



This work has been submitted to **NECTAR**, the **Northampton Electronic Collection of Theses and Research**.

Conference or Workshop Item

Title: Environmental organised crime: stealing from future generations

Creator: Sneddon, S.

Example citation: Sneddon, S. (2013) Environmental organised crime: stealing from future generations. Invited Presentation presented to: *1st International Week, Instituto Politécnico do Cávado e do Ave, Portugal, 18-20 February 2013.*

Version: Presented version

<http://nectar.northampton.ac.uk/6563/>





Instituto Politécnico do Cávado e do Ave
University of Northampton



Environmental Organised Crime: Stealing from future Generations

Dr Simon Sneddon

University of Northampton

simon.sneddon@northampton.ac.uk



Instituto Politécnico do Cávado e do Ave University of Northampton



Instituto Politécnico do Cávado e do Ave

University of Northampton

What will be covered today:

Definition of Terms

Focus on Wildlife Crime

CITES

OEC

Instituto Politécnico do Cávado e do Ave

University of Northampton

UN Conference on the Human Environment, Stockholm, 1972

That which gives [man] physical sustenance and affords him the opportunity for intellectual, spiritual, moral and social growth.

Both aspects of man's environment, the natural and the man made, are essential for his well being and his enjoyment of basic human rights.

World Conference on Environment and Development, Rio de Janeiro, 1992

Where we all live.

Instituto Politécnico do Cávado e do Ave

University of Northampton

2000 UN Convention on Transnational OC:

“**Organized criminal group**” shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit

“**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;

“**Structured group**” shall mean a group that is not randomly formed for the immediate commission of an offence and that does not need to have formally defined roles for its members, continuity of its membership or a developed structure

Instituto Politécnico do Cávado e do Ave

University of Northampton

Illegal trade in endangered species covered by one legal instrument – Convention on the International Trade in Endangered Species of Wild Flora and Fauna (aka “CITES”), signed in Washington in spring 1973

Membership of Western Hemisphere Convention was limited to members of the OAS, but CITES membership is open to all states

Instituto Politécnico do Cávado e do Ave

University of Northampton

Initial membership of CITES was only 21 (mainly non-Western) countries when it came into force at the beginning of 1975

Since then ([LINK](#)) will rise to 177 countries, with the addition of the Maldives on 12 March 2013

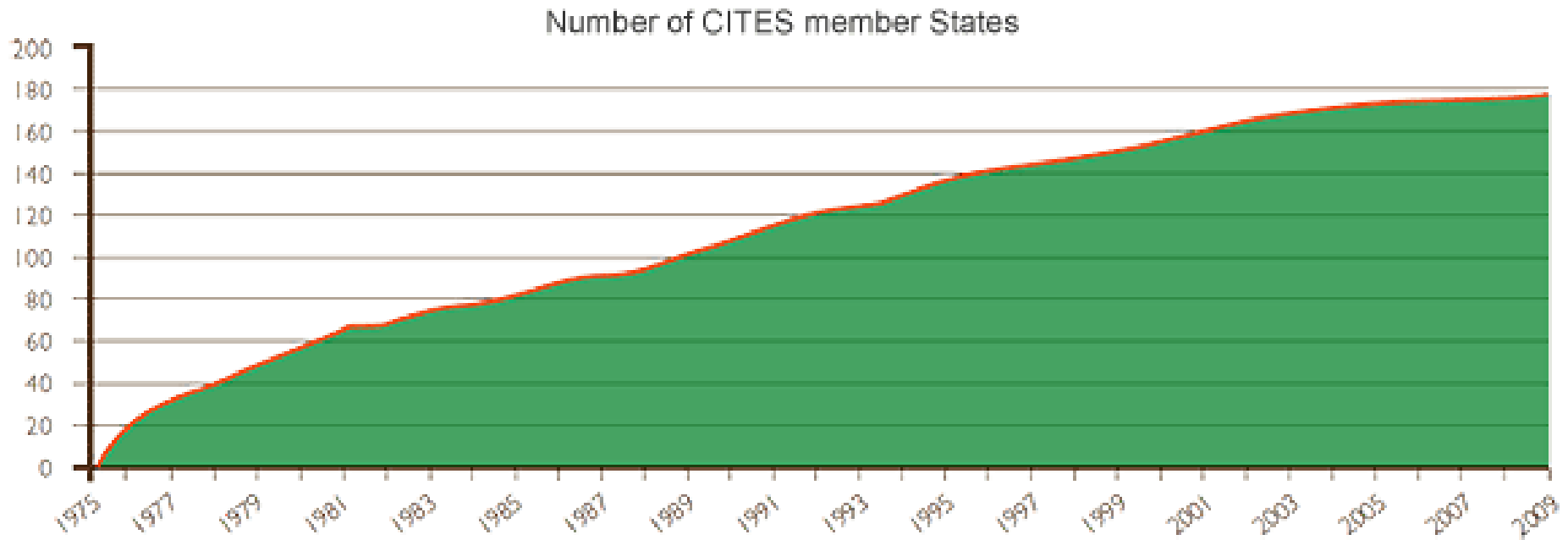
Membership still biased/skewed towards developing countries

After 1983, regional economic blocs were able to sign CITES as well as countries

Origin of most species is the South, but destination is the North – annual imports of endangered species into US alone is close to \$1bn

Instituto Politécnico do Cávado e do Ave

University of Northampton



Instituto Politécnico do Cávado e do Ave

University of Northampton

Preamble to Convention

"...recognising in addition that international co-operation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade; convinced of the urgency of taking measures to this end..."

Species which were felt to be in danger of extinction, either imminently or at a later date were put into one of two main or one minor Appendices

Trading in species on any appendix was banned

Instituto Politécnico do Cávado e do Ave

University of Northampton

Appendix I

Imminent danger of extinction

About 800 species, including Gorilla, tiger, jaguar

Appendix II

Potential danger of extinction

About 32,500 species, incl. American black bear, bigleaf mahogany

Appendix III

Not in danger, but...

"species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in control of trade"

Species on CITES Appendices (2005)

	Appendix I	Appendix II	Appendix III
Mammals	228 species 21 subspecies 13 populations	369 species 34 subspecies 14 populations	57 species 11 subspecies
Birds	146 species 19 subspecies 2 populations	1401 species 8 subspecies 1 population	149 species
Reptiles	67 species 3 subspecies 4 populations	508 species 3 subspecies 4 populations	25 species
Amphibians	16 species	90 species	None
Fish	9 species	68 species	None
Invertebrates	63 species 5 subspecies	2030 species 1 subspecies	16 species
Plants	298 species 4 subspecies 6 populations	28074 species 3 subspecies 2 populations	45 species 1 subspecies
Totals	827 species 52 subspecies 19 populations	32540 species 49 subspecies 25 populations	291 species 12 subspecies 2 populations

Instituto Politécnico do Cávado e do Ave
University of Northampton

Appendices are updated regularly.

The 25 September 2012 list is here:

<http://www.cites.org/eng/app/appendices.php>

Instituto Politécnico do Cávado e do Ave

University of Northampton

Wider scope than might at first seem to be the case, even when there were only a handful of member states

Article X covers any trade in the included species with non member states, and insisted that:

Where export or re-export is to, or import is from, a State not a Party to the present Convention, comparable documentation will be issued by the competent authorities in that State which substantially conforms with the... Convention

Article XVIII allows states to join CITES but make an exception for some species on the Appendices

Happens, but not often – less than 100 occurrences in 40 years

Instituto Politécnico do Cávado e do Ave

University of Northampton

The rules of CITES have not remained static

One of the most fundamental, and controversial, changes was made only one year after it came into force, at the Berne Conference of the Parties in 1976

Made it harder to downgrade from Appendix I to Appendix II

There are nearly 900 species of wildlife included in Appendix I, most of which are individual species

Appendix II number tens of thousands of species, as whole families or orders are often included instead of individual species

Instituto Politécnico do Cávado e do Ave

University of Northampton

Berne COP said that if successive COPs were to...

Err in prematurely removing a plant or animal from protection, or lowering the level of protection afforded, the result [could] be the permanent loss of the resource.

If it errs it should therefore be toward protection of the resource

Separate rules for marine species, and those found outside national jurisdiction (in the sea more than 200 miles away from the coastline of a country)

Specimens already belonging to dolphinariums and aquaparks can be transported without a permit, under one of the exceptions listed in Article VII

Instituto Politécnico do Cávado e do Ave

University of Northampton

Number of endangered species (Appendix I & II) has increased since 1975.

Good thing or bad thing?

Good: Scientific knowledge is increasing

Bad: More species are becoming endangered

CITES cannot be condemned as a failure – it does not even *try* to regulate trade in species which are not *already* likely to become endangered

Instituto Politécnico do Cávado e do Ave

University of Northampton

However, banning trade in endangered species could have an adverse effect. *Quercus suber*, the Cork Oak, grows here in Portugal:

“in forest mosaics alongside other tree species, including a variety of other oaks, stone and maritime pines, and even wild olive trees. These lands are home to a great diversity of species. Plant diversity is higher here than in many other forest regions of the world, with almost 135 different plant species per square meter. The diversity extends to animal life, including some critically endangered species such as the Iberian lynx, Barbary deer and Iberian imperial eagle

The cork oak faces many threats such as fire, deforestation, agricultural expansion, disease and climate change. Another threat: increased demand for alternative wine stoppers. *As the market for cork decreases, fewer cork oak landscapes will be conserved and the species will be placed at greater risk.*

Instituto Politécnico do Cávado e do Ave

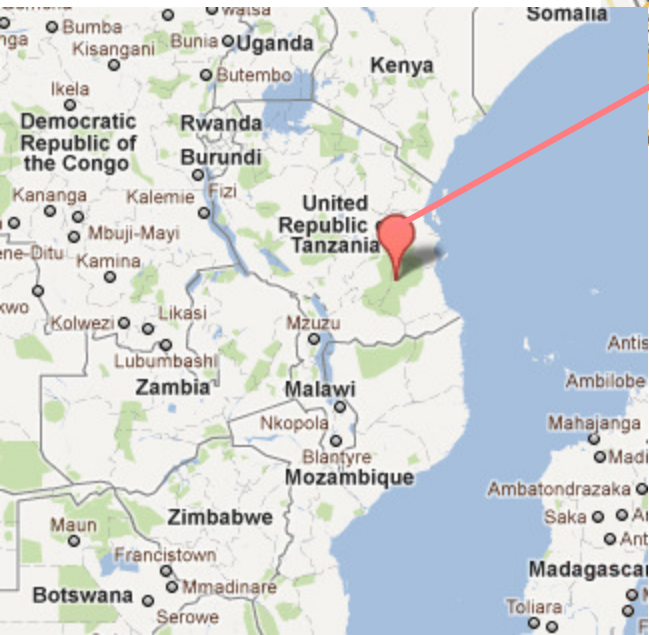
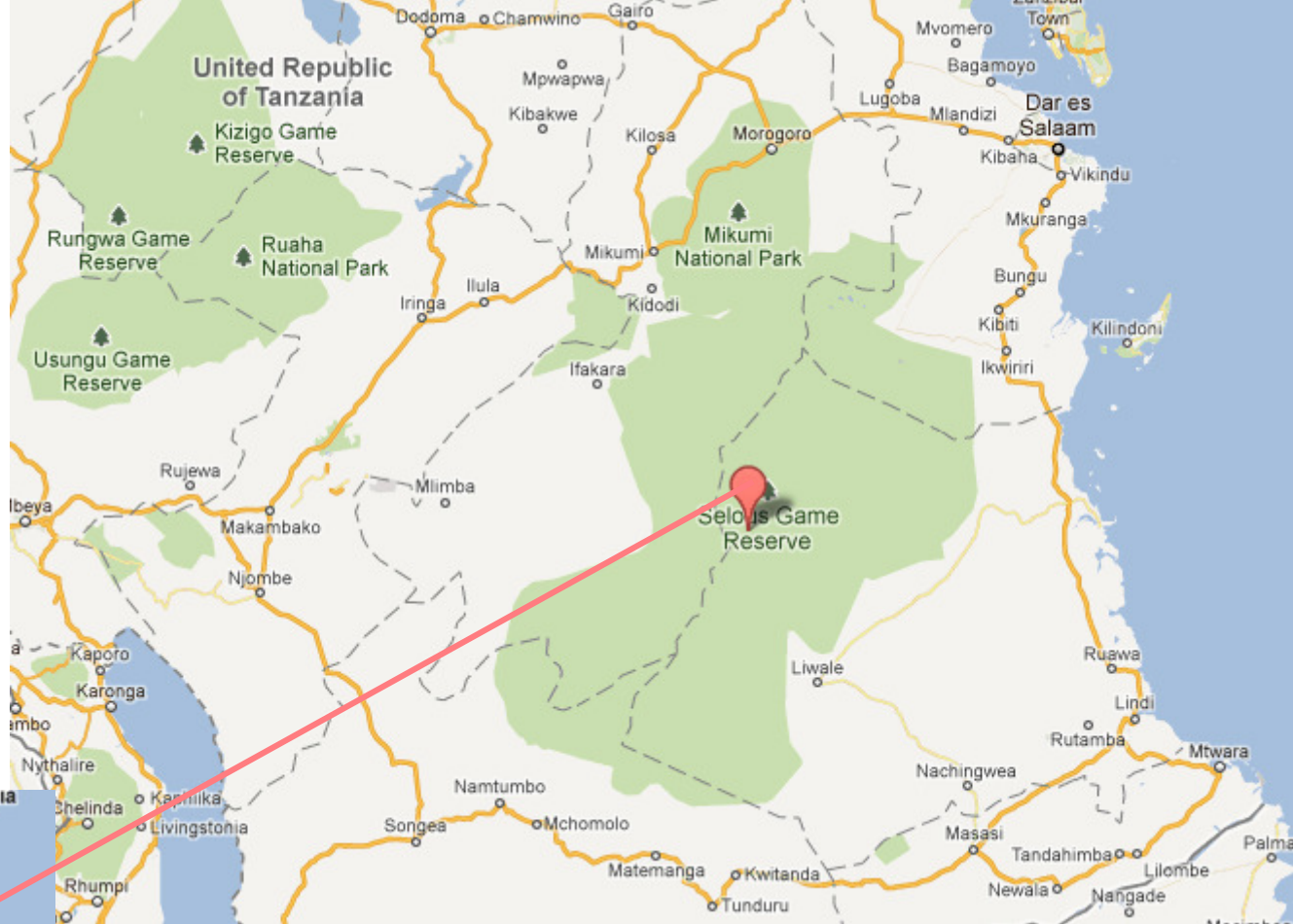
University of Northampton

However, [Cheung](#) argued in 1995 that

Although lifting the trade ban may provide immediate financial resources for animal conservation in the short term, it unnecessarily puts at greater risk the very species the Convention is intended to protect.

It is the operations cost in the large, sparsely populated areas which hampers more successful enforcement of CITES

In Africa, one game reserve (the Selous Game Reserve in Tanzania, which is also a UNESCO World Heritage Site) is 55,000km² roughly half the size of Portugal, and is policed by only a handful of people



Instituto Politécnico do Cávado e do Ave

University of Northampton

Need strong enforcement to be viable

CITES enforcement is carried out at national level

Export country must ensure that shipments comply with the terms of CITES (Articles III(2) and IV(2))

Role is shared by import country (Arts III(3) & IV(4))

Duties often delegated to Customs officials

Scientific and Management Authorities must submit annual report to CITES Secretariat which summarises all of the information about permits sought and granted

Instituto Politécnico do Cávado e do Ave

University of Northampton

The Secretariat is provided by, and was initially funded by the UN Environment Programme (UNEP), but is now paid for by the parties to CITES at a proportional level decided by COP in 1990 via the CITES Trust Fund

The core budget is just over US\$5.4m ([LINK](#)) (2012), with a current backlog of unpaid dues in excess of US\$2.5m ([LINK](#))

NGOs often used – once they have been admitted to the COP, NGOs are usually active participants in the procedures, albeit informally

This means that CITES has been very successful in getting higher compliance levels than might otherwise have been the case

Instituto Politécnico do Cávado e do Ave

University of Northampton

In 2006, the National Wildlife Crime Unit (NWCU) launched in Edinburgh, following a successful 2002 pilot scheme

It has 15 staff to tackle all forms of wildlife crime – a start, but a small one (given that they say the CITES trade in the UK was £85m in 2004/5)

The Unit's funding (of £270,000) was secured until the end of 2013, split between DEFRA and the Home Office

Instituto Politécnico do Cávado e do Ave

University of Northampton

At the launch of a June 2007 [report](#) by the Environmental Investigation Agency (EIA) claimed:

Organised crime syndicates working with corrupt government officials have turned environmental crime into a multi-billion pound business that is rivalling the drugs trade

The profits to be made from the illegal trade in everything from Asian big cats to Tibetan antelope and the growth of illegal logging is now creating instability in many countries

([Guardian, June 7, 2007](#))

Instituto Politécnico do Cávado e do Ave

University of Northampton

In 2010, Interpol adopted a resolution unanimously pledging support to back CITES and to fight environmental crime:

People don't imagine the kind of money involved in wildlife trafficking. They still too often believe that local poachers go out and shoot whatever they can find, when in fact you have real networks of professional criminals getting organised to kill and ship wildlife on a massive scale

The Manager of Interpol's Environmental Crime Programme said in December 2012

Environmental crime is individuals within our community that are stealing from us as people. They are taking from our future and from our future generations.

Instituto Politécnico do Cávado e do Ave

University of Northampton

No certainty about the size of the trade but various estimates:

Reeve (2002)	\$5-10bn (excluding fisheries)
Lee (2002)	\$5-10bn total
EIA (2007)	\$15bn (just illegal logging)
Brack (2002)	\$20bn total
Wasser (2010)	\$20bn total
NWCU (2007)	£2.25bn to £6.3bn (\$4-12bn) (excl. fisheries and timber)

By comparison:

Drugs:	\$300-400bn
Small arms / light weapons:	\$15bn?
Human Trafficking:	\$7-15bn