage of officials requesting them

Integrity is an important feature of a functioning border control mechanism. Training, equipment and legislation can easily be made irrelevant by personnel that are prone to cooperating in exactly the illegal flows that they are supposed to prevent. To assess how likely border officials in the region are to compromise on their duties, the surveys confronted with a hypothetical scenario in which one of their colleagues has to decide, whether he lets a friend and locally respected business man pass the border even though one of the necessary documents is missing. Officials were asked to give an

opinion how they think their colleague would handle such a situation, as well as how they would react if they saw that their colleague had let the man pass.

Officials from different countries are willing to show differing levels of leniency in such a situation. While the majority of officials from Thailand and Myanmar think that their colleague would refuse to let the man pass, the majority of Vietnamese and Laotian officials say he would let him pass after making sure that his van does not contain anything illegal. The respondents reaction to seeing their colleague let his friend cross despite the lack of proper documentation follows the same pattern: while the majority of officials from Thailand and Myanmar say that their colleague “Should not do these things”, a majority of officials from Vietnam, as well as a small majority of Laotian officials, are of the opinion that he did the right thing, provided that he checked the cargo first.

Integrity is of course a question of definition, and explicit rules are key to knowing what a border official is allowed to do and what is considered corruption. Therefore officials were also asked whether or not there are rules on receiving presents at their border section and if they had received training on these rules. Surprisingly, the vast majority of respondents from Thailand and Cambodia say that there are no such rules, and respondents from Vietnam are almost equally split between yes and no. This means that in Lao PDR and Myanmar alone, a clear majority states that rules exist. That officials from Lao PDR still showed a relatively high tendency to be lenient in the preceding questions might be explained by the fact that only 2.4% of them have actually received training on these rules. In general only a minority among officials from all countries has received such training. The highest percentage can be found in Myanmar with 28.3%, whereas somewhat paradoxically in Vietnam, where 24.2% of the respondents say that they have received training on rules of which 48.5% are convinced that they don't exist.

3. Conclusions and Recommendations

The findings of this study unequivocally show that border officials in the Greater Mekong Sub-region are largely ill-equipped to effectively face the threats posed by globalizing criminal networks. Confronted with adversaries who are ever more organized, interconnected and have ever more means at their disposal, they can do little to stop criminal flows from crossing their border. To make border officials able to compete on equal terms and to increase the scope of border security from catching a low level smuggler once in a while to bringing down the network he operates in, a significant investment is necessary. This means investment in infrastructure, training and in the conduct of personnel. Only if a border official has the necessary tools to uncover criminal flows through his border section, the necessary skills to use those tools and the integrity to follow through with his duties, can border control be effective.

1. Improving anti-smuggling skills in a coherent and sustainable way around the region

Border agencies in all countries of the region are currently lacking in all those areas, to differing degrees. While there is some variation between countries and subjects, on average even knowledge of the better understood subjects in countries with higher training levels is not sufficient. To help solve this problem, countries need to significantly improve their training processes. Candidates must go through a comprehensive basic training before they are sent to the border. This training should be organized at the national level, to ensure comparable skill sets across all border sections. To ensure comprehensiveness and a similar quality of training, a standard curriculum needs to be devised. In establishing the curriculum and training processes, countries should consult and build on the expertise of existing international organizations working in the area.

2. Promote standard operating procedures for bilateral cooperation at the border

To operate effectively, border officials must be aware that the criminal flows they are fighting are part of larger transnational networks and act accordingly. Officials must be taught how to collect, share and use information that can be turned into valuable intelligence to fight transnational criminal flows. As shown above, border officials are well aware of this necessity, but lack training and infrastructure. Furthermore they often lack empowerment to communicate promptly and effectively with their counterparts across the border. This is of paramount importance when it comes to complex cross-border operations, such as a controlled delivery. Regular meetings, clear rules about engagement, focal points for specific crime types and established mechanisms for information exchange can make cooperation between law enforcement agencies on each side of the border more effective.

3. Establish mechanisms to improve data collection and sharing

During interviews with border officers and through interactions with heads of BLOs it became clear that there is a dire need to develop a mechanism to collect data in more systematic way. There are various types of information that can be of relevance to the work of the border officers, such as arrests, seizures, ongoing investigations, and persons of interest. An increase in the frequency of meetings and joint operations between cross-border law enforcement agencies is also necessary. Information individually collected by agencies (Customs, Police, Immigration, etc.) tends to be passed

only through the vertical line of command without being shared horizontally with all frontline officers. On the same token, information is hardly shared through official ways, although the BLO mechanism has largely improved the informal exchange of information. The current use of data and statistics is useful to identify a problem, but without a systematic way to collect and share strategic information it is impossible to evaluate the capacity to respond to the problem.

4. Link border liaison offices to intelligence centers and other specialized units

Border checkpoints are an excellent source of information in relation to criminal flows. Yet, while border officers are not trained to be intelligence analysts, they are the source and recipients of intelligence. Collection of information that comes through the border and its use in the intelligence process is of national and strategic relevance. BLOs could serve as a key platform to collate such information and transmit it to intelligence analysis units at the provincial and capital levels. At the same time BLOs could disseminate intelligence coming from specialized units through intelligence sharing models.

5. Improving technology at border checkpoints

Investments in technology and communication at the borders – as well as training on how to use such devices – are essential to scale-up the response to transnational organized crime. The use of smart-phones, internet and social media can significantly improve the investigation capacity of frontline officers. Tracking and surveillance devices as well as scanning and search machines can largely improve the capacity to gather strategic information related to persons of interest and suspicious vehicles in relatively short time. Furthermore, scanning machines can link finger prints and identity document to various national and international databases which aid in the identification of fraudulent travelers.

6. Integrity and anti-corruption

A professional border agency needs to invest in the integrity of its officers. The majority of officials from 2 out of the 5 surveyed countries say there are no rules on receiving gifts at their border section – while officials from a third country are unsure on whether there are any. Every law enforcement agency, as well as any other agency that has officials working at the border, needs to have a code of conduct to prevent corruption. Training on this code of conduct should be rigorous and occupy a sizeable amount of time during basic training. Those officers already working at the border must receive training on corruption prevention through the training mechanism outlined above. Effective anti-corruption measures must also include basic vetting processes for recruits as well as for candidates for leadership roles within the organizations.

The areas identified above represent the most immediate priorities to strengthen border control at regional level. The tasks at hand require a firm commitment from the agencies and governments involved as well as from their international partners. While the lack of infrastructure can be fixed in a relatively short-medium time – provided that funds are available – improving training, cooperation mechanisms and integrity are long term efforts, that should ultimately lead to self-sustained border agencies in each country in the region. To prevent the gap between the capabilities of organized crime and the resources of border control agencies from growing any further, work on the these tasks should begin as soon as possible.



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