



UNODC Constructive Dialogue on International Cooperation

13 September 2023, Vienna International Centre

Statement by the Global Initiative to End Wildlife Crime

Thank you Mr. Chair and thank you to the UN Office on Drugs and Crime (UNODC) Secretariat for updating us, earlier today, on the current status of the [review process](#). The Global Initiative to End Wildlife Crime, of which Born Free Foundation is a founding member, echoes other NGOs concerns regarding the slow progress achieved so far and encourages Member States to constructively engage in the review mechanism. We would also like to encourage States to use this opportunity to assess how, *and if*, the UN Convention against Transnational Organized Crime (UNTOC) is being best utilised in emerging crime areas not covered by a specific Protocol, more specifically in the field of wildlife trafficking and other crimes that affect the environment.

As one of the world's most profitable transnational crimes, wildlife trafficking often involves sophisticated criminal networks operating across different countries. Its devastating and far-reaching consequences – including risk of species extinction, ecosystem degradation, economic loss, climate change exacerbation, as well as an increased risk of zoonotic disease emergence and spread – are felt globally.

Because of the transnational nature of wildlife trafficking, every effort must be made to increase international communication, coordination and cooperation among different States, including through the use of the UNTOC. In the absence of a dedicated international legal instrument on wildlife trafficking the UNTOC can serve as “*an effective tool and the necessary legal framework for international cooperation*” in the fight against wildlife trafficking, as was explicitly recognized in the [Resolution](#) under which the Convention was adopted.

Despite its potential, however, the UNTOC remains severely underutilised in cases of wildlife trafficking. In fact, we quickly reviewed the [Digest of Cases](#) on International Cooperation in Criminal Matters Involving the UNTOC a Legal Basis, mentioned by the Secretariat earlier today, and could not find a single case on wildlife trafficking, nor any other crime that affects the environment. As is well known, the Convention is only applicable if national laws reach its application threshold, which is the establishment of a maximum criminal penalty of at least four years of imprisonment; in many jurisdictions, this is unfortunately not the case for wildlife trafficking. Despite its devastating impacts, no obligation to criminalise wildlife trafficking currently exists at the international level, not even when it concerns endangered species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). As a result, different jurisdictions adopt different approaches, with some States relying solely on administrative or civil sanctions.

In an effort to address the shortcomings of the current international legal framework to prevent and combat wildlife trafficking, the Global Initiative to End Wildlife Crime was launched in June 2020. Hosted by ADM Capital Foundation, the Initiative is supported by a Steering Committee, and a network of [32 international Champions](#), including numerous NGOs – reflecting the critical contribution civil society can make towards efforts to counter wildlife crime. Since its inception, the Initiative has, *inter alia*, advocated for and offered technical support towards the creation of a global agreement to tackle wildlife trafficking, taking the form of an additional Protocol to the UNTOC. Support for a similar agreement has now been

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expressed by the presidents of Angola, [Costa Rica](#), [Gabon](#) and [Malawi](#), as well as the European Union in its revised [Action Plan against Wildlife Trafficking](#) published last year.

As many delegates know, there is an ongoing intergovernmental consultation on this topic, which has been promising so far; just a few months ago, during the 32nd session of the UN Commission on Crime Prevention and Criminal Justice (CCPCJ), the Secretariat [released a report](#) revealing that a strong majority of responding States are supportive of an additional UNTOC Protocol to tackle wildlife trafficking. By the end of this year, an updated report should be released, including the views of more States.

The contribution of such an additional Protocol to international cooperation would be significant. In addition to mandating Parties to criminalise wildlife trafficking (and related offences), a global agreement could provide a clear, universally agreed, definition of the term “wildlife trafficking”, helping harmonise national approaches. Creating consistency among different countries' legislation simplifies the legal landscape, making it easier for States to collaborate on investigations, collect and share evidence, extradite and transfer suspects, and prosecute offenders. It could also address sharing forensics, dealing with forged permits, sharing information on known criminal groups, demand reduction and capacity building. The development of a more united ‘legal front’ would also pose a serious obstacle to criminal networks looking to exploit loopholes and differences in regulatory regimes to move illicit wildlife products across borders.

A Protocol would also automatically trigger the UNTOC’s general tools for cross border cooperation (e.g., mutual legal assistance, joint investigations, use of specialised investigative techniques), overcoming the need for 190 States to act unilaterally and make wildlife trafficking a ‘serious crime’ and enabling a broader array of sanctions.

Finally, the negotiation and adoption of a global agreement would put wildlife trafficking at the forefront of the international political agenda, providing the impetus for stronger political commitment and resourcing at the national and regional level.

As discussions regarding the potential of an additional Protocol to the UNTOC on tackling wildlife trafficking continue in relevant fora, NGOs have a critical role to play in facilitating formal and informal international cooperation. This is particularly true in the field of wildlife crime, where governments and law enforcement agencies often rely on civil society to compensate for the lack of resources and capacity. For this reason, and following up on this morning’s conversation, we do see the value in involving representatives of civil society in the Working Group on International Cooperation, as previously suggested by other delegates.

ABOUT THE INITIATIVE

The Global Initiative to End Wildlife Crime is a broad alliance of environmental, policy, legal, business and public health organisations and experts coming from across every continent, created to address serious gaps in the existing international legal framework for combating wildlife crime and regulating wildlife trade.

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