

WCC-2012-Res-133-EN

Improving capacity for enforcement of legislation relating to wildlife crime

RECOGNIZING the important role the IUCN World Commission on Environmental Law (WCEL) plays in advancing environmental law by developing new legal concepts and instruments, and by building the capacity of societies to employ environmental law for conservation and sustainable development;

ALSO RECOGNIZING that it is difficult to determine the full scale of wildlife crime due to anomalies in how wildlife crime is monitored and recorded;

FURTHER RECOGNIZING that in many instances organized crime syndicates involved with a range of other serious forms of crime are linked to wildlife crimes;

NOTING that the compliance and enforcement of environmental legislation face many serious challenges;

ALSO NOTING that wildlife crimes are generally not recognized as serious offences by the judiciary or politically;

FURTHER NOTING that a recent review of 1) the South African National Environmental Compliance and Enforcement Reports for 2008–9 and 2009–10; 2) relevant South African case law (from 2001 to 2011); 3) recent developments in initiatives aimed at improving compliance monitoring and enforcement; 4) results obtained through interviews with key stakeholders; and 5) relevant legislation; found that one of the most serious challenges facing successful compliance monitoring and enforcement in South Africa is adequate capacity and resources;

ACKNOWLEDGING that with the increased level of rhinoceros poaching in South Africa since 2009, rhino-related crimes are being dealt with more severely than in the past, while other wildlife crimes are still not investigated and treated as serious crimes;

CONCURRING with Resolution 1 of the Programme of Work emanating from the Global Judges Symposium (Johannesburg, 2002), that to realize the adopted principles: “the improvement of the capacity of those involved in the process of promoting, implementing, developing and enforcing environmental law, such as judges, prosecutors, legislators and others, to carry out their functions on a well informed basis, equipped with the necessary skills, information and material” is required; and

RECOGNIZING that in terms of effectively addressing the issue of wildlife crime it is essential that a coordinated global approach is adopted;

The World Conservation Congress, at its session in Jeju, Republic of Korea, 6–15 September 2012:

REQUESTS all IUCN Members and governments to promote and support:

- a. an improved and strengthened legal regime regulating wildlife crimes including the elevation of wildlife crimes to a national priority crime;
- b. increased cross-border cooperation between countries on the issue of wildlife crime, in particular between countries identified as key source and sink countries as far as wildlife crime is concerned;

- c. the development of improved and shared information systems for monitoring, recording, reporting and publishing wildlife crimes, including the accessibility and availability of wildlife crime statistics;
- d. increased capacity development and training for all government authorities and judicial officials involved in the investigation and prosecution of wildlife crimes; and
- e. increased budgets and resources being allocated towards the enforcement of relevant environmental legislation.