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National Whistleblower Center: Leveraging U.S. laws to beat wildlife crime worldwide

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Stephen M. Kohn and Dr. Gina Green of NWC. *Photo credit: Leslie Rose Photography*

For almost 30 years, the ethos “Honesty without Fear,” has defined the work of National Whistleblower Center (NWC), a team of lawyers and security experts led by executive director **Steve Kohn**. Based in Washington DC, NWC works with and for whistleblowers everywhere in the world, providing legal advice and representation, practical information about rights and rewards, and opportunities to securely and confidentially make disclosures.

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Challenge Prize winners for its pioneering efforts to tackle corruption linked to wildlife crime. Prize Winners receive \$10,000, technical and networking assistance, and a chance to compete for as much as \$500,000 in funding.

NWC's Prize Winning solution, *the Secure Internet Wildlife Crime Reporting System*, is a secure online platform, a one-stop shop via which whistleblowers can safely and anonymously file reports of wildlife crimes

and gain useful information about how wildlife whistleblower laws work.

What is a whistleblower and why are they important? Broadly speaking, a whistleblower is an individual or association of individuals that reports fraud, corruption, corporate misconduct, or other violations of law to the appropriate authorities, often on behalf of the public interest. U.S. laws offer whistleblowers greater confidentiality, protection and, potentially, reward than those in any other country. According to recent data, whistleblower reward laws now account for roughly 80 percent of all U.S. civil fraud prosecutions.

NWC supports whistleblowers including those that have information about a violation of three American laws: the U.S Securities Exchange Act, the Commodities Exchange Act, and/or the Foreign Corrupt Practices Act.

Still, getting whistleblowers to come forward—and securing prosecutions from the information they provide—is very difficult and demanding work. Mr. Kohn likens it to navigating a freighter through a storm, with the whistleblower representing precious cargo.

The organization considers two factors as vital in its efforts: **confidentiality** and **monetary reward**. While the former is important, it is often not enough to induce witnesses to come forward. Monetary rewards are essential because whistleblowers may face dismissal from work, legal costs, and even long-term stigma. Reward terms can be quite

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According to Mr. Kohn, only about three percent of witnesses to wrongdoing ever speak about it to someone outside their organization and, of this small proportion, even fewer reach out to the relevant regulatory agency. “Once word gets out about a whistleblower receiving a reward,” he says, “disclosures skyrocket.” However, when whistleblowers suffer ostracism or retaliation, others with valuable information become too frightened to come forward.

The Securities and Exchange Commission changed its rules in 2011 to establish a whistleblower program, and this had a transformative effect. As Mr. Kohn explains, “The United States’ ability to use its laws transnationally to tackle corruption has increased.” The nearly global reach of American law enforcement encourages whistleblowers to come forward, even those living in countries with weak democratic governance.

In the last five years, whistleblowers from 94 countries have used American laws to file over 1500 claims, and over \$30 million has been paid to witnesses that exposed wrongdoing^[1]. Whistleblowing, claims Mr. Kohn, “has become the number one source of all corporate crime detection.”

Following the 2011 rule changes, an opportunity opened up to more effectively prosecute traffickers and poachers, and NWC seized it. The organization’s co-chair, **Dr. Gina Green**, who has over two decades of experience in environmental advocacy, played an instrumental role in pushing the launch of NWC’s *Protect Wildlife Crime Whistleblowers* campaign. NWC’s winning Challenge solution is an integral component of that campaign.

The internet has been a boon for NWC and its ability to reach out to whistleblowers wherever they may be. “We want people to be able to press a button and see information about the relevant laws in their language,” Mr. Kohn says of the online platform. “Chinese, Russian, Japanese, Portuguese, French and others.” NWC also hopes to use information about trade routes to choose languages in which to provide information.

NWC isn’t resting on its laurels although there’s little competition. “No one else is out there doing what we do, not in the government nor in the private sector,” claims Mr. Kohn. And while the organization is hoping other countries will pass domestic laws that encourage whistleblowing, there’s little evidence to suggest this is imminent. “The U.S. is 25

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Long a singular force in the global fight against corruption and fraud, NWC has now added wildlife crime to its portfolio.

[\[1\] http://www.whistleblowers.org/anti-corruption](http://www.whistleblowers.org/anti-corruption)

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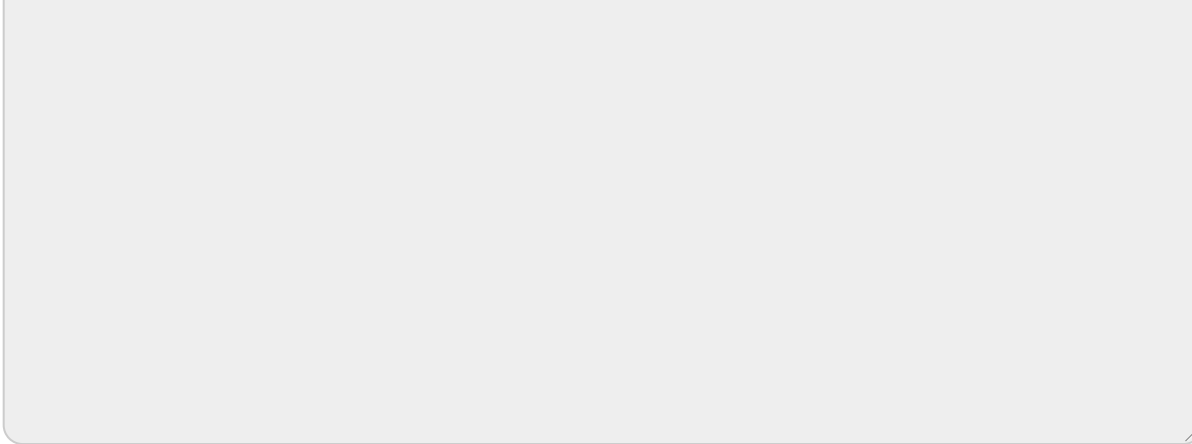
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