



The evaluation will look at the criteria of effectiveness, relevance, efficiency, coherence/complementarity and EU-added value.

This public consultation is an opportunity for all to provide their views on the Directive. It concerns particularly the public, networks of environmental practitioners dealing with combating environmental crime and compliance assurance, environmental associations and organisations, stakeholders in industry and concerned businesses, hunters' and farmers' associations, relevant international and European bodies and agencies, such as Europol and Eurojust and academia, national, regional and local authorities, defence lawyers and academia. Where questions are addressed to certain stakeholders only, this is clearly indicated. You may answer to this questionnaire in any official EU language.

A summary report on the results of the public consultation will be published on the public consultation website of the Commission soon after its closure. A summary of all consultation activities will be included in the Staff Working Document that will present the evaluation of the Environmental Crime Directive (in the first half of 2020).

[1] INTERPOL-UN Environment (2016). Strategic Report: Environment, Peace and Security – A Convergence of Threats. Available at [www.interpol.int](http://www.interpol.int) and [www.unep.org](http://www.unep.org).

[2] Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law.

[3] Directive 2009/123/EC of the European Parliament and of the Council of 21 October 2009 amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements

[4] COM(2015) 185 final.

[5] Council Conclusions on setting the EU's priorities for the fight against organised and serious international crime between 2018 and 2021, adopted on 18 May 2017.

## About you

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### \* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish

- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

\* I am giving my contribution as

- Academic/research institution
- Business association
- Consumer organisation
- Non-governmental organisation (NGO)
- Trade union
- Business/industry association (please specify sector)
- Business/industry (Please specify sector)
- National judicial authority (judge/prosecutor)
- National public enforcement authority (environmental supervisory authority /police)
- National public enforcement authority (sector specific)
- Local/regional authority (please specify)
- Government authority in charge of environmental policy
- Professional networks (judges, prosecutors, environmental inspectors, police etc.)
- Other interest organisations (hunters/farmers)
- Other Public authority
- Private individual

With regard to the above question, please specify your business sector (if applicable) or "other" if applicable:

\* First name

\* Surname

\* Email (this won't be published)

\* Organisation name

*255 character(s) maximum*

WCS EU

## Transparency register number

*255 character(s) maximum*

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

054662633848-40

## Your EU-Member State of residence

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom

Are you familiar with the Environmental Crime Directive?

- Yes
- No

\* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

**Anonymous**

Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

**Public**

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

Section on Effectiveness: This section treats the progress of the Directive towards a better protection of the environment.

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**Question 1a.** In your view, did the protection of the environment improve over the last ten years in your **Member State of residence** with regard to:

	Yes, to a large extent	Yes, to some extent	Yes, to a small extent	No	Do not know
Wildlife crime (illegal hunting/logging /trafficking and killing of protected species /damage to habitats)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Waste crime (dumping, trafficking, illegal handling of waste)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pollution crimes (air /water/soil)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify "other"

**Question 1b.** In your view, did the protection of the environment improve over the last ten years in the **European Union** overall with regard to:

	Yes, to a large extent	Yes, to some extent	Yes, to a small extent	No	Do not know

Wildlife crime (illegal hunting/logging/trafficking and killing of protected species/damage to habitats)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Waste crime (dumping, trafficking, illegal handling of waste)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pollution crimes (air/water/soil)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify "other"

**Question 2.** What kind of changes did you observe in your **Member State of residence** with regard to the protection of the environment over the last 10 years? (multiple answers possible)

	Less	More	Do not know
Environmental damage	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Resources to fight environmental crime (courts, police, environmental authorities)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Investments and compliance measures by duty-holders (companies/industries /organisations) obliged by environmental law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Detection of environmental crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prosecution of environmental crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Convictions with regard to environmental crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Severity of sanction imposed for environmental crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cross-border cooperation between law enforcement and judicial authorities in EU Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public awareness of the importance of environment protection	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Further comments:

**Question 3.** Are you a duty-holder with regard to environmental law, or do you work for a duty-holder (for example a company/industry/organisation) obliged by environmental law?

If you answer no, you will be forwarded to question 4.

- Yes
- No

**Question 4.** If you think that the protection of the environment through criminal law as provided in the EU Directive might not be fully effective in your Member State of residence or the EU overall, what are in your view the main reasons? Please assess below.

At EU level

	To a large extent	To some extent	To a small extent	No	Do not know
Different criminal sanction levels across the EU makes criminals move their activities to EU Member States with low criminal sanctions or with low risk of detection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insufficient cross-border cooperation between EU Member State authorities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insufficient support from EU level (e.g. by bodies such as OLAF, Eurojust) for cross-border cooperation between Member States	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

At national level - the work of law enforcement and judicial authorities

	To a large extent	To some extent	To a small extent	No	Do not know
Difficulties in finding the criminally liable perpetrator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Practical difficulties to prove that an environmental crime has been committed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The criminal sanctions that are imposed are too low to deter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insufficient cooperation and coordination between different national authorities responsible for detecting, investigating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

and prosecuting environmental crime (police, prosecution, judicial authorities, administrative authorities, tax authorities)					
Insufficient allocation of financial and human resources to detect, investigate and prosecute environmental crime	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of specialisation and training of law enforcement authorities and judiciary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of information sharing between different relevant authorities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### At national level - the legislator's work

	To a large extent	To some extent	To a small extent	No	Do not know
The criminal sanctions and the levels provided for in the national criminal code do not have enough of a deterrent effect	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of an effective system for criminal liability for legal persons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The complexity of enforcement of environmental law (interplay between criminal, civil and administrative law)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Further comments:

The EU Environmental Crime Directive is currently insufficient to effectively address wildlife crimes. Low rates of prosecution and penalties make environmental crime a high-profit, low risk activity for criminal groups. This is compounded by the lack of financial and human resources to tackle environmental crime in many Member States. The EU needs to update its legislation to bring it in line with the 2014 UN Convention against Transnational Organized Crime (UNTOC) declaration (1), of which the EU and its Member States are signatories, and which calls on countries to treat wildlife and forest crimes as serious criminal offences. The EU must use financial investigation and anti-money laundering techniques to combat wildlife crime.

(1) <http://cites.org/sites/default/files/eng/news/sundry/2014/london-wildlife-conference-declaration-140213.pdf>

**Question 5.** If you consider that terms in the EU Directive such as “substantial damage”, “dangerous activity or substances”, “negligible/non-negligible impact” are too vague, how could legal clarity be improved? (Several answers are possible)

Several answers are possible

- At EU level: the Directive should contain clearer and more precise definitions
- At EU level: the EU should issue non-binding guidelines/best practices on vague terms in the Directive, considering legal traditions and case law
- At Member State level: Member States should transpose vague terms into their national law in a clear and precise manner taking account of their national legal traditions
- At Member State level: the judiciary should clarify vague terms in case law



- In your Member State of residence, there are no such problems resulting from the terms mentioned
- Do not know

Any other comment:

**Question 6.** If you consider that the Directive lacks effectiveness, which of the following actions, on particular issues, could have been useful to improve its effectiveness:

	Very useful	Useful	Not very useful	Not useful at all	Do not know
Definition of minimum and/or maximum sanction levels binding for all Member States	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prison sanctions for serious forms of environmental crime	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rules on confiscation of proceeds generated through environmental crime	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A system of fines proportionate to the turnover of the legal person or to the economic benefit generated through criminal offences	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Criminal sanctions for legal persons if the crime was committed for their benefit	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obligation for Member States to criminalise the attempt to commit environmental crime	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rules on territorial and personal jurisdiction[1] of a Member State with regard to environmental crime.  [1] Jurisdiction in this context means the competence of a Member State to apply and enforce its national law in a defined geographic area (e.g. the Member State's territory) and with regard to particular persons (e.g. its nationals independent of where the criminal act is committed).	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obligation of Member States to coordinate prosecution where an environmental crime falls under the jurisdiction of several Member States (for example by having recourse to Eurojust)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Rules ensuring that effective investigative tools, such as those which are used against organised or other serious crime, are available for environmental crime	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Obligation of Member States to ensure cooperation and coordination between national law enforcement, prosecution and judicial authorities, including information exchange	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Further EU action is not necessary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Other suggestions:

Section on Efficiency: This section treats the relationship between the costs and benefits generated by the Directive.

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**Question 7:** To what extent would you agree or disagree with the following statement?

“The benefits of increased environmental protection derived from the Directive largely outweigh the costs of implementing the Directive.”

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree
- Do not know

Section on Relevance: This section treats the relevance of the Directive and more specifically if the objectives of the Directive still correspond to the needs to improve the protection of the environment.

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**Question 8.** In your view, is criminalisation of environmental offences an effective way to ensure compliance with environmental law?

- No, administrative sanctions (permission withdrawal, cessation of activities etc, compliance monitoring (inspections and other controls) and preventive measures (e.g. awareness raising, certification/compliance programmes) are effective and sufficient
- Criminalisation should complement administrative sanctions and preventive measures
- Do not know

Other, please specify:

Section on Coherence: This section treats the relationship between the Directive and other European instruments in the same area.

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**Question 9.** In your view, to what extent do the following sanctions and measures motivate a duty-holder (company/industry/organisation, natural person) to take measures to comply with environmental law?

	To a large extent	To some extent	To a small extent	Not at all	Do not know
Risk of imprisonment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Risk of criminal financial penalties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Risk of administrative fines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Risk of reputational damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Restoration costs/private settlement costs to make good environmental damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other sanctions such as withdrawal or suspension of a licence/authorisation to operate an establishment, the shutdown of an establishment, judicial winding up, removing access to public aid, judicial supervision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preventive measures (certification, compliance programmes, information campaigns)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effective controls (including environmental inspections, custom controls)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Concern for the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Question 10.** The EU Agenda on Security (2015) highlighted the link between environmental crime and organised crime. In your view, does the Directive ensure that challenges from the involvement of organised crime are met? (Several answers are possible.):

- Yes, the Environmental Crime Directive's provisions are sufficient to meet challenges stemming from involvement of organised crime.
- No, the Environmental Crime Directive lacks provisions to oblige Member States to treat environmental crime committed in the context of organised crime as an aggravating circumstance in court procedures.
-

No, the Environmental Crime Directive lacks provisions on minimum or maximum sanctions if environmental crime is committed in the context of organised crime

- No, the Environmental Crime Directive lacks provisions on investigative tools to be made available if environmental crime is committed in the context of organised crime.
- No, the Environmental Crime Directive lacks provisions to oblige Member States to criminalise environmental offences if committed in the framework of a criminal organisation independent of whether the offence has caused serious damage or not.
- Do not know.

Other:

**Question 11.** In your view, should more acts be criminalised by the Directive (Art. 3)?

- Intentional or negligent actions which did not violate environmental law but caused serious environmental damage
- Environmental offences independent of whether they actually caused serious damage.
- No.
- Do not know.

Section on EU added-value: This section treats the question whether EU action is necessary to stimulate and complement national action.

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**Question 12.** Currently, breaches of EU fisheries legislation are generally not criminalised. Do you find it justified and coherent that breaches of fisheries legislation should be criminalised?

- Yes
- No
- Yes, for certain serious breaches
- Do not know

**Question 13:** In your view, has the Directive contributed to:

**In the EU as a whole**

	To a large extent	To some extent	To a small extent	Not at all	Do not know
More compliance of duty holders with environmental law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Prevention of “safe havens” for criminals in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduction of illegal trade (of waste, wildlife, dangerous materials etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increased awareness of the importance of environmental protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More cross-border cooperation between Member State law enforcement and judicial authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More resources allocated to Member State law enforcement and judicial authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Better training and specialisation of Member State law enforcement and judicial authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More deterrent sanctions imposed by Member State courts with regard to environmental crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More environmental crime prosecuted in Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

### In your Member State of residence

	To a large extent	To some extent	To a small extent	Not at all	Do not know
More compliance of duty holders with environmental law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Prevention of “safe havens” for criminals in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Reduction of illegal trade (of waste, wildlife, dangerous materials etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Increased awareness of the importance of environmental protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More cross-border cooperation between Member State law enforcement and judicial authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More resources allocated to Member State law enforcement and judicial authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Better training and specialisation of Member State law enforcement and judicial authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More environmental crime prosecuted in the Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

### Question 14. To what extent do you agree with the following:

	To a large extent	To some extent	To a small extent	Not at all	Do not know

If there was no EU action on environmental crime, Member States would have reached the same result by national criminal legislation.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
EU action is important to have a framework for effective cross-border cooperation with regard to environmental crime.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Question 15.** Are there any other issues with regard to the Directive to which you would like to draw our attention? Please feel free to upload a relevant document, such as for example evidence supporting your replies or a position paper. Please note that the uploaded document will be published alongside your response to this questionnaire. The maximum size of an uploaded file is 1 MB.

WCS EU welcomes this public consultation on the evaluation of the Environmental Crime Directive. Tackling wildlife trafficking has become a high priority for the EU and its Member States, as highlighted by the EU Agenda on Security 2016-2020, the EU Action Plan against Wildlife Trafficking adopted in 2016, and the increasing amount of overseas development aid dedicated to fighting wildlife trafficking in partner countries. However, the EU's strong efforts to promote the issue globally are not being matched by efforts to tackle wildlife crime within the EU. This undermines the credibility of the EU in the valuable work it is doing to support partner countries to tackle the issue where wildlife trafficking is a major threat to biodiversity. Wildlife trafficking constitutes one of the most immediate threats to biodiversity in many parts of the world. Wildlife is being bought and sold across the globe on an increasingly large scale as multiple commodities, including pets, food, medicine, furs, feathers, curios, and skins. The EU has an important role to play in addressing wildlife trafficking, as it constitutes a major destination market, a hub for trafficking in transit to other parts of the world, as well as the source region for illegal trade in some species. A recent UN Environment - Interpol report concluded that environmental crime constitutes a threat to peace and security, and often converges with other serious crimes such as corruption, cybercrime and financial crime (1). The revision of the EU Environmental Crime Directive is essential as it is currently insufficient to effectively address wildlife crime. Low rates of prosecution and penalties make environmental crime a high-profit, low risk activity for criminal groups, including within the EU. This is compounded by the lack of financial and human resources to tackle environmental crime in many Member States. The EU needs to update its legislation to bring it in line with the 2014 UN Convention against Transnational Organized Crime (UNTOC) declaration (2), of which the EU and its Member States are signatories, and which calls on countries to treat wildlife and forest crimes as serious criminal offences. The EU must use financial investigation and anti-money laundering techniques to combat wildlife crime.

While we have been encouraged by the role the EU has taken in tackling this issue to date, we call on the Commission to fulfil the commitments it has made in this area, and to revise the EU Environmental Crime Directive. We urge the Commission to release the report on the contribution of criminal law to the fight against environmental crime (3), which was expected in 2018, and to take it into account in the evaluation of the Directive. Precise information and data on prosecution rates, enforcement capacity, and penalties, in EU Member States are necessary in order to adequately evaluate the Directive. We also call on the Commission to engage with local, national, and international NGOs with considerable expertise on the issue.

(1) <https://www.interpol.int/en/News-and-Events/News/2016/Environmental-crime-threatening-peace-and-security-finds-new-INTERPOL-UN-Environment-report>

(2) <http://cites.org/sites/default/files/eng/news/sundry/2014/london-wildlife-conference-declaration-140213.pdf>

(3) [http://www.europarl.europa.eu/doceo/document/E-8-2018-001060-ASW\\_EN.html](http://www.europarl.europa.eu/doceo/document/E-8-2018-001060-ASW_EN.html)

NB - We would like to highlight that we were unable to submit our responses to Question 2 of this online questionnaire as we were unable to select more than one response due to a problem with the online system. We would also like to clarify that under Question 11 of this questionnaire we wanted to select the following

two responses but were only able to select one:

-Intentional or negligent actions which did not violate environmental law but caused serious environmental damage

-Environmental offences independent of whether they actually caused serious damage.

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#### About WCS EU

WCS EU is a Belgian NGO affiliated with the Wildlife Conservation Society (WCS), a global NGO working to deliver wildlife conservation programmes in over 60 countries, mainly in Africa, Asia, the Pacific and Latin America. WCS EU draws upon WCS's global field expertise and experience to identify, formulate, and articulate policy positions on conservation issues such as wildlife trade and wildlife trafficking.

## Please upload your file

The maximum file size is 1 MB

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

## Contact

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