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Addendum

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

1. At its 3rd and 4th meetings, on 23 April 2013, the Commission considered agenda item 4, which read as follows:

“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”:

“(a) Challenges posed by emerging forms of crime that have a significant impact on the environment;

“(b) Possible responses, programmes and initiatives to deal effectively with forms of crime that have a significant impact on the environment.”

2. For its consideration of agenda item 4, the Commission had before it a note by the Secretariat containing the discussion guide for the 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 (E/CN.15/2013/2).

3. At the morning meeting, participants discussed sub-themes related to challenges posed by emerging forms of crime that had a significant impact on the environment:

(a) Emerging trends and challenges, including those linked to data collection and its analysis, criminalization and criminal justice;



(b) Challenges linked to related offences.

4. At the afternoon meeting, participants discussed sub-themes related to the possible responses, programmes and initiatives to deal effectively with forms of crime that had a significant impact on the environment:

(a) Possible ways to increase effectiveness of preventive and responsive measures of criminal justice systems, including using existing international treaties to combat crime, as well as on the basis of strengthening partnerships between public and private sectors and civil society;

(b) International collaboration and partnerships, including the role of the United Nations Office on Drugs and Crime in counteracting unlawful conduct that may negatively impact the environment.

5. The thematic discussion on item 4 was presided by the Chair and led by the following panellists: Reuel Kpana Moses (Nigeria), Kanjana Nitaya (Thailand), Petr Litvishko (Russian Federation), Salomé Vacacela (Ecuador), Grant Pink (Australia), Colgar Sikopo (Namibia), Wan Ziming (China), Joel González Moreno (Mexico) and Jessica Graham (United States of America).

6. The Chair made an introductory statement. An introductory statement was also made by the Director of the Division for Operations. A statement was made by the Secretary General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.¹ Statements were made by the representatives of Croatia, Algeria, Italy, Kenya, Austria, South Africa, Cuba, Colombia, Indonesia, Brazil, China, the United Kingdom of Great Britain and Northern Ireland, Ghana, Germany, Thailand, Norway and Mauritius. The observers for France, Guatemala, Egypt, Finland, Israel, Libya, Zimbabwe, the Philippines, Australia, India and Turkey also made statements. A statement was made by the observer for the State of Palestine. The observers for the United Nations Environment Programme, the Korean Institute of Criminology, the World Wide Fund for Nature International, the Environmental Investigation Agency and the Friends World Committee for Consultation also made statements.

A. Summary by the Chair

7. At the end of the thematic discussion, the Chair summarized the salient points as follows.

8. The international community was faced with increasingly diverse types of emerging forms of crime that had a significant impact on the environment, ranging from illegal trafficking in wild fauna and flora to illegal logging, illegal fishing, illegal waste management, illegal mining and trafficking in precious metals. Urgent attention by the international community was required to address poaching and trafficking in wildlife, especially in those species on the verge of extinction.

9. The lack of an internationally accepted definition of such “environmental crimes” and the fact that such crimes remained underreported or unreported posed challenges for data collection and analysis.

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

10. Particular challenges derived from the transnational nature of environmental crimes and from the fact that such crimes were highly profitable and posed a low risk for the criminal groups involved. Some Member States stressed that wildlife and forest crime was a form of organized crime. Others identified clear links with other transnational organized crimes, including drug trafficking, firearms trafficking, corruption, money-laundering and trafficking in human beings, as well as highly violent crimes and, in some cases, terrorism.

11. Environmental crimes not only affected the environment by threatening biodiversity and destroying ecosystems but also damaged sites of national heritage and undermined sustainable economic and social development. Such crimes had a negative impact on communities and livelihoods, especially in developing countries. In some cases, serious consequences for human health and threats to national security and stability had been observed.

12. Those challenges required a global solution and had to be addressed at the national, regional and international levels through a comprehensive, balanced and coordinated approach tackling both supply and demand and consisting of measures such as prevention activities, reducing demand, improving legal frameworks, strengthening law enforcement activities, promoting inter-agency cooperation between police, customs and border control authorities, building the capacity of judges and prosecutors in order to better adjudicate crimes, and strengthening data collection and information-sharing.

13. Possible responses, programmes and initiatives were discussed. Several Member States reported having enhanced their domestic legislative frameworks, including by defining environmental offences as serious crimes and by establishing corporate criminal liability.

14. Good practices included the establishment of a national task force to coordinate the efforts of all relevant agencies at the national level and to strengthen cooperation with international counterparts. Law enforcement responses could be further improved through the use of controlled deliveries and other special investigative techniques, mutual legal assistance, asset forfeiture and the seizure of the proceeds of crime.

15. Member States stressed the importance of the timely sharing of information, intelligence and other relevant data, including best practices and lessons learned. Judges, prosecutors, front-line officers, customs officers and other criminal justice officials required multidisciplinary training regarding “environmental crimes”.

16. The involvement of affected communities had proven crucial in natural resource management and other successful strategies. However, continued political attention and increased financial and human resources were required to address environmental crime more effectively.

17. There was a need to more effectively utilize the existing international framework, including the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption and the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

18. It was essential to continue improving regional and international cooperation in addressing environmental crime. At the national level, strengthened partnerships were required, including the involvement of local communities, civil society

organizations, academic and research institutes, private sector and international organizations, in order to ensure a consolidated response to that type of crime.

19. The role of UNODC and the Commission in addressing environmental crimes in close cooperation with relevant organizations was highlighted. UNODC was requested to continue providing technical assistance to countries to address challenges posed by environmental crime. UNODC should undertake case studies focusing on endangered species of wild fauna and further collaborate with its partners, including the International Consortium on Combating Wildlife Crime, in designing and promoting the use of appropriate evidence-based interventions and technical assistance tools, such as the *Wildlife and Forest Crime Analytic Toolkit*.

B. Workshop on emerging forms of crime that have an impact on the environment: lessons learned

20. The first meeting of the Committee of the Whole, on 22 April 2013, was devoted to a workshop on “Emerging forms of crime that have an impact on the environment: lessons learned,” organized by the institutes of the United Nations crime prevention and criminal justice programme network. The workshop was chaired by the First Vice-Chair of the Commission and moderated by the Scientific Coordinator of the European Institute for Crime Prevention and Control, affiliated with the United Nations, a member of the United Nations crime prevention and criminal justice programme network.

21. An opening statement was made by a representative of the Secretariat. Presentations were made by panellists from the Naif Arab University for Security Sciences (Saudi Arabia), the European Institute for Crime Prevention and Control, affiliated with the United Nations (Finland), the Korean Institute of Criminology (Republic of Korea), the United Nations Interregional Crime and Justice Research Institute (Italy) and the International Center for Criminal Law Reform and Criminal Justice Policy (Canada). During the discussion, a statement was made by the observer for the International Institute of Higher Studies in Criminal Sciences (Italy). The moderator made a closing statement.