Chair’s summary of the expert discussions on crimes that affect the environment (14–16 February 2022)

I. Introduction

1. The present document contains the Chair’s summary of the expert discussions held during the intersessional meeting of the Commission on Crime Prevention and Criminal Justice held from 14 to 16 February 2022. The expert discussions were chaired by Takeshi Hikihara (Japan), Chair of the Commission, and Azzeddine Farhane (Morocco), First Vice-Chair of the Commission, at its thirty-first session. The summary by the Chair is not subject to negotiation.

2. On 7 March 2021, the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice adopted by consensus the Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development, calling upon the Commission to adopt the appropriate policy and operational measures for the follow-up to the declaration and to identify innovative ways to make use of information on progress made in the implementation of the declaration. The Commission approved the Kyoto Declaration at its thirtieth session, in May 2021, and recommended its approval to the Economic and Social Council for adoption by the General Assembly. The resolution containing the declaration was adopted by the General Assembly in December 2021. Paragraph 87 of the Kyoto Declaration refers to the commitment of Member States to adopting effective measures to prevent and combat crimes that affect the environment, such as illicit trafficking in wildlife, including, inter alia, flora and fauna as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), in timber and timber products, in hazardous wastes and other wastes and in precious metals, stones and other minerals, as well as, inter alia, poaching.

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* Reissued for technical reasons on 20 April 2022.
** E/CN.15/2022/1.
1 General Assembly resolution 76/181, annex.
3. At its thirtieth session, in May 2021, the Commission approved the resolution entitled “Preventing and combating crimes that affect the environment”, which was adopted by the General Assembly.² In the resolution, the Assembly welcomed the Kyoto Declaration, reaffirmed the central role of the Commission as the main policymaking body of the United Nations in the field of crime prevention and criminal justice, and recalled that in the Kyoto Declaration the Commission had been called upon to adopt the appropriate policy and operational measures for the follow-up to the Declaration. In paragraph 15 of the resolution, the General Assembly called upon the Commission to hold, during the intersessional period, expert discussions on preventing and combating crimes that affect the environment, in order to discuss concrete ways to improve strategies and responses to effectively prevent and combat these crimes and to strengthen international cooperation at the operational level on that matter.

4. The expert discussions held by the Commission in 2022 focused on three thematic pillars:
   (a) Preventing crimes that affect the environment;
   (b) Combating crimes that affect the environment;
   (c) Strengthening international cooperation to address crimes that affect the environment.

5. The expert discussions in 2022 were held in a hybrid format, combining in-person and online participation, with interpretation into the six official languages of the United Nations. The meeting was held using an online conference platform developed for the discussions and was live-streamed to ensure that all interested stakeholders, including those not registered for the meeting, could follow the deliberations. With over 800 registered participants, the meeting brought together experts and policymakers from Member States, representatives of United Nations partner entities and intergovernmental and international organizations, and civil society experts from around the world.

6. Each of the three expert sessions started with introductory presentations by representatives of the United Nations Office on Drugs and Crime (UNODC), followed by a panel discussion and an interactive debate. The panels included experts from Member States nominated by the regional groups and from the institutes of the United Nations crime prevention and criminal justice programme network, United Nations entities, international and regional organizations, and civil society. Following past practice, civil society panellists and civil society speakers participating in the interactive debate were nominated by the Vienna-based Alliance of NGOs on Crime Prevention and Criminal Justice, in cooperation with the UNODC Civil Society Unit.

7. Expert panellists from Brazil, Chile, Colombia, France, the European Union, Italy, Jamaica, Morocco, Panama, Papua New Guinea, Peru, Thailand and the United States of America participated. In addition to introductory remarks and presentations by representatives of UNODC, representatives of all the stakeholders listed in General Assembly resolution 76/185, on preventing and combating crimes that affect the environment, made presentations related to their respective fields of expertise during the panel discussions; the presentations were made by representatives of the following entities and organizations: United Nations Environment Programme (UNEP), United Nations Interregional Crime and Justice Research Institute (UNICRI), International Criminal Police Organization (INTERPOL), World Customs Organization (WCO), International Union for Conservation of Nature Netherlands, secretariat of CITES, secretariat of the Convention on Biological Diversity, World Bank, secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention), International Consortium on Combating Wildlife Crime (ICCWC) and Green Customs Initiative. During the panel discussions, presentations were also made by representatives of the following entities and

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² General Assembly resolution 76/185.

8. In preparation for the expert discussions held by the Commission in 2022, a background note was prepared by the Secretariat and shared with stakeholders to facilitate dialogue and an active exchange.

9. Presentations and statements made during the expert discussions are available on the Commission’s dedicated website (see www.unodc.org/unodc/en/commissions/CCPCJ/session/31_Session_2022/expert_discussions_statements.html).

II. Chair’s summary of the deliberations

High-level opening segment (14 February 2022)

10. At the high-level opening segment, the Executive Director of UNODC welcomed the holding of the expert discussions by the Commission and highlighted that, to save lives and livelihoods, defend nature and natural resources, and protect health and habitats, we must work together better to stop the criminal exploitation. The Minister for Ecological Transition of France also addressed the meeting participants during the high-level opening segment, underscoring that crimes that affect the environment, from wildlife trafficking to illegal trafficking in waste, endangered biodiversity, the survival of our ecosystems, and our health, prosperity and collective security. The Secretary-General of CITES underlined in her address that the follow-up work by the Commission in response to the Kyoto Declaration and the resolution on preventing and combating crimes that affect the environment was timely and essential, especially given the involvement of organized criminal groups in, and the scale and nature of, those crimes observed in recent years. The high-level opening segment concluded with a video message by the Executive Director of UNEP, who underscored that tackling environmental crime was a crucial component of addressing the triple planetary crisis of climate change, nature and biodiversity loss, and pollution and waste.

Preventing crimes that affect the environment (14 February 2022)

11. Following the high-level opening segment, the Commission started with the first thematic topic of the expert discussions, preventing crimes that affect the environment. Participants addressed aspects such as the root causes of crimes that affect the environment, the importance of and good practices in raising awareness and reducing the demand, the need to enhance the integrity of legal supply chains, and linkages with other forms of crime.

12. The discussions kicked off with an introductory presentation by the Chief of the UNODC Research and Trend Analysis Branch, followed by a presentation by the Chief of the UNODC Global Programme for Combating Wildlife and Forest Crime, and a presentation by a representative of the UNODC Corruption and Economic

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3 Available at www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_31/BackgroundNote_ExpertDiscussions_Crimes_that_affect_the_environment_final.pdf.
Crime Branch focused on the prevention of corruption related to crimes that affect the environment.

13. Following the introductory presentations and an initial round of questions, the discussions continued with interventions by expert panellists representing Member States, including Morocco, Thailand, France, Colombia, Panama, Peru and the United States. In addition, interventions were made by expert panellists from UNEP, the secretariat of CITES, UNESCO, the European Institute for Crime Prevention and Control, OECD, UNICRI, the secretariat of UNFF, the secretariat of the Convention on Biological Diversity and UNDP, as well as the Special Rapporteur on human rights and the environment, nominated by OHCHR. In addition, an expert from the Wildlife Conversation Society, nominated by the Alliance of NGOs for Crime Prevention and Criminal Justice, addressed the Commission during the panel discussion.

14. Following the panel discussion, the floor was opened for an interactive debate and contributions from the floor to the discussion on preventing crimes that affect the environment. Before the discussions were closed, a summary of the main points of the deliberations was given by the Chief of the UNODC Global Programme on Combating Wildlife and Forest Crime. During the session, additional presentations were made by representatives of the UNODC Regional Office for West and Central Africa and the UNODC Country Office in Nigeria.

15. During the discussions, experts and stakeholders discussed the breadth of crimes that affect the environment and the work that was already under way, as well as the work that was still needed, to prevent such crimes. Many speakers stressed the important role of preventing such crimes and the harm associated with them, in the light of the fact that reactive responses were too late for the tree that had been felled or the ecosystem that had been destroyed. Some speakers highlighted that joint efforts to prevent crimes that affect the environment were integral to the achievement of the 2030 Agenda for Sustainable Development, noting that such crimes had direct and adverse consequences for biological diversity. It was further mentioned by a number of speakers that such crimes were not only about ecosystems, but also human rights and social rights, and contributed to the increased vulnerability of marginalized communities. Reference was also made to the impact of the coronavirus disease (COVID-19) pandemic on crimes that affect the environment, which included limited access to physical markets and thriving online markets, as well as an increase in crimes such as poaching.

16. Throughout the discussions, many speakers highlighted the importance of developing and implementing evidence-based crime prevention strategies and underscored the need to develop a better understanding of crimes that affect the environment and to enhance data collection and research to ensure informed policy decisions. In that regard, a number of speakers suggested that UNODC develop a global database on crimes that affect the environment, given that there was no comprehensive information system on environmental crime at the global level. It was underlined that law enforcement activities would greatly benefit from a data collection and sharing mechanism that could provide evidence and analyses on various forms of crimes that affect the environment, especially in relation to crimes that have a cross-border impact.

17. Many speakers further underlined the importance of having a robust legislative framework in place to address crimes that affect the environment. A number of speakers underscored that such crimes needed to be treated as serious crimes, and mentioned that legislation and policies currently in place often did not reflect the serious nature of the crimes or failed to take into account the scale of the loss of resources resulting from them. National good practices were shared by a number of speakers, including efforts to revise national legal frameworks, close loopholes, introduce new bills and introduce new concepts into the code of criminal procedure, as well as to set up dedicated courts focused on dealing with crimes that affect the environment. Some speakers reported on national sentencing policies and penalties, and some referred to the concept of ecocide.
18. National practices in relation to the compensation of victims of crimes and to the implementation of new tools, such as environmental risk mapping and penal procedures for environmental emergencies, were shared. One expert speaker proposed enhanced cooperation with the International Criminal Court to recognize crimes that affect the environment as crimes against humanity. While legislation was critical, it was underlined that legal texts alone would not be sufficient to prevent such crimes but would merely lay the foundation for successful prevention measures.

19. In relation to corruption and crimes that affect the environment, it was underlined that corruption was a key enabler of such crimes, helping criminals to commit, conceal and avoid conviction for their crimes. It was explained that criminal individuals and networks relied on corruption in order to succeed and increase profits, and hence the prevention of corruption was to be considered a key element in broader efforts to prevent crimes that affect the environment.

20. Experts from Member States shared information on national practices and strategies, as well as specialized services introduced, to support the prevention of crimes that affect the environment, including the establishment of early warning systems and protocols. Among the challenges highlighted by national experts was the lack of information- and intelligence-sharing. Many speakers underlined the need to ensure that investigations go beyond seizures and lead to successful prosecutions in order to act as a deterrent and prevent such crimes from occurring and reoccurring. In that connection, the need for innovation and the use of new technologies and forensic science was underscored. The need for the application of behavioural science, including behavioural economics, with a view to effectively curbing the demand, was suggested by one of the expert panellists.

21. It was recalled that, in the Kyoto Declaration, Member States had committed to developing, implementing and evaluating crime prevention strategies, including their effectiveness, that address the causes, including the root causes, and risk factors that make different segments of society more vulnerable to crime. There was broad consensus that preventing crime required a better understanding of its causes, and that those root causes and drivers would involve a variety of factors that needed to be taken into consideration when designing, implementing and evaluating responses. A number of speakers shared examples of root causes and drivers, including poverty, the growing demand for natural products and the lack of understanding of the impact of those factors on the environment.

22. The need to step up public awareness and education efforts and ensure access to information and justice was suggested by many speakers. In addition, the importance of involving and working with local communities to ensure the sustainable use of resources was underlined. In that regard, the need for alternative sustainable livelihoods was acknowledged. Some speakers cautioned that one of the challenges in the prevention of crimes that affect the environment was the invisibility of successful prevention measures, given that the impact of such measures might be less visible than, for example, seizures by law enforcement officials.

23. The importance of cooperation and collaboration with all stakeholders was highlighted by many speakers, and the need to leverage expertise outside of governments, including from civil society, the private sector and the banking sector, was underlined. Proactive cooperation across sectors and countries, including through public-private partnerships and similar mechanisms, was suggested.

24. With regard to private sector involvement, it was suggested that the private sector played an important role not only in detecting financial flows from crimes that affect the environment, but also in preventing such crimes. In that connection, it was highlighted that universal standards would potentially strengthen awareness in the private sector and foster understanding of the legal supply chains, as well as the responsibilities of the different stakeholders. A regional example was provided of a UNODC programme that was aimed at working with the private sector to establish market infrastructure solutions for carbon markets. It was reported that the
25. The need to mainstream a crime prevention and criminal justice perspective into the broader “nature agenda” was highlighted by some speakers as crucial in ensuring effective responses to crimes that affect the environment. As the main policymaking body in the United Nations system for crime prevention and criminal justice, the crucial role of the Commission was underlined by many speakers. It was further proposed that the Commission continue to increase its interaction with other environmental intergovernmental processes and bodies, and continue to discuss joint efforts to prevent and counter crimes that affect the environment.

Combating crimes that affect the environment (15 February 2022)

26. The second day of the expert discussions was devoted to discussing efforts to combat crimes that affect the environment. Participants discussed the different modi operandi of criminals involved in crimes that affect the environment and shared national, regional and international good practices in detecting, investigating and prosecuting crimes that affect the environment. In addition, participants shared good practices and challenges, as well as other considerations, in addressing corruption and economic crimes, in particular illicit financial flows derived from crimes that affect the environment, and the confiscation of the proceeds of crimes.

27. The discussions kicked off with an introductory presentation by the Chief of the UNODC Research and Trend Analysis Branch, followed by a presentation by the Chief of the UNODC Global Programme for Combating Wildlife and Forest Crime. Following the introductory presentations and an initial round of questions, the discussions continued with interventions by expert panellists representing Member States, including Morocco, Papua New Guinea, Brazil, Italy, the United States, Panama, Peru, Jamaica and Chile, as well as by a representative of the European Union, nominated as an expert panellist by the regional group. In addition, presentations were made by representatives of UNEP, the secretariat of CITES, FATF, the Egmont Group, the World Bank, INTERPOL, WCO and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders. An expert from the Wildlife Justice Commission, nominated by the Alliance of NGOs for Crime Prevention and Criminal Justice, also addressed the Commission during the panel discussion.

28. Following the panel discussion, the floor was opened for an interactive debate and contributions from the floor to the discussion on combating crimes that affect the environment. Before the discussions were closed, a summary of the main points of the deliberations was given by the Chief of the UNODC Global Programme on Combating Wildlife and Forest Crime. During the session, a presentation was made by a representative of the UNODC Liaison and Partnership Office in Brazil, and a joint presentation was made on the work of the UNODC-WCO Container Control Programme, the UNODC Airport Communication Project and the UNODC Global Maritime Crime Programme.

29. With a view to combating crimes that affect the environment, many speakers stressed the importance of going beyond seizures as a means of ensuring that the perpetrators of such crimes are brought to justice. It was highlighted that, from the perspective of offenders, crimes that affect the environment were considered low-risk and high-profit, underscoring the need to reverse that narrative. There was broad consensus that a clearer understanding of the modi operandi of organized criminal groups was crucial to developing effective responses to detect, investigate and prosecute crimes that affect the environment.

30. Throughout the discussion, speakers identified a number of challenges faced in effectively combating crimes that affect the environment, including:
(a) The lack of prioritization of such crimes, and the fact that, in many jurisdictions, crimes that affect the environment were not deemed to be “serious crimes” within the meaning of the United Nations Convention against Transnational Organized Crime;

(b) The lack of human and financial resources and knowledge and expertise to detect, investigate and prosecute crimes that affect the environment;

(c) The lack of data on such crimes, including information on patterns, trends and associated criminal justice statistics, to enable the prioritization and allocation of resources;

(d) Challenges related to the complex regulations involved in the management of natural resources and their vulnerability to acts of corruption, with incentives to corrupt behaviour being the potentially high profit and low risk of being caught, as well as, in some cases, the absence of effective sanctions;

(e) That the modus operandi of criminals, as well as the responses thereto, differed depending on the different forms of crimes that affect the environment. Some speakers underscored the need for tailored technical assistance in that regard;

(f) The ingenuity of criminals, and the fact that they were becoming more sophisticated in avoiding surveillance and detection when committing crimes that affect the environment, making it difficult for law enforcement authorities to keep up with the latest technological developments;

(g) The lack of dedicated legislation, or the weakness of existing legislation, on certain crimes that affect the environment, including, inter alia, marine pollution and crimes on the high seas, crimes in the fisheries sector and sand trafficking; loopholes in existing legislation; lack of resources to enforce legislation; impunity; and non-compliance with sanctions;

(h) The vulnerability of supply chains, and their infiltration by organized criminal groups, which required a multifaceted response. Some speakers reported on challenges posed by the involvement of many different actors with different incentives for engaging in crimes and the need for different responses and sanctions;

(i) The lack of international cooperation, including with regard to joint financial investigations and the confiscation of assets;

(j) Effectively addressing the convergence between crimes that affect the environment and other crimes, such as arms trafficking, cybercrime, trafficking in persons, terrorism, fraud and drug trafficking.

31. A number of speakers shared national good practices, including the establishment of specialized police forces, as well as training initiatives for police officials, judiciary agents and customs officials, with a view to facilitating the collection of evidence and the prosecution of crimes. One national expert reported on collaboration with civil society organizations for the reporting of crimes that affect the environment through a dedicated database.

32. A number of speakers shared good practices with regard to their work on national legislation, as well as the establishment of observatories to support the overall criminal justice response. In addition, speakers shared good practices related to enhancing corporate responsibility, including through audits and risk assessments, the introduction of risk-based approaches for the enforcement of trade measures by customs authorities and the introduction of alternative sanctions, including community sentences.

33. Many speakers underscored the importance of strengthening international cooperation and of the exchange of information and intelligence, as well as the setting up of joint investigations with incisive investigation tools and clear and fast procedures for confiscation. In that regard, some speakers underscored the need for strong political will to empower agencies to collaborate at the national, regional and international levels. With regard to investigation techniques, speakers shared
information on successful cases involving organized criminal groups, and the methods deployed, including wiretaps, tailing and hidden microphones, to acquire intelligence, underscoring the need to harness technology, including for identifying crimes (such as satellite imagery for identifying illegal deforestation), and enhance forensics and data sharing.

34. A number of speakers underscored that the industrial scale of crimes that affect the environment was driven by transnational organized criminal groups, and that instances of those crimes that were serious in nature did not occur in isolation, but were often associated with other serious crimes, such as money-laundering and tax evasion, fraud, violence and threats of violence, bribery and corruption. It was reported by a number of speakers that perpetrators saw animals, plants and natural resources as just another commodity to illegally trade and profit from, irrespective of the devastating consequences that their acts had on nature and people.

35. Panellists from United Nations entities and international organizations reported on technical assistance and training programmes provided to Member States, and shared information on joint operations and successful joint seizures. The provision of assistance ranged from legislation and specialized training to networking and awareness-raising.

36. Experts reported on the increase in illicit trafficking in waste, and challenges related to waste management. On that matter, a number of speakers highlighted the need for training for customs officers, harmonized legislation, data collection and intelligence-sharing to facilitate identification and classification at ports and borders.

37. With regard to illicit financial flows related to crimes that affect the environment, there was broad recognition among the speakers of the need to “follow the money” and ensure that crimes that affect the environment did not pay, with a number of speakers highlighting that not all Member States considered environmental crime in their national or sectoral money-laundering risk assessments.

38. A number of speakers reported on their cooperation efforts through international forums for financial intelligence units, underlining that actions to detect and disrupt financial flows related to crimes that affect the environment were often not proportionate to the scale of the issue and that more training for national financial investigation units was required.

**Strengthening international cooperation to address crimes that affect the environment (16 February 2022)**

39. The third day of the expert discussions focused on strengthening international cooperation in addressing crimes that affect the environment. Participants discussed how the international community could make the best use of existing international instruments and strengthen regional and international cooperation among Member States, including through cooperation networks. In addition, participants discussed efforts to strengthen and expand technical assistance and capacity-building and to enhance inter-agency cooperation and coordination.

40. The discussions kicked off with an introductory presentation by the Chief of the UNODC Research and Trend Analysis Branch, followed by a presentation by the Chief of the UNODC Global Programme for Combating Wildlife and Forest Crime, and a presentation by a representative of the UNODC Organized Crime and Illicit Trafficking Branch focused on the implementation of the Organized Crime Convention and its role as a legal basis for international cooperation to address crimes that affect the environment.

41. Following the introductory presentations and an initial round of questions, the discussions continued with interventions by expert panellists representing Member States, including Morocco, Brazil, France, Italy, the United States and Panama. In addition, interventions were made by expert panellists from UNEP (speaking on behalf of the Green Customs Initiative), the secretariat of CITES (speaking on behalf of ICCWC), the secretariat of the Basel Convention, INTERPOL, OECD, the Basel
In addition, the Chair of the Global Initiative to End Wildlife Crime and an expert from the Alliance of NGOs for Crime Prevention and Criminal Justice addressed the Commission during the panel discussion.

42. Following the panel discussion, the floor was opened for an interactive debate and contributions from the floor to the discussion on strengthening international cooperation. Before the discussions were closed, a summary of the main points of the deliberations was given by a representative of the UNODC Global Programme on Combating Wildlife and Forest Crime. During the session, a presentation was made by a representative of the UNODC country office in Bangladesh, and a presentation was also made on the work of the UNODC Laboratory and Scientific Service. Closing remarks were delivered by the Chair of the Commission and the Director of the Division for Treaty Affairs of UNODC.

43. A number of speakers underlined that the United Nations conventions – the Organized Crime Convention and the United Nations Convention against Corruption – provided a common framework for international cooperation, and argued that the political will to prioritize efforts to address crimes that affect the environment was crucial for empowering agencies to cooperate at the international level.

44. It was mentioned that Member States should consider criminalizing various forms of crimes affecting the environment as serious crimes, as defined in article 2 of the Organized Crime Convention, which would entail a maximum penalty of at least four years’ imprisonment. The criminalization of crimes that affect the environment as serious crimes would enable Member States to use the Organized Crime Convention as the legal basis for international cooperation, from mutual legal assistance to extradition and other forms of international cooperation. In that context, the principle of proportionality was mentioned, meaning that sanctions should take into account the gravity of the offence. In that regard, reference was made to the working groups of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, specifically, the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance, which were to hold thematic discussions on crimes that affect the environment in May 2022.

45. It was highlighted by a number of speakers that penalty levels for crimes affecting the environment differed greatly among Member States, thereby enabling organized criminal groups to go “forum shopping”. Many speakers underscored that a certain level of harmonization of legislation would be helpful in facilitating international cooperation.

46. There was broad consensus that inter-agency cooperation was a key element in the international community’s joint efforts to address crimes that affect the environment. Throughout the session, information was shared on the cooperation through consortia and partnerships across the criminal justice chain and the support provided at the national, regional and international levels. Information was shared about the long-standing international capacity-building and cooperation efforts led by networks such as ICCWC, the Green Customs Initiative, INTERPOL working groups and the Basel Convention regional and coordinating centres, as well as networks established under OECD initiatives, and regional networks to strengthen criminal justice systems.

47. National experts shared good practices in relation to cooperation through such forums, including cooperation through dedicated prosecutor networks. Several speakers highlighted that regional and international cooperation and coordination mechanisms and networks were important tools. Examples provided by the speakers included the wildlife enforcement networks, which sought to achieve bilateral, regional and international cooperation, including through intelligence-sharing, joint operations and cross-border cooperation.
48. Information was also shared on the support provided by UNODC in assisting national agencies across the criminal justice chain, ranging from assistance with legal reforms to technical support on forensics and anti-corruption, from capacity-building and data analysis to policy guidance, from the development of tools and guides for the enforcement community to supporting interregional cooperation.

49. In discussing the different forms of crimes that affect the environment, a number of speakers underlined the importance of providing dedicated capacity-building on emerging issues, such as waste trafficking, noting that organized criminal groups exploited the gaps in regulations.

50. Many speakers referred to the commitments made, including in the Kyoto Declaration, to strengthen international cooperation in addressing and preventing crimes that affect the environment. A number of speakers highlighted the need to address the lack of global consensus on a typology of seriousness of crimes that affect the environment. Some speakers noted that those challenges were even greater in federated States that delegated power to various authorities, and a number of speakers underscored that it was crucial to jointly discuss how to codify, penalize or sanction such crimes in accordance with the principle of proportionality, as there was such a wide variety of crimes that could not be treated in a universal manner.

51. Barriers to international cooperation were also discussed during the meeting, with some speakers highlighting tax havens, opaque governance structures, bureaucracy, language barriers and often overlapping or duplicative efforts that stretched scarce human resources as some of the challenges to effective cooperation. In addition, some speakers noted that mutual legal assistance was at times difficult and burdensome, underlining that lengthy mutual legal assistance and extradition procedures resulted in delays, thereby having a negative impact on investigations and prosecutions.

52. Some speakers also highlighted corruption in relation to international cooperation, especially the importance of focusing on asset forfeiture and confiscation, which, in the view of a number of experts, had been, to date, underutilized as a mechanism to address such crime. Further concerns were raised by some speakers about “facilitating crimes”, such as document fraud, noting the creativity and flexibility of criminals, as well as the displacement of criminal activities.

53. The importance of training all actors in the environmental enforcement chain, including inspection and environmental agencies, police, customs authorities, prosecutorial services and the judiciary, on the legal and technical aspects of environmental crimes was underlined by speakers. Some speakers reported a lack of trust between agencies involved in preventing and combating crimes that affect the environment and underlined the need to build trust and a solid base for cooperation.

54. A number of speakers called for scaling up joint efforts towards strengthening the international legal framework and international cooperation, including with the active involvement of the public sector, the private sector and civil society. Some speakers proposed a new protocol on wildlife trafficking to supplement the Organized Crime Convention, as an effort to strengthen international cooperation, while other speakers advocated for the inclusion of the concept of ecocide in the Rome Statute of the International Criminal Court.

55. Some speakers noted the role of climate change, as well as associated natural disasters, and its relationship to crimes that affect the environment, as well as other forms of transnational organized crime, such as trafficking in persons and terrorism. In response, some speakers called for increased research on how climate change exacerbates fragile contexts and violent extremism, and how the international community can prevent and respond to evolving threats related to crimes that affect the environment.
III. Conclusion

56. I very much welcomed the fruitful and interactive dialogue that was held during the expert discussions. Joint efforts and action to prevent and combat crimes that affect the environment are a key contribution to the full implementation of the Kyoto Declaration. I encourage Member States to take these discussions back to their capitals and make the most of them.

57. Furthermore, I reiterate the importance of retaining and collecting the good practices and lessons learned that delegations and experts shared during the discussions, with a view to learning from the experiences of others and developing a better understanding of the challenges faced, as well as the tools that have yielded positive results. In this regard, I encourage all interested stakeholders to make their contributions available on the website dedicated to the expert discussions.

58. In the light of the positive feedback received after the expert discussions, I recommend that the Commission continue the discussions on crimes that affect the environment and ensure proper follow-up to the expert discussions. I encourage Member States, if they deem it necessary, to take appropriate action at the upcoming session of the Commission in this regard.