

Committee of Permanent Representatives
Subcommittee meeting
Nairobi, 20 May 2025
09:00 – 12:00 (GMT+3)
Hybrid meeting
Conference Room 4 (in person)
and Microsoft Teams (online)

Agenda item 2: Briefing on crimes that have serious impacts on the environment.

This background document has been developed by the Secretariat of the United Nations Environment Programme (UNEP) and the United Nations Office on Drugs and Crime (UNODC) to brief the Committee on activities relating to crimes that have serious impacts on the environment.

Additionally, the note highlights the ongoing and planned collaborative efforts between UNEP and UNODC to support Member States in addressing such crimes, underlining their relevance to the three planetary environmental crises.

Following the presentation, the Committee is invited to take note of the briefing and engage in an exchange of views with Committee members and the Secretariat.

I. Introduction

1. The second *Environmental Rule of Law Report*,¹ identified an increase in the use of criminal law to address illegal and unsustainable environmental activities as one of the five trends across environmental laws and institutions in the world. It showed that several countries have revised or adopted legislation to increase criminal penalties for environmental offenses or create new categories of “environmental crime”. A similar trend is identified in the UNODC analysis on *The landscape of criminalization*, which explored the use of criminal penalties for different types of serious environmental offences, especially those related to trade in wild species and waste management.²
2. In addition to this country-driven trend, there has been a growing recognition of crimes that affect the environment within the international community, with a number of UN resolutions adopted during the past thirty years that explicitly or implicitly address the issue (General Assembly, the Economic and Social Council, the Commission on Crime Prevention and Criminal Justice, the UN Environment Assembly and the Conferences of the Parties to UN Convention on Transnational Organised Crime and the UN Convention Against Corruption (*see Annex*) or the MEAs). Following the language in UNGA Res. 76/185 on Preventing and combating crimes that affect the environment, this background note will use the term “crimes that affect the environment”.³
3. There is currently no universal definition for the term “environmental crime”. This lack of a standardized definition arises from several factors such as variability between jurisdictions on the qualification of environmental crimes; existing and potential connections between crimes that affect the environment and other forms of criminal activity and a limited understanding of the term. No single international legal instrument comprehensively protects the environment, criminalizes all behaviours that harm the environment, nor defines crimes that affect the environment. The legal protection of the environment is a complicated patchwork of international and regional agreements ratified and transposed to varying degrees into national legislative frameworks.⁴
4. While various definitions of environmental crimes continue to exist, UNEP and Interpol have developed the following description of environmental crimes: a collective term to describe illegal activities harming the environment and aimed at benefiting individuals or groups or companies from the exploitation of, damage to, trade or theft of natural resources, including, but not limited to serious crimes and transnational organized crime.⁵ As it will be further explained, environmental crime is closely linked to other crimes, such as organized crime, money laundering, murder, tax fraud and tax evasion, corruption, and the obstruction of justice.
5. This document is intended to inform delegations about recent activities undertaken by the United Nations Environment Programme (UNEP) and the United Nations Office on Drugs and Crime (UNODC) in this area of work, and to solicit their perspectives on potential future directions.

II. International setting on crimes that have serious impacts on the environment

6. Over the past fifty years, UNEP has played an important role in the normative development of environmental law at the international level. Although some multilateral environmental agreements (MEAs), such as the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),⁶ or the 1989 Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal (Basel Convention)⁷ include explicit provisions for the penalization of environmental offences,⁸ most MEAs call for the Parties to adopt appropriate measures to implement

¹ UNEP, *Environmental Rule of Law: Tracking Progress and Charting Future Directions* (2023).

² UNODC, *Global Analysis on Crimes that Affect the Environment, Part 1 – The landscape of criminalization* (2024)

³ See also UNGA 75/196 on Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity at paras. 22 and 51, as well the Preamble.

⁴ See note 2 above.

⁵ United Nations Environment Programme (UNEP) and INTERPOL, *The Rise of Environmental Crime: A UNEP-INTERPOL Rapid Response Assessment* (UNEP, 2016).

⁶ Convention on International Trade in Endangered Species of Wild Fauna and Flora, March 3rd, 1973, 993 U.N.T.S. 243

⁷ Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal of 22 March 1989 (1673 UNTS 126).

⁸ E.g. CITES article VIII(1): “The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures: (a) to penalize trade in, or possession of, such

them at the national level, without prescribing the penalization. In doing so, Parties may choose to adopt national measures that are more stringent than those required by the treaty, if deemed appropriate to enhance protection against illegal activities.

7. Illegal activities that seriously affect the environment also intersect with other forms of crime, such as trafficking of illicit goods and persons, corruption/counterfeiting, economic and financial crime (money laundering, tax fraud and tax evasion), the obstruction of justice and even murder. They can often be perpetrated by organized criminal groups that infiltrate the environmental sector and which operate transnationally. In recent times it was noted that criminal networks that operate in drug trafficking or cybercrime were also involved in the trafficking of environmentally sensitive commodities. The 2003 United Nations Convention against Corruption (UNCAC), and the 2000 United Nations Convention against Transnational Organized Crime (UNTOC) are both relevant in preventing and combating environmental crime.
8. At its twelfth session, held in Vienna from 14 to 18 October 2024, the UNTOC Conference of the Parties adopted resolution 12/4, requesting UNODC to convene an open-ended Intergovernmental Expert Group (IEG) on crimes that affect the environment falling within the scope of the Convention and related offences covered by the Convention, with a mandate:
 - a. To take stock of the application and collective implementation of UNTOC in addressing such crimes;
 - b. To identify any gaps that may exist in the international legal framework and that could be addressed under the Convention to prevent and combat such crimes;
 - c. To consider possible responses relevant to those gaps, including the possibility, feasibility and merits of any additional protocol to UNTOC.
9. The first meeting of the IEG will take place in Vienna from 30 June to 2 July 2025. Ahead of the first meeting, UNODC has circulated a questionnaire to States Parties, observers and relevant intergovernmental organizations. Responses to the questionnaire are being published on the IEG website⁹ on an ongoing basis. UNEP is planning to contribute to the IEG and engage in its first meeting.
10. The United Nations General Assembly resolutions have also played an important role in shaping the global response to crimes that affect the environment during the past decade, including notably Resolution 76/185 (2021) on Preventing and combating crimes that affect the environment; and Resolution 75/196 (2020) on Strengthening the United Nations crime prevention and criminal justice. In both resolutions, Member States expressed concern in relation to crimes such as trafficking in timber, precious metals, stones and other minerals, protected species of wild fauna and flora and in hazardous waste. As a result, both resolutions call upon Member States to treat crimes that affect the environment as “serious crimes” as defined by UNTOC.¹⁰
11. The United Nations Environment Assembly has adopted two resolutions relating to illegal wildlife trade: Resolution 1/3 on illegal trade in wildlife (2014); and Resolution 2/14 on illegal trade in wildlife and wildlife products (2016).
12. It is worth noting that in 2024, the High-level Committee on Programmes, within the UN System Chief Executives Board for coordination, has committed to develop a UN system common approach to prevent and address transnational organized crime, including on the environment.¹¹ UNEP supports these efforts as part of the UNODC-led Task Team on environmental aspects relating to transnational organized crime.

specimens, or both; and (b) to provide for the confiscation or return to the State of export of such specimens; Basel Convention article 4 (4): “Each Party shall take appropriate legal, administrative and other measures to implement and enforce the provisions of this Convention, including measures to prevent and punish conduct in contravention of the Convention” and art. 9(5) “Each Party shall introduce appropriate national/domestic legislation to prevent and punish illegal traffic. The Parties shall co-operate with a view to achieving the objects of this Article.”

⁹ Available at: https://www.unodc.org/unodc/en/treaties/CTOC/CAE_IEG_2025.html.

¹⁰ UNTOC Art. 2(B). “Serious crime” shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.

¹¹ 48th session of the High-level Committee on Programmes, Report of the 48th session (7 and 8 October 2024, Madrid).

<https://unsceb.org/session-report-414>

III. Activities and cooperation

13. Apart from providing secretariat services to the treaties mentioned above, UNEP and UNODC have engaged in activities to support Member States in their efforts to address crimes that affect the environment. The activities and collaboration fall under four main pillars: research, legislative assistance, institutional capacity building and inter-agency cooperation.

(i) Research

14. During the past years, UNEP has issued several studies and publications dedicated to the subject, with a focus on wildlife, and chemicals and waste.¹² Similarly, UNODC has carried out extensive research in recent years on the nexus of the environment and transnational organised crime.¹³

(ii) Legislative assistance

15. In a recent request (2024) submitted through the Law and Environment Assistance Platform (LEAP) under the Montevideo Environmental Law Programme,¹⁴ Cameroon requested support on environmental legislation, including on reforms that would address criminal sanctions for crimes that have serious impacts on the environment. The support was provided collaboratively by UNEP and UNODC.

16. In addition, under the *Unwaste* and SAFE projects (*see* also below at para. 25), targeted legal support was provided to countries in Southeast Asia on waste trafficking (Malaysia, Indonesia, Thailand and Viet Nam), and on licensing and management of wildlife facilities to prevent transmission of zoonotic diseases in Lao People's Democratic Republic (Lao PDR), Malaysia (State of Sabah), Thailand, and Viet Nam.

17. In an effort to assist countries in reviewing their legislation in alignment with UNTOC and UNCAC, UNODC has developed legislative guides in different areas of environmental crime.¹⁵

(iii) Institutional capacity building

18. The 2019 Environmental Rule of Law Report: First Global Report¹⁶ found that despite the proliferation of environmental laws and agencies worldwide, weak enforcement is a global trend that is exacerbating environmental threats. While the development of adequate legislation is essential, it will have little impact on crime unless supported by robust institutional and enforcement mechanisms.

19. UNEP has supported different actors in the compliance and enforcement chain (judiciary/prosecution, police and customs and border control officers), through physical and online training, the latter under the United Nations Information Portal on Multilateral Environmental Agreements (InforMEA).¹⁷ The

¹² UNEP, *The Rise of Environmental Crime – A Growing Threat To Natural Resources Peace, Development And Security* (2016), prepared pursuant to UNEA Resolution 2/14, which requested the UNEP Executive Director, within the UNEP mandate to work with other relevant intergovernmental and non-governmental international organizations to “ascertain and document the current status of knowledge of crimes that have serious impacts on the environment and identify interlinkages between these crimes” (para. 7); UNEP, *The State of Knowledge of Crimes that have Serious Impacts on the Environment* (2018); UNEP, *Strengthening Legal Frameworks for Licit and Illicit Trade in Wildlife and Forest Products* (2018); UNEP and GRID-Arendal, *The Illegal Trade in Chemicals* (2020); UNEP, *NEGLECTED: Environmental Justice Impacts of Marine Litter and Plastic Pollution* (2021).

¹³ UNODC has published three editions of the *World Wildlife Crime Report* (2016, 2020, 2024) and the first *Global Analysis on Crimes that Affect the Environment*, with upcoming chapters on the landscape of criminalization (2024), forest crime (April 2025), and mineral crime (May 2025). Additional chapters on waste crime trafficking and illegal fishing will be published later this year. Furthermore, UNODC has issued several discussion papers, including those on *Crimes that Affect the Environment and Climate Change*, *Illegal Wildlife Trade and Climate Change*, and *Integrating Crimes that Affect the Environment into National Climate Action Strategies*. UNODC has also released reports tackling corruption, such as *Scaling Back Corruption*, *Rotten Fish*, *Rooting Out Corruption Fuelling Forest Loss*, and *Addressing Corruption Risks to Safeguard the Response to Climate Change*.

¹⁴ www.leap.org.

¹⁵ UNODC, *Guide on Drafting Legislation to Combat Wildlife Crime* (2018); UNODC, *Combating Waste Trafficking: A Guide to Good Legislative Practices* (2022); UNODC, *Responding to Illegal Mining and Trafficking in Metals and Minerals: A Guide to Good Legislative Practices* (2023); UNODC, *Combating Crimes in the Fisheries Sector: A Guide to Good Legislative Practices* (2023).

¹⁶ UNEP, *2019 Environmental Rule of Law Report: First Global Report* (2019).

¹⁷ <https://elearning.informea.org/>.

Judicial Portal,¹⁸ along with targeted training developed for the judiciary,¹⁹ within InforMEA offers judges and the wider legal community key resources like case laws, legislations, and e-learning tools.

20. The UNODC Global Programme on Crimes that Affect the Environment (GPCAE) delivered impactful results across multiple areas of intervention, capacity-building, and international collaboration. UNODC regularly delivers capacity building support for law enforcement, investigators, prosecutors, anti-corruption officers, anti-money laundering experts, rangers and border officers to prevent and address crimes that affect the environment.²⁰ To further support enforcement action, UNODC has developed and disseminated 25 operational tools, manuals, and publications in 2024. Among these, the Rapid Reference Guides for Investigators and Prosecutors have become key resources for applying legal frameworks in wildlife crime cases.

(iv) International cooperation

21. Additionally, UNEP serves as the secretariat of the Green Customs Initiative (GCI), a collaborative partnership aimed at strengthening the capacity of customs and other relevant border enforcement authorities to enhance the detection and prevention of illegal trade in environmentally sensitive goods.²¹ Along with UNEP, partners of GCI are the secretariats of trade-related MEAs,²² UNODC, the International Criminal Police Organization (INTERPOL), the Organisation for the Prohibition of Chemical Weapons (OPCW), and the World Customs Organization (WCO).
22. In 2024, UNEP worked with the International Association of Prosecutors to organize webinars to promote training for prosecutors globally on the issue of crimes that affect the environment. UNODC experts participated in the webinars.
23. UNODC supports investigators and prosecutors across regions to conduct joint investigations, provide mutual legal assistance and carry out financial investigations to dismantle transnational criminal networks.²³ In 2024, a particularly notable case in Thailand led to the repatriation of more than 1,000 trafficked species to Madagascar, underscoring the value of coordinated cross-border enforcement in disrupting the illegal trade in wildlife.
24. UNODC directly organizes or supports several initiatives that promote cooperation across Members States, including the annual Wildlife Inter-Regional Enforcement Meeting (now in its eight iteration), Operation SAMA in Africa (now in its second iteration), Operation Mekong Dragon in Asia²⁴ (now in its fifth iteration), the African Wildlife Forensics Network, and the Informal Law Enforcement Network on Minerals Related Crimes.

(v) Examples of successful UNODC-UNEP cooperation

25. Examples of UN-UN collaboration, which harnesses the mandate of UNEP as the leading global authority on the environment and the expertise of UNODC in criminal justice are two regional initiatives in Southeast Asia: *Unwaste*: Tackling waste trafficking to support a circular economy, which addresses the issue of waste trafficking between the European Union and Southeast Asia in support of a transition towards a circular economy;²⁵ and *Safety across Asia for the global Environment* (SAFE), which focuses on the links between wildlife trafficking and the transmission of zoonotic diseases, particularly within wildlife facilities, in alignment with the One Health approach.²⁶ Funded by the EU, the projects ran from 2021 to 2025.

¹⁸ <https://judicialportal.informea.org/>.

¹⁹ E.g. the Introductory Course on International and National Environmental Law and Governance in Thailand, Introduction to Environment and Climate Law for Pacific Lawyers and Judges Pacific, and the Intermediate Course on Environmental Adjudication: Upholding Environmental Justice in Asia Pacific available at: <https://elearning.informea.org/#course11>.

²⁰ In 2024, more than 14,000 individuals benefited from UNODC programme activities, including over 2,000 frontline officers, prosecutors, and judges who received tailored training to strengthen their ability to combat crimes that affect the environment.

²¹ <https://www.greencustoms.org/>

²² Basel, Rotterdam and Stockholm Conventions (BRS), Convention on Biological Diversity (CBD), CITES, Minamata Convention on Mercury, the Montreal Protocol on Substances that Deplete the Ozone Layer.

²³ Since 2015, UNODC has supported over 80 wildlife crime investigations, contributing to the disruption of transnational trafficking networks.

²⁴ SAMA and OMD involving 57 countries and territories resulted in 244 wildlife seizures.

²⁵ <https://www.unodc.org/unodc/en/environment-climate/asia-pacific/unwaste.html>.

²⁶ <https://www.unodc.org/unodc/en/environment-climate/asia-pacific/safe.html>

- a. For *Unwaste*, UNEP's contributions included groundbreaking research providing an analysis of legal frameworks and enforcement tools to tackle waste trafficking in the Association of Southeast Asian Nations (ASEAN) region, with a focus on Indonesia, Malaysia, Thailand and Viet Nam. The project mapped the impacts of waste trafficking on circular economy to foster a shared understanding of the links between waste trade, circular economy and waste trafficking and support governments and stakeholders in their efforts to address waste trafficking. In addition, the project conducted a study on the role of corruption, organized crime and money laundering in waste trafficking. As a result, recommendations were made for countries which participated in the *Unwaste* project and for other countries to adopt more robust legal frameworks, enhance enforcement mechanisms, and encourage inter-agency cooperation at national, regional and international levels.
- b. The SAFE project, which focused on Lao PDR, the State of Sabah in Malaysia, Thailand and Viet Nam highlighted key zoonotic spillover risks linked to the management of wildlife facilities, including inadequate interagency coordination mechanisms, inadequate laws on licensing and management of captive wildlife facilities, lack of registration and compliance monitoring mechanisms, and lack of minimum biosafety and biosecurity regulations and/or standards to prevent, mitigate, and reduce zoonotic disease spillover in captive wildlife facilities in those jurisdictions. The project findings were accompanied by recommended actions and/or measures that can be taken by the target jurisdictions and the Southeast Asia region in general to address challenges in biosafety, biosecurity, and sanitation measures in captive wildlife facilities in Southeast Asia and thus support prevention of future epidemics or pandemics.

IV. Relationship to UNEP's Programme of Work

26. Under the **2022–2025 Medium Term Strategy and the Programme of work and budget for the 2022–2025**,²⁷ UNEP's activities in this area fall within the ambit of the environmental governance subprogramme focusing on: (a) amplifying impact across the global environmental agenda through enhanced cooperation with the MEAs; (b) supporting countries in building relevant capacity in environmental law and contributing to the environmental dimension of the 2030 Agenda for Sustainable Development through the Montevideo V Programme; and (c) leading the United Nations system and supporting national governments, upon their request, in the development and implementation of environmental rule of law. Targeted interventions under this foundational subprogramme underpin the achievements of the UNEP thematic subprogrammes to tackle climate change, loss of nature and pollution.
27. Since 1982, UNEP has conducted its environmental law activities based on sequential ten-year Montevideo Programmes for the Development and Periodic Review of Environmental Law. The Fifth Programme was adopted by UNEA Res. 4/20 covering the decade 2020-2029. At the second global meeting of national focal points to the Montevideo Environmental Law Programme,²⁸ the focus on international criminal activities that affect the environment was highlighted as a priority.

V. Sustainable development goals

28. Illegal trade in environmentally sensitive commodities may adversely affect livelihoods and endanger human health and species, thereby compromising the achievement of several SDGs. For instance, illegal trade in wildlife which contributes to the second biggest threat to species after environmental damage, is a major impediment to the implementation of SDG15 which calls for sustainable use of terrestrial ecosystems and an end to biodiversity loss. Similarly, illegal trade in chemicals and hazardous waste material is an obstacle to the fulfilment of SDG 3 on good health and well-being. Or enhanced enforcement of the Kigali Amendment to the Montreal Protocol concerning hydrofluorocarbons will also contribute to SDG 13 on climate action.

VI. Next steps

29. In the coming months, subject to availability of resources, UNODC and UNEP will invest in continued efforts to raise awareness about the ongoing activities and to mobilize funds for further research and

²⁷ UNEP/EA.6/13 (30 January 2024).

²⁸ <https://leap.unep.org/en/about/meetings/second-global-meeting-national-focal-points#meeting-documents>.

capacity building. In addition to rule of law activities and international cooperation, UNODC and UNEP are reflecting on:

- a. Increasing cooperation on legal and law enforcement assistance to Member States to protect the environment and its natural resources from the most serious offences and the infiltration of organized criminal groups.
- b. The development and dissemination of the use of technology to support monitoring and detection (e.g. satellite imagery, GIS mapping to allow for cross-border ecosystems) of in-country (deforestation, mining, fishing, waste dumping) and cross-border (timber, minerals, wildlife, waste trafficking) illegal activities; and how the use of big data (predictive analytics and intelligence sharing) contributes to uncover patterns of criminal activity.
- c. The engagement with stakeholders and communities in monitoring and reporting such criminal activities.

VII. Guiding questions for the CPR/relevance for the CPR

30. The CPR Subcommittee may wish to:

- (i) Join in the secretariat's efforts to enhance the visibility of the UNEP-UNODC partnership both within the United Nations system and among Member States;
- (ii) Actively support the secretariat seeking to procure appropriate funding to sustain the implementation of joint activities.

ANNEX

Overview of relevant resolutions

General Assembly

- Res 77/325 (2023) on Tackling Illicit Trafficking in Wildlife.
- Res 76/185 (2021) on Preventing and combating crimes that affect the environment
- Res 75/311 (2021) on Tackling Illicit Trafficking in Wildlife.
- Res 75/196 (2020). Strengthening the United Nations crime prevention and criminal justice
- Res 75/271 (2021) on Nature knows no borders: transboundary cooperation – a key factor for biodiversity conservation, restoration and sustainable use
- Res 73/343 (2019) on Tackling Illicit Trafficking in Wildlife.
- Res 73/186 (2019) on Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity.
- Res 71/326 (2017) on Tackling Illicit Trafficking in Wildlife.
- Res 70/301 (2016) on Tackling Illicit Trafficking in Wildlife.
- Res 69/314 (2015) on Tackling Illicit Trafficking in Wildlife.
- Res 65/37 (2010) on Oceans and the Law of the Sea.
- Res 64/72 (2009) on Sustainable Fisheries, including the implementation of the United Nations Convention on the Law of the Sea provisions relating to the conservation and management of fish stocks.

Economic and Social Council (ECOSOC)

- Resolution 2021/24 on preventing and combating crimes that affect the environment
- Resolution 2019/23 on Combating transnational organized crime and its links to illicit trafficking in precious metals and illegal mining, including by enhancing the security of supply chains of precious metals
- Resolution 2013/40 on crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora
- Resolution 2011/36 on crime prevention and criminal justice responses against illicit trafficking in endangered species of wild fauna and flora
- Resolution 2008/25 on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife, and other forest biological resources
- Resolution 2003/27 on illicit trafficking in protected species of wild flora and fauna

United Nations Environment Assembly (UNEA)

- Resolution 2/14 (2016) on illegal trade in wildlife and wildlife products
- Resolution 1/3 (2014) on illegal trade in wildlife

Commission on Crime Prevention and Criminal Justice (CCPCJ)

- Resolution 76/185 (2021) on Preventing and combating crimes that affect the environment
- Resolution 28/3 (2019) on Strengthening regional and international cooperation in crime prevention and criminal justice responses to illicit trafficking in wildlife
- Resolution 23/1 (2014) on strengthening a targeted crime prevention and criminal justice response to combat illicit trafficking in forest products, including timber
- Resolution 20/5 (2011) on Combating the problem of transnational organized crime committed at sea
- Resolution 16/1 (2007) on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other biological resources

Conference of the States Parties to the United Nations Convention against Corruption (UNCAC)

- Resolution 8/12 (2019) on Preventing and combating corruption as it relates to crimes that have an impact on the environment

Conference of the Parties to the United Nations Convention against Transnational Organized Crime (UNTOC)

- Res 12/4 (2024) Enhancing measures to prevent and combat crimes that affect the environment falling within the scope of the United Nations Convention against Transnational Organized Crime
- Resolution 11/3 (2022) Outcomes of the joint thematic discussion of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation on the application of the United Nations Convention against Transnational Organized Crime for preventing and combating transnational organized crimes that affect the environment
- Resolution 10/6 (2020) on Preventing and combating crimes that affect the environment