

Name of Project: EU Action Plan Against Wildlife Trafficking	
ToR Reference No.: 2022-VII/04	
Version: <input type="checkbox"/> Draft <input type="checkbox"/> Final <input checked="" type="checkbox"/> Adopted	Date: 11-Mar-22
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry and air	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input checked="" type="checkbox"/>
Cross-cutting tools and approaches	<input type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input checked="" type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other, (please describe):	<input type="checkbox"/>
1.3 Full name of work	
Analysis of good practices in the implementation of Council Regulation (EC) no 338/97 of 9 December 1996, on the protection of species of wild fauna and flora by regulating trade therein, and the Commission Regulation (EC) no 865/2006, of 4 May 2006, laying down detailed rules concerning the implementation of Council Regulation (EC) no 338/97 on the protection of species of wild fauna and flora by regulating trade therein, and their relation with the EU Action Plan against Wildlife Trafficking, with possible participation of ENPE, EUFJE and EnviCrimeNet.	
1.4 Abbreviated name of work or project	
EU Action Plan Against Wildlife Trafficking	

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist
<ul style="list-style-type: none"> • Council Regulation (EC) no 338/97 of 9 December 1996.



- Commission Regulation (EC) no 865/2006, of 4 May 2006.
- CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).
- EU Action Plan against Wildlife Trafficking.
- Member States legislation implementing CITES.

2.2 Link to IMPEL MASP priority work areas

- | | |
|---|-------------------------------------|
| 1. Assist members to implement new legislation. | <input type="checkbox"/> |
| 2. Build capacity in member organisations through the IMPEL Review Initiatives. | <input type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission. | <input checked="" type="checkbox"/> |
| 4. Other, (please specify): | <input type="checkbox"/> |

2.3 Why is this work needed?

The scale of wildlife trafficking is such that it now poses a genuine threat to the survival of some of nature's most emblematic species. As a result, tigers, rhinoceros, elephants, and even species of timber such as rosewood are severely at risk of extinction.

Wildlife trafficking has become a billion-euro criminal industry dominated by organized criminal groups. It is even more attractive as the risk of detection is low, penalties are often insignificant, whereas the profits are comparable to arms and human trafficking. Even though the countries more affected are those with more biodiversity and generally outside the EU, Europe too is directly concerned and affected. Endangered birds and reptiles are offered for sale in the European Union, protected timber and ivory have been sneaked through harbours, and highly endangered glass eels from Europe are ending up for sale in Asia.

Thus far, EU efforts to address the problem have been focused on implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora and advocating for strict global rules, supporting large scale conservation efforts, and engaging in regional or multilateral initiatives to curb wildlife trafficking and poaching.

The implementation of the EU Action Plan against Wildlife Trafficking will require broad support, not just from the EU institutions, but also the EU agencies (e.g. Europol and Eurojust), the Member States and their relevant agencies, the EU Delegations and Member States Embassies in third countries.

That 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 wildlife. The Action Plan is a major contribution towards the Sustainable Development Goals set under the 2030 Agenda for Sustainable Development agreed by heads of state at a UN summit in September 2015. Goal 15, which relates to biodiversity, sets the target of "taking urgent action to end poaching and trafficking of protected species of flora and fauna, and address(ing) both demand and supply of illegal wildlife products".



Nevertheless, the EU and its Member States need to address the problem together. EU-wide rules regulating the trade in wildlife have been in place in all Member States since 1983, implementing CITES, and the Commission issued a recommendation on enforcement in 2007. However, reports reveal significant differences in how the Member States implement and enforce these shared rules. This represents a major risk, because criminals can easily exploit the 'state of affairs' by diverting trade routes accordingly, as a number of cases in recent years have shown. It has also emerged, in various reports and during the stakeholder consultation, that lack of awareness and political engagement are also major obstacles to combating wildlife trafficking effectively.

A joint commitment by the EU and its Member States, in the form of an Action Plan, to taking a series of measures, implementing shared international commitments and acknowledging at a political level the importance of tackling the problem, represents a way to ensure more even EU-wide enforcement. It will help boost the EU's credibility worldwide when it demands that its global partners take stronger action against wildlife trafficking.

To achieve those goals, it will be essential to work together closely between the Member States, with stakeholders, including civil society organizations and relevant business sectors, on many specific measures to make maximum use of the available expertise and knowledge and ensure maximum impact.

An important action to take it will be to analyse the different good practices to implement the EU tools to tackled wildlife trafficking and to publicize test and develop an orientation guide, already produced that can be share and used by all Member States. This work will be done on several workshops and joint inspections.

2.4 Desired outcome of the work

The general goal of the project is to publicize and test a reference guide to a core group of implementing enforcement authorities of the EU Member States that enable them to successfully tackle the problem of the wildlife trafficking. This will include:

- Exchange of solutions concerning implementation problems.
- Facilitating implementation and interpretation of available tools.
- Workshops on testing and improving the reference guide
- Joint inspections.
- Web applications.
- Identifying implementation gaps.
- Overview on the approaches in different European countries.
- Cooperation between actors from the compliance chain, also on defining consistent solutions for implementation problems.

The project team and participants of the workshops and joint inspections will work on these issues to come up with good practice examples for implementation and improvement of this guide. For each workshop and joint inspection will be released a progress report. Those reports will improve the final guide document. The final outcome is to better implementation of wildlife regulation, best practice



exchange, improved international collaboration on wildlife trafficking, best practices to deal with the problems of wildlife crime investigation, mitigating the loopholes of the different legislation.

2.5 Does this project link to any previous or current IMPEL projects?

Yes, it links with the 2020/18 project "EU Plan Against Wildlife Trafficking".

3. Structure of the proposed activity

3.1 Describe the activities of the proposal

The activities will be 2 workshops and 3 joint inspections on 2022; 1 workshop and 3 joint inspections on 2023; 1 workshop and 3 joint inspections on 2024; Joint inspections are necessary to test and improve reference guide which is our final product

3.2 Describe the products of the proposal

For each workshop and joint inspection, an activity report; each year a progress report and in the end of the project a final report with the improvements of the document guide.

