

**Working Group of Government Experts
on Technical Assistance
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**item 1 : Criminalization of crimes that affect the
environment**

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1. Criminalize CAE as a serious crime in all its dimensions

States Parties may reiterate the importance of criminalizing CAE as serious crimes within the meaning of article 2 of the Convention against Transnational Organized Crime. The first chapter of the global report on CAE, "Landscape of criminalization" highlighted the fact that large number of crimes that affect the environment are still insufficiently criminalized.

States should acknowledge the differences in the challenges each member country is faced with in terms of CAE (which includes but is not limited to wildlife crime).

2. Recognize CAE as a poly-crime

The nexus between CAE and other forms of crime (human trafficking, drug trafficking), corruption and money laundering, or the financing of terrorism, is today clearly established. The work of the UNODC, as well as the various side events at the 33rd session of the CCPCJ, have underlined the need to deal with crimes affecting the environment within a poly-crime logic.

CAEs are fostered by corruption throughout global supply chains. It is therefore important to develop strategies for preventing, investigating and prosecuting corruption and MLA. This includes conducting financial and CAE-related corruption investigations. The UNCAC contains similar provisions regarding the use of effective tools, such as special investigative techniques (Article 50), to combat corruption. These tools should also be applied to combat corruption that enables CAE.

3. Strengthen international cooperation, mutual legal assistance and technical assistance

States must recognize the importance of making better use of existing legal frameworks for the various types of CAE. UNODC must continue to take on the coordinating role it has been given under Resolution 10/6 of the 2022 COP UNTOC. This coordination must be carried out from a legislative point of view - particularly in identifying gaps in existing texts, but also in coordinating operational initiatives. States should improve and strengthen exchanges of information on best practices in environmental matters. UNODC is the ideal place to continue and institutionalize these exchanges, including by the promotion of information-sharing initiatives such as SHERLOC

States Parties wishing to strengthen their legislative and policy frameworks to prevent and fight CAE should consider requesting technical assistance, including where appropriate through the support of the UNODC, subject to the availability of extrabudgetary resources and within its mandate. Technical assistance may include not only capacity-building but also support in the form of innovative platforms and technologies (e.g models related to the identification of risks related to illicit financial flows). The online dimension of the phenomenon requires investment in research and development (R&D) and technological innovation to strengthen detection capabilities. Development of modern tools based on new technologies (use of long-range drones, use of fingerprint-based personal identification tools, training in document fraud) may be encouraged

4. Set up national strategies and coordinate stakeholders

While acknowledging the diversity of national arrangements, the fight against CAE always requires a coordination of a large number of players. It is therefore important to encourage strengthened multi-stakeholder coordination at the national level, and ensure a similar approach at the local level.

Countries may be encouraged to adopt national strategies against CAE, with a review of the latter every year or every two years. The designation of a national PoC to act as a focal point for issues relating to CAE may be encouraged

The importance of setting up large-scale, multi-stakeholder operations to dismantle entire networks, and the added-value of multidisciplinary vocational training for all actors involved in the fight against CAE, including law enforcement agencies and magistrates, should be recognized.

5. Ensure victims are supported and due reparation is conducted

CAE are often invisible but not victimless crimes. Victims must be identified and supported. The notion of victim in terms of CAE includes ecosystems, local communities and individuals. Consideration needs to be given to reallocating the profits from crime to repair the damage caused, based on judicial decisions. It is crucial to develop effective mechanisms for the recovery and seizure of criminal assets.

Only 35 countries currently have provisions for environmental rehabilitation in their legislation according to the 1st chapter of the global report. In this respect, the conclusions could highlight the value of strengthening the focus of the fight against CAE on promoting and reinforcing this type of legal obligations.

6. Value the role of the private sector and civil society in the fight against CAE

The crucial role of the private sectors in addressing CAE should be recognized. Strong public-private partnerships can help raise public awareness and strengthen cooperation in dismantling criminal trafficking and networks. The private sector includes but is not limited to financial institutions ; the transport sector and digital platforms (including social networks and online sales platforms) have an important role to play. The role of NGOs, civil society can contribute to awareness-raising and guidance. The role and the necessity of whistleblowers protection should be recognized in the matter.

7. Include the subject of environmental crime on the WG's agenda on a recurring basis.

To ensure the implementation and follow-up of the recommendations adopted by the WG, the effective implementation of the United Nations Convention against Transnational Organized Crime in preventing and combating CAE should be regularly assessed. Such a regular assessment would help maintain the importance of this issue on international and national agendas.