



BRIEFING

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TRAFFIC
the wildlife trade monitoring network

Advocacy briefing HANOI CONFERENCE ON ILLEGAL WILDLIFE TRADE

Desired list of actions to include in the Hanoi Statement

Background

The Hanoi Conference on Illegal Wildlife Trade (17-18 Nov, 2016) will result in agreement of the Hanoi Statement, which will call for reasoned, tangible and unified action against illegal wildlife trade. The specifics of those actions will be included in the annex to the Hanoi Statement, and these should be country specific. Below are some suggestions from WWF and TRAFFIC on what should be included.

Specific provisions for the EU are provided, all referring to the EU Action Plan against wildlife trafficking which defines a strong set of measures to fight wildlife crime more effectively.

1. Eradicating the Market for Illegal Wildlife Products

Commitments:

By 2018, those countries with markets for illegally traded wildlife species develop a Roadmap to demonstrate how they will tackle consumer demand to deliver against international commitments under the London Declaration and Kasane Statement, and the CITES Resolution on demand reduction agreed to at its 17th Meeting of the Conference of the Parties (CoP17 Com. II.16)

Take all necessary legislative, regulatory and enforcement measures to close the domestic markets for commercial trade in rhino horn, Tiger bone and raw and worked ivory as a matter of urgency

Take all necessary legislative, regulatory and enforcement measures to phase out and close all facilities breeding Tigers and Bears for commercial trade

Encourage all State-owned and private sector companies to commit to zero tolerance policies on buying or selling illegal wildlife products and to adopt at least one institutional action to reduce demand for those products

The EU Action Plan against Wildlife Trafficking provides reasonable provisions to eradicate the market for wildlife products, in particular action 1 on demand reduction and action 2 on limiting trade in ivory. The first milestones of action 1 and 2 should happen by the end of 2016.

2. Ensuring Effective Legal Frameworks and Deterrents

Commitments:

Review and, where necessary, amend all wildlife trade-related legislation (including national CITES-implementing legislation) to eliminate loopholes and weaknesses that may facilitate illegal wildlife trade and/or may not fully satisfy the requirements of CITES, including with regard to possession of illegally traded specimens, non-coverage of CITES listed species and fake or synthetic products.

Review and, where necessary, amend national legislation to ensure that offences connected to the illegal wildlife trade are treated as predicate offences, as defined in the United Nations Convention against Transnational Organized Crime, for the purposes of domestic money -laundering offences, and are actionable under domestic proceeds of crime legislation.

Review and, where necessary, amend all legislation to ensure there are no legal barriers to enable investigation and prosecution of transnational wildlife criminal networks and trafficking, including employment of controlled deliveries, sharing of intelligence information and provisions for *aut dedere aut judicare*.

Ensure illegal wildlife trade is included in States' reviews of measures against corruption, as required under UNCAC, including specifically addressing measures taken against corruption in agencies charged with protecting wildlife, regulating wildlife trade and enforcing laws related to wildlife.

Undertake due diligence of financial institutions to ensure that they are not receiving funds from illicit sources and thereby supporting wildlife crime.

The European Union shall review Directive 2008/99/EC on the Protection of the Environment through Criminal Law, particularly as it pertains to ensuring organised wildlife crime is considered a serious crime throughout the EU, as foreseen under action 14 of the EU Action Plan.

For those Member States that have not already done so, they should institute maximum penalties of four years or more for wildlife trafficking involving organized crime, as a credible deterrent and in order to be able to apply the provisions of the UN Convention on Transnational Organised Crime, as foreseen under action 22 of the EU Action Plan.

The EU must tackle corruption associated with wildlife trafficking by implementing action 8 of the EU Action Plan.

3. Strengthening Law Enforcement

Commitments:

Establish regional and national cross sectoral multi-agency enforcement task teams to examine wildlife crime, including relevant financial institutions, and where appropriate seeking guidance from INTERPOL concerning establishment of such agencies

Develop and implement regional electronic tools to facilitate exchange of information and enhanced cooperation between the management and control authorities involved in investigating transnational wildlife trafficking, using tried and tested models such as the EU Trade in Wildlife Information eXchange (EU-TWIX)

Develop and implement regional DNA databases of protected species that will assist in the forensic determination of the origin of seized specimens and encourage standardised testing methods.

Regularly monitor levels and trends in domestic markets for illegal wildlife products to assist in the development of appropriate law enforcement responses

The EU Action Plan against wildlife trafficking provides strong actions to improve law enforcement and cooperation, in particular the EU should urgently implement actions under objective 2.1, 2.2 and 2.3 of the EU Action Plan.

Cross-Cutting Issues

A. Regional and national actions plans and strategies

Commitment:

Develop and implement regional action plans, and supporting national action plans, that are endorsed at the highest political level, to strengthen wildlife legislation and regulation, law enforcement and targeted joint demand and supply reduction actions to eradicate illegal wildlife products

The EU shall implement its EU action plan against wildlife trafficking and report progress on ongoing actions. Each stakeholder identified in the plan should take responsibility for implementing it.

B. Financial and technical support

Commitment:

The international community to provide long-term and sustainable financial and technical support to source, transit and range countries aimed at strengthening wildlife legislation and regulation, law enforcement and targeted joint demand and supply reduction actions to eradicate illegal wildlife products

Financial resources should be identified in the EU budget and in each Member State budget to ensure implementation of the plan.