

## **UK comments on the European Commission Roadmap for an *EU Action Plan against Wildlife Trafficking*.**

### **Overarching comments**

1. The UK welcomes the European Commission's initiative to publish a roadmap for an EU Action Plan against Wildlife Trafficking. The document makes a persuasive case of the need for action in response to the seriousness of the wildlife trafficking crisis. Furthermore, we are persuaded that there is potential for collective action at the EU level to complement and enhance efforts already being made by Member States.
2. Having reviewed the three options presented within the roadmap the UK's clear preference is to pursue Option 2. We agree that while Option 1 may strengthen enforcement action against wildlife trafficking it is a limited and partial response to a much wider issue. Option 2 reflects the holistic approach that is needed, securing political commitment to not only strengthen enforcement within the EU but utilise the resources of the EU and its Member States to reinforce the global response, including on the issue of demand reduction. We agree with the analysis that Option 3 – extending Option 2 to also include legislative proposals – risks adding significantly to the timeline for implementation of actions, and indeed may not be appropriate with regard to the proportionality principle once this is considered in depth.
3. The UK therefore looks forward to working positively and collaboratively with the European Commission, and other Member States, and considers there is potential to develop proposals for an action plan that will significantly enhance the response of the EU and its Member States. We note that any such proposals will be subject to UK parliamentary scrutiny and agreement within Council. In this regard we note the emphasis in the roadmap on issues of enforcement, criminal justice and sanctions. It is important that, if included in an action plan, any future legislative proposals in this area respect the special position of the UK, Ireland and Denmark in relation to Justice and Home Affairs (JHA) matters.
4. This will assist in maximising the engagement of Member States in any action plan. To assist this we recommend that recognition of the need to develop proposals for an action plan is pressed for in relevant Council Conclusions. The UK would be happy to assist in advocating for this approach.
5. The UK notes the range of DGs within the European Commission that have been consulted in the preparation of the roadmap. This is a multi-faceted problem that requires engagement from a range of different actions. To maintain positive momentum and drive forward implementation the buy-in and internal co-ordination of these different DGs will be necessary. Therefore, we recommend some form of high level governance group should be considered as part of the proposals.

## **Specific suggestions for inclusion in the action plan.**

### Strengthening rules on legal trade, in particular ivory

6. The UK continues to be of the view that our existing approach to not permit the trade in raw ivory should be adopted by the EU and its Member States. The UK, along with Germany, France, the Netherlands, Sweden and Austria set the case for such an action in a joint letter in March this year. Since then we have seen a strong joint statement from the US and China that they will take *“significant and timely steps to halt the domestic commercial trade in ivory”*. The EU and its Members States should recognise the potential for continuing legal markets to provide cover for the illegal trade and at the very least take measures to stop the trade in raw ivory. If the EU and its Member States have any aspirations to be viewed as global leaders then the time has come for clear steps to be taken.

### Enhancing high-level international political attention

7. Member States acting individually, and the EU and its Member States have been instrumental in securing far greater international political attention on this issue; for example through the London and Kasane conferences, the recent UNGA resolution and through UNEA. Proposals for an action plan should set a clear direction and aspiration for maintaining and enhancing global attention on this issue. This should include supporting the rapid implementation of these existing commitments as well as identifying gaps and implementation challenges that need to be addressed in future declarations, including at the conference planned in Viet Nam for late 2016. The scope for raising the issue of wildlife trafficking in future EU/Member State high level dialogues with key states, such as China and Viet Nam should be explored fully to reinforce the priority that is attached to these issues.

### Full and effective Implementation of CITES

8. The EU and its Member States need to be able to demonstrate full and effective implementation of CITES to demonstrate feasibility, and to provide global leadership. From this position the EU and its Member States need to be prepared to take strong positions on improving the operation of CITES in combatting illegal trade. In this regard the EU and its Member States should be prepared to take strong positions, including advocating sanctions, against those Parties that clearly fail to implement their CITES obligations and commitments. For CITES to effectively drive rapid progress against illegal trade then it must be shown there are consequences for Parties that do not take their obligations and commitments seriously.

### Use of development aid

9. The identification of significant funding through the B4life programme, and in particular the wildlife crisis window is very welcome and potentially significant. The links between wildlife trafficking and impacts on local communities, economic development and sustainable livelihoods, and governance and the rule of law have been clearly established elsewhere. Therefore, a very substantial scaling up of EU aid development aid devoted to this issue is entirely

appropriate. Given the degree of effort and expertise that went into development of *“Larger than elephants: Input for an EU Strategic Approach for African Wildlife Conservation”* devoting substantial funding to the implementation of this comprehensive strategy would seem entirely appropriate.

10. While the funding available is significant to maximise its impact it should avoid being targeted too widely. In this regard the UK would support the primary focus being the protection of key landscapes and species in Africa. However, we agree with the suggestion in the roadmap that supporting actions to reduce the demand for illegal wildlife products, particularly in Asia, should also be part of proposals for an action plan. We also note the need to better co-ordinate with other donors is identified in option 2. The UK would agree with this assessment to maximise impact. However, this may be more effectively done within country than between capitals so we suggest there may be a role for EEAS in this capacity.

#### Enforcement

11. The UK notes the European Commission circulated a discussion document on enforcement related elements for action plan proposals ahead of the meeting with enforcement practitioners, prosecutors and judges on 4<sup>th</sup> November. The UK has provided comments in response to the questionnaire included with that document.
12. As an overarching comment the UK would expect proposals for an action plan to clearly set out what the EU and its Member States are collectively trying to achieve through their enforcement activity, and to set clear and measurable objectives. We would expect the objectives collectively agreed at an EU level to be reflected down into national enforcement activity, and for the activity undertaken and results obtained at a national level to feed back up to reviewing and revising the EU level priorities. Achieving this may require consideration of the appropriate forum and membership of an EU level group, and whether the existing EU enforcement group is capable of fulfilling this function.

**Defra**  
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