

c/o Wildlife Conservation Society
Boulevard Louis Schmidt 64
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Brussels

17th April 2014

Commissioner Janez Potočnik
European Commission
DG Environment
B - 1049 Brussels

Dear Commissioner,

Subject: Support for Strong EU Action on Wildlife Trafficking

We are delighted to write to thank you and the European Commission for highlighting the important issue of wildlife trafficking as a serious issue requiring strong political action at the EU level and for inviting us to participate in the high-level expert conference on the 10th April. We very much welcome the attention being given to this issue in terms of reviewing the EU's policy and legal framework, the likely development of an EU Action Plan, and the commitment to increase funding for wildlife within EU development aid programmes. Strong action by the EU is also important in encouraging other countries to take similar measures to tackle the global challenge of wildlife trafficking.

As major international conservation organisations working on wildlife trafficking issues, we are pleased to contribute our expertise to the ongoing discussion regarding EU policy development in this area. In addition to the important points, requests and recommendations we have highlighted in our own individual organisational responses to the consultation, we would like to reaffirm the following common messages from our responses:

1. **Inclusive Approach to Species Protection:** Whilst many large land mammals, such as Rhinos, Elephants and Tigers, are seriously impacted by the illegal wildlife trade, it is also impacting many smaller, less charismatic species, such as pangolins and other mammals, birds, reptiles, plants and aquatic species which the EU needs to ensure are covered by its response to this issue.
2. **Better Co-ordination:** Overall coherency in the approach to the problem is currently lacking, with limited co-ordination both at EU level (across Directorate-Generals) and at Member State level (across relevant Ministries). We encourage the European Commission and Member State governments to resolve this by creating high-level working groups involving representatives from different sectors and departments. Such working groups should cooperate on an operational basis, rather than being solely forums for exchanging information.
3. **Recognition of Wildlife Trafficking as a Serious Crime:** There is a need for wildlife trafficking to be recognised as a serious crime at a national and international level. In order to invoke the provisions of the United Nations Convention against Transnational Organized Crime (UNTOC) and the European arrest warrant, EU Member States should implement recommendations of Resolution 2013/40 adopted by the Economic and Social Council on 25 July 2013 concerning *Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora*. Article 2, paragraph (b), of UNTOC defines serious crime as “conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty”.

The European Commission and several EU Member States signed up to this recommendation in the London Declaration on the Illegal Wildlife Trade, February 2014. The credibility of the EU's international advocacy on this issue is currently weakened by the very low penalties for wildlife trafficking in some of its Member States. To this end, it is also necessary for the EU to support better coordination between organisations such as EUROPOL and INTERPOL, as well as support to further investigate the links between wildlife crime and other forms of transnational criminal activities.

4. **Inclusion in the Sustainable Development Goals (SDGs):** We urge the EU to support the inclusion of an SDG target on the elimination of poaching and illegal wildlife trade. The inclusion of such a target is already gaining traction within SDG discussions, for example, within the UN Open Working Group on the SDGs on Oceans, Seas, Forests and Biodiversity. In addition, global wildlife trafficking is a threat to global security and stability, the elimination of which should be included as a target under a new Sustainable Development Goal related to international security.
5. **Funding for Site-based Measures:** We very much welcome the announcement by DG DEV of a new Biodiversity for Life funding initiative and the initiative to create a dedicated fund to address the wildlife crisis in Africa, as funding is urgently needed to address poaching and increase protection of wildlife at the site level—including monitoring, enforcement, capacity building, and protected area management.
6. **Funding to Change Consumer Behaviour:** Funding is also needed to support efforts to change consumer behaviour in consumer countries, especially in China and SE Asia. To ensure effectiveness, we recommend that such efforts are only funded if they go beyond awareness-raising and have a measurable (evidence-based) impact on behaviour change.
7. **EU Council Conclusions:** To give appropriate political importance to this issue, we believe that recommendations for action on wildlife trafficking should be adopted within EU Council conclusions.
8. **Implementation of Existing Legislation and Recommendations:** The EU and its Member States should give attention to strengthening and/or more swiftly implementing relevant existing legislation and recommendations that they have signed up to, especially in relation to CITES.
9. **Collaboration with Relevant Regional and National Fora:** The EU should seek to support and more practically collaborate with appropriate regional and national fora (for example, through twinning programmes, joint operations and capacity building etc.), especially those that have established working protocols or Action Plans (e.g. PAPECALF, HA-WEN or ASEAN-WEN) to combat the illegal wildlife trade.
10. **Combating Illegal Wildlife Trade through Free Trade Agreements:** We believe that DG Trade should be engaged to maximise opportunities to include measures to combat the illegal wildlife trade within Free Trade Agreements (FTAs), and to ensure that FTAs include provisions promoting effective implementation by States of their obligations under CITES.
11. **Addressing the Data Gap:** With the exception of the widely acknowledged mechanism known as EU-TWIX (“European Union Trade in Wildlife Information eXchange”), very limited data are available on the problem of wildlife trafficking across the EU, which hampers efforts to address it. Efforts must be made to improve the quality of data available at both Member State and EU levels, which requires long-term funding.

12. **Bilateral Discussions with Third Countries:** The EU should ensure wildlife trafficking is on the agenda of existing bilateral dialogues with key countries, including through the European External Action Service (EEAS) delegations.

We look forward to continuing to contribute to the development and implementation of EU policy and funding in the area of wildlife trafficking. We hope that you find our recommendations useful; please do not hesitate to contact us if you wish to discuss them further.

Yours sincerely,



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