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## Commission on Crime Prevention and Criminal Justice

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Item 3 of the provisional agenda\*

General debate

### **Statement submitted by the Born Free Foundation, a non-governmental organization in special consultative status with the Economic and Social Council\*\***

The Secretary-General has received the following paper, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* [E/CN.15/2023/1](#).

\*\* Issued without formal editing.



## **Written statement by Born Free Foundation, founding member of the Global Initiative to End Wildlife Crime**

Almost one year ago today, this Commission (the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ)) adopted resolution 31/1 on “Strengthening the international legal framework for international cooperation to prevent and combat illicit trafficking in wildlife”, which was originally submitted by Angola, Kenya and Peru.

Resolution 31/1 was the first United Nations resolution to mention a potential global agreement to tackle illicit wildlife trafficking, and it launched an inclusive intergovernmental process for Member States to express their views on how to strengthen the international legal framework. The resolution invited “Member States to provide the United Nations Office on Drugs and Crime with their views on possible responses including the potential of an additional protocol to the United Nations Convention against Transnational Organized Crime, to address any gaps that may exist in the current international legal framework to prevent and combat illicit trafficking in wildlife”. The information provided by Member States and compiled by the United Nations Office on Drugs and Crime (UNODC) will be shared with this Commission later this week, as prescribed within the resolution itself, and you will evaluate the process, the outcomes of the process, and possible next steps.

This represents a critical opportunity for the international community to acknowledge the serious gaps in the current international legal framework in relation to illicit wildlife trafficking and to discuss possible ways to address these gaps – including through the negotiation, adoption and implementation of an additional UNTOC Protocol or through alternative approaches.

Illicit wildlife trafficking is serious, organized and transnational. It contributes to the extinction risk facing countless species, negatively impacts on ecosystems and their ability to sequester carbon, poses a threat to national and regional stability, undermines good governance and the rule of law, and increases the likelihood of zoonotic pathogen emergence. It is also closely tied to other forms of serious crime, such as corruption and money-laundering.

Despite all this, there is still no global agreement on tackling illicit wildlife trafficking, nor even a universally accepted definition of the term. Efforts to effectively prevent and combat this serious form of organised crime are fundamentally hampered by the lack of a common global, legally-binding framework. Domestic legislation is drafted without the benefit of a common agreed approach or definitions which hampers cross-border cooperation. The close international cooperation required to tackle these transnational, organized crimes is lacking, and penalties for perpetrators are inconsistent, often not reflecting the serious nature and consequences of these activities.

Existing international agreements such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) have an important role to play in regulating international wildlife trade. However, CITES is a trade-related convention. It was not designed to tackle illicit wildlife trafficking; it only applies to the cross-border movement of a limited number of wild animals and plants, and it does not require States to criminalize violations of the Convention, such as illegal harvesting, poaching or trade. Moreover, it only regulates the international trade in approximately 0.4 per cent of the world’s 8.7 million species.

As over 1 million animal and plant species stare down the barrel of extinction – with overexploitation, including through illicit wildlife trafficking, being one of the main drivers – we cannot afford to delay strengthening our collective response any longer. Biodiversity-rich source countries, like Gabon, Costa Rica, Angola and Malawi, have made their position very clear through presidential statements and through their support for the resolution 31/1. Since the 31st session of this Commission, the European Union has renewed its commitment towards a similar instrument, stating,

in its revised Action Plan against Wildlife Trafficking of November 2022, that it will promote “the adoption of a protocol covering wildlife trafficking” under the UNTOC.

Furthermore, in February 2023, the American Bar Association (ABA) adopted a resolution (resolution 508) urging all UNTOC Parties to “adopt a wildlife crime protocol that would: (1) define the term ‘wildlife crime’; (2) identify the measures that Parties would be called upon to adopt in their domestic laws to prevent and combat wildlife crime; and (3) identify measures that would enhance cooperative global enforcement efforts to prevent and combat wildlife crime”.

The time is right for Member States to come together and advance the next steps towards negotiating the content of an additional Protocol to the UNTOC.

Today, the Global Initiative to End Wildlife Crime urges all Member States to get behind the vision of Angola, Kenya and Peru, as well as Gabon, Costa Rica, Malawi and the European Union, and lend their support to enhancing international cooperation through an additional UNTOC Protocol. Given what we know today about the scale, nature and severe consequences of illicit wildlife trafficking, now is the time for the international community to work together and take the next step forward.

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