

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

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Related document: Action Plan against Wildlife Trafficking

Feedback:

PLEASE SEE ATTACHMENT FOR FULL RESPONSE

We congratulate the European Commission (EC) on the preparation of a clear and thorough assessment of the context, objectives and options regarding an EU Action Plan against wildlife trafficking, and greatly appreciate the opportunity to comment on this roadmap. Working in around 50 countries around the world, including a long history of countering illegal and unsustainable wildlife hunting, trafficking and demand and with a number of projects supported by the EU, ZSL has relevant technical and field expertise and stands ready to support the development and implementation of the Action Plan.

Option mapping

We support development of the actions as listed under Option 2 in the roadmap. The provisions under Option 1 do not go far enough, and as the development of the Action Plan is urgent it should not be delayed by the process of an extensive legislative review and revision as described in Option 3. We also feel that the EU-wide legislative framework as it relates to wildlife trafficking is largely adequate and opening it up could serve to weaken rather than strengthen some of this framework.

That said, we would encourage efforts to identify gaps within the current legislative framework to address as below, and to identify and address the needs of Member States with inadequate implementation and enforcement of this framework. We stress the need to include the proviso that, given EU policy and legislation against environmental crime will be reviewed under the EU Agenda for Security in 2016, any necessary additional wildlife trafficking-related legislation that is identified will be developed within that framework, which will also serve to increase its relevance.

These actions must ensure that wildlife trafficking by organised criminal groups is treated as a serious crime by all Member States, and that sanctions are in accordance with this categorisation.

We are however concerned and request that proper implementation of many of the actions under this option will require additional resourcing in order to be effective across all Member States and internationally, particularly given the increasing threats to sites on the ground.

Other issues to consider

Scope of the Action Plan. All wildlife taxa, including bushmeat, fish and other aquatic taxa such as corals should be included within the scope of the Action Plan, as well as timber and other plant species.

Protected area support. To prevent wildlife trafficking (stated as priority 1 in the actions under Option 2), it is important to focus on the basics of creating and supporting protected areas, including anti-poaching measures. We urge support for the roll-out of the adaptive management tool SMART (www.smartconservationtools.org) in and around protected areas globally, as well as support for its adaptation and use by local communities and the private sector to standardise data collection and facilitate data and intelligence sharing.

Development and diplomatic support. Given the impact of wildlife trafficking on peace, stability, governance and poverty, we urge the EU to use its considerable development cooperation (and biodiversity conservation) support and diplomacy to address the issue internationally. The UN can leverage political commitment as well as provide a framework for ensuring coherence between different international initiatives. The EU should support strengthening the UN responses to addressing wildlife trafficking by supporting the establishment of a designated UN special representative. It could also contribute to high-level dialogues and partnerships at regional level.

Elephant Protection Initiative (EPI) involvement. We recommend the EU join the EPI and/or support it financially; this would raise the profile as well as capacity of this important, African-driven initiative.

High-level coordination, including NGO stakeholder input. Recognising the multi-dimensionality of the issue, we recommend the setting up of a high-level coordination mechanism between all relevant EC Directorates-General, to secure necessary political buy-in and internal coordination on the development and implementation of the Action Plan. This should also involve other stakeholders with relevant expertise such as EUROPOL and EUROJUST, Member States and civil society.

Integrating wildlife into other instruments such as FLEGT and FTAs. The EU should strengthen the implementation/application of existing instruments such as its FLEGT policy, which at present makes little provision for addressing wildlife trafficking in the forest sector and underperforms in terms of serving sanctions and penalties. This represents a missed opportunity and has the potential to actually undermine existing initiatives that address wildlife trafficking in the sector such as FSC certification. It should also seek strong and binding wildlife provisions within Free Trade Agreements (FTAs) and reinforce efforts to tackle IUU fishing and improve current provisions.

Monitoring wildlife trafficking. The EU should increase efforts to gather adequate and up-to-date data on the nature, scale and potential impacts of all types of wildlife trafficking, both at EU entry and exit points and in markets within the EU itself, as well as supporting and coordinating similar efforts beyond the EU. This would include the development of new technologies and tools to detect wildlife products and identify taxa, in particular CITES-listed species (e.g. via genetic methods, sniffer dogs or x-ray technology), track wildlife products through the supply chain and ensure such information results in arrest and prosecution. The EU should support ICCWC to develop a set of standardised and centralised wildlife crime enforcement indicators. Such an evidence-based approach is urgently needed to inform the design of policy necessary to address the issue and position the EU at the forefront of global efforts to fight wildlife trafficking.

Response to Consultation on Roadmap for an EU Action Plan against Wildlife Trafficking, ref. 2015/ENV/087, from the Zoological Society of London (ZSL)

November 2015

Contact: Dr Noëlle Kümpel, Policy Programme Manager (noelle.kumpel@zsl.org)

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Option mapping

We support development of the actions as listed under **Option 2** in the roadmap. The provisions under Option 1 do not go far enough, and as the development of the Action Plan is urgent it should not be delayed by the process of an extensive legislative review and revision as described in Option 3. We also feel that the EU-wide legislative framework as it relates to wildlife trafficking is largely adequate and opening it up could serve to weaken rather than strengthen some of this framework.

That said, we would encourage efforts to **identify gaps within the current legislative framework** to address as below, and to identify and address the needs of Member States with **inadequate implementation and enforcement** of this framework. We stress the need to include the proviso that, given **EU policy and legislation against environmental crime will be reviewed under the EU Agenda for Security in 2016**, any necessary additional wildlife trafficking-related legislation that is identified will be developed within that framework, which will also serve to increase its relevance.

These actions must ensure that wildlife trafficking by organised criminal groups is treated as a **serious crime** by all Member States, and that sanctions are in accordance with this categorisation.

We are however concerned and request that proper implementation of many of the actions under this option will require **additional resourcing** in order to be effective across all Member States and internationally, particularly given the increasing threats to sites on the ground.

Other issues to consider

Below are some additional, far from exhaustive, issues to consider that we would like to highlight.

Scope of the Action Plan. All wildlife taxa, including bushmeat, fish and other aquatic taxa such as corals should be included within the scope of the Action Plan, as well as timber and other plant species.

Protected area support. To prevent wildlife trafficking (stated as priority 1 in the actions under Option 2), it is important to focus on the basics of creating and supporting protected areas, including anti-poaching measures. We urge support for the roll-out of the adaptive management tool SMART (www.smartconservationtools.org) in and around protected areas globally, as well as support for its adaptation and use by local communities and the private sector to standardise data collection and facilitate data and intelligence sharing.

Development and diplomatic support. Given the impact of wildlife trafficking on peace, stability, governance and poverty, we urge the EU to use its considerable development cooperation (as well as biodiversity conservation) support and diplomacy to address the issue internationally. The UN represents a forum for leveraging and embedding political commitment as well as providing a framework for ensuring coherence between different international initiatives. The EU should support strengthening the UN responses to addressing wildlife trafficking by supporting the establishment of a designated UN special representative. It could also contribute to high-level dialogues and partnerships at regional level.

Elephant Protection Initiative (EPI) involvement. We recommend that the EU join the EPI and/or support it financially; this would raise the profile as well as capacity of this important, African-driven initiative.

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Integrating wildlife into other instruments such as FLEGT and FTAs. The EU should strengthen the implementation/application of existing instruments such as its Forest Law Enforcement, Governance and Trade (FLEGT) policy, which at present makes little provision for addressing wildlife trafficking in the forest sector and underperforms in terms of serving sanctions and penalties. This represents a missed opportunity and has the potential to actually undermine existing initiatives that address wildlife trafficking in the sector such as Forest Stewardship Council (FSC) certification. It should also seek strong and binding wildlife provisions within Free Trade Agreements (FTAs) and reinforce efforts to tackle Illegal, Unreported and Unregulated Fishing (IUU) and improve current provisions.

Focus on implementation of legislation by Member States. The present EU policy and legislative framework results in uneven and at times weak responses to the challenges posed by wildlife trafficking. A lack of binding obligations for Member States underpinning rules such as the EU Enforcement Plan results in major implementation gaps. As a consequence we are not seeing (1) the requisite political commitment by states, (2) translating into appropriate national level laws and (3) resulting in resources being directed towards ensuring sufficient capacity of enforcement, judicial and border agencies to address wildlife trafficking. The result is that within much of the EU's policy and legislative framework wildlife trafficking and environmental crime generally is not accorded the importance that it should. It is essential that the EU addresses these gaps in order to position itself as a global leader in responding to the wildlife trafficking crisis, both within and beyond its territory.

Monitoring wildlife trafficking. The EU should increase efforts to gather adequate and up-to-date data on the nature, scale and potential impacts of all types of wildlife trafficking, both at EU entry and exit points and in markets within the EU itself, as well as supporting and coordinating similar efforts beyond the EU. This would include the development of new technologies and tools to detect wildlife products and identify taxa, in particular CITES-listed species (e.g. via genetic methods, sniffer dogs or x-ray technology), track wildlife products through the supply chain and ensure such information results in arrest and prosecution. We recommend that the EU support the International Consortium on Combatting Wildlife Crime (ICWC) plan to develop a set of wildlife crime enforcement indicators which are standardised and ideally recorded in a centralised database. Such an evidence-based approach is urgently needed to inform the design of policy necessary to address the issue and position the EU at the forefront of global efforts to fight wildlife trafficking.