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Commission on Crime Prevention and Criminal Justice

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Item 4 of the provisional agenda**

**Thematic discussion on the challenge posed by emerging
forms of crime that have a significant impact on the
environment and ways to deal with it effectively**

Peru and United States of America: draft resolution

Crime prevention and criminal justice responses to trafficking in protected species of wild fauna and flora

The Commission on Crime Prevention and Criminal Justice,

Recalling Economic and Social Council 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,

Recalling also the Convention on International Trade in Endangered Species of Wild Fauna and Flora¹ 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, 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

* Reissued for technical reasons on 15 April 2013.

** E/CN.15/2013/1.

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



United Nations Convention against Transnational Organized Crime² and the United Nations Convention against Corruption,³

Recalling Economic and Social Council 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 on Crime Prevention and Criminal Justice 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 also the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,⁴ adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, 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 on Crime Prevention and Criminal Justice to study the nature of the challenge and ways to deal with it effectively,

Recalling further Economic and Social Council 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 Economic and Social 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 Economic and Social Council 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,

Conscious of 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,

Deeply concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in endangered species of wild fauna and flora, and underscoring in that regard the usefulness of the United Nations Convention against

² Ibid., vol. 2225, No. 39574.

³ Ibid., vol. 2349, No. 42146.

⁴ General Assembly resolution 65/230, annex.

Transnational Organized Crime in reinforcing international cooperation in the fight against that crime,

Expressing concern that illicit trafficking in protected species is an increasingly sophisticated form of crime that threatens the security, stability and rule of law of Member States and has links to transnational organized crime, illicit financial flows, corruption and other forms of environmental crime,

Emphasizing that illicit trafficking in protected species has a destabilizing effect on local economies and communities, including through the destruction of natural habitats, diminished revenues from ecotourism, and threats to agriculture and human health,

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

Emphasizing further that collective action is critical to reduce corruption and disrupt the illicit networks that drive and enable illicit trafficking in protected species,

Acknowledging the critical role played by civil society, in particular non-governmental organizations, in combating trafficking in protected species,

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

2. *Calls on* Member States to undertake and promote bilateral, subregional, regional and international cooperation, including cooperation between law enforcement agencies, through cross-border investigations, with the support of regional wildlife enforcement networks aimed at countering the global wildlife trafficking problem more effectively, and, in particular, through encouraging and supporting cooperation with those States that contribute to the supply and demand for trafficked wildlife, as well as those States that serve as transit areas;

3. *Requests* Member States to fully utilize the United Nations Convention against Transnational Organized Crime⁵ and the United Nations Convention against Corruption⁶ to prevent and combat wildlife trafficking, and in that regard calls on 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. *Urges* Member States to make wildlife trafficking a serious crime, in accordance with article 2, paragraph (b), of the Organized Crime Convention, 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 wildlife trafficking;

5. *Strongly encourages* Member States to strengthen their domestic legal and criminal regimes and law enforcement and judicial capacity, consistent with

⁵ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁶ *Ibid.*, vol. 2349, No. 42146.

international legal obligations, to ensure that proper criminal laws and sanctions are available to address wildlife trafficking;

6. *Urges* Member States to strengthen efforts to afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings related to wildlife trafficking, including measures to identify, trace and freeze or seize illicit proceeds that are generated by or enable such conduct;

7. *Encourages* the United Nations Office on Drugs and Crime, as part of the International Consortium on Combating Wildlife Crime, to continue its efforts to provide technical assistance and training to combat wildlife trafficking, as well as to develop tools, such as the *Wildlife and Forest Crime Analytic Toolkit*;

8. *Requests* the United Nations Office on Drugs and Crime to support Member States, upon request and subject to available resources, in the implementation of the *Wildlife and Forest Crime Analytic 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;

9. *Commends* the efforts of the International Consortium on Combating Wildlife Crime and its members: 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;

10. *Welcomes* the launch of the *Wildlife and Forest Crime Analytic Toolkit* by the International Consortium on Combating Wildlife Crime and encourages Member States to use the Toolkit, and encourages Member States to apply and utilize the Toolkit and to report on its use and impact and requests the United Nations Office on Drugs and Crime to report on its application at the twenty-fourth session of the Commission on Crime Prevention and Criminal Justice;

11. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, subject to the availability of extrabudgetary resources, with the application of the *Wildlife and Forest Crime Analytic Toolkit* of the International Consortium on Combating Wildlife Crime;

12. *Also requests* the United Nations Office on Drugs and Crime to undertake a case study that focuses on organized crime networks involved in trafficking in rhinos and elephants;

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

14. *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.