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Resolution adopted by the Economic and Social Council on 25 July 2013

*[on the recommendation of the Commission on Crime Prevention
and Criminal Justice (E/2013/30 and Corr.1)]*

2013/40. Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora

The Economic and Social Council,

Recalling its resolutions 2001/12 of 24 July 2001 and 2003/27 of 22 July 2003 concerning illicit trafficking in protected species of wild flora and fauna,

Recognizing the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora¹ as the principal international instrument on legal trade in wild fauna and flora, and efforts made by parties to that Convention to implement it,

Reaffirming Commission on Crime Prevention and Criminal Justice resolution 16/1 of 27 April 2007 on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources,² in which, inter alia, the Commission strongly encouraged Member States to cooperate at the bilateral, regional and international levels to prevent, combat and eradicate illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, where appropriate, through the use of international legal instruments such as the United Nations Convention against Transnational Organized Crime³ and the United Nations Convention against Corruption,⁴

Recalling General Assembly resolution 67/189 of 20 December 2012, in which the Assembly expressed deep concern about environmental crimes, including trafficking in endangered and, where applicable, protected species of wild fauna and flora, and emphasized the need to combat such crimes by strengthening international cooperation, capacity-building, criminal justice responses and law enforcement efforts,

¹ United Nations, *Treaty Series*, vol. 993, No. 14537.

² See *Official Records of the Economic and Social Council, 2007, Supplement No. 10 (E/2007/30/Rev.1)*, chap. I, sect. D.

³ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁴ *Ibid.*, vol. 2349, No. 42146.



Recalling also its resolution 2008/25 of 24 July 2008, in which the Council encouraged Member States to continue to provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to Commission resolution 16/1, which may include holistic and comprehensive national multisectoral approaches, as well as international coordination and cooperation in support of such approaches, including through technical assistance activities to build the capacity of relevant national officials and institutions,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010,⁵ in which Member States acknowledged the challenge posed by emerging forms of crime that have a significant impact on the environment, encouraged Member States to strengthen their national crime prevention and criminal justice legislation, policies and practices in that area and invited them to enhance international cooperation, technical assistance and sharing of best practices in that area, and invited the Commission to study the nature of the challenge and ways to deal with it effectively,

Recalling its resolution 2011/36 of 28 July 2011, in which the Council invited Member States to consider making illicit trafficking in endangered species of wild fauna and flora a serious crime,

Emphasizing that, in its resolution 2011/36, the Council, concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in endangered species of wild fauna and flora, strongly encouraged Member States to take appropriate measures to prevent and combat such illicit trafficking,

Recalling its resolution 2012/19 of 26 July 2012, in which the Council urged Member States to consider, among other effective measures, in accordance with their national legal systems, addressing different forms and manifestations of transnational organized crime that have a significant impact on the environment, including trafficking in endangered species of wild fauna and flora,

Recalling also decision 27/9 of 22 February 2013 of the Governing Council of the United Nations Environment Programme, entitled “Advancing justice, governance and law for environmental sustainability”,⁶

Recalling further that, in its resolution 2011/36, the Council noted the importance of promoting public-private partnerships to address trafficking in endangered species of wild fauna and flora, especially as regards the adoption of preventive measures,

Conscious of the need to promote initiatives to stimulate legal trade,

Deeply concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in protected species of wild fauna and flora, and underscoring in that regard the usefulness of the United Nations Convention against Transnational Organized Crime in reinforcing international cooperation in the fight against that crime,

Expressing concern that illicit trafficking in protected species of wild fauna and flora is an increasingly sophisticated form of transnational organized crime, and recalling that, in its resolution 2012/19, the Council recognized that transnational

⁵ General Assembly resolution 65/230, annex.

⁶ See United Nations Environment Programme, document UNEP/GC.27/17, annex I.

organized crime had diversified and represented a threat to health and safety, security, good governance and the sustainable development of States,

Emphasizing that illicit trafficking in protected species of wild fauna and flora can have a destabilizing effect on national economies and local communities, including through the destruction of natural habitats and diminished revenues from ecotourism and legal trade in species, as well as the loss of human life,

Emphasizing also that illicit trafficking in protected species of wild fauna and flora poses a serious threat to a number of vulnerable and endangered wildlife species, increasing the risk of extinction of such species,

Emphasizing further that coordinated action is critical to reduce corruption and disrupt the illicit networks that drive and enable illicit trafficking in protected species of wild fauna and flora,

Emphasizing the importance of effective cooperation and coordination among international organizations to combat illicit trafficking in protected species of wild fauna and flora, and welcoming the establishment of the International Consortium on Combating Wildlife Crime and noting the Green Customs Initiative as examples of such partnerships,

Acknowledging the crucial role played by all relevant stakeholders, including civil society, in combating illicit trafficking in protected species of wild fauna and flora,

1. *Strongly encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in protected species of wild fauna and flora, including the adoption of the legislation necessary for the prevention, investigation and prosecution of such trafficking;

2. *Encourages* Member States to undertake and promote bilateral, subregional, regional and international cooperation, including cooperation between law enforcement agencies, through joint investigations, including joint cross-border investigations, and exchange of information, inter alia information on legislation and law enforcement intelligence, with the support of regional wildlife enforcement networks aimed at more effectively countering illicit trafficking in protected species of wild fauna and flora, and, in particular, through encouraging and supporting cooperation with those States that contribute to the supply and demand for illicitly trafficked protected species of wild fauna and flora, as well as those States that serve as transit areas;

3. *Requests* Member States to fully utilize the United Nations Convention against Transnational Organized Crime³ and the United Nations Convention against Corruption⁴ to prevent and combat illicit trafficking in protected species of wild fauna and flora, and in that regard calls upon Member States that have not done so to consider becoming parties to those Conventions and calls for their full and effective implementation by States parties;

4. *Encourages* Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the United Nations Convention against Transnational Organized Crime, in order to ensure that adequate and effective means of international cooperation can be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in protected species of wild fauna and flora;

5. *Strongly encourages* Member States to strengthen, where necessary, their national legal and criminal regimes and law enforcement and judicial capacity, consistent with international legal obligations, to ensure that relevant criminal laws,

including appropriate penalties and sanctions, are available to address illicit trafficking in protected species of wild fauna and flora;

6. *Urges* Member States to strengthen efforts to afford one another, in accordance with their international obligations and national legislation, the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings related to illicit trafficking in protected species of wild fauna and flora, including measures to identify, trace and freeze or seize illicit proceeds that are generated by or enable such conduct;

7. *Encourages* Member States to consider establishing a national inter-agency task force to coordinate actions of various agencies within the country in the area of wildlife crime enforcement and assist the authorities concerned in other countries and international organizations, in order to facilitate coordination and concerted action in combating illicit trafficking in protected species of wild fauna and flora;

8. *Also encourages* Member States to promote efforts to prevent illicit trafficking in protected species of wild fauna and flora, inter alia, through public information and awareness-raising campaigns;

9. *Encourages* the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium on Combating Wildlife Crime, to continue its efforts to provide technical assistance and training to combat illicit trafficking in protected species of wild fauna and flora, as well as to develop tools, such as the wildlife and forest crime analytic toolkit, in accordance with the rules and procedures of the United Nations;

10. *Requests* the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium, to support Member States in the implementation of the toolkit to analyse the capacity of national wildlife and forest law enforcement authorities and the judiciary in investigating, prosecuting and adjudicating cases of wildlife and forest offences, with the aim of developing technical assistance and capacity-building activities and enhancing the capacity of Member States to address transnational organized wildlife and forest crimes;

11. *Commends* the efforts of the International Consortium and its members, namely the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization;

12. *Notes* the launch of the toolkit by the International Consortium, requests the United Nations Office on Drugs and Crime to disseminate that instrument to Member States, and invites Member States to consider applying and utilizing the toolkit;

13. *Requests* the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with other competent intergovernmental organizations, such as the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Customs Organization, INTERPOL, the World Bank and the United Nations Environment Programme, to undertake case studies that focus on organized crime networks involved in the illicit trafficking of specific protected species of wild fauna and flora, their parts and derivatives;

14. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

15. *Requests* the United Nations Office on Drugs and Crime to report on the implementation of the present resolution at the twenty-fourth session of the Commission on Crime Prevention and Criminal Justice.

*47th plenary meeting
25 July 2013*