



Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Other serious crimes, as defined in the Convention, including new forms and dimensions of transnational organized crime

France: draft resolution

Preventing and combating environmental crime

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime,

Reaffirming that the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹ represent the principal worldwide legal instruments to prevent and combat the scourge of transnational organized crime, which affects individuals and societies in all countries, and reaffirming their importance as the main tools available to the international community for this purpose,

Reaffirming also that the Convention, as a global instrument with wide adherence, offers a broad scope for cooperation to address existing and emerging forms of transnational organized crime, including environmental crime,

Taking note of paragraph 9 (e) of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,² in which Member States affirmed their determination to strive to adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes,

Taking note also of Economic and Social Council resolution 2012/19 of 26 July 2012, entitled “Strengthening international cooperation in combating transnational organized crime in all its forms and manifestations”, in which the Council recognized the involvement of transnational criminal organizations in all aspects of crimes that have a significant impact on the environment,

Taking note further of General Assembly resolution [74/177](#) of 18 December 2019, in which the Assembly called upon Member States to make illicit trafficking in

* [CTOC/COP/2020/1](#).

¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

² General Assembly resolution [70/174](#), annex.



protected species of wild fauna and flora and other crimes that affect the environment, such as trafficking in timber, precious metals, stones and other minerals, involving organized criminal groups a serious crime in accordance with their national legislation and with article 2 (b) of the United Nations Convention against Transnational Organized Crime,

Mindful of the need for complementary and effective implementation of the Convention and the Protocols thereto, as well as of the United Nations Convention against Corruption,³ and taking note of resolution 8/12 of the Conference of the States Parties to the United Nations Convention against Corruption, entitled “Preventing and combating corruption as it relates to crimes that have an impact on the environment”,

Recognizing that environmental crime encompasses all illicit activities that affect the environment, through the illegal exploitation of and illicit trafficking in natural resources, waste and hazardous or toxic substances,

Recognizing also that environmental crime may also have a negative impact on economies, public health, human safety, food security, livelihoods and habitats,

Alarmed by the fact that environmental crime has become one of the most lucrative transnational criminal activities and that its proceeds and the illicit financial flows deriving from it may contribute to the financing of other transnational crimes,

Deeply concerned about the human victims of environmental crime, especially those who are murdered, injured, threatened or exploited by organized criminal groups involved in environmental crime and those whose environment, safety, health or livelihoods are endangered or put at risk by environmental crime,

Deeply concerned also that environmental crime hinders and undermines efforts undertaken by States in order to protect the environment, to promote the rule of law and to achieve sustainable development consistent with the 2030 Agenda for Sustainable Development,⁴ adopted by the General Assembly and recognized by States parties to the Convention,

Acknowledging the expertise and the valuable contributions of the United Nations Office on Drugs and Crime, the United Nations Environment Programme, the International Criminal Police Organization (INTERPOL), the World Customs Organization, the United Nations Interregional Crime and Justice Research Institute, the International Union for Conservation of Nature, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora,⁵ the World Bank and other relevant international and regional organizations in supporting States in their efforts to address environmental crime, and underscoring in this regard the crucial importance of enhancing inter-agency cooperation and coordination to effectively prevent and combat environmental crime,

Acknowledging also the important contributions of other relevant stakeholders, including the private sector, individuals and groups outside the public sector, non-governmental organizations, the media, academia and the scientific community in preventing and combating environmental crime,

1. *Affirms* that the United Nations Convention against Transnational Organized Crime constitutes an effective tool and an essential part of the legal framework for preventing and combating environmental crime and for strengthening international cooperation in this regard;

2. *Calls upon* States parties to the Convention to make environmental crimes serious crimes, as defined in article 2 (b) and article 3, paragraph 1 (b), of the Convention, where they are transnational in nature and involve an organized criminal group, in order to ensure that individual offenders and legal persons involved are held

³ United Nations, *Treaty Series*, vol. 2349, No. 42146.

⁴ General Assembly resolution 70/1.

⁵ United Nations, *Treaty Series*, vol. 993, No. 14537.

liable through effective, proportionate and dissuasive sanctions, in accordance with the provisions of the Convention;

3. *Urges* States parties to implement the Convention in order to effectively prevent, investigate, prosecute and punish environmental crime and related offences established under the Convention, including by using special investigative techniques, consistent with article 20 of the Convention;

4. *Calls upon* States parties to review and amend national legislation, as necessary and appropriate, so that offences covered by the Convention and connected to environmental crime are treated as predicate offences, as defined in the Convention, for the purposes of money-laundering offences and are actionable under domestic legislation on proceeds of crime, and so that assets linked to environmental crime can be seized, confiscated and disposed of;

5. *Urges* States parties to provide one another with the broadest possible cooperation in preventing, investigating and prosecuting environmental crime and related offences covered by the Convention and its Protocols;

6. *Also urges* States parties to investigate and prosecute the laundering of proceeds of crime derived from environmental crime, including by using financial investigation techniques, with a view to identifying, disrupting and dismantling the criminal groups involved;

7. *Further urges* States parties to assess and mitigate corruption risks and to strengthen anti-corruption measures, consistent with the provisions of the Convention and the United Nations Convention against Corruption, to prevent conflicts of interest, to promote ethical practices and transparency and to ensure integrity throughout the entire crime prevention and criminal justice system, without prejudice to judicial independence;

8. *Encourages* States parties, where appropriate and permitted by applicable law, to establish integrated and multidisciplinary national entities responsible for preventing and combating environmental crime;

9. *Calls upon* States parties to take all appropriate measures at their disposal to provide effective assistance and protection for witnesses and victims of environmental crime and related offences and to establish appropriate procedures to provide access to compensation and restitution for victims of these offences, including civil compensation and habitat restoration for environmental damage and victims, consistent with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime;

10. *Strongly encourages* States parties to consider analysing, in consultation with other relevant stakeholders, trends in environmental crime and in the circumstances in which environmental crimes are committed on their territories and to share this information and data with the United Nations Office on Drugs and Crime;

11. *Also strongly encourages* State parties to strengthen their cooperation and work with international and regional organizations, as well as other relevant stakeholders, including the private sector, individuals and groups outside the public sector, non-governmental organizations, the media, academia and the scientific community in preventing and combating environmental crime and in raising awareness, consistent with article 31 of the Convention;

12. *Requests* the United Nations Office on Drugs and Crime to further enhance and expand its cooperation and coordination with INTERPOL, the United Nations Environment Programme, the World Customs Organization, the United Nations Interregional Crime and Justice Research Institute, the International Union for Conservation of Nature, the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Bank and other relevant international and regional organizations in supporting States parties to the Convention in their efforts to prevent and combat environmental crime;

13. *Requests* the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation to hold a joint thematic discussion on the application of the Convention for preventing and combating environmental crime and to make recommendations for consideration by the Conference of the Parties to the Convention at its eleventh session, in order to promote the practical application of the Convention, with due attention to aspects of criminalization and international cooperation with regard to this matter, as well as related money-laundering and corruption, with due consideration of the provisions common to the Convention and the United Nations Convention against Corruption;

14. *Requests* the Secretariat to report, within existing resources, on the implementation of the present resolution to the Conference at its eleventh session;

15. *Calls upon* States parties, when responding to the self-assessment questionnaires for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, to provide any relevant information regarding the implementation of the Convention in preventing and combating environmental crime;

16. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.
