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**United Nations
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**United Nations Environment Assembly of the
United Nations Environment Programme
Second session**

Nairobi, 23–27 May 2016

Item 4 (a) of the provisional agenda*

**International environmental policy and
governance issues: illegal trade in wildlife**

Resolution 1/3: illegal trade in wildlife

Report of the Executive Director

Summary

At its first session, the United Nations Environment Assembly strengthened the political commitment of the United Nations to addressing the illegal trade in wildlife, which resulted in the consolidation of the mandate of the United Nations Environment Programme (UNEP) on the issue. Building on security and other concerns related to the illegal trade in wildlife, the Assembly at its first session placed the issue of illegal trade centrally on the international agenda as one of two main themes discussed during the session's high-level segment and adopted the first United Nations resolution focused on illegal trade in wildlife. Resolution 1/3 speaks, inter alia, to the priorities of Member States implementing existing commitments, of cooperation across agencies, and of the contribution of UNEP to addressing the issue and called upon the General Assembly to consider the issue at its sixty-ninth session. The resolution included requests to the UNEP Executive Director to: provide an analysis of the environmental impacts of the illegal trade in wildlife; to reinforce UNEP activities to raise awareness about the problems and risks of supply, transit and demand for illegal trade in wildlife; to work closely with the International Consortium on Combating Wildlife Crime,¹ the United Nations Development Programme and the Secretary-General's Rule of Law Group; to support national Governments in developing and implementing the environmental rule of law; and to take a proactive role in the administration of the African Elephant Fund to ensure its contribution to the African Elephant Action Plan.

* UNEP/EA.2/1.

¹ The International Consortium on Combating Wildlife Crime comprises the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Bank, the United Nations Office on Drugs and Crime, the International Criminal Police Organization (ICPO-INTERPOL) and the World Customs Organization. See www.cites.org/eng/prog/iccwc.php.

Progress in the implementation of resolution 1/3

1. In paragraph 10 (a) of resolution 1/3 the United Nations Environment Assembly requested the Executive Director to provide by the time of the Assembly's second session an analysis of the environmental impacts of illegal trade in wildlife and wildlife products.
2. Developed in close collaboration with the UNEP World Conservation Monitoring Centre, Grid-Arendal and a team of over 50 independent expert contributors and reviewers, the analysis will be available for consideration by the Environment Assembly at its second session.
3. Strongly evidence-based, and drawing on considerable expertise within and external to UNEP, the analysis compiles and synthesizes for the first time the evidence on the environmental impacts of the illegal trade in wildlife and the socioeconomic consequences of these impacts across a range of taxa and across geographic regions and scales. The report will provide information and a perspective that differs from that currently available and will complement available information on other aspects of the illegal trade in wildlife to reinforce the role of UNEP as a leading source of evidence underpinning policy responses to the illegal trade in wildlife. Building on the analysis, and recognizing the diversity of available information sources, it is anticipated that, subject to the availability of resources, UNEP will produce an annual digest to provide an overview update of the state of knowledge related to the broader evidence base on the illegal trade in wildlife.
4. In paragraph 10 (b) of resolution 1/3 the United Nations Environment Assembly requested the Executive Director to continue and to reinforce the relevant activities of UNEP, in collaboration with Member States and other relevant international, regional and national actors, to raise awareness of the problems and risks associated with the supply of, transit in and demand for illegal wildlife products.
5. In response to that request UNEP is developing a phased approach, in conjunction with the role identified through the Secretary-General's Policy Committee Decision for UNEP to advance on the advocacy and outreach elements of the United Nations system-wide response to illegal trade in wildlife.
6. Phase 1 of the approach will focus on a "One United Nations" global public awareness-raising effort that aims to quickly and broadly address knowledge gaps about the scale and implications of the illegal trade in wildlife through the identification of strategic, high profile and high impact activities – for example through exhibitions at airports, transport sector outreach, use of digital media and the network of United Nations goodwill ambassadors. The terms of reference for this phase have been developed by UNEP in collaboration with the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC), and the secretariat of the Convention on the International Trade in Wild Species of Flora and Fauna, joint financing has been secured and a procurement process for implementing the work in partnership is under way. The work will be underpinned by a solid assessment of knowledge of market dynamics for high profile illegally traded taxa, which is currently under way, and is expected to lead to a strengthened evidence base for targeted communications. Initial research to consolidate knowledge and identify knowledge gaps has been undertaken, and a report will be finalized by mid-2016.
7. Phase 2 will focus on building the global public awareness-raising effort and developing a targeted communications plan aimed at achieving the specific behavioural objectives identified in the three main components of UNEP overall work to address the illegal trade in wildlife and forest products: "policy engagement and agenda setting"; "strengthening rule of law"; and "communication for behavioural impact". This process will likewise be grounded in evidence-based learning, from online surveys and comprehensive studies on knowledge, attitudes and practices in those markets identified through the programmatic scoping exercise.
8. In paragraph 10 (c) of resolution 1/3 the Environment Assembly requested the Executive Director to work closely with the International Consortium on Combating Wildlife Crime (ICWC), UNDP, and the Secretary-General's Rule of Law Group, notably with regard to core areas of UNEP expertise such as environmental aspects of the rule of law, judicial training and the exchange of information about judicial decisions and practices.
9. In response to that request UNEP is collaborating with ICWC partners (the CITES secretariat, INTERPOL, the World Customs Organization, UNODC and the World Bank), UNDP and other United Nations entities, including the Food and Agriculture Organization of the United Nations. It is also providing direct support to Member States in relation to core areas of UNEP expertise.

10. As part of work to implement the mandate emanating from the Secretary-General's Policy Committee, UNEP is facilitating a United Nations system-wide process to develop a robust evidence base, shared analysis and consequent recommendations for an effective and coherent United Nations response to the security, political, economic, environmental and social aspects of the illegal trade in wildlife and forest products. Although the focus is on the role of the United Nations system, additional partners are being consulted and engaged in the process through ICCWC. Implementation of the decision is progressing, and it is anticipated that by early December the recommendations for the United Nations system response will be submitted to the Secretary-General.
11. Key relevant initiatives in the last few months relating to this request are described in the following paragraphs.
12. In October 2015, UNEP, together with the office of the Chief Justice of Kenya and the Konrad Adenauer Foundation, hosted a special session on illegal trade in wildlife during the first Africa Colloquium on Environmental Rule of Law. The participants in the special session identified, discussed and proposed solutions to obstacles to effective investigation, prosecution and adjudication of illegal trade in wildlife from the national and regional perspectives of the participants. Participants also suggested mechanisms for strengthening enforcement to curb illegal trade in wildlife.
13. In November 2015, UNEP and INTERPOL co-organized the second International Environmental Compliance and Enforcement Conference in Singapore. Building on the outcomes of the first conference in 2013, the Singapore conference focused on the growing connection between environmental crimes and internationally agreed development goals by identifying strategies for better incorporating law enforcement in the supply chain, promoting collaboration between law enforcement and the public and private sectors and curbing demand for illegal products.
14. UNEP provided technical support for the East African Association of Prosecutors' fourth annual training on terrorism and international and transnational crime, in November 2015 in Uganda, at which it also made a presentation on practical aspects of prosecuting environmental crimes. The objective of the training was to enhance harmonization and international cooperation in the prosecution of environmental crimes. The training brought together participants from Kenya, Uganda, the United Republic of Tanzania, Rwanda and South Sudan. As a result of the meeting discussions are under way with the Institute for Security Studies on the development of a prosecutor's manual for use by prosecutors in East Africa and beyond.
15. In January 2015, UNEP organized the sixteenth meeting of the Asian Regional Partners Forum on Combating Environmental Crime, in Bangkok, at which participants brainstormed about how to apply anti-money-laundering efforts across the region to address environmental crime.
16. In paragraph 10 (d) of resolution 1/3 the Environment Assembly requested the Executive Director to continue to support national Governments, upon their request, in their efforts to develop and implement the environmental rule of law and in that context to continue efforts to fight the illegal wildlife trade and to continue to promote actions, including through capacity-building.
17. UNEP provided technical support for an international conference on illegal trade in wild flora and fauna organized by the African Union and the Government of Congo, which took place in April 2015. The support included the preparation of the elements of a declaration affirming Africa's commitment to combating illegal trade in wildlife and the preparation of a draft strategy entitled "African Common Strategy on Combating Illegal Trade in Wild Fauna and Flora". During 2016 UNEP will continue to support the finalization and implementation of the common strategy at the regional, subregional and national levels.
18. In May 2015, UNEP convened the First Forum of Ministers and Environment Authorities of Asia Pacific, during which participants in a roundtable discussion on environmental rule of law in support of the 2030 Agenda for Sustainable Development discussed concepts and the application of environmental rule of law, challenges and breakthroughs, including the fight against transboundary environmental wildlife crime. During the inaugural Asia Environmental Enforcement Award ceremony held at the Forum 13 organizations and individuals were recognized for their work in combating the illegal wildlife trade and other environmental crime in the region.
19. In July 2015 UNEP and the Conservation Council of Nations, along with experts in the prosecution of international crime, hosted the East Africa Regional Judiciary and Law Enforcement Workshop on Wildlife/Environmental Crime in Nairobi. The workshop aimed to strengthen the judicial, prosecutorial and support sectors in the fight against wildlife crime and identified challenges to and strategies for addressing priority issues in the subregion, including through increasing cross-border cooperation through formal and informal avenues; streamlining the capacity of the judiciary, prosecutors and law enforcement personnel to combat wildlife crime and develop strategic

training programmes; strengthening policy and legislation to better facilitate the capacity of the judiciary, prosecutors and law enforcement officials to combat wildlife and environmental crime; expanding efforts to sensitize judges, prosecutors, agents, policymakers and local communities on the value of wildlife and the implications of wildlife crime; prosecuting corruption, which undermines efforts at all levels to combat wildlife crime; and responding to the need for training programmes for the judiciary, prosecutors and law enforcement officials from supply, transit, and demand countries to strengthen collaboration on international trade cases and for education and sensitization initiatives.

20. UNEP is supporting the Kenya Magistrates and Judges Association in the development of a training manual on environmental rule of law, including a component on illegal trade in wildlife. A draft will be available by the end of November 2015 and will be used to roll out the training of judges and magistrates.

21. UNEP is also working with the CITES secretariat on the National Legislation Project, a flagship initiative to support countries in their efforts to strengthen their national legislation to control illegal trade in wildlife. The project is a high profile initiative within CITES and includes the provision of legal advice and technical assistance to 17 countries that require attention as a priority on the development of appropriate measures for effective implementation of the CITES Convention; legislative guidance for the drafting of national legislation, with a special focus on optimal penalties to deter illegal trade in wildlife; the compilation of best examples of existing national legislation to regulate international wildlife trade and combat wildlife crime, including criminal law provisions to treat illegal trade in wildlife as a serious crime and to deal with organized crime and corruption as well as the criminal liability of all actors involved in the illegal trade in wildlife chain in origin, transit and destination countries; and the training of CITES authorities, legal drafters, policymakers, the judiciary, parliamentarians and other relevant government officials responsible for the formulation and adoption of CITES-related legislation. UNEP is also providing support to Timor Leste and South Sudan in their ongoing efforts to accede to the Convention.

22. In November 2015, UNEP organized the Regional Green Customs Workshop in Asia and the Pacific: Enhancing the Capability of Customs Officers to Address Environmental Crime in Seoul. The Green Customs Initiative is a partnership of international organizations cooperating to enhance the capacity of customs and other relevant enforcement officers to monitor and facilitate legal trade and to prevent illegal trade in environmentally sensitive commodities covered by trade-related multilateral environmental agreements, including CITES. The workshop aimed to strengthen the enforcement capacity of customs authorities and enhance long-term partnerships at both the strategic and operational levels and promote the exchange of best practice in tackling illegal trade of goods that are regulated for environmental reasons. The workshop was attended by customs officers from 20 countries in the Asia-Pacific region and representatives of Green Customs Initiative partners, including CITES.

23. A UNEP/World Customs Organization joint risk management workshop on countering illegal trade in goods that are regulated for environmental reasons was held in Malaysia in April 2015 with support from the Customs Service of the Republic of Korea. The workshop aimed at strengthening the capacity of customs officials in combatting illegal trade in environmentally regulated goods, including the wildlife regulated through CITES, and promoting the exchange of experience and best practices in tracking illegal trade of environmentally regulated goods. The workshop was attended by 35 customs officers from the Asia-Pacific region as well as participants from the CITES Secretariat, TRAFFIC and other relevant organizations.

24. In paragraph 10 (e) of resolution 1/3 the Environment Assembly requested the Executive Director to continue to take a proactive role in the UNEP administration of the African Elephant Fund to ensure its contribution to the implementation of the African Elephant Action Plan,

25. The African Elephant Action Plan is the foundation plan for elephant conservation across the continent, having been agreed under the auspices of CITES by all 37 African elephant range States. UNEP has acted as the Secretariat of the African Elephant Fund since February 2013. Support for the Fund has recently strengthened considerably: in the areas of staffing, resource mobilization, administration and visibility and awareness-raising.

26. With regard to staffing, the Secretariat's capacity has been enhanced with additional staff that joined the team in July 2015, making the fund secretariat fully functional and allowing for greater services to all range states. The efficiency of the newly revamped secretariat was recognized at the fifth meeting of the African Elephant Fund Steering Committee, which was held in Addis Ababa in September 2015.

27. As for resource mobilization, on top of its own support directly to the fund in the form of human resources and money for the development of communications materials, UNEP has mobilized additional funding, including 500,000 euros from Germany, 120,000 euros from the Netherlands and \$50,000 from Belgium. Those recent contributions doubled the budget of the fund within a period of six months.
28. With regard to fund administration, to date 30 projects totalling almost \$2 million have been funded and are being implemented. Activities financed through the Fund focus on the objectives of the African Elephant Action Plan, including to reduce the illegal killing of elephants and illegal trade in elephant products, to maintain elephant habitats and restore connectivity and to reduce human-elephant conflicts. Additional measures under the project address advocacy, training, awareness-raising and capacity building.
29. With regard to visibility and awareness-raising, in addition to various promotional materials, which have enhanced visibility for range States and Fund donors, UNEP has also supported the Fund with a revamped website: www.africanelephantfund.org.
30. Regarding next steps, there remains considerable potential to further advance on the opportunities that the Fund offers for the conservation of African elephants, including for the greater channelling of funding to the Fund, rather than promoting additional and disbursed funding modalities.
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