



c/o WCS  
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Brussels

Věra Jourová  
European Commissioner for Justice, Consumers and Gender Equality  
Rue de la Loi 200  
1000, Brussels

Wednesday, 29<sup>th</sup> March 2017

Dear Commissioner Jourová,

**Subject: Urgent Need for a Review of the Directive on the Protection of the Environment through Criminal Law (2008/99/EC).**

We are writing as an informal coalition of non-governmental organisations, working together to provide expertise on the development and implementation of EU environmental policy in relation to environmental and wildlife crime. We believe there is an urgent need to review the Directive on the protection of the environment through criminal law (2008/99/EC) in order for the EU to retain its position as an effective leader in combatting environmental crime.

According to a recent UNEP-Interpol report<sup>1</sup>, environmental crime is a threat to peace and security, and often converges with other serious crimes such as corruption, cybercrime and financial crime. **It has grown to become the fourth largest illegal global trade, after drugs, counterfeiting and human trafficking, estimated to be worth up to 216 billion USD and often perpetrated by organised criminal groups; wildlife trafficking alone is worth an estimated 23 billion USD annually.**<sup>2</sup> As well as decimating the populations of many iconic wildlife species such as Elephants and Rhinos and fuelling insecurity and undermining communities outside the EU, wildlife crime also undermines the implementation of EU Policy internally. For example, the large scale illegal trapping and shooting of protected birds under the EU Birds Directive as well as the rampant use of poisoned baits has been decimating populations of protected species under the EU Habitats and Birds Directives.

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<sup>1</sup> 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)

<sup>2</sup> May, C., (2017). Transnational Crime and the Developing World. Global Financial Integrity. Available at: [www.gfintegrity.org/wp-content/uploads/2017/03/Transnational\\_Crime-final.pdf](http://www.gfintegrity.org/wp-content/uploads/2017/03/Transnational_Crime-final.pdf)

The Directive on the Protection of the Environment through Criminal Law aims to ensure that criminal law measures are in place in each Member State for such violations. **Despite this, 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.

**While we have been encouraged by the role the EU has taken in tackling this issue to date, we now call on the European Commission to fulfil the commitments it has made in this area** in the European Agenda on Security 2016-2020 and the EU Action Plan against Wildlife Trafficking adopted in 2016 which states that the effectiveness of Directive 2008/99 should be reviewed, **including concerning the criminal sanctions applicable to wildlife trafficking throughout the EU.** It is also an opportunity to ensure that organised wildlife crime is considered as a serious crime in the EU as agreed under the UN Convention against Transnational Organized Crime (UNTOC), of which the EU and its Member States are signatories. **This would enable the issue to be given the resources and people it needs to be effectively tackled.**

**The Directorate-General for Justice has been tasked with this review, and despite the attention brought to this issue through a fruitful workshop organised in October 2016, there is a need for a clear timeframe and consultation process to be communicated.** This is particularly important given the urgency of the issue, and given that both the Agenda on Security and the Wildlife Trafficking Action Plan and stated that the review would take place by the end of 2016.

We look forward to receiving more information on the review process from DG JUST. We would also be delighted to meet with you in the near future to discuss this issue further.

Yours sincerely,



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Director of European Policy  
Wildlife Conservation Society



Sonja Van Tichelen  
European Director  
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Dr Joanna Swabe  
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cc. Karmenu Vella, European Commissioner for the Environment, Maritime Affairs and Fisheries  
Dimitris Avramopoulos, European Commissioner for Migration, Home Affairs and Citizenship