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**Crime prevention and criminal justice**

## **Preventing and combating crimes that affect the environment**

### **Report of the Secretary-General**

#### *Summary*

The present report, prepared pursuant to General Assembly resolution [76/185](#), provides information on crimes that affect the environment, contains information on the implementation of Assembly resolution [76/185](#) and also contains recommendations for possible future action.

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\* [A/77/50](#).



## I. Introduction

1. The General Assembly, in its resolution [76/185](#), on preventing and combating crimes that affect the environment, requested the Secretary-General to submit a report on the implementation of that resolution to the Assembly at its seventy-seventh session.
2. The international community has recognized the worrying scale and scope of crimes that affect the environment and the need for global action to prevent and address such crimes. In its resolutions [67/189](#), [68/193](#), [69/197](#), [70/178](#), [71/209](#), [72/196](#), [73/186](#), [74/177](#) and [75/196](#), entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, as well as in its resolutions [69/314](#), [70/301](#), [71/326](#), [73/343](#) and [75/311](#), entitled “Tackling illicit trafficking in wildlife”, the General Assembly expressed deep concern about crimes that affect the environment and emphasized the need to combat such crimes by strengthening international cooperation, capacity-building, criminal justice responses and law enforcement efforts
3. The present report is based on information shared by Member States and international organizations.

## II. Background information

4. The world is facing a triple planetary crisis of biodiversity loss, climate change and pollution. Crimes that affect the environment cause untold harm, contributing to and exacerbating this crisis. These crimes undermine efforts to implement the 2030 Agenda for Sustainable Development, directly affecting the achievement of several of the 17 Sustainable Development Goals, including those related to the food-water-health nexus (Goals 2, 6 and 3), energy and climate (Goals 7 and 13), poverty and inequality (Goals 1 and 10), environmental conservation (Goals 14 and 15) and effective, accountable and inclusive institutions at all levels (Goal 16).
5. Crimes that affect the environment threaten the rule of law, governance and national security; they rob local communities of their livelihoods and have a negative impact on social and economic development. Criminal groups engaged in these crimes exploit gaps in national law enforcement and criminal justice systems. The enormous profits generated by this crime type have also been used to finance other criminal activities and, in some cases, have been used to finance conflict and contribute to instability. Crimes that affect the environment are frequently interlinked with corruption and economic crimes, as well as other serious crimes including trafficking in persons and forced labour.
6. Crimes that affect the environment encompass a wide range of illegal activities, including those listed in General Assembly resolution [76/185](#), namely, illicit trafficking in wildlife, in timber and timber products, in hazardous waste and other waste and in precious metals, stones and other minerals, as well as, inter alia, poaching. These crimes are committed by perpetrators ranging from individuals to legal persons and transnational criminal groups. The means of transportation, the routes used, the concealment methods and the logistics involved are often interlinked with other forms of organized crime.
7. The root causes of crimes that affect the environment include poor governance and widespread corruption, minimal budgets allotted to police forces, prosecution services and courts, and very low volume of proceeds from sustainable and managed use of natural resources going back into communities.<sup>1</sup>
8. This criminal activity also has significant environmental impacts that contribute to the global extinction crisis and loss of biodiversity. Trafficking in wildlife is

<sup>1</sup> *World Wildlife Crime Report 2020 Trafficking in Protected Species* (United Nations publication, 2020).

increasingly recognized as both a specialized area of organized crime and a significant threat to many species. Poaching of keystone species, for example, can have incalculable ecological repercussions. Wildlife crime can contribute to climate change by destroying important carbon sinks, altering ecosystems and disturbing the balance of the oceans. Underdeveloped legal frameworks, weak law enforcement and poor prosecutorial and judicial practices, as well as a lack of understanding of the different factors that drive wildlife offences, have resulted in valuable wildlife and plant resources becoming threatened by, inter alia, illegal logging, illegal trade in timber products, poaching and trafficking in animal parts and derivatives and plant material.

9. Global deforestation and forest degradation are progressing at an alarming rate.<sup>2</sup> The illegal timber trade is a complex issue contributing to forest loss, and it often involves multiple actors in multiple countries. Illegal activities can occur at all stages of the timber supply chain and range in complexity from local illegal harvesting to international and highly organized criminal syndicates with established commercial supply chains. Large economic incentives, remoteness, lack of traceability, demographic pressure and the lack of available tools, methods or even standardized definitions to assess forest loss, among others, make forests fertile ground for illegal exploitation and corruption.

10. The illegal mining of precious metals involves prospecting for and extracting metals with high economic value (mainly gold, silver, platinum, palladium and iridium) without appropriate land rights, exploration and mining licences or mineral transportation and other permits. Illegal mining is often associated with other criminal activities.<sup>3</sup> The growing involvement of organized criminal groups in trafficking in precious metals is concerning and an increase in the volume and range of transnational criminal offences associated with such trafficking and with illegal mining is evident. Organized criminal groups exploit loopholes in national and international legislation, as well as gaps and vulnerabilities in the supply chain and trade monitoring procedures. These groups can easily move illicit commodities across regional and international borders without being detected. Illegal mining is an increasing threat in Africa, Latin America and Asia.<sup>4</sup> Criminal networks operate outside of State regulations in remote areas characterized by a lack of governance, law enforcement, rule of law and integrated development policies. Illegal gold mining and trafficking is an expanding threat that is not only fuelling corruption, money-laundering and criminal violence but also accelerating deforestation.

11. Research on the nature and scale of waste trafficking is largely underexplored.<sup>5</sup> Waste typically has a negative value, as there are costs associated with treating it in a way that is safe and does not harm the environment. These costs provide an incentive to export waste to other countries with less strict environmental standards or to illegally dump and dispose of it. Illegal transboundary movements of hazardous waste and other waste have become an increasing global concern. Waste trafficking occurs both domestically and internationally. Internationally, waste is usually trafficked from developed to least developed countries, with common trade flows from the global North to the global South.<sup>6</sup> The use of transit countries to disguise the origin of waste shipments has been observed as a *modus operandi* for such illegal shipments.<sup>7</sup> Waste trafficking involves a variety of actors, including companies operating in the licit waste industry and organized criminal groups. The complexity of waste-related regulations, often in combination with few resources for monitoring, inspection and

<sup>2</sup> Food and Agriculture Organization of the United Nations and UNEP, 2020: *The State of the World's Forests – Forests, Biodiversity and People* (Rome, 2020).

<sup>3</sup> United Nations Environment Programme (UNEP), *The State of Knowledge of Crimes that have Serious Impacts on the Environment* (Nairobi, 2018).

<sup>4</sup> Ibid.

<sup>5</sup> United Nations Office on Drugs and Crime (UNODC), *Combating Waste Trafficking: A Guide to Good Legislative Practices* (Vienna, 2022).

<sup>6</sup> UNODC, *Combating Waste Trafficking*.

<sup>7</sup> International Criminal Police Organization (INTERPOL), *INTERPOL Strategic Analysis Report: Emerging Criminal Trends in the Global Plastic Waste Market since January 2018* (Lyon, France, 2020), p. 5.

enforcement, result in a low-risk, high-profit crime. Varying legal definitions of what amounts to waste or hazardous waste, among others, continue to lead to different interpretations of regulations, which in turn have an impact on the enforcement thereof. Unclear standards on contamination levels and on the definition of environmentally sound management further complicate understanding, and thus the application, of waste regulations. This uncertainty creates opportunities for companies, individuals and organized criminal groups to conduct illicit business. At present, detection, investigations and prosecutions in relation to waste trafficking are rare, and penalties are low.

12. The coronavirus disease (COVID-19) pandemic and related restrictions have influenced the operations of organized criminal groups involved with crimes that affect the environment, including through an increased focus on online trade channels and related mechanisms. In some regions, short-term disruptions to crime and trafficking were evident; however, recent customs operations, such as Operation Mekong Dragon III, indicate a return to pre-pandemic levels.<sup>8</sup>

13. Despite the damage caused, crimes that affect the environment are still too often perceived as being victimless and incidental. They are not always considered a serious crime or a high priority. Existing legislation and policies often do not reflect the serious nature of the crimes, or fail to take into account the sheer scale of the loss of resources resulting from such crimes. Levels of political commitment and operational capacity to tackle crimes that affect the environment are still not commensurate with the scope and scale of the problem itself.

### III. Implementation of General Assembly resolution 76/185

14. In its resolution 76/185, the General Assembly requested the Secretary-General to report to it on the implementation of that resolution. The present section was produced on the basis of responses to notes verbales sent to Member States by the Secretariat on 14 January and 24 February 2022. In total, 38 Member States submitted responses to the request for information on implementation of the resolution.<sup>9</sup> All regions were represented, with 5 responses received from Africa, 12 from Asia and the Pacific, 9 from Eastern Europe, 3 from Latin America and the Caribbean and 9 from Western Europe and other States.

15. The Secretariat also requested, by means of electronic correspondence on 12 January 2022, information from relevant United Nations organizations on the implementation of the resolution. Responses were received from the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the secretariat of the Basel, Rotterdam and Stockholm conventions, the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP) and the United Nations Office on Drugs and Crime (UNODC). These responses were incorporated into the present report together with information submitted by the International Consortium on Combating Wildlife Crime.

#### A. Implementation of General Assembly resolution 76/185 by Member States

16. In its resolution 76/185, the General Assembly urged all States that had not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the United Nations Convention against

<sup>8</sup> UNODC, Regional Office for South-East Asia and the Pacific, "Strong indications illegal trade in East and Southeast Asia has returned to pre-COVID levels", 22 July 2021.

<sup>9</sup> Albania, Algeria, Austria, Belarus, Bulgaria, Canada, China, Denmark, Egypt, France, Hungary, Israel, Italy, Japan, Jordan, Kyrgyzstan, Malawi, Morocco, Myanmar, Norway, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Sri Lanka, Togo, Türkiye, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America.

Corruption. Both conventions are nearing universal ratification; no additional States took such action during the reporting period.

17. Also in its resolution 76/185, the General Assembly encouraged the States parties to the Organized Crime Convention and the Convention against Corruption to take full advantage of Conference of the Parties to the United Nations Convention against Transnational Organized Crime resolution 10/6 and Conference of the States Parties to the United Nations Convention against Corruption resolution 8/12. UNODC prepared a detailed report on the implementation of the latter resolution for the consideration of the Conference of the States Parties to the Convention against Corruption at its ninth session, held in Sharm el-Sheikh, Egypt, from 13 to 17 December 2021.<sup>10</sup> In its reply, Bulgaria reported putting a link to the Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge management portal on the internal website of the Prosecutor's Office (a directory accessible to all investigators and prosecutors) with a view to facilitating the dissemination of information on the implementation of the Organized Crime Convention and its three protocols.

18. Further in its resolution 76/185, the General Assembly urged Member States to adopt effective measures to prevent and combat crimes that affect the environment by making the best possible use of relevant international instruments and by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes, and illicit financial flows derived from such crimes, while acknowledging the need to deprive criminals of proceeds of crime. Some Member States have established dedicated units to respond to environmental crime. For example, Kyrgyzstan reported creating a tourist and environmental platoon within the Issyk-Kul Region Police Department. A dedicated environmental department had been established within the Ministry of Justice in Morocco and institutional mechanisms introduced to track and study environmental crimes and related issues. In Myanmar, the Environmental Conservation Committee had been formed in October 2021 to coordinate between national bodies and State and regional organizations on environmental and climate change issues. In the Philippines, environment desks had been established in all police stations and units. Saudi Arabia had established an environmental crime unit charged with investigating crimes that affect the environment. In Slovakia, organizational changes within the police force were in progress, and were to include the establishment of a department dedicated to the detection of dangerous materials and environmental crime. Furthermore, UNDP had supported the establishment of a dedicated environmental crime unit in Ethiopia, a wildlife crime law enforcement unit in North Sumatra Province in Indonesia, a wildlife crime unit in the Department of National Parks in Thailand, and inter-agency coordination mechanisms for combating poaching and the illegal wildlife trade in Botswana and Mozambique.

19. Member States reported taking awareness-raising and preventive measures to combat crimes that affect the environment. For example, Albania had developed an online portal for reporting environmental crime incidents; Poland had developed a similar online tool. Egypt highlighted the important awareness-raising role of the Ministry of the Environment, including in raising the awareness of farmers about the dangers of burning waste. Authorities in Norway used information campaigns as a preventive measure by disseminating information on legislation to relevant groups. The Environment Agency of Norway had been visible in the media regarding requirements for and monitoring of international trade in endangered species, to increase general prevention in society, and the Norwegian Nature Inspectorate had started using Twitter to highlight its monitoring work. The National Police of Peru carried out awareness-raising campaigns in local markets to discourage the purchase of protected wildlife species. Authorities in Poland had developed prevention

<sup>10</sup> UNODC, *Preventing and Combating Corruption as it Relates to Crimes that Have an Impact on the Environment: An Overview* (Vienna, 2021).

campaigns aimed at enhancing communication with the general public. In cooperation with the Main Inspector of Environmental Protection, police officers in Poland had actively participated in three editions of a national initiative called “STOP illegal waste”, the goal of which was to combat the illegal shipping and dumping of waste and strengthen the communication and capabilities of the agencies involved in combating crimes that affect the environment.

20. Some Member States reported utilizing technology to strengthen their responses to crimes that affect the environment. For example, officers of the National Police of Peru had been trained in the use and management of technological equipment including drones, digital cameras, video cameras and Global Positioning System of the United States of America software, while the Environment Agency of Norway had developed a search engine to monitor the Internet for advertisements of illegal goods. Authorities in Italy were using aerial photogrammetric surveys and geophysical techniques to detect structural and physical changes in the land and contribute to the monitoring and discovery of illegal waste disposal sites. In August 2021, Singapore had opened its first Centre for Wildlife Forensics, strengthening the detection and diagnostic capabilities of the Department of National Parks to identify and analyse specimens involved in the illegal wildlife trade.

21. At the national level, Member States reported introducing various action plans and programmes, including on crimes that affect the environment. For example, Belarus had approved the National Action Plan for the Conservation and Sustainable Use of Biological Diversity for the period 2021–2025. In Poland, the level of priority for combating crimes that affect the environment was raised significantly, as set out in the Commander-in-Chief of the Police’s Action Plan for the period 2021–2023. Effective combating of crimes that affect the environment was a priority for Romania, as outlined in the government programme for the period 2021–2024. Togo reported efforts to improve transparency in the extractive industries and had prepared an action plan for the period 2021–2025. The United Kingdom of Great Britain and Northern Ireland had launched the Blue Shield Programme, a new government initiative aimed at tackling the challenges of illegal fishing and unlawful marine activities around the overseas territories of the United Kingdom.

22. Member States also reported taking action at the regional and international levels to ensure that crimes that affect the environment remained high on the international agenda. For example, during the French Presidency of the Council of the European Union, the Government of France proposed a revision of directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law.

23. In their submissions, Member States highlighted particular concern about trafficking in hazardous and other waste. Austria conducted regular checks on companies active in the field of waste management, and police and customs authorities were reported to receive ongoing training. The Environment Agency of Norway monitored vessels with a heightened risk of involvement in illegal recycling outside of Norway. Some national authorities relied on tips from the public about potential incidents of waste-related crimes that affect the environment, both on land and offshore. Some Member States reported increasing cooperation with other countries on cross-border transport of waste, as well as regular national-level meetings to discuss developments in that field. For example, in 2021, Czechia and Poland had organized joint workshops on combating illegal cross-border waste shipping. Guidance had been developed, including a guidebook for police officers in Poland on conducting investigative proceedings at scenes of illegal waste storage or illegal waste shipping.

24. Few Member States reported investigating corruption linked to crimes that affect the environment. Romania reported that, at the end of 2021, the National Anti-corruption Directorate was working on 14 corruption cases containing elements with an environmental impact and that the prosecutor’s offices attached to tribunals

had prosecuted several corruption cases. The Russian Federation reported that many corruption cases related to the forestry sector had been investigated.

25. In its resolution [76/185](#), the General Assembly called upon Member States to make crimes that affect the environment, in appropriate cases, serious crimes, as defined in article 2, subparagraph (b), of the Organized Crime Convention, in accordance with their national legislation. No Member State specified in its response that national legislation had been amended to make crimes that affect the environment a serious crime since the adoption of the resolution. However, States had been active in reviewing and amending national legislation. Panama recognized that increased criminal sanctions were required and revision of national legislation necessary. Poland reported that its Coordination Team for Combating Environmental Crime was tasked with initiating efforts to revise the legislative framework to eradicate the “grey zone” in waste management. Romania reported that the extensive process of reforming policy in the field of preventing and combating environmental crimes was under way. In Singapore, a review of legislation and public consultation on the Endangered Species Act was launched in late 2021, to ensure that the national legal framework remained effective in deterring criminals involved in the illegal wildlife trade; further, a nationwide ban on the domestic trade in elephant ivory had come into effect on 1 September 2021. In Slovakia, an extensive legislative amendment had been proposed and, if approved, would increase the penalties for serious forms of crime, including those that affect the environment. The United Republic of Tanzania had amended its Environment Management Act and promulgated several regulations related to waste. Some Member States, including Belarus, Peru, the Russian Federation and the United States, that had not made any changes to national legislation provided information on how current legislation was used to prosecute environment-related offences. For example, the United States provided case summaries of efforts to enforce laws focused on crimes against the environment and hold perpetrators of those crimes, including private sector entities seeking to profit from and enable environmental crimes, accountable.

26. Also in its resolution [76/185](#), the General Assembly urged States to adopt concrete and effective measures to recover and return, in appropriate cases, the proceeds of crimes that affect the environment. The Assembly also called upon States to develop or amend national legislation so that crimes that affect the environment falling within the scope of the Organized Crime Convention were treated as predicate offences for the purposes of money-laundering offences and were actionable under domestic legislation on proceeds of crime, so that assets derived from crimes that affect the environment could be seized, confiscated and disposed of. Some countries reported that national legislation allowed for the seizure of assets involved in offences relating to the environment, while other countries reported adopting new measures. For example, in Israel, the “Green Police” had promoted a conceptual change in their response to environmental crime and had begun using economic enforcement tools, for example through the seizure of vehicles used in waste dumping at unauthorized sites and the selling of such vehicles at the preliminary stage, to save the State maintenance and storage costs. Malawi provided examples of cases involving confiscation orders for vehicles and other equipment used for large-scale illegal logging. Panama and Poland reported that crimes that affect the environment were treated as predicate offences in national legislation. In Singapore, offences under the Endangered Species (Import and Export) Act were listed as “serious offences” under the Corruption, Drug Trafficking and other Serious Crimes (Confiscation of Benefits) Act, which provided for the confiscation of benefits derived from the illegal wildlife trade. Slovakia reported that the Office for the Management of Seized Property had become operational in August 2021, enabling law enforcement agencies to engage more fully in the investigation of crime.

27. Further in its resolution [76/185](#), the General Assembly urged Member States to investigate and prosecute the laundering of proceeds of crime derived from transnational organized crimes that affect the environment, including by using financial investigation techniques. The large majority of responding Member States



did not mention investigating or prosecuting the laundering of proceeds of crime associated with crimes that affect the environment. In Israel, however, financial investigations were carried out to increase the level of economic punishment for environmental offences, including through the seizure of property and money accumulated as the result of criminal activity. In Panama, financial investigations were being carried out in relation to illegal mining and wildlife trafficking.

28. In its resolution [76/185](#), the General Assembly called upon Member States to strengthen responses against crimes that affect the environment, including by establishing or developing integrated and multidisciplinary responses, establishing the liability of legal persons for such serious crimes and reinforcing the capacities, training and specialization of relevant law enforcement and judicial authorities. The Assembly also invited Member States to consider initiatives such as the International Criminal Police Organization (INTERPOL) concept of national environmental security task forces in order to promote integrated and multidisciplinary responses to better address crimes that affect the environment. In July 2021 in Hungary, seven central governmental bodies active in the field of environmental law enforcement had signed a memorandum of understanding officially launching a national environmental security task force. Its strategic and operational tasks were maintaining communication between partners, developing and operating an information-sharing system, creating and implementing a training programme for environmental crimes, developing a common strategy, organizing joint operations, developing a cooperation platform on joint tenders, developing legislative proposals and utilizing statistical data to produce common annual working plans. Member States provided several examples of multidisciplinary mechanisms. For example, China had established an interministerial joint meeting mechanism to combat illegal trade in wild fauna and flora. Panama had created intelligence units as part of a special multidisciplinary team. In Paraguay, inter-agency mechanisms were utilized to combat wildlife crimes linked to the use of the Internet and cooperation networks involving civil society organizations, academia and indigenous communities focused on specific subjects, such as the conservation of the jaguar. In Peru, a permanent multisectoral commission had been formed, composed of 12 State agencies, to monitor the actions of the Government to combat illegal mining and analyse alternative solutions to the problem of informal and illegal mining.

29. Various national multisectoral strategies were also reported to have been adopted by Member States. For example, the National Multisectoral Strategy to Fight Illegal Logging for the period 2021–2025 was approved in Peru. Poland reported an increased detection rate of crimes against the environment owing to an increase in inter-agency cooperation. Serbia reported that the Public Prosecutor's Office had joined the inter-agency expert group for the efficient implementation of the legal framework in the area of protection of the environment, as well as a joint body for monitoring cross-border wildlife trade. In the United Republic of Tanzania, the capacity of the multidisciplinary National Task Force on Anti-Poaching had been strengthened with infrastructure and equipment for effective joint monthly anti-poaching operations.

30. Member States reported the provision of training to build capacity to respond to crimes that affect the environment. For example, Malawi reported increased rates of detection and prosecution as a result of training of law enforcement officials, prosecutors and magistrates. The Public Prosecutor's Office of Serbia received regular training as part of a legal education programme of the Judicial Academy, including two online training courses in 2021 on strategically informing the public about environmental law cases. Some Member States reported developing capacities through overseas development programmes. For example, the United States prioritized efforts to counter natural resources crimes, in particular where they overlapped with transnational organized crime, through its foreign assistance programming.

31. In its resolution [76/185](#), the General Assembly called upon States to take all appropriate measures within their means to provide effective assistance to and



protection for witnesses and victims of crimes that affect the environment, and to establish appropriate procedures to provide access to compensation and restitution for victims of the offences covered by the Organized Crime Convention. In that regard, the Assembly encouraged States to consider providing access to civil compensation and habitat restoration for damage caused to the environment and to victims. The Department of Fisheries and Oceans of Canada had implemented an innovative and far-reaching open-source intelligence-collection programme and a confidential informant programme, which greatly assisted fisheries officers in performing their law enforcement activities. France reported several legal mechanisms regarding witness protection schemes in environmental crime cases, including the possibility to testify anonymously or to benefit from a legal regime protecting whistle-blowers. France had also implemented compensation for environmental damage and had defined endangering the environment as an aggravating circumstance in its Environmental Code. Further, through public interest judicial agreements, France had introduced a negotiated criminal justice scheme for the environment. In Hungary, legislation provided for assistance to victims of crime and State compensation; the legislation had been amended in 2021 to improve victim support services, including raising awareness about the forms of victim assistance, including legal advice, immediate financial assistance or public compensation. In Norway and Paraguay, mechanisms had been established to facilitate the filing of complaints by citizens. In Paraguay, that took the form of an online portal for complaints relating to environmental crimes.

32. Also in its resolution [76/185](#), the General Assembly called upon States to take all appropriate measures within their means to provide effective assistance and protection for those persons who contributed to combating in a peaceful manner crimes that affect the environment. In April 2021, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) came into force. It is the first international treaty in Latin America and the Caribbean concerning the environment, and the first in the world to include provisions on the rights of environmental defenders. The Escazú Agreement strengthens the links between human rights and environmental protection by imposing requirements upon States parties concerning the rights of environmental defenders.

33. Further in its resolution [76/185](#), the General Assembly strongly encouraged Member States, in accordance with their national legislation, to improve and enhance the collection, quality, availability and analysis of data on crimes that affect the environment. Some Member States described their data-collection systems, including electronic filing and monitoring systems to record reports and updates of illegal logging and wildlife crime cases. In Romania, the national network of prosecutors specializing in investigations of crimes that affect the environment collected and shared data with relevant parties. In Ethiopia and India, UNDP had supported the digitization of wildlife crime data, with support from the Elephant Protection Initiative and Stop Ivory in Ethiopia. In Thailand, UNDP had supported the development of an analytical wildlife crime intelligence database to strengthen the sharing of wildlife crime data among the multiple agencies involved in the law enforcement chain. The United Kingdom had implemented the *Wildlife and Forest Crime Analytic Toolkit* with the support of UNODC. The report was published in December 2021 and provided key recommendations on improving or building upon wildlife and forest crime-related policymaking, including in relation to data and analysis. A Toolkit assessment was completed in Uganda, also with the support of UNODC. Assessments using the *International Consortium on Combating Wildlife Crime Indicator Framework for Combating Wildlife and Forest Crime*, which provides a standardized approach to measuring and monitoring the effectiveness of national law enforcement responses over time, were completed in the Democratic Republic of the Congo, Djibouti, Mexico and the United Republic of Tanzania. Serbia reported translating the Toolkit into Serbian and making it available on the national prosecutors' website as a resource and as a way to further develop and streamline prosecutorial practice in that area.

34. In its resolution 76/185, the General Assembly strongly encouraged Member States to increase the exchange of information and knowledge on crimes that affect the environment among national authorities, as well as with other Member States and relevant international and regional organizations. Member States reported exchanging information and knowledge through participation in various international forums, including the United Nations congresses on crime prevention and criminal justice, the Commission on Crime Prevention and Criminal Justice, the Conference of the Parties to the Organized Crime Convention, the Conference of the States Parties to the Convention against Corruption and Convention on International Trade in Endangered Species of Wild Fauna and Flora Standing Committee meetings. European countries made reference to regional collaboration and operations organized through the European Union Agency for Criminal Justice Cooperation, the European Union Agency for Law Enforcement Cooperation, INTERPOL, the Southeast European Law Enforcement Center and the European network for the implementation and enforcement of environmental law. Some Member States reported participating in international joint operations, including the INTERPOL-World Customs Organization (WCO) “Thunder” series and Operation Mekong Dragon III, which had involved authorities in 20 countries and territories from across Asia and Oceania and had resulted in 525 seizures, including 85 seizures of wild fauna and flora. Member States also reported bilateral cooperation to carry out cross-border investigations. For example, in 2021, China and Singapore had conducted a successful controlled delivery operation, resulting in the seizure of an ivory ornament. From 30 November to 2 December 2021, over 200 law enforcement and criminal justice representatives from 34 countries in Africa and Asia had gathered to discuss cooperation on interception, investigation and prosecution of wildlife and forest crime cases at the Wildlife Inter-Regional Enforcement meeting organized by UNODC. That meeting had also served as a platform for bilateral meetings between national authorities to discuss ongoing cases, strengthen transnational cooperation and organize joint investigations. Member States also reported engaging in bilateral programmes and cooperation agreements. For example, the Russian Federation reported agreements with China and Mongolia to ensure the integrity of the Amur and Baikal ecosystems. In Latin America, Member States were using various instruments of regional and international cooperation, including the Environmental Network of the Ibero-American Association of Public Prosecutors, the Network of Police Specialised in Environmental Crimes in Latin America and the European Union, the Network for Compliance with and Application of Wildlife Regulations in Central America and the Dominican Republic and the South American Wildlife Enforcement Network. Collaboration through INTERPOL and the national central bureaux was noted as useful to address illegal mining in Latin American countries. Malawi and the United Republic of Tanzania referred to improved collaboration on mutual legal assistance requests, including through the development of a mutual legal assistance manual for foreign authorities by the National Prosecution Service of the United Republic of Tanzania. As a destination market for many trafficked goods, the United States reported working with international partners to identify and limit illicit goods from reaching the American market.

## **B. Implementation of General Assembly resolution 76/185 by intergovernmental organizations**

35. In its resolution 76/185, the General Assembly requested relevant intergovernmental organizations, within their respective mandates, to continue to support efforts by Member States to combat crimes that affect the environment. In response, efforts are currently being undertaken by several intergovernmental organizations, including the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the secretariat of the Basel, Rotterdam and Stockholm conventions, UNDP, UNEP and UNODC, as well as by the International Consortium on Combating Wildlife Crime. The present section of the report outlines the work of those organizations since July 2021.

36. Also in its resolution [76/185](#), the General Assembly requested UNODC, in collaboration with other organizations, to strengthen the collection, analysis and dissemination of accurate and reliable data and information to enhance knowledge on trends in crimes that affect the environment, and to report to Member States thereon on a periodic basis. To advance the knowledge base on crimes that affect the environment, UNODC was inventorying the current state of knowledge of those crimes using existing databases, ongoing research work in relevant crime areas and recent relevant reports produced by organizations such as UNEP, the United Nations Interregional Crime and Justice Research Institute, INTERPOL and the World Bank. It was also establishing research capacity, using dedicated extrabudgetary resources, to conduct an analysis of existing trends, key routes and country or regional hotspots, including a legal review where possible and as appropriate. UNODC had presented the state of evidence on crimes that affect the environment at the intersessional discussions of the Commission on Crime Prevention and Criminal Justice on crime prevention, international cooperation and law enforcement. Research for the third edition of the UNODC *World Wildlife Crime Report*, planned for publication in December 2023, was under way. The third edition was to be focused on thematic areas, such as the evidence base on what works to decrease wildlife crime, and the various harms and impacts of such crimes, and was also to contain case studies on key species of concern in illegal trade. UNODC representatives had attended the 74th meeting of the Convention on International Trade in Endangered Species of Wild Fauna and Flora Standing Committee and had engaged with Member States and other collaborators to help ensure the continued collection of quality data. Other international organizations had been actively working to strengthen the collection, analysis and dissemination of accurate and reliable data and information to enhance knowledge on trends in crimes that affect the environment. The secretariat of the Basel, Rotterdam and Stockholm conventions collected information on confirmed cases of illegal traffic of hazardous and other waste submitted by parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal as part of their mandatory annual national reports. Through its Law and Environment Assistance Platform, UNEP had set up a clearing house mechanism containing various knowledge materials and toolkits, such as a plastic pollution prevention toolkit. In addition, UNEP continued to develop guides, training courses and materials, such as modules on trade in environmentally sensitive commodities. UNEP had also partnered with implementing partners, such as the East African Network for Environmental Compliance and Enforcement, to analyse and produce informational material related to environmental crime. WCO used the Customs Enforcement Network as a depositary system for data storage and collection. Ongoing efforts were made in relation to data analysis and interpretation. In June 2022, WCO had issued the *Illicit Trade Report 2021*, which included a chapter on environmental products; data on seizures of environmental products were presented therein.

37. Further in its resolution [76/185](#), the General Assembly called upon the Commission on Crime Prevention and Criminal Justice to hold, during the intersessional period, expert discussions on preventing and combating crimes that affect the environment with a view to discussing concrete ways to improve strategies and responses to effectively prevent and combat those crimes and to strengthen international cooperation at the operational level on that matter. The expert discussions had been held in a hybrid format from 14 to 16 February 2022. With over 800 registered participants from 94 countries, the meeting had brought together experts and policymakers from Member States, United Nations entities and partners, intergovernmental and international organizations and civil society from around the world. The discussions had been focused on the following three thematic pillars:

(a) *Preventing crimes that affect the environment.* Participants had addressed elements such as the root causes of crimes that affect the environment, the importance of and good practices in raising awareness and reducing demand, the need to enhance the integrity of legal supply chains, and linkages with other forms of crime;

(b) *Combating crimes that affect the environment.* Participants had discussed, among others, the different *modi operandi* of criminals involved in crimes that affect the environment and had shared national, regional and international good practices in detecting, investigating and prosecuting such crimes. In addition, participants had shared good practices and challenges in addressing corruption and economic crimes, in particular the illicit financial flows derived from crimes that affect the environment and the confiscation of the proceeds of crimes, as well as other considerations;

(c) *Strengthening international cooperation to address crimes that affect the environment.* Participants had discussed how the international community could make the best use of existing international instruments and strengthen regional and international cooperation among Member States, including through cooperation networks. In addition, participants had discussed efforts to strengthen and expand technical assistance and capacity-building to enhance inter-agency cooperation and coordination.<sup>11</sup>

38. In its resolution 76/185, the General Assembly requested UNODC to provide technical assistance and capacity-building upon request to Member States for the purposes of supporting their efforts to effectively prevent and combat crimes that affect the environment, as well as corruption and money-laundering related to such crimes. In the reporting period, UNODC had supported Member States across all regions in strengthening national responses to prevent and combat crimes that affect the environment. UNODC had conducted training and mentorship for law enforcement officers, prosecutors and judges; built capacity for conducting parallel financial investigations through the provision of mentorship; built corruption risk management capacity in wildlife, forest and fisheries management and enforcement authorities; developed new tools on addressing corruption and economic crimes linked to the environment; built capacity for wildlife forensic analysis; provided normative guidance and supported the development of new legislation on wildlife, forest and fisheries crime; compiled legislation, case law and national strategies related to wildlife crime in SHERLOC; conducted awareness-raising and capacity-building to combat crimes in the fisheries sector; co-facilitated a successful regional customs operation (Operation Mekong Dragon III); and supported international cooperation among law enforcement agencies. A series of rapid reference guides for investigators and prosecutors of wildlife and forest crime had been produced and tertiary education modules on wildlife crime had been developed under the Education for Justice initiative and the Global Resource for Anti-Corruption Education and Youth Empowerment (GRACE) initiative. UNODC had started a new programme entitled “Unwaste: tackling waste trafficking to support a circular economy”, targeting the illicit flow of waste from Europe to South-East Asia, and had held a round-table discussion in Sri Lanka about tackling marine pollution.

39. Also in its resolution 76/185, the General Assembly requested UNODC, within its mandate, to further enhance and expand its cooperation and coordination with a variety of organizations. UNODC was collaborating with the Food and Agriculture Organization of the United Nations (FAO), UNEP and other stakeholders on the recently launched Safety across Asia For the global Environment (SAFE) project to improve understanding of the linkages between wildlife crime and the emergence of zoonotic diseases. UNODC was also partnering with UNEP on the delivery of the Unwaste programme. The UNODC-WCO Container Control Programme, in close cooperation with WCO and INTERPOL, had delivered specialized training to front-line customs officers to target and detect illegally sourced timber and fish, plastic and e-waste waste in the containerized trade supply chain. The improved capacities in identifying fraudulent documents and high-risk shipments had led to numerous seizures of waste, timber and illegally caught fish around the world. Inter-agency airport task forces supported by the UNODC-INTERPOL-WCO Airport Communication Project had made seizures of wildlife commodities including shark

<sup>11</sup> The Chair's summary of the expert discussions is contained in conference room paper E/CN.15/2022/CRP.2.

fins, lion claws and teeth, baby ostriches and tortoises across West Africa. The seizures had followed training and mentoring on trafficking in wildlife by air that was delivered in cooperation with WCO-accredited experts from the customs authorities in Burkina Faso and Senegal, the Coordination Unit for Threat Assessment and the Federal Police of Belgium and the Border Police of Romania. Airport Communication Project task forces in Benin and Burkina Faso had seized a total of 6.4 kilos of gold, in the form of gold bars and gold powder. Post-seizure investigations were ongoing. Following the success of the *Guide on Drafting Legislation to Combat Wildlife Crime*, UNODC was developing a series of similar guides for Member States on drafting legislation to combat crimes in the fisheries sector, waste trafficking and trafficking in minerals. The guides were due to be published in 2022. A guide on combating crimes in the fisheries sector was under development in collaboration with FAO. UNODC continued its efforts to mainstream crime prevention and criminal justice into biodiversity and nature agendas through engagement with inter-agency mechanisms including the United Nations Environment Management Group and its Issue Management Group on Biodiversity, as well as intergovernmental processes including the development of the post-2020 global biodiversity framework. As Chair of the United Nations Inter-Agency Task Force on Illicit Trade in Wildlife and Forest Products, UNODC facilitated collective inter-agency efforts in that regard as well. The International Consortium on Combating Wildlife Crime continued to play a critical role in assisting Member States globally to combat wildlife crime using a coordinated and cohesive approach and providing Member States with the tools, services and technical support needed to bring the criminals involved in wildlife crime to justice. The work of the Consortium in the decade to come would continue to be guided by its Vision 2030, following a theory of change to contribute to a world free of wildlife crime. UNODC also collaborated with the secretariat of the Basel, Rotterdam and Stockholm conventions on national training activities in Cambodia, Malaysia, Maldives, Mauritius, the Philippines, Thailand, Seychelles and Sri Lanka. UNODC, UNEP and the United Nations Interregional Crime and Justice Research Institute were discussing collaboration in the area of environmental crime in the context of the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law.

#### IV. Conclusion and recommendations

40. The proposals included in the present section are not an exhaustive list of actions; rather, they are recommendations based on the expert discussions held under the auspices of the Commission on Crime Prevention and Criminal Justice and on insights gained through the analysis of Member State responses to the request for information on the implementation of General Assembly resolution [76/185](#) and on the experience of UNODC in providing technical assistance globally.

41. The triple planetary crisis of climate change, biodiversity loss and pollution requires urgent action and political commitment to protect the planet. Interventions to prevent and combat crimes that affect the environment are an integral part of the solution. While the present report demonstrates the plethora of efforts and initiatives being undertaken, the following are recommendations for additional action:

(a) Addressing any vulnerabilities in legislation can help reduce opportunities for crimes that affect the environment. Member States should consider taking measures including, where needed, assessing the interplay between their own civil and criminal procedures in this context, and defining the threshold at which an environmental infraction moves from a civil violation to a criminal one; identifying legislative and policy measures that can prevent environmental crimes occurring (e.g. through whistle-blowing mechanisms, the use of injunctions and stop orders) and, where they do occur, ensuring that offences that affect the environment involving organized criminal groups are classed, in appropriate cases, as serious crime as defined in article 2, paragraph (b), of the Organized Crime Convention, and can be treated as extraditable offences as well as predicate offences for the purposes of

domestic money-laundering offences. Given the corporate nature of violations concerning the environment, reviewing measures that can ensure corporate liability as well as personal liability is vital. Finally, Member States should consider reviewing and amending national legislation to ensure the integration of the relevant conventions (Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention against Corruption and Organized Crime Convention) into domestic law;

(b) Criminal and potentially civil justice reforms, where needed, must go hand in hand with the strengthening of investigative, prosecutorial and judicial cooperation at the national, regional and international levels;

(c) Capacities within the criminal justice system, from crime scene to court, remain a priority. The appropriate recovery, management and analysis of evidence strengthens investigations and improves prosecution rates. Continual, targeted improvement and development in investigative and forensic science capabilities supports national law enforcement entities and understanding of and capacity to tackle crimes that affect the environment. Support to prosecutions to galvanize, coordinate and lead investigations into such crimes is essential in order to bring robust cases to court;

(d) The management of natural resources is often governed by complex regulations that may be vulnerable to acts of corruption. States should consider strengthening anti-corruption frameworks, promoting ethical practices, integrity and transparency and endeavouring to prevent conflicts of interest, with the aim of preventing corruption as it relates to crimes that affect the environment;

(e) Significant opportunities continue to exist for criminals to launder illegally sourced products through legal supply chains. Efforts to protect the legitimate supply chain, in particular from the infiltration of organized crime, should be enhanced through a multifaceted response, including improved traceability;

(f) Investigating financial crimes linked to crimes that affect the environment, which are not reported as regularly undertaken in many Member States, should be integrated into standard procedures;

(g) There is a need for effective cooperation and collaboration with a broad range of stakeholders, including from civil society, the private sector and the banking sector, as well as cooperation across sectors, including through public-private partnerships;

(h) In addition to cooperation at the national level, there is a need for improved international cooperation. The Organized Crime Convention can be used as the legal basis for international cooperation efforts, notably in terms of mutual legal assistance, extradition, joint investigations and the use of specialized investigative techniques;

(i) There remains a dearth of research and data on crimes that affect the environment in many countries. Filling that research and data gap is vital to developing and implementing evidence-based crime prevention strategies and properly evaluating their effectiveness. Data collection and research should be enhanced to ensure informed policy decisions;

(j) Criminal justice responses to crimes that affect the environment should be integrated into broader national and international agendas, including those on biodiversity, climate change and pollution. A balanced approach is required and enforcement responses must be complemented by raising awareness, reducing demand, providing sustainable alternative livelihood opportunities and actively involving local communities in safeguarding the environment;

(k) There is a growing need to leverage technology to detect and investigate crimes that affect the environment;

(l) United Nations entities should continue to support efforts to address crimes that affect the environment through, inter alia, increasing assistance to law

enforcement efforts, legislative reforms and the development of sustainable and alternative livelihoods for affected communities;

(m) In its resolution [76/185](#), the General Assembly addresses the many challenges in preventing and combating crimes that affect the environment; Member States should consider further implementing the resolution.

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