

Your Voice In Europe: ROADMAP feedback for Action Plan against Wildlife Trafficking

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Feedback:

*OFFICIAL SUBMISSION BY WORLD ANIMAL PROTECTION TO THE ROADMAP INITIATIVE:
EU ACTION PLAN AGAINST WILDLIFE TRAFFICKING*

30th October 2015

World Animal Protection welcomes this Initiative and the Roadmap which outlines the options the Commission is considering for implementation. In the face of unprecedented levels of poaching and the surge in wildlife trafficking the need for action is clear. This is also officially recognised and supported at UN, EU and Member State level.

Illegal wildlife trade poses a problem within Europe. The significance of Europe within illegal wildlife trade is as a target market for wild animals and derived products, an origin area for certain illegally traded species and a transit route through which animals and products are smuggled. The multi-faceted role of the region in this illegal activity requires robust, co-ordinated and urgent action.

In addition, the growth of wildlife trafficking, and lack of effective action, impacts on multiple EU priority areas including:

- *Sustainable development: wildlife crime retards development, reduces options for future development and erases past development gains and as such lack of action in this area hampers the achievement of the Sustainable Development Goals;*
- *Biodiversity: while protecting biodiversity is important in its own right, its importance is elevated if the impact of biodiversity loss on food security, climate change, public health and poverty eradication is taken into account;*
- *Peace and security: while the direct link between wildlife crime and organized crime is widely acknowledged, with obvious health and safety impacts for European*

audiences, there also is a direct link between wildlife crime and militant/terrorist organisations which threaten peace and security not just in developing supply countries but also European Member States;

- Animal welfare: All wildlife crime invariably involves extreme forms of animal suffering. As the TFEU has enshrined animal welfare as a share value and in Article 13 necessitating that the Union and Member States pay full regard to animal welfare requirements in formulating and implementing the Union's policies, not taking real action on wildlife crime would mean that the EU would be derelict in terms of living up to its own moral obligations.*

Taking action on wildlife trafficking therefore is necessary for economic, social, environmental, and peace and security reasons as well as a moral duty. As a result of Europe's particular status as receiver, originator and transit area it has a key role to play in global action on this issue.

After reviewing the three options presented in the Road Map, World Animal Protection advocates Option 2 for the following reasons:

- The Road Map clearly identifies uneven implementation and enforcement among Member States is a key challenge. A new legislative level at the EU level under Option 1 would not address this problem. Concrete political will and commitment at the highest level will only ensure a robust, effective and sustained future Plan of Action;*
- Enforcement is an important concern but is far from the only one. As such option 1 would be wholly insufficient to address the multi-faceted nature of the illegal wildlife trade;*
- Whereas the urgency of action is important, necessitating a preference for option 2 over option 3, we note that the proposed solution of referring legislative improvement to the elaboration of a new Agenda for Security will only be suitable if and when all legislative obligations as included in the UNEA resolution on illegal wildlife trade as well as UN GA resolution A/RES/69/314 on tackling illicit trafficking in wildlife can be covered within the EU Agenda for Security. Recommendation: To elevate wildlife crime to be considered (i) a serious crime in line with OP 4 of UN GA resolution A/RES/69/314; (ii) to elevate offences connected to wildlife crime to be considered as predicate offences according to OP5 aforementioned resolution; and (iii) the full implementation of UN ECOSOC resolution 2013/41. Furthermore, through the use of international treaties e.g. the UN Convention against Transnational Organized Crime and against Corruption, as well as other non-legislative initiatives from other relevant organisations, UNODC, World Customs Union and International Consortium for Combatting Wildlife Crime;*
- Given the current illegal wildlife trade's transnational nature, creating a global partnership to tackle wildlife crime is critical. All tools must be utilized, including through the inclusion of increasingly ambitious commitments in future trade agreements, and through the monitoring and implementation of relevant provisions in existing FTAs. Any future efforts by the EU and Member States to stem this trade will be futile unless both the supply and demand ends are addressed within Europe and beyond.*

World Animal Protection would like to outline some options for ways in which Option 2 could be further strengthened.

In its present form, Option 2 states that “The Action Plan would provide for timelines, benchmarks and monitoring by the Commission”. World Animal Protection is concerned that this proposal will not adequately provide the dedicated expertise or coordination needed to successfully tackle wildlife trafficking across the region. Recommendation: These responsibilities should fall under the remit of a centralised, specialised European Wildlife Crime Unit which is responsible for shaping and driving forward the Action Plan. We believe that such a Unit would be fundamental to overseeing and coordinating region-wide activities, and for offering support to individual Member States when needed.

A/RES/69/314 (operational paragraph 6) requires each Member State to create a national level inter-agency wildlife crime task force. In addition to coordinating coherent action across the EU (Commission, Council, Parliament), the centralized unit could also act as an advisory body to these national task forces, facilitate coordination amongst national task forces and assist in the harmonization of data collection by national task forces.

Learnings from other countries, such as the United Kingdom, demonstrate that centralised Units of this kind are the optimal model in the fight against wildlife trafficking.

Recommendation: that as a first step, the European Unit should undertake an audit of all Member States’ approaches to wildlife crime enforcement, in order to establish a baseline and prioritise action.

World Animal Protection’s experience of working with enforcement agencies to tackle wildlife crime gives us some concern with regard to priority 1 under option 2. Recommendation: We would urge the EU against encouraging sustainable sourcing of wildlife products or facilitating legal wildlife trade as, in our experience, wildlife crime is facilitated if not boosted by the existence of legal trade and enforcement is made more difficult.

With regard to the Roadmap as a whole, and Option 2 in particular we are of the opinion that there are two issues which are not adequately addressed.

- 1. Both the UNEA resolution and A/RES/69/314 call for greater cooperation for the timely and cost-efficient repatriation of live illegally traded wildlife, this issue needs to be reflected in the EU action plan, including the potential animal welfare considerations related to such repatriation. It is currently missing from the Roadmap.*
- 2. The Roadmap must also include efforts to reduce supply of illegally traded wildlife or wildlife products. The Conference of Parties (COP) of the Convention on Biodiversity (CBD) recognized in March of this year (Decision XII/18) that monitoring and curbing wildlife crime requires a coherent, cross-sectoral approach integrating wildlife values into policies and plans of relevant economic and social sectors. Wildlife crime is a development issue and therefore providing local populations with alternative sources of income will be more effective in curbing the supply of wildlife than any form of crime prevention or enforcement of existing or new legislation/regulation.*

To ensure future robustness and coherence in the implementation and enforcement of

a future EU Plan of Action, exchange of existing good practices and training will be crucial. The creation of a centralised European Wildlife Crime Unit could also serve as the platform for such exchange and training.

Recommendation: The EU's Better Training for Safer Food (BTSF) could serve as a good example of training by sharing existing good practices provided by all relevant stakeholders both institutional and non-institutional.

Besides CITES, tackling illicit trafficking of wildlife is a key concern of the UN environment Assembly, the Convention on Biodiversity, the Convention against Transnational Organized Crime, the UN Convention against Corruption, ECOSOC, the General Assembly and now also the 2030 Agenda for Sustainable Development (also referred to as the SDGs).

Besides target 15.7 under SDG 15, which explicitly calls for urgent and significant action against poaching and trafficking, the EU action plan should also take into account target 15.5 (which calls for protecting biodiversity and prevent the extinction of threatened species), target 15.8 (which calls for the prevention and reduction of the impact of invasive alien species – a potential side-effect of illegal wildlife trade), target 15.9 (which calls for the integration of biodiversity values into national planning, development and poverty reduction strategies), and finally target 15.c (which calls for enhancing global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities).

Moreover, given that reducing or eradicating wildlife crime will have significant positive outcomes for poverty eradication, food security, biodiversity protection, good governance, and peace and security, one could conclude that urgent and significant action by the EU on wildlife crime, including through the creation of a specialized wildlife crime unit, would be part of the EU's effort to achieve target 17.14, namely enhancing policy coherence for sustainable development.

Finally, the political declaration accompanying the SDGs includes a reference to all Member States envisioning a world in which humanity lives in harmony with nature and in which wildlife and other living species are protected. The achievement of this vision requires that the EU action plan on tackling wildlife crime be as comprehensive and multi-disciplinary as possible, and, if necessary, should not be restricted by the availability of funding.

Recommendation: The engagement of all relevant stakeholders both institutional and non-institutional including civil society in the implementation/monitoring/review phase of a future Plan of Action will be critical. The technical and operational expertise they can provide will contribute to ensure a new EU Plan of Action will fully address all the root causes and multi-faceted challenges of wildlife crime at all levels within the EU and in its envisaged external activities on this issue e.g. "Green Diplomacy".

In this respect, World Animal Protection has a history of tackling on wildlife crime, and has built strong partnerships with enforcement bodies, particularly in the UK. We part-funded the Metropolitan Police Wildlife Crime Unit for two years when it faced

closure; whilst at the same time campaigning for it to be fully funded by statutory bodies, which we achieved in January 2014.

Since then, and based on the knowledge we gathered during this close partnership, we have released London and UK Wildlife Crime reports to raise awareness of domestic wildlife crime, and to call for a more strategic national approach to tackling wildlife crime within the UK.

We are 2014 and 2015 sponsors of the UK's National Wildlife Crime Enforcers Conference; we have funded wildlife crime training days for police officers; we have supported Police Forces in improving their enforcement efforts locally; and this month (October 2015) will be launching a joint partnership with "Crime stoppers" to encourage better public reporting of wildlife crime to the relevant authorities.

We are also active stakeholders in the negotiations of FTAs, such as TTIP, and advocate for the inclusion of strong, binding commitments to prohibit wildlife trafficking, as well as commitments to develop capacity among trading partners in this regard.

This portfolio of action, alongside our experience of positive engagement in EU and UN processes, places us in a unique position to support the development of the Roadmap and Action Plan. We would be delighted to make ourselves available for a meeting with the European Commission team delivering this important work, or to provide any additional information.