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REPORT

on EU action plan against wildlife trafficking
(2016/2076(INI))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Catherine Bearder

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on EU action plan against wildlife trafficking (2016/2076(INI))

The European Parliament,

- having regard to the Commission communication entitled ‘The EU Action Plan against Wildlife Trafficking’ (COM(2016)0087),
- having regard to its resolution of 15 January 2014 on wildlife crime¹,
- having regard to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), implemented in the EU through Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein, and Commission Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97,
- having regard to Council Decision (EU) 2015/451 of 6 March 2015 concerning the accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)²,
- having regard to the 2003 United Nations Convention against Corruption,
- having regard to the 2000 United Nations Convention against Transnational Organised Crime,
- having regard to the Convention on Biological Diversity (CBD) and the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention),
- having regard to the 2016 World Wildlife Crime Report of the United Nations Office on Drugs and Crime (UNODC),
- having regard to UN General Assembly Resolution 69/314 of 30 July 2015 on tackling illicit trafficking in wildlife,
- having regard to UN Environment Assembly Resolution 2/14 on illegal trade in wildlife and wildlife products,
- having regard to the 2015-2030 United Nations Sustainable Development Goals (SDGs),
- having regard to the International Consortium on combating Wildlife Crime (ICWC), comprising CITES, Interpol, UNODC, the World Bank and the World Customs Organisation,
- having regard to the Declaration signed at the 2014 London Conference on the Illegal

¹ Texts adopted, P7_TA(2014)0031.

² OJ L 75, 19.3.2015, p. 1.

Wildlife Trade,

- having regard to the 2016 Buckingham Palace Declaration on the prevention of wildlife trafficking in the transport sector,
- having regard to Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market¹, and to the Commission's 2016 implementation report thereon,
- having regard to Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (IUU)²,
- having regard to Regulation (EU) No 605/2013 of the European Parliament and of the Council of 12 June 2013 amending Council Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels³ and Commission Regulation (EC) No 206/2009 of 5 March 2009⁴ which allows the import of 20 kg of fish products for personal consumption,
- having regard to the importance of the European Fisheries Control Agency, established by Council Regulation (EC) No 768/2005, in combating illegal capture and sale of aquatic species,
- having regard to Directive 2008/99/EC of 19 November 2008 on the protection of the environment through criminal law⁵,
- having regard to Council Directive 1999/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos⁶,
- having regard to Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁷,
- having regard to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁸,
- having regard to the study on wildlife crime published by its Policy Department for its Committee on the Environment, Public Health and Food Safety in March 2016,
- having regard to the Natura 2000 network, which involves core breeding and resting sites for rare and threatened species, and some rare natural habitat types which are protected in their own right,

¹ OJ L 295, 12.11.2010, p. 23.

² OJ L 286, 29.10.2008, p. 1.

³ OJ L 181, 29.6.2013, p. 1.

⁴ OJ L 77, 24.3.2009, p. 1.

⁵ OJ L 328, 6.12.2008, p. 28.

⁶ OJ L 94, 9.4.1999, p. 24.

⁷ OJ L 20, 26.1.2010, p. 7.

⁸ OJ L 206, 22.7.1992, p. 7.

- having regard to the report of the 2014 EU Action to Fight Environmental Crime (EFFACE) research project,
 - having regard to the Council conclusions of 12 February 2016 on the fight against the financing of terrorism,
 - having regard to the report of the Secretary-General of the UN Commission on Crime Prevention and Criminal Justice of 4 March 2003 entitled ‘Illicit trafficking in protected species of wild flora and fauna and illicit access to genetic resources’,
 - having regard to the Council conclusions of 20 June 2016 on the EU Action Plan against Wildlife Trafficking,
 - having regard to the 2016 rapid response assessment by the United Nations Environment Programme (UNEP) and Interpol entitled ‘The Rise of Environmental Crime’,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Development, the Committee on International Trade, the Committee on Fisheries and the Committee on Legal Affairs (A8-0303/2016),
- A. whereas wildlife trafficking is an organised international crime which is estimated to be worth approximately EUR 20 billion annually and which has increased worldwide in recent years, becoming one of the biggest and most profitable forms of organised cross-border crime; whereas wildlife trafficking finances and is closely linked with other forms of serious and organised crime;
 - B. whereas the loss of global biodiversity is serious, as it corresponds to the sixth wave of mass extinction of species;
 - C. whereas global biodiversity and ecosystem services are under threat owing to land-use changes, unsustainable use of natural resources, pollution and climate change; whereas, in particular, many endangered species face greater challenges than before owing to rapid urbanisation, loss of habitat and the illegal wildlife trade;
 - D. whereas wildlife trafficking has major negative impacts on biodiversity, existing ecosystems, the natural heritage of the countries of origin, natural resources and the conservation of species;
 - E. whereas wildlife trafficking is a serious and growing threat to global security, political stability, economic development, local livelihoods and the rule of law, and therefore requires a strategic, coordinated EU approach involving all the actors concerned;
 - F. whereas halting trafficking in endangered species of flora and fauna and products derived from them is essential in order to attain the UN’s sustainable development targets;
 - G. whereas CITES is a major international agreement covering 35 000 animal and plant

species, which has been in force since 1975 and signed by 183 parties (including all EU Member States and, since July 2015, the EU itself);

- H. whereas trade and development policies should, inter alia, serve as a means to improve respect for human rights, animal welfare and environmental protection;
- I. whereas the EU Trade in Wildlife Information Exchange (EU-TWIX) has been monitoring the illegal wildlife trade by creating a seizures database and channels of communication between officials across European countries since 2005;
- J. whereas lack of awareness and political engagement are major obstacles to combating wildlife trafficking effectively;
- K. whereas the EU Agenda on Security for 2015-2020 identifies wildlife crime as a form of organised crime that must be tackled at EU level by considering further criminal sanctions throughout the EU by means of a review of the existing legislation on environmental crime;
- L. whereas Operation COBRA III, conducted in May 2015, was the biggest ever coordinated international law enforcement operation targeting the illegal trade in endangered species and resulted in 139 arrests and more than 247 seizures, which included elephant ivory, medicinal plants, rhino horns, pangolins, rosewood, tortoises and many other plant and animal specimens;
- M. whereas the demand for illegal wildlife products in destination markets promotes corruption across the wildlife trafficking supply chain;
- N. whereas the EU is a significant destination market and transit route for illegal wildlife trade but also a source of trafficking in certain European endangered species of flora and fauna;
- O. whereas the UN Commission on Crime Prevention and Criminal Justice resolution of April 2013, endorsed by the UN Economic and Social Council on 25 July 2013, encourages its 'Member States to make illicit trafficking in protected species of wild fauna and flora involving organised criminal groups a serious crime', thereby placing it on the same level as human trafficking and drug trafficking;

General remarks

1. Welcomes the Commission's Action Plan against Wildlife Trafficking, which highlights the need for coordinated actions to address the causes of wildlife trafficking, to implement and enforce existing rules effectively, and to strengthen global cooperation between source, transit and destination countries;
2. Calls on the Commission, the Member States, the European External Action Service and the EU agencies Europol and Eurojust to recognise that wildlife crime is a serious and growing threat and to address it with the greatest political urgency; highlights the need for comprehensive and coordinated approaches across policy areas including trade, development, foreign affairs, transport and tourism, and justice and home affairs;

3. Stresses that the identification and allocation of appropriate financial and human resources is essential for the implementation of the Action Plan; underlines the need to provide adequate financial resources in the EU budget and the national budgets in order to ensure effective implementation of this plan;
4. Acknowledges the importance of the Action Plan, but stresses its shortcomings as regards the incorporation of aquatic species;
5. Insists on the full and timely implementation of all elements of the Action Plan reflecting the urgent need to stop illegal and unsustainable practices and prevent further species decline; calls on the Commission to provide Parliament and the Council with yearly written implementation updates and to set up an ongoing detailed monitoring and evaluation mechanism to measure progress, including the actions taken by Member States;
6. Calls on the Commission and the Member States to better increase the protection of the habitats of target species and stresses that increased protection should be ensured for areas designated as Vulnerable Marine Ecosystems, Ecologically or Biologically Significant Marine Areas and Natura 2000 network sites;
7. Calls on the Commission to establish a dedicated Wildlife Trafficking Coordinator's office, mirroring the model used to fight human trafficking, in order to ensure a joined-up effort by different Commission services and the Member States;
8. Reminds the Commission that many aquatic species are also in danger of being extinct, which will affect the sustainability of many ecosystems;
9. Calls on the Commission and the Member States to further develop scientific studies on technological adaptations of fishing gears in order to avoid bycatch, given the fact that a number of species, including turtles, are threatened by both bycatch and wild animal trafficking;

Preventing wildlife trafficking and addressing its root causes

10. Calls for a targeted and coordinated series of awareness-raising campaigns by the EU, third countries, stakeholders and civil society with the aim of reducing demand related to the illegal trade in wildlife products through real and lasting individual and collective behavioural change; recognises the role civil society organisations can play in supporting the Action Plan;
11. Calls on the EU to support initiatives promoting the development of alternative sustainable livelihoods for rural communities close to wildlife, which increase local benefits from conservation measures, minimise human-wildlife conflicts and promote wildlife as a valuable community income; believes that such initiatives, when taken in consultation with the communities concerned, will increase support for conservation and contribute to the recovery, conservation and sustainable management of wildlife populations and their habitats;
12. Stresses that wildlife protection must be a key element in the EU's global poverty-reduction strategies and calls for actions that enable local communities to benefit

directly from engaging in wildlife protection to be included in the various cooperation agreements negotiated with third countries;

13. Reminds the Commission that illegal trafficking in aquatic species also affects the economic development of coastal communities and the environmental suitability of our waters;
14. Calls for the EU, as a matter of urgency, to address corruption and the shortcomings of international governance measures across the wildlife trafficking chain; calls for the EU and its Member States to engage with partner countries through the United Nations Convention against Corruption (UNCAC) and other fora to tackle the problem in source, transit and destination markets; calls on all Member States to fully comply with and effectively implement the provisions of UNCAC; welcomes the international commitment on counter-corruption under Article 10 of UN General Assembly Resolution 69/314 of July 2015;
15. Recognises the need to provide assistance, guidance and training to authorities in source, transit and destination countries concerning investigation, enforcement and judicial procedures at local, regional and national level; underlines the need to coordinate these efforts in an efficient way among all agencies involved in this work; calls for the EU to support the exchange of best practices and to enable specialised equipment and expertise to be provided where necessary;
16. Takes note of the Council conclusions on the EU Action Plan against Wildlife Trafficking of 20 June 2016, recognising that wildlife crime is a serious and growing threat to biodiversity and the environment but also to global security, the rule of law, human rights and sustainable development; strongly regrets the lack of clear commitments by the Member States; stresses the decisive role of the Member States in the full and coherent implementation of the Action Plan at national level and in delivering the objectives set out therein;
17. Urges governments of the supply countries to: (i) improve the rule of law and create effective deterrents by strengthening criminal investigation, prosecution and sentencing; (ii) enact stronger laws treating illicit wildlife trafficking as a ‘serious crime’ deserving the same level of attention and gravity as other forms of transnational organised crime; (iii) allocate more resources to combating wildlife crime, particularly to strengthen wildlife law enforcement, trade controls, monitoring, and customs detection and seizure; (iv) commit to a zero-tolerance policy on corruption;

Making implementation and enforcement more effective

18. Calls on the Member States to put in place wildlife trafficking action plans detailing enforcement policies and penalties, and to publish and exchange the information on seizures and arrests relating to wildlife crimes, in order to ensure consistency and harmonised approaches between Member States; supports the setting up of a mechanism to provide the Commission with regular data and information updates on seizures and arrests in the Member States and promote the sharing of best practice;
19. Insists on the importance of the full implementation and enforcement of the EU Wildlife Trade Regulations;

20. Proposes that the penalties for wildlife trafficking, especially in areas with vulnerable marine ecosystems or falling within the Natura 2000 network, should be sufficiently severe as to deter potential offenders;
21. Urges the Member States to ensure that enforcement agencies, prosecution services and national judiciaries have the necessary financial and human resources and appropriate expertise to combat wildlife crime; strongly encourages the Commission and the Member States to increase their efforts to train and raise the awareness of all relevant agencies and institutions;
22. Welcomes the efforts of the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), the European Network of Prosecutors for the Environment (ENPE), the EU Forum of Judges for the Environment (EUFJE) and the network of police officers focusing on tackling environmental crime (EnviCrimeNet);
23. Notes the inclusion of illegal wildlife trade in the EU Agenda for Security 2015-2020, which recognises that the illegal trade in wildlife threatens biodiversity in source regions, sustainable development and regional stability;
24. Suggests that Member States invest the proceeds from fines imposed for trafficking in the protection and conservation of wild flora and fauna;
25. Calls for a step change in intelligence-gathering, law-making and law enforcement, and in the fight against corruption, in relation to wildlife trafficking in the Member States and other destination and transit countries; calls, therefore, on the Commission to pay very close attention to these aspects of administrating and monitoring the enforcement of international standards in relation to wildlife trafficking;
26. Stresses that in order to avoid the ‘migration’ of wildlife criminal networks, the harmonisation of policies and legal frameworks with respect to wildlife crime is particularly important;
27. Underlines the need for improved inter-agency cooperation and for functioning and timely data sharing between national and EU-level implementation and enforcement agencies; calls for the creation of strategic enforcement networks at both EU and Member State level in order to facilitate and improve such cooperation; calls on all the Member States to establish wildlife crime units to facilitate implementation across the various agencies;
28. Calls on the Member States to provide Europol with continuous and relevant intelligence and data; urges Europol to consider wildlife crime in the next EU Serious and Organised Crime Threat Assessment (SOCTA); calls for the establishment of a specialised Wildlife Crime Unit within Europol, with transnational powers and responsibilities and sufficient financial and human resources, enabling centralised information and analysis and coordinated enforcement strategies and investigations;
29. Calls on the Commission to promote the EU-TWIX system as a proven and well-functioning tool for Member States to share data and information, and to ensure a long-term financial commitment to it; believes that civil society organisations can play an

important role in monitoring enforcement and reporting on wildlife crime; calls for further cooperation from the EU and the Member States to support such efforts by NGOs;

30. Notes the links between wildlife crime and other forms of organised crime, including money laundering and the financing of militias and terrorist groups, and considers international cooperation for the combating of illicit financial flows to be a priority; calls for the EU and the Member States to use all relevant instruments, including cooperation with the financial sector, and to monitor and carry out research on the effects of emerging financial products and practices that are involved in this activity;
31. Urges the Member States to fully implement the provisions of Directive 2008/99/EC on the protection of the environment through criminal law and to set appropriate levels of sanctions for wildlife crime offences; is concerned that some Member States have not yet fully implemented the directive and calls on the Commission to assess the implementation in each Member State, especially in terms of penalties, and to provide guidance; calls on the Commission to undertake a review of Directive 2008/99/EC, in particular with regard to its effectiveness in combating wildlife crime, within the time frame set out in the EU Agenda for Security, and to make a proposal to revise it as appropriate; calls on the Commission to take steps towards establishing and implementing common minimum rules concerning the definition of criminal offences and sanctions relating to wildlife trafficking, pursuant to Article 83(1) TFEU on particularly serious crime with a cross-border dimension;
32. Considers that the customs dimension of the Action Plan should be further highlighted, with regard to both cooperation with partner countries and better and more effective implementation within the Union; looks forward, therefore, to the Commission's 2016 review of the implementation and enforcement of the EU's current legal framework, and asks for this review to include an assessment of customs procedures;
33. Urges the Member States to effectively implement and comply with the UN Convention against Transnational Organised Crime (UNTOC) as a basis for international action and mutual legal assistance and as a key step towards a common coordinated approach to combating wildlife crime; deeply regrets, in this connection, the fact that eleven Member States have not yet implemented UNTOC; calls on the Member States in question to implement the Convention as soon as possible;
34. Considers that action against wildlife crime requires consistent, effective and dissuasive criminal penalties; urges the Member States to define wildlife trafficking as a serious crime in accordance with Article 2(b) of UNTOC;
35. Recognises the need for guidance on prosecution and sentencing for Member State judiciaries and prosecutors and the need for training for customs and enforcement officers at entry points into the EU; considers UNEP's 'Global Judges Programme' and the 'Green Customs Initiative' partnership as models to follow;
36. Calls on the Commission, the relevant EU agencies and the Member States to recognise the scale of online wildlife trafficking and to build capacity within environmental crime and customs units, coordination with cybercrime units, and engagement with civil society organisations, in order to ensure that channels exist to trigger assistance from

cross-border units specialised in cybercrime;

37. Calls on the Member States and the Commission to engage with the operators of social media platforms, search engines and e-commerce platforms on the problem of the illegal internet trade in wildlife; calls on the Commission and the Member States to strengthen control measures and to develop policies to address potential illegal activity on the internet; in this regard, calls on the Commission to develop guidelines on how to address the problem of online wildlife crime at EU level;
38. Calls on EU and Member State enforcement agencies to identify and monitor the patterns of other forms of serious and organised crime, such as human trafficking, in order to aid prevention activities and the investigation of irregularities in the supply chain when tackling wildlife trafficking, for example suspicious shipments and financial transactions;
39. Welcomes the fact that the EU participated in COP17 for the first time as a party to CITES and welcomes the fact that the EU and the Member States demonstrate strong dedication and provide substantial financial support for CITES;
40. Welcomes UNEP's expert review process, which is seeking to create a universally recognised definition of environmental crime; in this regard, notes that the legal boundaries between different types of environmental crimes are sometimes unclear, which can reduce opportunities for effective prosecution and punishment;

Strengthening the global partnership

41. Calls on the Commission and the Member States to step up dialogue and cooperation with source, transit and destination countries in the wildlife trafficking supply chain and to provide them with technical and economic assistance and diplomatic support; believes that the EU must act at international level to support third countries in combating wildlife trafficking and contribute to the further development of necessary legal frameworks through bilateral and multilateral agreements;
42. Highlights that widespread corruption, institutional weaknesses, state erosion, mismanagement and weak penalties for wildlife crime are major challenges that need to be addressed if transnational wildlife trafficking is to be combated effectively; urges the EU to support developing countries in their efforts to reduce poaching incentives by improving economic opportunities and promoting good governance and the rule of law;
43. Calls on the EU institutions, the Member States and all states concerned to investigate more systematically the links between wildlife trafficking and regional conflicts and terrorism;
44. Calls on the Commission and the Member States to establish a trust fund or similar facility under Article 187 of the revised Financial Regulation applicable to the general budget of the Union, with the objective of safeguarding protected areas and combating wildlife trafficking and poaching, as part of the Action Plan against wildlife trafficking;
45. Calls on the EU to upgrade the financial and technical support, provided through the Development Cooperation Instrument (DCI) and the European Development Fund

(EDF), aimed at helping developing countries implement national wildlife regulations in line with CITES recommendations, particularly for those with insufficient resources to enforce legislation and prosecute smugglers;

46. Calls on the Commission to consider funding under the Partnership Instrument for initiatives aimed at reducing demand for illicit wildlife products in key markets, in line with Priority 1 of the Action Plan; highlights that the involvement of civil society in the monitoring structures under the trade and sustainable development chapters of EU trade agreements can make significant contributions in this regard;
47. Stresses the importance of addressing, in the context of the EU-China Strategic Partnership, the sensitive issue of the growing demand for wildlife products, such as elephant ivory, rhino horn and tiger bones, which represents a real threat to the conservation of the species concerned and to biodiversity in general;
48. Calls on the Commission to include mandatory and enforceable sustainable development chapters in all EU trade agreements and negotiations, with specific reference to halting illegal trade in wildlife in all economic sectors, and calls on the Commission to include analyses of these provisions in its implementation reports; urges the Commission to emphasise the implementation of CITES and measures against wildlife crime in the GSP+ trade scheme;
49. Notes that corruption is one of the main enablers and contributors to the trade in illegal wildlife and wildlife products; welcomes the commitment made in the Commission strategy entitled 'Trade for All' to include ambitious anti-corruption provisions to tackle the direct and indirect impact of both corruption and wildlife trafficking in all future trade agreements; requests, therefore, that the Commission pay the utmost attention to the facets of administration and monitoring of the enforcement of international standards in relation to wildlife trafficking;
50. Calls on the EU to explore, within the scope of the WTO framework, how global trade and environmental regimes can better support each other, especially in the context of ongoing work on strengthening coherence between the WTO and Multilateral Environmental Agreements, as well as in light of the Trade Facilitation Agreement, which opens up new avenues for cooperation between customs and wildlife and trade officials, especially in developing countries; considers that further opportunities for cooperation between the WTO and CITES should be explored, in particular in terms of offering technical assistance and capacity-building on trade and environment matters to officials from developing countries;
51. Underlines the key role of international cooperation by the organisations in the enforcement chain; calls on the EU and the Member States to continue to support the International Consortium on Combating Wildlife Crime (ICWC); welcomes any strengthening of this support, including through the provision of financial resources and specialist expertise, in order to facilitate capacity-building, promote the exchange of information and intelligence and support enforcement and compliance; calls on the Commission to use ICWC indicators to evaluate the effectiveness of EU funding to third countries in support of actions against wildlife trafficking and to facilitate a uniform and credible assessment of development funding;

52. Welcomes international law enforcement operations such as Operation COBRA III, which result in significant seizures of illegal wildlife products and arrests of traffickers and provide increased public visibility of wildlife trafficking as a serious organised crime;
53. Calls on the Member States to reinforce the CITES budget so that the organisation can expand its monitoring activity and species designation; in this regard, regrets that six Member States still have outstanding payments from the years 1992 to 2015 to be made to CITES;
54. Welcomes also the fact that the EU Action Plan makes a major contribution to achieving the Sustainable Development Goals set under the 2030 Agenda for Sustainable Development, agreed by heads of state at a UN summit in September 2015;

EU as a destination market, source and transit point

55. Notes that CITES, the EU Timber Regulation and the EU IUU regulatory framework are important tools for regulating international wildlife trade; is concerned, however, about the lack of proper implementation and enforcement and calls on Member States to step up their joint and coordinated efforts to ensure effective implementation; is concerned, furthermore, about gaps in the current regulatory framework with regard to species and actors; calls, therefore, for the EU to review the existing legislative framework with a view to supplementing it with a prohibition on the making available and placing on the market, transport, acquisition and possession of wildlife that has been illegally harvested or traded in third countries; considers that such legislation could harmonise the existing EU framework and that the transnational impact of such legislation could play a key role in reducing global wildlife trafficking; in this respect, highlights that such legislation must provide full transparency regarding any trade prohibitions of species based on their illegal status in a third country in order to ensure legal certainty for those involved in legal trade;
56. Underlines that trophy hunting has contributed to large-scale declines in endangered species listed in CITES Appendices I and II and urges the Commission and the Member States to establish a precautionary approach for the import of hunting trophies from species protected under the EU Wildlife Trade Regulations, to support the further strengthening of the EU's legal provisions governing the import of hunting trophies into EU Member States, and to require permits for the import of trophies of all species listed in Annex B to Regulation (EC) No 338/97;
57. Welcomes the 2016 Buckingham Palace Declaration, in which signatories from airlines, shipping firms, port operators, customs agencies, intergovernmental organisations and conservation charities commit to raising standards across the transport sector with a focus on information sharing, staff training, technological improvements, and resource sharing across companies and organisations worldwide; calls on all parties to fully implement the commitments of the Declaration; encourages the Member States to promote voluntary commitments similar to the Buckingham Palace Declaration in other areas, in particular the financial and e-commerce sectors;
58. Calls for the full and immediate ban at European level of trade, export or re-export within the EU and to destinations outside the EU of ivory, including 'pre-Convention'

ivory, and rhino horns; calls for the establishment of a mechanism to assess the need for similar restrictions for other endangered species;

59. Notes that the EU regulation to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing has made an impact, but insists that implementation should be more robust in order to ensure that no illegal fish enter the European market; suggests that the EU Member States should be more consistent and effective in checks of catch documentation (catch certificates) and consignments (in particular from countries judged as high-risk) in order to ensure that fish have been caught legally;
60. Highlights the importance of the private sector's involvement in the fight against wildlife trafficking by means of self-regulation and through corporate social responsibility; considers traceability in the supply chain essential for legal and sustainable trade, whether commercial or non-commercial; highlights the need for cooperation and coordination at international level as well as between the public and private sectors and calls on the EU to strengthen the existing control instruments, including the use of traceability mechanisms; considers that the transport sector should play a pivotal role, for example by implementing an early warning detection system; notes the important role public-private partnerships can play in this regard;
61. Calls, in addition to border checks required under Regulation (EC) No 338/97, for Member States to introduce in-country compliance monitoring with regular checks on traders and permit holders such as pet shops, breeders, research centres and nurseries, and including monitoring of trades such as fashion, art, medicine and catering, that may use illegal plant and animal parts;
62. Calls on the Member States to ensure the immediate confiscation of any seized specimens and the care and re-homing of seized or confiscated live specimens at animal rescue centres appropriate to the species; calls on the Commission to provide guidance to ensure that all wildlife rescue centres used by the Member States are of adequate standard; calls, furthermore, on the EU and the Member States to ensure adequate financing of animal rescue centres;
63. Calls on the Member States to adopt national plans for the handling of live confiscated specimens in line with Annex 3 to CITES Resolution Conference 10.7 (Rev. CoP15); stresses that Member States should report all seized live specimens to EU-TWIX and that annual summary reports should be published, and that Member States should ensure that the training of enforcement officers includes welfare and safety considerations for the handling of live animals; calls on the EU and the Member States to commit adequate financial support to wildlife rescue centres;
64. Calls on the Member States to consider 'positive list' species systems, whereby exotic species are assessed objectively and according to scientific criteria for their safety and suitability for trading and keeping as pets;

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65. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

On World Wildlife Day in 2015 the UN Secretary-General Ban Ki-moon said ‘It is time to get serious about wildlife crime’. It was a simple, but firm message that wildlife trafficking poses a serious and growing threat, not only to the survival of numerous species of flora and fauna, but also to the rule of law, human rights, global governance, well-being of local communities and most importantly the very survival of the world’s ecosystems.

Wildlife Trade has become a billion-euro criminal industry dominated by organised criminal groups. The risk of detection is low and the financial reward is high, attracting criminal gangs to exploit illegally caught and removed wildlife to fund their criminal activity.

Efforts to curb wider environmental crimes are becoming particularly important in response to threats against peace and security. Across the world, non-state armed groups, terrorist groups and others are increasingly engaging in environmental crimes and thrive on the exploitation of natural resources as it is easier to harness than incomes derived from other forms of exploitation e.g. smuggling drugs, cigarettes, or migrants.

The European Union is an important actor both in the fight against wildlife crime, as a major destination for illegal wildlife products, as well as a transit and often source point for wildlife trafficking especially between Africa, Asia, and Latin America but also within the EU itself.

The Action Plan is part of the EU’s response to the UN’s 2030 Agenda for Sustainable Development and in particular Sustainable Development Goal 15, which calls for immediate action to end poaching and trafficking of protected species and address both demand and supply of illegal wildlife products.

From 2016 to 2020, the Action plan will strengthen the EU’s role in the global fight against wildlife trafficking through a set of priorities: prevention, enforcement, cooperation as well as the recognition of the EU as a destination market, and a source and transit point for wildlife products.

The first priority of the Action Plan is to prevent wildlife trafficking and address its root causes. A crucial step in achieving this will be for the EU to reduce the global demand for and supply of illegal wildlife products using the tools available: the CITES framework, awareness raising campaigns, addressing the serious issue of corruption in the supply chain and developing the capacity of source countries enforcement agencies, and ranger forces who are tackling wildlife trafficking on the ground.

The second priority of the Action Plan is to ensure effective implementation and enforcement of existing rules to combat organised wildlife crime. As it stands Member States are not providing sufficient seizure information and data to enforcement agencies Europol and Eurojust which severely limits their ability to tackle wildlife trafficking on a cross-border level. Also the penalties being given to wildlife traffickers do not match the seriousness of the crime. EU Member States should introduce fixed and harmonious penalties for convicted wildlife traffickers. The EU must explore the possibility of introducing legislation to prohibit the import, trade and re-export of species that are protected in their countries of origin. The US Lacey Act is an example of such legislation. While CITES is a useful tool for regulating wildlife trade and protecting endangered species, it does not encompass all critical species, nor is it able to react to changing circumstances quickly enough and therefore provides criminals with easy

opportunities to exploit loopholes.

The third priority is to strengthen the global partnership of source, consumer and transit countries against wildlife trafficking. To do this it is important to provide political support and technical assistance to key source, transit and destination countries. Also the EU need to use its economic power to insert clauses in current and future trade deals on the need to tackle wildlife trafficking. The Trans-Pacific Partnership (TPP) trade deal between the USA and eleven Pacific Rim countries included environmental provisions to tackle wildlife trafficking; while they are imperfect, they do make a political statement that biodiversity should be taken into account when conducting trading relationships. This should be a model on which to build new EU trade negotiations.

Finally the EU in itself is a very active market for the trade in illegal wildlife products. Not only is it a transit point and destination market for trade, it is also a source for illegal wildlife products protected under EU law. Member States need to address the internal trade in illegal collected wildlife products sold as legal commodities, like flowers, furniture and exotic pets. Also EU Member States need to consider updating and improving their animal welfare and rescue centres to cope with a large variety of species which are seized at border points and elsewhere in the EU.

Ultimately it is the shared responsibility of EU Member States to step up to this challenge and halt the rapid decline in some of the world's most cherished species. By doing so we will not only be preserving biodiversity for future generations but also improving and bolstering the EU's security framework, improving the lives of local communities, increasing sustainable development and strengthening the rule of law.

12.9.2016

OPINION OF THE COMMITTEE ON DEVELOPMENT

for the Committee on the Environment, Public Health and Food Safety

on the EU Action Plan against Wildlife Trafficking
(2016/2076(INI))

Rapporteur: Brian Hayes

SUGGESTIONS

The Committee on Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas around 70 % of the world's poor live in rural areas and depend directly on biological diversity for their livelihoods; whereas the protection of biodiversity is therefore important for sustainable livelihoods and pro-poorest development; whereas conversely, the involvement of local communities can be crucial for success in such protection;
- B. whereas global biodiversity and ecosystem services are under threat owing to land-use changes, unsustainable use of natural resources, and pollution and climate change; whereas, in particular, many endangered species face greater challenges than before owing to rapid urbanisation, loss of habitat and illegal wildlife trade;
- C. whereas the EU's participation as a legal entity in this species-protection system cannot but confirm the prominent and responsible stance taken by the EU in promoting sustainability;
- D. whereas natural resource management practices and illegal trade closely linked to governance and security constraints form the fourth largest type of international crime in terms of annual turnover;
- E. whereas the roots of most conflicts lie in the exploitation of natural wealth or the illegal trade in animals, which endangers local communities, biodiversity and flora and fauna;
- F. whereas conflicts between people and animals, which result from the loss of habitats and the growing needs of humans, constitute a major threat to the continued survival of many species in different parts of the world; whereas forest loss and degradation is mostly caused by the expansion of agricultural land and the intensive harvesting of timber, wood

for fuel and other forest products, as well as by overgrazing; whereas wild species that come into contact with humans are often killed or captured; whereas confronting armed poachers can be extremely dangerous;

- G. whereas elephants and rhinoceroses are at the top of the list of species being killed by poachers, reflecting the rising demand across the world for their tusks and horns; whereas poachers may be driven by poverty or exploited by criminal organisations seeking to recruit hunters with knowledge of the local terrain;
 - H. whereas wildlife trafficking – which involves poachers, armed non-state actors in source countries, international crime groups and a range of players in demand countries – is not a new phenomenon, but its scale, nature and impacts have reached unprecedented levels for some species;
 - I. whereas there is a need to recognise the intrinsic value of biological diversity and its various contributions to sustainable development and human well-being, in keeping with the objectives spelled out in Goal 15 of Agenda 2030 for Sustainable Development;
 - J. whereas wildlife crime is a serious, transnationally organised criminal business worldwide, with an annual turnover of at least USD 19 billion, making it the fourth largest illegal activity in the world; whereas its effects on biodiversity are devastating and whereas, given its close association with corruption, it is having a negative impact on the rule of law, notably in some regions in Africa, where it has a very negative impact on the potential for economic development;
 - K. whereas the EU has an important role to play in tackling this traffic, as Europe is currently both a destination market and a hub for transit trafficking to other regions; whereas Europe is also a region from which certain species are sourced for illegal trade;
1. Is concerned about the increasing scale of poaching and illegal trade in wildlife and wildlife products and its adverse economic, social and environmental impacts; believes that the fight against poaching requires EU-coordinated response and assistance to countries with limited capacity to protect wildlife; believes that the EU can play an extended role in protecting and maintaining wildlife-reserve projects in developing countries;
 2. Recalls that biodiversity and resilient ecosystems support livelihoods, enhance food and nutrition security, enable access to water and to health, and contribute significantly to climate change mitigation and adaptation; deems it crucial, therefore, that biodiversity and ecosystem services are protected in order to ensure that sustainable livelihoods contribute to poverty reduction worldwide;
 3. Stresses that the EU's Policy Coherence strategy enshrined in the Treaties must take due account of wildlife protection, underlines the critical role of biodiversity in the Sustainable Development Goals and supports the B4Life flagship initiative on biodiversity protection, implemented in particular via the European Development Fund and the Development Cooperation Instrument, as well as objective 1.2 of the EU Action Plan against Wildlife Trafficking relating to rural communities; calls on the Commission to ensure that relevant actions are consistent with the fundamental poverty reduction objective of EU development policy, sustainable forestry policies and the UN Sustainable Development

Goals, in particular Goal 15, and that they have positive impacts on, in particular, food security, natural habitats and ecosystems; calls on the EU to promote income-generating activities in protected areas and in their buffer zones (i.e. through sustainable tourism), and to strengthen local capacities accordingly;

4. Calls the Commission and the Council to leverage their trade and development instruments to establish dedicated programmes in order to strengthen the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and to provide resources for capacity-building against poaching and trafficking, in particular by supporting, strengthening and expanding enforcement initiatives such as the ASEAN Wildlife Enforcement Network (ASEAN-WEN), the Horn of Africa Wildlife Enforcement Network (HA-WEN) and the Lusaka Agreement Task Force(LATF), which aim to establish regional centres of expertise and provide models for cooperation against wildlife crime;
5. Recalls that a large part of the problems faced in the EU in relation to wildlife trafficking is caused by poor implementation by the Member States of relevant EU legislation; urges the Member States, and all other relevant actors, to implement the EU Action Plan against Wildlife trafficking by the indicated timelines, in accordance with the conclusions on this Action Plan adopted by the Council on 20 June 2016;
6. Considers that the wealth of Africa's populations is largely dependent on its wildlife and that rural poverty is a fundamental element of poaching at the field level;
7. Believes that NGOs can play an important role in monitoring enforcement and reporting on wildlife crime; calls for further support to efforts by NGOs, given the limited capacity of local public authorities in these fields;
8. Stresses that wildlife protection, focussed mostly on conserving ecosystems and landscapes supporting the main African wildlife populations, must be a key element in EU poverty-reduction strategies;
9. Stresses that the Action Plan is destined to fail if it is not adequately financed; believes that financial resources to ensure implementation of the plan must be identified in the budget of the EU and of each Member State, and that human resources should also be allocated in a clear way;
10. Takes the view that wildlife and forest crime should be given the same attention as any other form of transnational organised crime, and that, consequently, law enforcement should not limit itself to poachers, but target as well the higher echelons of organised crime;
11. Urges governments of the supply countries to: (i) improve the rule of law and create effective deterrents by strengthening criminal investigation, prosecution and sentencing; (ii) enact stronger laws treating illicit wildlife trafficking as a 'serious crime' deserving the same level of attention and gravity as other forms of transnational organised crime; (iii) allocate more resources to combating wildlife crime, particularly to strengthen wildlife law enforcement, trade controls, monitoring, and customs detection and seizure; (iv) commit to a zero-tolerance policy on corruption;

12. Stresses that collective interventions at global level are needed to counter wildlife crime, including its financial dimension, through international cooperation on anti-money laundering; stresses as well the need to launch awareness-raising campaigns to curb the demand for wildlife products;
13. Urges supply, transit and demand countries to deepen their levels of cooperation in combatting illegal wildlife trade along the entire chain; calls, to this end, for increased cooperation between i.e. the International Criminal Police Organisation (Interpol), the World Customs Organisation (WCO), the United Nations Office on Drugs and Crime (UNODC) and the United Nations Convention against Corruption (UNCAC);
14. Calls on the EU to upgrade the financial and technical support, provided through the DCI and EDF, aimed at helping developing countries implement national wildlife regulations in line with CITES recommendations, particularly for those with insufficient resources to enforce legislation and prosecute smugglers;
15. Underlines that poverty and weak administrations enable criminals to corrupt poorly paid officials of enforcement authorities; stresses the need to manage in a responsible way the risks associated with combating poaching and trade in wild species – both of which do damage to ecosystems and rural livelihoods, including those based on ecotourism – as well as the need for targeted awareness-raising among specialists on organised crime and money laundering; highlights that widespread corruption, institutional weakness, state erosion, mismanagement and weak penalties for wildlife crime are major challenges that need to be addressed if transnational wildlife trafficking is to be combatted effectively; urges the EU to support developing countries in their efforts to reduce poaching incentives by improving economic opportunities and promoting good governance and the rule of law, by providing training and support to agencies addressing the illegal wildlife trade, and by raising awareness about such trade calls on the EU institutions, the Members States and all states concerned to investigate more systematically the links between wildlife trafficking and regional conflicts or terrorism, pending the outcomes of the forthcoming UNODC report;17. Emphasises that a long-term anti-corruption strategy is needed, and that the capacity to investigate allegations of complicity at Government level in an effective way should be increased; emphasises that this could, as a last resort, lead to sanctions at both EU and wider international level;
16. Calls for actions that enable local actors to benefit directly from engaging in wildlife protection and, in parallel with measures to discourage illicit wildlife-related activities, improve their chances of earning a living without partaking in such activities; calls in particular for such actions to be included, as a matter of priority, in the various trade and cooperation agreements negotiated with third countries; calls on the Commission to consider introducing pilot projects to this end, targeting, in particular, the training of, and support for, local customs authorities and forestry corps within the framework of cooperation agreements;
17. Believes that the private sector should be encouraged to act as a role model, both within and outside EU territory, through a code of conduct condemning the consumption of illegal wildlife products;
18. Calls for support for private-sector initiatives to curb the illegal wildlife trade;

19. Calls, in implementing the EU Action Plan, for closer and constructive cooperation between stakeholders, including civil society organisations and relevant business sectors, to make more effective use of existing tools and policies, and to strengthen the synergies between them, in order to ensure that they have a maximum impact when it comes to addressing wildlife trafficking across the EU and globally;
20. Calls for a step change in intelligence-gathering, law-making and law enforcement, and the fight against corruption, in relation to wildlife trafficking in the Member States and other destination and transit countries; calls, therefore, on the Commission to pay very close attention to these aspects of administrating and monitoring the enforcement of international standards in relation to wildlife trafficking;
21. Underlines that the inclusion of a sustainable development chapter in every new trade agreement should be made mandatory; considers that legal and sustainable trade can bring positive contributions to sustainable development and to communities; believes that the EU must act at international level to support third countries in fighting wildlife trafficking and must contribute to the further evolution of relevant legislation through bilateral and multilateral agreements;
22. Calls for reinforced international accountability mechanisms, and for urgent policy and legal improvements, aimed at halting trafficking and putting a stop to the demand for wildlife and forest products;
23. Calls for a detailed annual report monitoring and evaluating implementation progress, including a mechanism similar to the scorecard used to monitor progress towards the completion of the Natura 2000 Network;
24. Stresses that in order to avoid the ‘migration’ of wildlife criminal networks, the harmonisation of policies and legal frameworks with respect to wildlife crime is particularly important;
25. Urges the EU and all its Member States to expand support for international trade regulation, to close definitively the domestic ivory markets and to destroy any stockpiles of ivory.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	31.8.2016
Result of final vote	+: 25 -: 1 0: 0
Members present for the final vote	Louis Aliot, Beatriz Becerra Basterrechea, Ignazio Corrao, Manuel dos Santos, Doru-Claudian Frunzuliță, Nathan Gill, Charles Goerens, Enrique Guerrero Salom, Heidi Hautala, Maria Heubuch, György Hölvényi, Teresa Jiménez-Becerril Barrio, Stelios Kouloglou, Arne Lietz, Linda McAvan, Norbert Neuser, Cristian Dan Preda, Lola Sánchez Caldentey, Eleni Theoharous, Paavo Väyrynen, Bogdan Brunon Wenta, Rainer Wieland, Anna Záborská
Substitutes present for the final vote	Brian Hayes, Joachim Zeller
Substitutes under Rule 200(2) present for the final vote	Liliana Rodrigues

OPINION OF THE COMMITTEE ON INTERNATIONAL TRADE

for the Committee on the Environment, Public Health and Food Safety

on EU Action Plan against Wildlife Trafficking
(2016/2076(INI))

Rapporteur: Emma McClarkin

SUGGESTIONS

The Committee on International Trade calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the EU Action Plan against Wildlife Trafficking, which will play a crucial role in combating the alarming rise in the highly lucrative illegal trade in wildlife which destabilises economies and communities that depend on wildlife for their livelihood and threatens the peace and security of fragile regions of EU trade partners by strengthening illicit routes; underlines, in particular, that the EU remains a significant destination market and transit route for illicit wildlife products; notes, therefore, Priorities 1 and 2 concerning the prevention of wildlife trafficking and implementation and enforcement of the relevant existing rules and legal frameworks;
2. Considers that the customs dimension of the Action Plan should be further highlighted, with regard to both cooperation with partner countries and better and more effective implementation within the Union; looks forward, therefore, to the Commission's 2016 review of the implementation and enforcement of the EU's current legal framework, and asks for this review to include an assessment of customs procedures;
3. Calls on the Commission to reflect on ways to improve the EU's existing legal order, in line with other major global partners such as the US, with a view to preventing importing, trading in and re-exporting species that are not yet included in the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) or in the annexes to Regulation (EC) No 338/97, but are already protected in the countries of origin;
4. Emphasises the principle of policy coherence for development in order for the common commercial policy to make a significant contribution to the Union's action against wildlife trafficking, as a tool both to underpin efforts directly related to the action plan and to create overall conditions conducive to preserving biodiversity, particularly by creating

alternative revenue options for people living in rural areas in partner countries affected by poaching;

5. Calls on the Commission, in the framework of Regulation (EC) No 338/97, to consider proposals for a broader limitation of trade in ivory and rhino horn into the EU, including a possible complete ban on ivory and rhino horn products which should comply with both EU internal market and WTO rules;
6. Calls for the better use of existing resources, the use of up-to-date technology and adequate training for customs authorities in source, transit and destination countries, especially developing countries, stronger international cooperation, increased public-private partnerships and the closing of existing loopholes, in order to successfully combat the illegal trade in wildlife while at the same time facilitating legal and sustainable wildlife trade; notes in this connection the close linkages between the lucrative, extensive and organised illegal trade in wildlife species and international terrorism, and calls for well-coordinated cooperation between police and customs authorities at the global level, recognising that in stemming the illegal trade in wildlife the Action Plan should positively curtail the financing of criminal and terrorist organisations, helping by doing so to reinforce the rule of law and contribute to stable and secure nations;
7. Calls for resource allocation toward critical capacity-building efforts in source, transit and destination countries, such as training, public outreach, establishment and maintenance of wildlife rescue centres, and ecotourism programmes;
8. Notes that corruption is one of the main enablers and contributors to the trade in illegal wildlife and wildlife products; welcomes the commitment made in the Commission strategy entitled 'Trade for All' to include ambitious anti-corruption provisions to tackle the direct and indirect impact of both corruption and wildlife trafficking in all future trade agreements; requests the Commission, therefore, to pay the utmost attention to the facets of administration and monitoring of the enforcement of international standards in relation to wildlife trafficking;
9. Notes that legal trade in wildlife can contribute to incomes in developing countries, especially in rural areas; calls for measures promoting legal and environmentally sustainable wildlife trade as a tool for promoting economic development and biodiversity;
10. Welcomes the inclusion of provisions ensuring the conservation and sustainable use of biological diversity in the trade and sustainable development chapter of the EU-Vietnam free trade agreement (FTA,) and insists on including enforceable wildlife protection provisions in all future EU FTAs, including, but not limited to, those with the US, Japan and ASEAN countries as target markets; stresses the importance of making the commitments of trade and sustainable development chapters enforceable, and calls on the Commission to include the analysis of these provisions in its implementation reports, as well as to emphasise reporting on the implementation of CITES in the context of the GSP+ scheme;
11. Calls on the Commission to consider funding under the Partnership Instrument for initiatives aimed at reducing demand for illicit wildlife products in key markets, in line with Priority 1 of the Action Plan; highlights that the involvement of civil society in the monitoring structures under the trade and sustainable development chapters of EU trade

agreements can make significant contributions in this regard;

12. Stresses the importance of addressing, in the context of the EU-China Strategic Partnership, the sensitive issue of the growing demand for wildlife products, such as elephant ivory, rhino horn and tiger bones, which represents a real threat to the conservation of the species concerned and to biodiversity in general;
13. Highlights the importance of ensuring the private sector's involvement in the fight against wildlife trafficking, considering the role and impact of e-commerce platforms, distribution networks, transport and courier companies, but stresses that appropriate guidance must be issued to private-sector actors; welcomes emerging collaborative zero tolerance approaches between wildlife trade experts and logistics companies; considers that the Commission should reflect on how best to ensure that relevant legal frameworks can better address risks related to e-commerce and online and offline commercial advertising;
14. Stresses the importance of effective and efficient labelling and traceability systems, as a guarantee of the legality and sustainability of trade in wildlife;
15. Calls on the EU to explore, within the scope of the WTO framework, how global trade and environmental regimes can better support each other, especially in the context of ongoing work on strengthening coherence between the WTO and Multilateral Environmental Agreements, as well as in light of the Trade Facilitation Agreement, which opens new avenues for cooperation between customs and wildlife and trade officials, especially in developing countries; considers that further opportunities for cooperation between the WTO and CITES should be explored, in particular in terms of offering technical assistance and capacity-building on trade and environment matters to officials from developing countries;
16. Calls on the Commission to engage with partners in the context of CITES and elsewhere in order to ensure traceability of wildlife products, as many trophies resulting from deplorable poaching activities leave the black market and end up introduced into legal commercial streams;
17. Strongly urges the EU to oppose the current proposal to remove the existing annotations on elephant ivory from Namibia and Zimbabwe at the upcoming CITES COP17, which would make it commercially tradable, and to support the proposal to include all African elephants in Appendix I.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	26.9.2016						
Result of final vote	<table style="width: 100%; border: none;"> <tr> <td style="width: 100px;">+:</td> <td style="text-align: right;">31</td> </tr> <tr> <td>-:</td> <td style="text-align: right;">0</td> </tr> <tr> <td>0:</td> <td style="text-align: right;">4</td> </tr> </table>	+:	31	-:	0	0:	4
+:	31						
-:	0						
0:	4						
Members present for the final vote	Laima Liucija Andrikiene, David Campbell Bannerman, Daniel Caspary, Marielle de Sarnez, Eleonora Forenza, Karoline Graswander-Hainz, Alexander Graf Lambsdorff, Bernd Lange, David Martin, Emmanuel Maurel, Emma McClarkin, Anne-Marie Mineur, Sorin Moisă, Alessia Maria Mosca, Franz Obermayr, Inmaculada Rodríguez-Piñero Fernández, Tokia Saïfi, Marietje Schaake, Helmut Scholz, Joachim Schuster, Joachim Starbatty, Iuliu Winkler, Jan Zahradil						
Substitutes present for the final vote	Eric Andrieu, Reimer Böge, José Bové, Edouard Ferrand, Gabriel Mato, Frédérique Ries, Jarosław Wałęsa						
Substitutes under Rule 200(2) present for the final vote	Werner Kuhn, Verónica Lope Fontagné, Francisco José Millán Mon, Cláudia Monteiro de Aguiar, Milan Zver						

11.10.2016

OPINION OF THE COMMITTEE ON FISHERIES

for the Committee on the Environment, Public Health and Food Safety

on the EU action plan against wildlife trafficking
(2016/2076(INI))

Rapporteur: Ricardo Serrão Santos

SUGGESTIONS

The Committee on Fisheries calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Acknowledges the importance of the action plan, but stresses its shortcomings as regards the incorporation of aquatic species;
2. Draws attention to the fact that one of the commitments entered into by the Union under the Convention on Biological Diversity is to protect marine biodiversity in general, in EU waters and on the high seas; stresses that the objective of protecting marine biodiversity should be pursued by a variety of means, including action to combat IUU fishing, monitor all forms of trafficking on the seas, strengthen the external dimension of the common fisheries policy and combat crime in general;
3. Notes that the EU regulation to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing has made an impact, but insists that implementation should be more robust in order to ensure that no illegal fish enter the European market; suggests that EU members should be more consistent and effective in checks of catch documentation (catch certificates) and consignments (in particular from countries judged as high-risk) in order to ensure that fish have been caught legally;
4. Recalls that the species of sea turtles *Chelonia mydas*, *Eretmochelys imbricata* and *Dermochelys coriacea* are threatened by illegal trafficking, and that in addition to illegal catches they are still bycaught in some industrial fisheries;

5. Reminds the Commission that illegal trafficking in aquatic species also affects the economic development of coastal communities and the environmental suitability of our waters;
6. Notes that the EU regulation to prevent, deter and eliminate IUU fishing can only be effective in the long run if information on seafood imports can be shared among the 28 Member States in real time, allowing for cross-checks, verifications and ultimately, a coordinated approach in identifying and blocking suspicious consignments; calls on the Commission, therefore, to create an electronic database of information on imported seafood products in order to prevent potential abuse;
7. Draws attention to the economic, social and environmental costs of trafficking in marine species, which results in loss of marine biodiversity, endangers ecosystems and reduces sources of income for those engaged in sustainable fishing, and is a threat to health;
8. Recalls that the populations of sturgeon have decreased dramatically owing to habitat destruction and intense exploitation to meet the demand for caviar; stresses that the caviar trade is regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and that the exploitation of certain species is prohibited;
9. Reminds the Commission that many aquatic species are also in danger of being extinct, which will affect the sustainability of many ecosystems;
10. Recalls that coral harvesting which is illegal, as in the case of *Corallium rubrum* in the Mediterranean and the Atlantic, or accidental, as in the case of that associated with bottom trawling and longline fisheries, constitutes a threat to habitats and the ecosystem services that they support;
11. Welcomes the fact that monitoring issues have been regarded as important, but calls on the Commission to be more precise when referring to IUU fishing and to the European Fisheries Control Agency (EFCA) in particular;
12. Supports strengthening the implementation of existing agreements as well as enforcing new legislation at national level, especially in developing countries, with a view to complying with CITES and IUU regulations by helping to develop programmes, establish regulations, run workshops and assist enforcement efforts;
13. Calls on the Commission to ensure that the new action plan includes a mechanism for cooperation between the fight against IUU fishing and the strategies developed for fighting wildlife trafficking;
14. Urges the Commission to acknowledge and pay due attention to IUU fishing carried out in Europe and its immediate neighbourhood (such as the fishing of glass eels and sturgeon and coral harvesting), and calls for closer monitoring of vulnerable marine species and species protected under CITES;
15. Stresses the need for the Commission's DG MARE and DG TRADE to cooperate effectively in ensuring that IUU fisheries products are not imported into the Union and that the trade agreements negotiated do not include IUU species;

16. Maintains that it must be ensured that measures under the Action Plan against Wildlife Trafficking are consistent with EU law on IUU fishing;
17. Stresses the importance of fighting illegal exports from Europe of glass eels and European sturgeon used in caviar trafficking;
18. Suggests that wildlife trafficking control measures should be strengthened, particularly regarding illicit trafficking in species intended for aquariums and in the field of online sales (e.g. purchases by aquarium owners);
19. Stresses the importance of controls, training and public awareness-raising campaigns in enforcing the action plan against wildlife trafficking in the fisheries sector;
20. Reiterates the need for continuing scientific research and technological development in the area of fishing gear, so as to prevent by-catches and alleviate pressure on stocks of organisms that are the target of trafficking;
21. Suggests that the import permits for organisms or organism parts that are the subject of conservation measures be revised (under Regulation 1185/2003 as amended by Regulation 605/2013);
22. Encourages the Commission to use the experience gained in the fight against IUU fishing in order to improve the methods used to combat wildlife trafficking;
23. Stresses the importance of maintaining the traceability of fisheries products and ensuring that they are properly labelled; emphasises that illegal and unreported fishing is a threat to the sustainable exploitation of living aquatic resources and undermines efforts to achieve better management of the oceans and protect marine biodiversity;
24. Notes that DNA-based identification techniques can provide valuable support to monitoring, but also to targeted investigations for prosecution purposes; considers DNA-based tools to be ideal for identifying the origin of fish and fish products, since DNA is found in all cells and can be extracted even from fried fish;
25. Suggests that the system of issuing yellow and red cards to third countries which are not cooperating in the fight against IUU fishing might also be used as a mechanism for combating wildlife trafficking;
26. Draws attention to the fact that legal eel fishermen are unanimous in calling for an EU label to be established in order to guarantee traceability and ensure that the market in eels is fair;
27. Stresses the importance of ensuring good-quality data in the fisheries sector and a good-quality flow between the enforcement agencies responsible in the Member States;
28. Calls for tighter rules and controls on recreational fishing, which is not properly regulated at national level and can result in products being sold on the black market;
29. Stresses the importance of traceability in determining the origin and routes of wildlife trafficking in the EU in order to better combat it;

30. Suggests that the surveillance and protection of Vulnerable Marine Ecosystems (VME), Ecologically or Biologically Significant Areas (EBSA) and the Natura 2000 network be stepped up, on a basis of ongoing consultation with all stakeholders, in order to aid the conservation of species that are under pressure from illegal trafficking;
31. Believes it essential to step up action against widespread depredation of rivers by criminals, who are smuggling out large quantities of fish for sale on European markets without regard for the species caught or for the environmental impact of the disruption caused to wildlife; calls on the Commission and the Member States to cooperate in tightening up border controls, so as to make it possible to intercept any such exports of fish intended for sale on the black market, which pose a major threat in particular to consumer health;
32. Suggests that action be taken to promote the use of tools that ensure the sustainable exploitation of sensitive natural resources;
33. Suggests that Member States invest the proceeds from fines imposed for trafficking in the protection and conservation of wild flora and fauna;
34. Maintains that illegal fishing is destroying marine ecosystems and biodiversity, having a direct impact in terms of impoverishment of fish stocks and undermining coastal and island regions;
35. Points out that illegal fishing is estimated to account for 19 % of the reported value of catches;
36. Supports alternative sustainable production methods in order to reduce pressure on wild organisms (e.g. aquaculture);
37. Points out the key role that coastal communities can play in contributing to the fight against illegal wildlife trade, and supports their role in the conservation of wildlife and environmentally friendly activities;
38. Is of the opinion that one of the most powerful tools for addressing illegal and unsustainable wildlife trade is to persuade consumers to make informed choices when buying wildlife-based products; encourages the production and purchase of certified sustainable marine wildlife goods;
39. Considers awareness-raising and environmental literacy initiatives to be essential for the protection of marine biodiversity, and believes that education systems and the media have a key role to play;
40. Recalls that awareness-raising among citizens regarding the impact of wildlife trafficking and the importance of product traceability is essential in order to combat illegal activities by reducing their market;
41. Advocates introducing Europe-wide recognition for stakeholders who are particularly involved in the fight against illegal trafficking; believes that this could take the form of a prize awarded to those who are particularly involved, sometimes risking their lives, in fighting wildlife trafficking on land, in mountain areas or in lakes, rivers and seas;

42. Regards ‘effective multilateralism’ as one of the cornerstones of the Union’s external action, and points out that the Commission regards it as the most participatory, non-discriminatory and inclusive way to build international governance, in particular with a view to combating wildlife trafficking; stresses, therefore, the need for the Union to play a more prominent role in international bodies;
43. Proposes that the penalties for wildlife trafficking, especially in areas with vulnerable marine ecosystems or falling within the Natura 2000 network, should be sufficiently severe as to deter potential offenders;
44. Suggests that the action plan should earmark financial resources and set out quantified targets, so that the success of the plan can be tracked in the long term.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	11.10.2016
Result of final vote	+: 23 -: 1 0: 0
Members present for the final vote	Marco Affronte, Clara Eugenia Aguilera García, Renata Briano, Alain Cadec, Richard Corbett, Diane Dodds, Linnéa Engström, João Ferreira, Raymond Finch, Ian Hudghton, Carlos Iturgaiz, Werner Kuhn, Gabriel Mato, Norica Nicolai, Liadh Ní Riada, Ulrike Rodust, Remo Sernagiotto, Ricardo Serrão Santos, Ruža Tomašić, Peter van Dalen
Substitutes present for the final vote	José Blanco López, Cláudia Monteiro de Aguiar, Nils Torvalds
Substitutes under Rule 200(2) present for the final vote	Dariusz Rosati

28.9.2016

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS

for the Committee on the Environment, Public Health and Food Safety

on the EU Action Plan against Wildlife Trafficking
(2016/2076(INI))

Rapporteur: Kostas Chrysogonos

SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas biodiversity conservation plays a key role in European environmental law and policy-making; whereas the protection of endangered animal and plant species and combating the illegal trade in these species are issues of international and national interest which require cooperation between all nations, including those of the EU, particularly against the background of increasing international and national illegal trade in these species (wildlife trafficking);
- B. whereas illicit wildlife trafficking generates significant profits for criminal groups and currently remains high on the list of illegal trade activities worldwide; whereas the European Union is currently a destination market, a hub for trafficking in transit to other regions, and also a region from which certain species are sourced for illegal trade;
- C. whereas the UN Commission on Crime, Prevention and Criminal Justice resolution of April 2013, endorsed by the UN Economic and Social Council on 25 July 2013, encourages its 'Member States to make illicit trafficking in protected species of wild fauna and flora involving organised criminal groups a serious crime', thereby placing it on the same level as human trafficking and drug trafficking;
- D. whereas all Member States have signed the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and whereas the EU became a party to the convention in 2015;
- E. whereas the EU's participation as a legal entity in this species protection system cannot but confirm the prominent and responsible stance taken by the EU in promoting sustainability;

- F. whereas Directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law harmonises the definitions for wildlife-crime-related offences and obliges Member States to provide, in their national legislation, for effective, proportionate and dissuasive criminal sanctions for serious breaches of Community legislation relating to conservation of the environment, including protected species of wild flora and fauna;
- G. whereas the EU continues to be one of the largest markets for illicit wildlife products and a hub for trafficking in transit to other regions (illegal trade in wild animals being estimated to be worth approximately USD 22 billion worldwide), and whereas an action plan at European level to address the issue of wildlife trafficking is an essential step forward; whereas this EU plan must now be accompanied by effective complementary measures such as the training of forestry and customs corps and the introduction of effective penalties;
- H. whereas the EU Action Plan demonstrates that the EU is ready to live up to international expectations and commitments, and that it is raising the level of its ambition as regards action against the illegal trade in wild animals and plants;
- I. whereas the principle of effectiveness of public action requires the Member States to coordinate their actions if endangered species are to be protected successfully from illegal trafficking; whereas this can be achieved through a joint commitment by the EU and its Member States, in the form of an action plan, making efficient use of existing resources and agencies while bringing exhaustive expert assessment and monitoring to bear on potential illicit activities and implementing shared international commitments and acknowledging at a political level the importance of tackling the problem;
- J. whereas the principle of subsidiarity requires Member States to be free to choose the means of attaining the goal of protecting endangered animal and plant species; whereas the role of local authorities is particularly effective and necessary in this regard;
- K. whereas, in view of the uniquely cross-border nature of wildlife trafficking offences, Member States and the EU as a whole should work towards the implementation of international commitments already entered into, the establishment of minimum rules concerning the definition and sanctioning of such offences, pursuant to Article 83(1) of the Treaty on the Functioning of the European Union (TFEU), and the facilitation of structured dialogue for enhanced cooperation in consultation with all relevant authorities and stakeholders, including third countries and countries of origin;
1. Welcomes the Commission's EU Action Plan against Wildlife Trafficking and the fact that over the last decade the EU has been actively involved in combating the illegal trade in wildlife by adopting strict trade rules to end this type of trafficking;
 2. Welcomes the conclusions of the Environmental Council of 20 June 2016 in relation to the EU Action Plan against Wildlife Trafficking;
 3. Welcomes also the fact that the EU Action Plan makes a major contribution to achieving the Sustainable Development Goals set under the 2030 Agenda for Sustainable Development agreed by heads of state at a UN summit in September 2015;

4. Considers that the EU and its Member States need to step up their common efforts to tackle environmental crime and wildlife trafficking in particular, now that the EU is a party to the CITES convention, which now protects over 35 000 species of animals and plants, and to establish solid cooperation with third countries and countries of origin; points, therefore, to the urgent need to strengthen, and provide for better coordination of, measures to combat wildlife trafficking and the root causes thereof, involving not just countries of origin, but also transit and marketing countries;
5. Urges the EU to take part in awareness-raising campaigns with stakeholders and civil society, not only in rural areas, but also on a global level, with a view to reducing the market for illegal wildlife products;
6. Calls on the Commission and the Member State authorities to step up their cooperation in the fight against wildlife trafficking, particularly between enforcement agencies at national, EU and international level, including police, customs, judicial authorities, forestry corps and sanitary and trade inspection authorities, with a view to implementing adequate measures on the ground; urges the Member States to provide national judiciaries with legal assistance and guidance on combating wildlife crime; calls, in this regard, for the setting up of joint enforcement priorities with Europol and Eurojust providing dedicated support for cross-border cases;
7. Considers that all Member States should honour the international commitments they have made, to ensure that their laws on organised crime cover wildlife trafficking and that appropriate penalties can be imposed for this type of trafficking; stresses, at the same time, that international cooperation on enforcement needs to be improved, through participation in international law-enforcement operations, technical assistance and targeted financial support;
8. Encourages the Member States to ensure, in line with the UN Commission on Crime, Prevention and Criminal Justice resolution of April 2013, that wildlife trafficking involving organised criminal groups is defined as a serious crime under the UN Convention against Transnational Organised Crime;
9. Agrees with the Commission that training activities are an essential part of the fight against organised crime, including wildlife trafficking; calls on the Commission, therefore, to consider appropriate training projects targeted in particular at the aforementioned enforcement agencies; recommends the creation of a monitoring system in order to determine the improvements and best practices aimed at stopping wildlife trafficking, and also considers it essential to promote awareness-raising, notably through awareness-raising campaigns, and to intensify dialogue and technical cooperation with the competent authorities and local communities, with a focus on the impacts of trafficking in products obtained from wild fauna and flora;
10. Considers that the fight against wildlife trafficking can be advanced by instruments of soft law; notes, however, that legislative action may be necessary in order to ensure legal certainty and to create sufficient binding rules; underlines that EU legislation laying down obligations for operators who place illegal products on the market and making it possible to counter wildlife trafficking effectively already exists in the specific sector of timber;
11. Calls on the Commission to take steps towards establishing and implementing common

minimum rules concerning the definition of criminal offences and sanctions related to wildlife trafficking, pursuant to Article 83(1) TFEU; urges the Member States to fully implement the provisions of Directive 2008/99/EC on the protection of the environment through criminal law and to set appropriate levels of sanctions for wildlife crime offences; stresses the need to properly monitor the implementation of the EU Action Plan against Wildlife Trafficking and to keep Parliament and the Council regularly informed on the progress made until 31 July 2018, and to conduct its overall evaluation by 2020;

12. Welcomes, in this regard, the Commission's commitment, in line with the EU Agenda on Security, to start a review to assess the appropriateness and effectiveness of the EU policy and legislative framework for tackling environmental crime, and in particular organised wildlife crime; welcomes, moreover, the Commission's commitment to report to Parliament and the Council on the interim progress made in implementing the Action Plan, by 31 July 2018, and to conduct its overall evaluation by 2020.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	26.9.2016
Result of final vote	+: 20 -: 2 0: 0
Members present for the final vote	Joëlle Bergeron, Marie-Christine Boutonnet, Jean-Marie Cavada, Kostas Chrysogonos, Mady Delvaux, Rosa Estaràs Ferragut, Sajjad Karim, Dietmar Köster, Gilles Lebreton, António Marinho e Pinto, Emil Radev, Evelyn Regner, József Szájer, Axel Voss, Tadeusz Zwiefka
Substitutes present for the final vote	Daniel Buda, Sergio Gaetano Cofferati, Pascal Durand, Angel Dzhambazki, Sylvia-Yvonne Kaufmann, Stefano Maullu, Virginie Rozière

RESULT OF FINAL VOTE IN COMMITTEE RESPONSIBLE

Date adopted	13.10.2016
Result of final vote	+: 60 -: 0 0: 4
Members present for the final vote	Marco Affronte, Margrete Auken, Pilar Ayuso, Zoltán Balczó, Catherine Bearder, Ivo Belet, Nessa Childers, Birgit Collin-Langen, Mireille D'Ornano, Miriam Dalli, Angélique Delahaye, Stefan Eck, Bas Eickhout, Eleonora Evi, José Inácio Faria, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Anneli Jäätteenmäki, Jean-François Jalkh, Josu Juaristi Abaunz, Karin Kadenbach, Kateřina Konečná, Giovanni La Via, Peter Liese, Norbert Lins, Susanne Melior, Miroslav Mikolášik, Massimo Paolucci, Bolesław G. Piecha, Frédérique Ries, Michèle Rivasi, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Davor Škrlec, Renate Sommer, Dubravka Šuica, Tibor Szanyi, Claudiu Ciprian Tănăsescu, Jadwiga Wiśniewska, Damiano Zoffoli
Substitutes present for the final vote	Guillaume Balas, Paul Brannen, Nicola Caputo, Michel Dantin, Mark Demesmaeker, Luke Ming Flanagan, Elena Gentile, Martin Häusling, Krzysztof Hetman, Gesine Meissner, James Nicholson, Marijana Petir, Gabriele Preuß, Christel Schaldemose, Jasenko Selimovic, Mihai Țurcanu
Substitutes under Rule 200(2) present for the final vote	Nicola Danti, Anna Hedh, Marco Zullo