



# Preventing illegal trade in wildlife – revision of EU action plan

**Feedback provided by the Beastly Business project team at the  
University of Sheffield**

The ESRC-funded Beastly Business research project team welcomes the European Commission call for feedback in the process of revising the EU Action Plan against Wildlife Trafficking.

Wildlife trafficking is a key threat to biodiversity, yet it is not a priority issue on the political agenda of most EU Member States, despite being among the most lucrative illegal activities worldwide.

The European Union is a major player in the illegal wildlife trade as a source, consumer and transit area, however the challenges faced by European species which are illegally traded have been largely overlooked.

We provide a summary of the five most pressing, interconnected challenges below. We will provide a more detailed assessment during the [public consultation on the evaluation](#) of the EU Action Plan against Wildlife Trafficking.

## 1. Reassess the role of the EU in the global wildlife trafficking

The 2016 Action Plan aimed to address the role of the EU as a transit and consumer region and admitted that it could also be a source of wildlife for global trade. This approach allowed the EU to portray itself as an actor fighting illegal wildlife trade elsewhere, promoting policies dedicated to ending illegal wildlife trade in third countries. Nevertheless, the EU is a hotspot of IWT, characterised by stark differences in levels of implementation and enforcement of wildlife crime legislation, insufficient information regarding the species at risk, and high demand for animals and animal parts often concealed by sectors such as tourism, trophy hunting and the food industry.

It is important to reassess the role of the EU as a source region, in order to address the shortcomings of the former Action Plan (2016-2020); and this will allow the EU to look beyond the narrow focus on organised crime to tackle the challenges faced by European species. The illegal trade in European eels is poorly understood but is recognised as a significant wildlife crime, which negatively impacts this migratory species. Little is known about the impact of the illegal trade in songbirds in Europe - many of the species are migratory, so estimates of populations fluctuate and the conservation community has only recently begun to explore the impact of the trade on bird populations. The illegal trade in brown bears is even less understood and could be masked by legal activities such as trophy hunting and nuisance bear control - with little and uncertain knowledge of the size of bear populations in Europe, the trade could be having a silent but devastating impact.

As the role of the EU as source region is reassessed in the future Action Plan, the Commission should also dedicate increased scrutiny to new methods and trafficking routes; these have probably changed under the impact of the COVID-19 pandemic.

## 2. Acknowledge green collar crime

Although organised crime is a very important element in global wildlife trafficking, the 2016 Action Plan focused disproportionately on criminal networks; it therefore failed to adequately capture the range of actors involved in wildlife crime. This means that policies designed to tackle wildlife crime have missed some crucial actors. Illegal wildlife trade is carried out in ad hoc, less organised and everyday ways by opportunist traders; trafficking is also carried out (knowingly as well as unwittingly) by legal entities such as corporations, sport hunting companies and food retailers. This branch of wildlife crime is thought to fall under the category of 'green collar crime', i.e. the type of environmental crimes committed by legally registered companies who are involved in illegal activities or use their infrastructure to facilitate illicit trade. Moreover, the upcoming Action Plan should increase its focus on businesses operating online, proposing measures to increase the accountability of online platforms, including social media. The Action Plan of 2016 overlooked these actors, favouring a focus on organised crime networks as primarily responsible for wildlife trafficking.

In the revised Action Plan, the Commission should aim to widen the focus on organised criminal networks and raise political and societal awareness of the role of legally registered businesses in facilitating wildlife trafficking. In addition, we recommend a precautionary approach to legal trade, as this can also impact biodiversity, notably if scientific data on the conservation status of certain species is missing.

### 3. Close the loopholes in the legislation

The 2016 Action Plan lacked an implementation mechanism which makes monitoring and evaluation very difficult. Few Member States transposed the Action Plan into domestic legislation, and even fewer treated wildlife crime as a priority issue. It is widely acknowledged that Member States' national and regional exemptions and derogations of existing EU legislation create a complex legal context in which illegal activity can easily be concealed. Exemptions from the EU legislation could create porous lines between legal and illegal activities, thus enabling wildlife trafficking, for example, by facilitating the laundering of illegally caught specimens into the legal trade. Because these legal loopholes exist, wildlife crime remains a low risk-high profit activity. Moreover, as in the case of the Environmental Crime Directive, also under revision, vague definitions create opportunities for the development of grey markets that green-collar offenders can exploit.

### 4. Enhance cooperation

The Roadmap document for the revision of the Action Plan mentions a broad-based approach involving actors outside the wildlife-trade policy community. Cross-cooperation has been one of the shortcomings of the 2016 Action Plan and resulted mainly from a failure to advance an implementation mechanism and dedicate necessary resources. The future Action Plan should enhance cooperation not only between the Member States but also with non-EU countries, particularly in matters of wildlife crimes that impact migratory populations (songbirds, sturgeons, European eels). Cross-cooperation should expressly facilitate sharing good practices, scientific data regarding the conservation status of affected species, and exchanging data related to the prosecution of wildlife crimes. The revised Action Plan should strengthen the consistent and transparent reporting on prosecution and seizure data to perform adequate monitoring and evaluation.

The Commission should particularly complement the efforts of third-party actors (such as NGOs) to facilitate training and capacity-building across the Member States.

### 5. Dedicate resources and introduce implementation mechanisms

The failure to dedicate appropriate financial resources coupled with the lack of implementation mechanisms were significant shortcomings of the 2016 Action Plan. In practice, the implementation of the Action Plan relied solely on the efforts of the Member States and third-party actors such as international NGOs who had to secure funding through programmes such as LIFE+ or external sources. This resulted in little commitment from Member States to tackle wildlife crime as a priority issue.

The Roadmap document places the revision of the Action Plan within the larger frames constituted by the EU Green Deal and the European Biodiversity Strategy 2030. In this context, the Commission should dedicate financial and human resources at the EU level for its implementation, providing at the same time measurable targets doubled by monitoring and evaluation standards.

### About the Beastly Business Project

The **Beastly Business** project is a research project that investigates the role of green collar crime in illegal wildlife trade in Europe, and it has received funding from the **Economic and Social Research Council** part of UK Research and Innovation (grant number ES/V00929X/1). The Beastly Business project aims to develop an in-depth analysis of the dynamics that drive and sustain the wildlife trafficking in three species native to Europe in order to shape better conservation policies: brown bears, songbirds and the European eels.

We would like to thank the European Commission for providing the opportunity to share their respective feedback on the published roadmap for the revision of the EU Action Plan Against Wildlife Trafficking. Our team are willing to offer additional advice and support on the future Action Plan against Wildlife Trafficking.

The project is located at the Department of Politics and International Relations at the University of Sheffield, United Kingdom.